



Planning Committee

Wednesday 28 April 2021 at 4.00 pm

This will be held as an online virtual meeting.

The link to attend this meeting will be made available [here](#).

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: Craig Player, Governance Officer
craig.player@brent.gov.uk; 020 8937 2082

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

The members' virtual briefing will take place at 12.00 pm.

The press and public are welcome to attend this online virtual meeting. The link to attend this meeting will be made available [here](#).

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 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 - 20
APPLICATIONS FOR DECISION		
3. 20/3914 - 330 Ealing Road, Wembley, HA0 4LL	Alperton	25 - 68
4. 18/4767 - Access Storage, First Way, Wembley, HA9 0JD	Tokyington	69 - 118
5. 19/3396 - Land next to 1 Gaytor Terrace, Mulgrave Road, London	Dudden Hill	119 - 144
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: Monday 24 May 2021

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held as an online virtual meeting on Wednesday 7 April 2021 at 4.00 pm

PRESENT (in remote attendance): Councillor Kelcher (Chair), Councillor Johnson (Vice-Chair) and Councillors Dixon, Maurice, Chappell, Kennelly, S Butt and Kabir

Also present (in remote attendance): Councillor Donnelly-Jackson

Apologies for absence were received from Councillor J Mitchell Murray who was substituted by Councillor Kabir

1. Declarations of interests

Councillor Kelcher, S Butt, Maurice and Kennelly declared personal (non-pecuniary) interests in relation to item 3 as they all lived in the Wembley Stadium event day zone.

Councillors Kabir, S Butt and Kennelly also declared personal (non-pecuniary) interests in relation to item 3 as they had attended a briefing by the FA regarding the upcoming test event pilots at Wembley Stadium.

APPROACHES:

20/3149 - Willesden Green Garage, St Pauls Avenue, London, NW2 5TG

- Councillors Chappell and S Butt declared that they had been emailed by the agent of the application.

2. Minutes of the previous meeting

None.

3. 20/4197 - Wembley National Stadium, Olympic Way, Wembley, HA9 0WS

PROPOSAL:

Proposed variation of Condition 1 (event cap) of planning permission reference 18/4307 (varied permission for the construction of the stadium, dated 07/03/2019), to allow up to 9 additional major non-sporting events per event calendar year. Planning permission 99/2400 was for the demolition of the original Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including

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catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof).

Application reference 17/0368 granted permission to vary condition 3 (event cap) of consent 99/2400 to allow 22 additional major Tottenham Hotspur Football Club events in between 1 August 2017 and 31 July 2018.

Application reference 18/4307 granted permission to vary conditions 1 (event cap) and 2 (temporary traffic measures) of planning permission reference 17/0368 to allow 8 additional Major Tottenham Hotspur Football Club (THFC) events to May 2019.

The current application includes the submission of an Environmental Statement.

RECOMMENDATION:

Resolve to grant planning permission, subject to the completion of a satisfactory deed of variation to the existing Section 106 legal agreement as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in in the report.

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) 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.

Hilary Seaton, Principal Planning Officer introduced the report, set out the key issues and answered members' questions. The Principal Planning Officer clarified that the proposed designated pick up and drop off area could be within an area other than the green car park if deemed suitable by the local authority and relevant stakeholders. She also highlighted the significant infrastructure works that had been carried out since the original stadium consent including two-way working in

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the area to the east of the stadium and the opening of a link between the western end of North End Road and Bridge Road to provide an east-west route past the stadium. She advised that an additional representation had been received since the publication of the main report which related to issues already addressed in the report.

Chris Bryant, the applicant, then addressed the Committee on several matters including:

- The current event cap on full capacity events made it difficult to provide the level of flexibility required to respond to commercial demand and limited the ability of the stadium to compete with other venues.
- The permanent variation sought would allow for up to nine additional non-sporting events per season. These would be in addition to the 22 full capacity sporting and 15 non-sporting events currently allowed.
- The proposals would bring economic benefits to the local area. An independent survey had indicated that each concert generated £3.2 million for the local economy and every additional event created job opportunities for local people.
- A comprehensive set of mitigation measures were proposed including support for local employment and training, payments for supporting services and transport initiatives.

In response to questions from members, Chris Bryant made the following points:

- The FA paid the London Living Wage to all full-time staff and was committed to extending this to include event day temporary staff before the end of the 2021/22 season. The budget for this commitment had been allocated and ring-fenced.
- There was currently no intention to hold concerts on more than four consecutive nights and, if deemed necessary, the Wembley National Stadium Limited (WNSL) would be content with a condition to secure this.
- While the application would allow for a variety of non-sporting events, they would most likely be music concerts.
- It was possible to stage concurrent Wembley Stadium and SSE Arena events and when this does occur the relevant stakeholders work together to ensure that suitable arrangements are in place for both venues.
- The FA was committed to tackling abuse within the stadium. The 'Blow the Whistle' campaign encouraged spectators and staff to raise their concerns

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anonymously and ensured appropriate action was taken and, in some cases, prosecution. Safeguarding Officers had recently been appointed who work alongside external partners to ensure the safety of those in attendance.

- Events were published on the Wembley Stadium and Brent Council websites and through stadium factsheets and the Brent Magazine. In addition, there was signage on the stadium itself and within the locality.
- A number of mitigation measures were proposed to reduce the number of vehicles on event days. These included additional parking enforcement capacity and the promotion of sustainable travel patterns. The Trusted Parking Scheme aimed to ensure authorised car parks were run in a way that would limit their impact on neighbouring residents and reduce local congestion, whilst the Private Hire Management Scheme would reduce the number of vehicles in the area around the stadium after events have finished.
- The FA were committed to reducing carbon emissions within the stadium's vicinity. It was committed to event sustainability management and promoting sustainable travel.

In the ensuing discussion, members raised several issues including employment and skills, parking, traffic congestion, safeguarding and anti-social behaviour and the impact on neighbouring amenity. Officers then clarified a number of key points including:

- An Employment and Skills Plan would be included within the deed of variation to the existing s106 agreement. This would set out how WNSL would work with the Council and Brent Works to maximise employment opportunities and enhance employability skills for residents with the aim of maximising the opportunity to enter into apprenticeships and training programmes.
- WNSL did not intend to hold concerts on more than four consecutive nights and, should members wish to do so, this arrangement could be secured through condition. It would be difficult, however, to justify a condition restricting the specific days of the week that these may be held.
- WNSL stated that it continued to liaise with central government and the Council regarding the safe return of spectators and would continue to follow all guidelines and restrictions in agreement with Brent Council, Metropolitan Police, Transport for London and other key stakeholders.

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- The applicant was required to make financial contributions through the s106 agreement to apply the proposed additional mitigations should the application be granted.
- The Wembley Park estate operated under a Public Space Protection Order which prohibited various elements of antisocial behaviour in the area. Civil Enforcement Officers were able to move offenders on and charge them with a penalty charge notice. Each event was subject to scrutiny from the Stadium Safety Advisory Group, which comprised of key stakeholders including the Council and Metropolitan Police and worked to mitigate event risks.
- The Trusted Parking Scheme sought to address the issues that non-regulated car parks create on event days in relation to highway congestion, noise and pedestrian safety. The scheme had been designed to encourage compliance from car park operators.
- The Private Hire Management Scheme proposed to mitigate the impact of taxi and Uber drivers in the area by working on a designated pick up and drop off point within an area deemed appropriate by the local authority and relevant stakeholders. This change would benefit local residents as congestion would be mitigated.

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.

DECISION: Granted planning permission subject to the completion of a satisfactory deed of variation to the existing Section 106 legal agreement, including securing a Wembley Stadium Employment and Skills Plan and a new condition to ensure that major events are held on no more than four consecutive days, and conditions and informatives as set out in the report.

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

4. 20/3149 - Willesden Green Garage, St Pauls Avenue, London, NW2 5TG

PROPOSAL:

Demolition of MOT garage and erection of a part eight storey and part four storey building with basement level to provide 86 self-contained flats with ground, third and fourth floor amenity space, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping.

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RECOMMENDATION:

Resolve to grant planning permission subject to prior completion of a legal agreement to secure planning obligations as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as set out in the report.

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.

Paige Ireland, Principal Planning Officer introduced the report, set out the key issues and answered members' questions. The Career Grade Planning Officer advised members that the extant scheme had been refused by the Committee but later allowed on appeal.

In reference to the supplementary report, the Principal Planning Officer drew members' attention to the following points:

- The applicant had provided an Urban Greening Factor calculation which was in excess of the London Plan target. The score has been achieved through the inclusion of green roofs, flower rich planting, hedging, ground cover planting, permeable paving and new tree planting.
- Revisions to the conditions and informatives and an additional s106 obligation had been proposed.
- An additional representation had been received since the publication of the main report but related to issues already addressed in the main report.

Peter Hale, objector, then addressed the Committee on several matters including:

- The height of the proposed block which was higher than the extant scheme. The top floor was clearly visible from the east and the west and the upper floors of Kingsley Court.

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- While no longer a part of adopted policy, the housing density figure of 374 was excessive and a 23% increase on the extant scheme.
- The insufficient provision of family sized units.
- The positioning of the blocks and the height of the walls of the frontage of the ground floor units, which would have a negative impact on the street scene.
- The insufficient provision of external amenity space and lack of green infrastructure and biodiversity measures.
- The continued loss of light for the occupiers of the adjoining building, 75 St. Pauls Avenue.

Councillor Donnelly-Jackson, ward member and objector, then addressed the Committee on several matters including:

- The lack of London Affordable Rented homes and insufficient provision of family sized homes.
- The height of the proposed block, which would dominate and overshadow the adjacent Grade II listed building, Kingsley Court. It would be out of character with the opposing two and three storey blocks and reduce natural light.
- The continued loss of light for the occupiers of the adjoining building, 75 St. Pauls Avenue and the increase in noise and nuisance.
- The omission of green landscaping features with only 25% of available ground area put to vegetation and the lack of internal amenity space.
- The application would result in a density above the London Plan matrix range and as such the further intensification proposed did not represent sustainable development.
- The lack of a flood barrier or signal system in the basement despite the area being prone to flooding.
- The proposed loading bay located on the opposite side of St Paul's Avenue, which would result in refuse collection causing potential obstruction and danger to cyclists.

In response to questions from members, Councillor Donnelly-Jackson made the following points:

- The main differences between this application and the extant scheme were the design, scale and massing of the block and the impact on neighbouring amenity.

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Micala Fox, supporter, then addressed the Committee on several matters including:

- The improvement of the development from the extant scheme, providing a neutral compliment to the existing homes and drawing appropriate design analogies to the adjacent Grade II listed building, Kingsley Court.
- The additional family sized units and increase to the number of affordable homes that should aid the housing targets within the borough whilst having a negligible impact on local infrastructure. It also made provision for wheelchair access.
- The proposed scheme would not result in any material reduction in natural light for 75 St. Pauls Avenue when considered against the extant scheme.
- The parking provision was adequate given the proximity of the development to the Jubilee line and bus routes, and the limited parking would encourage residents to use sustainable transport.
- The proposed CIL contribution of approximately £2 million would help support the Council's long-term ambitions.

Carl Dawson, the applicant, then addressed the Committee on several matters including:

- The increase in units to 86 through efficiencies in internal layout and one additional storey to the western block. The height increase was less than 2m compared to the extant scheme and would have no significant harm on the adjacent Grade II listed building, Kingsley Court.
- Improving the relationship with the neighbouring property at 75 and 75a St. Pauls Avenue by reducing the height of the eastern block, setting the block back, removing the cover to the access ramp and retaining the boundary wall. There was no change in retained levels of sunlight and a Noise Assessment had been undertaken to confirm that any noise generated by the scheme would be acceptable.
- The provision of 16 affordable homes with a tenure split of 70% affordable rent and 30% intermediate, three more than the extant scheme. It would also provide 15 family sized units, two more than the extant scheme.
- Bin storage, cycles and car parking would be located at basement level including 8% accessible provision.
- The provision of landscape communal spaces and urban greening which exceeded the London Plan target.

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- The same delivery of 10% wheelchair homes, an energy strategy, and obligations for public realm works, carbon offset payment and highways as the extant scheme.
- The application included a contribution of approximately £2 million in Borough and Mayoral CIL payments.

In response to questions from members, Carl Dawson made the following points:

- The application had been brought forward with the help of a new design team that were not involved in with the separate application considered at the previous meeting of the Committee.
- The application proposed three new affordable homes, which was considered acceptable by officers.
- The height of the block was lower compared to the application considered at the previous meeting of the Committee. This was a product of internal design changes such as using radiators instead of floor heaters and reducing the size of the floor slabs. It also allowed the development to provide more units.
- Whilst the shortfall in external amenity space was more significant than the extant consent, it was considered sufficient to meet residents' needs and that the shortfall should be accepted given the wider benefits of the scheme.

In the ensuing discussion, members raised several issues including the impact on the adjacent Grade II listed building, the height and design of the proposed block, the affordable homes/unit mix and external amenity space. Officers then clarified a number of key points including:

- The proposed increase in height of 2m to facilitate an additional storey would not have a significant impact on the adjacent Grade II listed building, Kingsley Court. The proposal was not considered to result in harm to its historical significance or setting.
- Before any above ground construction work (excluding demolition) be undertaken, details of materials for all external work would be submitted to and approved in writing by the local authority.
- Both Redloft and BPS (on behalf of the local authority) concluded that the scheme would be in a financial deficit, with Red Loft concluding a deficit of £3.76 million and BPS concluding a less acute deficit of £2.27 million. This

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deficit was lower than that of the application considered at the previous meeting of the Committee.

- The development would provide affordable rented homes in line with the extant consent rather than London Affordable Rented homes which were required by the adopted London Plan and emerging Local Plan. This was considered acceptable by officers as the extant consent was a material consideration. Nevertheless, the scheme would result in additional homes, above the extant consent. The development would provide 17.4% family housing which was below the policy target but was deemed acceptable by officers having considered the benefits associated with the provision of additional affordable housing enabled through the provision of fewer family sized homes.
- Whilst there was a shortfall in external amenity space, it was considered by officers that on site amenity space had been maximised having regard to site constraints. The proximity to nearby public open spaces and the oversized nature of a large proportion of the units was considered by officers to mitigate impacts associated with the identified shortfall and the benefits of the development.
- The additional planning obligation for the applicant to carry out a traffic safety assessment for on-street servicing and to fund the provision of an on-street loading bay if subsequently deemed necessary requested at the previous meeting of the Committee had not been included within the obligations listed within the main report. This proposal would result in a similar level of servicing and it was recommended that this consent, if granted, be subject to the same obligation.
- Whilst the limited increase in height to accommodate the additional storey over the consented scheme had been facilitated through the reduction of the floor to ceiling height of the previously consented storeys, the required minimum 2.5m minimum floor to ceiling height had been retained.

Members raised concern that the application was for a new consent within which more homes were proposed than in the previous consent, but the scheme did not include the provision of London Affordable Rented Homes which are now required by adopted and emerging policy and the scheme was therefore not policy compliant in this respect. Members also discussed the shortfall of Family Sized homes, which were proposed at proportions that were below those specified within adopted and emerging policy, and also lower in percentage terms than the extant consent.

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Members also evaluated the amount of external amenity space proposed within the scheme and noted that this fell further below the levels set out in DMP19 than the extant consent. Concern was raised with regard to the quality and quantity of on-site external amenity space, and the distance from the nearby public open space. Members expressed concern that the external amenity space would not be sufficient for future residents.

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.

DECISION: Having weighed the benefits associated with this proposal and the harm associated with the departure from adopted and emerging policy, members refused planning permission contrary to officers' recommendation for the following reasons: insufficient provision of external amenity space, lack of London Affordable Rented homes and insufficient provision of family sized homes.

Voting on the officers' recommendation for approval was recorded as follows:

For: Councillors Kelcher and S Butt (2)

Against: Councillors Johnson, Chappell, Kennelly, Kabir, Maurice and Dixon (6)

5. Any Other Urgent Business

None.

The meeting closed at 6.40pm

COUNCILLOR KELCHER
Chair

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held as an online virtual meeting on Monday 29 March 2021 at 4.00 pm

PRESENT (in virtual attendance): Councillor Kelcher (Chair), Councillor Johnson (Vice-Chair) and Councillors S Butt, Chappell, Dixon, Kennelly, Maurice and Sangani

Also present (in virtual attendance): Councillor Donnelly-Jackson

Apologies for absence were received from Councillor J Mitchell Murray who was substituted by Councillor Sangani.

1. Declarations of interests

None.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 10 March 2021 be approved as an accurate record of the meeting.

3. 20/0700 - Land adjacent to Northwick Park Hospital, Nightingale Avenue, London, HA1

PROPOSAL:

Outline planning permission (with all matters reserved apart from the means of access) for demolition of existing buildings on site and provision of up to 1,600 homes and up to 51,749 sqm (GIA) of new land use floorspace within a series of buildings, with the maximum quantum as follows:

- (Use Class C3) Residential: up to 1,600 homes
- Up to 50,150m² floor space (GIA) of new student facilities including Student Accommodation, Teaching facilities, Sports facilities, and ancillary retail and commercial (Use Class A1, A2, A3)
- Up to 412sqm floorspace (GIA) of a replacement nursery (Use Class D1)
- Up to 1187sqm (GIA) of flexible new retail space (Use Class A1, A2, A3).

Together with an energy centre, hard and soft landscaping, open space and associated highways improvements and infrastructure works.

This application is subject to an Environmental Statement.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to stage 2 referral to the Mayor of London and the prior completion of a legal agreement to secure the planning obligations set out within the report.

That the Head of Planning is delegated authority to negotiate the legal agreement as set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose the conditions and informatives to secure the matters set out within the report.

June Taylor, Principal Planning Officer introduced the report, set out the key issues and answered members' questions. She highlighted that the application was made on behalf of Northwick Park Partnership, which comprised Network Homes, the University of Westminster, Brent Council and the NHS Trust who were working together to redevelop the site. The application related to the overall masterplan for this site but there were a number of other applications that were complementary to the site and would be linked together through s106 agreements.

In reference to the supplementary report, the Principal Planning Officer drew members' attention to the following points:

- Planning obligation no 10 had been removed from the Heads of Terms.
- Further representations had been received from Sudbury Court Residents Association since the publication of the main report.
- There had been a point of clarification regarding affordable housing and housing mix on paragraph 76 of the main report.
- Further representations had been received from Brent Cycling Campaign and Harrow Cyclists since the publication of the supplementary report regarding sustainable transport and cycling layouts.

Mark Connell, the agent, then addressed the Committee and made the following points:

- The application was for up to 1,600 homes and over 50,000 square metres of facilities for the expansion of the University of Westminster all set within new areas of open spaces, public realm and improved infrastructure.
- A design code had been submitted to ensure a high standard of future reserved matters submissions, and all homes meet or exceed space standards.
- The parameters of the outline application ensured no less than 40% affordable housing would be delivered across the site.
- The construction phase would directly support 635 jobs and once operational the development would support a further 440 jobs. The

estimated CIL funding arising from the scheme would be around £15 million.

In response to questions from members, Mark Connell made the following points:

- Green roofing and solar panels would be installed and were stipulated by the design code.
- Construction traffic into the site would be from Watford Road only, and there would be no vehicular access into the site from the residential roads to the south of Northwick Park.

In the ensuing discussion, members raised several issues including the loss of green space and biodiversity, the loss of community space, increased traffic and parking demand, green infrastructure, fire safety and affordable housing and housing mix. Officers clarified a number of key points including:

- The removal of trees and disturbance caused by construction work would be mitigated by new tree planting. The loss of any meadow area would be compensated for by offsite biodiversity measures and there would be an increase in the provision of green infrastructure on site.
- Whilst there was no explicit commitment to provide additional community floorspace within the application site, demand for community floorspace may emerge at a later stage and a detailed assessment of such demand would be undertaken if required.
- It was proposed that the applicant would submit a Construction Environmental Management Plan prior to the commencement of construction to avoid, minimise or mitigate effects on the environment. The applicant also would be subject to the requirements of protected species legislation.
- The application would facilitate an expansion of University of Westminster Harrow Campus that would in turn provide new sporting and leisure facilities that would also be made available for local community use. It was also proposed that Northwick Park pavilion be refurbished which would provide benefits to existing local communities.
- Brent Cycling Campaign had reservations about the cycle layout on the spine road. It had requested for the cycle lane be segregated, but officers did not deem this to be feasible. It had also requested that the crossing over the north and south entry roads be a single crossing, but officers considered this would increase traffic queueing times and congestion.
- Planning obligation No 10 had been removed as it was not deemed necessary or reasonable to secure it through the consent (if granted) as permission had been granted for the new hospital energy centre and the delivery of this centre was being driven by the NHS. The applicant had also advised that there was a separate lease agreement between the NHS Trust and Network Homes governing this which obligated the NHS to deliver the new energy centre before 2023.
- There was only one tree of high quality on site which would need to be removed to allow for junction improvements on Watford Road. New tree

planting would see a substantial increase in the number of trees on site, which were expected to contribute more to carbon capture over the medium-term.

- Prior to the commencement of works on any building or Phase, a Fire Strategy relevant to that building or Phase would need to be submitted and approved by the local authority. The requirements of the Fire Strategy would need to be in compliance with Policy D12 of the London Plan and Part B of the Building Regulations.
- Northwick Park health services would not be negatively impacted by the population growth in the area, as identified through the Local Plan process.
- It had been demonstrated that the scheme would deliver the maximum reasonable number of affordable homes on a policy compliant basis, but with additional affordable homes delivered, lowering the levels of profit associated with the scheme. These would be delivered as intermediate rented homes, London Living Rent homes and shared ownership homes, and would including housing for NHS keyworkers.

Councillor Sangani expressed a pecuniary interest in the application as she was an employee of the NHS (the applicant). As such, she advised that she would not participate in the vote.

Councillor Maurice advised that he had lost connection to the meeting during the members' discussion. Having been updated by officers on the discussion he had missed, he advised that he would participate in the vote.

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 unanimously to approve the application.

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

(Voting on the recommendation was as follows: For 7, Against 0)

4. 20/2257 - Willesden Green Garage, St Pauls Avenue, London, NW2 5TG

PROPOSAL:

Variation of condition 2 (approved plans) to allow for:

- Internal alterations to facilitate the creation of six additional residential units
- External alterations to include additional windows, winter gardens and roof
- Terrace
- Reduction in size of basement and repositioned ramp

As well as Variation of Condition 17 (Mix) of full planning application 17/5291, allowed on appeal dated 17 December 2019 (amended under non-material amendment application 20/1873) for Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide residential units with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to the prior completion of an appropriate legal agreement to secure the planning obligations set out in the report.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the report.

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.

Paige Ireland, Principal Planning Officer introduced the report, set out the key issues and answered members' questions. She advised members that the extant scheme had been refused by the Committee but later allowed on appeal. She highlighted an omission on paragraph 36 of the main report which should refer to 51 single aspect units and an error on paragraph 30 of the main report which referred to 76 St. Paul's Avenue but instead should refer to 75 St. Paul's Avenue. In response to a member question, she advised that the nature of the external alterations would unlikely result in any material reduction in light to neighbouring properties over that which had already been deemed acceptable.

In reference to the supplementary report, the Planning Officer drew members' attention to the following points:

- Further representations had been received since the publication of the main report regarding transport and the external appearance/landscape.
- An additional condition and revisions to the conditions and informatives had been proposed.

Peter Hale, objector, raised several concerns including:

- The positioning of the blocks and the height of the walls of the frontage of the ground floor units would have a negative impact on the street scene.

- The insufficient provision of family sized units and the reduction in the size of some units.
- The traffic safety of the basement layout, particularly the ascension to the basement.
- The excessiveness of the increase in units, which were deemed to be out of character with immediate properties.
- The insufficient provision of external amenity space and lack of green infrastructure and biodiversity measures.
- The lack of a loading bay for servicing, especially in light of the continued increased use of online deliveries.

In response to a questions from a member, he then made the following point:

- The application was substantially worse than the extant scheme.

Councillor Fleur Donnelly-Jackson, ward member and objector, raised several concerns including:

- The increase in units had not led to a change in the number of affordable units and there was insufficient provision of family sized units.
- Disabled parking spaces were being lost and the provision did not meet the London Plan requirement of 10% for the flats and the requirements of Condition 6.
- The provision of outdoor amenity space had a bigger overall shortfall and five units would fail to meet the London Plan's minimum requirements. The reduction in landscaping elements would not mitigate noise levels in the amenity spaces.
- The proposal to replace the iron railings with vegetation behind the extant scheme with a solid brick wall would have a negative impact on the street scene and the changes in palette and landscaping were not in keeping with the urban character and appearance of the area.
- Issues around parking, servicing and deliveries had not been addressed from the extant scheme, which was deemed especially important in light of the increased use of online deliveries.
- The omission of landscaping features which were in the central space as well as around the perimeter and the large open spaces on the 3rd and 4th levels.
- The application would result in a density above the London Plan matrix range and as such the further intensification proposed did not represent sustainable development.
- The significant changes to the internal layout and the increase in units beyond the reduction to 70 from the extant scheme exceeded the scope of a 'Minor Amendment' and should require a new planning application.

In response to questions from members, she then made the following points:

- The application would be acceptable as a car free development as long as there was adequate disabled parking provision.

- While accepting the need to develop the site, the application, as well as the extant scheme, represented over intensification. The area would be better served by a residential housing development.

Mark Gibney, the agent, then addressed the Committee on several matters including:

- The increase in unit numbers from 70 to 76 within the existing building envelope and a reduction in the size of the basement whilst making the layout more efficient.
- The maintenance of the consented 13 affordable homes and tenure split of 70% affordable rent and 30% intermediate, as well as an increase in size of a 2-bedroom rented unit to a 3-bedroom rented family unit.
- The setting of the building 1.2 metre away from 75 and 75a St. Paul's Avenue and the retention of the boundary wall which would improve the relationship with the neighbours and reduce any sense of enclosure.
- The continued provision of 10% wheelchair homes, all play provision on site and an assurance to secure planning obligations for public realm works, carbon offset payment and highways.

In response to questions from members, he then made the following points:

- Benefits to the proposed application included; moving the building further away from its neighbours so there would be no noticeable change in daylight/sunlight, measures to ensure there was no undue noise disturbance, increasing the unit numbers from 70 to 76 and the maintenance of the consented 13 affordable homes and tenure split of 70% affordable rent and 30% intermediate.
- While other options were considered, increasing the size of a 2-bedroom rented unit to become a 3-bedroom rented family unit was deemed the most viable.
- The application included a contribution of approximately £2 million in Borough and Mayoral CIL payments. The s106 agreement included a review process that could give way to an increase in the contribution if appropriate.
- The proposed winter gardens had been amended from the extant scheme in respect of their design and fire safety. A number of green infrastructure provisions had also been proposed.

In the ensuing discussion, members raised several issues including the size of the basement, parking and servicing, increased traffic and affordable housing and housing mix. Officers then clarified a number of key points including:

- The proposed reduction in the size of the basement was deemed acceptable and would not result in any reduction in accessible parking provision. The number of Eurobins had been reduced to 14 to allow flexibility and was deemed satisfactory.

- It was considered appropriate to consider the proposed changes to the scheme through an application made under Section 73 (to vary conditions relating to the approved plans and unit mix) as it did not constitute a fundamental alteration given the scale and nature of the changes.
- The provision of car parking spaces accorded with maximum standards. While the number for spaces for bicycle parking had been reduced, the provision still satisfied London Plan standards.
- The development would provide some off-street parking which could be utilised for servicing. On-site parking provision had been considered but was deemed unviable. A traffic safety assessment could be carried out to determine whether an on-street loading bay was necessary.
- The number of affordable units remained the same as the extant scheme although the percentage would reduce. The applicant had submitted an FVA to demonstrate that the scheme would be in financial deficit with the 13 affordable units retained.

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 to approve the application.

DECISION: Granted planning permission subject to conditions and informatives as set out in the main report, including an additional condition and revisions to the conditions as set out in the supplementary report and a planning obligation for the applicant to carry out a traffic safety assessment for on-street servicing and to fund the provision of an on-street loading bay if subsequently deemed necessary.

(Voting on the recommendation as amended: For 7, Against 1)

5. Any Other Urgent Business

None.

The meeting closed at 18.30

COUNCILLOR KELCHER
Chair

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

28 April, 2021
03
20/3914

SITE INFORMATION

RECEIVED	26 November, 2020
WARD	Alperton
PLANNING AREA	
LOCATION	330 Ealing Road, Wembley, HA0 4LL
PROPOSAL	Demolition of the existing buildings and structures, the erection of a building ranging in height up to 28 storeys, incorporating residential units and industrial, community and commercial uses, together with associated landscaping, access arrangements, car and cycle parking, servicing and refuse and recycling (Amended Description 09.03.21)
PLAN NO'S	Please 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 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 "20/3914" (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:

Referral to the Mayor of London (stage II referral)

The prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. Grampian restriction to prevent implementation of this planning consent until the donor site application at Athlon Road (20/3754) has been granted planning permission.
4. Provision of 306 homes (33 x studio, 116 x 1 bed, 123 x 2 bed, 34 x 3 bed) as Build-to-Rent housing
5. Provision of 98 units [24x 1 bed, 23 x 2 bed, 46 x 3 bed, 5 x 4bed] as London Affordable Rent, 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.
6. Provision of 57 Shared Ownership units [31 x 1 bed, 26 x 2 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.
7. Early stage viability review (drafted in line with standard GLA review clause wording) to be submitted where material start does not commence within 2 years of planning permission being granted. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Viability review to be based on an agreed Benchmark Land Value of £11.9m.
8. 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 £11.9m. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA.
9. Provide the community floorspace (Use Class F.2(b) to shell, core and utilities prior to Occupation of the residential units. Should the unit not be occupied within a 2 year period starting 6 months after being provided, having been marketed throughout this period at a cost that is appropriate for a community hall, to make the unit available for commercial use falling within Use Classes E(c) and E(g)(ii) or E(g)(iii) to (c).
10. Submission, approval and implementation of management plan to secure use of 205sqm community space for appropriate range of events and activities for the local communities (Use Class F2(b));
11. Submission, approval and implementation of a Training and Employment Plan to secure employment and training opportunities for Brent residents during construction and operation stages, and financial contribution to Brent Works to support local employment
12. Energy assessment (to include comfort cooling as proposed in the CIBSE TM59 and Overheating Checklist) and contribution towards carbon offsetting, at detailed design and post-completion stages
13. Financial contributions:
 - a) To Brent Council for enhancement of off-site play provision in One Tree Hill Recreation Ground (£250,000)
 - b) To Brent Highways for implementation of a Controlled Parking Zone in the area (£110,000)

- c) To TfL for improvements to public transport services (£418,000)
- 14. Submission and approval of a Residential Travel Plan prior to occupation of the development, to include the establishment of a Car Club within the site (including the provision of suitable parking spaces) and the provision of three years' free membership of a Car Club for the first resident of each residential unit and one year's free membership for commercial users.
- 15. Parking permit restriction to be applied to all new residential units
- 16. Highway works under Section 38 / Section 278 Agreement to secure land for adoption; to reinstate all redundant vehicle crossovers to footways and the improvement of the retained vehicle accesses, and planting and initial maintenance of a minimum of 17 street trees, all at the developers expense
- 17. Television and Radio Reception Impact Assessment to be submitted, together with undertaking of any mitigation measures identified within the Television and Radio Reception Impact Assessment.

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:

Compliance

- 1. 3 years consent
- 2. Approved plans
- 3. Number of residential units and withdrawal of C3 to C4 permitted development rights
- 4. Quantum and use of commercial space
- 5. Car parking, cycle and bin storage to be implemented
- 6. Water consumption limitation
- 7. Provision of communal aerial and satellite dish system for each building
- 8. Drainage strategy to be implemented as approved
- 9. Compliance with Noise and Vibration Assessment
- 10. Non-road mobile machinery power restriction
- 11. Whole Life Cycle Carbon Assessment
- 12. Tenure blind access to podium amenity space

Pre-commencement

- 13. Construction Method Statement
- 14. Construction Logistics Plan
- 15. Arboricultural Method Statement

Post-commencement

- 16. Site investigation and remediation
- 17. Detailed drainage layout
- 18. Future connection to district heating network
- 19. Electric vehicle charging points
- 20. Fire strategy
- 21. Further details of cycle parking
- 22. Materials samples
- 23. Details of wheelchair accessible units
- 24. Sound insulation between non-residential and residential
- 25. External lighting scheme
- 26. Details of PV panels

Pre-occupation

- 27. Landscaping scheme
- 28. Validation of contaminated land remediation measures
- 29. BREEAM Excellent certification
- 30. Parking Design and Management Plan

31. Plant noise assessment
32. Management, maintenance, delivery and servicing plan
33. Commercial kitchen extract flues

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. Construction hours
8. Definitions of terms in respect of conditions
9. Any other informative(s) considered necessary by the Head of Planning

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

That, 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 and obligations, 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: 330 Ealing Road, Wembley, HA0 4LL © Crown copyright and database rights 2011 Ordnance Survey 100025260
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PROPOSAL IN DETAIL

The proposal is for the comprehensive mixed use redevelopment of the site, following the relocation of the Bus Depot function. A total of 461 residential units would be provided in three point blocks as follows:

- 306 units for Build to Rent, in Blocks A and B;
- 98 units at London Affordable Rent levels and 57 units for shared ownership, in Block C.

The three blocks would be linked at ground and first floor by a single building comprising 2,400sqm of light industrial floorspace in addition to a 205sqm unit for community use, a cafe of 64sqm, and cycle storage and bin storage. Vehicle access and residential car parking would also be provided within the site. Areas of public realm and soft landscaping would be provided on the two road frontages.

Amended plans were received during the course of the application, to secure the following revisions to the scheme:

- The double height open undercroft fronting Bridgewater Road was removed;
- The affordable housing provision was increased from 151 to 155 units (the scheme now includes 461 units overall);
- The frontages at the base of Block C were reconfigured to increase activation, with the entrance core brought closer to the street;
- The tail block of Block C was set back further from Bridgewater Road;
- The height of Block C was increased by one floor, to compensate for the setting back of the tail block and the additional affordable units;
- The amount of light industrial floorspace was reduced from 2,556sqm to 2,400sqm (a consequence of the ground floor layout amendments);
- The residents' routes to car parking spaces were simplified;
- Refuse storage arrangements were amended; and
- Cycle stores and car parking locations were reconfigured.

EXISTING

The existing site comprises Alpertons Bus Depot, a roughly square site which consists of two storey brick buildings with areas of hardstanding, together with a landscaped frontage on the corner of the site. There is no public access to the bus depot, which provides storage facilities for buses but does not operate as a bus station or public transport interchange.

The site is approximately 0.56ha in size and located at the northern corner of a T-junction between Ealing Road and Bridgewater Road. It is bounded to the northeast by a railway line serving the Piccadilly Line Underground and to the northwest by an electricity substation. Alpertons Underground Station is located immediately to the northeast across the railway line, and is a locally listed building.

The site is not in a conservation area and does not contain a listed building.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. One letter of objection was 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.

Neighbour objections: One neighbour objection has been received, raising concerns about the extent of pre-application consultation, the density of the development and impacts on health services and other local infrastructure, implementation and effectiveness of Controlled Parking Zones, lack of step-free access at Alpertons Station, building heights and impacts on sunlight to neighbouring properties and Alpertons School, Alpertons masterplan limit of 17 stories for new development.

Principle of development: The proposal would make effective use of a Growth Area site allocated in Brent's draft Local Plan to provide new light industrial floorspace and a significant amount of new housing, in addition

to new community floorspace and a café. The proposal would respond well to the proposed site allocation and would be acceptable in principle, subject to the satisfactory relocation of the existing bus depot function, which would be secured under the s106 agreement.

Affordable housing and housing mix: The proposal would provide 461 new homes including 155 affordable homes (98 at London Affordable Rent levels and 57 for shared ownership), the remainder provided as Build to Rent homes. The applicant's Financial Viability Appraisal has been robustly assessed on behalf of the Council and the provision of 40.2% affordable housing by habitable room (33.6% by unit) has been demonstrated to represent the maximum reasonable amount of affordable housing that the scheme can support, and would comply with Brent's preferred tenure mix of 70:30 London Affordable Rent to intermediate housing. The proposal would include 18% family-sized homes and, whilst this is below Brent's 25% target, the family-sized homes would be concentrated within the London Affordable Rent tenure to address the specific need for larger affordable homes and the provision of a greater proportion of family sized homes would negatively affect scheme viability and thus Affordable Housing.

Design, scale and appearance: The proposal would include three point blocks of up to 21, 26 and 28 storeys respectively. Whilst these would be taller than the predominantly low-rise buildings in the wider area, they would be located within the centre of a proposed Tall Buildings Zone and would appear in keeping with the emerging street scene in the immediate vicinity. The proposal would include new landscaped public realm to provide a setting for the buildings, and to enhance the visual amenity and pedestrian experience of the street scene. Officers consider that the proposal would not harm the setting of the Locally Listed Building, Alperton Station whilst the GLA consider that less than substantial harm would occur. Officers consider that if this view is taken, the harm would be considerably outweighed by the benefits of the development.

Quality of residential accommodation: The 461 new homes would all comply with minimum floorspace standards, with efficient internal layouts and access to private external amenity space, and a high proportion would be dual aspect. Communal amenity space would be provided at podium level, with additional roof terraces for each block, and would be designed for a variety of activities including dedicated doorstep play space for young children. A financial contribution to off-site play and amenity space for older children would be secured and would mitigate the shortfall of on-site amenity space against the Policy DMP19 standard.

Relationship with neighbouring sites: No adjoining sites would be unduly affected in terms of privacy and overlooking, and the impact on daylight and sunlight received by neighbouring developments would be commensurate with the high density urban character envisaged for the Growth Area.

Sustainability and energy: The proposal would utilise ground source heat pumps and photovoltaic panels, and is predicted to achieve a 57.34% reduction in carbon emissions, exceeding the London Plan target of 35% on-site reductions. A contribution to Brent's carbon offsetting fund would be secured, estimated to be £500,659. Overheating risk, whole lifecycle emissions and circular economy principles have been considered in the design.

Environmental health: Potential air quality, noise and vibration, and contaminated land concerns have been assessed and further details would be secured by condition as necessary, together with a construction method statement to minimise nuisance from construction works.

Trees and biodiversity: The loss of eight trees of low to moderate quality would be compensated for by replacement planting of nine trees at ground level within the site, in addition to 24 podium trees. Additional planting of street trees and trees on the railway verge would be secured through the s106 agreement. No ecological interests have been identified on or near the site other than habitats that could support nesting birds, and these would be compensated for by new landscaping.

Flood risk and drainage: The site is in Flood Zone 1 for fluvial flooding and other sources of flood risk have been assessed, with the proposed sustainable drainage strategy significantly reducing run-off rates from the site. The proposals are acceptable to the Local Lead Flood Authority.

Transport: The development would be parking permit restricted and 14 spaces would be provided for disabled use. This level of parking reflects London Plan policy standards for accessible locations, and would be supported by a financial contribution to the implementation of Controlled Parking Zones, parking permit restrictions for residents and a Travel Plan including free car club membership for residents. Subject to appropriate conditions, adequate arrangements would be made for cycle parking, refuse storage, servicing, and construction logistics. Redundant vehicle crossovers would be restored to footway at the developer's expense.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and light industry				2400	2400
Dwelling houses				40969	40969
Non-residential institutions				205	205
Shops				64	64
Sui generis	4170		4170		0

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										0
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)	33	116	123	34						306
PROPOSED (Flats û Social Rented)		24	23	46	5					98
PROPOSED (Flats û Intermediate)		31	26							57

RELEVANT SITE HISTORY

There is no relevant planning history in relation to the application site itself.

Other relevant planning history is set out below:

Capital Business Centre, Athlon Road, Wembley HA0 1YU

20/3754: Demolition of the existing buildings and structures and erection of a new bus depot, including a single storey staff welfare building, bus wash, sub-station and fuelling island, together with associated landscaping, boundary treatments, car and cycle parking - under consideration.

CONSULTATIONS

235 neighbouring properties and the Wembley Central and Alperton Residents Association were consulted by letter on 11 December 2020. Four site notices were posted on 16 December 2020 and a press advert was published on 17 December 2020. One objection was received and is summarised as follows:

Comment	Officer response
Only 12 responses to first consultation indicates it was not extensive enough.	This comment appears to relate to the applicant's pre-application engagement with local communities, which is recommended good practice but not a statutory requirement. See 'Community Involvement' below.
Consultation during pandemic is inappropriate.	Application consultation has been carried out in line with national and local requirements for all planning applications throughout the pandemic.
Too many homes proposed in already overpopulated area. Impact on health services and other essential services and infrastructure. No guarantee that CIL funding would be spent in	The site is in a Growth Area, where significant amounts of new housing are expected to come forward. The development is liable for CIL, which would contribute towards any identified infrastructure requirements within the area, as identified within the

Alperton.	Infrastructure Delivery Plan.
Controlled Parking Zone would be an unnecessary cost for residents and cannot be enforced 24 hours a day, which will result in new residents parking on existing side streets.	Controlled Parking Zones have been proved to be an effective means of restricting on-street parking to ensure that it remains available for the use of existing residents when new residential developments come forward. The provision of CPZs is considered necessary to mitigate the impacts of overspill parking onto the surrounding road network as a result of the identified need for development within the Alperton Growth Area. The site is located in a sustainable location and the use of the CPZ together with restricted on site parking is in line with the Council's wider policies on promoting non-car access to reduce congestion and pollution.
Proposal should be amended to reduce the number of homes and provide adequate parking for new residents in underground car park.	The amount of housing and amount of parking proposed are considered to comply with the relevant policies.
Height of blocks is excessive, beyond 17 storey limit set out in Alperton Masterplan, and would block sunlight to existing residents and Alperton Community School.	<p>The Alperton Masterplan SPD 2011 is no longer an adopted document (it was revoked by Cabinet on 14 October 2019). The application has been considered in line with current policies including London Plan 2021 and Brent's Draft Local Plan 2021 which seek higher housing targets and a design-led approach to density. The height of the building is considered appropriate in the context of other recently consented schemes nearby.</p> <p>Impacts on light and outlook to neighbouring properties are considered in the 'Relationship with neighbouring properties' section of the report.</p>

Following the receipt of amended plans, the same properties were reconsulted by letter on 11 March 2021, site notices were posted on 11 March 2021 and a press advert was published on 18 March 2021. No further responses were received.

External and statutory consultees

Greater London Authority (GLA) Stage 1 Response and Transport for London (TfL):

- Principle of development:** Given the plan-led approach to industrial land supply within the emerging Local Plan and the master plan approach adopted to guide the redevelopment of this site, the principle of development is supported in line with London Plan Policies E4, E6, E7 and T3, and Good Growth Objective GG2. A replacement bus garage would be provided under another planning application at a donor site and an Interim Bus Relocation Strategy has been submitted; the proposal therefore complies with London Plan Policy T3.
- Affordable housing:** 40% affordable housing by habitable room (73% London Affordable Rent: 27% shared ownership), which does not qualify for the Fast Track Route in accordance with Policy H5 of the London Plan given the net loss of industrial capacity; GLA officers will robustly interrogate the submitted viability information, along with Brent's independent review, to ensure that the maximum amount of affordable housing the scheme could provide is secured.
- Heritage and urban design:** The level of harm that would be caused to locally listed Alperton Station would be at a scale that would not be detrimental to the significance of the asset and would be clearly outweighed by the public benefits; and the approach to design is generally supported, with well activated frontages, good residential quality and height/massing that is consistent with the existing and emerging context and is acceptable subject to the matters raised in relation to impacts being satisfactorily addressed.

- **Transport:** Contributions toward local bus capacity and step-free access to Alpertton Station and appropriate legal agreements covering various transport-related plans are to be secured, as well as planning consent for the proposed replacement bus garage at Athlon Road (with an Interim Bus Relocation Strategy) prior to determination of this application.
- **Sustainable development:** Further information is required in relation to overheating, potential for connection to district heating and future-proofing, PV and the ground source heat pump; and, payment towards the borough's offset fund should be confirmed. Additional information is also required in relation to the circular economy statement.

TfL as adjoining land owner: No objection subject to approval of detailed design and method statements.

Secure by Design officer: Concerns expressed regarding extent of publicly accessible undercroft and legibility of Block C entrance. These have been addressed through the revised plans.

Environmental Health: No objection subject to conditions to secure Construction Method Statement, control of Non Road Mobile Machinery emissions, Contaminated Land Investigation, Remediation and verification, Lighting scheme.

Sustainability and Energy: No objection subject to conditions and s106 obligations.

Lead Local Flood Authority: No objection subject to detailed drainage layout being required by condition.

Thames Water: No objection in relation to surface water and foul water network infrastructure capacity.

London Fire and Emergency Planning Authority: No objection. Development must comply with Building Regulations Part B. Compliance with Guidance note 29 on Fire Brigade Access also recommended.

Community Involvement

A Statement of Community Involvement (SCI) has been submitted, providing details of the community engagement undertaken by the applicant to inform the application proposals. In accordance with the NPPF and Brent's adopted Statement of Community Involvement, 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 Design and Access Statement.

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, relevant to this application, is comprised of the:

London Plan 2021
Brent Core Strategy 2010
Brent Development Management Policies 2016

Key policies include:

London Plan 2021

D3: Optimising site capacity through the design-led approach
D5: Inclusive design
D6: Housing quality and standards
D7: Accessible housing
D8: Public realm
D9: Tall buildings
D12: Fire safety
D13: Agent of change
D14: Noise
H1: Increasing housing supply
H4: Delivering affordable housing

H5: Threshold approach to applications
 H6: Affordable housing tenure
 H7: Monitoring of affordable housing
 H11: Build to Rent
 S1: Developing London's social infrastructure
 S4: Play and informal recreation
 E4: Land for industry, logistics and services to support London's economic function
 E6: Locally Significant Industrial Sites
 E7: Industrial intensification, co-location and substitution
 HC1: Heritage conservation and growth
 G5: Urban greening
 G6: Biodiversity and access to nature
 G7: Trees and woodlands
 S11: Improving air quality
 S12: Minimising greenhouse gas emissions
 S14: Managing heat risk
 S15: Water infrastructure
 S16: Digital connectivity infrastructure
 S17: Reducing waste and supporting the circular economy
 S13: Sustainable drainage
 S16: Digital connectivity infrastructure
 T2: Healthy streets
 T3: Transport capacity, connectivity and safeguarding
 T4: Assessing and mitigating transport impacts
 T5: Cycling
 T6: Car parking
 T6.1: Residential parking
 T7: Deliveries, servicing and construction

Brent Core Strategy 2010

CP1: Spatial Development Strategy
 CP2: Population and Housing Growth
 CP6: Design & Density in Place Shaping
 CP8: Alperton Growth Area
 CP19: Brent Strategic Climate Change 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 2016

DMP1: Development Management General Policy
 DMP4a: Shop Front Design and Forecourt Trading
 DMP7: Brent's Heritage Assets
 DMP8: Open Space
 DMP9b: On Site Water Management and Surface Water Attenuation
 DMP11: Forming an Access on to a Road
 DMP12: Parking
 DMP14: Employment Sites
 DMP15: Affordable Housing
 DMP19: Residential Amenity Space

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

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 are 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:

DMP1: Development management general policy
BP7: South West
BSWGA1: Alperton Growth Area
BD1: Leading the way in good urban design
BD2: Tall buildings in Brent
BH1: Increasing housing supply in 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
BE2: Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
BE7: Shop front design and forecourt trading
BHC1: Brent's Heritage Assets
BGI1: Green and blue infrastructure in Brent
BGI2: Trees and woodlands
BSUI1: Creating a resilient and efficient Brent
BSUI2: Air quality
BSUI4: On-site water management and surface water attenuation
BT1: Sustainable travel choice
BT2: Parking and car free development
BT4: Forming an access on to a road

The following are also relevant material considerations:

The National Planning Policy Framework 2019
Planning Practice Guidance

Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Character and Context SPG 2014
Mayor of London's Housing SPG 2016
Mayor of London's Play and Informal Recreation SPG 2012
Mayor of London's Sustainable Design and Construction SPG 2014

SPD1 Brent Design Guide 2018
Shopfronts SPD3 2018

DETAILED CONSIDERATIONS

Principle of development

Policy background

1. London Plan Policy H1 establishes new housing targets, with the target for Brent being 23,250 new homes over the ten-year plan period, whilst Policy E4 seeks land and premises for industrial and related uses to meet the Borough's evidenced needs for employment floorspace. For sites with LSIS designations, Policy E7 supports co-location of industrial and other uses including residential, subject to more detailed planning considerations.
2. Brent's new Local Plan Policy BH1 responds to this new policy context by proposing plan-led growth concentrated in Growth Areas and site allocations, whilst Policy BSWGA1 carries forward the existing Growth Area designation of Alperton set out in Brent's adopted Core Strategy Policies CP2 and CP8. This policy seeks to deliver over 6,000 new homes within the Growth Area, in addition to new business and employment floorspace to create an enterprise hub to reinvigorate the local economy. Associated infrastructure needs are identified, including a multi-use community centre and new tree planting.
3. The BSWSA1 (Alperton Industrial Sites) proposed site allocation provides further principles to guide the redevelopment of this and other nearby sites within the LSIS designation. The sites are allocated for mixed use development co-locating residential units with existing industrial and commercial uses.

4. London Plan Policy T3 also safeguards existing land and buildings used for public transport and related support functions, unless satisfactory alternative facilities are provided.

Relocation of bus depot

5. The site currently provides a bus depot operated by Metroline, which is currently used to store 74 buses serving five routes (83, N83, 204, 483 and 487) in addition to ancillary office facilities to support the operation of bus services. Under Policy T3, a replacement facility is required and must be to the satisfaction of relevant strategic transport authorities and service providers and to enable existing transport operations to be maintained. This is also highlighted within emerging Policy BSWA1, which notes that an operational bus garage of equivalent capacity needs to be retained or reprovided on the site unless TfL confirm that it is no longer operationally required, or a suitable replacement can be provided elsewhere.
6. A separate application for a replacement bus depot located on a 'donor site' on Athlon Road (to the south of the Sainsbury's superstore in Alperton) has been made by Metroline (reference 20/3754) and is under consideration at the time of writing this report. Transport for London have commented on application reference 20/3754, and confirm that the Athlon Road proposal is acceptable and would result in minimal operational impacts.
7. To avoid conflict with Policy T3, an Interim Bus Relocation Strategy is required to be secured as part of the Athlon Road consent. Additionally, planning consent for Athlon Road must be secured prior to the determination of this application or a Grampian agreement secured within the Section 106 Agreement for this application restricting implementation until the Athlon Road application is granted planning permission.
8. Subject to the above being secured, there would be no objection to the loss of the existing bus depot on the site and the application would comply with Policy T3.

Reprovision of industrial floorspace

9. London Plan policies and Brent's emerging policies generally aim to reverse recent trends towards the loss of industrial floorspace across London. Brent's policies are based on the principle of 'no net loss' of industrial floorspace which, although a key element during the preparation of the London Plan, does not feature in the adopted version as reference to it was removed in response to Directions issued by the Secretary of State. However, Brent's evidenced needs require an increase in industrial floorspace across the borough compared to the current level of provision, and this factor lends support for the emerging policy wording to be retained. Overall, it is considered that only limited weight can be given at this stage to the requirement in emerging Policy BSWA1 for the greater of existing floorspace or the industrial capacity of the site to be replaced.
10. The proposal would include 2,400sqm of light industrial floorspace to replace the loss of 1,804sqm of industrial warehousing floorspace at the donor site on Athlon Road, and would represent a net increase in floorspace. The GLA have raised no objections to the quantum of industrial floorspace to be provided and requested that it should be secured under Class E(g)(iii) and/or E(g)(ii) (with specific reference to research and development of industrial and related products or processes). In terms of the industrial capacity of the donor site, as set out in the emerging Local Plan, this is defined as 0.65 of the site area ie 2,600sqm, and the proposal would represent a net loss of capacity in this respect, and would not fully comply with emerging Policy BSWA1.
11. However, other material considerations such as the wider planning benefits of the scheme also need to be taken into account. The provision of new purpose-built high quality light industrial floorspace in a highly accessible location would contribute to the aim of creating a vibrant enterprise economy in Alperton, and delivering a significant number of new homes including 40.2% affordable housing would make a valuable contribution to the borough's housing needs. The inclusion of a community unit at the junction of Ealing Road and Alperton Road would create a focal point for local communities at this gateway location and would help to address the identified infrastructure needs of the area. Given the constraints of the site and the need to deliver a viable scheme that materially complies with relevant policies, it is considered that it would be acceptable to provide less than 2,600sqm of industrial floorspace in this case, and that concerns relating to the loss of industrial capacity would be outweighed by the wider planning benefits of the scheme.

12. The donor site for the replacement bus depot is located within LSIS that is allocated for intensification in the emerging Local Plan. Whilst the bus depot is a sui generis use, Policy E4 makes specific reference to providing land, rather than floorspace, for sustainable transport functions. As such, the use of the donor site for a bus depot would be consistent with an industrial use, and would therefore comply with Policy E4 of London Plan 2021, Policy CP20 of Brent's Core Strategy 2010 and emerging Policy BE2 of Brent's Local Plan. The donor site is expected to provide sufficient space to accommodate the number of buses required and any ancillary functions, however it is not considered that an equivalent amount of internal floorspace should be reprovided if this is no longer required to support the bus depot function.

Other uses proposed

13. Providing a unit at ground floor level for community use would respond to the aim of Core Strategy Policy CP23 to provide multi-functional community facilities to support major new developments, and the requirements of Brent's emerging Policy BSWA1. The proposal is for a double height space in a prominent corner location that could be used for a variety of activities and events. The Section 106 Agreement would secure a requirement for the community floorspace to be provided to shell, core and utilities, and for the unit to be marketed at community rates for a two year period following practical completion. In the event that there is no uptake for the community space following the marketing, it could then be made available for a commercial use within use class E(g)(ii) and (iii). A management plan would be secured through the s106 agreement, to ensure that the space would be used effectively.
14. The proposed café use would be small in scale (64sqm) and would not compromise the viability and vitality of the nearby Ealing Road town centre. However it would help to animate the streetscene, create a sense of place and provide an opportunity for residents, industrial tenants and other local communities to interact, contributing to strong and healthy communities. There are no policy objections to the café use in this location.
15. Residential use is also supported by the adopted and emerging policy context. The proposal would provide 461 residential units, making a significant contribution to Brent's housing needs. Brent's emerging Policy BH3 expects Growth Areas to include Build to Rent properties as these can encourage increased housing delivery, provide a wider range of housing choice in the borough and help to drive up standards in market rented homes, and London Plan Policy H11 provides detailed criteria to ensure Build to Rent properties are subject to effective management controls.
16. The proposal would deliver 461 new homes in total, including 306 Build to Rent homes solely for the private housing in Blocks A and B, and appropriate management arrangements for these would be secured through the s106 agreement. The remaining 155 homes (in Block C) would be transferred to a Registered Provider of affordable housing, and this would also be secured in the s106 agreement.

Conclusion

17. The proposal would make effective use of a site allocated in Brent's emerging Local Plan to provide new light industrial floorspace and a significant amount of new housing, in addition to new community floorspace and a café. The proposal would respond well to the proposed site allocation and would be acceptable in principle, subject to the satisfactory relocation of the existing bus depot function, which would be secured under the s106 agreement.

Affordable housing and housing mix

Policy background

18. 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). It does not require all schemes to deliver 50% Affordable Housing.

19. 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.
20. The London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
21. 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 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. Policy H11 applies the Threshold Approach to Build for Rent schemes and allows for affordable housing on these schemes to be provided as discounted market rent units within the overall management of the Build to Rent provider.
22. 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 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.
23. Brent's draft Local Plan has only recently been examined by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present.
24. The policy requirements can be summarised as follows in Table 1:

Table 1

Policy context	Status	% Affordable Housing required	Tenure split		
Policy DMP15	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80% Market)	30% Intermediate	
London Plan	Adopted	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	

Assessment of proposal

25. Although the proposal is for a Build to Rent scheme, the affordable housing component is proposed to be delivered as traditional affordable housing that would be transferred to and managed by a Registered Provider. This is not precluded by Policy H11 and is acceptable in policy terms.
26. The proposal includes 155 affordable housing units, subject to grant funding which is it understood has been secured by the applicants. This represents 40.2% affordable housing by habitable room, as summarised in Table 2 below:

Table 2

	Number units	Number	Percent by unit	Percent by

		habitable rooms		habitable room
London Affordable Rent	98	377	21.2%	29.3%
Shared ownership	57	140	12.4%	10.9%
Build to Rent	306	770	66.4%	59.8%
Total	461	1287		
Total affordable			33.6%	40.2%

27. Within the affordable housing provision, the ratio of London Affordable Rent to Shared ownership would be 63:37 by unit and 73:27 by habitable room, and the tenure split would adequately comply with the relevant policies.
28. As the proposal involves the release of industrial land and the reprovision of industrial floorspace below the industrial capacity of the site, the relevant threshold for schemes to qualify for the Threshold Approach is 50%. A Viability Appraisal was prepared by Savills on behalf of the applicants, to support the provision of 40.2% affordable housing. This identifies the Benchmark Land Value of the site (based on the existing use value of the site plus a landowner premium) as £11.9m and concludes that the scheme would be in deficit by £28.8m.
29. The Viability Appraisal was independently reviewed on behalf of the Council by BNP Paribas. Their conclusions are that the Benchmark Land Value of £11.9m is reasonable and that the scheme would generate a deficit of £10.37m. There are some differences of opinion between the two parties on the values for key inputs into the appraisal mechanism (hence the different levels of deficit), however both agree that the scheme is delivering beyond the maximum level of affordable housing that the scheme could viably deliver. In summary the differences of opinion relate to reduced construction costs, reduced commercial and light industrial yield, reduced sales agent fee for the affordable housing units, reduced sales legal fee for the total scheme revenue and reduced finance rate.
30. The Viability Appraisal has been revised to reflect the amended scheme (ie with the additional four affordable rented homes). Further information on the conclusions of this will be reported via the Supplementary Agenda, but the provision of additional affordable housing would not improve the viability of the scheme.
31. The scheme has been demonstrated to be delivering beyond the maximum reasonable amount of affordable housing, with a policy compliant tenure split, and complies with the relevant policies. Early implementation and late stage review mechanisms would be secured through the s106 agreement, to allow for additional affordable housing provision if the scheme does deliver a surplus.

Housing mix

32. The housing mix proposed is set out in Table 3 below and includes 18% family sized units. Whilst this does not comply with the 25% target for family-sized dwellings set out in Policy CP2, draft Local Plan Policy BH6 also carries some weight and allows for exceptions to the 25% target. In this context it is noted that the London Affordable Rent units would be mainly family-sized units, to meet a specific Brent need for this type of housing (46 of these new homes would be 3beds and five would be 4beds). It is considered that providing a greater number of family sized units would further compromise the viability of the scheme and hence the delivery of affordable housing. The housing mix is considered to be appropriate having weighed the benefits of the scheme with the harm associated with the shortfall.

Table 3

	Studio	1bed	2bed	3bed	4bed	Total
London Affordable Rent	0	24	23	46	5	98
Shared ownership	0	31	26	0	0	57

Build to Rent	33	116	123	34	0	306
Total	33	171	172	80	5	461
Percent	7%	37%	37%	17%	1%	

Design, scale and appearance

Policy background

33. London Plan Policy D1 sets out an approach to identifying suitable locations for growth based on an assessment of the characteristics and qualities of different areas, and this approach has informed the location of proposed Growth Areas including Alpertons in Brent's emerging Local Plan. Policy D3 proposes a design-led approach to optimising the capacity of sites, responding to the site's context and capacity for growth, and promotes higher density developments in well-connected locations with existing areas of high density buildings.
34. Brent's emerging Policy BD1 seeks high quality architectural and urban design, including innovative contemporary design that respects and complements historic character but is also fit for the future. The Brent Design Guide SPD1 provides further advice on general principles of good design.
35. London Plan Policy D9 provides specific criteria to guide the location and design of tall buildings, and requires an assessment of the impact on long-range, mid-range and immediate views. It also states that proposals should avoid harm to the significance of London's heritage assets and their settings. Brent's emerging Policy BD2 supports tall buildings in specific locations including Tall Building Zones and site allocations.

Impact on heritage assets

36. The site is also in close proximity to Alpertons Station, which is a locally listed building. Within a 750m radius of the site, 1-3 and 2-4 Stanley Avenue are also locally listed buildings whilst One Tree Hill Recreation Ground and Alpertons Cemetery are locally listed parks. These are all non-designated heritage assets, which are afforded a lower level of protection in planning policy than designated heritage assets such as listed buildings and conservation areas.
37. The development would not affect any of these assets directly but would impact to some extent upon their settings, and this has been taken into account in the applicant's selection of representative views discussed below. A Heritage Statement has been submitted as part of the Townscape and Visual Impact Assessment, which reviews the significance of these assets and their settings and how the development would impact upon them.
38. The NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application, taking a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. The conservation officer has been consulted and considers that the development would not cause any harm to the significance of Alpertons Station or other non-designated heritage assets in the area. Officers at the GLA consider that there would be some harm to the setting of Alpertons Station, although the harm is less than substantial. As harm has been identified, the scheme would not comply with London Plan Policy HC1 from the GLA perspective, however, in accordance with the NPPF, the harm would be considered to be at a scale that would not be detrimental to the significance of the heritage asset, and clearly and convincingly outweighed by the public benefits of the scheme, which include new housing (including 40% affordable homes), employment floorspace and a contribution towards the wider regeneration of the Alpertons Growth Area. The Council continue to consider that the scheme would not harm the significance of this heritage asset. However, if one was to adopt the view taken by the GLA, officers consider that the level of harm is significantly outweighed by the benefits discussed above.

Height, mass and bulk

39. The site is located in the core of a Tall Building Zone identified in the emerging Local Plan, and the proposed BSWSA1 site allocation also emphasises that the allocated sites are suitable to continue the cluster of tall buildings emerging around Alpertons Station, centred around the junction of Ealing Road and Bridgewater Road.

40. The emerging context includes a number of similarly tall buildings within the immediate area. Minavil House (reference 16/2629) is a building of 10 to 26 storeys under construction immediately south-east of the site across Ealing Road. Alperton House (reference 18/4199) is a consented development of 14 to 23 storeys to the south-west of the site across Bridgewater Road. Peppermint Heights is an existing building of 15 storeys, on the south side of the Grand Union Canal and west of Ealing Road, and 243 Ealing Road (reference 09/2116) is an existing group of seven buildings of up to 14 storeys, also on the south side of the Canal and on the east side of Ealing Road. Finally, a development of 10 to 19 storeys has recently been consented to the north-west of the site at 2a Bridgewater Road (reference 19/4541) and a seven-storey building further to the north-west at 1-2 Dowlings Parade (reference 20/1151) has a committee resolution to grant permission. These last two schemes provide a stepping down in height towards the suburban residential areas along Bridgewater Road, as required by the emerging policies.
41. The proposed building form includes three point blocks located around the site boundaries – Block A would be 21 storeys high, with a lower shoulder element of 16 storeys, on Ealing Road adjacent to the railway line, Block B would be 28 storeys high, with a lower shoulder element of 23 storeys, on the southern corner of the site at the junction of Bridgewater Road and Ealing Road, and Block C would be 26 storeys high, with a lower shoulder element of 21 storeys, on the north-western boundary and set back from the road frontage on Bridgewater Road. Block C would also have a six-storey tail element wrapping around the side and front boundaries. At the rear of the site adjoining the railway line, two storeys of industrial floorspace would be provided above the ground floor.
42. The visual impact on the wider townscape including longer distance views has been demonstrated in the submitted Townscape and Visual Impact Assessment (TVIA), as required by Policy D9. This identifies four Townscape Character Areas and considers the visual impact of the development on each. The impact on the mixed use central area immediately surrounding the site is considered to be beneficial due to the high quality design and introduction of additional street trees, planting and public realm, strengthening the evolving character of the area. Commercial and industrial areas to the south would experience little change as the occasional views of large scale development would be read in the context of other similar developments nearby. From surrounding suburban residential areas, views of the development would reinforce the contrast between these low rise areas and the emerging Growth Area, but the domestic scale and structure of these areas would not change. In views from areas of open space, the buildings would be read in conjunction with other tall buildings nearby and would provide variety on the skyline, but the open character of these spaces would remain a dominant characteristic of the landscape.
43. The impact on the four character areas is considered in more detail in twelve representative views, as summarised in the following paragraphs.
44. RV1 - Junction of Stanley Road and Ealing Road looking southwest towards the Site. This demonstrates the view of the site experienced by road users and pedestrians in Ealing Road Town Centre, and in close proximity to locally listed buildings at 1-4 Stanley Avenue. The development would draw together the emerging cluster of tall buildings visible in the background and would provide a marker for Alperton Station. The effect is considered to be beneficial.
45. RV2 - Pavement on south side of Ealing Road looking west towards the Site. This demonstrates the view of the site experienced by road users and pedestrians approaching from the northeast, and the relationship between the proposed development and Alperton Station. The development would form a prominent new feature in this view, highlighting increased activity in the Growth Area, and the brick facades and crown treatment would reference the architectural qualities of the station building, while framed views through the bridge would emphasise the active ground floor frontages and improved streetscene. The view of the station building itself would remain the same.
46. RV3 - Western pavement of bridge over Union Canal looking north towards the Site. This is the view approaching the site from the south along Ealing Road, and shows its relationship to other existing and emerging developments. The development would be seen alongside Minavil House as part of a coherent strategy of increasing height at this prominent corner junction. The active frontages of the community unit facing onto the junction and the stepped brick detailing to the chamfered corner of the building would help to activate the streetscene and define the area as a key junction.
47. RV4 - On tow path on southern side of Union Canal, at passing/mooring place, looking northeast towards the Site. This is a local leisure route for pedestrians and cyclists but the existing townscape

view is very poor, characterised by redundant buildings. The development would be largely obscured from this view by the consented Alpertown House scheme on the northern side of the canal, and would be perceived as a background element integrating well with surrounding buildings.

48. RV5 - On tow path on southern side of Union Canal, at information sign to south of road bridge at Manor Farm Road, looking northeast towards the Site. This view is from further west along the tow path. The development would appear of an appropriate scale to other buildings in the cluster, with Alpertown House being more prominent on the northern canal side. The variation in height of the blocks and their orientation would emphasise the verticality and elegance of the built form, and the development would assist with wayfinding along the canal, marking the location of Alpertown Station.
49. RV6 - Alpertown Sports Ground at southeast corner of football pitches looking northeast towards the Site. This public open space is over 600m to the southwest of the site, and the upper storeys of the development would be visible in the distance alongside other emerging tall buildings. The open qualities of the recreation ground would be retained.
50. RV7 - To the south of the mortuary chapel at Alpertown Cemetery looking southeast towards the Site. This is a locally listed park and garden, and area of Metropolitan Open Land, but is over 600m away from the site. The top of the development would be visible beyond the treeline as part of the emerging cluster of tall buildings.
51. RV8 - At eastern edge of Horsenden Hill Park looking southeast towards the Site, near a bench overlooking golf course. This is a public open space providing a high point for long distance views, and is also a Scheduled Monument. It is also used by pedestrians on the Capital Ring long distance footpath and users of Sudbury Golf Course, and is over a mile away from the site. The tops of the point blocks would be visible in the far background of this view and would draw together the emerging cluster of tall buildings which would appear of a similar scale.
52. RV9 - From A4005 as road begins to bend looking southeast. This is the approach to the site along Bridgewater Road from the north-west, and demonstrates the transition from the suburban residential area to the cluster of tall buildings in the Growth Area. The development would be visible in the middle distance but partly obscured by intervening trees and the two consented schemes immediately to the north-west (2a Bridgewater Road and Dowlings Parade), which would step down in height towards the suburban area.
53. RV10 - On eastern footpath in One Tree Hill Recreation Ground, close to the entrance with Braemar Avenue, looking south towards the Site. This is a public open space and locally listed park and garden. The development would be a prominent feature in the middle ground but would be consistent with the scale of the other consented schemes nearby and would not affect the predominantly open character of the space.
54. RV11 - Southern towpath of the Grand Union Canal close to the railway bridge looking northwest. This view along the canal is enclosed by mature trees, and the development would be seen behind Minavil House and the existing two-storey warehouses in the foreground, and would be in context with the scale and massing of the emerging cluster.
55. RV12 - Western pavement of Ealing Road, close to the junction with Alpertown Lane looking north. This is the approach road from the south-east, and illustrates the transition from the suburban context in the foreground to taller buildings within the Growth Area, and the development would largely be screened by the 23-storey point block at Minavil House.
56. An Addendum to the TVIA was submitted to support the amended plans. This mainly focuses on the impact of increasing the height of Block C from 25 storeys to 26 storeys, and the setting back of the tail element of Block C from the road frontage. The increased height would be discernible in views from the wider area, but would have minimal impact on the overall character and appearance of these views.
57. The design of these three tall buildings is considered to be well judged, with the highest points stepping down to intermediate shoulder heights that help reduce the overall massing and bulk and to articulate the skyline. In particular, the height of Block A is considered to be appropriate to its prominent corner location at the junction of Ealing Road and Bridgewater Road, where it would provide a marker not only for the site but also for Alpertown Station and a focal point for the Growth Area as a whole. Cumulatively, the proposed development would contribute to a diverse and

hierarchical skyline, viewed in the context of a cluster of tall buildings around the junction of Ealing Road and Bridgewater Road.

58. Although these would be tall buildings, there would be a generosity of space between them, and in longer distance views the articulation of the roofscape would help to define the three buildings as a related cluster of blocks on the skyline. The impact on the representative views discussed above is considered to be generally neutral or beneficial within the context of other developments coming forward in the area.
59. It is noted that neighbour objections have referred to the Alpertown Masterplan SPD 2011, which envisaged buildings of up to 17 storeys within the Masterplan area. However, buildings of greater height have subsequently been approved, as noted above, and this document was revoked by the Council's Cabinet on 14 October 2019.
60. Overall, the proposal optimises development on the site, which is an underutilised brownfield site, in a highly accessible location.

Layout and relationship with street

61. London Plan Policy D9 emphasises that tall buildings should have a direct relationship with the street, maintaining pedestrian scale, character and vitality. The three point blocks would be linked by a ground floor building with frontages onto both roads. On Ealing Road, a café with external seating area would activate the corner of the building on the approach from Alpertown Station, while the entrance lobby to Blocks A and B would be set back from the road behind soft landscaping that would be provided as part of an enhanced public realm. The community unit would be located at the corner junction with frontages on both roads and would provide a focal point at street level in the most prominent part of the site. On Bridgewater Road the entrances to the industrial units and Block C would also be set back behind an area of enhanced public realm including new soft landscaping.
62. Amendments to the scheme were secured to eliminate undercroft areas as far as possible. These resulted in the tail element of Block C being set back from the road and the vehicular gateline being brought forward. It is considered that these amendments have significantly reduced the potential for visible inactive frontage and opportunities for crime and anti-social behaviour. Although there would be small areas of inactive frontage on this elevation, they would be enlivened by high quality materials treatments and signage to maintain visual interest and create a sense of arrival for residents and industrial tenants.
63. Overall, the layout of the ground floor is considered to set up positive relationships between different uses and the public realm. The set-back building line creates opportunities for tree planting and soft landscaping, which would help to enhance the streetscape and wind microclimate.

Architectural approach and materiality

64. Each of the tall buildings would be relatively simple in form, however the articulation and detailing of the facades would be of high quality and would create depth and visual interest between the contrasting elements of the façade. Collectively the buildings would be experienced together in a harmonious building palette.

Conclusion

65. Overall, officers consider the design of the scheme to be of good quality and to create a satisfactory relationship between the buildings and with the streetscape. Further details of materials and landscaping would be secured by condition.

Relationship with neighbouring properties

Policy background

66. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m to existing habitable room windows and 9m to private garden boundaries should be maintained. This standard is also applied to ensure that the development does not compromise the redevelopment of adjoining sites, and to individual buildings within large

developments.

67. 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. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts.
68. 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. If this remains at least 0.8 times its former value, the room will appear to be adequately lit.
69. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.
70. However, the BRE also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas. The NPPF recognises that a flexible approach should be taken when applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, and the resulting scheme would provide acceptable living standards.

Assessment of separation distances

71. In this case, the site is bounded on three sides by roads and the railway line, with Alpertons Station and Alpertons Community School on the other side of the railway line, neither of which are considered to be potential development sites. On the fourth, north-western, side the site is adjacent to a service road providing access to a power station to the rear of the site owned by London Underground Ltd, and beyond this is a UKPN substation serving domestic customers. Beyond the substation is the site at 2a Bridgewater Road, at a separation distance of approx 25m from the application site.
72. The separation distance to the site at 2a Bridgewater Road would be more than sufficient to ensure adequate privacy for both sets of future residents. In terms of the UKPN substation, the applicants have supplied correspondence from UKPN to confirm that this remains an active operational substation that is required for the future of their electricity network. Consequently it is considered that, whilst the proposed development would not retain a 9m distance to the boundary, this can be accepted in this case as the potential for the substation site to come forward for redevelopment is negligible.

Assessment of daylight impacts

73. A Daylight Sunlight Assessment has been submitted with the planning application. This analyses the impact on light and outlook in the consented developments at Alpertons House, Minavil House, 2a Bridgewater Road and the scheme at 1-2 Dowlings Parade. There are no existing residential buildings that would be affected by the development in terms of light and outlook.
74. In terms of VSC, 11% of the 256 windows tested at Minavil House would meet the BRE target values, however in the existing condition only 23% of the windows meet these values, which demonstrates that the design of Minavil House itself precludes better compliance with the targets and makes it more susceptible to external change (for example one second floor room has an existing VSC of 5.44% and this would be reduced to 3.49%, such that the reduction is very low in numerical terms but high as a ratio). In terms of daylight distribution, 53% of the rooms tested would retain at least 0.8 times their former value and would therefore meet the BRE targets. Rooms experiencing larger reductions in daylight distribution are primarily single-aspect bedrooms with projecting overhead balconies.
75. At Alpertons House (Blocks A and B), 34% of the 326 windows tested would meet the BRE target value for VSC. This compares to the existing condition, in which 45% of the windows meet this

target. As with Minavil House, projecting overhead balconies restrict the daylight availability to habitable rooms and the low existing VSC makes them more susceptible to external change. However, 87% of the rooms tested would meet the BRE target values for daylight distribution by retaining at least 0.8 times their former value, with the remaining rooms experiencing between 0.67 and 0.79 times their former value and these being mainly bedrooms.

76. Of the 246 windows tested at 2a Bridgewater Road, 65% would continue to meet BRE target values by retaining at least 0.8 times their former VSC. However, in the existing condition VSC levels are generally low, with only 52% of the rooms achieving the 27% target. As above, projecting overhead balconies constrain the amount of light available, and rooms with low existing VSC are more susceptible to external change. However, 99% of the rooms tested would meet the target values for daylight distribution, the remaining room falling just short of the target by retaining 0.79 times its former value.
77. At 1-2 Dowling Parade, all of the 61 windows tested and all of the 31 rooms would comply with the BRE guidelines.

Assessment of sunlight impacts

78. At Minavil House, all of the windows facing towards the development are within 90 degrees of due north, and have not been tested for sunlight impacts. At Alperton House (Blocks A and B), 86% of the 59 rooms tested would achieve the BRE target value for annual sunlight and all would achieve the value for winter sunlight. Of the 132 windows at 2a Bridgewater Road facing within 90 degrees of due south, 86% and 89% respectively would meet BRE target values for annual and winter sunlight, and all rooms tested at 1-2 Dowlings Parade would meet both targets.
79. None of the neighbouring developments considered above would be impacted in terms of overshadowing of external amenity spaces, however the potential impact on the playground at Alperton Community School has been assessed. This would continue to receive ample sunlight on 21 March in compliance with the BRE guidelines.

Conclusion

80. An addendum letter was submitted in support of the amended plans and confirming that the amendments would not have any materially adverse impact on the results of the study. In particular, the tail block of Block C would be set back from the road and so would be further away from buildings on the other side of Bridgewater Road and so would have less impact on them. The increased height of Block C would be unlikely to have any impact on neighbouring buildings due to its being set back towards the rear of the site.
81. Due to the lack of adjacency to other development sites, the proposal would not cause any concerns in relation to privacy and overlooking impacts. A number of windows on other new developments nearby would be adversely affected in terms of VSC, but the design of these developments involving projecting overhead balconies already constrains the light received by these windows, and impacts in terms of daylight distribution and sunlight to rooms in neighbouring developments would be less significant. The playground at Alperton Community School would not be adversely affected.
82. Overall, the extent of impacts identified are considered to be commensurate with the high density nature of this and neighbouring developments, and can be accepted in this instance.

Quality of residential accommodation

Internal space

83. All development is required to comply with standards and criteria set out in London Plan Policy D6, including minimum internal space standards. Appropriate levels of light, outlook and privacy must be provided for residents, and further guidance on these issues is given in the Brent Design Guide SPD1.
84. Each unit would have adequate internal space, complying with or exceeding minimum standards, and some would be very generously sized, and the efficient layouts would minimise unusable space. The majority (59%) of the units would be dual aspect, and the single aspect units would be primarily 1beds with a small number of 2beds. A daylight and sunlight study was carried out in accordance

with the BRE guidance, and demonstrates that 91% of the habitable rooms in the scheme would achieve the recommended Average Daylight Factor (ADF) levels. Some rooms would not meet this standard due to their positioning behind recessed balconies or beneath projecting balconies, and it is considered that this is acceptable given the importance of providing private external amenity space. In terms of sunlight, 69% of rooms with south-facing windows would achieve or exceed the target for annual sunlight hours and 79% would achieve the target for winter sunlight. These results are considered to be good for a high density urban scheme.

85. The three blocks would be positioned to allow separation distances of at least 18m to provide adequate levels of privacy for residents, and the configuration of units has been considered carefully so as to design out any opportunities for overlooking between them.

Accessible and adaptable units

86. London Plan Policy D7 also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.
87. Some units (41 in total) have been indicated on the plans as being wheelchair accessible. Whilst this is slightly below the 10% policy requirement, it is noted that a number of other units would be very generously sized and so capable of being designed to these standards. Furthermore, 19 of these units would be in the affordable housing tenure, which would meet a specific priority need for these units. It is recommended that further details of the location and layout of 46 wheelchair accessible units are obtained by condition.

External amenity space and play space

88. Brent's 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 for studio, one or two-bedroom homes and 50sqm for family housing (homes with 3 or more bedrooms). These standards are carried forward in the emerging Local Plan Policy BH13.
89. 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 20sqm 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.
90. 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 the Brent Design Guide SPD1 specifies that the minimum depth and width of the space should be 1.5m.
91. London Plan Policy D6 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 of 1.5m is reconfirmed in this policy. Policy S4 requires play and recreation facilities to be provided based on the expected child yield.
92. Each unit would have access to a balcony or terrace complying with the minimum standards in Policy D6 and accessible from the main living spaces, and first floor units facing onto the podium would have 1.5m deep defensible space to maintain their privacy. These would be supplemented by a communal podium garden accessible to all blocks and roof gardens on the shoulder element of each block, which would be accessible to residents of that block. In addition, residents of Block C (the affordable housing tenures) would have access to a roof terrace on the sixth floor.
93. A quantitative assessment of the amenity space provision against the Policy DMP19 requirements has been carried out, with each block assumed to have a pro-rata share of the podium garden, and is summarised in Table 4 below.

Table 4

	Block A 189 units	Block B 117 units	Block C 155 units
Policy compliant amenity space	4,320sqm	2,820sqm	4,630sqm
Cumulative shortfall (sum of shortfalls in private balcony space)	2,941sqm	1,950sqm	3,375sqm
Pro-rata share of 1,243sqm podium garden	461sqm	285sqm	497sqm
Additional roof terrace	225sqm	225sqm	225sqm
Residual shortfall	2,255sqm	1,440sqm	2,653sqm

94. The amenity space provision would not meet the targets set out in Policy DMP19. However, given the high density urban location and the site's close proximity to public open space in One Tree Hill Recreation Ground (approximately 230m walking distance from the site), it is considered that the shortfall could be mitigated by a financial contribution towards enhancing off-site amenity space provision in One Tree Hill. A contribution of £250,000 has been agreed with the applicant and would be secured through the s106 agreement. In addition, it is noted that the proposal includes areas of public realm around the building entrances that would provide some amenity value for residents and other local communities, and that the Build to Rent units would also have access to internal amenity spaces such as a gym and residents' lounge.
95. A total of 855sqm play space for the 0-4 year age group, in addition to 668sqm for 5-11 years and 437sqm for 12+ years, is required for the scheme based on the GLA Population Yield calculator. The Design and Access Statement Addendum sets out that a total of 875sqm of doorstep play space for 0-4 years would be provided, including 687sqm on the podium amenity space and 188sqm on the sixth floor roof terrace which would only be accessible to residents in the affordable housing tenures.
96. Indicative plans have been provided showing the locations of play space within the scheme, and further details of play equipment would be required as part of the landscaping condition. Whilst there would be no on-site provision for older children, the site is within a 330m walk from One Tree Hill Recreation Ground, which could accommodate the play needs for older children. As noted above, a financial contribution towards enhanced amenity space provision would be secured in order to address this need.

Conclusion

97. Overall, the residential units are considered to provide a high standard of accommodation and to achieve a high level of compliance with all the relevant policies and standards. Whilst there would be a shortfall in external amenity space against the Policy DMP19 standard, residents would all have access to amenity space in the form of private balconies or terraces and communal gardens, and would also benefit from being in very close proximity to One Tree Hill Recreation Ground.
98. A financial contribution towards enhancing play and recreation facilities in One Tree Hill would be secured through the s106 agreement and it is considered that this would enable recreational facilities in One Tree Hill to be further enhanced in order to mitigate the impact of additional use through the low level of on-site amenity space and specifically of play space within the development.
99. The areas of landscaped public realm around the site would also contribute positively to the quality of residents' living conditions, as would the internal communal amenity spaces provided for the Build to Rent units. Overall, the on-site residential amenity space is considered to represent an acceptable level of provision including a range of high quality private spaces and access to public open space nearby, notwithstanding a shortfall against Policy DMP19.
100. The amount of external amenity space for some homes falls below the targets expressed within policy. 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.

Sustainability and energy

Policy background

101. Major developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council.
102. For developments referable to the Mayor of London, Policy SI2 also requires an assessment of carbon emissions across the lifecycle of the development including embodied carbon released in the manufacturing, production and transportation of building materials, whilst Policy SI7 aims to support the circular economy in order to reduce waste and improve resource efficiency.
103. Brent's Core Strategy Policy CP19 also requires any proposal for commercial floorspace of over 1,000sqm to demonstrate that it achieves BREEAM Excellent standards.

Carbon emissions and BREEAM performance

104. An Energy Assessment has been submitted, setting out how these standards are to be achieved, with domestic and non-domestic floorspace assessed separately. This predicts a reduction in carbon emissions of 57.34% overall, including 10.88% and 15.25% from energy efficiency measures for the residential and commercial elements respectively. The development would utilise ground source heat pumps and photovoltaic panels for heating and hot water. The residual carbon emissions would be offset by a financial contribution to Brent's carbon offsetting fund, estimated at this stage to be £500,000, to achieve a net zero carbon development in accordance with policy.
105. A whole lifecycle assessment was also submitted, however this sets out general principles of how the full assessment would be carried out when a detailed building model is available, and this assessment would be required by condition. The circular economy statement sets out how the development would achieve demolition and construction waste targets, and use locally and sustainably sourced materials and offsite construction and manufacturing processes, in order to reduce embodied carbon and operate within a circular economy. These documents were not required to be revised with the amended plans, as they set out general principles of the design and construction process rather than specific details of the proposed development.
106. BREEAM Pre-assessments have been submitted for the industrial units, community unit and café, demonstrating that a 72% score could be achieved for each, exceeding the 70% required to achieve BREEAM Excellent status. Confirmation that these standards have been achieved would be secured by condition once construction is completed.
107. An overheating assessment has been carried out, and proposes a range of measures including external glazing with lower G-values, Brise Soleil solar shading, and comfort cooling systems to reduce excessive temperatures in the summer. The comfort cooling would potentially increase carbon emissions above those estimated in the Energy Assessment, however this would be reflected in the updated Assessment which would be required at detailed design stage and secured through the s106 agreement. Given the high level of emissions reductions achieved, it is considered likely that the development would continue to exceed the policy requirement of a 35% on-site reduction.
108. The amended plans have been supported by a statement from the applicant's consultants, to confirm that the amendments would not impact significantly on the level of carbon emissions or BREEAM rating achievable in the development. The effect of these amendments would be reflected in the detailed design stage Energy Assessment and a condition requiring a BREEAM Post-Construction Certificate, as noted above, it is considered unlikely that the scheme would not continue to exceed the policy targets.
109. Overall, the scheme is considered to deliver a high standard of compliance with the relevant policies, and a condition would secure arrangements to allow future connection to a district heating network should one become available in the area.

Urban greening

110. London Plan Policy G5 requires major developments to contribute to urban greening, defines a

generic Urban Greening Factor and sets a target score of 0.4 for predominantly residential developments (0.3 for predominantly commercial developments). Brent's draft Local Plan Policy BGI1 supports this approach but does not propose a borough-specific Urban Greening Factor, therefore the generic Factor is used to assess developments in Brent.

111. The Design & Access Statement Addendum includes details of the Urban Greening Factor for the site. The proposal achieves a score of 0.3 and whilst this does not achieve the 0.4 target for predominantly residential developments, it is considered that the proposal has optimised the potential for greening measures on this constrained site. The proposal is satisfactory within the context of a high density urban development in close proximity to large open green spaces.

Impacts on microclimate and reception of TV and radio services

112. London Plan Policies D3, D8 and D9 emphasise the importance of the local microclimate created by new development involving tall buildings, in particular the need to ensure comfortable wind conditions. In accordance with these policies, a Wind Microclimate Assessment was submitted.
113. The assessment uses the Lawson Comfort Criteria, which is the industry standard defining how an average pedestrian would react to different wind levels. Wind speeds are categorised as being suitable for either sitting, standing, strolling or walking, or as uncomfortable for most activities. Developments should aim to provide at least strolling conditions along pedestrian thoroughfares, standing conditions at main entrances, drop off areas, taxi ranks and bus stops, sitting conditions at outdoor seating areas in the summer, and standing conditions in large public amenity spaces in the summer, with sitting conditions at designated seating locations. Finally, sitting or standing conditions should be achieved in summer on balconies and private amenity spaces – providing sitting conditions in summer would generally ensure that standing conditions could be maintained in winter. Strong wind thresholds requiring mitigation measures are also defined.
114. A Wind Microclimate Assessment was submitted, based on results of wind tunnel tests using a scale model of the proposed building and measurements of wind speeds at 180 locations throughout the development and nearby locations including bus stops, station platforms and entrances to neighbouring buildings. Different scenarios are tested, to compare the effect of the development to existing wind conditions and to take account of other consented developments coming forward in the vicinity.
115. A number of locations are identified where conditions would be windier than suitable for the intended use. Mitigation measures are proposed in these locations, including landscaping proposals throughout the site and along the street frontages, and porous screens on balconies affected. As a result of these measures, suitable wind conditions would be achieved in these locations, however the roof terrace on Block A would require additional mitigation measures to achieve sitting conditions, and further details of these would be required by condition. One location on the station platform would not achieve standing conditions in the windiest season, however this is at the western end of the northern platform and is open, as such pedestrians using this space may be prepared for a slightly windier environment than more sheltered areas of the platform.
116. An addendum statement was provided in support of the amended plans. This confirmed that the amendments to the scheme would not materially alter the predicted wind conditions following the development. Consequently it is considered that, subject to the mitigation measures identified being implemented in full, suitable wind conditions would be achieved within the development and in the surrounding area.
117. A survey of predicted impacts from the development on TV and radio reception to neighbouring properties is also required, due to the height and scale of the development, including FM radio and digital terrestrial and satellite television, together with any mitigation measures recommended. These would be secured under the s106 agreement

Trees and biodiversity

118. Trees are a material planning consideration, and also contribute to the biodiversity value of the site by providing potential habitats for birds, bats and other wildlife. Brent's emerging Policy BGI2 requires major developments to retain trees on site and where this is not possible to provide compensation through replacement tree planting or a financial contribution to tree planting off site.

119. A Tree Report and Arboricultural Impact Assessment was submitted. This identified 15 trees that could be affected by the proposals, including two of moderate quality and 13 of low quality. Eight trees along the Ealing Road frontage of the site would need to be removed, however these are small trees grown in raised planters, including a moderate quality tree at the corner junction but mostly of low quality. The remaining trees are outside the site, either on the UKPN substation land or along the railway verge, and protective fencing would prevent damage to them during construction. A site supervision schedule would be required by condition.
120. The Tree Officer has no objections regarding removal of the existing trees, which are mostly of low quality and constrained by their location within small planters. Further clarification on proposals for street tree planting is required and will be reported via the Supplementary Agenda.
121. The landscaping plan proposes 17 trees along the street frontages, in addition to nine within the site and eight along the railway verge (these would be subject to approval by London Underground Limited). In addition, 24 trees are proposed on the podium garden. Tree planting outside the site would be secured through the s106 agreement and further details of tree planting within the site, including soil depths on the podium, would be required by condition. The number of trees proposed is considered to be more than sufficient to mitigate the loss of the existing trees and to enhance the quality of the pedestrian environment and public realm around the building.
122. The site does not have any ecological designations, however the adjoining railway line is part of a local wildlife corridor protected under Brent's Policy DMP8. This designation reflects the importance of the vegetation alongside railway lines in providing movement corridors for a variety of wildlife, and is generally applied to railway lines in the borough, but does not imply the presence of any protected or priority species or habitats. However, in this case the adjoining section of railway line is between a heavily trafficked road and the LUL power station and so does not make a significant contribution to the wildlife corridor.
123. A Preliminary Ecological Appraisal was submitted. This identifies habitats common to the surrounding urban environment such as introduced shrub and bare hardstanding. The buildings on site were assessed for their suitability for bat roosts and were found to have low suitability, however the buildings and introduced shrub on site could contain nesting birds (which would be protected under separate legislation during the nesting season). The proposed landscaping would compensate for the loss of these nesting habitats, and the installation of bird boxes is recommended to provide additional biodiversity enhancement. Further details of bird boxes would be required as part of the landscaping condition.
124. These documents did not require updating to support the amended plans, as they relate to the existing condition of the site rather than the proposed development. The landscaping proposals, as noted above, have not been updated as the amendments would not compromise the delivery of landscaping of a similar scale and quality, and a detailed landscaping scheme would be required by condition.

Environmental health considerations

Air quality

125. An Air Quality Assessment has been submitted, including an Air Quality Neutral Assessment. This considers the impact of construction activities, road traffic emissions and other sources of emissions such as plant, on air quality in the locality and the air quality impacts for future residents. With the implementation of recommended dust and emission control measures during the construction process, no significant effects are predicted.
126. Additional statements were submitted together with the amended plans, to confirm that the amendments would not materially alter the results of the Air Quality Assessment.
127. Environmental Health officers have been consulted and consider that the assessment is acceptable and no conditions are required other than the submission and approval of a Construction Management Plan.

Contaminated land

128. Due to the previous uses of the site the applicant has submitted a geological and geo-environmental

desk top study dated November 2020. This assessment concludes that a site investigation is required. Environmental Health officers have been consulted and agree with this conclusion. Further site investigation and any necessary remediation measures would be secured by condition.

129. The study was not required to be updated in support of the amended plans, as it relates to the existing condition of the site rather than the proposed development.

Noise and vibration

130. A Noise and Vibration Impact Assessment has been submitted, which demonstrates that road traffic and the Piccadilly Line are the main noise sources affecting the site and that, based on the specified façade construction and glazing materials, the required internal noise levels would be achieved.
131. An additional statement was submitted together with the amended plans, to confirm that the amendments would not materially alter the results of the Noise and Vibration Assessment.
132. Environmental Health officers have been consulted and agree with the conclusions of the assessment and the additional statement. With regard to the quality of the balconies proposed in Block C given their proximity to the railway lines, the assessment indicates that the quality of these private amenity spaces would not be adversely impacted by noise emanating from trains using the railway. Details of internal sound insulation to prevent noise transfer between industrial and residential uses would be required by condition.

Lighting

133. Environmental Health officers have noted that the proposal is for the industrial units to be within the same development as the residential units. This could lead to adverse impacts in terms of light pollution, for example due to lighting from the industrial units impacting on the residential use. Further details of any proposed external lighting would be secured by condition to ensure these are satisfactory in this respect.

Flood risk and drainage

134. London Plan Policy SI12 requires current and expected flood risk from all sources to be managed in a sustainable and cost-effective way, while Policy SI13 and Brent's Policy DMP9b require sustainable drainage measures to achieve greenfield run-off rates and ensure surface water runoff is managed as close to source as possible.
135. The site is within a Flood Zone 1 for fluvial flooding and in part within a surface water Flood Zone 3. The site is also within a prime area for groundwater flooding.
136. A Flood Risk Assessment has been submitted and sets out principles of a sustainable drainage regime, including blue roofs, rainwater harvesting and below-ground storage, in order to reduce surface water run-off from the site. The Flood Risk Assessment demonstrates reduced discharge rates within all three storm events, including through the attenuation of 432sqm, reducing the discharge rate to a proposed 2.8 l/s compared to the current 108 l/s. The proposals offer a significant improvement to the current discharge rates, in accordance with Brent's current discharge reduction standards. The proposal also includes a blue roof with an attenuation volume of 103 cubic metres, which would mitigate surface water runoff.
137. The Local Lead Flood Authority have been consulted and have no objection to the proposals, subject to a detailed drainage layout with connection to the surface water main system being submitted as a condition. An informative is also required, clarifying that SuDS within the site would not be maintained by the Council and would need to be managed privately at the developer's expense. The GLA have also confirmed that the proposal complies with Policy SI13 of London Plan in relation to sustainable drainage measures.

Transportation considerations

Policy background

138. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and maximum parking allowances for residential development are set

out in Policy T6.1. Brent's current maximum parking allowances are given in Policy DMP12 and Appendix 1 of the Development Management Policies, whilst Appendix 2 provides servicing standards and Policy DMP11 provides criteria for new road accesses. Brent's emerging Policy BT2 sets out new parking allowances to align with those of the London Plan.

139. Cycle parking spaces must be provided in compliance with London Plan Policy T5 in a secure weatherproof location and in accordance with design guidance set out in the London Cycling Design Standards. Bin storage should allow for collection within a 10m carrying distance, and more detailed guidance on bin storage requirements is given in the Waste Planning Guide.
140. London Plan Policy T2 expects new development proposals to follow a Healthy Streets Approach and include an Active Travel Zone (ATZ) assessment, and Policy T4 requires Transport Assessments to be submitted.

Existing site

141. Bridgewater Road is a major London distributor road, with four lanes and a central hatched zone. Ealing Road is a local distributor road. The two roads meet at a three-arm signalised junction. On-street parking is prohibited between 8am-6.30pm Mondays to Saturdays (with loading prohibited during weekdays peak hours) along the Bridgewater Road frontage, with parking prohibited at all times along the Ealing Road frontage. A zebra crossing on Ealing Road further restricts stopping on the frontage, whilst there is a bus stop clearway on Bridgewater Road just west of the site.
142. Public transport to the site is good (PTAL rating on the boundary between 4 and 5), with Alpertons station (Piccadilly line) and seven bus services within 640 metres.
143. The existing site has four vehicular accesses, including the 10.5m wide main entrance to the bus depot from Bridgewater Road, a 7.8m wide gated access serving a front service road, the 11.3m wide main exit and a 16m wide gated access to a rear service yard. Staff parking is provided for about 40 cars within the site.

Access arrangements

144. Two points of vehicular access are proposed to be retained. A 6m wide crossover from Bridgewater Road in the southwestern corner of the site would provide the entrance, with the exit via a 5m wide crossover on Ealing Road in the northeastern corner of the site. Both accesses would be gated, and would provide a one-way route for vehicular traffic and access to a shared service yard for the commercial units against the railway line.
145. The one-way route is acceptable in highway safety terms as it removes the need for traffic to exit onto the heavily trafficked Bridgewater Road. Redundant areas of vehicle crossover would be restored to footway at the developer's expense, and a traffic island may be required on Bridgewater Road to prevent vehicles from turning right into the site. These works would be secured through the s106 agreement.

Parking provision

146. Parking for the residential use would be provided in an undercroft beneath Block C (five spaces) and in the rear servicing yard (nine spaces) in addition to two 'move-in bays' at the northeastern corner (these are often provided on Build to Rent schemes as they tend to have a relatively high turnover of tenants). Other than the move-in bays, the parking spaces would all be adequately sized for disabled access. In addition, two spaces designated for car club vehicles would be provided outside of the access gates on the northeastern corner of the site.
147. The development would be car free except for disabled car parking for the residential use. Policy DMP12 encourages 'car-free' development in areas with good public transport such as this, and the principle of restricting residential parking in this way and providing no car parking for the commercial floorspace is acceptable.
148. London Plan Policy T6.1 requires disabled car parking to be provided for 3% of the residential units, giving a requirement of 14 spaces in this case. The proposal complies with this requirement, with five of the spaces being conveniently located for residents in Block C. Electric vehicle charging points would be required, with active provision for at least 20% of the spaces and passive provision

for the remainder, and further details of this would be required by condition. A Car Park Management Plan would also be required, setting out how spaces would be allocated to residents in most need of them.

149. There is no Controlled Parking Zone (CPZ) operational in the area at the present time and in line with other nearby developments, a financial contribution of £110,000 towards the implementation of a CPZ would be required, together with parking permit restrictions for future residents, and these would be secured through the s106 agreement.
150. The Travel Plan submitted includes a proposal from an established local car club operator which would secure two car club vehicles, together with three years of free membership for residents and one year for commercial users. This would support the car-free development, and would be secured through the s106 agreement.
151. The Transport Assessment indicates that six car parking spaces would be retained for the use of TfL staff. However, the applicant has confirmed that this refers to a requirement for London Underground Limited (LUL) maintenance vehicles to be able to access the power station. A service road to the power station sits alongside the northwestern boundary of the site but is not served by the vehicle crossover and LUL have a right of access over the part of the site immediately in front of the crossover in order to gain access to the service road. It is understood that access is required on an occasional basis for maintenance purposes, and this would be by arrangement with the building management. Further details have been submitted to confirm that LUL vehicles could park if required without restricting access into the site.

Cycle parking provision

152. Cycle parking would be provided in a combination of small ground floor stores and larger mezzanine level stores, and would comprise a combination of two-tier stands and Sheffield stands, totalling 806 spaces to comply with the policy requirement of 804 long-stay spaces. The mezzanine level would be accessed via lifts within the building cores which would meet the minimum dimensions required.
153. Further details of cycle parking would be required by condition, to ensure that it fully complies with the relevant London Cycling Design Standards guidance.

Servicing and waste storage

154. A total refuse storage capacity of 107,120L is proposed, which is an acceptable level of provision in accordance with the requirements set out in Brent's Waste Planning Guidance. A Delivery and Servicing Plan has been submitted, and states that the refuse store for Block C would be within 10m of a point where refuse collection vehicles could stop, but that the refuse stores for Blocks A and B would require management. Further details have been submitted, indicating temporary holding areas in the service yard where bins could be presented for collection without obstructing other vehicular movements within the site.
155. The Delivery and Servicing Plan includes TRICS data on the expected number of deliveries the development could expect to attract per day. This indicates that it would generate around 57 delivery and servicing trips per day, with 40 attributed to the residential element and 17 attributed to the commercial element (including the café).
156. This would be a reasonable amount for a development of this size and there would be sufficient within the rear service yard to accommodate this number. The document also indicates that there would be a postal drop off area to enable residents to collect any post whilst they are at home and this would avoid repeat deliveries, which is welcomed.

Public realm improvements.

157. In terms of pedestrian access, all workspace and residential units would be accessed directly from Ealing Road or Bridgewater Road, with entrances set back from the existing highway boundary to provide adequate landscaping space in front of the building. The workspace would also be accessible from the rear service yard and to facilitate pedestrian access, a 2.7m wide footway is indicated alongside the service yard access, which is acceptable.
158. The proposal also shows widening of the footway along the Ealing Road frontage generally and

widening to provide a landscaped verge along the Bridgewater Road frontage. The setting back of the building to achieve this would improve the public realm and pedestrian experience, and appropriate areas of land would be offered up for adoption as public highway under a S38/S278 Agreement, to be secured through the s106 agreement.

Trip generation and public transport capacity

159. Given the projected number of vehicle movements, the proposal would not have an impact on the strategic road network. The forecasted bus demand is 81 and 55 two-way trips in the AM and PM peak respectively. TfL have advised that the local bus network experiences capacity issues and as such improvements are necessary to accommodate this development. Based on the forecasted demand, and in line with other developments in the area, a financial contribution of £418,500 is sought.
160. It is important that the proposals should also not compromise any works to improve access to Alpertown Underground station, particularly to develop a step-free station. In this respect, it is understood that TfL's preferred option for providing step-free access involves the use of a small area of land between the railway line and the northeastern corner of the site to provide lift access to one of the platforms. This area is not within the site boundary and the proposal would not compromise the delivery of this improvement to the station.

Travel Plan

161. A Travel Plan has been submitted, however revisions and further details would be required and the submission, approval and implementation of an amended Travel Plan would be secured through the s106 agreement. This would need to include contact details for the Travel Plan Co-ordinator/Sustainable Travel Manager, and target modal shares to cover all transport modes separately and to align with the predicted modal shares given in the Transport Assessment of 1% car drivers and 2% car occupants including taxi passengers. Surveys would be required in years 1, 3 and 5. Car club provision would also be secured as part of the Travel Plan.

Construction Logistics Plan

162. A Construction Logistics Plan has been submitted. It is estimated that the development would take 40 months to construct and would result in a peak demand of 23 construction vehicles per day.
163. The proposals include the creation of two loading zones, one on the carriageway of Bridgewater Road and the other at the back of the footway on Ealing Road. However, Transport officers consider that the loading zone on Bridgewater Road is likely to result in a deterioration in the operation of the highway network, and that an alternative would be required. Detailed swept paths for vehicle access and egress would be required to demonstrate that the loading zone at the back of the footway on Ealing Road would not impact adversely on pedestrians. These would be secured through a revised Construction Logistics Plan to be secured by condition.

Fire safety

164. Although fire safety compliance is covered by the Building Regulations, London Plan Policy D12 emphasises the need for it to be considered at the earliest stages of design of new developments, particularly where tall buildings are involved, and requires a fire strategy to be submitted for all major developments.
165. A Stage 2 Fire Strategy was submitted with the application, and the amended plans were supported by a statement confirming that this was still applicable for the amended proposal. However, a Stage 2 Fire Strategy only deals with the concept design stage of a development, and a Stage 3 Fire Strategy would be required by condition to ensure that the Strategy is followed through into the detailed design stage.

Equalities

166. 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

167. 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.
168. Whilst the provision of external amenity space falls short of Brent's policy standard, this is considered to be adequately compensated for by the overall quality of the amenity space provided and by the site's close proximity to One Tree Hill Recreation Ground, to which a financial contribution would be secured. Whilst the GLA consider the proposal would cause harm to the setting of Alperton Station, such harm is less than substantial, and the benefits of the scheme clearly outweigh the harm. The proposal is considered to respond well to the proposed Growth Area site allocation including the aim of developing an enterprise hub and co-locating new industrial floorspace with residential development in this highly accessible location in the centre of Alperton.

CIL DETAILS

This application is liable to pay **£13,450,282.46** * 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): 4170 sq. m.

Total amount of floorspace on completion (G): 43638 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) Restaurants and cafes	64		57.88	£40.00	£0.00	£3,452.38	£0.00
(Brent) Businesses and light industry	2400		2170.66	£0.00	£0.00	£0.00	£0.00
(Brent) Non-residen institutions	205		185.41	£0.00	£0.00	£0.00	£0.00
(Brent) Dwelling houses	40969		37054.05	£200.00	£0.00	£11,050,046.0	£0.00
(Mayoral) Restaurants and cafes	64		57.88	£0.00	£60.00	£0.00	£3,515.15
(Mayoral) Businesses and light industry	2400		2170.66	£0.00	£60.00	£0.00	£131,818.18
(Mayoral) Non-residen institutions	205		185.41	£0.00	£60.00	£0.00	£11,259.47
(Mayoral) Dwelling houses	40969		37054.05	£0.00	£60.00	£0.00	£2,250,191.2

BCIS figure for year in which the charging schedule took effect (Ic)	224	330
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£11,053,498.46	£2,396,784.00

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/3914

To: Mrs Ladden Timbers
Barton Willmore
7 Soho Square
London
W1D 3QB

I refer to your application dated **26/11/2020** proposing the following:

Demolition of the existing buildings and structures, the erection of a building ranging in height up to 28 storeys, incorporating residential units and industrial, community and commercial uses, together with associated landscaping, access arrangements, car and cycle parking, servicing and refuse and recycling (Amended Description 09.03.21)

and accompanied by plans or documents listed here:
Please see Condition 2.

at **330 Ealing Road, Wembley, HA0 4LL**

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: 20/04/2021

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

London Plan 2021
 Brent Core Strategy 2010
 Brent Development Management Policies 2016

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

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

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

A11745 D 0 100 P4	Level Ground General Arrangement Plan 1:200
A11745 D 0 101 P3	Level 1 General Arrangement Plan 1:200
A11745 D 0 102 P3	Level 2 General Arrangement Plan 1:200
A11745 D 0 103 P3	Level 3 General Arrangement Plan 1:200
A11745 D 0 104 P3	Level 4 General Arrangement Plan 1:200
A11745 D 0 105 P3	Level 5 General Arrangement Plan 1:200
A11745 D 0 106 P3	Level 6 General Arrangement Plan 1:200
A11745 D 0 107 P3	Level 7-14 General Arrangement Plan 1:200
A11745 D 0 115 P1	Level 15 General Arrangement Plan 1:200
A11745 D 0 116 P3	Level 16 General Arrangement Plan 1:200
A11745 D 0 117 P3	Level 17-20 General Arrangement Plan 1:200
A11745 D 0 121 P3	Level 21 General Arrangement Plan 1:200
A11745 D 0 122 P3	Level 22 General Arrangement Plan 1:200
A11745 D 0 123 P3	Level 23 General Arrangement Plan 1:200
A11745 D 0 124 P1	Level 24-25 General Arrangement Plan 1:200
A11745 D 0 126 P3	Level 26 General Arrangement Plan 1:200
A11745 D 0 127 P1	Level 27 General Arrangement Plan 1:200
A11745 D 0 128 P3	Level 28 General Arrangement Plan 1:200
A11745 D 0 129 P2	Roof Plan 1:200
A11745 D 0 130 P2	Section Key Plan 1:200
A11745 D 0 200 P2	South West Elevation 1:200
A11745 D 0 201 P2	North West Elevation 1:200
A11745 D 0 202 P2	North East Elevation 1:200
A11745 D 0 203 P2	South East Elevation 1:200
A11745 D 0 210 P2	South West Context Elevation 1:500
A11745 D 0 212 P2	North East Context Elevation 1:500
A11745 D 0 213 P2	South East Context Elevation 1:500
A11745 D 0 250 P2	Detail Bay Elevation - Typical Lower Levels 1:50
A11745 D 0 251 P1	Detail Bay Elevation - Alperton Yard Ealing Road 1:50
A11745 D 0 252 P1	Detail Bay Elevation - Residential Entrance Bridgewater Road 1:50, 1:100
A11745 D 0 253 P2	Detail Bay Elevation - Block C Rear 1:50
A11745 D 0 254 P3	Detail Bay Elevation - Residential Entrance 1:50
A11745 D 0 255 P2	Detail Bay Elevation - Industrial Entrance 1:50
A11745 D 0 256 P2	Detail Bay Elevation - Lower Roof Parapet 1:50
A11745 D 0 300 P2	Section A-A and B-B 1:200
A11745 D 0 301 P2	Section C-C and D-D 1:200
A11745 D 0 302 P2	Section E-E and F-F 1:200
A11745 D 0 303 P2	Section G-G, H-H and North East Elevation Block C 1:200

A11745 D 0 304 P2	Section J-J, K-K and South East Elevation Block A 1:200
A11745 D 0 400 P2	Typical Plans - Sheet 1 of 3 1:100
A11745 D 0 401 P2	Typical Plans - Sheet 2 of 3 1:100
A11745 D 0 402 P3	Typical Plans - Sheet 3 of 3 1:100
A11745 D 1 100 P4	Level 100 Mezzanine Plan 1:200
A11745 D 1 102 P3	Level 102 Industrial General Arrangement Plan 1:200
A11745 F 0 001 P1	Site Location Plan 1:1250
A11745 F 0 100 P1	Existing Ground Floor Plan 1:200
A11745 F 0 101 P1	Existing First Floor Plan 1:200
A11745 OT 001 O1	Design & Access Statement (and Addendum, 15 March 2021)
496.01A	Landscape Masterplan
496.02A	Podium Landscape Plan
496.03A	Podium Landscape Section
496.04A	Roof Gardens - Block A and B Landscape Plan
496.05A	Roof Gardens - Block C and Level 6 Landscape Plan

Air Quality Assessment (RWDI, Ref #2000438 Rev C, 12 November 2020) and Statements of Conformity (RWDI, 12 March 2021 and 23 March 2021)
Arboricultural Planning Statement (RSK ADAS Ltd, Version B, November 2020)
Flood Risk Assessment (Walsh, Ref 5242-WAL-ZZ-XX-RP-C-6700, 10 November 2020)
Noise and Vibration Impact Assessment (Hodkinson, November 2020) and Note Version 1 (11 March 2021)

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

- 3 The scheme hereby approved shall contain 461 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

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: In the interests of proper planning. 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.

- 4 The scheme hereby approved shall contain 2,400sqm (GIA) of light industrial floor space (use classes E(g)(ii) (for research and development of industrial and related products and processes only) and E(g)(iii)), 64sqm of cafe floor space (use class E(b) and 205sqm of floor space for the principal use of the local community (use class F.2(b), as defined by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), which shall not be used other than for these purposes unless otherwise 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: In the interests of proper planning and to ensure the use of the development is appropriate for the location.

- 5 The car parking spaces, cycle storage and bin storage facilities as shown on the approved plans or as otherwise approved in writing by the local planning authority shall be installed prior to occupation of the relevant Block that they serve and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority. The car parking spaces shall be marked out with hatching in accordance with requirements for disabled parking spaces.

Reason: To ensure that the development is fit for purpose.

- 6 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.

- 7 A communal television aerial and satellite dish system for each building, or a single system for the development as a whole, 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.

- 8 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Flood Risk Assessment (Walsh, Ref 5242-WAL-ZZ-XX-RP-C-6700 Rev 4, 10 November 2020) shall be fully implemented for the development.

Reason: To ensure adequate drainage for the development and mitigate the risk of surface water flooding on and in the vicinity of the site.

- 9 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Noise and Vibration Impact Assessment (Hodkinson, November 2020) and Note Version 1 (11 March 2021) shall be fully implemented for the development.

Reason: To ensure acceptable noise levels for residents and other occupants.

- 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 Control of Dust and Emissions During Construction and Demolition SPG (July 2014), 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 DMP1 and London Plan Policy SI1.

- 11 Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

Reason: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI2 of the London Plan.

- 12 The podium external amenity space shall be provided for the use of residents of each building for the lifetime of the development.

Reason: To ensure a tenure-blind development providing adequate external amenity space for all residents.

- 13 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works.

All agreed actions shall be carried out in full.

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

Reason for pre-commencement condition: Construction nuisance can occur at any time during the construction process, and adequate controls need to be in place prior to works starting on site.

- 14 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. The Construction Logistics Plan shall include:

- i. Forecast construction trip generation and mitigation proposed;
- ii. Site access arrangements and booking systems;
- iii. Construction phasing;
- iv. Vehicular routes to the site;
- v. Details of how construction would be co-ordinated with the construction operations of other developments in the area and scope for local consolidation to reduce the number of road trips generated, so as to minimise the cumulative impacts on local residents and businesses.

The development shall thereafter operate in accordance with the approved construction logistics plan.

Reason: To ensure the development is constructed in an acceptable manner.

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

- 15 Prior to development commencing, an arboricultural method statement, appropriate and specific to the approved scheme, to include details of all works within the root protection area of any retained tree (in accordance with the approved Arboricultural Planning Statement (RSK ADAS Ltd, Version B, November 2020)) and a scheme of supervision for the arboricultural protection measures required have been submitted to and agreed in writing by the local planning authority; details shall include specification, construction methodology and sequencing of works for no-dig surfacing, methodology for demolition and removal of existing buildings, and manual/mechanical excavation within root protection areas including the protection/treatment of any roots encountered.

Thereafter, all works shall be carried out and constructed in accordance with the approved details and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure adequate protection for retained trees in the vicinity of the site.

Reason for pre-commencement condition.

- 16 Following the demolition of the buildings and prior to the commencement of building works:

(i) 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

(ii) 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.

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

- 17 Prior to construction of the proposed development commencing, a full drainage layout demonstrating connection to the surface water main system shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure adequate drainage of the site, in accordance with Policy DMP9b and London Plan Policy SI13.

- 18 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3.

- 19 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations) , further details of electric vehicle charging points to include active provision for at least three parking spaces (provided proportionately throughout the development) and passive provision for the remaining parking spaces shall be submitted to and approved in writing by the local planning authority.

Charging points shall thereafter be implemented in accordance with the approved details.

Reason: To facilitate the use of sustainable means of transport.

- 20 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), a RIBA Stage 3 Fire Strategy prepared by a suitably qualified third party consultant shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved Fire Strategy and retained thereafter. The requirements of the Fire Strategy shall be in compliance with London Plan Policy D12 and Part B of the Building Regulations.

Reason: To ensure that the risk of fire is appropriately addressed in the proposed development, in accordance with London Plan Policy D12.

- 21 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), and notwithstanding Condition 2, further details of how cycle parking will be provided to comply with London Plan Policy T5 and the London Cycling Design Standards shall be submitted to and approved in writing by the local planning authority, and thereafter carried out in full accordance with the approved plans.

Reason: To ensure adequate cycle parking provision within the site.

- 22 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of materials for all external work, including samples to be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the following:

- details of vehicular access gates;
- details of any signage to be provided around the site other than signage requiring advertisement consent;
- details of semi-porous screens to balconies as recommended in the approved Wind Microclimate Assessment;

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.

- 23 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), further details shall be submitted to and approved in writing by the local planning authority, demonstrating how 46 of the residential units including 19 in Block C would achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

The development shall thereafter be constructed in full accordance with the approved details, and the remaining residential units shall be constructed to achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’.

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

- 24 A scheme of sound insulation measures to address potential noise transfer between the non-residential floorspace 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 above ground floor level. 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 D13 of the London Plan 2021.

- 25 Prior to any installation of external lighting within the development, an external lighting plan showing the lighting lux plots at the residential premises (in vertical illuminance) shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development does not create adverse impacts in terms of light pollution, in accordance with Policy DMP1.

- 26 Prior to topping out on any part of the development providing photovoltaic panels, further details of the proposed photovoltaic panel array, demonstrating that this delivers as a minimum the reduction in carbon emissions identified in the pre-material start Energy Assessment, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure carbon emissions are reduced in accordance with London Plan Policy SI2.

- 27 Within 18 months of works commencing on site, and notwithstanding the approved plans, a detailed landscaping scheme 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 scheme shall include detailed proposals for the following aspects:

- Hard landscaped areas including materials samples, level changes, bollards and other measures to delineate a pedestrian route from the Ealing Road access into the service yard, informal seating and any other street furniture
- A planting scheme including species, locations and densities for all grass and shrubs. Suitable species include flowering species providing foraging for pollinators and hardy herbaceous perennials.;
- Play spaces including proposed equipment, maintenance arrangements and the underlying play strategy;
- Bird boxes;
- Details of defensible space of 1.5m depth to all habitable room windows facing onto communal amenity spaces;
- Details of hard and soft landscaping proposals for the internal courtyard of Block C, including informal seating;
- Details of any mitigation measures recommended in the approved Wind Microclimate Assessment.

The approved landscaping scheme shall be completed prior to the first occupation of the

relevant Phase of the development hereby approved, or in the case of planted elements, within the first planting season after the occupation 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 or trees 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, provides functional spaces and to maximise biodiversity benefits.

28 Prior to first occupation or use of the development:

(i) any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full

(ii) a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

29 Prior to first occupation or use of the non-domestic floorspace hereby approved, and notwithstanding Condition 2, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Core Strategy Policy CP19.

30 Prior to first occupation or use of the development, a Car Park Design and Management Plan shall be submitted and approved in writing by the local planning authority. The Car Park Design and Management Plan shall set out how parking spaces within the development will be allocated to those most in need, and how unauthorised use of the two car club spaces would be prevented, in accordance with London Plan Policy T6.1, and the development shall be operated thereafter in accordance with the approved details.

Reason: To ensure that residential car parking is provided in accordance with London Plan Policy T6.1.

31 Prior to first occupation or use of the development, an assessment of the expected noise levels from installed plant shall be carried out in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound and any mitigation measures necessary to achieve the required noise levels below shall be submitted to and approved in writing by the Local Planning Authority .

Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level (or lowest practicable levels) when measured at the nearest noise sensitive premises.

The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels.

32 Prior to first occupation or use of the development, a Building Management and Maintenance Plan incorporating a Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority. This document shall set out, inter alia, a long-term maintenance

strategy for the development, measures to ensure the long-term affordability of running costs and service charges for all types of occupiers, and measures to ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

All delivery and servicing activity shall thereafter be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a high standard of design is maintained, in accordance with London Plan 2021 Policy D4, and to ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

- 33 Prior to first use of any commercial kitchen within the development, details of the extract ventilation system and odour control equipment for the kitchen, including all details of external ducting, must be submitted to and approved in writing by the Local Planning Authority.

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 nearby residents

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 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 In relation to the conditions requiring the submission of details pertaining to land contamination, the developer is reminded that 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.
- 6 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:

Monday to Fridays - permitted between 08:00 to 18:00
Saturday - permitted between 08:00 to 13:00
At no time on Sundays or Bank Holidays

For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may

apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

- 7 The Council will not be responsible for maintaining any drainage features provided within the site. A management and maintenance regime for these features will need to be prepared and to be implemented for the lifetime of the development at the developer's expense.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 April, 2021
04
18/4767

SITE INFORMATION

RECEIVED	12 December, 2018
WARD	Tokyngham
PLANNING AREA	
LOCATION	Access Storage, First Way, Wembley, HA9 0JD
PROPOSAL	Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.
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 typing "18/4767" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. Any direction by the Secretary of State pursuant to the Consultation Direction
 - C. The prior completion of a legal agreement to secure the following planning obligations:
 - (a) Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
 - (b) Notification of commencement 28 days prior to material start
 - (c) 10% affordable housing by unit (12.4% affordable housing by habitable room) on a nil grant basis broken down as 36 x 3-bedroom units at London Living Rent levels and 24 x 1-bedroom units at Discount Market Rent levels (including service charges where applicable and capped at Local Housing Allowance rates), subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
 - (d) 540 units as Build-to-Rent housing subject to a covenant to retain the homes as such for a period of fifteen years, in addition to a clawback mechanism to secure any difference in the total value of the market rent units and their value on a for sale basis should the covenant be broken
 - (e) Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and 6 months prior to practical completion (or such other time agreed by the Council), against the agreed land value and profit, to determine any development surplus. If surplus is secured, additional on-site affordable housing units to be provided (capped at 20% by habitable room), with 70% of these at LLR and 30% at a DMR.
 - (f) Appropriate pre-implementation financial review mechanism to re-assess scheme viability in the event of the scheme being forward funded, i.e. pre-sale of covenanted residential units to an investor prior to the commencement of the main construction contract. If a Forward Fund structure is agreed for disposal of 100 percent of the units by a third party investor on an arm's length basis the profit return will be reduced from 15 percent to 12.5 percent on GDV.
 - (g) Employment and Training obligations, comprised of:
 - (1) The submission of an 'Employment and Training Plan' (a document setting out how the obligations in section 106 agreement will be met and which includes information about the provision of training, skills and employment initiatives for Local Residents relating to the construction and operational phase of the development) to the Council for its approval prior to the material start of the development;
 - (2) a commitment to meet with Brent Works (the Council's job brokerage agency dedicated to assisting unemployed Residents into sustainable employment), or such relevant equivalent successor body (working with local partners including local colleges, the Job Centre Plus and third sector welfare providers to reduce current levels of unemployment within the borough) to identify the anticipated employment and training opportunities arising during the construction phase;
 - (a) a commitment to deliver the employment targets set out in the attached document;
 - (b) a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - (c) specific commitments in respect to employment opportunities in relation to operational phases;
 - (d) a commitment to source at least 20% of all the materials used in major development schemes locally;
 - (e) where it is not possible to achieve employment targets in line with the attached document, a commitment to pay the financial contributions which are calculated as follows:
- (3) Shortfall against target numbers of jobs lasting a minimum of 26 weeks for an unemployed Local Resident x £4,400 (the average cost of supporting an unemployed Local Resident into sustained employment)
- (4) Shortfall against target number of apprenticeship starts x £5,000 (approx. cost of creating and supporting a Local Resident to complete a typical construction level 2 Apprenticeship elsewhere in the borough)


- (h) Safeguarding of the footway areas along the northern and eastern sides of the site as permissive pedestrian rights of way.
- (i) S38/S278 highway works under the Highways act 1980 to provide:
- widening and resurfacing of the footways of First Way to a minimum width of 3.5m and South Way to a minimum width of 5m fronting the site in modular paving and
 - to remove all existing crossovers to the site that would be rendered redundant, in general accordance with drawings to be approved
- (j) Parking permit restriction to be applied to all new residential units
- (k) Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents.
- (l) Financial contribution towards improving local bus capacity, paid to TfL (£370,000)
- (m) Financial contribution towards a year-round local Controlled Parking Zone (£140,000)
- (n) Closure and secure locking of the gates onto South Way from four hours before the start of any event at Wembley Stadium until four hours after the end of such event.
- (o) Energy assessment (to include comfort cooling as proposed in the CIBSE TM59 and Overheating Checklist) and contribution towards carbon offsetting, at detailed design and post-completion stages
- (p) BREEAM 'Excellent' to be secured on all commercial elements of the development
- (q) Detailed submission of Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference
- (r) Indexation of contributions in line with inflation
- (s) Any other planning obligation(s) considered necessary by the Head of Planning.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
1. Time Limit for commencement (3 years)
 2. Approved drawings/documents
 3. Phasing plan agreed
 4. A total of 600 residential units secured
 5. Use classes restriction
 6. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
 7. Removal of C4 permitted development rights for the flats
 8. Blue badge parking spaces and visitor cycle stands laid out prior to occupation
 9. Cycle stores and refuse stores to be laid out prior to occupation of each phase
 10. NRMM to be restricted
 11. FRA and Drainage strategy measures to be secured
 12. Water consumption to be limited in line with regulations
 13. Ecological mitigation measures to be secured
 14. EVCP to be secured
 15. All doors serving substations/ plant rooms not to open outwards onto highway
 16. Construction environmental method statement to be submitted
 17. Construction logistics plan to be submitted
 18. Land contamination and remediation report to be submitted

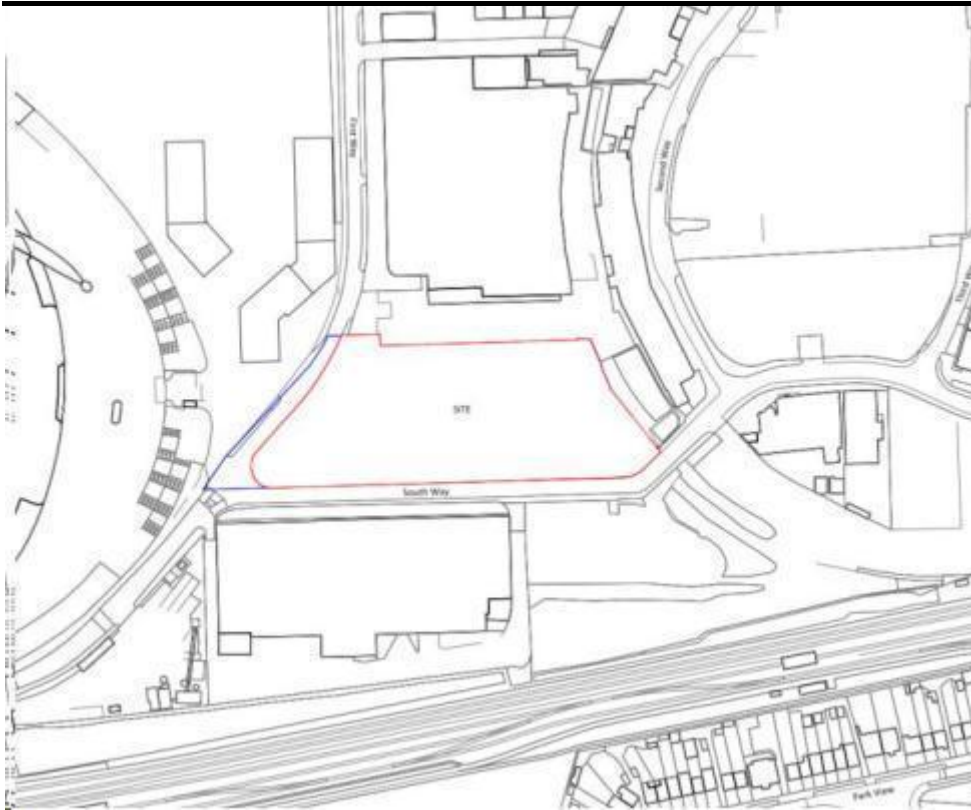
19. Piling method statement to be submitted
20. Connection to future District heating Network to be submitted
21. Full details of landscaping strategy (including green roofs) to be submitted
22. All external materials (including samples) to be submitted
23. Details of Specific communal roof terraces to be submitted
24. Wheelchair Accessible Units to be secured
25. Car park management plan to be submitted
26. Delivery and Servicing Management plan to be submitted
27. Plant noise levels to be submitted before installation
28. Sound insulation measures to be submitted
29. Supplementary acoustic report to be submitted
30. Fire Safety Strategy to be submitted

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. Environment Agency permit
 5. London Living Wage
 6. Fire safety advisory note
 7. Guidance notes from Thames Water
 8. Any other informative(s) considered necessary by the Head of Planning
3. 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
4. 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: Access Storage, First Way, Wembley, HA9 0JD	
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the mixed use re-development of the site, demolishing the existing three-storey industrial building and replacing it with five new blocks, ranging from 12-storeys to 24-storeys in height. The breakdown of existing and proposed floorspace (GIA) across the scheme is provided in the table below:

Floorspace (GIA) by use	Existing (sq.m)	Proposed (sq.m.)	Change (sq.m.)
Residential (Class C3)	0	56,512	+56,512
Storage/ distribution (Class B8)	15,900	7,267	-8,633
Office (Class E(g)(i) (formally B1(a))	0	1,242	+1,242
Retail E(a) (formally A1)	0	317	+317
Total	15,900	66,264	+50,364

A total of 600 Build to Rent residential flats would be provided within all five blocks, with a proposed mix of 39 x studios, 228 x 1-bed, 279 x 2-bed, and 54 x 3-bed units. 36 of the 3-bed homes would be provided at a London Living Rent, and 24 of the 1-bed homes provided at a Discount Market Rent, equating to 35% below market rent.

The application also proposes the re-provision of 6,851 sqm of self-storage floorspace over ground, first and second floors, and provision of 1,242 sqm of office floorspace in the form of small office spaces across the ground floor. The remaining commercial floorspace comprises a 317 sqm retail unit/ cycle café on the ground floor of Building A, located on the corner of First Way and South Way.

The scheme would involve the creation of a new landscaped podium centrally within the scheme at third floor level, with further communal terraces for occupiers use created at roof level of blocks A, B, D and E. A total of 60 residential parking spaces are proposed at basement level, with 42 of these as Blue Badge parking spaces, and further commercial parking spaces at ground floor level.

EXISTING

The application site is approximately 0.94 hectares (ha) in area, and is located to the immediate east of Wembley Stadium and is bordered by the B4557 South Way to the south and First Way to the west. The site currently comprises a large, three storey brick building, used for storage (Class B8/ E(g)) and measuring approximately 15,900 sqm.

The site is located within a strategically important location for development and growth both locally and regionally, located within an Opportunity Area, and the Wembley Growth Area and Strategic Cultural Area. It forms part of site allocation W28 within the Wembley Area Action Plan (WAAP), which is identified as appropriate for leisure, tourism, cultural and office uses and has an indicative capacity of 1,500 residential units.

The site currently has a PTAL rating of 2, which represents a low level of accessibility defined by TFL, although it is understood that the site's PTAL rating will likely increase to 3 as a result of the wider transport improvements delivered through the Quintain Masterplan. The nearest bus stop to the site is located on South Way which provides access to routes 92 and 206 westbound, whilst the closest eastbound bus stop is located on Fifth Way. These services provide access to Ealing and Kilburn. The nearest rail station is Wembley Stadium, located on South Way, some 750 metres west of the site.

The site is not situated within a conservation area and there are no listed buildings within the site. The nearest listed buildings are the Grade II listed Wembley Stadium to the immediate north and west, and the Empire Pool and Brent Town Hall.

AMENDMENTS SINCE SUBMISSION

Revisions to the scheme were received in July 2020 following feedback received from officers within the Council and the GLA. The nature of the revisions meant that a re-consultation exercise was undertaken (as outlined above). A summary of the revisions are outlined below:

- Addition of two storeys on all blocks except on the tallest element of Block A1, resulting in additional office space adjacent to Core E and the addition of three-bedroom family units in Blocks B, D and E, increasing the overall number of proposed homes from 555 to 600
- New energy strategy with the use of air source heat pumps
- Southern building line along South Way set back by between 1-2m from edge of site to enable highways improvements to incorporate two-way working along South Way
- New internal residential amenity space on the third floor of Block B
- Re-location of main residential lobby lift
- Independent cycle entrance and cycle lift relocation to create easier access for cyclists
- Improvements on internal spaces such as residential lobby and first floor amenity area between Blocks A and E
- Introduction of refuse chutes to all residential blocks
- Basement layout alterations including additional cycle parking spaces and wheelchair accessible parking spaces.

SUMMARY OF KEY ISSUES

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

1. **Objections from adjoining neighbours and interested groups:** 251 properties were consulted on the proposal. In response, two letters of objection were received, and comments were received on behalf of the Football Association. The grounds for objection are summarised as impacts of the proposals on the levels of daylight and sunlight and levels of overlooking to adjoining properties in Park View. These issues are addressed in more detail within relevant sections of the report.
2. **Principle of mixed-use redevelopment of the site:** The re-development of the site accords with its designation within the Wembley Growth Area and both currently adopted and emerging site allocations within the Local Plan. The re-provision of 7,267 sqm of industrial floorspace is considered acceptable given the site is a non-designated industrial site, rather than being a designated LSIS or SIL. The scheme would deliver 600 Build to Rent homes on the site, which is supported by London Plan policy BH13 and Local Plan policy BH3. The development would also enable the widening of South Way to incorporate a two-way highway network, as well as much improved cycle and pedestrian access, which is a key objective of the WAAP.
3. **Affordable Housing:** The scheme would provide a total of 60 affordable units, of which 36 would be 3-bed homes at a London Living Rent, and 24 would be 1-bed homes at a Discount Market Rent. Although this is below both the threshold target for the fast track route, it has been demonstrated by a financial viability appraisal to exceed the maximum amount of affordable housing which can viably be provided on site and is weighted towards LLR in line with London Plan adopted policy requirements. It is also subject to a late stage review mechanism to be secured within the Section 106 Agreement.
4. **Design, layout and height:** The proposed buildings would range from 12 to 24 storeys high, which is considered to be in keeping with the heights of buildings in the surrounding Wembley Park Masterplan area, while ensuring that strategic views of the Wembley Stadium Arch would be preserved. The scale and massing of the development has been designed as to reflect the transition in scale from the Stadium to the west, to the low-rise industrial areas to the east. The building utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light. The amount of external private/communal space is below the policy targets as set out in DMP19, but would include private balconies for all of the homes and high quality external communal terraces which would significantly improve the enjoyment of the site for future occupiers. This is considered acceptable for a high density scheme, and the amount of external amenity space is considered to be sufficient to meet the needs of the proposed occupiers.

6. **Mix of units:** The proposal includes 9% of three bedroom units (13.9% by habitable room) which is below the target of 25% (by unit) as set out in CP21 and emerging policy BH6. However, having regard to the impact of family housing on scheme viability and the different unit mix profile for Build to Rent homes, this is considered acceptable.
7. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, but 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 of the scheme and the Council's strategic objectives.
8. **Highways and transportation:** The proposals have been revised to ensure that land to the south of the site is secured to enable South Way to be widened to incorporate two-way traffic (as well as improved pedestrian links and two-way cycle lanes), which is a significant benefit to the Wembley Park area. All other highways considerations are acceptable, subject to a financial contribution of £140,000 will be secured to enable the Council towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces. A financial contribution (£370,000) for bus service enhancements in the area, as required by TfL, will also be secured.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers.

RELEVANT SITE HISTORY

Permission was granted in April 1987 (ref. 87/0386) for the change of use of the building to storage. This consent was restricted so that the building could not be sub-divided (condition 4) and that the office floorspace be ancillary to the main storage use (condition 6).

Permission was granted in December 1993 (ref. 93/1549) for the continued use of the Site for 'self-storage' (Ref: 93/1549).

CONSULTATIONS

Public Consultation:

Original submission: January 2019

A total of 251 addresses within Park View, First Way, Grove Way, Fourth Way, South Way, Carey Way, Second Way, Monks Park, Great Central Way, Victoria Avenue and St Michaels Avenue were consulted on the application. The Wembley Stadium Residents' Advisory Committee were also notified of the application.

A Site Notice was displayed 11/01/2019

A Press Notice was published 28/12/2018

Two responses were received as a result of this initial consultation, objecting to the application on the following grounds:

Grounds of objection	Officer response
Proposals would result in undue noise and air pollution for adjoining residents	See paragraphs 144-151 of the main report below for consideration of these issues.
Proposals would result in loss of light and overlooking	See paragraphs 66-82 below
Increased congestion from this type of development	See highways section of report (paragraphs 105-143) below
Impact on local property values	Impacts on property values is not a material planning consideration.

Re-consultation: July-August 2020

The same addresses and local amenity groups were re-consulted following the receipt of revised drawings and associated documents on 15/07/2020.

Site notice displayed on 27/07/2020

Advertised in local press on 23/07/2020

No further responses were received as a result of this second round of consultation.

Statutory/ External Consultees

Greater London Authority including Transport for London comments (Stage 1 response):

The GLA has commented on a number of strategic issues raised by the original scheme (prior to amendments being made), which are summarised as follows:

Principle of development: The proposed residential-led, mixed-use redevelopment of this site in the Wembley Opportunity Area, including employment floorspace, is supported in principle, subject to a significantly improved affordable housing offer.

Affordable housing: This Build to Rent scheme provides 11% affordable housing by habitable room, all of which would be DMR, capped at 80% of the market rent. This offer is wholly unacceptable and does not accord with the 50% industrial land threshold for the Fast Track Route. The provision of affordable homes should be significantly increased and deeper DMR discounts must be delivered. GLA officers will robustly interrogate the applicant's viability assessment to ensure the maximum level of affordable housing is delivered. All units must be held in a 15-year covenant, with an appropriate clawback mechanism. Affordability thresholds and early/late stage viability reviews must be secured within any S106.

Urban design & residential quality: The residential floorplans should be revised to reduce the number of single-aspect north-facing units, in line with the Mayor's SPG

Transport: A contribution of £370,000 towards local bus services should be secured. A construction logistics plan, delivery and servicing plan, car parking management plan and travel plan must be secured through the Section 106 agreement and/or conditions.

Issues relating to sustainable development must also be addressed.

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

The Football Association

Comments were received on behalf of the FA from both Steer (letter dated 10th Jan 2019) and Lichfields (letter dated 8th March 2019). The issues raised within both letters are summarised in the table below:

Grounds of objection/ comment	Officer response
Pedestrian/public transport accessibility	Further amendments have been made to the design including improvements to the site's relationship to First Way in order to facilitate the expansion of the footpath and the creation of a two-way cycle lane, thereby increasing pedestrian accessibility and circulation. See highways section of report for full details.
Proposals need to ensure two-way operation along South Way can be created.	Amendments have been made to the scheme to facilitate proposed changes to the layout of First Way. See highways section of report for full details.
Office doors shouldn't be allowed to open onto South Way	Proposals have been revised to remove many of the office doors and consolidate entrance arrangements so there are fewer doors opening directly on to South Way. However some still required to provide an active frontage and increase permeability of site, and therefore on

	balance the revised position is considered acceptable.
Proposed Trees on South Way would restrict pedestrian flows to/ from Stadium	The revised proposals have removed all trees on South Way
Closure of road and active management of construction sites/ traffic around the Stadium on event days required.	Conditions have been attached requiring the submission of a Construction Management Plan and Logistics Plan, to cover these issues on event days, as well as the requirement for a Delivery and Servicing Plan which also covers event days.
Proposed height and massing at 24 storeys would be taller than the arrangement set out in the WAAP.	The proposed height and scale of the development is considered acceptable and the reasons behind this are set out in paragraphs 45-57 of the main report.
Proximity of tallest block to Stadium raises security risks, particularly due to the potential trajectory into the Stadium bowl from highest apartments.	The revised proposals have been reviewed by the Secure by Design officer and Metropolitan Police's Counter Terrorism team, who have confirmed that any concerns of views into the Stadium have been resolved.
Construction during European Football Championships	Euro 2020 has been delayed due to COVID-19 and matches are still due to be held at Wembley Stadium during June and July 2021. However given this is only two months away, the proposed development would not impact on events during this period.

Thames Water

No objection subject to conditions requiring a piling method statement to be submitted given the location of the development within 15 metres of a strategic sewer.

Additionally, informatives are recommended relating to measures undertaken to minimise groundwater discharges into the public sewer.

Internal consultation

Local Lead Flood Authority

No objections. The site falls within the Flood Zone 1 and the risks of flooding in this area is very low and there are no historical records of flooding in this area. The proposed development includes permeable paving and storage tank. The proposed discharge rate will be restricted to 10 l/s with two separate outfalls (5 l/s each) with flow control device, which will improve the flood risks in this area.

Final confirmation is required from Thames Water that they have adequate capacity in their drainage network, as indicated in their Strategy.

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 main consultation exercise involved an evening exhibition for businesses located in the immediate vicinity of the site (largely within the Wembley Stadium Industrial Estate) on Tuesday 11th July at the Hilton Hotel London Wembley, which was also attended by the Football Association. A further exhibition for residents was held on Thursday 13th July at the site itself. Some 120 letters were distributed to businesses and some 450 to local residents advertising these events. Individual email invitations to the exhibition were sent out to the three local ward councillors.

There were 28 visitors to the exhibition held for businesses, while the residents' exhibition attracted 3 people. The team noted feedback from all visitors to both exhibitions. A total of 8 responses was received from these events (6 from businesses and 2 from residents). Feedback received was generally positive to the principle of the redevelopment of the site. Some concerns were raised around the height and scale of the development, noise and dust impacts, and how the development may impact upon local business holders and pedestrian movement on stadium event days.

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 2021, Brent Core Strategy 2010, Brent Development Management Policies 2016 and the Wembley Area Action Plan 2015.

Key policies include:

Regional

London Plan 2021

Relevant policies include:

D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D6: Housing quality and standards
D8: Public realm
D9: Tall buildings
D10: Basement development
D11: Safety, security and resilience to emergency
D12: Fire safety
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H6: Affordable housing tenure
H7: Monitoring of affordable housing
H10: Housing size mix
H13: Build to rent
HC1: Heritage conservation and growth
HC3: Strategic and Local Views
G1: Green infrastructure
G4: Open space
G5: Urban greening
G6: Biodiversity and access to nature
T2: Healthy Streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car parking
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

Local

Brent Core Strategy (2010)

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth
CP 5 - Placemaking
CP 6 - Design and Density in Place Shaping
CP 7 - Wembley Growth Area
CP 15 - Infrastructure to Support Development

CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1 - General Development Management Policy
DMP 7 - Brent's Heritage Assets
DMP 8 - Open Space
DMP 9 - Waterside Development
DMP 9b - On Site Water Management and Surface Water Attenuation
DMP 12 - Parking
DMP 13 - Movement of Goods and Materials
DMP 14 – Employment Sites
DMP 15 - Affordable Housing
DMP 18 - Dwelling Size and Residential Outbuildings
DMP 19 - Residential Amenity Space

Wembley Area Action Plan (2015)

WEM 1 – Urban Form
WEM 2 – Gateways to Wembley
WEM 3 – Public Realm
WEM 5 – Tall Buildings
WEM 6 – Protection of Stadium Views
WEM 8 – Securing Design Quality
WEM 10 – Low cost Business start-up Space
WEM 14 – Car Parking Strategy
WEM 15 – Car Parking Standards
WEM 16 – Walking and Cycling
WEM 18 – Housing Mix
WEM 19 – Family Housing
WEM 24 – New Retail Development
WEM 25 – Strategy Cultural Area
WEM 30 – Decentralised Energy
WEM 32 – Urban Greening
WEM 33 – Flood Risk
WEM 34 – Open Space Provision
WEM 35 – Open Space Improvements
WEM 38 – Play Provision
Site W 28 – First Way

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

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 was 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.

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:

General:

DMP1 – Development Management General Policy

Place:

BP1 – Central
BCGA1 – Wembley Growth Area
BCSA9 – First Way

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
BH3 – Build to Rent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All
BE3 – Local Employment Sites and Work-Live

Heritage and Culture:

BHC1 – Brent's Heritage Assets
BHC2 – National Stadium Wembley

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
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

Principle of development

Residential-led redevelopment and loss of industrial floorspace

1. Policy 3.3 of the London Plan and Policy GG2 of the 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 London Plan includes a minimum annual monitoring target for Brent at 2,325 additional homes per year between 2019/20-2028/29, as set out in Policy H1 of the London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
2. Within local policy, Brent Policy CP8 sets out a target of at least 11,500 new homes being delivered in the Wembley Growth Area between 2010 and 2026, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 15,000 homes across the same growth area within the emerging Local Plan (policy BP1). 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.

3. The 600 residential homes are proposed as Build to Rent units and, given the site's location within the Wembley Growth Area, this is supported by draft Policy BH3 of the Local Plan. This states that 'to encourage increased housing delivery, within each Growth Areas (excluding South Kilburn) or development sites of 500 dwellings or more, the provision of Build to Rent properties will be expected unless this would:
- a) be shown to undermine the overall site's timely development; or
 - b) would undermine viability to such an extent that it significantly undermines affordable housing delivery.

To qualify as BTR, a scheme must meet the criteria within London Plan Policy H13, including the following: be comprised of over 50 units; held in a covenant for at least 15 years; be subject to a clawback mechanism, in the event of the covenant being broken; under a unified management; and tenancies of three or more years must be made available. These requirements would be secured within a Section 106 Agreement.

4. Policy DMP14 provides protection for employment sites, setting out specific criteria for their release, and seeks to limit the loss of industrial land to approximately 11.5ha within the plan period. However, this excess capacity was subsequently met and if all consents / proposals were implemented, the resultant loss of industrial land would exceed the policy target before the end of the plan period and any further loss of industrial floorspace would reduce Brent's industrial land supply and would be inconsistent with Policy DMP14. The London Plan also identifies that across London loss of employment sites has been far greater than expected, and proposes that across London as a whole there should be no further losses.

5. Draft Policy E7(c) sets out an approach on non-designated industrial sites to support mixed use or residential development where it has been allocated in an adopted local Development Plan Document for residential or mixed use development.

6. The site forms part of a wider allocated site by the Council for mixed use development in both the adopted 2015 Wembley Area Action Plan (Site W28, with an indicative capacity of 1500 residential units) and site allocation BCSA9 in the emerging Local Plan (with a slightly reduced indicative capacity of 1262 residential units over a 10+ year period). The re-development of the Cannon Trading Estate, to the north of the site and part of the same wider site allocation, is already well under way following permission granted in June 2018 for the provision of office floorspace, educational use and student accommodation (planning ref. 17/3797).

7. Brent's emerging site specific allocation suggests an appropriate focus for the site being on the delivery of homes and industrial floor space. The site allocation brief states: "Prior to its Wembley Area Action Plan allocation, the site was formerly Strategic Industrial Land. It still contains numerous occupied industrial premises. Notwithstanding the acceptability of residential on site, Brent's status as a 'provide capacity' borough in the London Plan means that maximum re-provision of industrial uses at ground floor level should be undertaken as part of development."

8. The applicants are proposing a replacement self-storage facility of 7,267 sqm GIA (Class B8) use located over on the ground, first and second floors, as well as a further 1,242 sqm GIA of office floorspace (Class E(g)(i) which would be located at ground floor level, and a 317 sqm GIA 'cycle café' which would be located on the corner of South Way and First Way. This represents approximately 46% of the existing industrial floorspace being re-provided. Despite the loss in overall floorspace, officers acknowledge that the objectives of the emerging Local Plan and the site allocation within the WAAP would still be met, since these support residential-led development with industrial floorspace at ground floor level. The site is now a non-designated industrial site, and any further industrial floorspace provision would have an impact on the 600 homes proposed across the scheme, which represents half of the overall number of homes desired within the wider site allocation.

9. The GLA also supports the approach to replacement industrial floorspace provision on this site. They refer to the fact that the site was subject from SIL release as part of the Wembley Area Action Plan approval process, and that the wider site allocation identifies the site for mixed use development, including offices, hotels, amenity/open space, student accommodation and residential, and would be in accordance with London Plan Policy E7.

10. While officers have explored the ability of the site to deliver more industrial floorspace during an extensive pre-application process, doing so would greatly restrict the number of residential homes delivered, which at 600 contributes significantly to the indicative numbers which are set out in draft policy BCSA9, including a number of affordable units. Importantly, the scheme also delivers key strategic benefits including enabling the Council to undertake the highway works necessary to incorporate two-way access along this

stretch of First Way.

11. Draft Policy BE1 seeks 10% of total floorspace within major developments exceeding 3,000sqm to be affordable workspace in a number of growth areas including Wembley. The GLA have also commented on the potential for the proposed office space to be offered to SMEs on a flexible basis with affordable or low-cost rents, in line with London Plan Policies E1, E2 and E3.

12. However, this policy only has limited weight at present as substantive objections were received to it through the Local Plan consultation process, and the provision of affordable workspace needs to be balanced against other planning benefits of the scheme, and inclusion of affordable workspace would further impact on viability. Complying with this emerging policy requirement would reduce the amount of affordable housing that could be delivered (this issue is discussed in more detail below).

Provision of office floorspace

13. Whilst the site is located outside a designated town centre, the site allocation within the WAAP supports a mix of uses within the site allocation including office accommodation. The office accommodation would be divided into small units that could be used for SMEs. Located on the ground floor, they provide a good level of animation and activity on the ground floor. It is considered that the provision of office space would not undermine the delivery of homes within the site, given that these are located at ground floor level fronting two busy roads. A condition would be attached restricting the use of the office floorspace to Class E(g)(i).

Provision of cycle café/ retail unit

14. Policy CP16 of the Council's Core Strategy sets out a sequential approach to new retail development. Policy 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.

15. At 317 sqm GIA, the proposed cafe/ retail use would be modest in size and would add some active frontage on the corner of First Way and South Way at ground floor level. Its limited size means that it would not have an adverse impact on the vitality and viability of the Wembley Town Centre. The addition of this unit therefore acceptable in land use terms, subject to a condition attached restricting its use to Class E(a) or E(b).

Affordable housing and unit mix

16. The London Plan 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.

17. 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.

18. 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.

19. 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 not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land, where there is a net loss in industrial capacity) 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 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.

20. Brent's draft Local Plan has yet to be examined fully by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present. A summary of the policy position is set out below:

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	
London Plan	Adopted	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 policy in the consideration of Build to Rent Schemes

21. In the case of Build to Rent schemes, London Plan policy H11 sets out that the affordable housing offer can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably at London Living Rent. DMR homes must be secured in perpetuity. In order to qualify for the fast track route as set out in policy H5 (in this case 50% affordable housing as it is located on an industrial site) and thus not required to be viability tested, the scheme would need to deliver at least 30% of the affordable homes at London Living Rent levels, with the remainder to be provided at a range of genuinely affordable discounts below market rent based on local need to be agreed with the borough. LLR levels are capped at a third of the average local household income, calculated at ward level and adjusted for the number of bedrooms in each home. To ensure that family-sized LLR homes are affordable, the rent for a 3-bedroom home is set at 10% above the 2-bedroom rent.

22. Policy CP2 sets a target of 50% of new housing in Brent being affordable and 25% being family sized dwellings (3bed or more), reinforced in policy WEM19 of the WAAP. However, Policy WEM22 allows for some flexibility on housing unit size mix in the case of Private Rented Sector (also known as Built to Rent) accommodation, subject to a reasonable proportion of the PRS accommodation being made available at or below Local Housing Allowance levels. Emerging Brent policy BH 5 specifies that all of the Affordable Housing should be provided at London Living Rent levels for Build to Rent schemes. However, this does not have full weight as yet.

Affordable housing offer

23. An initial offer of 11% of affordable units (on a habitable room basis) at a DMR (80% of market rent) was made based on a 555-unit scheme. Based on the conclusions of the review of the FVA initially submitted, officers considered that the level of discount is not genuinely affordable to many sectors of the population and that this offer did not reflect the priority need in Brent. Further discussions with the applicant have taken place with a view to securing a different mix of affordable products weighted towards more heavily discounted rent levels such as London Living Rent (LLR).

24. The applicants have revised their offer so that 12.4% of the development would be provided as affordable housing when measured by habitable room (10% by unit), with the overall number of homes on the scheme increasing to 600. This is comprised of 36 three-bedroom homes at a London Living Rent (75% of the affordable housing proposed, by habitable room), and 24 one-bed homes at a discounted market rent, which would be provided at 35% below market levels. The tenure split is therefore in line with London Plan requirements which seeks a minimum of 30% of the affordable homes to be provided as LLR. The affordable units would be located within Blocks B, D and E, and would be tenure blind in terms of access arrangements and provision of communal amenity space and facilities. The table below sets out a breakdown of these units by size and tenure:

	London Living Rent	Discount Market Rent	Market	Total
Studio	0	0	39	39 (6.5%)
1-bed	0	24	204	228 (38%)
2-bed	0	0	279	279 (46.5%)
3-bed	36	0	18	54 (9%)
TOTAL	36 (6% by unit, 9 by HR)	24 (4% by unit, 3 % by HR)	540 (90% by unit, 88 % by HR)	600 (100%)

25. The applicants' revised FVA (reflecting the increase in the overall number of homes to 600) has been reviewed independently for the Council. The applicants' FVA concluded that the scheme was significantly in deficit, delivering a RLV approximately £54m below the BLV, based on a wholly market scheme. The Council appointed its own viability consultants to review the appraisal on its behalf where the Council's consultants (BNPP) concluded that the scheme would deliver a small surplus of £0.97m based on a wholly market scheme.

26. A re-appraisal and further independent review was undertaken in light of the applicant's increased affordable housing offer to 12.4%. The appraisal found that the level of deficit below the site's BLV would increase to £63m, and therefore again the offer presented would exceed the maximum reasonable amount of affordable housing on the site. BNPP did not agree with a number of the assumptions made by the applicant, including comparable residential rent levels in the surrounding area (particularly Tipi developments within Wembley Park) and fees relating to furniture costs and rights of light claims, and therefore BNPP's review of this re-appraisal did not conclude the same level of deficit. However, BNPP undertook sensitivity tests which would account for increases in rent levels by both 2.5% and 5% above those set out in the applicant's re-appraisal. Despite these increases, BNPP concluded that a 100% market BTR scheme would only deliver a surplus of approximately £0.97m. Therefore, the 12.4% amount of affordable housing being proposed would still exceed the reasonable amount of affordable housing viable on the site, and therefore the scheme complied with both London Plan and local planning policy.

27. Following review of these results, and the offer presented by the applicant, officers consider that the provision of 60 affordable homes would be a significant benefit of the scheme, particularly as a high proportion of these homes (75%) would be family-sized units, which the Borough are in acute need of to meet housing demand. These homes would also be provided at London Living Rent levels. Officers also place weight on the fact that the 24 DMR units would be offered at a 35% discount below market rate. Within the submitted Financial Viability Appraisal, the projected rental level would be £1,112 per calendar month (approximately £256 per week). By comparison, Local Housing Allowance Levels (as referred to within policy WEM22) for a 1-bedroom flat in this area are £230 per week, and the proposed rent levels are therefore £26 above LHA levels. Nevertheless, having regard to scheme viability, the provision of additional affordable homes is given weight as an intermediate rented home and is considered to be acceptable in this instance, despite the slightly higher rent levels.

28. Officers also place weight on the fact that the applicants have provided a commitment to ensuring that, via the proposed late stage review mechanism which would be secured within this legal agreement, additional on-site homes would be provided in the event that the scheme was to become viable at a later stage, rather than just as an off-site financial contribution. This is feasible given the development would be a fully Build to Rent scheme, and could be delivered by the applicant, rather than being reliant on a registered provider. Any uplift in on-site affordable homes would be capped at 20% by habitable room to allow the practical provision of those homes, with a London Plan policy compliant split of 70% LLR/ 30% DMR. Any further uplift (beyond the 20 %) would be provided by way of a reduction in the rent levels for the DMR accommodation, or a financial contribution. This approach is in line with the Mayor's "Affordable Housing and Viability" SPG. This commitment would be secured via section 106 agreement.

29. The GLA's viability team have also reviewed the revised FVA, as well as the review conducted on behalf of the Council. GLA officers identified concerns regarding the re-provision of the self-storage facility and the impact this has on the delivery of affordable housing. Specifically, it appears that the re-provided storage floorspace impacts on the overall efficiency of the building and does not add value to the scheme.

30. Officers have had regard to the GLA's comments in light of the findings of the independent review carried out on behalf of the Council by BNP Paribas. Officers also instructed Cushman and Wakefield (who have specialised expertise on self-storage floorspace valuations) to assess the specific queries raised by the GLA in relation to self-storage elements of the appraisal. BNPP concluded that the 12.4% affordable housing offer presented by the applicants would exceed the maximum reasonable amount of affordable

housing viable on the site, and any further provision would compromise the ability of the scheme to be re-developed. Officers also place weight on this viability position is at least partly due to the land which the Council would acquire from the site to deliver a two-way highway network along this part of First Way, one of its key strategic Masterplan objectives.

31. Furthermore, Cushman and Wakefield have confirmed that the assumptions and values presented within the JLL appraisal in relation to the replacement self-storage floorspace are reasonable, following a robust further interrogation. For example, Cushman raised queries with Average Rental Returns (ARR) for the self-storage floorspace being presented as too low at £17.50 per square foot. However JLL confirmed that this rate is based on the (net) ARR being achieved by the operator at the property at the date of valuation. Cushman have confirmed that this would be a reasonable expectation, with existing trading data indicating this would be the market rate required to operate the subject facility in its location. If this is the case then an increase to £24psf in year 10 represents an increase of 37% over the period. This would fall in line with the type of % increase expected to be seen over such a period. On this basis, officers are satisfied that the affordable housing offer put forward exceeds the maximum reasonable amount which can viably be delivered on the site, and therefore complies with both adopted and emerging Local Plan and London Plan policies.

32. The GLA also questioned whether profit should be assumed on the provision of the self-storage facility, whether there should be a premium on the Existing Use Value and the profit level on the housing. Sensitivity testing was undertaken in relation to queries raised by the GLA, with the factor making the most significant potential difference being the profit on the housing. Profit on private housing will normally range from 15 to 20 % depending on the degree of risk, with most private for sale schemes being between 17 % and 20 %. However, the risk for Build to Rent housing is spread over a longer period, and a profit level of 15 % is normally considered to reflect an appropriate degree of risk for these schemes, as reflected in the GLA's technical guidance accompanying the London Plan Viability Study. The GLA contended that the profit levels for the private Build to Rent homes should be at 12.5 %, in line with some other referable schemes which the GLA have considered across London and on the basis that the scheme could be forward funded, i.e. that the units could be pre-sold to an investor prior to the commencement of the main construction contract. In addition, the GLA contend that the profit level for the Affordable homes should be at 6 %. Officers sought the independent advice of BNPP on this issue and, in relation to the 12.5% profit level, advice was received that given the scale of the scheme and experience with recent Build to Rent schemes within the borough, a 15% profit level would be more appropriate. With regard to the affordable homes level, BNPP also concurred that a 6 % level is normally considered appropriate for Affordable Homes that are sold to a Registered Provider (RP) of Affordable Housing. However, this would represent a disproportionately low level of risk for Build to Rent where the flats are rented individually rather than disposed of to one RP. Nevertheless, sensitivity analysis was undertaken on behalf of Council by BNPP using these assumptions and the other assumptions adopted by the GLA. BNPP found that the scheme would still be in deficit using the GLA assumptions, albeit with that deficit being smaller (approximately £600,000). While neither the applicant nor BNPP (acting for the Council) necessarily agree with all of the assumptions made by the GLA, the sensitivity testing undertaken by BNPP demonstrates that the scheme would still provide the maximum reasonable amount of Affordable Housing even if one was to adopt these assumptions.

33. Finally, on the specific issue of forward funding, officers have discussed this issue with the applicants at length. Both officers and the applicants have made it clear to the GLA that the scheme being proposed would not adopt a forward funding approach. Nevertheless, the applicants have agreed to a further early stage review mechanism within the Section 106 should such an approach be taken before commencement of construction. This would in effect ensure that, if a Forward Fund structure is agreed for disposal of 100 percent of the units by a third party investor, the profit return will be reduced from 15% to 12.5 percent on GDV. Notwithstanding the commentary set out in paragraph 33 regarding the impact of such a change on affordable housing delivery, this mechanism is aimed to mitigate the GLA's concerns in this regard, and has the potential to enable more affordable housing to be delivered through the early stage review.

Wider acceptability of tenure mix

34. Brent's core strategy policy CP2 seeks at least 25% of new homes in the borough to be family-sized (3-bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target. At 9% across the scheme (54 of the 600 units), officers acknowledge that the proposals fall short of the 25% target. However, this is a borough wide target rather than a site specific target and the balance between the number of 3-bedroom homes and scheme viability (and thus Affordable Housing) has been considered. Policy WEM22 also supports a more flexible approach for PRS schemes.

35. It is also recognised that the family sized units which are being provided are predominantly offered as affordable units at an LLR rate, with 66% of these homes (36 of the 54) within this tenure. In the context of market driven residential development, officers acknowledge there is a delicate balance to strike between scheme viability and family home provision. It is generally accepted that BTR schemes within Brent and across London cater predominantly towards single people and young couples, and therefore this is reflected in a higher proportion of studios, 1 and 2-bedroom flats being proposed. On balance, officers therefore consider the shortfall in family homes is acceptable in this instance, given the over-representation of family accommodation within the affordable tenures, and in acknowledgement of the scheme's overall viability position and the impact that additional family sized homes would have on scheme viability.

Design

36. 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

37. The site would be laid out as 5 blocks (known as Blocks A to E) in a pentagonal shape across the site, with Blocks A, B and C (running west to east) fronting South Way to the south of the site, and Blocks D and E to the northern portion of the site, and main pedestrian route running through the site to the northern-most element. All blocks (with the exception of Block C, which bookends the site) would consist of two buildings, with a taller, primary element sitting next to a lower, secondary element, stepping down in height as the development moves away from the Stadium.

38. Storage facilities are provided in the centre of the site at ground through to second floor. The storage facilities are enveloped at ground floor by active frontages, including a storage reception, office units and residential lobbies. The perimeter block provides natural surveillance and activity to each of the four street frontages.

39. The primary access to the residential units within all blocks is from the western boundary (via the central residents lobby), accessed via a gated landscaped courtyard. Residential access is also proposed from the street on South Way for Blocks B and C and from within the shared surface access road for Blocks D and E. The western boundary abuts First Way, the primary thoroughfare to the site, and the entrance is complemented by the storage reception and a retail unit/cycle cafe. Vehicular access for servicing, office and storage is located further east along the site boundary, limiting the potential for conflict with pedestrians.

40. Block A fronts onto South Way and contains the retail unit/ cycle café at ground floor level on the south west corner, office and communal facilities and entrances on the remainder of the ground floor, and residential units on the upper levels. The primary access to the residential units is through the communal courtyard and gated entrance accessed from First Way, with the café/ retail unit and offices accessed from South Way. Although not directly onto a street, the residential entrance is secure and welcoming as a result of the communal courtyard, and this element of the scheme would provide active frontages onto both First Way and South Way, and therefore an enhancement on the existing building.

41. Block B would also front onto South Way and would contain office space and the main bulky waste storage for the site at ground floor level, with residential homes on upper floors. A new internal amenity area has been introduced on Block B as part of the revised scheme, and the block has direct access to the external landscaped podium gardens. Access is provided to the homes from the main entry plaza/ courtyard to the west and from South Way, and this is considered to be clearly defined and legible. Although the waste store takes up a significant part of the ground floor frontage, this is broken up with the active frontages for the proposed office entrances along this part of the building and ensures there would be a good degree of activity.

42. Block C is located at the south-eastern end of the site and also fronts onto South Way. It contains offices at ground floor with the upper floors in residential use. The entrance to the residential homes is accessed from South Way with a strongly defined and legible entrance. The office spaces front onto both South Way and to the eastern façade, ensuring natural surveillance and activity at ground level and ensuring there would be no dead frontage.

43. Block D is located to the north-east portion of the site and would also have office units at ground floor with residential homes on upper floors. The main residential entrance and the commercial entrances

would be located onto the new northern access route, and would therefore be secure and legible as well as creating some activity to the new public route through this part of the site. There are some back of house elements for the development on the north-eastern corner such as the switch room, utility areas as well as cycle stores and the main access ramp down to the basement level parking. However these elements are adequately broken up with the active commercial frontages for the offices and the residential entrance lobby. Therefore, subject to conditions being secured to further review the design detailing of the doors/ vents to the utility areas and cycle stores to ensure that the high quality of design is achieved through the scheme, the layout of Block D is considered to be acceptable.

44. Finally, Block E is located to the north-west portion of the site and would contain office and storage space at ground floor (as well as cycle storage, lifts etc), with residential homes on upper floors. The office and commercial elements would be accessed directly from First Way, with the residential entrance accessed from the new communal courtyard and gated entrance, as with Block A. Both the new northern access route and First Way would be activated by the commercial units and the communal courtyard would provide a secure and welcoming entrance to the residential homes. The entrances are clearly defined and legible from their prospective routes.

Public Realm

45. The development would create five dedicated areas of hard and soft landscaping throughout the scheme, with the applicant's landscape design and access statement outlining that this would involve the creation of character areas; which include the entrance courtyard, office amenity space, the landscaped podium (which includes a social hub, play space and grow garden/ micro forest), and the main roof terraces.

46. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. The proposed widening of South Way would allow for a more inviting pedestrian route along this part of the frontage, which is key given there are residential and commercial entrances along this part of the development. Where possible at the site's edges, public realm would be enhanced, particularly in connection with the cycle café/ retail unit on the south-west corner, with good levels of soft landscaping and a small terrace enhancing activity and interest at ground floor level. Furthermore, the new northern shared access will be secured as a public access route via section 106 agreement, improving the site's connectivity to the surroundings in the future.

47. Overall, the public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level with interest, and clearly defined, legible routes for both the residential and commercial elements of the scheme.

Height and Massing

48. Policy WEM5 of the adopted Wembley Area Action Plan (WAAP) (2015) supports the development of tall buildings (defined as being 30 metres (about ten storeys) or greater) on the basis of its site specific tall buildings strategy. The site is identified within the Wembley Area Action Plan as one which is appropriate for tall buildings under WEM5 criteria. At a maximum of 24 storeys high nearest to the Stadium, it would sit to the immediate east of Plot E05 within the Wembley Park Masterplan area, which would be of a broadly similar height at 22 storeys. There are other buildings of a similar height in the immediate townscape context, including Scape Wembley (28 storeys), 10-11 Watkin Road (24 storeys), and Quintain plot NE06 (34 storeys).

49. Draft 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. The draft Local Plan Policies Map and Brent Tall Building Strategy (March 2020) identifies the site as situated within the Wembley Park tall building zone, where it is stated that, subject to not unacceptably impacting on protected views, buildings of over 15-storeys (45+ metres) may be considered appropriate.'

50. The site allocation brief contained within the draft Local Plan (Policy BCSA9) states that 'Development on this site should provide master planning showing transition of heights and mediate between the taller schemes coming forward immediately east of the stadium and the Strategic Industrial Land that makes up Wembley Stadium Industrial Estate.

51. With regard to scale and height, the key principle has been to step down building heights from east to west, as the blocks move away from the Stadium, in order to provide an appropriate transition in scale between the high density closer to the Stadium and the lower-rise industrial buildings to the west. As outlined in paragraph 34, Blocks A, B, D and E have a lower, secondary element, creating an undulating effect which

is considered to provide visual interest and ensure the overall massing of these blocks is broken up. A breakdown of the proposed heights for each block is provided below

Block	Storeys per primary block	Storeys per secondary block
A	24	17
B	20	12
C	14	
D	18	13
E	22	17

52. The proposals have been revised to enable all buildings, with the exception of the tallest 24-storey element to Block A, to be increased in height by two storeys. This has enabled an uplift in both family-sized units and affordable homes across the development, as well as responding to requirements in relation to highways widening and the need for an uplift in amenity space provision. Crucially, despite this increase, the principle of stepping down heights away from the Stadium remains, and a maximum height of 24 storeys is considered appropriate. This maximum height would therefore reflect the principles of the WAAP, as well as emerging policy BD2 and the Tall Building Strategy.

53. With regard to massing, the undulating effect created by having a series of primary and secondary elements to each block works well in breaking up the development's overall massing, particularly along South Way. This would be further broken up by the landscaped podiums visible between Blocks A and B, and B and C, above third floor level. The building would have a clear base, middle and top, with glazed entrances at ground floor level marking the commercial elements of the scheme and making this distinct from the upper floors. The use of recessed balconies and variation in fenestration types between blocks would add further visual interest and articulation.

54. The GLA have confirmed that they are satisfied with the approach to height and massing across the development, stating that 'the form and massing improves upon the scheme presented during pre-application discussions and has largely addressed concerns that were raised at the time regarding the building's massing and the impact on the podium amenity space. Overall, the distribution of massing and maximum height of 24 storeys is consistent with the emerging context and raises no strategic issues, and is supported in terms of optimising housing delivery.'

Protected views

55. It is important to note that although the site has been considered appropriate for tall buildings, any development must ensure that it does not detract from key views of the Stadium, in line with policy WEM6. Accordingly, the applicant has submitted a comprehensive Townscape and Visual Impact Assessment which sets out a number of images of the proposed development from key local vantage points and designated protected views, including those identified within WAAP Policy WEM6 and Brent's emerging Local Plan Policy BHC2.

56. It has been identified that the proposal would sit within the viewing corridor of Wembley Stadium Arch from six designated views within the AAP/Draft Local Plan, set out below:

- Elmwood Park, Sudbury (AAP/Draft Local Plan view 2)
- Horsenden Hill, Perivale (view 3)
- North of Neasden Station, Metropolitan/ Jubilee Line (view 10)
- Great Central Way (view 11)
- South Way at River Brent Bridge (view 12)
- The White Horse Bridge (view 13)

57. The applicant's HTVIA illustrates the impact the development would have on these views. The images demonstrate that the development would be at least partly visible from all vantage points apart from White Horse Bridge, crucially views to Wembley Stadium Arch would be uninterrupted at all points. Although prominent in views from the underground line and Great Central Way in particular, the buildings would not be overly dominant in these views when considering the context of built and consented developments across the skyline. On this basis, the proposals would accord with the aims of Policy WEM6 and emerging policy BHC2.

Architecture and Materiality

58. The visual design and architecture of the proposed development is considered to be of a high quality, using a simple but rational palette of materials which responds to the emerging character of the Wembley Park area. The appearance of the scheme has been designed to break up the overall mass of the building into its composite elements. Each residential block has been broken down into two elements; a white taller element with a vertical expression, and a smaller black element with a more solid, grid-like structure. A third, 'green' façade is added in the form of green walls in the spaces between the blocks, cleverly adding further visual interest.

59. The taller buildings would use undulating concrete fins to add depth and articulation to the elevations, with window surrounds and lintel also made from precast concrete but with a different finish to provide depth and texture. A horizontal band of masonry would be introduced to each floorplate to express each floor level. The lower-rise buildings would have a solid, regular façade in black brick, with projecting metal balconies. The green walls would be supported by white metal fins to allow climbing planters down to street level.

60. The GLA have commented that 'The architectural approach is supported and has the potential to deliver a high-quality building. High quality facing materials, balcony treatments and window reveals should be secured to ensure exemplary design is carried through post planning to completion. Officers confirm that samples of the materials to be used in the development, including full details of the green/ living walls and how these would be maintained over the development's lifetime, will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

61. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The application site is not within a conservation area, however the Wembley High Street Conservation Area sits approximately 850m to the west of the site. The nearest listed buildings are also situated more than 500m away, and include the Wembley Arena (Grade II) to the north-west of the site, and the Roman Catholic Church of St Joseph (Grade II) to the south-west.

62. The applicants have submitted a detailed Heritage, Townscape and Visual Impact (HTVIA) assessment which analyses the impact of the development on these adjoining heritage assets. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.

63. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy HC1, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.

64. The submitted HTVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Growth Area/ Tall Building Zone, and that there would be no harm to the setting of designated heritage assets.

Archaeology

65. Beyond the visual impact considerations that relate to heritage, the site has been assessed for its below ground archaeological potential and the applicants have submitted an Archaeological Assessment to communicate the findings.

66. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's Archaeological Priority

Areas (APA) or locally designated Sites of Archaeological Importance (SAI).

67. The report concludes that the site is likely to have a low/ negligible archaeological potential during all relevant historic periods of human activity, with previous development of the site having removed any objects or structures of historic interest. The re-development of the site is considered unlikely to have an impact on any significant archaeological deposits, and therefore no further mitigation is recommended in this regard.

68. On this basis, the proposal accords with London Plan Policy HC1 policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan and the NPPF.

Impact on neighbouring residential amenity

69. Brent's DMP1 policy within the emerging and adopted Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. 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.

Daylight and Sunlight Impact

70. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. This has been included within the submitted Environmental Statement.

71. Officers are satisfied that the report successfully identifies the neighbouring residential properties which would be potentially affected by the development, and therefore assessed in necessary detail, is limited to Site E05 to the immediate west / north-west of the site. To the north, the low-rise Dhamecha Cash and Carry building is commercial in nature and has no windows or openings relying on daylight facing directly onto the development. At least 200 metres is maintained between the site and the former Cannon Trading Estate site, which is currently being re-developed for student accommodation, education and commercial uses (ref. 17/3797). The proposed development would not have any impact on daylight and sunlight levels experienced here as it sits below a 25-degree line when measured to the nearest ground floor windows. Similarly, the nearest rear facing windows to residential properties on Park View to the south-west of the site (across the railway line) are approximately 150m away. The rear of these properties would look onto Block C to the south-west of the site, which is the lower 14-storey element of the scheme, and this part of the development sits below a 25-degree line to these properties. The Popin Centre to the immediate south is also commercial in nature, while the Pink coach park sits to the immediate south-west and is currently under construction.

72. The results of the daylight and sunlight testing of these properties is set out below:

Site E05

73. Planning permission was initially granted in September 2018 for the re-development of land to the east of Wembley Stadium to provide buildings ranging from 3 to 22 storeys, for the provision of 458 residential units and 285 sqm of commercial/ community/ leisure/ office floorspace, with associated car and coach parking. Construction of the site is well underway.

74. Given the development has not been completed, the assessment has focused on testing the development's impact on the Average Daylight Factor (ADF) for all potentially affected rooms, which is in line with BRE guidelines (Appendix F). The report concludes that of the 328 rooms assessed, 221 would meet compliant ADF levels following construction of the development, which represents an overall figure of 67%. This represents a reduction from 77% compliance based on the existing situation. It should be noted that re-testing took place following the revisions to the proposed plans, accounting for the two-storey increase in heights to most of the blocks. This resulted in no changes to the level of compliance outlined above.

75. However, the report also sets out that levels of daylight reaching rooms within E05 is unduly impacted already by the design of the block in which they sit, with deep reveals and overhanging balconies which restrict daylight levels. BRE guidelines state that regard can be had to these factors, and further ADF testing have been carried out with the overhanging balconies removed. The revised results show that the

level of compliance within rooms in E05 increases to 87% (286 of 328 rooms) with the overhanging balconies removed. Furthermore, the remaining rooms which fall short of complying are all living/kitchen/dining rooms or studio spaces, which all show levels of at least 1.3% ADF, which is only just short of the required 1.5% ADF. Therefore, these shortfalls in daylight levels are very minor, and need to be seen in the context of a high level of compliance overall, particularly given this high density, urban context.

76. The report also assesses VSC and NSL levels in the event that Site E05 begins occupation before development starts on the application site. The results of the VSC assessment shows that 274 out of 607 windows (45%) rooms would comply with BRE guidance. However, testing of NSL shows that 268 out of 328 rooms (81%) would comply with BRE guidance in this respect. As with the testing of ADF levels, the level of compliance is also impacted by the number of overhanging balconies within site E05, and when these are removed, the number of windows complying with VSC criteria increases to 58%.

77. With regard to sunlight impact, 161 rooms were tested with windows orientated within 90-degrees of due south, with 142 of these meeting the criteria for annual probable sunlight hours (APSH), representing 88% of the total number. Again, officers consider this to be a high level of compliance given the transition between the existing low-rise industrial building and the high density scheme proposed, as well as the prevailing urban regeneration context.

Summary

78. Overall, officers consider the impacts to neighbouring sites (both completed and consented) are acceptable when seen in the context of the scheme's wider benefits. Officers would note that the BRE guidelines on which the daylight and sunlight analysis is based are designed to identify good levels of daylight and sunlight in low density locations and that the guidelines acknowledge a need to interpret compliance flexibly in denser town centre locations.

79. 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)".

80. The growth area location and site allocation, which envisions significant housing growth on this site and surrounding sites are given significant weight. The expectation for significant housing growth within this site, as set out in policy, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance. As discussed in earlier paragraphs of the report, the existing buildings on site are only 1-2 storeys high and establish a very generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver a reasonable number of homes.

Privacy

81. 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). 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.

82. With regard to relationships with surrounding residential properties, the closest relationship would exist between the eastern facing windows and balconies of Block E with the west and south-west facing balconies and windows of Site E05. However, there would be a minimum of 27m maintained between the nearest openings, and this would be sufficient to ensure no material loss of privacy to neighbouring occupiers. Site E05 is predominantly located further north-west of the application site and therefore there would be no directly facing windows or balconies which would cause any issues.

83. To ensure that the site to the north can also come forward for redevelopment, a separation distance of at least 9.3m has been maintained to the northern boundary from residential windows with a reduced distance of 7.47m from the edges of the closest balconies. Whilst some of the balconies do not provide a 9m separation distance to the site boundary, the shortfall is minor (1.53m) and the units would overlook an access way which is intended to be made publically available in the future with the site to the north to allow a new east/west route. This minor shortfall would not be considered to compromise the wider delivery of the wider site allocation. The nearest existing residential properties are located to the south on

Park View. These are over 112m from the southern boundary of the site and located on the opposite side of the railway line. As outlined above, all other surrounding properties are in commercial use, and the site has also been developed with a generous buffer to the north to ensure this would not compromise the ability of adjoining sites coming forward for development in the future, thereby complying with SPD1.

Summary

84. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Generous separation distances are maintained between the proposed blocks and adjoining sites, and where they are closer, these are close to consented or newly constructed schemes where there must be some expectation of tighter relationships given the urban regeneration context. Officers consider the proposals acceptable in this regard.

Quality of residential accommodation

85. Policy DMP1 within Brent's Development Management Policies (2016) and within Brent's emerging Local Plan (2019) in addition to policy D6 of the London Plan (2021) require developments to achieve high quality standards of internal amenity and quality of accommodation. Policy DMP18 within Brent's Development Management Policies (2016), and D6 of the London Plan require adherence with the minimum internal space standards for new homes as set out in the London Plan. Further guidance on the quality of accommodation is set out in Brent's SPD1 document (2018) and the Mayor's Housing SPG.

86. Overall, the quality of the proposed residential units is high when assessed against these policies with all of the units proposed meeting the space standards set out within the London Plan. The built form of the blocks are composed of relatively thin residential blocks enabling a reasonable number of the units to achieve dual aspect outlook and cross ventilation. Above third floor level, Block A proposes 9 units per floor around a single core, while Blocks B, D and E propose 8 units per floor, also around a single core. Block C proposes 5 units per floor around a single core. On balance, this is considered acceptable, as the units are clustered around the core rather than resulting in long corridors. A sense of community can still be achieved, even with 9 units per core. There is also a resident superlobby at the core of the internal residential amenity, linking all spaces, and which is situated adjacent to the main entrance courtyard.

Aspect

87. Policy D6 generally advises against the use of north facing single aspect units. The development would provide approximately 68% dual aspect units across the five blocks, equating to approximately 412 units across the development. Of the 188 units which are single aspect, approximately 85 would have a single northerly aspect, equating to approximately 14% of the entire scheme. However, all of the homes with a single northerly aspect would have be studios or 1-bedroom flats, the majority of which would also have balconies which allows a greater outlook to be enjoyed, as well as maximising daylight and sunlight into living rooms.

88. The proportion of homes with a northern, single aspect also has to be seen in the context of the design of the blocks as a whole, as well as its relationship to the surroundings. Forming the five blocks around the outside perimeter of the site, with a central landscaped podium and public realm, is considered the most efficient approach given the sites' shape and constraints. Generous separation distances have been maintained between blocks, and the design of the buildings themselves has been shaped to maximise dual aspect homes as far as possible. Officers therefore consider that the number of northerly and single aspect homes is acceptable on balance, particularly given the high density, urban context of the proposed scheme.

Accessibility

89. 10% of the homes would be adaptable for wheelchair users and are accordingly sized so as to ensure suitable circulation space within each room for this purpose (M4(3) standard within the Building Regulations). Policy D7 of the London Plan require 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out which would be achieved in this instance.

90. The applicants' design and access statement outlines how the proposed development would meet the above requirements. The document shows how wheelchair user and wheelchair adaptable units can be incorporated into the scheme, with indicative layouts for each respective type of flat shown. Exact details of which units are to be provided for M4(3) fit out (accounting for at least 60 of the proposed units) have not been shown, however officers consider that this can be requested by condition before commencement of works (except demolition).

Privacy and outlook

91. In terms of privacy between blocks, SPD1 states that all proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). Overall, the scheme has a high level of compliance with SPD1 in this regard. A separation distance of at least 20 metres is maintained between Blocks A and B, between Blocks and C, and between Blocks D and E. There are some areas where distances would fall below the recommended 18 metres, for example between the north elevation of Block B and the south elevation of Block E (which maintains a minimum of 14m distance), and the respective north and south facing balconies of Blocks C and D, where a minimum 12m distance would be maintained. However, the blocks have been designed to ensure that windows/ openings do not face directly onto each other, and these points at which separation distances do fall below 18m are considered to be minimal. There are no instances where balconies between different blocks would directly look onto each other.

92. Given the proximity to neighbouring land parcels on the north of the site, Blocks D and E are set away from the northern boundary by at least 9 metres to ensure that the ability of neighbouring sites to come forward for development is not compromised, and ensure those flats looking towards the north have an adequate buffer to adjoining commercial development.
Internal daylight, sunlight and overshadowing

93. An internal daylight and sunlight report has been submitted with the application, testing the levels of daylight reaching habitable rooms of the development using the Average Daylight Factor criteria. The report concludes that 769 of the 799 rooms assessed would achieve ADF levels meeting or exceeding targets for their specific room use, equating to 96% overall. Considering the high density, urban context of the scheme, this is considered to be very good.

94. The report also assesses the levels of sunlight reaching the key external amenity spaces across the development. The report concludes that all five main amenity spaces would comply with the BRE criteria, with at least 50% of each space receiving 2 hours of more of direct sunlight on 21st March, and all four roof terraces having 90% of their areas in compliance, which is a very high level considering the density and scale of the proposed development. Overall, the proposals are considered to perform well against the recommended guidance and represents an acceptable level of compliance in consideration of the dense urban location of the scheme.

Amenity Space

95. 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).

96. 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.

97. 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.

98. 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.

99. All 600 homes would benefit from balconies of at least 5 sqm, therefore meeting London Plan requirements. In addition, the proposals include five main areas of external communal amenity space for residents, in the form of rooftop terraces to Blocks A, B, D and E (for use by residents within each of these blocks), and the main landscaped podium at third floor level sited centrally to the development, which would be accessible to all residents within the development. These terraces provide a total of 3,497 sqm of

communal amenity, with a further 605sqm of indoor communal amenity space provided at ground, first and third floor levels, with the first floor level space including a gym and residential lounge. Officers also give some weight to the main courtyard entrance to the west of the site, as well as the small cycle café terrace which amounts to a further 805 sqm of external amenity space. The benefits of these additional outdoor and indoor spaces are acknowledged and would factor into officers' views on the acceptability of the amenity space provisions.

100. Overall, the amenity space provision, and associated shortfalls below DMP19/BH13 (where relevant) are summarised in the table below:

Whole scheme	Policy Requirement	Private Balcony	Shortfall of policy	Communal External amenity	Communal Internal amenity	Cumulative Shortfall	% of req
Total units (600)	13,620sqm	4,790	8,830sqm	3,497	605	4,728	66%

101 Whilst the tables above break down the shortfall in amenity space provision against policy requirements across the different amenity space components by block, the summary position is that:

- 35% of the required amenity space provision is achieved through the provision of private balconies
- A further 26% of the required amenity space provision is achieved through the provision of the landscaped podium at third floor level and the upper level roof terraces – the proportion of internal communal amenity space only makes up a further 4.4% of the overall requirement
- The courtyard garden/ entrance would provide a further 805 sqm of external amenity space, and if included in the figures would increase the site's overall provision to approximately 71% of the site's requirements.

102. The development falls short of DMP19 targets by just under 34% for amenity space provision. It is considered that this provision has been reasonably maximised across the development, utilising all rooftops where possible, and it is therefore considered that despite this shortfall, the maximum reasonable amount of external amenity space has been provided throughout the site. Block C does not benefit from a roof terrace due to the rooftop being used for plant/ acoustic enclosures and the provision of solar panels, however residents of the block still have access to the landscaped podium and other amenity spaces and would therefore not be impacted by the lack of any terrace space here. The constraints of the site and the layout of the blocks mean that the best approach has been followed, in terms of providing a main landscaped podium which would be of a high quality.

103. The proposal falls below the targets for external amenity space expressed within policy DMP19 and London Plan Policy D6. However, on balance 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 is considered to be outweighed by the benefits of the proposed development.

Playspace provision

104. Policy S4 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development, with at least 10 sqm per child to be provided in new developments.

105. The applicants have set out a play space strategy which provides on-site play spaces aimed at children aged 0-17 in line with GLA's child yield matrix. The child yield matrix would require a total of 1656 sqm across the development, calculated based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting.

106. The applicants approach is set out within the Landscape Design and Access statement. They have proposed a total of 1650 sqm of play space within the main podium at third floor level, which would include active, creative and social play elements which cater for the three different age groups, i.e. under 5s, 5-11 years and 12+). Officers consider that the areas provided would largely cater for younger children, however this would be offset by the proximity of the site to parks and open spaces in the immediate vicinity, which the Mayors' Play and Recreation SPG states can be taken into consideration. The site would be within

400m of the proposed Quintain Park to the north of the site. Additionally, it is within 400m of Sherrans Farm Open Space to the south, and 800m of Tokyngton Recreation Ground. Officers therefore consider the slight shortfall in overall play space, and specifically space for over 12 year olds, to be appropriate.

107. Detailed plans of the play spaces for all ages and their individual features will be secured through a landscaping condition, and this has also been requested by the GLA.

Transport and highways

Site background

108. The site is bounded by South Way to the south, and First Way to the west, which are both local industrial access roads and bus routes. Crucially, both roads are one-way north and westbound, with a priority junction between the two roads in the south-west corner of the site. There is a desire to introduce a two-way system to these roads as one of the key priorities of the Wembley Park Masterplan.

109. On-street parking is prohibited at all times around the site. As the adjoining roads are all commercial access roads, none of them have been identified as heavily parked streets overnight. The site is within the Wembley Stadium Event Day Parking Zone.

Car Parking

110. Policy WEM15 of the WAAP sets out acceptable residential, employment and retail parking standards for new developments in the area. Given the site's moderate PTAL, 0.5 spaces are required per 1-2 bed unit, with 0.75 spaces per 3 bed unit, which are maximum levels. Non-food related commercial uses are designated 1 space per 50 sqm of floorspace.

111. The proposals involve the inclusion of 60 residential spaces in total, including 18 Blue Badge holder spaces within the basement, while a further 4 parking spaces for the storage and office facilities (including 1 Blue Badge spaces) would be provided on the ground floor opposite the self-storage offices. This would result in a blue badge provision of 3%, which complies with the London Plan minimum requirements from the start. There is also space to provide further 10 spaces if demand requires it, which would take it the total potential future provision up to 5%. This is less than the London Plan maximum potential requirement of 10%, but is considered to offer reasonable flexibility for future demand.

112. For electric vehicles, 20% of residential spaces and 10% of commercial spaces are shown with charging points at the outset, with all remaining spaces shown with passive provision for future charging points.

113. In order to ensure the development does not lead to overspill parking in the area, funding of £140,000 towards the implementation of a year-round CPZ in the area is also sought, along with a parking permit restriction, withdrawing the right of future residents of this development to on-street parking permits. Officers confirm that these would be secured via section 106 agreement. This restriction needs to be highlighted to prospective residents through their lease agreements and spelt out in the Car Park Management Plan, full details of which would be secured by condition.

Cycle Parking

114. The London Plan requires at least 1047 secure long-stay bicycle parking spaces for residents, plus 18 short-stay spaces for visitors. For the commercial uses, at least 33 long-stay and 26 short-stay spaces are required.

115. For the residential units, 1100 long terms cycle spaces are proposed in the form of a mixture of Sheffield stands, lockers and double stacked units are proposed. The cycle stores are located within the basement level in proximity to the cores of each block, all of which comfortably accommodate sufficient residential storage. Access will be provided via the dedicated cycle lifts between blocks A and E or via the car park access ramp, which is acceptable. In addition, short term cycle parking for the residential units is proposed in the form of nine Sheffield stands within the residential courtyard.

116. For the commercial uses, long term cycle stores are proposed at ground floor level at various locations within the development. Provision is made for 28 long term cycle spaces for the storage use and 30 long term cycle spaces for the office use. In addition 46 short term spaces are proposed within the courtyard. Subject to a condition requiring these stores to be provided as shown on the proposed drawings, prior to any

occupation of units, this is acceptable.

Refuse

117. Refuse stores for each block are proposed within the basement car park, allowing easy access from each stair core. The total capacity of the stores is given as 110 Eurobins and 60 wheeled bins, which accords with Brent's guidelines. Each of the bin stores is located close to the lift core of each block. A refuse chute has been introduced to each block to facilitate both general waste and recycling. A management company will collect all waste from the refuse stores and transport them, via two large dedicated refuse lifts, to a temporary bin store located on the ground floor that has capacity to accommodate all of the residential bins. This is located close to the refuse loading bay for ease during collection. This arrangement has been confirmed as acceptable by officers and will be secured within the delivery and servicing plan.

Deliveries and Servicing

118. The self-storage warehouse needs to be capable of accommodating servicing by full-size articulated vehicles (although such visits are likely to be few in number), whilst the offices require servicing by 10m rigid vehicles, the café by transit-sized vans and the residential units by assorted ad-hoc delivery vehicles. An assessment by the applicant suggests that 51 daily deliveries to the flats, three to the offices and one to the café could be expected, in addition to the deliveries for the self-storage warehouse.

119. In order to meet these requirements, a 20m long shared loading bay is indicated in the centre of the site of sufficient dimensions and headroom (6.2m) to accommodate a full-size articulated lorry, two 10m rigid lorries or three transit sized vans, or combinations thereof. The shared loading bay will be located close to the main residential entrance lobby and concierge office (who will be able to receive goods on behalf of residents during working hours) and to the main bin store, which will ease servicing arrangements for the site and ensure that servicing from the street is not necessary.

120. While this is acceptable in principle, a Delivery & Servicing Plan has also been prepared for the site to help to encourage operational efficiency, such as publicising Wembley Stadium events to minimise deliveries on those days. Officers recommend that a condition is attached requiring that the measures set out within the DSP are fully implemented and reviewed to ensure that further measures could be introduced if problems with servicing arrangements are experienced over time.

Vehicular access

121. In terms of vehicular access, the main point of access and egress is shown in the north-western corner of the site from First Way (i.e. in a similar location to the existing main site access). It is almost directly opposite the egress point from Wembley Stadium car park, which is not ideal, but replicates the existing situation.

122. The adjoining streets are currently one-way roads, which makes access into and out of the site simpler, as turning movements are restricted to certain directions only. Importantly, the revised proposals involve setting the entire ground floor of the proposed building back at least 5.2m from the northern kerbline of South Way, which in turn provides adequate additional highway space to allow the proposed two-way flow on South Way and proposed cycle lanes to be implemented. As outlined in earlier sections of the report, this is a key strategic Masterplan objective, and incorporating these changes are highly welcomed by officers.

123. The proposals also incorporate increased footway widths along South Way between the new Pink Coach Park and Wembley Stadium, which is important given increased pedestrian flows along this part of South Way on event days. Parts of the first floor of the building are still proposed to oversail the widened footway at a minimum height of 4.8m (5.1m for the balconies), but officers are satisfied that this provides adequate headroom for pedestrians and high sided vehicles. However, highways officers also advise that the widened footways fronting South Way and First Way should be repaved, including their existing widths and including the removal of all redundant accesses, before being offered for adoption through an agreement under S38/278 of the Highways Act 1980. The oversailing elements of the building will require a S177 licence. These will all be requested via the legal agreement.

124. Adequate access width is indicated for two-way traffic, with 8m kerb radii and tactile paving shown to accommodate left-turns into the site by large rigid and articulated vehicles without crossing the centre line of First Way (although they would utilise the entire site access width). The access point is on the outside of a bend, so vehicular visibility splay requirements are met. Increased 8m kerb radius is now shown on the southern side of the main access and 8m kerb radii are shown on both sides of the secondary egress

to ease turning by large delivery vehicles, adequately addressing highways officers' initial concerns.

125. Officers also raised concerns that the secondary point of egress onto South Way could result in interference with safe crowd movement between the Pink car/coach park and the Stadium on event days. To address this concern, the applicant's Transport Statement has confirmed that the gates at this egress will be closed on Wembley Stadium event days, with closure needing to take effect from four hours before the start of any event at Wembley Stadium until four hours after the finish of any event. Officers have confirmed this would be required by condition, as well as further approval of the gates onto this egress, which must be designed to be robust enough to stop any large vehicle that attempts to drive straight through them whilst they are closed.

126. Within the site, suitable access width is proposed for vehicles to and from the commercial car parking and servicing areas, with adequate turning space for the parking spaces. Access to the basement residential car park will be via an extension to the access road, with an indicative carriageway area measuring between 2.5m-5m (i.e. single width with passing places), which will help to keep speeds low. This leads to a 6m wide (plus 500mm margins), 10% gradient ramp into the basement, which provides adequate width for two cars to pass one another along its length as demonstrated through tracking diagrams.

127. The route along the northern side of the site will allow it to be opened up as a through route to other plots to the north and east as they come forward and provide a future pedestrian route as sought through the Wembley Area Action Plan. Officers confirm that safeguarding of this route for future public access will be secured as part of the section 106 legal agreement.

Trip Generation

128. In terms of transport impact, a Transport Assessment has been prepared by TTP Consulting and submitted with the application, and this has been updated to account for the proposed increase in flats from 555 to 600. Traffic surveys were undertaken at the existing site access (as well as at the South Way/First Way junction) to establish how much traffic the existing self-storage warehouse attracts. This identified 20 vehicle movements in the morning peak hour (8-9am) and 10 in the evening peak hour (5-6pm). Due to the nature of the business, trips by public transport, foot and bicycle were negligible.

129. It was estimated that trips to the self-storage warehouse would in future fall in direct proportion to the reduced storage space to be provided within the replacement warehouse (i.e. to about half of existing levels). Peak hour trips to the new offices and flats were then estimated based upon comparisons with other similar uses in outer London - one site in Wembley for the office space and five sites in outer London for the flats. The sites selected are considered to be suitably comparable.

130. The resultant overall number of peak hour trips to and from the site are estimated at 97 arrivals/266 departures in the morning peak hour (8-9am) and 173 arrivals/142 departures in the evening peak hour (5-6pm) by all modes of transport (n.b. not all are new, as some trips are already made to the self-storage warehouse on the site).

131. Census data has then been used to establish the likely mode of travel for each of these trips, with manual adjustments made to take account of the low level of parking proposed within the site. This gives an estimated modal split of approximately 61% rail/Underground, 18% bus, 9% car drivers, 8% walk, 2% bicycle, 1% motorbike and 1% car passengers.

132. In traffic terms, the net effect is an increase of approximately 18 cars on the local road network in each weekday peak hour. This level of traffic amounts to about 2-3% of the existing flow on First Way, so is not considered to be significant enough to warrant any further consideration of the impact on the capacity of any particular junction in the area.

133. With regard to other modes of transport, forecast bus trips are estimated at 16 arrivals/43 departures in the morning peak hour (8-9am) and 28 arrivals/25 departures in the evening peak hour (5-6pm). In addition, 20% of rail/Underground trips have been assumed to use buses to reach the station. These new trips will almost all be new to the network, as the existing self-storage warehouse attracts few bus passengers.

134. The applicant's assessment concludes that bus service 92 will experience the greatest impact, with 27 additional passengers per hour, which equates to an additional four passengers per bus. Route 206 would see an additional 15 passengers per hour, or three per bus. Transport for London (TfL) have also commented on this issues, and have stated that bus services in the area have reached capacity and as the site is located in a growth area there are expected to be cumulative impacts of the development on the bus

network. They have therefore requested a financial contribution of £370,000 from the proposals toward enhancing bus service capacity in Wembley area, which would be secured via section 106 agreement, and in doing so the proposals would accord with London Plan Policy T4.

135. Combined rail and underground trips are estimated at 47 arrivals/159 departures in the morning peak hour (8-9am) and 101 arrivals/78 departures in the evening peak hour (5-6pm). London Underground services would be expected to experience an additional 9-11 trips in each peak hour in connection with the 45 additional flats. With over 50 rail and tube services serving the three Wembley stations in each direction per peak hour, the average number of additional passengers per train in the area would remain less than two, although services towards London in the morning peak and away from London in the evening peak hour would carry the greater tidal flows. Nevertheless, the capacity of rail services in the area is high, so is likely to be capable of absorbing the impact of this development. TfL agree with this view, and the proposed development is therefore acceptable in this regard.

136. Pedestrian trips are estimated at 7 arrivals/19 departures in the morning peak hour (8-9am) and 12 arrivals/11 departures in the evening peak hour (5-6pm), with cyclist trips estimated at 5 movements in each peak hour. These do not include journeys on foot or bicycle to stations or bus stops though.

137. With regard to pedestrian trips, a PERS audit has been undertaken for three routes in the surrounding area, linking the site to nearby public transport facilities on South Way and at Wembley Park and Wembley Stadium stations. Some concerns were initially raised by officers regarding the lack of pedestrian crossing facilities on South Way and First Way, however these have been addressed by freeing up the southern edge of the site in order to facilitate the widening of South Way and introduction of the proposed two-way traffic flow, with associated cycle lanes and a signalised junction at First Way/ South Way with pedestrian crossing facilities. The works are likely to be secured via CIL funding, and although this cannot be secured directly via the proposed development, officers are satisfied that these improvements would be secured in order to meet the Council's wider Masterplan objectives.

138. A Cycling Level of Service (CLOS) assessment for cyclists has also been undertaken for the above routes. This exercise produced low scores for routes along South Way, First Way and Engineers Way. Again, the introduction of two-way flow and cycle routes on these adjoining streets are expected to raise these scores and make the site safer and easier to access by bicycle.

139. The road accident history for the area has also been examined for the five year period spanning January 2012-December 2016. This identified seven personal injury accidents within about 200m of the site over that period, which is low. The introduction of a high density residential development in the area will be likely to increase activity and movement, particularly by pedestrians and cyclists, which may increase future accident rates. However, there are no identifiable patterns in the accident records at present which suggest that particular shortcomings exist in the road layout that cause a safety problem.

Travel Plan

140. A draft Residential Travel Plan has been submitted with the application. The Travel Plan proposes to appoint a Travel Plan Co-ordinator (initially the Transport Consultant) to oversee the management of the plan. This will include implementing a series of measures, including the provision of Travel Packs to residents that include travel information and updating noticeboards and the provision of personalised travel planning advice. Other measures include securing discounts on cycling equipment from local retailers and the setting up and promotion of a Car Club on the site. This last measure includes liaison with a Car Club operator to secure a vehicle that can be based at the site and the offering of free membership to new residents (although it is not specified how long for).

141. The overall target will be to reduce car driver trips to and from the site from 19.5% to 17.5% over a five-year period. However, the Transport Assessment states that only 7% of residential trips would be made by car anyway, so the baseline car trips and proposed targets are not acceptable and need to be revised. An initial travel survey in accordance with the TRICS survey methodology will be undertaken within 6 months of first occupation (or when 75% of flats are occupied), followed by i-TRACE compatible surveys each year for five years thereafter.

142. Officers have commented that although the basic structure of this Travel Plan is acceptable, there are some deficiencies in terms of details of the proposed Car Club and initial surveys carried out. Officers are satisfied that these details can be agreed and reviewed as part of a revised, detailed Travel Plan to be secured via section 106 agreement.

143. With regard to the commercial elements of the scheme, the combined size of the proposed offices and the low number of staff employed at the self-storage warehouse means a full Workplace Travel Plan would be unnecessary and the submitted Travel Plan Statement is considered acceptable in principle. The submitted statement confirms that travel information will be provided to workplace occupiers through Welcome Packs, which will be similar to the Residential Travel Plan. Again, full details of this would be secured via section 106 agreement.

Draft Construction Logistics Plan

144. Construction traffic should not affect the operation of buses in the area and deliveries should take place outside of peak times on the road network. Construction should be carefully managed particularly on event days and monitored to ensure the construction of the site does not adversely affect pedestrians.

145. TfL have commented that the outline Construction Logistics Plan is acceptable in principle, subject to a final CLP should be produced fully in accordance with TfL's CLP guidance and secured by condition, in agreement with the Council and TfL, before any construction works begin on site.

Environmental Health Considerations

Air quality

146. An air quality assessment (including an air quality neutral assessment) considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, and impact of heating plant emissions. This has been reviewed by Brent's regulatory services team.

147. The assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. Officers are satisfied that the development would have a negligible impact on air quality without any mitigation measures being required, and the development as a whole would be air quality neutral.
Construction noise and nuisance

148. 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.

149. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would be required to cover highways issues as well, and has been attached.

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

Noise between commercial and residential uses and proximity to Stadium

151. A noise assessment has been submitted with the application and reviewed by the Council's Regulatory Services Team. The assessment concludes that there would be a low-to-medium risk of adverse noise effects across the scheme, which could be appropriately mitigated by ensuring acoustic ceilings are installed between the proposed cycle café and the residential units above.

152. Consideration within the noise impact assessment has been given to the proximity to the Stadium, with the noise survey taking place over the space of a week which included assessment during the FA Cup Final in May 2017. The report concludes that while noise levels during this event (and over the course of the same weekend) were higher, these levels reached a maximum of 63db, which are only slightly higher than the average daytime noise levels of 60-61db reached to the east of the site (largely due to the closer proximity to industrial uses to the east).

153. However officers acknowledge that the assessment did not include consideration of live music events taking place at the Stadium, which generally take place during evenings and are likely to have increased noise levels at certain points than a sporting event would produce. Nevertheless, recent residential

developments have been approved with similar (and closer) proximity to the Stadium than the application site, and therefore it is considered that acoustic mitigation measures can be implemented within the scheme to prevent any nuisance to future occupiers. Therefore a condition is recommended requiring that a supplementary acoustic assessment be submitted before first occupation of any units in order to ensure that the impact of music events on future occupiers are adequately assessed. Officers also consider that details of acoustic ceilings and any other mitigation measures required to ensure noise levels experienced to occupiers nearest the Stadium must be submitted and approved by the Council before occupation of the development. Subject to this, officers consider the scheme to be acceptable from a noise perspective.

Contaminated land

154. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The site to be redeveloped and the surrounding area has been identified as previously contaminated. This assessment does indicate remediation works are required in relation to soils and also gas protection measures. The report also advises that further investigative works should be undertaken when the site is vacated. Officers are satisfied that the proposals are acceptable, subject to conditions requiring further site investigation works following demolition of the existing building, and any remediation works arising from this to be completed before first occupation or use.

Sustainability and energy

Policy background

155. 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.

156. 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 SI 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.

157. In terms of non-domestic floorspace, London Plan policy SI2 applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.

Carbon emissions

158. The energy assessment submitted sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from passive energy saving measures including low fabric U-values, and the implementation of an on-site heat network served by air source heat pumps, which would be used throughout the building, as well as the installation of solar PV panels (with a total of 196 PV panels to be installed on upper roof areas). Cooling demand has been assessed for both the residential and non-residential elements of the scheme, in line with GLA requirements.

159. The assessment demonstrates that the scheme would deliver a 56% reduction in carbon emissions below the 2019 Building Regulations baseline, which is broken down into the following site-wide elements below:

	Tonnes CO2 p.a	% reduction
Savings from energy demand ('Be Lean')	-20	-4
Savings from Heat Network ('Be Clean')	0	0
Savings from renewable energy ('Be Green')	284	60

Total	264	56
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160. The GLA has reviewed the carbon savings energy strategy. While the approach to energy is generally supported and would be broadly policy compliant, GLA officers have commented that there appears to be a lack of savings from energy efficiency measures (i.e. Be Lean measures) which is disappointing and needs to be explored further. Additionally, further information is required regarding cooling and overheating measures, as well as whether solar panel installation has been maximised. Officers would note that the roofs are fully utilised at present, mostly for amenity space but with smaller sections of ancillary plant. Therefore it is considered that the scope for further PV panels to be installed on these areas is limited.

161. The GLA have also commented that further detail is provided on how the site will be future proofed to connect to a district heating network, should one come forward in the future. In relation to this, Brent would note that WAAP policy WEM 30 requires all Wembley development to incorporate a future connection point into the build and such details will be required by condition in addressing this. These aspects will need to be picked up by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.

162. Nevertheless, the scheme achieves the baseline 35% reduction in carbon emissions for both its residential and non-residential parts. A carbon offsetting contribution of £435,600 has been confirmed to account for the shortfall below the zero carbon target, in line with London Plan guidance. This would be secured via the section 106 agreement.

163. With regard to the commercial elements of the scheme, a BREEAM Pre-Assessment has been submitted and this demonstrates that the scheme would achieve an 'Excellent' rating, with this industrial floorspace in Block D achieving a target of 71.5%. The BREEAM assessment notes that there may be scope to improve these scores in certain parts of the design process, while other credits may be at risk. Officers therefore recommend the submission of a final stage BREEAM assessment to ensure that, as the design stages of the proposed development evolves, an Excellent rating is achieved as part of the section 106 agreement. The GLA have also confirmed, following clarifications, that the approach adopted has been fully justified and accords with relevant London Plan policies.

Sustainable design

164. The submitted Sustainability Statement outlined a number of sustainable design measures which would be incorporated into both the residential and non-residential elements of the scheme. These include measures (including the use of individual water meters and flow restrictors) to ensure the residential dwellings would be limited to water consumption of less than 105 litres per person per day. Officers recommend a condition to ensure that water consumption is restricted to less than 105 litres per person per day as identified above.

165. The sustainability statement proposes that the non-residential components of the development will target a minimum BREEAM rating of 'Excellent'. The BREEAM pre-assessments for these components identifies a score of 7 out of 9 credits on water measures. This is in accordance with Policy SI.5 of the London Plan and is strongly supported.

166. In addition, water efficiency measures would be used within the landscaped areas, while green roofs and walls would play a key role in achieving a high level of sustainable drainage across the scheme.

Flooding and Drainage

167. The site is predominantly in Flood Zone 1 and therefore risks of flooding are very low, with no historical record of flooding in the area. A Drainage Strategy has been submitted with the application and this has been reviewed by the Council's Local Lead Flood Risk Officer.

168. The development proposes to discharge surface water into the existing Thames Water sewer on South Way, for which flow is not currently restricted and there is no existing attenuation on the site. The proposal requires attenuation totalling 589 cubic metres, with each building attenuating rain water independently. Each building will have green/blue roofs to attenuate flows as will the Podium decking and absorption/attenuation will be incorporated through the landscaping wherever possible. The proposed discharge rate will be restricted to 10 l/s with two separate outfalls (5 l/s each) with flow control device, which will improve attenuation within the area.

169. The GLA and the Council's Local Lead Flood Officer have reviewed this information and consider that the approach to flood risk management for the proposed development complies with London

170. Thames Water have reviewed the proposal and do not raise any concerns from a construction perspective or an operational perspective in relation to foul water or surface water capacity. However they have requested a condition is attached requiring a piling method statement is submitted for approval before such works take place, which officers consider acceptable.

Wind and Microclimate

171. A wind and microclimate assessment has been submitted by the applicant, which has been updated to reflect the changes in proposed heights of all but the tallest, 24 storey block across the site.

172. Wind tunnel testing was undertaken in accordance with the industry standard Lawson criteria. Existing site conditions were tested, which concluded that conditions are largely benign, with the exception of one localised area to the west of the site (between the existing building and Plot E05). Likely conditions were then tested with the proposed development in situ at key parts of the site, including all residential and commercial entrances, thoroughfares, recreational spaces (including the main landscaped podium) and within the immediate vicinity of the site, including local bus stops.

173. The assessment concludes that the proposed development would not result in any unsafe or uncomfortable points within the site as a result of the new blocks at ground level, either during winter or summer seasons. The majority of the site would be at least suitable for standing or sitting, although there would be some areas within the proposed roof terraces which may become uncomfortable on a worst case scenario during winter months. Officers recommend that this could be addressed by appropriate landscaping and/or screening on these terraces to ensure these parts of the development remain useable and can be enjoyed throughout the year.

174. The condition requiring the submission of a landscaping plan will include a request for this issue to be addressed and appropriate planting and/ or screening installed before occupation of the relevant parts of the development.

Ecology and Biodiversity

175. The existing site is almost entirely dominated by the existing industrial building, with an area of hardstanding for parking and servicing to the north-east corner. Nevertheless, a Preliminary Ecological Appraisal (PEA) has been submitted with the application, which includes a bat roost assessment and invasive species study.

176. The appraisal addresses the likelihood of roosting or foraging animals including bats, birds and other protected species. The appraisal concludes that there was no evidence of roosting bats within the existing building, with no features present within the building's structure which would support bats. The building has been classified as having negligible potential to support roosting bats. Similarly, there is no vegetation present which would support nesting birds, although it is considered birds could be nesting on the roof. The report recommended that if the demolition of the existing building was to take place during bird nesting season (March to August inclusive) then an ecologist should undertake a check for nesting birds immediately prior to the building being removed. The report also considers the presence of invasive plant species, such as Japanese Knotweed and Buddleja which have been located to the north-east and east of the site.

177. In order to mitigate impacts of the development, the following measures have been recommended in paragraph 5.11 of the PEA:

- Incorporating two Schwegler 1B bird boxes and one Schwegler 1SP sparrow terrace into the final design of the development;
- Installing three Schwegler 2FN bat boxes within the proposed site in line with the requirements set out in the appraisal;
- Preparing and implementing a Japanese knotweed management plan, with the objective of removing any spread of the species onto the site within 5 years.

178. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological designations. Officers consider that a condition should be attached ensuring the

above mitigation measures are undertaken as part of the approved development, and in doing so would ensure the proposed development would result in a net biodiversity gain, thereby complying with London Plan policy G6.

Trees and Landscaping

179. There are no existing trees on the site so no arboricultural assessment has been undertaken in connection with the application. However, a tree planting strategy has been submitted as part of the applicant's Landscaping design and access statement. This indicates that approximately 100 new trees would be installed at various locations throughout the site.

180. The majority of the planting would take place in three key areas: the central courtyard, the entrance courtyard, and the main landscaped podium. Different approaches to tree planting would be adopted within the 'character areas', with a multi-layered approach taken within the central courtyard, a range of species would be planted including a variety of barks, seasonal colour, flowers and form to add visual interest.

181. The entrance courtyard will be defined by predominantly single stem trees such as birch and alder to provide visual interest and seasonal interest in leaves and bark. Tree planting within the buffer area will play an important role mitigating wind and noise from the road adjacent the site on the western edge of the site.

182. Within the podium, trees will be selected which have a light canopy so as not to restrict light levels. A dense 'forest' of single stem trees along the central spine will enhance the experience of moving along the central axis. Species such as birch, will give all year round, would provide seasonal interest. In contrast multi-stem tree planting will be located at key locations throughout the space, to define special character areas.

183. The tree planting strategy is sufficiently detailed in terms of the number of overall trees being planted, and a variety of species used in a logical way, to ensure a high quality scheme which adds visual interest and plays an important role in enhancing local ecology and biodiversity. A condition will require that final detailed landscaping drawings are submitted, approved and implemented prior to the occupation of the development, which will include exact details of type and species of tree planting throughout the site.

Fire Safety

184. Fire Safety is formally considered at Building Regulations stage, however the applicants have provided an outline fire safety strategy within their planning submission. The key points of this are summarised below:

- A sprinkler system will be provided throughout the development and within habitable rooms of all apartments, as well as to ancillary accommodation and plant, and to the commercial elements of the scheme;
- Each building served by a firefighting staircase and natural smoke ventilation systems within the corridors
- Appropriate smoke ventilation within basements areas and car parks
- Ground floor office areas and cycle café/ retail unit to be provided with direct access to exits
- Disabled refuge points to be provided at all commercial floor levels (within all protected stairs/ lobby areas) and at multiple levels within the residential blocks
- Firefighting shaft to be provided for each block as all over 18m high
- Fire service access road less than 20m long and therefore does not require a turning bay

185. Officers are satisfied that the outline fire strategy is sufficiently detailed to ensure that fire safety requirements can be adequately met throughout the proposed development. However, a condition is attached requiring a final, detailed fire strategy before occupation of any part of the development, which is in line with the outline strategy recommendations. As such, the scheme would accord with London Plan policy D12.

Utilities

Dwelling houses							
(Brent) Storage and distribution	7267		5498.58	£40.00	£0.00	£327,950.77	£0.00
(Brent) Businesses and offices	1242		939.76	£40.00	£0.00	£56,049.93	£0.00
(Brent) Shops	317		239.86	£40.00	£0.00	£14,305.82	£0.00
(Mayoral) Dwelling houses	56512		42759.81	£0.00	£60.00	£0.00	£2,652,961.3
(Mayoral) Storage and distribution	7267		5498.58	£0.00	£60.00	£0.00	£341,150.03
(Mayoral) Businesses and offices	1242		939.76	£0.00	£60.00	£0.00	£58,305.81
(Mayoral) Shops	317		239.86	£0.00	£60.00	£0.00	£14,881.60

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	£13,149,891.76	£3,067,298.83

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/4767

To: Ms Milne
DP9
100 Pall Mall
London
SW1Y 5NQ

I refer to your application dated **12/12/2018** proposing the following:

Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.

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

at **Access Storage, First Way, Wembley, HA9 0JD**

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: 20/04/2021

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 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 (2019)
- 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 material accordance with the following approved drawing(s) and/or document(s):

All drawings marked as Rev P01 except where specified:

Site Wide

E0-100 Rev: P2 – Site Location Plan
 E1-001 Rev: P1 - Existing-Site Plan
 E1-100 Rev: P1 - Existing-Ground Floor Plan
 E1-101 Rev: P1 - Existing-First Floor Plan
 E1-102 Rev: P1 - Existing-Second Floor Plan
 E1-103 Rev: P1 - Existing-Roof Plan
 E1-199 Rev: P1 - Existing-Basement Plan
 E1-201 Rev: P1 – Demolition Site Plan
 E2-001 Rev: P1 - Existing-Context Sections
 E3-001 Rev: P1 - Existing-Context Elevations
 E3-101 Rev: P1 - Existing-Elevations Sheets 01
 E3-102 Rev: P1 - Existing-Elevations Sheets 02
 P1-001 Rev: P3 – Proposed Site Plan
 P1-099 Rev: P3 – Proposed Basement Plan
 P1-100 Rev: P4 – Proposed Ground Floor Plan
 P1-101 Rev: P3 – Proposed First Floor
 P1-102 Rev: P3 – Proposed Second Floor
 P1-103 Rev: P4 – Proposed Third Floor
 P1-104 Rev: P3 – Proposed Fourth Floor
 P1-105 Rev: P3 – Proposed Fifth to Eleventh Floor
 P1-112 Rev: P4 – Proposed Twelfth Floor
 P1-113 Rev: P4 – Proposed Thirteenth
 P1-114 Rev: P3 – Proposed Fourteenth Floor
 P1-115 Rev: P3 – Proposed Fifteenth Floor to Sixteenth Floor

P1-117 Rev: P4 – Proposed Seventeenth Floor
 P1-118 Rev: P3 – Proposed Eighteenth Floor
 P1-119 Rev: P3 – Proposed Nineteenth Floor
 P1-120 Rev: P3 – Proposed Twentieth Floor to Twenty-first
 P1-121 Rev: P3 – Proposed Twenty-second to Twenty-third Floor
 P1-124 Rev: P3 – Proposed Twenty-fourth Floor Plan
 P1-124 Rev: P2 – Proposed Roof Plan
 P2-001 Rev: P3 – Proposed Context Section
 P2-101 Rev: P3 – Proposed Longitudinal Section 1
 P2-102 Rev: P3 – Proposed Longitudinal Section 2
 P2-103 Rev: P3 – Proposed Cross Sections
 P3-001 Rev: P3 – Proposed Contextual Elevations
 P3-101 Rev: P4 – Proposed South Elevation
 P3-102 Rev: P3 – Proposed North Elevation
 P3-103 Rev: P3 – Proposed East and West Elevations

Landscape drawings

P11117-00-002-GIL-0107 Rev: 03 – Softworks Plan First Floor and Roof Terraces
 P11117-00-002-GIL-0106 Rev: 03 – Softworks Plan Thirst Floor Podium
 P11117-00-002-GIL-0105 Rev: 03 – Softworks Plan Ground Floor
 P11117-00-002-GIL-0104 Rev: 03 – Hardworks Plan First Floor & Roof Terraces
 P11117-00-002-GIL-0103 Rev: 03 – Hardworks Plan Third Floor Podium
 P11117-00-002-GIL-0102 Rev: 03 – Hardworks Plan Ground Floor
 P11117-00-002-GIL-0200 Rev: 03 – Landscape Sections Longitudinal Section
 P11117-00-002-GIL-0201 Rev: 03 – Landscape Sections Transversal Section
 P11117-00-002-GIL-0202 Rev: 03 – Landscape Cross Section – Orchard & Micro Forest
 P11117-00-02-GIL-0101 Rev: 03 – General Arrangement Illustrative Masterplan
 P11117-0-002-GIL-0100 Rev: 03 – Landscape General Arrangement Reference Plan

Supporting documents

Planning Statement from DP9;
 Design and Access Statement from AHMM (including Drawings Schedule, Access & Inclusivity Statement from All Clear Designs, Preliminary Lighting Strategy from Light360 and Ventilation Strategy Statement from Caldwell);
 Environmental Statement: Volume I – Main Report, coordinated by Trium;
 Environmental Statement: Volume II – Townscape and Visual Impact Assessment, from Tavernor Consultancy;
 Environmental Statement: Volume III – Technical Appendices, coordinated by Trium;
 Environmental Statement: Non-Technical Summary, from Trium;
 Transport Assessment, prepared by Pell Frischmann;
 Draft Delivery and Servicing Plan, prepared by Pell Frischmann;
 Draft Car Park Management Plan, prepared by Pell Frischmann;
 Framework Travel Plan, prepared by Pell Frischmann;
 Outline Construction Logistics Plan, prepared by Pell Frischmann;
 Internal Daylight, Sunlight and Overshadowing Report, prepared by GIA;
 Sustainability Statement (including BREEAM Pre-Assessment) prepared by bpp.energy;
 Energy Statement including Overheating Assessment, prepared by bpp.energy;
 Statement of Community Involvement, prepared by Kanda Consulting;
 Tree Survey and Arboricultural Impact Assessment, prepared by GHA Trees;
 Flood Risk Assessment, prepared by JBA Consulting;
 Drainage Strategy incl. Foul Sewage Assessment, prepared by MCR Consulting Engineers;
 Utilities Assessment, prepared by Caldwell;
 Financial Viability Assessment, prepared by DS2;
 Fire Safety Statement (ref. 55375 Rev 00) dated October 2020 from Chapmanbdsp.

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

- 3 The development hereby approved shall be carried out in Phases in accordance with the approved Phasing Plan (drawing no. (00)_P150, Rev. P01), unless an alternative Phasing Plan is submitted to and approved in writing by the Local Planning Authority pursuant to this condition.

Reason: In the interests of proper planning.

- 4 The scheme hereby approved shall contain 600 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The development hereby approved shall contain the following:

- (a) 317sqm of commercial floor space (GIA) which shall not be used other than for purposes within Use Class A1 (Class E(a) from September 2020);
- (b) 7,267 sqm (GIA) of storage floorspace which shall not be used other than for purposes within Use Class B8;
- (c) 1,242 sqm (GIA) of office floorspace which shall not be used other than for purposes within Use Class B1 (a) (Class E(g)(i) from September 2020)

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: In the interests of proper planning and to ensure the adequate provision of retail floorspace, employment floorspace and industrial capacity within the borough.

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

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

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

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

- 8 The Blue Badge parking spaces and visitor cycle stands shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development.

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

- 9 The Blue Badge parking spaces, cycle storage facilities and visitor cycle stands, and refuse storage shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities (both for occupiers and visitors) shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

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

- 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 Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 11 Unless alternative details are first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with the submitted Drainage Strategy (Curtins – ref. 061889 Rev V03 – dated 10 October 2018).

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

- 12 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.

- 13 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in the submitted Preliminary Ecological Appraisal (prepared by PJC Consultancy Ltd – ref. 3317AO/16 - dated October 2016) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 14 Within six months of commencement of development hereby approved, electric vehicle charging points shall be provided to 20% of the Blue Badge spaces provided, whilst the remaining spaces will provide passive charging facilities. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

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

- 15 All doors serving substations/plant rooms from the public realm or public highways shall not open outwards unless details are submitted to and approved in writing by the Local Planning Authority that robustly justify, to the satisfaction of Brent's highways officers, that outward opening doors in these locations are necessary.

Reason: To protect the public highways and public realm from obstructions, in the interests of highway safety.

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

statement shall be implemented throughout the duration of construction.

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

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.

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

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

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

- 18 (a) Following the demolition of the building(s) (where relevant) and prior to the commencement of building works within a Phase, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works within that Phase (in writing through the submission of an application for approval of details reserved by condition) that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works for any Phase. Prior to the occupation of each Phase, a verification report shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) stating that remediation has been carried out for the Phase in accordance with the approved remediation scheme and the land within that Phase 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.

- 19 No piling shall take place within a Phase 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 within that Phase) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water (in writing through the submission of an application for approval of details reserved by condition). Any piling within a Phase must be undertaken in accordance with the terms of the approved piling method statement for that Phase.

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

- 20 Prior to the commencement of construction works within the first phase (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority (in writing through the submission of an application for approval of details reserved by condition) and the development shall be completed in accordance with the approved details.

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

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

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries
- b) walls, fencing and any other means of enclosure, including materials, designs and heights, and measures necessary to achieve wind comfort levels within the podium seating area, as recommended in submitted Wind Microclimate Assessment (prepared by RWDI – ref.1902866 Rev C – dated 25th June 2020)
- c) Biodiversity mitigation and enhancement measures
- d) External lighting (including details of lux levels and light spillage diagrams. ensuring that light overspill towards Wealdstone Brook in particular is minimised)
- e) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials
- f) details of all play spaces, as outlined within the Landscaping Design and Access Statement
- g) a landscaping maintenance strategy, including details of management responsibilities.

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.

- 22 Details of materials of the relevant phase of the development, for all external work, including samples which shall be made available for viewing in an agreed location, and details of all solar panels, green and living roofs, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. 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.

- 23 Details of appropriate screening to all roof terraces serving the residential units shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development (in writing through the submission of an application for approval of details reserved by condition), and thereafter implemented in accordance with the approved plans.

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

- 24 Details, in the form of layout plans, showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations, and thereafter implemented in accordance with the approved plans. The plans shall ensure that at least 60 of the 600 (10%) residential units hereby approved shall be wheelchair user dwellings, with the remaining 540 units achieving Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 25 Prior to the first occupation of the development hereby approved, a revised car park management plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The revised Car Park Management Plan must confirm that disabled Blue Badge holders will not be denied access to on-site parking space and informs other residents of the 'car-free' agreement applying to the site. The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 26 Prior to the first occupation of any commercial element of the development hereby approved, a final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition).. The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity.

The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

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

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

Reason: To safeguard the amenity of the neighbours.

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

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

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

- 29 Prior to the commencement of works (excluding demolition, site clearance, the laying of foundations and any below ground works), a supplementary acoustic report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess noise levels generated from Wembley Stadium during live music events, and outline any acoustic mitigation measures required to be implemented within the development. All measures identified within the approved report shall be fully implemented and retained for the lifetime of the development.

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

- 30 Full details of the proposed gates at the site egress onto South Way shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. 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, and in the interests of highway safety.

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 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 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk.

Application forms should be completed on line via

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=s=NJ1M7LtxulFk4_2FpfFRZ9jppAbc0KqM1IRBH6yHdbE&e=. Please refer to the

Wholesale; Business customers; Groundwater discharges section.

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

28 April, 2021
05
19/3396

SITE INFORMATION

RECEIVED	23 September, 2019
WARD	Dudden Hill
PLANNING AREA	
LOCATION	Land next to 1 Gaytor Terrace, Mulgrave Road, London
PROPOSAL	Erection of 2x two-storey, semi-detached dwellinghouses (2x 3 bed) with converted loft space, erection of fencing, provision of cycle parking, waste storage and amenity space with associated landscaping and front boundary walls/gates.
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 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 "19/3396" (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 conditions.

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

Conditions


1. Time Limit
2. Approved Plan
3. Submission of Materials
4. Submission of internal storage arrangements and openings to side elevation of the western house
5. Tree & Landscaping Strategy
6. Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan
7. Ecology Report
8. SUDs & Drainage Strategy
9. Thames Water Foul Water
10. Thames Water Surface Water
11. Thames Water Exclusion Zone Restriction /Submission of Further Details regarding Infrastructure
12. Cycle Store Details
13. Boundary Treatments
14. Revocation of Permitted Development Rights (Classes A- E Extensions)
15. Revocation of Permitted Development Rights (Class L relating to HMO's)

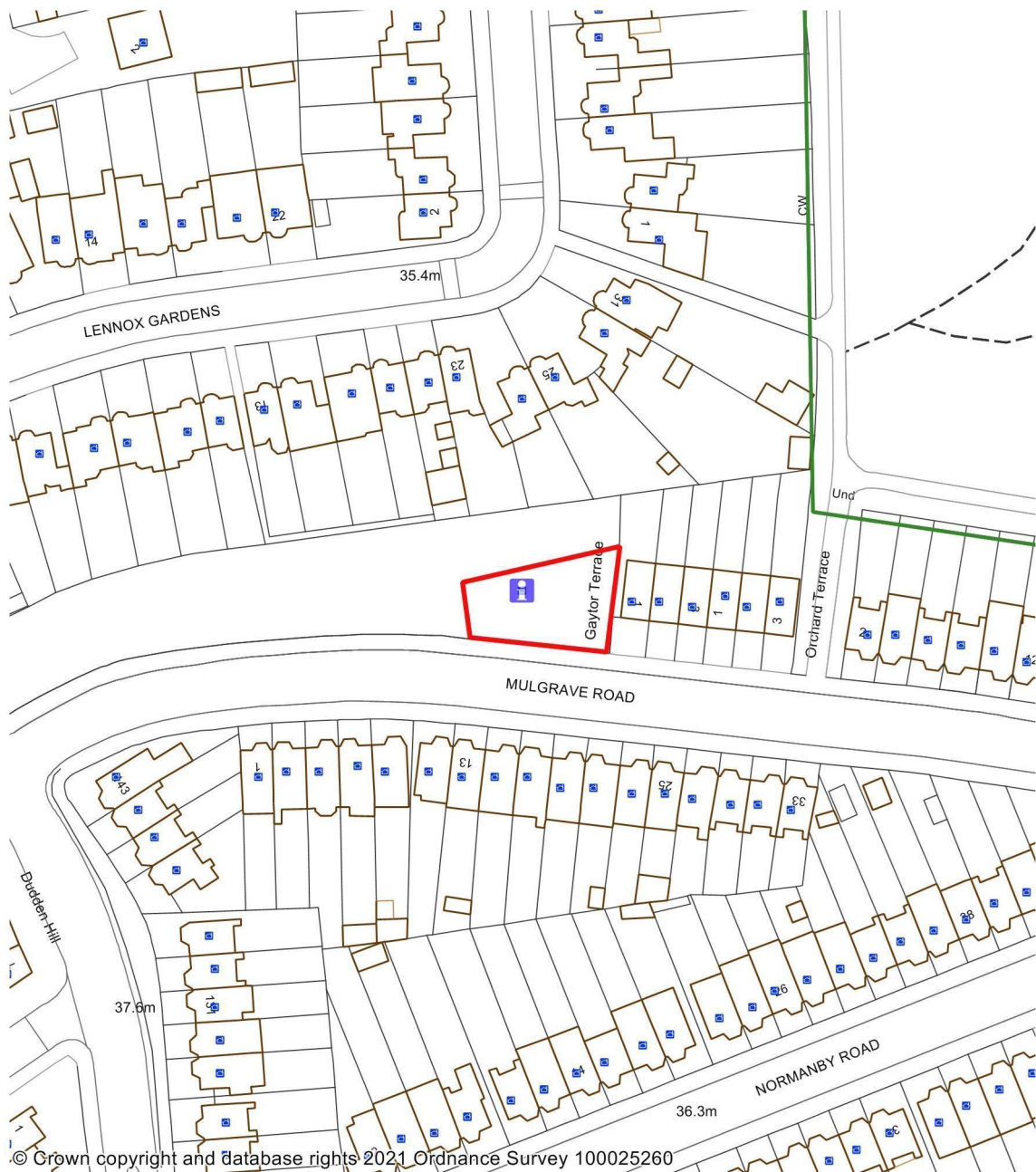
Informatives

1. Building near boundary
2. CIL Liable Approval
3. Thames Water Informatives

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.

SITE MAP

 Brent	<p>Planning Committee Map</p> <p>Site address: Land next to 1 Gaytor Terrace, Mulgrave Road, London</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

Erection of 2x two-storey, semi-detached dwellinghouses (2x 3 bed) with converted loft space, erection of fencing, provision of cycle parking, waste storage and amenity space with associated landscaping and front boundary walls/gates.

EXISTING

The application site is located in the eastern corner of Gaytor Terrace, an open field situated on the northern side of Mulgrave Road. The site is located within a residential area; with residential buildings surrounding the open space. Mulgrave Road consists of predominantly Victorian terraced properties. A more modern block (Gaytor Terrace and Orchard Terrace) is located directly to the east of the application site. Gladstone Park is located to the north east.

This land was designated as open space, alongside the adoption of Brent's Development Management Plan in 2016. The site is located within flood zone 3 at high risk of surface water flooding. The site is not within a Conservation Area, nor does it effect a Listed Building.

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.

Representations received: A total of 8 material planning objections were received. Concerns raised by residents included those regarding design, living conditions for future occupants, the impact on character, parking, flooding, neighbours living conditions, consultation and the description, family housing, flooding, Thames Water pipes/infrastructure, impact to trees and ecology, the site conditions as existing including clearance and construction disruption. The consultation section provides more detail in relation to the nature of all objections.

Principle: The site is located on land designated by the Local Plan as open space. The site has been subject to two refused planning applications, one (16/3376) for the construction of 5 two storey terraced houses and the other a scheme (16/2937) for the construction of 4 two storey terraced houses. These two applications were subject to a linked Appeal dealing with both cases which was subsequently dismissed by the Planning Inspector.

The Inspector concluded that the alleged loss of 'designated' open space would not cause significant harm, noting the benefits of the proposal including the supply of family homes in a sustainable location. Although the site is considered to provide some visual amenity the Inspector's noted that it did not appear the site could be used for sports and recreation. The Appeal Decision noted that the site was on a relatively limited area and the majority of the wider green area would be unaffected by the proposal. The Inspector asserted that they could not see that appropriate development on a limited part of the green area would cause significant harm in terms of loss of open space for residents, visitors or wildlife, especially given the larger expanse of Gladstone Park with full public access. The Inspector did not find conflict with the relevant local and national policies.

The proposed development is for a significantly smaller development than both Appeal schemes consisting a pair of two storey dwellings with accommodation in the roof, occupying a much smaller footprint. As a result, its impact on the open space would be less significant than ruled acceptable by the inspector in the context of a larger development and should therefore be accepted.

The Appeal Decision is a material consideration which holds significant weight. The appeal decision justifies that residential development on this site is appropriate despite the designation as open space. As such it is considered that the principle of development is accepted.

Character and Appearance: The proposal is considered to be a good quality design that has regard to the character of its surroundings and would have an appropriate relationship with the surrounding buildings and streetscene.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable and would sufficiently meet the relevant standards in terms of internal space, light and outlook. External amenity space would be provided in the form of private gardens accessed directly from living areas. The external amenity space would comply with DMP 19 standards, the quality and quantity of onsite provision is considered sufficient to meet residents needs.

Impact on Neighbouring Amenity: The development has been assessed against loss of light and sense of enclosure on all neighbouring properties against the guidance contained with SPD 1 and the proposed development complied with the guidance. It is not considered that the proposed development would result in adverse harm to the residential amenity of any nearby properties or their gardens.

Parking: No off street parking is proposed for the development, but there is sufficient parking capacity on the street to absorb parking demand from the new houses.

Flood Risk: The site is located within Flood Zone 3a identified as high risk from surface water flooding. A flood risk assessment and drainage strategy accompanied the application. It has been assessed and it is considered that the development is acceptable in respect of flood risk, subject to a detailed Sustainable Urban Drainage (SUDS) and Drainage Strategy which has been conditioned for submission and approval prior to the commencement of any works.

Trees and Ecology: A Preliminary Ecological Appraisal including a Preliminary Roost Assessment of trees on land off Mulgrave Road was undertaken. A desk study was undertaken in addition to an extended Phase 1 Habitat survey which was conducted on 14th March 2019. The report concluded that overall the site was considered to be of low ecological value at a local level. With the impacts avoidance measures outlined in this report completed, the report states that there would be negligible risk of harm to protected species or habitats.

The report makes reference to the sites trees and recommends mitigation in regard to their removal, since the time of publication a total of three on site trees which are not subject to Tree Preservation Orders have been removed. A tree planting strategy and detailed landscaping plan is recommended which should include a minimum of 4 replacement trees to be planted.

As acknowledged within the Preliminary Ecology Report because works have not commenced for more than 2 years from the date of the survey (March 2019) the ecology of the site should be re-assessed due to any changes within the intervening time. As such and notwithstanding the submitted ecology report condition is recommended requiring a revised Ecological Assessment to be submitted and agreed in writing by the Local Planning Authority prior to the commencement of any works, any mitigation recommended and agreed would have to be carried out in accordance with the agreed ecological assessment. It is considered reasonable to condition this based upon the site characteristics, circumstances and low ecological value, as well as negligible risk of harm to protected species or habitats with mitigation measures recommendations. .

RELEVANT SITE HISTORY

16/3376 – Refused

Construction of 5 no. two storey 3 bedroom terraced houses with converted loft space to also, refuse and recycling stores, fencing, amenity space and associated landscaping on land adjacent to 1 Gaytor Terrace, Mulgrave Rd, London, NW10.

1. *The proposal, by reason of its location on a site which is designated as local open space, and is of local amenity value would fail to protect or enhance the green space or complement the locality contrary to London Plan policies 2.18 and 7.18, Brent Development Management Policy DMP 1, policy CP18 of Brent Core Strategy and paragraph 74 of the National Planning Policy Framework 2012.*
2. *The proposed development is reliant on the provision of private amenity space which falls outside of the application site and also relies upon land outside of the application site for the provision of an adequate level of outlook for the north facing windows. As such, the proposal fails to provide amenity space for future residents of the family size houses or an adequate level of light and outlook from the*

ground floor north facing doors and windows. This would result in a substandard form of accommodation to the detriment of the amenities of future occupiers, contrary to policies DMP 1 and DMP 19 of the Brent Local Plan Development Management Policies 2016.

3. *The proposed development, by reason of the design and appearance of the proposed terrace of dwellinghouses, and in particular, the varied roof pitch of the houses which fails to represent a coherent application of the chosen design approach for the proposed dwelling, would result in a development that is detrimental to the character and appearance of the area and the streetscene. This is contrary to Brent Development Management Policy DMP 1, Brent Supplementary Planning Guidance 17 and London Plan policy 7.6.*

16/2936 – Appeal Dismissed

Construction of 4 no. two storey 3 bedroom terraced houses with converted loft space, refuse and recycling stores, fencing, amenity space and associated landscaping on land next to 1 Gaytor Terrace, Mulgrave Road, London.

1. *The proposal, by reason of its location on a site which is designated as local open space, and is of local amenity value would fail to protect or enhance the green space or complement the locality contrary to London Plan policies 2.18 and 7.18, Brent Development Management Policy DMP 1, policy CP17 of Brent Core Strategy and paragraph 74 of the National Planning Policy Framework 2012.*
2. *The proposed development is reliant on the provision of private amenity space which falls outside of the application site. As such, the proposal fails to provide amenity space for future residents of the family size houses. Furthermore it includes the provision of housing that fails to meet the minimum residential space standards, as set out in the Technical Housing Standards (2015). This would result in a substandard quality of accommodation, contrary to Brent Development Management policies DMP 1, DMP 18 and DMP 19, SPG17 Design Guide for New Development, London Plan policy 3.5 and the London Housing SPG 2016.*
3. *The proposed terrace of dwellinghouses, and in particular their projecting front building line, and excessively wide rear dormer windows fail to reflect the surrounding character of development and would result in harm to the uniformity of the existing streetscene and the suburban character of the area more generally. This is contrary to Brent Development Management Policy DMP 1, Supplementary Planning Guidance 5 'Altering and Extending Your Home' and London Plan policy 7.6.*
4. *The proposal includes excessively wide vehicle crossovers, and excessive areas of hardstanding for parking and fails to take account of existing street trees, utility box, sign post and lamp column in front of the site. Furthermore it fails to make provision for any secure and covered cycle parking in accordance with adopted standards. This is contrary to Brent Development Management policies DMP 1 and DMP 11, London Plan policy 6.13 and Brent's Domestic Vehicle Crossover Policy.*

15/2665- Refused

Construction of 4 no. two storey 3 bedroom terraced houses with converted loft space to also include creation of vehicular crossovers, car and cycle parking spaces, refuse and recycling stores, fencing, amenity space and associated landscaping on land adjacent to 1 Gaytor Terrace, Mulgrave Rd, London, NW10.

CONSULTATIONS

A total of 32 nearby properties were consulted on the 26/09/2019. In this round of consultation a total of 8 representations were received of which 1 was a comment in support and 5 other representations were received which in line with the constitution are considered to meet the criteria for written objections.

Re-consultation letters were sent on 22/01/2021 to a total of 39 properties and this was due the following amendments:

- * *The location /footprint of the building has changed*
- * *Alterations have been made to the boundary treatments, cycle store and landscaping*
- * *Alterations have been made to the internal layout*
- * *Inconsistencies in drawings/documents have been amended*

* The description has changed to include the addition of front garden wall/gates

In this round of consultation a further 5 representations were received, 1 was further comments from a previous objector (as such, although all matters are addressed, it only counts as one objection) and only 3 of the other objections in line with the constitution are considered to meet the criteria for written objections.

The table below addresses the concerns raised in representations received:

Objection raised	Officer comment
<p>Impact to Residential Amenity</p> <p>Noise increase.</p> <p>Impact to light and privacy.</p> <p>Site cleared, unbearable</p> <p>Closer to road, impact to light.</p> <p>Privacy lost to houses opposite.</p>	<p>The areas is residential in character and residential use is not considered to be out of character or give rise to harmful levels of noise.</p> <p>Please refer to impact to residential amenity section of report.</p> <p>No details of what is considered unbearable, yet impact to residential amenity is considered within the report.</p> <p>The relationship of house facing each other beyond a public street is an established pattern of development. The contained pattern is not considered to given rise to a harmful loss of privacy over a public street.</p>
<p>Impact to Character and Appearance</p> <p>Properties closer to Mulgrave Road will stand out and look ridiculous.</p> <p>Design not in keeping with Edwardian style.</p> <p>Architectural unity disturbed. , undermine Dollis Hill Estate and Edwardian Style.</p> <p>Closer to road.</p> <p>Spoil character of road. Affecting mental health.</p> <p>Views of park impacted.</p>	<p>Please refer to 'Impact to Character and Appearance' section of this report'.</p> <p>The loss of a view is not a material planning consideration in this instance. The views referred to are not protected and outlook is not impacted to an unacceptable degree.</p>
<p>Standard of Accommodation</p> <p>Shoe boxes to make money.</p> <p>Small outdoor space.</p> <p>Unclear if genuine family homes</p>	<p>Please refer to the 'Standard of Accommodation' section of the report. The profit made in this instance is not a material planning consideration.</p> <p>Family homes are defined as those of 3 beds or more, both proposed houses are considered family homes. A condition restricting permitted development rights would be recommended to prevent the conversion to a HMO without prior written consent (planning permission) from the Local Planning Authority.</p>

<p>Transport Concerns</p> <p>Increased parking pressure throughout construction and permanently.</p> <p>No off street parking, increase in parking pressure</p>	<p>Please refer to the 'Transport Considerations' section of this report. The construction phase itself, given the scale of development is not considered to give rise to adverse parking pressure and this would be temporary in any case.</p>
<p>Trees & Ecology</p> <p>Incorrect answers on application form states that trees have been cut down, trees on adjacent site. States that protected species are likely to be affected.</p> <p>Concerns raised in ecological terms, building on green area in populated area connected to the habitat of Gladstone Park (Borough Grade II Site of Importance for Nature Conservation). An ecological survey identifies risks to bats birds, slowworm's toads and hedgehogs.</p> <p>Identifies mature tree with woodpecker hole, suggested that should be soft felled with ecologist present. No bats but taken out in March outside the peak time to survey ecological value of a site, only a single survey and unlikely to be found even if present. Bats have been seen as close as 500m away.</p> <p>Despite ecological value the site has been cleared, ecological suggestions not followed.</p> <p>Application false, risks to protected species including roosting bats and hedgehogs and pre-emptive clearing of the site.</p> <p>No mitigation measures followed.</p>	<p>Although the application form does not address the Trees and Ecology a Tree Constraints Plans and Ecology Report has been submitted and assessed.</p> <p>Please refer to the 'Impact to Trees, Landscaping & Ecology' section of this report.</p> <p>Planning permission wasn't required for the previous removal of the trees and other site clearance. However, various species are protected through other legislation even when planning permission is not required and any impacts on protected species, their habitats, roosting or foraging places are dealt with by Natural England.</p>
<p>Construction Disruption</p> <p>Concern regarding disruption, mess, dirt and dust.</p> <p>Construction noise, vehicle traffic on quiet street. Construction would be long running.</p> <p>Impact of construction particularly with people working from home.</p> <p>Inconvenience of houses being built, with no benefit to affected residents.</p>	<p>The disruption caused as a result of construction is covered under Environmental Health Legislation (The Control of Pollution Act 1974).</p> <p>Some inconvenience may be caused, as with most construction projects, Excessive impacts are controlled by the above legislation and it would be unreasonable to withhold planning permission due to the construction phase or lack of individual benefit to residents.</p>
<p>Thames Water Pipes/Infrastructure</p> <p>Concerns that if Thames Water pipe is dug into that would be issue with large amount of water. States that Thames Water would not give permission to build on land.</p>	<p>Thames Water have been consulted their response and conditions are contained within the detailed considerations section of this report.</p>

<p>Land being developed next to an important drainage sewerage and or water supply for north west London and should anything go wrong, new houses may restrict access or cause damage.</p> <p>Solicitor stated the land could not be developed</p>	<p>The advice of an independent solicitor is not a material consideration and the application has been determined in regard to planning merit.</p>
<p>Other</p> <p>Security would be affected.</p> <p>States every time an application is submitted it is rejected so questions why this one has been submitted.</p> <p>Previous applications failed and hopes residents would give up and ruin area without objections being considered.</p> <p>Concern regarding surface water flooding, previous works to raise ground level and soil and landfill that was not taken away. Concern regarding the lack of action from the Council regarding this.</p> <p>Damage to fence.</p> <p>Issues with grammar and language used in the description, which suggests the proposal would result in 4 houses not two.</p> <p>Loss of open space that could be used for public benefit.</p> <p>Concern regarding appearance and condition of hoardings and fly tipping.</p> <p>Some people on list had not been consulted.</p> <p>Builder wants to make money does not care about how residents feel, taking away greenery.</p>	<p>There is no evidence to suggest that the development would result in security issues which would be directly related to the proposed development.</p> <p>Applicants are allowed to lodge planning applications and they are each considered on their own merits with regard to material planning considerations. This includes the history of the site and acceptability of this proposal which is contained within the detailed considerations section of this report.</p> <p>The application does not permit raised ground levels, the site photographs do not appear to show particularly raised levels or evidence of soil or landfill not taken away. The risk of flooding is discussed in the Flood Risk Section of this report. Our records do not show any open enforcement investigation which have been reported in reference to the application site.</p> <p>It is not clear which fence has allegedly been damaged. A condition is recommended for details of all proposed boundary treatment.</p> <p>Application description is considered to clearly outline two dwellings are proposed. The plans also show this.</p> <p>Please see 'Principle of Development' section of this report.</p> <p>Should the condition of the hoardings or the site result in a significant adverse impact to local amenity, a notice could be served by the Council's enforcement team under Section 215 of the planning act. However, the proposal, if approved and implemented, would result in new dwellings with appropriately designed frontages.</p> <p>Consultation has been carried out meets the statutory and local requirements for the application.</p> <p>Profit made in this instance is not a material planning consideration. The impact of loss of this space is discussed within the report.</p>

<p>Concern regarding inaccuracies in the Design and Access Statement.</p> <p>There are three houses with the number 1 on the road caused confusion for postal system. Further houses would result in further confusion. If planning goes ahead a proper number system should be used.</p> <p>Inconvenience of houses being built, with no benefit to affected residents.</p>	<p>There initially were some errors within the Design & Access Statement as originally submitted, but this was subsequently updated to correct the errors.</p> <p>The naming and numbering of properties is not a material planning consideration. Separate approval of this is required from the Council's Building Control Service prior to the completion of any new homes or other buildings.</p> <p>The scheme will provide new homes to meet housing need in the borough in line with adopted and emerging planning policy, and a scheme cannot be refused purely on the basis of a lack of benefit to individual residents.</p>
<p>Support Comments</p> <p>One representation of support was received. Shortfall of housing in Brent, would result in two new family homes. Design similar to Gaytor Terrace. Good use of empty land</p>	<p>Noted and merits of application assessed within the Detailed Considerations section of this report.</p>

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2021 London Plan. The specific policies applicable to this application include:

Regional Level

The London Plan (2021)

GG2: Making the best use of land
GG3: Creating a healthy city
GG4: Delivering New Homes Londoners need
D2: Delivering Good Design
D3: Inclusive Design
D4: Housing Quality and Standards
D5: Accessible Housing
D6: Optimising Housing Density
D11: Fire Safety
D13: Noise
G1: Green Infrastructure
G4: Open Space
G6: Biodiversity and Access to Nature
G7: Trees and Woodlands
H1: Increasing Housing Supply
H12: Housing size mix
SI1: Improving Air Quality
SI5: Water Infrastructure
SI12: Flood Risk Management
SI13: Sustainable Drainage
T4: Assessing and Mitigating Transport Impacts
T5: Cycling
T6: Car Parking

Local Level

Brent's Core Strategy 2010

CP 1: Spatial Development Strategy
CP 2: Population and housing growth
CP 5: Placemaking
CP 6: Design & Density in Place Making
CP 17: Protecting and enhancing the suburban character of Brent
CP 18: Protection and Enhancement of Open Space, Sports and Biodiversity
CP 20: Protecting and Enhancing the Suburban Character of Brent
CP 21: A Balanced Housing Stock

Brent's Local Plan Development Management Policies 2016

DMP1: Development Management General Policy
DMP8: Open Space
DMP 9a: Managing Flood Risk
DMP 9b: On Site Water Management and Surface Water Attenuation
DMP12: Parking
DMP18: Dwelling size and Residential Outbuildings
DMP19: Residential Amenity Space

Draft Brent Local Plan

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 are 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 Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

DMP1: Development Management General Policy
BD1: Leading the Way in Good Urban Design
BH1: Increasing Housing Supply in Brent
BH13: Residential Amenity Space
BT1: Sustainable Travel Choice
BT2: Parking & Car Free Development
BG12: Trees and Woodlands
BSUI2: Air Quality
BSU13: Managing Flood Risk
BSU14: On Site Water Management and Surface Water Attenuation

The following are also material planning considerations

National Level

National Planning Policy Framework 2019
Technical Housing Standards - nationally described space standards
National Design Guide (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)
Mayor's Housing SPG
Mayor's Sustainable Design and Construction SPG
National Planning Policy Guidance
National Design Guide
Brent Waste Planning Guide

Public Sector Equality Duty

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.

DETAILED CONSIDERATIONS

Planning Context

1. The planning history forms a material consideration when determining a planning application. The planning history section provides detail of all planning applications on site.
2. An application (16/3376) was refused for the following development:

'Construction of 5 no. two-storey 3 bedroom terraced houses with converted loft space to also, refuse and recycling stores, fencing, amenity space and associated landscaping on land adjacent to 1 Gaytor Terrace, Mulgrave Rd, London, NW10.'

3. The Local Planning Authority refused the case for the following reasons:

'The proposal, by reason of its location on a site which is designated as local open space, and is of local amenity value would fail to protect or enhance the green space or complement the locality contrary to London Plan policies 2.18 and 7.18, Brent Development Management Policy DMP 1, policy CP18 of Brent Core Strategy and paragraph 74 of the National Planning Policy Framework 2012.

The proposed development is reliant on the provision of private amenity space which falls outside of the application site and also relies upon land outside of the application site for the provision of an adequate level of outlook for the north facing windows. As such, the proposal fails to provide amenity space for future residents of the family size houses or an adequate level of light and outlook from the ground floor north facing doors and windows. This would result in a substandard form of accommodation to the detriment of the amenities of future occupiers, contrary to policies DMP 1 and DMP 19 of the Brent Local Plan Development Management Policies 2016.

The proposed development, by reason of the design and appearance of the proposed terrace of dwellinghouses, and in particular, the varied roof pitch of the houses which fails to represent a coherent application of the chosen design approach for the proposed dwelling, would results in a development that is detrimental to the character and appearance of the area and the streetscene. This is contrary to Brent Development Management Policy DMP 1, Brent Supplementary Planning Guidance 17 and London Plan policy 7.6.'

4. An earlier application (16/2936) for the following development was also refused by the Local Planning Authority:

'Construction of 4 no. two storey 3 bedroom terraced houses with converted loft space, refuse and recycling stores, fencing, amenity space and associated landscaping on land next to 1 Gaytor Terrace, Mulgrave Road, London'

5. The Local Planning Authority refused the scheme for the following reasons:

'The proposal, by reason of its location on a site which is designated as local open space, and is of local amenity value would fail to protect or enhance the green space or complement the locality contrary to London Plan policies 2.18 and 7.18, Brent Development Management Policy DMP 1, policy CP17 of Brent Core Strategy and paragraph 74 of the National Planning Policy Framework 2012.

The proposed development is reliant on the provision of private amenity space which falls outside of the application site. As such, the proposal fails to provide amenity space for future residents of the family size houses. Furthermore it includes the provision of housing that fails to meet the minimum residential space standards, as set out in the Technical Housing Standards (2015). This would result in a substandard quality of accommodation, contrary to Brent Development Management policies DMP 1, DMP 18 and DMP 19, SPG17 Design Guide for New Development, London Plan policy 3.5

and the London Housing SPG 2016.

The proposed terrace of dwellinghouses, and in particular their projecting front building line, and excessively wide rear dormer windows fail to reflect the surrounding character of development and would result in harm to the uniformity of the existing streetscene and the suburban character of the area more generally. This is contrary to Brent Development Management Policy DMP 1, Supplementary Planning Guidance 5 'Altering and Extending Your Home' and London Plan policy 7.6.

The proposal includes excessively wide vehicle crossovers, and excessive areas of hardstanding for parking and fails to take account of existing street trees, utility box, sign post and lamp column in front of the site. Furthermore it fails to make provision for any secure and covered cycle parking in accordance with adopted standards. This is contrary to Brent Development Management policies DMP 1 and DMP 11, London Plan policy 6.13 and Brent's Domestic Vehicle Crossover Policy.'

6. The two refused applications (references: 16/3376 & 16/2936) were subject to a linked appeal and the Planning Inspectorate dismissed both applications. The application scheme differs from the previous refusals and key differences are outlined under the relevant sections of the assessment.

Principle of Development

7. The site is located on land designed as open space by the Local Plan. The revised open space boundaries were consulted on and tested at examination alongside the Development Management Policies in 2016. The proposal is for residential development on open space as designated by the Development Management Policies in 2016. The NPPF and Core Strategy Policy CP 18 assert that open space of local value will be protected from inappropriate development and will be preserved for the benefit, enjoyment, health and wellbeing of Brent's residents, visitors and wildlife. Open space is protected for recreation and amenity use.
8. The site has been subject to two planning refusals, one (16/3376) for the construction of 5 two storey terraced houses and the other a scheme (16/2937) for the construction of 4 two storey terraced houses. These two applications were subject to a linked Appeal dealing with both cases which was subsequently dismissed by the Planning Inspector.
9. Previous planning decisions (references: 16/3376 & 16/2936) included the loss of open space as a reason for refusal.
10. At appeal, the inspector was of the view that, the loss of this relatively limited green area would not cause significant harm, in terms of loss of open space for residence, visitors or wildlife. It was noted that it provided some visual benefit, but was not accessible to the public. In regard to the sites designations open space, the inspector noted (from paragraph 20 on page 5 of the Appeal Decision) the following:

'Although I recognise that my site visit only provides as snapshot, at that time the appeal site, described as 327m² in the planning application form, was boarded off. The appellant advises that the site was formerly owned by Thames Water Utilities Ltd and that they continue to own the much larger green strip of land to the north and west, through part of which their sewer pipes run. There did not appear to be public access to the appeal site or indeed the wider area of land to the west, with the access gate off Dudden Hill Lane padlocked.

Therefore, it would not appear that the area could currently be used for sport or recreation. There is some visual benefit for occupiers of nearby houses, particularly for residents on part of the southern side of Mulgrave Road who look out onto the green area. However, it is a relatively narrow strip of land and the view beyond from Mulgrave Road is of trees and the rear of houses along Lennox Gardens. At ground level there did not appear to be views across the area towards Gladstone Park to the north east.

Given that the appeal site covers a relatively limited area and the majority of the wider green area would be unaffected by the proposals, I cannot see that appropriate development on a limited part of it would cause significant harm in terms of loss of open space for residents, visitors or wildlife, especially when the much larger expanse of Gladstone Park with full public access is nearby. Consequently, on the basis of the limited evidence before me on the matter, I do not find conflict with the relevant local and national policies already referred to.'

11. In summary, the Inspector concluded that the alleged loss of 'designated' open space would not cause

significant harm, noting the benefits of the proposal including the supply of family homes in a sustainable location. Although the site is considered to provide some visual amenity the Inspector's noted that it did not appear the site could be used for sports and recreation. The Appeal Decision noted that the site was on a relatively limited area and the majority of the wider green area would be unaffected by the proposal. The Inspector asserted that they could not see that appropriate development on a limited part of the green area would cause significant harm in terms of loss of open space for residents, visitors or wildlife, especially given the larger expanse of Gladstone Park with full public access. The Inspector did not find conflict with the relevant local and national policies.

12. The proposed development is for a significantly smaller development than both Appeal schemes consisting a pair of two storey dwellings with accommodation in the roof, occupying a much smaller footprint. As a result, its impact on the open space would be less significant than ruled acceptable by the inspector in the context of a larger development and should therefore be accepted
13. The Appeal Decision is a material consideration which holds significant weight. The appeal decision justifies that residential development on this site is appropriate despite the designation as open space. As such it is considered that the principle of development is accepted.
14. The proposals would be consistent with the aims of the London Plan and policies within the Core Strategy which seek to support development which contributes to the strategic housing needs of Greater London and the Borough. Notwithstanding the in-principle support for additional housing, it is important that all other relevant planning considerations which seek to ensure that appropriate regard is given to design, the character of the area, neighbour amenity, traffic generation and highway safety, and acceptability with regards to sustainable design and construction is properly satisfied.

Impact to Character and Appearance

15. Core Strategy Policy 17 ("Protecting and Enhancing the Suburban Character of Brent") confirms that the infilling of plots with out of scale buildings which do not respect the setting of existing dwellings is not acceptable. Additional design guidance can be found in DMP1 ("Development Management General Policy") and within the Councils SPD 1 ("Design Guide for New Development").
16. Although the street is characterised by terraced housing, the proposed semi-detached houses are not expected to appear out of keeping. In terms of the proposed height would be similar to the surrounding residential buildings.
17. The building line was raised in the previous reasons for refusal and the Inspector noted the following within the Appeal Decision:

'With regard to Appeal A, the design of the façade of each of the four terraced houses appears similar to those on Gaytor Terrace. However, because of the shape and constraints of the site, the building line of the new terrace would be diagonal from east to west, with the front elevation of each house projecting beyond the preceding one, gradually getting closer to the road. That would contrast with the straight, regular building line of Gaytor Terrace and the linear nature of the larger houses in the Edwardian terrace immediately opposite. I consider that the angled building line, progressively projecting front gables and large dormers to the rear, all visible from the road, would appear discordant in the street scene and have a detrimental effect.'

'With regard to Appeal B, the proposal for a terrace of five houses does present a more uniform building line to the front, which is more in keeping with the layout of the adjoining Gaytor Terrace. However, the depth of the houses increases from west to east whilst the ridge height is shown to remain the same. In consequence, the pitch of the roof differs on each house. The front elevations of the proposed dwellings, although linear, would also be in front of the building line of Gaytor Terrace. Therefore, the advanced building line, the uneven roof forms with large dormers to the rear would create a disjointed appearance adversely affecting the visual character of the area.'

18. The building line was raised as a concern in conjunction with the staggered building line with the large dormers in reference to Appeal A (16/2937). The new proposal differs from Appeal Scheme A and has uniform front and rear building lines and therefore the proposed rear dormer windows would not have a disjointed appearance. Since the refusal, Brent's SPD 2 has been adopted and allows full width dormers, provided they are set down from the ridge by 0.3m and set up from the eaves by 0.5m. The dormers comply with this guidance and would be uniform in appearance. While SPD2 relates to extensions and alterations to homes while SPD1 relates to new development proposals, SPD2 reflects the form of residential development that is generally considered to be acceptable in suburban residential areas. It is

therefore considered appropriate to apply the design criteria for dormers as set out in SPD2 to this scheme.

19. In regard to Appeal Scheme B, the revised scheme is for 2 dwellings compared to 5 within Appeal scheme, there is a much larger degree of separation and the building line of the proposed houses would be uniform to the front and rear. The building line to the front would be set further forward compared to the Gaytor Terrace's bays, by approximately 3.1m and there is a separation distance to the adjacent terrace of over 6m which provides some visual break, furthermore it is noted that the houses on the opposite side of the road in have similar building lines with reference to depth of front gardens and set back from the highway, as such it is considered that the proposed pair would not appear unduly prominent or incongruous within the streetscene.
20. In terms of the architectural design, the building would appear similar to the adjacent development Gaytor Terrace. The proposed semi-detached houses would have a front gabled end, a common feature within the street. A condition is recommended requiring the approval of materials.
21. Cycle storage is proposed to the front/side of each dwelling, the bulk and scale is considered modest within the streetscene. Some landscaping and a small boundary wall (max. height 1.1m) is proposed, in principle the style height of the wall with gates is considered to relate well to the properties proposed and the existing streetscene. Boundary fencing would be 1.8m high, a condition requiring further details of all boundary treatments and cycle storage is recommended.
22. In respect to landscaping, a condition requiring a detailed landscaping plan is recommended and this should include landscaping to the front and side of the property, a path should be incorporated to provide practical access and use of the proposed cycle storage.

Standard of Accommodation

23. London Plan Policy D6, Development Management Plan policies DMP 18 Dwelling Size and Residential Outbuildings, DMP 19 Residential Amenity Space, Housing Supplementary Planning Guidance and Brent's SPD 1 seek high quality development to ensure the creation of new residential units provide an acceptable standard of accommodation for potential occupiers.
24. With a proposed GIA of 101sqm, both proposed three bedroom, five person dwellings exceed the London Plan's space standards of 99sqm. All bedrooms meet the minimum sizes set out in London Plan Policy D6. Built-in storage is not shown, and the plans do not demonstrate that 2.5 sqm of built-in-storage would be provided (in line with Policy D6 and table 3.1). However, there is sufficient space within the scheme to provide this and a condition is accordingly recommended. Habitable rooms would benefit from at least one opening and are expected to receive good levels of natural light and outlook. However, the living/dining room of the western house only has a 2 to 3 m distance to the rear boundary, and therefore a solid rear boundary treatment could result in limited outlook to this room. As such, a condition is recommended requiring details of a side facing door and window from this room.

External amenity space

25. 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).
26. 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.
27. 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.
28. London Plan policy D4 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.

29. Both proposed dwellings provide private amenity space which exceed this standard and the gardens are considered to be good quality and practical to use. Limited information has been provided in regard to the boundary treatment, which should provide privacy for residents. As such a condition requiring details of boundary treatment inclusive of elevations and materials is recommended. The amenity space provided is considered good quality in terms of size and shape.
30. The previous cases relied on amenity space which fell outside of the red line location plan and was subject to lease restrictions as covered within the Appeal Decision. This scheme now includes the amenity space fully within the red line boundary of the site. This issue has therefore been overcome.

The previous cases included the following reason for refusal:

The proposed development is reliant on the provision of private amenity space which falls outside of the application site and also relies upon land outside of the application site for the provision of an adequate level of outlook for the north facing windows. As such, the proposal fails to provide amenity space for future residents of the family size houses or an adequate level of light and outlook from the ground floor north facing doors and windows. This would result in a substandard form of accommodation to the detriment of the amenities of future occupiers, contrary to policies DMP 1 and DMP 19 of the Brent Local Plan Development Management Policies 2016.

31. With reference to Appeal A the Inspector noted that the LPA reported non-compliance with space standards, yet the appellant disagreed. The Inspector stated that given the lack of clarity or definitive evidence that they were unable to reach a conclusion on this matter. The proposed scheme complies with space standards so this revised scheme has overcome this concern.
32. With regard to living conditions for future occupants the Inspector concluded that both Appeal A & B would not provide acceptable living conditions for future occupiers, with particular regard to outdoor amenity space. Consequently, they would conflict with policies DMP 1 and DMP 19 of the DMP, insofar as they require development to provide external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. Again these issues have been overcome within this revised application.

Residential Amenity

33. SPD 1 (2018) at Principle 5.1 states that new development should provide adequate privacy and amenity for residents. Development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. SPD 1 (2018) prescribes that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from 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.
34. The proposed development would not breach the 30 or 45 degree lines in reference to any nearby properties and their gardens and complies with the 18 and 9m privacy distances prescribed in SPD 1. The proposed development is not therefore considered to result in adverse harm to the residential amenity of any nearby properties.

Transport Considerations

Car Parking

35. The site is vacant land and currently does not have a vehicular crossover. However, there are marked bays along the frontage which could accommodate approximately four spaces along the frontage of the proposed site only. The parking standard for the proposed 3-bedroom dwellings is given in appendix 1 of

the Development Management Policies and 1.5 spaces are permitted for each dwelling. Therefore a total of 3 spaces are permitted for the 2 x 3-bed dwellings. This proposal provides no off street car parking, but there is spare parking capacity on the street to absorb any parking demand from the new houses.

Cycle Provision

36. In accordance with the London Plan, each unit should provide covered, secure bicycle storage for at least 2 bicycles per dwelling, which is easily accessible. The proposal includes the provision of 4 cycle parking spaces, however only the elevations have been submitted and it is not clear from these if they are to be located in a secure undercover lockable compound or what the length of the cycle parking is. A condition is recommended requiring the submission and approval of further details of the cycle storage.

Refuse

37. The proposed refuse arrangement is considered acceptable and is located for easy collection adjacent to the highway.

Trees, Landscaping & Ecology

38. A Preliminary Ecological Appraisal including a Preliminary Roost Assessment of trees on land off Mulgrave Road was undertaken. A desk study was undertaken in addition to an extended Phase 1 Habitat survey which was conducted on 14th March 2019.
39. Paragraph 5.1.2 outlines that if site works do not commence for more than 2 years from the date of the survey (March 2019) the ecology of the site should be re-assessed due to any changed within the intervening time. As such and notwithstanding the submitted ecology report condition is recommended requiring a revised Ecological Assessment to be submitted and agreed in writing by the Local Planning Authority prior to the commencement of any works, any mitigation recommended and agreed would have to be carried out in accordance with the agreed ecological assessment.
40. Overall the site was considered to be of low ecological value with very low numbers of occasional roosting bats, reptiles, common nesting birds, hedgehogs and common toads. The report outlined that impact avoidance measures and concluded that if such measures were completed that it was considered that the proposed development could proceed with negligible risk of harm to protected species or significant negative impact up on Section 41 Species or habitats. On this basis it is considered to be acceptable to ensure that the revised ecology report be undertaken prior to the commencement of works on the site.
41. The ecology report states that the site was characterised by an area of relatively short grassland and a patch of dense bramble, scrub and a low number of young and mature trees. The ecology report was based upon the addition of a pair of semi-detached houses with associated gardens and parking areas and that the proposal would involve the removal of scrub, some trees and most of the grassland habitat.
42. In terms of risk to bats the ecological report recommends that if the tree with very low potential for roosting bats is to be removed or worked upon then soft-felling techniques as outlined within the report should be used. An objection referred to the no bats being noted but that the survey was undertaken outside the peak time to survey ecological value of a site March outside the peak time to survey ecological value of a site. The report recommends that no further ecological surveys would be necessary provided impact avoidance measures were undertaken. As such it is considered that the time of the initial survey is acceptable to be undertaken outside of season and in daylight to investigate if the site has any signs/potential for bats.
43. The report asserts that a single tree on the eastern boundary was considered to have very low potential for roosting bats given its proximity to Gladstone Park, which is likely to provide a moderate amount of moderate quality foraging and /or commuting habitat for bats, it was considered possible that on occasion this feature could be used for very low numbers of bats. The report advises that if the tree is felled it should be soft felled as outlined within Section 5. This tree has been removed since the preparation of this report. The revised ecology report must take account of site conditions at the time of survey. The report asserts that the trees and scrub on the northern side of the site could provide very small quantity of likely low value foraging habitat for bats and trees immediately to the north of the site may provide a low quality commuting route. Given the presence of Gladstone Park nearby it was considered that the site may occasionally be used by likely very low numbers of foraging and commuting bats. It was concluded

that due to the small amount of low value habitat on site taken with the proximity to Gladstone Park, a larger more valuable habitat that the loss of habitats from the site would have a negligible impact on foraging and/or commuting bats.

44. The report concludes that overall the site was considered to be of low ecological value at a local level. With the impact avoidance measures outlined in the report completed it was considered that the proposed development would have negligible risk of harm to hedgehogs during site clearance. Overall the site was considered to be of low ecological value at a local level. With the impacts avoidance measures outlined in this report completed, the report states that there would be negligible risk of harm to protected species or habitats.
45. The report states that there was potential scope to provide additional enhancements on site to benefit local wildlife. It is acknowledged that the ecological report makes recommendations in regards to the trees which have already been removed from site. A tree planting strategy and detailed landscaping plan is recommended which should include a minimum of 4 replacement trees to be included within a detailed landscape plan. The replacement trees should be predominantly native species, examples Bird Cherry, (*Prunus padus*), Rowan, (*Sorbus aucuparia*), Common Hawthorn, (*Crataegus monogyna*).
46. The applicant has not submitted a BS5837 tree report, instead they have relied upon the tree information being provided by the ecologists. No existing or removed trees on site are/were protected.
47. Offsite trees include, T2 and the local authority owned T6 Hornbeam. Remaining trees within the site have been removed without much information except that found in the ecological survey referring to a mature Sycamore tree with a single woodpecker hole in the main trunk. The tree was flagged as having a minor bat roost potential with advice to carry out a soft removal of the tree. It is considered that the Sycamore was identified as T3 on the tree constraints plan. The category U street tree (T7) on the tree constraints plan was removed by Brent during an upgrading of the pavement. A replacement tree now stands on the frontage.
48. A pre-commencement condition is recommended for the submission of an arboricultural impact assessment, arboricultural method statement and tree protection plan based on off-site trees. The tree protection should include a wooden tree box around the stems of T6 street tree and the replacement T7. This is to stop any inadvertent damage to the above ground parts of trees during the construction process. With the conditions proposed the trees and landscaping within the site would be acceptable and soften the sites appearance within the streetscene.

Flood Risk

49. The site has been identified as a risk of surface water flooding (Flood Zone 3a). Local Plan Policy DMP9a states that proposals requiring a flood risk assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water.
50. The Lead Local Flood Authority were consulted on the development and submitted Flood Risk and Drainage Strategy. They advised no objection to the proposal subject to the submission and approval of drainage implementation plan including appropriate SuDS is conditioned prior to the commencement of works. Thames Water requested a Drainage Strategy Condition and this is discussed in the next section.

Thames Water

51. With the information provided, Thames Water advised that in order to determine the waste water (foul water and surface water drainage) infrastructure needs of the development that a pre-commencement condition relating to the submission and agreement in respect to foul and surface water be recommended
52. Thames Water advised that the proposed development site is located within 5m of a strategic water main. Thames Water have advised that they do not permit the building over or construction within 5m of strategic water mains. They have not said that the application is unacceptable, but rather have requested that the a condition is added to any planning permission in view of the proximity to the strategic water main and utility infrastructure. The condition would require details of how the developer would intend to divert the water main or align the development to prevent the potential for damage to surface potable water infrastructure.
53. Although a Flood Risk Assessment and Drainage Strategy Report has been submitted and this was

found to be acceptable by the Lead Local Flood Authority, Thames Water have requested that a more detailed drainage strategy is secured through a pre-commencement condition. The detailed strategy would need to include provisions to reduce the peak flow and volume of surface water discharging off the site, where greenfield rates should be aimed for and the drainage hierarchy to followed in line with London Plan policy. They also advised that points of connection, discharge method and discharge rate for surface and foul water pre and post development should be provided. For surface water the applicant is advised to provide current discharge rates and Greenfield runoff rates. As set out in the previous section a condition requiring a SUDs and Drainage Implementation Plan will be conditioned and the applicant should satisfy the points raised above by Thames Water.

Conclusion

54. The proposed development would have an acceptable impact on the character and appearance of the locality, ensure a good standard of amenity for both future and neighbouring occupants. The proposal would also be acceptable in terms of transport, flood risk and ecology. The proposed development would provide two good quality family sized dwellings which would make a contribution to meeting Brent's housing needs. It is considered that the reasons for refusal for the previous planning applications have been addressed, having regard to the decisions on the previous appeals which form material planning considerations. The development is considered to accord with the development plan when viewed as a whole and the application is therefore recommended approval.

CIL DETAILS

This application is liable to pay **£55,886.08** * 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): sq. m.

Total amount of floorspace on completion (G): 211.95 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	211.95	0	211.95	£200.00	£0.00	£42,775.36	£0.00
(Mayoral) Dwelling houses	211.95	0	211.95	£0.00	£60.00	£0.00	£13,110.72

BCIS figure for year in which the charging schedule took effect (Ic)	330	323
BCIS figure for year in which the planning permission was granted (Ip)	333	
TOTAL CHARGEABLE AMOUNT	£42,775.36	£13,110.72

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/3396

To: Mr Saunders
Zedstar Building services Ltd
340-342 high road
willesden
NW10 2EN

I refer to your application dated **22/09/2019** proposing the following:

Erection of 2x two-storey, semi-detached dwellinghouses (2x 3 bed) with converted loft space, erection of fencing, provision of cycle parking, waste storage and amenity space with associated landscaping and front boundary walls/gates.

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

at **Land next to 1 Gaytor Terrace, Mulgrave Road, London**

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: 20/04/2021

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 proposed development is in general accordance with policies contained in the:-
National Planning Policy Framework (2019)
The London Plan (2021)
Brent Core Strategy (2010)
Brent Development Management Policies (2016)
Supplementary Planning Document 1- Brent Design Guide - (2018)

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

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

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

Location Plan
001 (dated 12/01/2021) – Proposed Elevations/Plans
Flood Risk Assessment and Drainage Strategy Report prepared by WSP dated January 2021

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

- 3 Notwithstanding the provisions of Classes A, AA, B, C, D, E and F of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) no further extensions or buildings shall be constructed within the curtilage of the dwellinghouses unless a formal planning application is submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority. In view of flood risk on site.

- 4 Notwithstanding the provisions of Class L of Part 3 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, no change of use of the property from the approved use to Class C3 or C4 of the Use classes order shall occur, unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: In view of the restricted nature and layout of the site for the proposed development and to prevent over development of the site and undue loss of amenity to adjoining occupiers.

- 5 Prior to commencement of works above ground level (excluding site clearance, demolition, hoarding and the layout of foundations) details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority.

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

- 6 No part of the development shall be occupied until a detailed Tree & Landscaping Strategy has been submitted to and agreed in writing by the Local Planning Authority. The agreed Strategy

shall include at minimum of four trees to be located within the site and details of the species and size must be submitted as well as a plan illustrating the location of the replacement trees.

The details shown on Trees & Landscaping must be completed prior to the occupation of the development. Any planting 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 and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory standard of appearance and setting for the development and in the interest of ecology.

- 7 Prior to the commencement of works above ground level, details of the provision of at least 2.5 sqm of built-in storage for each house and details of side facing windows and doors to the living-dining room of the western house shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory standard of residential accommodation.

- 8 Prior to the commencement of any development an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed measures contained within the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure trees are protected.

- 9 Prior to the commencement of any development an Ecological Assessment shall be submitted to and agreed in writing by the Local Planning Authority. It should assess impacts to Ecology and protected species and provide details of necessary mitigation. The development shall thereafter be carried out in full accordance with the approved details, including any mitigation measures, unless otherwise agree in writing by the Local Planning Authority.

Reason: In the interest of ecology.

- 10 No works shall be commenced until a further drainage/SUDS strategy detailing any on and/or off site drainage works has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker.

Such a strategy shall include but not be limited to:

(i) Details to demonstrate adherence to the principles of Sustainable Drainage and the drainage hierarchy set out in London Plan Policy SI 13 and

(ii) Demonstrate all on or off site drainage works

(iii) Demonstrate Points of connection, discharge method and discharge rate for surface and foul water pre and post development.

(iii) For surface water the current discharge rates and Greenfield runoff rates.

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

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community and to ensure the development meets the requirements of the London Plan Policy SI 13 and in the interest of mitigating flood risk.

- 11 No development shall be occupied until confirmation has been provided that either:- 1. Capacity for Foul Water drainage exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

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

- 12 No development shall be occupied until confirmation has been provided that either:- 1. Capacity for Surface Water Drainage exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed

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

- 13 No development shall commence unless details of how the developer intends to divert the asset (water main) or align the development so as to prevent the potential for damage to subsurface potable water infrastructure have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Construction shall not be undertaken other than in full accordance with the terms of the approved information. Unrestricted access for Thames Water shall be available at all times for the maintenance and repair of the asset during and after the construction works.

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

- 14 Notwithstanding the approved plans, prior to occupation of any part of the development, further details of the cycle storage including materials and specification details shall be submitted to and agreed in writing by the Local Planning Authority.

The approved cycle storage facilities shall hereafter be installed and made available for use prior to first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the development hereby approved.

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

- 15 Notwithstanding the approved plans, prior to the occupation of any part of the development, further details (including materials and elevations) of all boundary treatments (inclusive of all fences and walls shown on the approved plans) shall be submitted to and agreed in writing by

the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and privacy.

INFORMATIVES

- 1 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.
- 2 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.

- 3 Thames Water Pre-Application: _

The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

Advice on working near Assets:

Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Wo>

Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk.

Mains Water:

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

Pressure: _

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.

Easements and Wayleaves

Surrounding most of the site sits Kempton to Cricklewood Pipe track. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant is advised to contact Thames Water to ensure compliance with easements and wayleaves. The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team. Their contact details are as follows:

Thames Water Developer Services
Reading Mail Room
Rose Kiln Court
Rose Kiln Lane
Reading
RG2 0BY

Tel: 0800 009 3921
Email: developer.services@thameswater.co.uk

Any person wishing to inspect the above papers should contact Sarah Dilley, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2500