



Planning Committee

Wednesday 9 August 2023 at 6.00 pm

Conference Hall, Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Please note that this meeting will be held as an in person physical meeting with all members of the Committee required to attend in person.

The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [here](#)

Membership:

Members

Councillors:

Kelcher (Chair)
S Butt (Vice-Chair)
Akram
Begum
Dixon
Mahmood
Maurice
Rajan-Seelan

Substitute Members

Councillors:

Ahmed, Chappell, Chohan, Collymore, Dar,
Ethapemi and Kabir

Councillors

Kansagra and J.Patel

For further information contact: Natalie Connor, Governance Officer,
natalie.connor@brent.gov.uk; 020 8937 1506

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

Members' virtual briefing will take place at 12.00 noon.

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

ITEM	WARD	PAGE
1. Apologies for Absence and Clarification of Alternate Members		
2. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.		
3. Minutes of the previous meeting To approve the minutes of the previous meeting held on Wednesday 12 July 2023 as a correct record		1 - 6
APPLICATIONS FOR DECISION		
4. 22/3260 - 231 Watford Road, Harrow, HA1 3TU	Northwick Park	11 - 64
5. 22/3965 - 1,2,3 & 9 Watkin Road, Wembley, HA9 0NL	Wembley Park	65 - 114
6. 22/1145 - Prospect House, North Circular Road, Stonebridge, London, NW10 7GH	Alperton	115 - 200
7. 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 her representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Wednesday 13 September 2023

Please remember to set your mobile phone to silent during the meeting. The meeting room is accessible by lift and limited seats will be available for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [here](#)

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 12 July 2023
at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor S Butt (Vice Chair) and Councillors Akram, Begum, Dixon, Mahmood, J.Patel and Rajan-Seelan.

1. **Apologies for absence and clarification of alternative members**

Apologies for absence were received from Councillor Maurice, with Councillor J.Patel present as an alternate.

2. **Declarations of interests**

None.

3. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting held on Monday 12 June 2023 be approved as an accurate record of the meeting.

4. **22/3260 – 231 Watford Road, Harrow, HA1 3TU**

Consideration of this application was deferred to a future meeting.

5. **23/0578 – Olympic Office Centre, 8 Fulton Road, Wembley, HA9 0NU**

PROPOSAL

Demolition of existing building and erection of building for use as a purpose-built Further Education College Campus of up to 8 storeys high with associated plant at roof level, provision of hard and soft landscaping and cycle parking facilities, loading bay and accessible parking bays on Rutherford Road frontage and drop off bay on Fulton Road

RECOMMENDATION~:

That the Committee resolve to GRANT planning permission subject to:

- (1) The application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations as laid out in the Committee report.
- (2) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives as detailed in the report.
- (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

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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.

Lena Summers, Planning Officer, North Area Planning Team, introduced the report and set out the key issues. In introducing the report members were advised that the existing site located between Olympic Way and Rutherford Way was currently occupied by an eight-storey office building with associated car parking and soft landscaping. The site formed part of the Wembley Growth Area and part of a site allocation within the Local Plan 2019-2041. The allocated use was for mixed use main town centre uses, education/campus or residential incorporating flexible retail uses and leisure and community uses at ground floor level. The site was within the Wembley Town Centre boundary and the Tall Building Zone.

The Committee's attention was drawn to the supplementary agenda that provided information in response to the comments received from Wembley Stadium in relation to the consideration of the operational requirements of the stadium. Following the comments raised, amendments had been made to Conditions 11, 23 and 24 as detailed in the report.

The Chair thanked Lena Summers for introducing the report, as there were no Committee questions raised at this point, the Chair invited the applicant Stephen Davis, Chief Executive of United Colleges, supported by Jonathan Bainbridge (agent) to address the Committee (in person) in relation to the application. The following key points were highlighted:

- The College of North West London had been active in Brent as a key further education provider for 130 years and was recognised as a well-established community asset in Brent.
- The college formed part of the wider portfolio of United Colleges Group education settings.
- It was felt that to continue its trajectory in providing a broad reach of education and training needs to both Brent residents and students from further afield, the college required significant re-development and updated facilities. It was felt the appetite for Brent residents to access improved facilities was evident from the 25% of students studying at the Paddington campus who were Brent residents. It was hoped that with improved local facilities residents would not need to travel outside of the borough to access learning and training opportunities.
- The college offered a broad curriculum of education and training to a wide range of learners that included school leavers, ESOL learners, learners with additional needs and adult learners.
- In addition to the broader educational opportunities the college provided, they were renowned as a specialist technical education and training provider in the field of Construction and Engineering.
- It was felt that the high community value that the college provided would be further enhanced with the improved facilities and add to the significant public realm investments in Wembley Park.

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The Chair thanked Mr Davis for addressing the Committee and invited Committee members to ask Mr Davis or Mr Bainbridge (agent) any questions or clarifying points they had in relation to the application and the information heard. The Committee raised queries in relation to the generation of jobs during the construction phase and the longer term, plans for mixed use of the site, the ability of the new site to meet the needs of its additional needs cohort and the site location in relation to attracting new students. The following responses were provided:

- In response to the Committee query in relation to job opportunities created throughout the construction phase of the development, the Committee were advised that the College of North West London had an existing positive relationship with Brent Works, the development would build upon that with local residents and students attending a relevant course at the college being offered employment opportunities where appropriate.
- In relation to longer term job creation, the applicant felt that the investment in the enhanced provision would generate increased employment opportunities within the building. The Committee were advised that the college was a London Living Wage employer and where possible would like to use local contractors to support the re-development, however they were bound by strict procedures and frameworks to deliver the best value for public money, as well as adhering to Safer Recruitment policies.
- Following a Committee query in relation to the mixed use of the site, the Committee were advised that due to the development's limited budget, it had not been possible to include purpose built additional mixed community space within the development, however the college hoped to work collaboratively with Brent Council to maximise the facility for mixed use where possible outside of college hours.
- The Committee were advised that a key component of the building was the ground floor acting as an active frontage to demonstrate to the local community the types of learning activities that took place in the building. Given that the ground floor would facilitate the majority of the construction curriculum, it was anticipated that this would capture the attention of potential students who were passing by the outside of the college. It was felt that using the active frontage in this way offered greater community value than a retail space.
- The Committee commended the college on their excellent reputation for the educational opportunities provided to their students with additional needs, however queried how the transition to the new campus would be managed for students with additional needs. In response the Committee were advised that the inclusion and independence of students was of paramount importance to the college and had been carefully considered in the plans. It was acknowledged that it would be a busier environment than the Willesden campus at the entry point to the college, however the Committee noted that this also presented a development opportunity for learners with additional needs.
- The Committee were advised that safety and integration were key considerations, particularly for vulnerable students, as such the college were happy to make further iterations to the plans if issues were identified moving forwards.
- The Committee understood that cycle storage was below London Plan targets due to the predicted proportion of staff and student desks that would

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be occupied at any one time, however queried if the space between the Unite Students building and the proposed development site could potentially be used to provide an additional area of outdoor cycle storage if there is demand. In response the Committee were advised that the applicants were open to a conversation about how to work together to support improving the use of the space.

- In terms of attracting new learners, it was felt that the improved facilities and the visibility of the facilities via the ground floor active frontage would actively promote the college. In addition to this the College would continue to publicise the new site through their outreach work and strong relationships with Brent Adult Education.

The Chair thanked Mr Davis and Mr Bainbridge for answering the Committee's questions before moving on to offer the Committee the opportunity to ask officers any further questions they had in relation to the application. The Committee required clarity on the retention of trees, cycle storage, disabled parking provision, the mitigations planned to support the development's relationship with local surroundings, particularly on Wembley Stadium Event days, daylight/sunlight and the response to the MET Police recommendations. The following responses were provided:

- The Committee queried if it was necessary to remove 27 trees, that included 2 category B trees, to facilitate the site re-development. Officers re-assured the Committee that the application was supported by an Arboricultural Report that included a Tree Protection Plan and Arboricultural Method statement in relation to the one tree to be retained, T28. Although the development would see the loss of 27 trees, the indicative tree planting plan included the planting of 41 new trees, this would see a net gain of 13 trees across the site. The Tree Officer required the planting of 8 additional semi mature trees at ground level to be secured via a landscaping condition, therefore on balance it was felt that the loss of 27 trees was adequately mitigated by the re-planting plans in place that would see a net gain and supported the site's Urban Greening Factor (UGF) which at 0.34, exceeded the target set by Policy G5 of the London Plan.
- The Committee queried where the drop off point was for students who were dependant on Brent's SEND provided transport to get to college, officers confirmed that the drop off bay would be within the college site.
- The Committee raised concerns that the 2 disabled bays provided as part of the development were on the public highway and could become personalised disabled bays for individuals who did not attend the college, therefore the Committee felt strongly that a condition should be put in place to stop them becoming personalised disabled bays. Officers advised that this was not a condition that could be imposed through Planning as they would be on the adopted highway, however officers would make the Highways department aware of the concerns raised by the Planning Committee.
- The Committee discussed the shortfalls in the daylight/sunlight of some windows, falling short of the BRE guidance. In response officers advised that given the existing context and the high urban density of the site it was felt that the benefits of the scheme outweighed the harm associated with the loss of daylight and sunlight in this context.
- The Committee noted that of all the residents that could potentially be affected by the reduced daylight/sunlight, only one objection was received

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and that was on the basis of the cumulative impact of construction in the Wembley area and not in relation to daylight/sunlight concerns.

- In response to a Committee query in relation to what the Committee felt was a limited number of cycle storage spaces planned, officers advised that the 198 cycle storage spaces had been calculated in line with the requirements of the London Plan standards, which were based on the number of staff and students (long stay parking at one space per 4 staff and one space per 20 students, with short stay parking at one space per 7 students). The calculations had been completed on the assumption of the facility being at 60% capacity at any given time.
- The Travel Plan had a target to increase student cycle trip generation by 6% which would then result in an increase of 50 student cycle spaces and 9 staff cycle spaces. The applicant confirmed that there was capacity to increase the future provision of cycle parking if needed.
- Officers clarified that the demand for cycle parking would be monitored via the Travel Plan secured by Section 106 conditions to undertake 3 and 5 year monitoring.
- The Committee queried what mitigations were planned to manage the safety and wellbeing of college users and visitors to Wembley on busy event days. Officers acknowledged the unique position of the proposed development being in close proximity to Wembley Stadium, however advised that many large scale events would be outside of college hours and where there were events that could cause a high number of people in the vicinity during college hours, the SEND transport would operate staggered collection/drop off times to ensure that vulnerable students were not exposed to periods of significantly increased activity. Additionally, via the Delivery, Servicing Management Plan (DSP) temporary fencing would be installed to ensure a physical barrier between the college and crowds.
- Following a Committee query in relation to the MET police recommendations received, the Committee felt that all the recommendations made by the Police as statutory consultees should be adopted. Therefore, the Committee requested that a further informative was added to the application to strongly encourage Secured by Design Accreditation for the development.

As there were no further questions from members and having established that all members had followed the discussions, the Chair asked members to vote on the recommendations.

DECISION: Granted planning permission subject to the application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the planning obligations, and the conditions and informatives as detailed in the Committee report and supplementary report. In addition, the Committee requested that a further informative was added that the applicant was strongly encouraged to obtain "Secured by Design" accreditation for the development.

(Voting on the recommendation was as unanimous)

(7) Any Other Business

None.

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The meeting closed at 7:00pm

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

9 August, 2023
04
22/3260

SITE INFORMATION

RECEIVED	20 September, 2022
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	231 Watford Road, Harrow, HA1 3TU
PROPOSAL	Demolition of the existing building and the erection of building of up to five storeys to provide residential dwellings (Use Class C3); car and cycle parking; landscaping, amenity space and play area; and refuse storage and other 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 https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_161947</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 "22/3260" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

INTRODUCTION

This application was deferred from the July planning committee meeting to allow further time to consider and respond to an e-mail complaint / objection that was received following the publication of the committee report.

Within the e-mail, the objector set out their view that the pre-application engagement with the applicant has compromised its Planning Committee members. It was alleged that the members who took part would be in the position of having a pre-determined state of mind in relation to the consideration of the planning application. It was also submitted that there was a lack of a constitutional basis for this and that this meant that these members cannot be in an unbiased position and should therefore be recused from the consideration of the case.

This complaint was not upheld.

There is a long standing and sound basis nationally for the conduct of pre application engagement through the National Planning Policy Framework and the Localism Act and the involvement of members in pre-application is actively encouraged and not discouraged.

Planning Committee members have a specific responsibility and role to play in determining planning applications. Pre-existing guidance in the form of Brent's Planning Code of Practice already gave a good basis for acting with probity at the time of the committee pre-application presentation. This was then strengthened in line with an independent review that confirmed that Brent's approach was already well regarded.

Meetings that took place were conducted properly and in an appropriate way. Documents relating to these meeting that were previously disclosed to the objector reinforced this and showed transparency.

In view of the above, it was not upheld that members who took part in the planning committee pre-application presentation should recuse themselves.

The remainder of the report remains unchanged from the previous planning committee agenda.

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the 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. Affordable housing – late stage review mechanism in the form of a financial contribution towards the provision of off-site affordable housing within the Borough in the event that a surplus is identified.
4. Sustainability and Energy;
 - Detailed design stage energy assessment based on Part L 2021 of Building Regulations with a minimum 35% reduction on site. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.
 - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
 - Be seen' energy performance monitoring and reporting
5. Highways Works / Highway related;
 - Submission and approval in writing of Residential Travel Plans prior to first occupation of development including promotion of local car clubs through the provision of three years' free membership of a Car Club for residents;
 - Healthy Streets contribution (£50,000) towards highway improvements in the vicinity of the site
6. Indexation of contributions in line with inflation

7. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

Conditions _

Compliance

1. 3 years consent
2. Approved Drawings
3. Number of Units
4. Accessible Homes
5. Water Consumption
6. Sustainable Drainage Measures
7. Flood measures.
8. Internal Noise Levels
9. NRMM
10. Parking, Refuse Storage and Cycle Storage
11. Communal amenity spaces

Pre-commencement

12. Construction Method Statement
13. Construction Logistics Plan
14. Tree Protection Details

Post-commencement

15. Land Contamination study, remediation works and verification report
16. Piling Method Statement
17. External Materials
18. Design specifications
19. Hard and Soft Landscaping
20. Balcony/roof terrace screens

Pre-occupation or use

21. Car Park Management Plan
22. Plant Noise
23. Historic Plaque

Informatives


1. Building Adjacent to Boundary

2. CIL Liability
3. Party Wall Act
4. London Living Wage
5. Fire Informative
6. Quality of Imported Soil
7. Thames Water Details
8. Groundwater Risk Management Permit

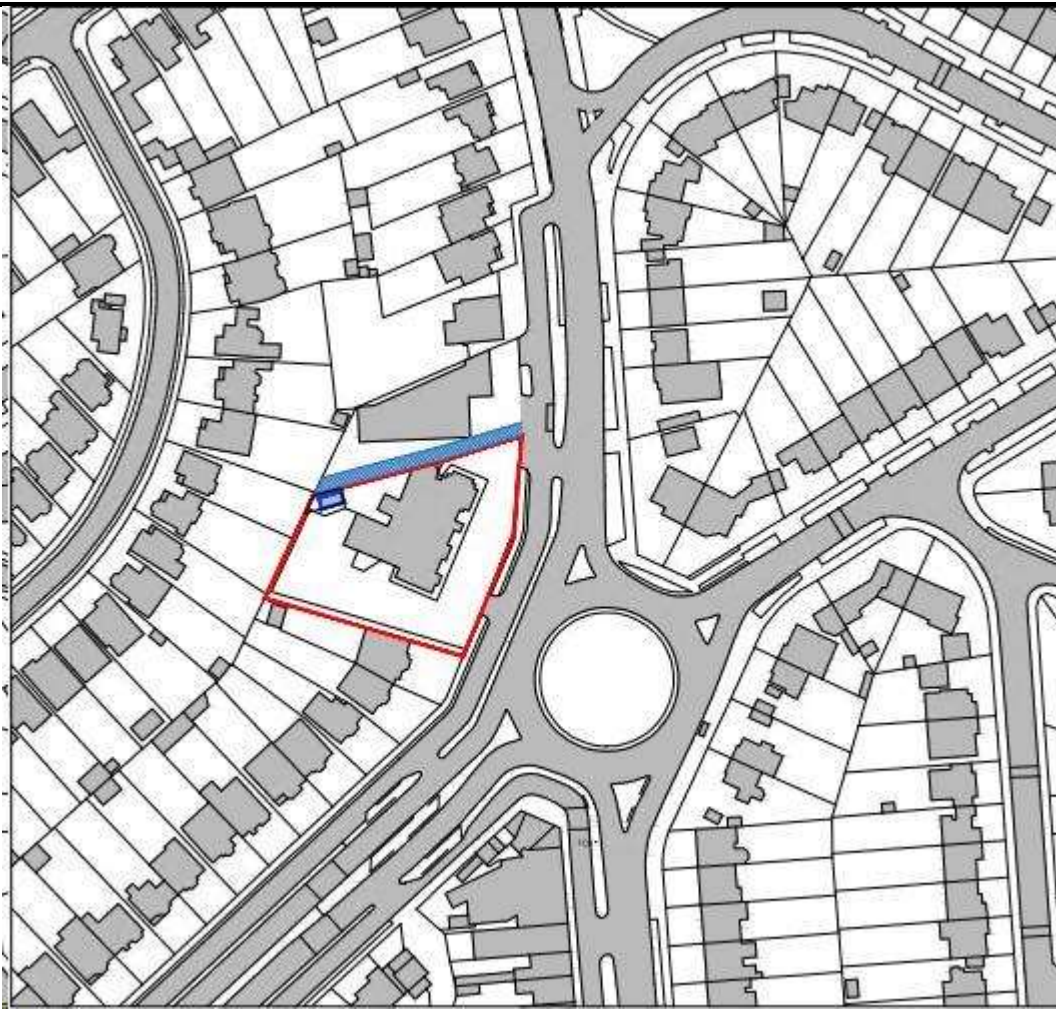
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied 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.

SITE MAP

	Planning Committee Map Site address: 231 Watford Road, Harrow, HA1 3TU © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.



PROPOSAL IN DETAIL

The application is seeking permission to demolish the existing building on site and redevelop the site. The replacement building would comprise of a 3 to 5 storey building. The central element would feature 5 storeys dropping to 4 storeys to the north, south and west. A small element of the rear of the building is 3 storeys in height. The proposal includes a total of 42 new homes with the following mix; 15 x 1 bedrooms, 16 x 2 bedrooms and 11 x 3 bedrooms.

The proposal includes 24 car parking spaces within an undercroft parking area and parts of the eastern frontage. Vehicular access into the site would continue via the two existing vehicular access points from the service road which runs alongside Sudbury Court Drive and Watford Road. The refuse storage area would be sited to the property's frontage and the cycle storage to the rear parts of the ground floor. Six residential units would be situated on the ground floor, each having access to private amenity space. A communal amenity space area would be situated towards the south western part of the site and this would include a children's play area. The main entrance to the residential units would be positioned along the central part of the ground floor front elevation. The proposal would include 5 wheelchair accessible homes.

A communal roof terrace area would be provided at fourth floor level and would be situated towards northern elements of the new build. The existing substation would be maintained to the rear. A lift overrun would be included at roof level together with ancillary plant equipment and a total of 60 PV panels.

Amendments to the Proposal

Amendments were provided during the course of the application to increase the level of parking provision on site.

The changes are summarised as follows:

- Increase in the number car parking spaces from 16 to 24
- Introduction of a gate to the site frontage allowing for refuse collection
- Relocation of hedge outside of G.02/G.03 to align with the unit division
- Rearrangement of Units G.04 and G.05 to allow for the larger unit to benefit from dual aspect provision, and access to a larger private amenity space
- Rearrangement of private amenity space for 1.05, 2.05 and 3.05 to be accessed via the main living area

The above amendments were considered to be non-material and therefore no further consultation was carried out.

EXISTING

The site comprises of the Mumbai Junction Restaurant and the existing building is two storeys with a small basement area. It is located on the western side of Watford Road on the roundabout junction between Watford Road and Sudbury Court Drive. The front and rear portions of the site comprise of hardstanding areas serving a car park for the restaurant currently occupying the site. The application site also contained an existing substation along the north western boundary, which would be retained. The surrounding area predominantly comprises two storey suburban housing with taller buildings of up to three storeys in height with commercial units at ground level and flats on the upper levels located south and directly north of the application site.

The site does not contain any heritage assets, but the Sudbury Court Conservation Area is located on the opposite side of Watford Road. Within the Brent Local Plan, Nos. 199 to 223 Watford Road (located to the south of the application site) are designated as a neighbourhood parade.

SUMMARY OF KEY ISSUES

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

Representations received: 392 properties were consulted on this proposal. Objections have been received from 459 individual people (some submitting multiple objections during the course of the application), raising a wide range of issues / grounds of objection. A support comment was also received. These are summarised in detail below in the 'Consultation' section. A number of consultees (internal and external) have provided comments, as set out within the 'Consultation' section also.

Principle of residential redevelopment of the site: The loss of the existing restaurant is considered to be acceptable. The site is outside of a designated centre or shopping parade, and planning policy does not prevent the loss of restaurant uses in such locations. The proposal does not constitute a community facility or pub and thereby Policies BSI1 and BHC5 do not apply. The building although acknowledged as the former John Lyon public house does not make a significant contribution to the visual amenities of the area. The proposal would provide new homes that would meet an identified need within the borough on a "small site" in accordance with London Plan policies H1 and H2 and Brent policy BH1 and BH4. The residential use is supported in principle and considered to be in accordance with key strategic and local policies relating to housing provision.

Affordable Housing and housing mix: The Financial Viability Appraisal submitted demonstrates that the scheme would be unviable if affordable housing is provided on site. This has been reviewed and accepted by industry experts instructed by the Council. A section 106 agreement would be entered into to incorporate a late stage review mechanism which would secure a financial contribution towards the provision of off-site affordable housing within the Borough in the event that a surplus is identified. The application is therefore policy compliant. The proposal includes 11 three bedroom homes, which meets the requirements of policy BH6.

Design, layout, height and impact on the Sudbury Court Conservation Area: The site is not within a "priority area" for housing as defined within Brent Policy BH2 and as such, it is set out in small sites policy BH4 that "greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate". The building heights and massing proposed, with a maximum of 5 storeys, are taller and larger than the existing buildings in the surrounding area. The surrounding area is generally residential in character, largely comprising of 2 storey dwellings with pitched roofs. Having a proposed building of this size and presence is considered appropriate having regard to the open setting of the John Lyon roundabout and the convergence of four main roads. The tallest portions of the development would mainly occupy the front, central portions of the site, thereby being focused away from the residential properties to the south and west of the site. The building is considered to be of good design quality, relating well to its context and would enhance the character and appearance of the surrounding area. Whilst officers consider that this is an acceptable solution for the development of the site it could also be reasonably concluded that a development that conforms more with the prevailing building heights and massing would be better suited to this location. However, on balance the scheme as submitted is considered acceptable. The proposed development is not considered to be harmful when viewed from locations within the nearby Conservation Area. Furthermore, while the building is visible within views towards the Conservation Area, the proposal is not considered to result in harm.

Quality of the resulting residential accommodation: The flats would have good levels of outlook and natural light and the arrangement of the building within the site, achieve good levels of separation distances between the homes. The proposal accords with internal floor space standards while the amount of external amenity space meets the requirements of policy BH13. The proposed play area is also policy compliant, exceeding GLA playspace requirements.

Neighbouring amenity: The overall impact of the development is considered acceptable in relation to neighbouring properties having regard to daylight, sunlight, outlook and privacy.

Highways and transportation: The proposed development would provide 24 on site parking spaces. This falls below maximum allowances set out in Policy T6 of the London Plan. It has been demonstrated that overspill parking may be accommodated on the adjoining service road. Electric Vehicle Charging Points (EVCP) and blue badge parking spaces would be provided. Whilst the high number of cycle parking proposed

would encourage sustainable travel patterns in accordance with London Plan standards. All servicing arrangements are acceptable and safe. Some highway works and public realm improvements would be secured as summarised within the Section 106 Heads of Terms above and detailed within 'Transport' the remarks section below.

Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers. Further, the submitted Electro Magnetic Field (EMF) report demonstrates that the existing substation would not have a detrimental impact upon the health of residents of the proposed homes.

Landscape, ecology, biodiversity and flooding/drainage: It has been demonstrated there would be a net increase in trees on site, and no high value trees would be lost. The site is not close to any designated ecological assets and is not likely to form habitat for any protected species. This has been supplemented by a bat roost survey. A net gain in biodiversity is to be achieved as a result of development and the scheme will achieve an Urban Greening Factor of 0.451. Flood risk has been assessed and a range of SuDS measures are proposed to address surface water management with a 90 % betterment over existing runoff rates. No objection has been received from Thames Water.

Fire safety: It is considered that the submitted fire statement sufficiently addresses the matters set out within policy D5 and D12 of London Plan. The London Fire Brigade were also consulted and raised no objections. It should also be noted that the development would still be subject to building regulations where a detailed assessment of fire safety would be carried out.

RELEVANT SITE HISTORY

Relevant planning history

21/3679 - Demolition of the existing building and the erection of a part three, part four and part five storey building to provide residential dwellings (Use Class C3); car and cycle parking; landscaping, amenity space and play area; and refuse storage and other associated works - **Refused, 29/12/2021**.

18/4682 - Certificate of lawful use for the existing use of the premises as a restaurant (Use class A3) – **Lawful, 04/01/2019**.

CONSULTATIONS

A total of 392 letters were sent out to the neighbouring properties within the vicinity of the application site on the 29/09/2022.

A site notice was posted within the vicinity of the site on the 05/10/2022.

A press notice was printed on the 13/10/2022.

At the time that this report was finalised, a total of 459 objections had been received. This includes objections from Barry Gardiner MP, Sudbury Court Residents' Association, Councillor Narinder Bajwa and Councillor Diana Collymore (Ward Councillors for Northwick Park). One comment of support was also received which states that a new building for 200+ residents would be a better use of the land as the existing restaurant is poorly upkept.

Summary of Objections

Comment	Officer Response
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<p>Loss of Building and Existing Restaurant</p>	
<p>Mumbai Junction restaurant is a well-frequented restaurant which has adapted to cater for the local need.</p>	<p>Refer to Background and Current Use and Loss of Existing Building sections of the report. There are no relevant planning policy requirements to maintain a restaurant use on site.</p>
<p>It is one of only very few remaining Public Houses/Restaurants in the local area and fear that the demolition of it would have a detrimental local community impact.</p>	<p>Refer to Background and Current Use and Loss of Existing Building sections of the report. The site as established lawful use as a restaurant.</p>
<p>The demolition of one of the areas community assets will undoubtedly damage the sustainability of the area and will damage community cohesion.</p>	<p>The use is not considered to be a community use. It is not a designated community asset.</p>
<p>The John Lyon building is part of a 1950s development fitting in with the adjacent houses. The lack of suitable repair/works disguise its visual importance.</p>	<p>Refer to Design, Character and Impact on the Street Scene and Loss of Existing Building sections of the report.</p>
<p>The proposed loss of Mumbai Junction Restaurant fails to comply with Policy BHC5 for the protection of public houses and BS11 for community facilities.</p>	<p>Refer to Background and Current Use and Loss of Existing Building sections of the report.</p>
<p>Design, Character and Impact on the Street Scene + Conservation area</p>	
<p>Concerned the proposed development would not at all be in keeping with the character of surrounding buildings and have an impact on the Sudbury Court Conservation Area. It is located within the gateway to the Conservation Area and</p>	<p>Refer to Design, Character and Impact on the Street Scene and Relationship with Sudbury Court Conservation Area sections of the report.</p>

therefore of increased importance.	
This application includes a part five storey building, which would make it larger than other nearby residential buildings.	Refer to Design, Character and Impact on the Street Scene sections of the report.
Scale and design is not acceptable.	Refer to Design, Character and Impact on the Street Scene sections of the report.
All recent developments in the area have included certain characteristics, such as pitched roofs, which have made them more sympathetic to the surrounding area.	Refer to Design, Character and Impact on the Street Scene sections of the report.
The site is within an Area of Distinctive Residential Character.	<p>The areas of distinctive residential character as formerly referred to within the Unitary Development Plan (UDP) and have not been carried forward within the current Local Plan. Nevertheless, policy BH4 does discuss the need to place greater weight on the existing character of the area outside of priority locations.</p> <p>To this end, please refer to Design, Character and Impact on the Street Scene and Relationship with Sudbury Court Conservation Area sections of the report.</p>
It will without doubt damage the 1950s architectural consistency of Sudbury Court Drive and into Watford Road, it will also affect the Sudbury Court Conservation Area due to its close proximity.	Refer to Design, Character and Impact on the Street Scene sections of the report.
Heritage Report is not sufficient.	Refer to Relationship with Sudbury Court Conservation Area and Loss of Existing Building sections of the report.

<p>The proposed building does not respond positively in height or character to the surrounding area.</p>	<p>Refer to Design, Character and Impact on the Street Scene sections of the report</p>
<p>The proposed building massing will have a very negative visual impact; its roofscape is a complete opposite to its surrounding buildings.</p>	<p>Refer to Design, Character and Impact on the Street Scene sections of the report.</p>
<p>A brass plaque is located to beside the entrance commemorating John Lyon. To remove this would be a slight to his name.</p>	<p>The Conservation Office does not consider this feature to contain a heritage value however any development on site should seek to retain this feature.</p>
<p>The proposed development has not been designed upon the advice provided within Brent's Design Panel report (6th July 2021).</p>	<p>The proposed development is considered to have addressed the earlier reason for refusal in relation to design. The scheme has been reviewed by both the Council's Urban Design Officer and Heritage Officer. Refer to Design, Character and Impact on the Street Scene sections of the report.</p>
<p>The proposed development would fail to respect the pattern of development in the area as well as excessive hard standing within the frontage which would erode the suburban character of the area.</p>	<p>Refer to Design, Character and Impact on the Street Scene and Tree Consideration, Landscaping Provision and Urban Greening sections of the report. The areas to the front of the site already contains large areas of hardstanding and proposal would introduce new elements of soft landscaping to the front of the site which would benefit the site.</p>
<p>The proposal would result in the loss of open space and garden features surrounding the existing building.</p>	<p>The existing site mainly comprises of hardstanding. This proposal would include a significant betterment in terms of urban greening factor and new landscaping.</p>
<p>The proposed building footprint extends beyond the building line of the neighbouring houses.</p>	<p>Refer to Design, Character and Impact on the Street Scene sections of the report.</p>

Concerns that one lift would not be adequate for the proposed number of units. Some units are over 18m away from a means of fire escape.	Refer to the Standard of Accommodation section of the report. As per the plans provided, all units would be located within 18m of the proposed stair core. The application has also been accompanied by a Fire Statement that has considered means of escape under policy D5 and D12 of London Plan.
Recent developments in the area towards Northwick Park, East Lane, etc. are all sympathetic to their surroundings as they do not go above four storeys. Why is this development an exception?	Each application is assessed on a case by case basis as each site presents differing constraints and opportunities. Refer to Design, Character and Impact on the Street Scene sections of the report.
Impact on nearby residents	
It could also potentially overlook and be overbearing for neighbouring properties.	Refer to Impact on Neighbouring Occupiers sections of the report.
The proposal would appear overbearing to neighbouring properties.	Refer to Impact on Neighbouring Occupiers sections of the report.
Overdevelopment of the site and the detrimental effect it will have on the existing surrounding residents.	Refer to Impact on Neighbouring Occupiers sections of the report.
Loss of light to the nearby neighbours.	Refer to Impact on Neighbouring Occupiers sections of the report.
Casting shadows over the adjoining gardens of neighbouring properties in Sudbury Court Drive, Amery Road.	Refer to Impact on Neighbouring Occupiers sections of the report.

<p>Noise disturbance to nearby neighbours.</p>	<p>The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a noise perspective.</p>
<p>Parking and Highways Considerations</p>	
<p>The development will have an unacceptable impact on street parking, which the local hospital and education facilities rely on.</p>	<p>Refer to Transport and Highway Considerations section of the report. The trip generation data has revealed no further impact on the highway. Amendments were also received during the course of the application to increase the provision of on-site parking to 24 spaces.</p>
<p>Concerns that the surrounding roads do not have enough space to accommodate parking demands from the proposed development.</p>	<p>Refer to Transport and Highway Considerations section of the report. The trip generation data has revealed no further impact on the highway. Amendments were also received during the course of the application to increase the provision of on-site parking to 24 spaces.</p>
<p>Access to the site is considered to be dangerous from a number of approach routes. The impact of this would be worsened by the increased trip generations.</p>	<p>Officers in Transport have reviewed the proposal and do not consider the increased trip generation to be unsafe.</p>
<p>Delay in transportation to the hospital and relevant emergency vehicles.</p>	<p>Refer to Transport and Highway Considerations section of the report. The trip generation data has revealed no further impact on the highway.</p>
<p>Access to the site would require a dangerous U turn into the service road.</p>	<p>It is noted that there are banned U turns along Watford Road. However, this does not prevent vehicles accessing the service road.</p>

<p>The proposed development would worsen pedestrian safety at the already busy John Lyon roundabout.</p>	<p>As part of any consent, the applicant would be required to enter into a S106 agreement which would require a suitable financial contribution towards pedestrian improvements within the vicinity of the site.</p>
<p>Due to the width of the Service Road and the local parking overload, access to the site is severely restricted for construction and general servicing other than by van and car.</p>	<p>Refer to Transport and Highway Considerations section of the report.</p>
<p>Insufficient parking spaces provided.</p>	<p>Refer to Transport and Highway Considerations section of the report. Amendments were received during the course of the application to increase the provision of on-site parking to 24 spaces.</p>
<p>Servicing to the site could damage street trees.</p>	<p>The application has been accompanied by a tree report that has considered the impact of the proposal upon trees within the site and within the vicinity of the site that could be affected by the proposal.</p>
<p>Access to the site is lacking and manoeuvring will be extremely difficult without the removal of several on street car parking spaces.</p>	<p>Refer to Transport and Highway Considerations section of the report.</p>
<p>Congestion caused by deliveries.</p>	<p>Refer to Transport and Highway Considerations section of the report.</p> <p>Deliveries to the site are not considered add a significant number of vehicular movements that would further add to traffic issues within the area.</p> <p>A Construction Logistics Plan would provide further details of construction vehicles to the</p>

	site.
Local residents have grave concerns for the safety of pedestrians and cyclists at this location.	Refer to Transport and Highway Considerations section of the report.
Not enough cycle ways in the area and unsafe for potential cyclists.	Refer to Transport and Highway Considerations section of the report.
Bus and train services are at full capacity within the area.	The proposal is not considered to have detrimental impact on public transport within the area given the low trip generation that is proposed.
If right turns were allowed from Watford Road, there would no doubt it would cause severe congestion and a resumption of accidents at this known black-spot.	<p>The Transport Statement has compared trips for the proposed development compared to its use as a restaurant. This indicates that the development will generate an extra 5 arrivals and 19 departures by car during the AM peak (8-9am) compared with the existing use, but reduce overall arrivals in the evening peak hour (5-6pm). The proposal is not therefore likely to have any significant impact on the local highway network.</p> <p>Right turns are not currently prevented, and given the anticipated increase in trip generation as noted above, this is not considered significant to require mitigation measures.</p>
Travel Plan targets are not providing realistic predictions. Car ownership predictions are underestimated and should be reviewed.	Refer to Transport and Highway Considerations section of the report
The service road that runs adjacent to the site cannot handle any parking of cars.	Parking would not be available on the service road. Refer to Transport and Highway Considerations section of the report
Local schools at capacity + this would require private transport to the area.	The proposal is not considered likely to have a significant impact on school places, which are monitored by another team in the

	<p>Council. School places are considered as part of the development of the Local Plan with evidence set out within the Infrastructure Delivery Plan.</p>
<p>A 7.5 Tonne weight limit is being imposed on the Service Road due to damage being inflicted on parked vehicles, grass verges and street trees.</p>	<p>Officers in transportation have advised that the weight restriction only applies to through traffic and exempts vehicles that need to reach premises in the area.</p>
<p>Due to the absence of continuous designated pedestrian routes to the site and within the site frontage, the application has failed to demonstrate that the site can be safely accessed by pedestrians.</p>	<p>Refer to Transport and Highway Considerations section of the report.</p>
<p>Residents of SCD are often blocked into or out of their driveways because of legal parking - vehicles park really close to the narrow drop kerbs, and because the service road is so narrow the residents can neither get in nor out. We also get a lot of vehicle storage on the service road.</p>	<p>Refer to Transport and Highway Considerations section of the report. The parking survey has identified appropriate on street parking.</p>
<p>There is parking in front of the site it is almost always full and the road very narrow making it very difficult for HGV to navigate safely.</p>	<p>Officers in Transportation have assessed the capacity of the service road for on street parking and analysed the tracking diagrams for larger vehicles entering and leaving the site.</p>
<p>The parking in front of 231 is used, when available, for shoppers at the John Lyon Shops. Loss of parking will damage the viability of the shops.</p>	<p>Refer to Transport and Highway Considerations section of the report. The proposed overspill of parking is not considered to have a negative impact on the local shops.</p>
<p>The data within both parking surveys</p>	<p>Officers in Transportation have advised that</p>

undertaken is based upon inappropriate times (early morning hours which are not representative)	the method of the survey was acceptable.
The proposed development does not comply with Policy DMP11.	Policy DMP11 (forming an access onto a road) was a part of the Brent Development Management Policies document (2016) which has now been directly superseded by the Local Plan (2019-2041). The proposal has been considered having regard to Local Plan policy BT4 (forming an access on to a road) and officers in Transportation do not have concerns regarding site access.
Other Matters	
Members of the Planning Committee who attended the members briefing on the scheme at pre-application stage should not be considering this proposal	Section 8 of the Probity in planning guidance recognises that pre-application discussions between a potential applicant and a Council can benefit both parties and are encouraged. The Localism Act 2011 sets out legislation on Councillor engagement including matters that would not count as pre-determination.
Proposal would be contrary to policy BE6	Policy BE6 relates to neighbourhood parades and isolated shop units. The proposal is not within a neighbourhood parade and relates to an existing restaurant and not a shop unit. There are in any event a range of services (including shops and a restaurant) within the nearby neighbourhood parade (within 400 m of the site)
The loss of the current building will lead to the loss of several jobs as well as economic decline.	Brent's Local Plan does not seek to resist the loss of restaurants as part of redevelopments outside of town centres.
Environmentally there will be a disruption to the Green Ribbon running through the rear of the current property.	The application site is not within the direct vicinity of a designated wildlife corridor or SINC.
The proposed play space and private amenity space provision does not comply	Refer to Standard of Accommodation section

with the London Plan. Off site play space would be dangerous to access.	of the report.
Site not appropriate for proposed density.	Refer to Standard of Accommodation section of the report.
The proposed play space will be inappropriately surrounded by trees, creating a dark and damp space.	The surrounding trees are considered to positively contribute to the visual amenities of the space, whilst also improving biodiversity.
Northwick Park already has a number of residential developments coming forward. This development is therefore not needed.	Refer to Principle of Development section of the report
Green ribbon running through the gardens of SCD, Amery Road and Watford Road, this development will create a break in the ribbon.	The application site is not within the direct vicinity of a designated wildlife corridor or SINC.
It appears that there are problems reaching the necessary capacity of surface water attenuation on site.	Refer to Drainage and Flooding Considerations of the report.
The Flood Risk Assessment is not aware of the persistent flooding around the John Lyon roundabout. It is presumed much of this water drains away through the application site.	Refer to Drainage and Flooding Considerations of the report.
No affordable housing provided within the scheme.	Refer to Affordable Housing section of the report.
Number of 3 bedroom flats is not sufficient.	Refer to Housing Mix section of the report.

<p>Concerns over the air quality information provided. On site pollution is worse than identified.</p>	<p>Refer to Air Quality Section of the report.</p>
<p>If this development goes ahead then jobs will be lost and several employees will become homeless.</p>	<p>Brent's Local Plan allows for changes to take place where business are in decline and supports expansion of business and jobs in its growth sectors and identified growth areas. The proposal itself increases the amount of homes available for residents and a more effective use of the site.</p>
<p>The existing unit is likely over 500sqm and should therefore require an impact assessment for its loss, as per Policy BH4.</p>	<p>Policy BH4 makes reference to the provision of new leisure and retail spaces outside of town centres. This application does not propose any new retail or leisure floorspace and therefore an Impact Assessment is not required.</p>
<p>The loss of the John Lyon pub would disrupt the existing neighbourhood parade and no alternate retail offering would be provided.</p>	<p>The application site is not considered to form part of a neighbourhood parade and there is alternate restaurant provision within 400m.</p>
<p>Have the Telecommunications company owning the monopolies to the front of the site been consulted? The development will interfere with signals.</p>	<p>Consultation has been carried out in accordance with statutory requirements and Brent's Statement of Community Involvement. Notices has been served on relevant parties. There is no obligation to consult the telecommunications company as a statutory undertaker under the General Permitted Development Order. Telecommunications policy does not place this as a specific consideration for this type of development and there is no evidence that telephone signals would be detrimentally interfered with.</p>
<p>The application fails to comply with Policy CP17</p>	<p>Policy CP17 forms part of the Brent Core Strategy (2010) which has now been directly superseded by the Brent Local Plan.</p>
<p>The bat survey provided should be treated with caution as this was undertaken in November and no confirmation has been</p>	<p>Further bat surveys at appropriate times of the year are recommended within the report. Page 29 bats be found at any stage of the</p>

provided on the time of day that the survey was taken. No mention was made of flight routes.	development, construction should be stopped and an a suitably qualified ecologist consulted.
There are no significant changes from the previously refused application.	Please see these matters addressed in the main body of the report.
The proximity of proposed units to the existing substation would result in an unacceptable quality of accommodation. This has not been suitably addressed in the Noise Assessment submitted.	Refer to the Relationship with the Existing Sub-Station section of the report.
There is considerable concern about the loss of trees and shrubs and also damage that this development would inflict.	Refer to the Tree Considerations of the report.
There have been three flooding events this year on Sudbury Court Drive with several more over the previous for years or so. This causes congestion to the John Lyon roundabout.	Refer to Drainage and Flooding Considerations of the report.
The proposed development should make proper use of SUDs as there is insufficient capacity to store excess drainage water within local water sources.	Refer to Drainage and Flooding Considerations of the report.
Lack of proper fire protection.	A Fire Statement has been provided with the application highlighting the proposal would comply with Policy D12 of the London Plan.
The proposed plan would result in the destruction of trees which are enjoyed by the population.	Refer to the Tree Considerations of the report.
In the absence of required detail, the submission does not demonstrate that the proposal will not have an adverse impact on local ecology or protected species, including	Given the nature and location of the site an Ecological Assessment is not required. The site is noted adjacent to a designated SINC or Ecological Corridor. Nevertheless, the application has provided a Preliminary Roost

owls.	Assessment Survey that has concluded that the existing building does not have any bat roosts. Enhancement measures for both bats and birds, including owls, were recommended and conditions for external lighting.
The Noise Assessment submitted does not include appropriate consideration of the upper floor flats, as measurements were taken at first floor level.	Refer to the Noise considerations of the report.
Building construction itself would put extreme pressure on the road, side road and commuter run between Wembley and Harrow and the businesses/houses next to the proposed building will also be badly affected with a constant stream of contractors and creating untold noise and pollution.	A Construction Method Statement and Construction Logistics Plan would be required to reduce any potential harm from the proposed works.
Will further stretch the current issues with infrastructure in the area putting excessive demands on the water and sewerage system.	Thames Water were consulted during the course of the application raising no objections.
Inadequate number of lifts for a 5 storey building	The number of lifts is sufficient for such a development. The submitted Fire Statement makes reference to an evacuation lift. As the building is less than 30m high there is no requirement for a second stair case in line with the anticipated proposed changes to Building Regulations.
Local crime rates would increase.	The Metropolitan Police were consulted during the course of the application and raised no objection to the development. A number of security recommendations were also made which have been passed on to the applicant.
Vibrations will cause damage to local properties.	A construction Method Statement would be required by condition as part of any approval to ensure acceptable work practices.

The proposal would result in increased waste/street rubbish.	The proposed development incorporate appropriate measures for waste storage and collection.
The proposed development would have an unacceptable impact on nearby property prices.	This is not a material planning consideration.
It would be more sustainable to convert the existing building to residential accommodation, rather than demolishing it and constructing the proposed building.	Refer to the Sustainability section of the report.
Concerns over the number of units per stair core.	Refer to Floorspace Requirements section of the report.
The proposed development would not have suitable dual aspect provision for the proposed units.	Refer to the Standard of Accommodation section of the report.
The EMF report provided highlights unacceptable levels of radiation to potential nearby residents.	Refer to the Standard of Accommodation section of the report. This document has been reviewed by the Council's Environmental Health team and is considered to be suitable.

External Consultation

Thames Water: No objections raised subject to a condition being secured in relation to a piling method statement.

Historic England: Confirmed that they do not have any comments.

London Borough of Harrow: Confirmed that they wish to raise no objections.

Design Out of Crime Officer: Confirmed that they wish to raise no objections but recommended conditions including to secured by design accreditation.

London Fire Brigade: Have confirmed that they have no further observations to make and that that the application is advised to ensure that the plans conform to Part B of the Approved Document of the Building Regulations.

Internal consultation

Environmental Health - no objections raised in relation to noise. Conditions are recommended in relation to contaminated land and it is noted that the scheme is not air quality neutral. They have also confirmed that the Electromagnetic Field (EMF) report for the substation is acceptable as the readings are below the threshold levels.

Applicant's Public Consultation

A Statement of Community Involvement (SCI) has been submitted with the application. Key points from this are as follows:

Social Media Engagement

Advertisements were made via social media platforms. Two online Q&A events were held on: Wednesday 23 June at 7pm; and Thursday 24 June at 1pm. 91 households (measured by IP address) participated over the course of the three sessions. The applicant's SCI indicates the main issues raised from this public consultation were as impact on local infrastructure, car parking and traffic concerns, loss of the existing venue and impact on the Conservation Area.

Consultation

In July 2022, paper invitations were sent to 1813 local residents, an email invitation to ward councillors, residents and community groups and requests for meetings with ward councillors and Sudbury Court Residents Association.

Overall, 47 people engaged in the public consultation with 35 attending the public exhibition, of which 12 left feedback by either posted form or via the website. The applicant's SCI indicates that residents were happy that the development was a joint partnership between the applicant and the current owner of Mumbai Junction and were happy to have the owners of the restaurant at the exhibition to hear that they were part of the project and not being forced out by the developer.

POLICY CONSIDERATIONS

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

The development plan is comprised of the:

London Plan 2021
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021

Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive Design
Policy D6 Housing quality and standards
Policy D7 Accessible housing
Policy D12 Fire Safety
Policy D14 Noise
Policy H1 Increasing housing supply
Policy H2 Small Sites
Policy H4 Delivering affordable housing
Policy H5 Threshold approach to applications
Policy H6 Affordable housing tenure
Policy H7 Monitoring of affordable housing
Policy HC1 Heritage conservation and growth
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

Policy SI 1 Improving air quality
Policy SI2 Minimising greenhouse gas emissions
Policy SI4 Managing heat risk
Policy SI5 Water infrastructure
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy T2 Healthy Streets
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T7 Deliveries, servicing and construction

Local Plan 2019-2041

DMP1 - Development Management General Policy
BP4 - North West
BD1 - Leading the way in good design
BD2 - Tall Buildings
BH1 - Increasing Housing Supply
BH4 – Small Sites and Small Housing Developments in Brent
BH5 - Affordable Housing
BH6 - Housing Size Mix
BH13 - Residential Amenity Space
BHC1 - Brent's Heritage Assets
BGI1 - Blue and Green Infrastructure in Brent
BGI2 - Trees and Woodland
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
BT3 - Freight and Servicing, Provision and Protection of Freight Facilities
BT4 - Forming an Access on to a Road

Other material considerations include:
National Planning Policy Framework 2021
National Planning Practice Guidance

Council's Supplementary Planning Document 1 "Brent's Design Guide" 2018
Council's S106: Supplementary Planning Document 2022
Brent Waste Planning Guide 2013
Residential Amenity Space & Place Quality – SPD – 2023
Sustainable Environment & Development – SPD – 2023

DETAILED CONSIDERATIONS

Background

1. The subject application has been submitted following the refusal of application 21/3679 in December 2021. It seeks to overcome the refusal reasons, which are summarised as follows:
 - Scale, design, bulk, massing and siting in relation to the suburban context of the site would appear as an excessively bulky building which would result in a poor transition to the suburban housing immediately to the south of the application site.
 - The proposal failed to demonstrate that the development will have an appropriate relationship with the Sudbury Court Conservation Area.
 - Poor standard of accommodation for future occupiers due to limited outlook from a number of bedrooms and proximity to substation without evidence or mitigation measures to demonstrate that future residents would not be adversely impacted as a result of electromagnetic waves and background noise.
 - Proposal failed to demonstrate that the rear gardens of properties on Amery Road would not be adversely affected through undue levels of overshadowing.

- Poor relationship with the boundary of No. 135 Sudbury Court Road through overlooking and loss of privacy, overbearing relationship from rear habitable room windows and rear garden.
 - Proximity to neighbouring site and reliance on outlook over neighbouring site could have potential to comprise it from coming forward for redevelopment for industrial and residential purposes.
 - Lack of cycle parking in a secure and covered shelter
 - Lack of a legal agreement under Section 106 of the Planning Act which would ensure that the delivery of the maximum reasonable amount of Affordable housing together with an appropriate Affordable Housing review mechanism, and an appropriate level of carbon reduction across the scheme.
2. Since this decision the Council adopted the new Brent Local Plan 2019-2041 at Full Council on 24th February 2022.

This was associated with the following documents being revoked:

- The Brent Core Strategy (2010)
- Brent Site Allocations Development Plan Document (2011)
- The Wembley Area Action Plan (2015)
- The Development Management Policies Plan (2016)

3. A number of these documents were considered for the 2021 application and included within the reasons for refusal. These documents are no longer considered Development Plan Documents for the purposes of determining planning applications within the area that the Council remains the Local Planning Authority and also their associated policies map.

Principle of Development

Background and Current Use

4. The application site is currently occupied by the Mumbai Junction Restaurant. A number of objectors have raised concerns with the loss of the existing building. They have set out that it is one of very few remaining public houses/restaurants in the local area and that its loss would have a detrimental local community impact, resulting in the loss of a community asset.
5. Application reference 18/4682 established that the lawful use of the existing premises is as a restaurant, which now falls under Class E (Commercial, Business and Service) of the Use Classes Order 2020. As such, the existing lawful planning use of the building is as a restaurant (use class E(b)) (Food and Drink), and not as a public house (sui generis) or community use (falling within either use class F1 (Learning and Residential Institutions) or F2 (Local Community)). Planning policies relating to the protection of community facilities or public houses therefore would not apply in this case. Policy BH2 only seeks to provide the same amount and use class of non-residential floor space for proposed residential developments in relation to sites within town centres, edge of town centre sites and intensification corridors. The application site does not fall within any of these priority locations and therefore there is no policy basis for the re-provision of the restaurant use. The loss of the restaurant was previously considered and did not form an earlier reason for refusal within the 2021 application.
6. The existing building is also not registered as an asset of community value.

Loss of Existing Building

7. The former John Lyon pub was constructed in 1957 for Watney, Combe & Reid. The building does have listed building status nationally nor locally. It is not located within the nearby Sudbury Court conservation area. It formed part of a later phase of post-war development in the area and was not part of the Comben and Wakeling's Sudbury Court Estate which latterly was designation as conservation area.
8. A Heritage Statement has been included with the application which considers the significance of the building as recommended by NPPF 194. It confirms that it was constructed in 1957 for Watney's. The building is not on the Council's Local List nor was it considered to be architecturally and historically significant enough to be included when a review was undertaken in 2016. The Heritage Statement affirms its original conclusion 'it is difficult to see any grounds upon which it could be assigned Non-Designated Heritage Asset status.'

9. Whilst the building remains somewhat intact externally; it is not a particularly architecturally distinctive building nor historically is it important to the Sudbury Court Estate or Watney, Combe & Reid. It has been the subject of a significant amount of alteration (especially internally) and therefore would not meet the threshold required for statutory listing. Likewise, it is not special enough to be considered a non-designated heritage asset. Nevertheless, the name, John Lyon, is of course important as the 16th C founder of Harrow School. To this end, the Council's Heritage Officer has requested that in the event that planning permission is forthcoming, there should be a condition to require the submission and approval of a celebratory plaque which, would be easily visible from the public highway.
10. In conclusion, there is no objection to the loss of the existing building on site and the Council's Heritage Officer supports the findings of the Heritage Statement submitted with the application. Further, the demolition of the existing building did not form an earlier reason for refusal within the 2021 application.

Residential Development

11. The National Planning Policy Framework emphasises the provision of new homes as one of the key roles of the planning system. The London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Policy BH1 of Brent's Local Plan also reflects the London Plan target.
12. Policy H2 of the London Plan relates to small sites. This policy highlights that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to amongst other considerations achieve the minimum targets for small sites as part of overall housing targets and increase the contribution of small sites to meet London's housing needs. This site is 0.24 hectares in size and therefore would be defined as a small site under policy H2 of London Plan.
13. In response to the above strategic policy position, Policy BH4 of Brent's Local Plan sets out local planning policy on small sites. This sets out that small housing developments (below 0.25 hectares or 25 dwellings in size) delivering a net addition of self-contained dwellings through the more intensive and efficient use of sites, where consistent with other policies in the development plan, will be supported within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary through:
 - a) the infill of vacant or underused brownfield sites
 - b) residential conversions, redevelopment, extensions of dwellings, or infill within the curtilage of a dwelling
 - c) the redevelopment of flats, non residential buildings and residential garages,
 - d) upward extensions of flats and non residential buildings
14. In these priority locations, the character of the existing area will be subject to change over the Local Plan period. Outside the priority locations greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate.
15. In this case, the site is not located within a priority area for new homes. However, the small sites policy does not preclude other sites from coming forward for redevelopment but stresses the need for greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate. These matters are discussed in more detail below.

Affordable Housing

Policy Background

16. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. Policy H6 requires affordable housing provision to include 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; and 40% to be determined by the borough based on identified need.
17. Brent's Local Plan Policy BH5 supports this approach and sets a target of 70% of affordable homes being for social rent or London Affordable Rent and a minimum of 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.

18. Where an application does not meet the above requirements set out in Part C of Policy H5, it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application.
19. Given that the level of affordable housing proposed is under the 35% threshold as set out within the London Plan and Brent Local Plan, a Financial Viability Appraisal (FVA) was submitted with the application.

Earlier refused scheme

20. The previous refused application reference 21/3679 was also subject to a FVA as no on site affordable housing was proposed. The earlier scheme was for 43 private homes. The FVA submitted with the refused application concluded via the viability assessment that the proposal would result in a deficit and would not be able to deliver any affordable housing. This was on the basis that an 100% market housing scheme would generate a residual land value of £891,658, which would result in a deficit of approx. £2,108,342 below the benchmark land value of £3,000,000. The FVA was reviewed by industry experts on behalf of the Council. The appraisal concluded that the scheme could deliver a surplus of £338,894 that could be used towards the provision of affordable housing, based on 100% market housing scheme. The main differences between the two consultants related to build costs, developer profit and benchmark land value.
21. One of the reasons for refusal was on the grounds that the proposed development was not subject to a legal agreement under Section 106 of the Planning Act which would ensure that the delivery of the maximum reasonable amount of affordable housing together with an appropriate Affordable Housing review mechanism.

Current proposal

22. As part of the current application an Addendum Viability Study was submitted to be considered in conjunction with the earlier FVA submitted as part of the 2021 application together with the review of the FVA on behalf of the Council. Once again, the addendum report has been reviewed by industry experts on behalf of the Council. This is on the basis of 42 private homes and a reduced benchmark land value of £2,270,000. The applicant's addendum report concludes that a wholly private scheme would deliver a deficit of £1,603,575 below benchmark land value. The Council's consultants who have reviewed the addendum have concluded that the scheme would also be in deficit based on a wholly private scheme but with a reduced deficit of £868,873. This does mean that even with no affordable housing this development presents risks to the developer in terms of getting a sufficient return on the development. If things do improve it might be possible to secure affordable housing via a late stage review but at this point the scheme cannot support any at all.
23. In conclusion, the review of the addendum report has concluded that the scheme cannot reasonably deliver any affordable housing. However, in line with policy a late stage review mechanism would be secured within a Section 106 Agreement to capture any off site contributions towards affordable housing in the event that viability improves. The proposal is therefore considered to comply with policies H4, H5 and H6 of London Plan 2021 and policy BH5 of Brent's Local Plan 2019-2041, and has overcome the earlier refusal for refusal on this matter.

Housing Mix

24. Policy BH6 of the Local Plan sets out that the council will seek to deliver a target of 25% of new homes as family sized (3 bedrooms or more) dwellings. For every four dwellings included within developments at least one must be 3 bedrooms or more. The proposed residential development would include 11 x 3 bedroom homes which delivers 1 in 4 of the homes within the development as family sized, and therefore complies with policy BH6.

Design, Character and Impact on the Street Scene

25. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation. Policy D3 of London Plan highlights the need for all developments must make the best use of land by following a

design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

26. Policy DMP1 requires the scale, type and design of development to complement the locality. This is reinforced in policy BD1 which seeks for new development to be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan design policies and the Brent Design Guide SPD1.

Height and Massing

27. Policy BD2 defines a tall building that is one that is more than 30m in height above ground level. Tall buildings are directed to tall building zones in the policies map. The policy goes on to say that in intensification corridors and town centres outside conservation areas and areas of distinctive residential character developments of a general building height of 15 metres above ground level could be acceptable, with opportunities to go higher at strategic points in town centres. In all cases the tall buildings must be shown to be positive additions to the skyline that would enhance the overall character of the area. They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts.
28. The proposed building would not be defined as a tall building as it is less than 30m in height. The central portion of the proposed development would be 5 storeys in height and would contain a maximum height of approximately 18.6m. The northern, southern and western portions would be 4 storeys in height, eventually dropping to 3 storeys to the west (rear of the site).
29. It is set out within Brent policy BH4 that outside of the priority locations for housing, "greater weight will be placed on the existing character of the area, access to public transport and a variety of social infrastructure easily accessible on foot when determining the intensity of development appropriate". The area surrounding the application site mainly comprises of traditional two storey detached and semi-detached properties with relatively large garden areas. It is noted that a row of three storey buildings is situated further south of the site along Watford Road and this would appear to be a small isolated neighbourhood parade with commercial units on the ground floor and residential units located on the upper floors. The proposal would be larger both in height and massing than the existing buildings within the context and does diverge to a degree from that character.
30. The tallest portions of the development would mainly occupy the front, central portions of the site whereby this height would be considered appropriate given the open setting of the John Lyon Roundabout, at the convergence of four main roads, which creates a suitable foreground to a building of such a height. The overall height is also focused away from the residential properties to the south and west of the site.
31. Within the earlier refusal, the overall height, bulk and massing was not considered to respect the surrounding context within the vicinity of the application site. The proposed bulk and mass was considered to over dominant the site and would fail to respect the context and traditional suburban nature of the area. The height of the rear projecting element in particular would have failed to allow for a suitable transition when considering the established residential features to the west of the site along Amery Road. This addition would appear excessive and too severe jump in height. There were also concerns that the development would appear cramped with the northern splayed boundary and this is further intensified by the overall bulk and mass of the rear projecting element. This further highlights the overdevelopment nature of the proposed replacement building.
32. Furthermore, the earlier application was not provided sufficient analysis of the development while considering the nearby streets in particular Sudbury Court Drive where land levels do rise. There were also concerns in relation to how the proposal would be perceived from Amery Road.
33. In response to the above concerns, the scheme has been amended and removed a large section of the rear projection together with an overall reduction in the building height. The wings on either side of the five storey element have been amended to four storeys in height to provide a more symmetrical building. A townscape analysis has also been submitted that includes views from along Amery Road, Sudbury Court Drive, Paxford Road, The Crescent and The Green. These views are compared the proposal against the refused scheme. In addition, ~~Page 38~~ Accurate Visual Representations were included.

Initially these views only related to one on the south eastern side of Sudbury Court Drive (close to the junction with the roundabout) and on The Green. Further AVR were provided further along Sudbury Court Drive (outside No. 52, 102 and 118), along Watford Road junction with The Green as requested by the Urban Design Officer and Heritage Officer.

34. The Council's Urban Design Officer has reviewed the revised height and massing and considers that the reduction in height to the rear and sides would allow for an appropriate transition and relationship when considering the height of the dwellings within the vicinity of the site. This is evident in a number of the views provided within the townscape analysis. In this regard, the subject proposal is considered to overcome the previous reason for refusal, which considered the overall bulk of the proposal to be unacceptable, creating an unacceptable transition to the surrounding properties.
35. The viewpoints provided with the application are considered to successfully demonstrate that the site has capacity to sustain a development of up to 5 storeys in height from an urban design perspective, given the wide and open nature of the road and junction that the building addresses.

Architecture and Materiality

36. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character.
37. A strong approach to materiality has been set out within the Design and Access Statement submitted as part of this application. The development would mainly comprise of a red brick base with a dark red/brown or green coloured cladding introduced at the upper floors/roof features. The materials would pick up several details from the surrounding context and nearby Conservation Area, which is welcomed. The facades are well-composed, with good proportions that establish a clear hierarchy across the scheme and define a coherent base, body and crown from ground floor to roof level. Nevertheless, as part of any consent, detailed bay studies would be required by condition to include indicative technical sections illustrating how specific elements of the façade may be constructed, such as typical windows, typical parapets, typical balconies etc. Details of finalised materials would also be required via a planning condition.
38. Within the previous application, concerns were raised over the legibility of the proposed communal entrance. The entrance has now been brought forward of the main facade and is considered to be of a composition which presents a legible communal entrance to the wider streetscape, giving it a clear identity and creating a good sense of arrival for future residents. There were also concerns within the previous application regarding the extent of inactive frontage at ground floor level. To address this, the introduction of private amenity spaces adjacent to the communal entrance are considered to help to animate the frontage, whilst giving a formality to the façade composition.
39. Overall, the proposed approach to architecture and materiality is considered to be well designed, incorporating visual cues from the surrounding area.

Layout

40. The proposal would feature a projection forward of No. 135 Sudbury Court Drive by approximately 4.3m. This relationship has been achieved due to the angled orientation of this neighbouring property. The additional properties further south of Sudbury Court Drive contain a more linear and uniform building line and southern portion of the development would suitably resemble this established building line. A sufficient spacing would be maintained to the front of the site. The gradual projection forward towards the central of the site is considered acceptable given the width of the site. The building line further to the north would resemble that of the properties further north of the site.
41. An entrance lobby would be positioned along the central parts of the site, and it is considered that this would be well read, providing a welcoming experience for any future residents. A segment of the ground floor would provide vehicle access to the undercroft parking area. The existing access points from the service road the east would be used as part of the development.
42. Overall, the proposed layout is considered to be acceptable with regard to the established pattern of development in the surrounding area, and in light of the site's characteristics.

Relationship with the Sudbury Court Conservation Area

43. The site is situated adjacent to the Sudbury Court Conservation Area further to the east of the site and a Conservation Area is defined as a designated heritage asset.
44. Paragraph 194 of the National Planning Policy Framework (NPPF) 2021, states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The NPPF goes on to say in paragraph 195 that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
45. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In the case of where development leads to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the NPPF highlights this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Policy HC1 of the London Plan development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Policy BHC1 of the Local Plan further re-emphasises the matters above. Policy BP4 further reveals the importance of conserving and enhancing heritage assets within this part of the Borough.
46. Sudbury Court Conservation Area Appraisal identifies the importance of protecting the Conservation Area and details prevailing quality, level of preservation of the details that define the character of the area. The site is also opposite a 'gateway' to the Conservation Area and therefore forms part of its backdrop.
47. A Heritage Statement has been included with the application which considers the significance of the Conservation Area as recommended by NPPF 194. For the most part, the new development would not be viewed from within the Sudbury Court Conservation Area, certainly not from its centre. Two views are provided within the Heritage Statement. View 9 is taken from within the Sudbury Court Conservation Area at its edge and is the most prominent view of the building from within the Conservation Area. It is clear that from this position the building would read as backdrop. The visual representation of the building does not appear harmful to views from the Conservation Area in this respect. Views to the site down The Crescent are also very limited.
48. View 1 is not from within the Sudbury Court Conservation Area but the site is seen in context when walking on Sudbury Court Drive. A further View 2 has also been provided from the pavement, as View 1 was taken from an island within the road, where views would not be as prominent. View 2 has been reviewed by the Council's Heritage Officer. It is considered that the proposed development would be seen in context with the Conservation Area when walking on Sudbury Court Drive. However, it would not be on its boundary, nor is it considered part of the gateway to the conservation area. It would not block or mar views to the Sudbury Court Conservation Area and would be seen in context with the properties alongside it on the opposite side of the road.
49. The Heritage Statement suggests that 'the appearance of the Proposed Development would neither detract nor enhance the significance of the Conservation Area. The ability of the observer to recognise and appreciate the Conservation Area would remain unchanged, and the impact would be neutral. The Proposed Development would, at least, preserve the character and appearance of the Sudbury Court Conservation Area.' The Heritage Officer agrees with this conclusion. Simply seeing something new is not considered to be harmful to the significance of the conservation area. Furthermore, the design of the building is considered by the Principal Urban Design Officer to be acceptable in terms of massing, with a strong approach to materiality and could become an exemplar scheme for suburban intensification.
50. The Sudbury Court Conservation Area has been determined in the Historic Environment Place-making Strategy to be of medium to low significance. On balance, it is hard to see how the significance of the Sudbury Court Conservation Area would not remain sustained given these circumstances. However, if one was to contend that a degree of harm would occur, this must be 'less than substantial' and at the very low end of the scale. This harm would be significantly outweighed by the public benefits of the scheme, which include the provision of new homes to meet housing need within the borough, including

family sized homes.

51. Overall, it is considered that the proposed development would not result in harm to the setting of the Sudbury Court Conservation. This is considered to overcome the previous reason for refusal on this matter whereby insufficient information was provided to demonstrate an acceptable impact upon this designated heritage asset.

Impact on Neighbouring Residential Amenity

Separation Distance and Privacy

52. Any development is required to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 recommends that 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.

Properties to the rear on Amery Road

53. The windows and balconies on the western elevation within the rear projection are sited closest to the rear boundary with the properties on Amery Road. Within the rear projection, the ground floor to second floor would contain habitable room windows located at approx. 8.8m from the boundary with the rear gardens of No. 15 Amery Road, with the edges of the balconies at first and second floor levels at 7.3m from the boundary with these properties. A distance of over 32m would be maintained from the edge of the balconies to the rear habitable room windows within the properties on Amery Road.
54. The windows would be 20 cm below the distance referred to in SPD1, with this minor shortfall not considered to result in materially different levels of overlooking. However, the balconies project into this space and the distance to the boundary would be materially less than the 9 m specified in the guidance. Whilst in some instances the proposal would fail to maintain a 9m separation distance from the rear boundary, the degree of overlooking is reduced by the level of tree coverage and vegetation positioned adjacent to the rear boundary. The adjoining gardens are sizeable, and the rear building line of the residential properties to the west of the site would be in excess of 30 m from the balconies. While the distance from the rear element of these gardens is less than that set out in SPD1, the proposal is considered to be acceptable in relation to the degree of overlooking for the reasons set out above.

No. 135 Sudbury Court Drive

55. The front element of the building would be located approx. 1.5m to 4.3m from the boundary with No. 135 Sudbury Court Drive at ground to second floor levels. Windows are proposed within the flank elevation at ground floor level. Given that there is an existing boundary fence between the two sites, it is not considered that the scheme would result in overlooking from the ground floor flank wall windows. The balconies at the upper floor levels closest to the boundary with No. 135 Sudbury Court Drive can be conditioned to have high level screen to prevent directly overlooking to No. 135 Sudbury Court Drive. The roof terrace at fourth floor level for flat 4.01 would be within 9m of the boundary with No. 135 Sudbury Court Drive (7.3m to 8.3m). However, the terrace would not have direct views into the adjoining property due to the green roof that sits in front of it. The balconies with the rear projection would maintain a distance of over 12m to the boundary with the rear garden of No. 135 Sudbury Court Road with a greater distance being achieved for side facing windows.

Site to the north

56. The previous application included a reason for refusal in relation to the proximity of habitable room windows of the proposed development to the boundary with the adjoining site to the north, and lack of evidence on the access rights to the substation to demonstrate that this would need to be retained in the long term. The previous application failed to have an appropriate regard to the nature of the adjoining site as a development site for mix-use purposes.
57. The site to the north currently serves a car repair service. The proposed floor plan drawings submitted with the application illustrate an access boundary for the sub-station to the rear of the site. The Title Deeds provided within Appendix B of the Planning Statement state that full and free access must be maintained for access to the substation. This access would therefore be retained indefinitely, and an access boundary is shown on the proposed **Page 411** it is noted that the kitchen/living windows to the

flank of proposed units 1.04, 2.04 and 3.04 would be within 9m of the site boundary, which formed a refusal reason within the previous application, it is considered that this measurement may instead be taken from the middle of the access road, as demonstrated to be retained in the proposed plans. This is in light of the Title Deeds provided. The aforementioned windows would be located at least 9m of the middle of the retained access road and the development is therefore considered to be acceptable in this regard. The remaining flank windows facing the north of the site (along the frontage of the building) do not contain sole flank wall windows, and could be conditioned to be obscured glazed and high opening, together with high level screening to the balconies. It is considered that the previous reason for refusal has been addressed on this basis.

Summary

58. In conclusion, the proposal would be considered to achieve an acceptable level of amenity in relation to neighbouring occupiers. Whilst some elements of the scheme do not fully comply with SPD1, such breach of the guidance would not be considered to a harmful impact to neighbouring occupiers, and the proposal would therefore comply with policy DMP1.

Outlook and Daylight

59. The building envelope of the proposed development 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. SPD1 further highlights the 1:2 rule for two storey extensions for commercial developments next to residential as well as between residential developments applies.

Nos 15 + 17 Amery Road

60. Section drawings have been provided within the Design and Access Statement to demonstrate that the proposed development would comply with the 30 and 45 degree rule in relation to these properties. This was also considered to be acceptable within the previous application which featured a greater massing to the rear.

No. 135 Sudbury Court Drive

61. The rear projection of the proposal would comply with 45 degree line from the rear garden of No. 135 Sudbury Court Road. The 1:2 guidance has been applied in relation to the front element of the building as it is the closest element that sits alongside No. 135 Sudbury Court Road. When measured from the middle of the nearest rear habitable room window at first floor level, a distance of 7m would be maintained from the middle of this window to the flank wall of the development (including the balcony). The proposal would project out 3.5m from this window and therefore would comply with 1:2 guidance.

62. It is therefore considered that the scheme has overcome the earlier reason for refusal in relation to the impacts upon No. 135 Sudbury Court Road as it would no longer result in an unacceptable relationship in terms of an overbearing appearance or harmful levels of overlooking/loss of privacy. The proposal would accord with policy DMP1 and the guidance set out within SPD1.

Daylight + Sunlight Assessment

63. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines set out a number of tests. The initial test relates to 25 degree line where it recommends that adequate daylight would be achieved when there is an unobstructed 25 degree angle in relation to neighbouring windows. In such cases no further testing would be required from these windows. Where further testing is required, firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The BRE guidance sets a target of 0.8 times its former value.

64. To assess impacts on sunlight to existing south-facing windows and amenity spaces, an 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 in March or less than 0.8 times their former value.

65. The NPPF also supports a flexible approach to applying standards in order to allow for an efficient use of sites.
66. A sunlight and daylight assessment has been provided with the application assessing the impact of the development on the neighbouring properties within the vicinity of the application site. The report concludes that there would be no direct impact on the neighbouring properties within the vicinity of the application site.
67. No. 135 Sudbury Court Drive to the south has windows in the side elevation facing towards the site. However these windows serve non-habitable rooms and BRE guidelines are clear that the effects on daylight and sunlight to non-habitable rooms are not required for testing. The report outlines that the front and rear facing windows serve habitable rooms, which would be unaffected by the proposed development due to the proposed layout and stepping down of the massing adjacent to 135 Sudbury Court Drive. Therefore, it is concluded within the assessment that 135 Sudbury Court Drive would adhere to the BRE guidelines as neither the front or rear windows would infringe with 25 degree line test given the orientation of these windows. The rear garden of 135 Sudbury Court Drive has been considered, but not tested, as it is located to the south of the development site. This means that there would be no material overshadowing of the garden from the proposed development. Due to the unfettered access of sunlight from the south, throughout the day, the occupants of 135 Sudbury Court Drive would enjoy sunlight levels in excess of the BRE guidelines recommendations.
68. Having undertaken a 25 degree angle test regarding the neighbouring properties along Amery Road, the proposed building layout, and the distance between the buildings, the proposed development adheres to the test. This demonstrates that the occupants within the Amery Road properties would maintain high levels of daylight and sunlight with the proposed development in place. In addition, the rear gardens to the Amery Road properties would maintain sunlight in excess of the BRE guidelines, as there is unfettered access to sunlight from the south, such that the 2-hour sun-on-ground assessment would be satisfied.
69. In conclusion, the assessment demonstrates that neighbouring properties together with their rear gardens would continue to receive good levels of daylight and sunlight with the proposed development in place, in line with BRE guidance. The proposal would accord with policy DMP1 and has sufficiently addressed the earlier reason for refusal in relation to concerns with overshadowing to the rear gardens of the properties on Amery Road.

Quality of Accommodation

70. Policy D6 of the London Plan sets out standards for housing quality. It requires new homes to be of high quality design and provide adequately sized rooms with comfortable and functional layouts. Policy D6 requires new housing developments to maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3. Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

Daylight and Sunlight

71. A daylight and sunlight report was submitted with the application assessing the internal arrangement of the proposed residential units. Initially, the assessment was made into ground floor units only. However, concerns were raised by the Council's Urban Design Officer with regard to units 1.02, 1.05, 2.02 and 2.05 as to the performance of the living, kitchen, dining spaces. These units are partly buried within the depth of the plan and have projecting balconies above the windows, potentially limiting daylight and sunlight penetration. Following communication with the applicant, an addendum was received to ensure ground, first and second floor units were assessed.
72. The Illuminance Method daylight results show that 61 rooms out of 81 rooms tested adhere to the BRE guidelines. It is noted that where rooms fall below requirements, some of these are affected by the provision of balconies overhead, which is an inevitable effect for new urban developments when delivering the required amenity space standards, whilst others shortfalls are due to the inclusion of the kitchen areas within the new illuminance testing methodology. The Sunlight Exposure results show that of the 81 rooms tested, 54 rooms (67%) adhere to the BRE guidelines. This is considered to be a suitable level of adherence given the proposed development has windows facing in all directions, including the

north where sunlight is limited. In light of the above, the proposed layout of units 1.02, 1.05, 2.02 and 2.05 is also considered to be acceptable.

73. For the sunlight quality to the proposed amenity areas, the ground floor gardens have been assessed. It is noted that the upper levels of the proposed development would obtain higher levels of daylight and sunlight. The assessment of the sun-on-ground has been undertaken to two amenity areas at ground level. The results of the assessment can be seen on the ground floor plan at Appendix 2, which shows Area A1 and A2 would obtain at least 50% of the garden sunlit in the assessment month of March. Areas A1 and A2 obtain levels of 96% and 100% respectively, which are well above the target set out in the BRE guidelines.
74. Overall, the assessment of the light for the future occupants demonstrates an acceptable level of adherence to the daylight assessment, whilst also demonstrating a good level of sunlight will be achieved.

Floorspace Requirements

75. Policy D6 of London Plan sets out minimum floorspace requirements. It also requires single bedrooms to have a floor area of at least 7.5sqm and be at least 2.15m wide. A double or twin bedroom must have a floor area of at least 11.5sqm, with at least one of the double bedrooms at 2.75m wide, and the remaining double bedrooms at 2.55m wide. The Design and Access Statement submitted with the application highlights that all proposed units would meet the London Plan floorspace requirements.
76. The proposed first and second floors would include 11 units which would exceed recommended 8 homes per core as set out in the Mayor's Housing SPG. However, given the "T" shape of the buildings the homes are clustered around a centrally located core.
77. The section plans submitted with the application demonstrates that the proposal would meet the required floor to ceiling height of 2.5m of at least 75% of the internal floorspace as set out within the London Plan.

Outlook and Aspect

78. Policy D6 of the London Plan highlights that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.
79. Within the previously refused application, there were significant concerns raised in relation to the level of outlook received by a number of the proposed ground floor units. These are each addressed below.
80. The bedroom serving G.01 is located within close proximity to the main entrance of the development. Previous concerns were raised over the location of the boundary screening to the proposed amenity space which was in close proximity to the bedroom window. To alleviate these concerns, the unit has been provided with a decked amenity space of a suitable width which meets London Plan standards, with the screening now sited in a suitable location to allow for an appropriate level of outlook, whilst also preserving the privacy of the space.
81. Concerns were also raised over the flank bedroom window for unit G.02 which was sited directly adjacent to a hedge, and 2.6m from the site boundary. Whilst the window would remain within 2.6m of the site boundary, the hedge has been relocated to better align with the natural subdivision of the units. It is therefore considered that an appropriate level of outlook would be received, given the site constraints.
82. The bedroom located within G.05 which was previously considered to receive an unacceptable level of outlook has been removed from the subject application and therefore overcomes the previous concerns.
83. Otherwise, the proposed unit layout is considered to be acceptable, providing a suitable level of outlook to each unit. Further, it is considered that internal layouts have been well thought out, to maximise dual aspect provision, with living spaces located to the corners of the development where possible.
84. Amendments were also received during the course of the application to flip units G.04 and G.05. This allowed the larger, 2 bedroom 4 person unit to benefit dual aspect provision, as well as to benefit from access to a larger private amenity space.

Relationship with the Existing Sub-Station

85. Unit G.05 would be positioned within close proximity to the existing substation to the rear of the site. The proposed first, second and third floors would contain units with balconies directly adjacent to the substation. These upper floor units would also contain opening points within close proximity to the substation.
86. Within the previously refused application, the Noise Assessment failed to fully assess this relationship in full. In addition to this, the Environmental Health Team raised concerns in relation potential of electromagnetic fields generated by the electric substations on/near the site which were not addressed.
87. Although the noise assessment provided as part of the subject application doesn't specifically mention the substation, a frequency analysis was undertaken that demonstrates there is low frequency noise; more likely from extraction fan noise as opposed to the substation. Due to this specification it has been noted that the proposed glazing would reduce low frequency noise to an acceptable level. This information has been identified as acceptable by the Council's Environmental Health Team. Furthermore, an EMF Report was submitted during the course of the application which demonstrates acceptable levels, below threshold levels. The application is therefore considered to suitably overcome the previous reason for refusal.

Accessibility

88. Policy D7 of the London Plan requires that 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings'.
89. The development has been designed to allow residents to gain step-free access to the building when considering the external environment through clearly visible and identifiable entrances from the public realm. Step-free access would also be provided to the rear amenity space. The scheme would include 5 units designed to building regulations M4(3) 'wheel chair accessible homes standards'. This would equate to over 10% which complies with the requirement of the London Plan.
90. The remainder of the homes would be designed to M4 (2) 'accessible and adaptable dwellings' standards.

Privacy

91. Given the orientation between the proposed units, no harmful overlooking would occur between homes within the development. A condition has been recommended requesting details of appropriate screening to be included on the proposed balconies.

External Amenity Space

92. Policy BH13 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 is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.
93. The requirement for external private amenity space is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 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.
94. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
95. 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.

96. In line with policy BH13, the scheme would be required to provide a total of 900sqm of external amenity space (2 x 50sqm and 40 x 20sqm). Each home would have access to a private terrace or balcony that meets or exceeds London Plan standards for external amenity space. However, there is an overall shortfall in private amenity space of 388.8sqm against the targets set out within policy BH13. However the scheme would have access to 533sqm of communal amenity space located at ground floor level and at 4th floor level. The combination of private and communal amenity space would result in a scheme that would not be short of the targets set out within policy BH13.

Play Space

97. London Plan policy S4 refers to play space requirements for residential developments. A children's play area would be provided to the rear of the site and this would measure approximately 170sqm. This provision would exceed the requirement of the GLA playspace requirements of 140sqm for a scheme with 42 homes (all of which are private).

Transport and Highway Considerations

98. The application site fronts the service road, which runs along Watford Road on the north-eastern side of the roundabout junction with Sudbury Court Drive and The Crescent. Watford Road is a London Distributor Road.

99. The service road serves a mixture of residential and commercial properties. It is approximately 5.5m wide and permits uncontrolled on-street parking. However, its width allows parking along one side only, with six cars able to be accommodated opposite the application site and a further six to the north. Nevertheless, it is subject to demands from commuters and shoppers to the local area, particularly during the day.

Parking

100. The existing 40 car parking spaces on site significantly exceeds maximum car parking allowances for a restaurant.

101. With regard to the site's redevelopment, parking standards at Appendix 4 of the Local Plan are taken from Table 10.3 in London Plan Policy T6.1 for residential use. The low access to public transport services means that up to 0.75 spaces per 1-/2-bed flat and one space per 3-bed flat are allowed.

102. The proposed development would therefore have a maximum car parking allowance of 35 spaces. This is a reduction from the previous Development Management Policy standards that were in operation when previous proposals were considered, which would have allowed up to 49 spaces.

103. Within the initial submission documents, the applicant proposed 16 formal undercroft spaces which is in accordance with maximum parking standards. However, although the proposed car parking was compliant with maximum standards, the Council's adopted policy BT2 states that "Development will be supported where it does not add to on-street parking demand where on-street parking spaces cannot meet existing demand such as on heavily parked streets, or otherwise harm existing on street parking conditions. As such, justification for the relatively low level of proposed car parking was required.

104. To establish likely parking demand, reference to data from the 2011 Census suggests that car ownership for flats in the area averages about 0.76 cars/flat, suggesting that the development would generate demand for 32 spaces.

105. The previously refused application (ref: 21/3679) proposed 18 formal undercroft parking spaces, plus six informal spaces along the proposed service road along the front of the building. This left an expected overspill of about eight cars, which were deemed capable of being accommodated along the service road in close proximity to the building. As such, the previous scheme was not considered likely to cause any severe parking problems in the vicinity of the site. Nevertheless, the subject application at submission reduced the undercroft parking to 16 spaces, whilst also reducing the width of the service road along the front of the building to accommodate soft planting, such that it would no longer be able to accommodate any informal parking. The off-street parking provision was therefore significantly reduced by about one-third in comparison with the earlier submission (24 spaces down to 16 spaces), leading to a much greater volume of overspill parking estimated at an average of 16 cars.

106. To this end, detailed survey information on parking conditions in the area was gathered by the

applicant using an accepted methodology to establish whether there is spare capacity to accommodate some parking demand along the service road fronting the site. Surveys were carried out over the period of two nights from 00:30-05:00 on Wednesday 5th May and Thursday 6th May 2021. The carriageway of the service road in close proximity to the site has a total capacity for twelve cars, with about six spaces directly fronting the site and a further six spaces to the north. On 5th May, six cars were observed as being parked, leaving six spare spaces, whilst on 6th May, four cars were noted, leaving eight spare spaces. The service road is therefore

107. Nevertheless, Google Streetview images show that it does tend to be heavily parked during the day and suggestions from resident objections are that many of the spaces are used by staff at Northwick Park Hospital. As such, there is less spare parking capacity available during the day close to the site. It is recognised that residential parking demand from this site would be likely to fall during the day though as residents travel to work and this is set out in Table 6 of the Transport Statement provided.
108. If space only exists for six cars to overspill from the site onto the service road close to the site, then a further ten residents would be seeking parking space further afield. However, the remainder of the kerbside parking that was surveyed was at least 120m distant from the building entrance, with the majority of it accessed via the crossing of major roads. Only the northern service road of Sudbury Court Drive provides reasonably convenient parking, but this has only 13 spaces within 200m of the building entrance. Given these distances, it was considered that residents are more likely to take their chances on parking for short periods in and around the development, such as on double yellow lines, across driveways and junctions, on footways/verges, or most likely, on the service road and landscaped areas fronting the building, despite its reduction in width. This will be particularly the case if they are carrying heavy shopping or have young children with them. Such parking would in turn obstruct safe access to the building and along the adjoining streets.
109. As such, concerns were raised over the impact of the estimated overspill of 16 cars from the site would have on highway conditions in the area, given the shortage of available on-street parking space in the immediate vicinity of the building. To this end, it was noted that an additional 8 spaces were required on site, with the remaining demand to be accommodated on the service road.
110. In light of the above, a revised ground floor plan was accepted during the course of the application which demonstrates an additional 8 parking spaces to be located within the site's frontage (bringing the total provision on site to 24 spaces). To accommodate this, the proposed soft landscaping has been rearranged but has not resulted in a significant net loss. Furthermore, the soft landscaping to the frontage would also be a significant increase to the previous application, where this was not highlighted as a concern. The revised documents have been reviewed by the Council's Transport Team and are considered to ensure that the proposed development would not unacceptably impact upon highway safety, as parking demand may be suitably accommodated on site with an estimated overspill parking demand for 8 spaces, which would be comparable to the earlier refused scheme. Bearing in mind that the standards are expressed as maxima this does not conflict with the policy. The potential (on and off street) demand can be accommodated within accepted tolerances. Moreover, policy emphasis on restraint is likely to influence occupiers' modal choices particularly around ownership and use of a car.
111. The proposed 3.2m headroom to the undercroft area is appropriate.
112. The Transport Statement also indicates that 20% of car parking spaces would be provided with active provision for electrical vehicle charging, whilst the remainder would be provided with passive provision, as per the London Plan requirements. However, these have not been indicated on the site layout plan, and details would need to be conditioned.
113. The provision of two disabled car parking spaces has been indicated, which would meet the current requirements.
114. Officers in Transportation have also requested a Car Parking Management Plan to be conditioned to ensure that cars only park on-site within the designated spaces within the site, with details of what action would be taken if cars parked elsewhere. It should also set out how spaces would be allocated, to give the greatest priority to those with the greatest need (disabled persons, family units etc.).

Healthy Streets

115. Although the scale of the development is below that where TfL's guidelines would consider it essential, the poor location of the site in terms of transport access means that a Travel Plan is of

benefit in this case. The applicant has thus submitted a Framework Travel Plan.

116. The main proposed target is to reduce the proportion of trips made by car drivers from 44% to below 20% within 5 years, which is welcomed. However, the content of the travel plan requires revisions if this target is to be realised. The measures only relate to providing information to residents and this is only successful for a limited number of persons. Incentives for people to change their attitudes also need to be included, such as pre-loaded Oystercards, discount cycles etc. It is also noted that Enterprise have recently begun operating a Car Club within the vicinity of the site, so a useful measure would be to pay for residents membership and use of the car club for a period of time, so that they don't need to own a car, but have access to one when required.
117. Details of the Travel Plan Co-ordinator would be required for the final Travel Plan.
118. The Travel Plan also suggests that the site has good walking, cycling and public transport infrastructure. This does not correlate with the PTAL value of 2, whilst several of the arms of the adjoining roundabout have poor pedestrian crossings. To this end, it was noted to be of benefit if the pedestrian environment around the site could be improved, which could be by way of a contribution or part of S278 works. Undertaking of a Healthy Streets Assessment in the vicinity of the site would help to identify key shortcomings that could be addressed. As such, a Healthy Streets Assessment was submitted during the course of the application, which has been reviewed by the Council's Transport team.
119. The Healthy Streets Briefing Note identifies routes to various destinations which require the crossings of each arm of the roundabout junction, which is a reasonable approach. The Highway Code has recently been updated to clarify that pedestrians have the right of way at junctions including roundabouts and so cars should give way to pedestrians wanting to cross, unfortunately this rarely occurs and so the environment needs to improve in order to enforce this. If an environment is dominated by cars with limited facilities for pedestrians more people would choose to drive as it looks like that is what people are supposed to do.
120. The briefing note includes some data on collisions, but no map of the area included in the coverage has been included so it is unclear of the area covered whilst it would be expected to include at least up to all of the formal pedestrian crossings mentioned as being within a reasonable distance within the assessment. Furthermore, the period of the collision data is from January 2019 to December 2021 in which for a large portion of this period the Country was under Covid restrictions in which travel was significantly reduced and so it would be expected that a reduction in collisions would occur during this period, indeed this partly the goal of travel restrictions and in particular restrictions on driving was so that NHS resources weren't taken up by dealing with the aftermath of collisions.
121. In light of the above insufficiencies noted, the applicant agreed to enter into discussions with the Council's Highway team to discuss an appropriate financial contribution for the improved pedestrian environment around the site. Following discussion, it was agreed that the conversion of the existing informal pedestrian crossing across Watford Road directly outside the site into a Zebra Crossing and the provision of a speed table on the adopted service road to line up with the existing informal crossing / proposed zebra crossing would be a suitable approach to improving pedestrian safety around the site, so that walking may be further encouraged. Such improvements through a financial contribution of £50,000 would be secured via a Section 106 agreement, and the application is therefore considered to be acceptable in this regard.

Cycle Parking

122. The proposals require a minimum provision of 77 long-stay cycle parking spaces and two short-stay spaces. The proposed ground floor plan proposes 80 spaces; 74 on two-tier racks and six on 'Sheffield' stands to accommodate non-standard bikes. Two external 'Sheffield' stands for visitors are also shown to meet short-stay requirements. Refusal reason 7 of the previous decision notice has thus been addressed.

Servicing

123. Minimum storage requirements are for 4,800l of recyclable waste, 4,800l of residual waste and 966l of organic waste. This would result in the need for 10 x 1,110l Eurobins and four wheeled bins. The refuse store indicates that 10 x Eurobins and 4 x 240l refuse bins will be accommodated and so this would be acceptable. Whilst the communal bin store does exceed the recommended 30m carrying distance from the entrance of some of the refuse store (including vertical distance) (the longest distance is

approx. 38m), the shortfall would not be considered significant.

124. The proposal initially showed service vehicles going into the site through a carriage drive style access. However, this was changed in order to allow the required level of parking to be provided and service vehicles would now stop on the service road to the front of the property. A gate was proposed to the front of the property to allow refuse bins to be wheeled to the collection point. The gate is shown to open over the highway and would need to open inwards (into the site), which can be secured through condition.

Trip Generation

125. The applicants have provided a trip generation analysis based on TRICS survey data for both the existing restaurant and the proposed residential flats. The trip rate calculations for the flats are based on five similar blocks of flats in areas of Outer London with a low PTAL rating, so are considered representative of this proposal.
126. The analysis indicates that the development will generate an extra 5 arrivals and 19 departures by car during the AM peak (8-9am) compared with the existing use, with an additional three vehicle movements in the evening peak hour (5-6pm). These additional flows are not considered significant enough to have a detrimental impact on highway network capacity in the area.

Tree Consideration, Urban Greening and Ecology

127. Policy BGI2 states that development with either existing trees on site or adjoining it that could affect trees will require a submission of a BS5837 or equivalent tree survey detailing all trees that are on, or adjoining the development site.
128. The site is not affected by any Tree Preservation Orders and it is not within a designated Conservation Area. It does sit opposite the Sudbury Court Conservation Area.
129. A Tree Report and Tree Protection Plan were submitted with the application. To implement the planning permission being sought, part of G1 (group located south of the site) and all of G3 (group located north east of the site) would need to be removed to facilitate the construction new building and garden space. The trees in G1 could be considered unsuitable for long term retention due to their growth potential. These are low quality trees, with G3 being partially in decline. The report highlights it will not be practical to try and retain the trees along the boundary in G1 where the building line comes close to it. The application is seeking for these trees to be replaced by suitable tree cover, including 30 new specimen trees of either advance nursery stock or semi mature specimens planted throughout the development.
130. The layout of the building means that the actual footprint of the new building sits outside of the calculated RPA (Root Protection Area) of the trees, so no deep excavation works will take place in this protected area and so significant roots will not be impacted. The findings identify that the layout of the building does not encroach into the RPA of the other trees to be retained and protected and therefore the deep excavation works will not impact on these protected areas.
131. The risks to the trees associated with construction activities apart from the direct way they could be impacted as discussed above, will be via indirect actions from construction activities such as, inconsiderate material storage, manoeuvring of materials, scaffold erection etc. The site contains the relevant for these actions to be carried sufficiently. Protective fencing will be erected in the locations shown on the tree protection plan. These protection mechanisms would be implemented next to the trees located to the front of the site. Hand digging and air spade works will be used within the RPA with an arborist on site to supervise proceedings. Site supervision will be conducted by an on site suitably qualified arborist.
132. The Council's Tree Officer has reviewed the information provided with regard to trees and raises no objection to the proposal. Whilst it is noted that the revised parking layout would require increased hardstanding provision within close proximity to the existing street trees, this would be acceptable, provided a no dig construction method was used within the Root Protection Areas. To this end, a tree protection and landscaping condition would be required as part of any consent.

Urban Greening

133. Policy G5 of the London Plan highlights that major development should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments and a target score of 0.4 for residential development. This is also set out within policy BH4 which seeks for small sites to achieve an UGF of 0.4. As part of the original submission, the applicant provided calculations demonstrating that the proposal would achieve a UGF score of 0.466 which would exceed the target score set out in the London Plan and Brent's Local Plan. Following the submission of a revised front forecourt plan, the UGF calculation has been revised. This has been slightly reduced to 0.451 and still exceeds the policy requirement of 0.4. The UGF is recommended to be secured within the landscape condition.

Ecology and biodiversity

134. The sites does not lie within close proximity to a site of nature conservation importance. The nearest one is Northwick Park and the Ducker Pond which is a designated Grade I SNIC and located approx. 240m away on the opposite side of Watford Road. Nevertheless policy BGI1 sets out that all development should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

135. Objectors have said that there is the potential for bats to be affected by the proposal. As noted above, the site is not within a designated nature conservation area or a wildlife corridor. However, this does not necessarily mean that bats are not present within the site or otherwise affected by the proposal. The applicant has submitted a Preliminary Bat Roost Assessment Survey with the survey being carried out on 22nd November 2021 as part of the earlier refused application. The report concluded that the existing building does not have any bat roosts. This report has been resubmitted and no further survey carried out. However, it is considered that the recommendations set out within the earlier report would still be applicable given the date, findings and recommendations of the report. Enhancement measures were recommended and conditions for external lighting. It is recommended that an informative is added highlighting that work should stop immediately if bats are found at any phase of the development, with a suitably qualified ecologist to be contacted for further advice.

136. A UGF Masterplan was submitted alongside the application which was revised following the noted amendments to the front forecourt. This demonstrates a UGF of 0.451 which is an overall improvement from the originally submitted landscaping plan. It is set out that the design attempts to provide as much increased tree and hedge screen and generally softening to the overall proposed architectural scheme, and from the adjacent pedestrian and vehicular traffic flow - on Watford Road. Further planting beds provide soft boundary edges and privacy to and from the adjacent public footpaths, communal path areas and nearby private terraces. The layout, theme and rhythm of the design generally provides for soft landscape areas which frame the key entrances and exits and to be impactful, enhancing the adjacent landscape street scene and public realm. Whilst it is not clear what the existing UGF score is on site, the overall amount of soft landscaping would be enhanced within the site and it is therefore considered that the score of 0.451 suitably demonstrates an overall increase.

Sustainability

137. Policy SI2 of the London Plan sets out that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

138. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

- 1) through a cash in lieu contribution to the borough's carbon offset fund, or
- 2) off-site provided that an alternative project is identified and delivery is certain.

139. An Energy Statement has been submitted with the application stipulating that a 'Lean, Clean, Green' approach has been adopted and the development achieves an overall improvement (DER/TER) in regulated emissions at over 70.79% above Part L 2013 standard, through the adoption of high standards of insulation, air source heat pump driven heating and hot water systems to the flats and a roof mounted PV array. The remainder of the carbon off setting would need to be secured as a payment in lieu. Whilst it is noted that Part L 2021 of national building regulations took effect on 15 June 2022, at the time of the application submission, the GLA guidance was to continue to use the 2020 guidance, spreadsheet and the Part L 2013 methodology, until the software had been updated. Therefore, whilst the figures are based on Part L 2013, the reduction is high, and it is considered that with the measures proposed, that the scheme could reasonably secure a 35% on site reduction based on Part L 2021. Such details would be secured within the Section 106 Agreement to any forthcoming consent, and would address the earlier reason for refusal in this regard.

Environmental Considerations

Noise

140. A Noise Impact Assessment was submitted with the application. The report highlights that it is recommended that acoustic fenestration and ventilation measures be considered in order to protect the daytime and night-time amenity of future occupiers. This assessment has been reviewed by the Council's Environmental Health team and is considered acceptable, provided the mitigation measures as stated within the report are implemented. A compliance condition to this end is therefore recommended.

141. A condition to limit noise from plant and equipment in relation to neighbouring occupiers is also required.

Air Quality

142. The site is in an Air Quality Management Area. London Plan Policy SI1 requires that all major developments within London are Air Quality Neutral. As such, an Air Quality Neutral Assessment needs to be undertaken and submitted with the planning application. Brent's Policy BSUI2 requires major developments to be air quality neutral.

143. An air quality assessment has been submitted and includes an air quality neutral assessment. The assessment considers the air quality impacts associated with the construction and operation of the development. The air quality assessment has also considered the level of exposure for occupiers of the proposed development in relation to concentrations of pollutants and concludes that the levels are below objectives, and therefore future residents and users will experience acceptable air quality, without the need for mitigation measures.

144. The report highlights that whilst the scheme would be air quality neutral in relation to building emissions, the scheme would not achieve air quality neutral for transport emissions. This is based on the predicted daily vehicle movements from the proposed development. The number of spaces at 24 is lower than the current 40 on site. Officers also note that the scheme proposes electric vehicle charging points and that a travel plan would be secured to promote sustainable modes of transport. The scheme also provides cycle parking. On that basis it is concluded that supporting information secured via condition can redress the balance on this issue.

Construction Noise and Dust

145. The development is within an Air Quality Management Area and located very close to residential premises. Demolition and construction therefore have the potential to contribute to background air pollution levels and cause nuisance to neighbours. As such a Construction Method Statement via a prior commencement planning condition would be required.

Contaminated Land

146. The application site is within an area that has been identified as potentially contaminated due to its previous use. Conditions are recommended requiring an investigation of land contamination together with details of any remediation and verification of the works carried out.

Lighting

147. The new development should not give rise to light or other nuisance to nearby residents. A condition would require that, should external lighting be installed, details of the lighting, including a measure of lux levels, to ensure that any lighting does not adversely affect safety, amenity or ecology.

Flooding and Drainage

148. Policy BSUI3 highlights 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. The application is accompanied by a Flood Risk Assessment. It sets out that the site lies within Flood Zone 1 and would be at low/negligible risk of flooding from fluvial, tidal, sewer, infrastructure (reservoir) and ground water sources. It notes that the site is at some risk from surface water flooding with parts of the site towards the west, south and east within 'low risk' areas of pluvial flooding with the Environment Agency's surface water flood map indicating that the flood depth in these areas would be less than 300mm. A large proportion of these areas will comprise of the communal amenity space and open space surrounding the development however it is suggested that the finished floor levels for any residential properties be raised by 150mm above existing ground levels to mitigate any risk of pluvial flooding. Such details are recommended to be conditioned to any forthcoming consent.

149. Policy SI13 of London Plan sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy. Policy BSUI4 relates to on site water management and surface water attenuation. It requires major developments to:

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

150. The application has been accompanied by a drainage strategy. It notes that the exiting run off rate from the site is 32.25 l/s and that the scheme would be proposing to discharge the site to greenfield runoff rates with a peak outflow rate of 3.2l/s (90% betterment). This would be achieved through a number of sustainable drainage measures including a green roof, bio-retention/rain garden and permeable paving. An attenuation tank would also be proposed with a storage capacity of 172m³. Confirmation has been provided the surface and foul water would be separated, and that the sustainable drainage measures would managed and maintained for the lifetime of the development by an appropriate managing body. It is considered that the sustainable drainage measures are accept and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent.

151. Thames Water were consulted during the course of the application and confirmed that they would have no objections in relation to surface water drainage subject to the application following the sequential approach to the disposal of surface water in line with policy SI13 of London Plan. They also recommended a condition in relation to piling as the development is located within 15m of a strategic sewer and an informative to be applied in relation to groundwater discharge. They also confirmed that they wish to raise no objection in relation to waste water network and sewage treatment works infrastructure capacity,

Fire Safety

152. Policy D12a of London Plan highlights in the interest of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. Policy D12b goes onto say that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. Fire safety is also covered under policy D5(b) of the London Plan in relation to inclusive access. A Fire Statement has been submitted on behalf of the applicant by a third party who is a suitably qualified assessor. The fire statement has covered a range of matters set out within policy D12 including "Building Construction Method and Products and Materials Used", "Means of Escape for All Building Users and Evacuation Strategy", "Passive and Active Fire Safety Measures ", "Access and Facilities for the Fire and Rescue Service ", "Site Access for the Fire and Rescue Service" and "Future Development of the Asset and

'Golden Thread' of Information".

153. It is considered that the submitted fire statement sufficiently addresses the matters set out within policy D5 and D12 of London Plan. The London Fire Brigade were also consulted and raised no objections. It should also be noted that the development would still be subject to building regulations where a detailed assessment of fire safety would be carried out.

Equalities

154. 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

The proposal is considered to accord with the development plan, and, having regard to all material planning considerations, should be approved subject to conditions and obligations secured through a Section 106 Agreement. The proposal would result in the provision of 42 new homes, including 11 family sized homes, and would meet an identified need in the borough. The scheme would comply with affordable housing policy despite the absence of affordable housing as it has been demonstrated that the scheme would result in a deficit against reasonable target profit levels. The proposed development is larger than the surrounding buildings both in terms of height and massing. As discussed the Officer view is that the design responds well to its the context and is well composed albeit it would represent a strong element in the local street views. No harm is considered to result to the setting of the Sudbury Court Conservation Area. However, if one did conclude that a degree of harm resulted, the Officer's view is that the level of harm this would be "less than substantial" and significantly outweighed by the benefits of the scheme. The scheme would be air quality neutral in relation to building emissions, but would not be air quality neutral in relation to transport emissions. The limited conflict with policy is capable of a degree of mitigation through the development of a travel plan and moreover considered to be outweighed by the planning benefits of the scheme including the delivery of 42 new homes with 11 family sized homes, contributing towards the Council's housing targets.



Application No: 22/3260

To: Mr Kieran Rushe
Rapleys LLP
66 St James Street
London
SW1A 1NE

I refer to your application dated **20/09/2022** proposing the following:

Demolition of the existing building and the erection of building of up to five storeys to provide residential dwellings (Use Class C3); car and cycle parking; landscaping, amenity space and play area; and refuse storage and other associated works

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

at **231 Watford Road, Harrow, HA1 3TU**

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: 01/08/2023

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 2021
The London Plan 2021
Brent's Local Plan 2019 - 2041

- 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):

2111-BG-00-00-DR-A-00.101	Rev P3	Location Plan
2111-BG-00-B1-DR-A-10.200	Rev P3	Existing Basement Plan
2111-BG-00-00-DR-A-10.201	Rev P3	Existing Ground Floor Plan
2111-BG-00-01-DR-A-10.202	Rev P3	Existing First Floor
2111-BG-00-ZZ-DR-A-10.271	Rev P3	Existing Elevations
2111-BG-00-00-DR-A-15.101	Rev P3	Existing & Demolition Site Plan
2111-BG-00-00-DR-A-20.101	Rev P3	Proposed Site Plan
2111-BG-00-00-DR-A-20.201	Rev P7	Proposed Ground Floor Plan
2111-BG-00-01-DR-A-20.202	Rev P5	Proposed First Floor Plan
2111-BG-00-02-DR-A-20.203	Rev P5	Proposed Second Floor Plan
2111-BG-00-03-DR-A-20.204	Rev P5	Proposed Third Floor Plan
2111-BG-00-04-DR-A-20.205	Rev P5	Proposed Fourth Floor Plan
2111-BG-00-05-DR-A-20.206	Rev P5	Proposed Roof Plan
2111-BG-00-ZZ-DR-A-20.251	Rev P3	Proposed Section A
2111-BG-00-ZZ-DR-A-20.252	Rev P3	Proposed Section B
2111-BG-00-ZZ-DR-A-20.271	Rev P3	Proposed East Elevations
2111-BG-00-ZZ-DR-A-20.272	Rev P4	Proposed North Elevations
2111-BG-00-ZZ-DR-A-20.273	Rev P5	Proposed West Elevations
2111-BG-00-ZZ-DR-A-20.274	Rev P4	Proposed South Elevations
9020-01-B		Landscape Design and UGF Plan
9020-02-A		Roof Landscape and UGF Plan

Supporting Documents

Tree Protection Plan Rev 2

Accurate Visual Representations - Revised Views (prepared by Preconstruct Ltd, 28th February 2023)

Preliminary Roost Assessment Survey (prepared by Arbtech, 23/11/2021)

Foul Sewage Assessment (prepared by Waterman Infrastructure & Environment Limited, September 2022)

Drainage Management Plan (prepared by Waterman Infrastructure & Environment Limited, September 2022)

Arboricultural Report Rev 2 (prepared by Andrew Day, 9th September 2022)

Air Quality Impact Assessment (prepared by Stroma, September 2022)

Flood Risk Assessment (prepared by Ardent, September 2022)

Noise Impact Assessment (prepared by Acoustics Plus, 16/09/2022)

Landscape Design Statement, Initial Landscape Specification and Urban Greening Factor (UGF) Report And Calculations (prepared by Concept Landscape Architects, Rev A - June 2023)

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

- 3 The scheme hereby approved shall contain 42 residential dwellings within Use Class C3 as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 Units G.02, G.03, 1.06, 2.06 and 3.06 shall be designed to comply with Building Regulation M4(3) 'wheelchair accessible homes' standards and the remaining residential units designed to comply with Building Regulations M4(2) 'accessible and adaptable homes' standards.

Reason: To ensure the provision of accessible homes, in accordance with policy D7 of London Plan 2021.

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

Reason: In order to ensure a sustainable development by minimising water consumption.

- 6 The works shall be carried out in full accordance with the recommendations set out within the approved Drainage Management Plan prepared by Waterman (dated September 2022) in relation to the proposed surface water drainage strategy. The measures shall thereafter be maintained in accordance with the sustainable drainage systems management plan throughout the lifetime of the development, unless an alternative strategy is submitted to and approved in writing by the Council and thereafter implemented in full.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

- 7 The design mitigation measures in relation to the proposed development shall be carried out in accordance with the details set out within the Flood Risk Assessment dated September 2022 prepared by Ardent Consulting Engineers, unless alternative measures are submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the scheme is resilient to all sources of flooding including pluvial flooding.

- 8 The development hereby approved shall be carried out fully in accordance with the submitted Acoustic Plus Noise Assessment (Ref: 104170A Issue 5 dated 16th September 2022) unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure adequate internal environment for future occupiers of the development.

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

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

- 10 The development hereby approved shall not be occupied unless the car parking spaces

(including the provision of 5 active electric vehicle charging points and passive provision of the remaining car parking spaces), cycle storage and refuse stores have been completed in full accordance with the approved drawings and made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 11 The development hereby approved shall not be occupied unless the external amenity spaces have been completed in full accordance with the approved drawings and those spaces shall thereafter be made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved.

Reason: To ensure a satisfactory standard of accommodation.

- 12 Prior to the commencement of the development (including demolition and site clearance) a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development during construction and site clearance works. The CMS shall include, but is not limited to, details of a dust monitoring plan, to be implemented during construction, site clearance and demolition works.

All agreed actions shall be carried out in full for the duration of the site clearance, demolition and construction phases, unless otherwise agreed in writing by the local planning authority.

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.

- 13 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway;
- iii. Vehicular routes to the site;
- iv. Parking of vehicles of site operatives and visitors;
- v. Storage of plant and materials used during the construction period;
- vi. Wheel washing facilities;
- vii. Any temporary lighting;
- viii. Protection of the carriageway and any footway users at all times during construction;
- iv. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;
- x. Contact details of personnel responsible for the construction works

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

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

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

- 14 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837:

2012 including a Tree Protection Plan (TPP, at para. 5.5 BS 5837) and an Arboricultural Method Statement (AMS, at para. 6.1 BS 5837) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/utilities/drainage
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA that may impact on the retained trees
- d) A full specification for the installation of boundary treatment works
- e) A full specification for the construction of any roads, parking areas and driveways to be constructed using a no-dig specification including the extent. Details shall include relevant sections through them.
- f) Detailed levels and cross sections to show that the raised levels or surfacing, where the installation of no-dig surfacing within the RPA is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction activities in this area clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained trees and landscaping
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

- 15 (a) Prior to the commencement of building works (excluding demolition of the existing building), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority, 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 and a Remediation Strategy should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

- 16 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

- 17 Details of materials for all external building work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations). The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

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

- 18 Prior to the commencement of works (excluding site clearance, demolition and below ground level works) detailed bay studies including indicative technical sections illustrating how specific elements of the façade may be constructed, such as typical windows, typical parapets, typical balconies etc shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

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

- 19 Details of the hard and soft landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), Such details shall include:
- I. A scaled plan showing vegetation to be retained and trees and plants to be planted, which shall include a minimum of 30 trees
 - II. A schedule detailing sizes and numbers of all proposed trees and use of native and/or wildlife attracting species to achieve a net gain in biodiversity within the site
 - III. Details to demonstrate that an Urban Greening Factor of at least 0.4 would be achieved within the site
 - IV. Sufficient specification to ensure successful establishment and survival of new planting
 - V. Details of all proposed hardstanding
 - VI. Details of garden wall, fences or other form of boundary treatment to be provided within the site (including details of external materials and heights) including all gates that front the highway to be designed to not open outwards onto the highway
 - VII. Details of roof terrace design and planting for high quality usable external amenity space
 - VIII. Details of the specification of the green roofs within the development
 - IX. The provision of 24 car parking spaces (including the marking out of 2 disabled parking bays), including the size and siting of the parking area, defined points of access and the surfacing materials to be used,
 - X. Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall include capacity for a minimum of 77 long-stay and 2 short-term spaces
 - XI. Details of any external lighting and light spill diagram in relation to neighbouring properties
 - XII. Details of children's play equipment within the communal garden
 - XIII. The provision of 5 active electric vehicle charging points and passive provision of the remaining car parking spaces
 - XIV. Details of bird and bat boxes
 - XV. A schedule of landscape maintenance for a period of 5 years which shall include details of the arrangements for its implementation and sufficient specification to ensure successful establishment and survival of new planting.

The hard and soft landscape works shall be carried out in full accordance with the approved details prior to the use of the dwellings hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales .

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new trees(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning authority gives its written consent to any variation).

Reason To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DMP1 and BGI 2.

- 20 Prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations), details of screens between adjoining balconies within the development and on the edges of the balconies for units 1.01, 1.04, 1.06, 1.07, 1.11, 2.01, 2.04, 2.06, 2.07, 2.11, 3.04, 3.06, 3.07, 3.10, 3.11, and the communal terrace at 4th floor level shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality or result in overlooking and loss of privacy.

- 21 Prior to first occupation or use of the development hereby approved, a Car Park Management Plan (CPMP) shall be submitted to and approved in writing by the Local Planning Authority. The CPMP shall include:
- The management and allocation of spaces which shall include give priority to those with greatest need (disabled persons, family units etc);
 - Details of measures to ensure that the car parking spaces are only used by residents of the development;
 - Details of measures to ensure that cars only park on-site within the designated spaces within the site, with details of what action would be taken if cars parked elsewhere.

The development shall thereafter be operated in full accordance with the approved CPMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure on-site parking is managed in an acceptable manner in the interest of safety and to limit potential over-spill parking on the highway to ensure the free and safe flow of traffic and pedestrians.

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

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 23 Prior to first occupation of the development, details of a plaque which celebrates the existing

building on site (located in an easily visible position from the public footway) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Council's Heritage Officer.

The plaque shall thereafter be installed in accordance with the approved details prior to first occupation of the development hereby approved, and thereafter retained throughout the lifetime of the development.

Reason: In the interest of local history.

INFORMATIVES

- 1 (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.
- 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 (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
- 4 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.
- 5 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.
- 6 The applicant is informed that, in relation to the discharge of conditions regarding the remediation of contaminated land, 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.
- 7 Thames Water advises the applicant of the following:
 - 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=DwlFaQ&c=OMjwGp47Ad5otWI0_lpOg&r=G_hzVvySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=-u-R_Q15lz4qif8awGaV1BUWN40lineKyqKZROLnXaA&s=NJ1M7Lt_xulFk4_2FpfFRZ9ippAbc0KqM1RBH6vHdbE&e=. Please refer to the Wholesale;

Business customers; Groundwater discharges section.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

- 8 In the event that bats are found at any stage of the development, work should stop immediately, and a suitably qualified ecologist should be contacted for further advice.

Any person wishing to inspect the above papers should contact James Mascall, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2209

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 August, 2023
05
22/3965

SITE INFORMATION

RECEIVED	18 November, 2022
WARD	Wembley Park
PLANNING AREA	Brent Connects Wembley
LOCATION	1-4 and 9 Watkin Road, Wembley, HA9 0NL
PROPOSAL	Demolition of existing buildings and construction of two new buildings to provide commercial floorspace (Use Class: E) and student accommodation bedspaces (Use Class: Sui Generis), associated access and highways works, amenity space, cycle parking spaces, disabled car parking spaces and refuse/recycling stores.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_162738</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 "22/3965" (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 the referral of the application to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement
3. Nominations agreement for student accommodation including affordable student accommodation – Agreement with one or more Higher Education Providers to secure nomination rights for at least 51% of the student bedrooms (315 bedrooms), including 35% (216 bedrooms) to be provided as affordable student accommodation (as defined within the London Plan), comprising a mix of units of different types and proportion of wheelchair accessible units to reflect the overall mix. Communal facilities including refuse storage, cycle storage, internal and external communal areas to be available equally to all students without additional charges. Early stage viability review if substantial implementation does not occur within two years.
4. Training and employment of Brent residents - Prior to a material start:
 - a. to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
 - b. to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development
 - c. financial contribution to Brent Works for job brokerage services.
5. Sustainability and energy
 - a) Detailed design stage energy assessment. Initial carbon offset payment if zero-carbon target not achieved on site.
 - b) Post-construction energy assessment. Final carbon offset payment if zero-carbon target not achieved on site.
 - c) 'Be seen' energy monitoring requirements
6. Student Travel Plan – Submission and implementation of Travel Plan for student accommodation and commercial uses, with a target of 100% of trips to be made by foot, cycle or public transport , including monitoring and review arrangements under the i-TRACE or TRICS survey methodology,
7. Submission, approval and implementation of a waste management plan including commitment to fund and arrange independent collections from the site. Collections must be entirely privately funded and arranged unless an alternative plan showing a revised layout is submitted and agreed with the LPA which meets Veolia's requirements in respect of carrying distances.
8. A section 38/278 Agreement to secure highway works to provide:
 - (a) Widening footways around the site;
 - (b) Inset loading bay to Watkin Road;
 - (c) Disabled parking bays to Watkin Road.
9. Brent Financial contribution as set out below:
 - (a) Improved pedestrian crossing/traffic calming facilities within the vicinity of the site (£60,000)
 - (b) CPZ expansion (£50,000)
 - (c) Affordable Workspace Provision contribution (£200,500)
10. Transport for London: for improvements to public transport services (£475,000).
11. Surveys of television and radio reception in surrounding area, submission of a TV and Radio Reception Impact Assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed;
12. Indexation of contributions in line with inflation

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

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

Conditions

Compliance

1. Three year rule
2. Approved drawings and documents
3. Restrict occupation to students
4. Restrict number of student bedrooms
5. Accessible rooms
6. Quantum and use of commercial floorspace
7. Provide bins, bikes, internal & external communal student spaces
8. Non Road Mobile Machinery
9. Residential parking permit restrictions.
10. Tenure blind access to internal and external amenity spaces
11. Flank wall windows
12. Compliance with Flood risk assessment and drainage strategy
13. Compliance with Preliminary Ecological Appraisal

Pre-commencement

14. Construction Method Statement
15. Construction Logistics Plan
16. Trees

During construction

17. Contaminated Land
18. Piling
19. Cycle Storage
20. District heat network connection
21. Ducting space
22. Materials samples
23. Landscaping scheme

Pre-occupation

24. Final Student Management Plan
25. Delivery and servicing plan
26. Circular economy reporting
27. Whole life cycle carbon reporting
28. External Lighting
29. Implementation of noise mitigation measures
30. Plant noise assessment

Post occupation

31. BREEAM certification

Informatives as listed in the Committee 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.

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

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

SITE MAP

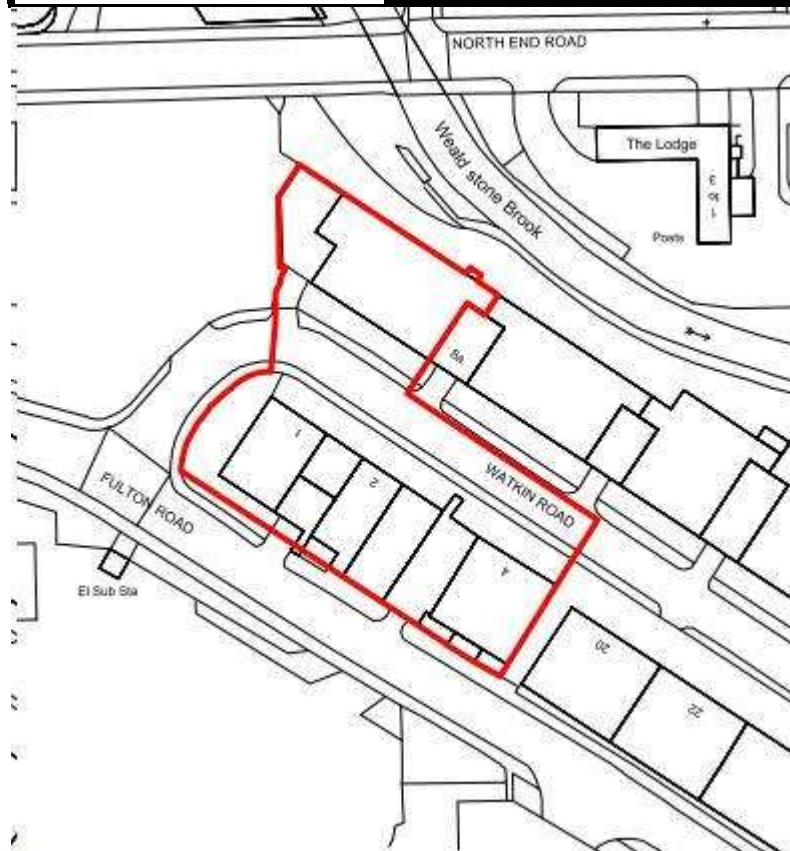


Brent

Planning Committee Map

Site address: 1-4 and 9 Watkin Road, Wembley, HA9 0NL

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal includes land on both the northern and southern sides of Watkin Road, each containing blocks of purpose built student accommodation.

The southern site would contain a building that is a maximum of 27 storeys in height and is part 18 storeys and part 6 storeys and has a basement, whilst the northern site would contain a building that extends to 21 storeys in height.

The southern site is proposed to deliver 1,490sqm of commercial floorspace within the basement to 2nd floors and 419 student accommodation bed spaces (and ancillary amenity spaces) across the 3rd to 19th floors.

The northern site is proposed to deliver 200 student accommodation bed spaces (and ancillary amenity spaces).

They would be operated as one single student accommodation facility.

During the course of the application a number of amendments were received as summarised below:

- Secondary cores added to both buildings and an escape lift to each new stair core
- Slight reduction in footprint of both buildings
- Reduction in floor to floor-to-floor heights from 3m to 2.85m to provide additional storeys. The typical student accommodation floor to ceiling heights range from 2.5m to 2.55m;
- The northern block has increased from 20 to 21 storeys (with an increase in the overall height by 300mm) and the southern block has increased from part 6, part 18 and part 25 storeys to part 6, part 18 and part 27 storeys (through an increase in the height of the tallest block by approx. 2.4m and a decreased in the height of the lower block on the eastern end by approx.. 2.25m.
- Alterations to external elevations
- Alterations to cycle and bin stores
- Internal layout changes to increase the amount of industrial floorspace within the southern block from 1,407sqm to 1,490.2sqm,
- An increase in internal communal space within the northern block from 288sqm to 305sqm and increase in bedrooms from 190 to 200
- An increase in internal communal space within the southern block from 601sqm to 609sqm and increase in bedrooms from 404 to 419

The extent of the changes set out above was considered to warrant the need for re-consultation as discussed within the consultation section below.

EXISTING

The development site for this proposal is split into two. The southern site forms units 1, 2, 3 and 4 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area. The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the under-construction development of 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east.

The application site is located within the Wembley Growth Area and forms part of site allocation BCSA6: Watkin Road in Brent's Local Plan. The northern part of the site closest to the Wealdstone Brook lies within Flood Zone 3a as identified by the Environment Agency, and parts of the site are also within land that is liable to surface water flooding.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Thirty-four letters of objection and an

objecting petition were 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: Thirty-four neighbour objections were received with one objecting petition with fifty-four signatures. These relate to the principle of high density development and student accommodation in Wembley, pressures on infrastructure and service provision, building heights and impacts on local and longer-distance views, overlooking of neighbouring buildings, impact on local parking and traffic, noise and pollution.

Principle of development: The proposal for a mixed use redevelopment of the site, comprising industrial floorspace and purpose-built student accommodation would respond well to the aims of the BCSA6 site allocation. The proposal includes the reprovision of the industrial floorspace to mitigate the loss of existing industrial floorspace on the site. The proposal would contribute to the borough's housing targets and need for industrial floorspace, and would contribute to the viability and vitality of Wembley Growth Area. The proposal is acceptable in principle.

Affordability and mix of student accommodation: The majority of the student accommodation (at least 51%, or 315 rooms) would be secured under a nominations agreement with one or more higher education providers, and 216 of these (35% of the total) would be affordable accommodation. The proposal includes 619 student bedspaces. The nominations agreement would secure proportionate numbers of each type, including for affordable accommodation.

Design and appearance: The two parts of the building on the opposite sides of Watkin Road would be 6, 18, 21 and 27 storeys tall, and would contribute to a varied and undulating skyline emerging in the area. The site is part of a Tall Building Zone designated in Brent's Local Plan, and the building heights are considered appropriate in this location. No harm would be caused to any heritage assets or protected views, and the massing and articulation of the building would enable it to be read as three separate parts to break up the visual impact of the overall bulk of the building. Active frontages and soft landscaping would create a successful relationship with the street, and the detailed design would be considered to be of high quality.

Fire safety: The proposal has been reviewed by the Health & Safety Executive (HSE) under the Gateway One process. On this basis, the HSE have confirmed they have no objection on layout or land use matters. Fire safety will also be considered at Building Regulations stage.

Quality of student accommodation: The student bedrooms have been designed with efficient layouts to maximise available space and would be comparable in size to other student accommodation schemes in the area. All rooms would receive adequate daylight and would not be unduly at risk of overheating. Communal amenity space, including landscaped external spaces, would be provided in a range of types and scales across the building.

Relationship with neighbouring properties: Impacts on daylight and sunlight to neighbouring properties have been analysed. Given the emerging high density developments in the locality, while some would experience a noticeable impact, existing residential properties in the area would be largely unaffected.

Sustainability and energy: The building is predicted to achieve a 30% reduction (67.65 tonnes/annum) in carbon emissions against Building Regulations 2021 baseline in relation to the Purpose Built Student Accommodation (PBSA) and a 20.4% reduction (0.82 tonnes/annum) in relation to the industrial floorspace. The scheme will also achieve a BREEAM Excellent rating. A contribution to Brent's carbon-offsetting fund would be secured through the s106 agreement to offset residual emissions to net zero. In addition, a Whole Life Carbon Cycle and Circular Economy Statement would be secured.

Impacts on microclimate and reception of TV and radio services: The proposal would result in wind conditions within and around the site that would be suitable for the intended use or consistent with baseline conditions, with some localised improvements. A survey of predicted impacts on TV and radio reception to neighbouring properties would be secured through the s106 agreement.

Environmental health considerations: Air quality, noise and contaminated land impacts have been assessed and Brent's environmental health officers consider these to be acceptable subject to conditions. A construction method statement would be secured by condition.

Flood risk and drainage: The site is in a Flood Zone 3a, indicating flood risk is high. The proposal includes

significant permeable surfaces and restriction of surface water flows from the site, reducing flood risk both on and off the site.

Trees, biodiversity and urban greening: There are no trees proposed to be removed as part of this application. A total of 16 medium and small sized trees will be planted as part of the proposals. The development would achieve a score of 0.4 UGF which is in line with the policy target.

Transport considerations: The site has good access to public transport (PTAL Rating 4) and the development would be car-free, with adequate provision made for cycle parking and sustainable transport further encouraged through the submission and monitoring of a Travel Plan secured under the s106 agreement.

RELEVANT SITE HISTORY

The site has an extant planning consent as follows:

20/0587. Full Planning. Granted. 13/09/2021.

Demolition of existing buildings and erection of a new mixed use building containing residential units and commercial floor space and a new building containing residential units; associated car and cycle parking, refuse storage, amenity space and associated landscaping subject to a Deed of Agreement dated 2 September 2021 under Section 106 of the Town and Country Planning Act 1990, as amended.

The site area has been expanded from the previous application to include Unit 4 Watkin Road. There are a number of other changes between the extant consent and the current proposal. Purpose built student accommodation is now proposed instead of Use Class C3 residential dwellings and the height of the proposed buildings has increased, with the previous consent ranging from 14- to 20-storeys in height and this proposal ranging from 6- to 27-storeys in height.

CONSULTATIONS

1259 residents' were consulted on 25/11/2022. Comments were received from residents of a newly occupied block at 581 North End Road (formally 10-11 Watkin Road) highlighting that their properties had been omitted from the consultation process.

On 22/02/2023, 1528 residents' were consulted, including those from the newly occupied development at 581 North End Road. This was due to revised plans being received as drawings were being updated to include a secondary stair core and a number of other amendments as set out in the "proposal in detail" section.

A site notice was attached on 06/03/2023. A press notice advertising the application was issued on 20/02/2023.

34 objections from neighbouring properties and an objecting petition with 54 signatories were received throughout the course of the application. Concerns were raised in relation to the following:

Objection Comment	Officer Response
Limited green space	The existing site predominantly consists of buildings and hardstanding. Whilst the new buildings take up the majority of the footprint of the northern and southern plots, the scheme includes the provision of new trees at ground floor level and new areas of soft landscaping within the communal gardens at roof levels. The scheme would provide an overall uplift in green landscaping as discussed within the remarks section below.
Loss of sunlight	This issue is discussed under 'Relationship with neighbouring properties'
Increased anti-social behaviour	The scheme will be subject to a management plan which will be conditioned.

Reduced air flow	Mircoclimate has been assessed within the remarks section below.
Lack of community feel	The London Plan set out Boroughs, student accommodation providers and higher education providers are encouraged to develop student accommodation in locations well connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes. The site is located within the Wembley Growth Area and within an accessible location with good access to a variety of services.
Impact of high-rise developments which make the area dark, with no outlook	The site is located within a Tall Building Zone and therefore suitable in principle for a tall building. This has further been evidenced through the townscape visual assessment. The impact on neighbouring properties in terms of daylight and outlook has been discussed under 'Relationship with neighbouring properties'
Too many student developments in Wembley	This issue is discussed under 'Principle of Development: student accommodation'
Impact on local traffic and congestion	This issue is discussed under 'Transportation Considerations'.
Noise and building pollution	This issue is discussed under 'Environmental health consideration'.
Loss of value to property	This is not a material planning consideration.
Loss of privacy and overlooking	This issue is discussed under 'Relationship with neighbouring properties'

A Neutral comment was received from Quintain who advised that whilst they do not object to the redevelopment of the site in principle, they are concerned with the impacts in terms of daylight and sunlight considerations caused by the proposed development on North East Land and in particular Plot NE05, located immediately to the south of the application site. In response, daylight and sunlight has been discussed within the remarks section below.

A letter of support has been received from the University Campus of Football Business which has provided support for additional student accommodation given the additions of secondary campuses in the area.

External and statutory consultees

Greater London Authority / Transport for London initial Stage 1 response:

The GLA raised the following matters within their Stage 1 response:

Land Use Principles: Student accommodation-led mixed-use development in the Wembley Opportunity Area is supported. Further discussions are required in relation to re-provision of industrial floorspace and the securing of affordable workspace.

Further discussions continued between the applicant and the GLA and revised drawings for the industrial area were submitted. Since the Stage 1 review was carried out, the workspace offer has been improved in terms of gross internal floor area (GIA) and useability, and therefore the proposal has now demonstrated that the scheme is suitable for fast track.

Affordable student accommodation: The application proposes 35% affordable student rooms. As the scheme

does not currently re-provide the industrial/ employment floorspace capacity required it does not meet the Fast Track Route threshold and will need to follow the viability tested route.

Urban design and heritage: The scheme design is good quality overall although some improvements should be made. A tall building is supported in this location in principle, but further work is required in relation to the visual, functional, environmental, and cumulative impacts. The proposals will not harm the significance of heritage assets.

Transport: Further improvements are required to support active travel and the public realm to mitigate the impact of the development. Additional information is required in relation to delivery and servicing, cycle and car parking, student travel management and construction logistics. A contribution of £487,500 towards bus service enhancements and £10,000 to improve pedestrian crossing facilities should be secured.

Thames Water: No objections subject to a condition being secured in relation to a piling method statement as the development is located within 15m of a strategic sewer. They have advised that both in relation to the foul water sewerage network and surface water network, there is no objection in relation to infrastructure capacity.

Environment Agency: No objections.

Health and Safety Executive: No objection.

Internal Consultees

Local Lead Flood Authority: No objection and confirmed that the layout and SuDS implementation has been reviewed and as the proposed design will offer a 82% reduction in discharge rates in a 1 in 100 year storm event, the proposal is acceptable.

Environmental Health including Noise Control Team: No objection subject to conditions in relation to contamination land, internal noise levels and plant, construction management plan

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 proposal, is comprised of the:

London Plan 2021
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021

SD1: Opportunity Areas
D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D5: Inclusive design
D8: Public realm
D9: Tall buildings
D10 Basement development
D11 Safety, security and resilience to emergency
D12: Fire safety
D13: Agent of Change
D14: Noise
H1: Increasing housing supply
H15: Purpose-built student accommodation
E3 Affordable workspace
HC1: Heritage, conservation and growth
HC3 Strategic and Local Views

G5: Urban greening
G6: Biodiversity and access to nature
G7: Trees and Woodland
SI1: Improving air quality
SI2: Minimising greenhouse gas emissions
SI3: Energy Infrastructure
SI4: Managing heat risk
SI 5 Water infrastructure
SI 6 Digital connectivity infrastructure
SI 12 Flood risk management
SI 13 Sustainable drainage
SI6: Digital Connectivity Infrastructure
SI7: Reducing waste and supporting the circular economy
T1 Strategic approach to transport
T2: Healthy streets
T3: Transport capacity, connectivity and safeguarding
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car parking
T6.5: Non-residential disabled persons parking
T7: Deliveries, servicing and construction

Brent Local Plan 2019-2041

DMP1 – Development Management General Policy Place:
BP1 – Central
BCGA1 – Wembley Growth Area
BCSA6 – Watkin Road

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
BH7 – Accommodation with Shared Facilities or Additional Support
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
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

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

The following are also relevant material considerations: **Page 74**

Brent guidance documents

SPD1 Brent Design Guide 2018
Planning Obligations Supplementary Planning Document – June 2022
Brent's Waste Planning Guide 2015
Residential Amenity Space & Place Quality – SPD – 2023
Sustainable Environment & Development – SPD – 2023

Greater London Authority guidance documents

Housing SPG
Affordable Housing and Viability SPG
Optimising Site Capacity: A Design-Led Approach draft LPG
Urban Greening Factor draft LPG
Sustainable Transport, Walking and Cycle draft LPG
Air Quality Positive draft LPG
Circular Economy Statements LPG
Whole-life Carbon Assessment LPG
'Be Seen' Energy Monitoring Guidance LPG
Fire Safety draft LPG

DETAILED CONSIDERATIONS

Principle of development

Policy Background

1. Policy GG2 of the London Plan identifies the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. London Plan Policy H1 sets out housing targets across London, with the target for Brent being 23,250 new homes over the ten-year plan period, and Policy SD1 designates Wembley as one of a number of Opportunity Areas with development potential of strategic importance for London. Brent's Local Plan Policy BH1 responds to this by proposing plan-led growth concentrated in Growth Areas and site allocations, including a target of 15,000 new homes in the Wembley Growth Area. Policy BCGA1 also supports the delivery of high-quality homes and economic regeneration in the Growth Area.
2. The site forms part of the BCSA6 site allocation for Watkin Road, which sets out an indicative target of 717 dwellings with industrial floorspace at ground floor.
3. London Plan Policy H15 and Brent's Policy BH7 support the delivery of purpose-built student accommodation (PBSA) in well-connected locations to meet local and strategic needs, subject to specific criteria being met. It highlights the Boroughs, student accommodation providers and higher educational providers are encouraged to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes. The London Plan identifies a strategic need of 3,500 bedspaces across London. Whilst the site allocation does not refer specifically to student accommodation, this type of housing is acknowledged to relieve some of the demand for conventional housing and would contribute towards Brent's housing supply (at a ratio of 2.5 bedrooms to one conventional housing unit).
4. Policy BE3 also reflects the continued need for employment floorspace. Criteria c of the policy allows the release of local employment sites for non-employment uses in allocated sites where it has been demonstrated that the maximum viable replacement of the existing floorspace has been sought. Furthermore, BCSA6 site allocation seeks the maximum viable re-provision of industrial floorspace, given the identified need within the Borough.

Student Accommodation

5. As noted above, student housing contributes to Brent's housing targets, at a rate of 2.5 bedspaces to one conventional housing unit, and the provision of accommodation for 619 students would equate to 247.6

new homes, which would contribute towards the wider target of 717 dwellings within the whole of the site allocation. The recently constructed development at former 10 – 11 Watkin Road (now known as Barratt Homes) includes 219 residential homes and also sits within the wider allocation.

6. Policy BH7 of Brent's Local Plan sets out the need for purpose-built student accommodation to demonstrate that there is a London wide need for the development. In response, the applicant has provided a demand assessment and market analysis for purpose-built student accommodation. This concludes that the location of the proposed PBSA development on Watkin Road in Wembley is preferable as a location to live for students, and in particular those studying locally at Middlesex University and the Harrow campus of the University of Westminster. Due to its high level of accessibility, the Watkin Road site is also desirable to students studying in central London, including those enrolled at University College London and King's College London. The data presented indicates that there is an existing market for both PBSA and conventional rented housing within both the immediate area itself and within a 45-minute travel time catchment.
7. The report highlights that currently, up to 70% of full time Higher Education students across London and 77% within a 45-minute travel time of the Watkin Road site are required to find accommodation within private rented HMOs or by living at parental/guardian home and would otherwise be unable to access university or private sector purpose-built accommodation. It goes on to say that there are 4.3 students per available purpose-built bed space (0.23 students per bed) studying at higher education providers within a 45-minute travel time of the Watkin Road site. Full time student numbers at higher education providers within the catchment based on historic trends are projected to rise by 25% (6,126 students per annum) to 2024/25, whilst the development pipeline of student accommodation over the same period would not meet this increase in demand (based on all 6,274 potential bed spaces in the planning pipeline (as of November 2022)). Whilst there has since been an approved scheme at Fairgate House and a current application in at Glynn Skips, the student housing supply/demand imbalance is expected to remain relatively unchanged at around 4.4 students per bed space (0.23 students per bed), and as a result, would still continue to place unwanted pressure on the local private rented market. It is therefore considered that there is a London wide demand for PBSA in line with policy BH7.
8. The accommodation would be secured by condition for occupation by full students' full time students enrolled on UK accredited and based further education courses during term time (for not less than 39 weeks of the year). The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period. This will apply to all of the student rooms. The majority of the units (51% of bedrooms) would be provided through a nominations agreement with one or more higher education providers, through the s106 agreement. This demonstrates that the accommodation would meet a specific London need, in line with policy H15 of London Plan and policy BH7 of Brent's Local Plan.

Reprovision of Employment Floorspace

9. The site contains 1,407sqm of existing industrial floorspace. As it is a local employment site, in line with policy requires the maximum viable replacement of existing employment floorspace to be sought. The application is proposing 1,490.2sqm of replacement light industrial floorspace (use class E(g)(iii)) located within the southern block. Whilst the applicant has not submitted marketing evidence to demonstrate that the maximum viable amount of employment floorspace would be re-provided, the scheme proposes a net increase in employment floorspace compared to the existing provision (an uplift of 83sqm). When compared to the extant consent (20/0587) the proposed exceeds the delivery of the industrial floorspace by 486.2sqm, providing a 148% uplift.
10. In line with comments raised by the GLA and Brent's affordable workspace officer, the layout of the workspaces has been adjusted since submission to optimise loading areas, accessibility and bin storage areas as well as to provide a larger lift opening to enable increased manoeuvrability for loading.
11. The applicant has also agreed to provide an off-site contribution of £200,500 towards affordable workspace provision within the Borough.

Relationship with wider site allocation

13. The BCSA6 site allocation seeks to ensure that the development would not adversely affect the ability of other plots within the allocation to maximise their own development potential, while securing active frontages and improvements to the public realm and Wealdstone Brook.

14. Both the northern and southern buildings have been designed to not result in student bedrooms that rely on outlook over the adjoining sites to the south east. This would allow a condition to be secured for windows on the southern eastern elevation to be obscured glazed and high opening only. The Design and Access Statement has also provided an indicative masterplan showing how the remaining plots within the site allocation could come forward for redevelopment.

The appropriateness of developing on land within a high-risk flood zone

15. The site is part of a wider residential allocation which acknowledges that the site sits within a high-risk flood zone (3a) for surface, fluvial and tide, owing largely to its proximity to the Wealdstone Brook to the north. Flood zone 3a indicates that flooding risk is high on the site but it does not necessarily indicate that development on the land is inappropriate, as is the case with land in flood zone 3b which generally indicates that a site should be retained undeveloped as functional flood plain.
16. The site allocation for Watkin Road does not indicate that the flooding designations on site should preclude development opportunities but does acknowledge that flood mitigation measures will be necessary, and that flood mitigation should not compromise a high quality deliverance of public realm and interface between street and ground floor use. The development proposals achieve this allocation requirement, and this will be detailed in depth in later sections of this report. Furthermore, the applicant's drainage strategy (as detailed below) presents an opportunity to provide flood risk betterment on site.
17. On this basis, it is considered that as long as there is no real increase in flood risk, and ideally betterment as established through improvements to site drainage, that an approach of moving forward with a mixed-use scheme at this site is an appropriate position to support. The Environment Agency have been consulted on the proposal and have raised no objections to the site's development in principle from a perspective of flood risk.

Conclusion

18. Whilst it has not been demonstrated that the maximum viable re-provision of employment floorspace would be provided within the development, the scheme would secure an uplift in industrial floorspace compared to existing provision and such floorspace would be secured as affordable workspace. The limited conflict with policy would be outweighed by the benefits. The provision of student accommodation would meet a specific London need, would be acceptable in this location and would contribute to Brent's housing targets.

Affordability and mix of student accommodation

Policy background

19. London Plan Policy H15 sets out a requirement for all purpose-built student accommodation (PBSA) to secure the maximum level as affordable student housing. This is defined as a bedroom (together with all services and utilities offered to equivalent non-affordable rooms) provided at a rental cost equal to or below 55% of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for the academic year.
20. In order to follow the fast track route (where viability testing is not required), at least 35% of the accommodation must be secured as affordable student accommodation or 50% where the development is on public land or industrial land appropriate for residential use in accordance with policy E7 where the scheme would result in a net loss of industrial capacity. Floorspace capacity is defined here as either the existing industrial and warehousing floorspace on site or the potential industrial and warehousing floorspace that could be accommodated on site at a 65 per cent plot ratio, whichever is the greater. Fast track route schemes would however need to secure an early-stage viability review would be required if development does not commence within two years, to incentivise early delivery.
21. Policy H15 also requires the use of the accommodation to be secured for students, with the majority of rooms including all of the affordable student housing being subject to a nominations agreement with one or more higher education providers.

Assessment

22. The scheme would provide 1,490sqm of industrial floorspace. This would be a net increase in the existing provision (1,407sqm) and given then developable area of the site is 2,130sqm (0.213Ha) the scheme

would meet the 0.65 plot ratio. Therefore, the scheme would be eligible to quality for fast track with 35% of student bedrooms to be affordable.

23. The application states that 35% of the student bedrooms would be provided as affordable student housing (216 bedspaces), within an overall 51% that would be provided through a nominations agreement with one or more higher education providers. These matters would be secured through the s106 agreement, together with an early-stage review mechanism to incentivise delivery of the development within two years.
24. The remaining 49% of bedrooms could be let to students taking courses at other higher education providers in London. As there are a number of other existing and emerging PBSA schemes in Wembley Park, the proposal would contribute to an emerging student community in the area and would offer residents the opportunity to widen their social circle by mixing with students studying at other establishments or living in other developments. Term time residency would be restricted by condition to students in full-time higher education, however the use of the building for other types of short-term accommodation at other times would also support the cultural and night-time economy of Wembley.
25. There is no policy requirement to provide any particular mix of types of accommodation. However, the proposal has been informed by advice from an experienced provider of purpose-built student accommodation. On this basis, four types of bedroom are proposed: cluster rooms (a group of eight within the north block or of nine or ten bedrooms in the south block sharing a communal kitchen, dining and lounge area accessed off a shared corridor); small studios (bedrooms with private kitchenette) and typical and accessible studios (larger bedrooms with private kitchenette).

Type	Number	Percentage
Cluster	500	80.8%
Studios	119	19.2%

26. The proposal thus would offer a degree of choice for students in different circumstances according to their lifestyle choices and needs. The s106 agreement would secure a proportionate number of each type of room as part of the nominations agreement, including for affordable accommodation.

Design, scale, layout and appearance

Policy background

27. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Policy D9 sets out a framework for assessing proposals involving tall buildings including their visual impact, functional impact and environmental impact. The policy requires proposals to be justified with reference to existing and proposed long range, mid-range and immediate views, to demonstrate the impact of the proposal upon the surrounding streetscape.
28. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. Whilst the entire development site sits within a tall buildings zone it is noted that the southern site sits within the 'core' section of the zone whilst the northern site is split between the 'core' section of the tall buildings zone and the general section of the zone.
29. Furthermore, the site allocation within Brent's Local Plan notes that "tall buildings will be acceptable taking into account the need to mediate between heights of the adjacent Wembley masterplan sites, plus Parkwood House, Apex House and Amex House and Empire Court" tall buildings designated Tall Building Zones and expects these to be of the highest architectural quality.
30. Section 16 of the NPPF advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance". Any harm to designated heritage assets requires clear and convincing justification. With regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Brent's Policy BHC1 requires new developments to demonstrate and justify any impacts on heritage assets, and Policy BHC2 identifies and protects a number of important views of the Wembley Park area.

Site Context

31. The development site is split into two. The southern site forms units 1, 2,3 and 4 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west and unit 4 of Watkin Road to the south east. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area. The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the recently completed 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east. Each of the sites is to accommodate a new block, as follows.
32. The southern site would contain a building that, in part, extends to 6 to 18 storeys in height and in part extends to 27 storeys in height, whilst the northern site would contain a building that extends to 21 storeys in height.

Southern site Layout

33. The southern site would contain all of the development's commercial floor space (floors ground to two) and 419 bedspaces of student accommodation (floors three and upwards). The PBSA use would be accessed from a wide, colonnade covered frontage on the north eastern elevation, at the corner with Fulton Road. The student accommodation lobby area and the base of the core is contained on the south western side of the building and fronts both Watkin Road and Fulton Road. The light industrial workspace would also be located along this elevation from an adjacent entrance and additionally one core with access from both Fulton Road and Watkin Road in the centre of the southern building. The ground floor would largely comprise of residential bin stores, commercial bin stores, commercial bike stores and back of house / plant spaces for both the residential and commercial uses. A basement level would also be provided for this building, containing plant rooms and four-cycle stores.
34. The first-floor level would largely comprise the light industrial workspace, fronting the two Watkin Road frontages and the Fulton Road frontage. The second-floor level would entirely be commercial in nature and comprise the largest units forming the scheme's light industrial workspace offer.
35. From third floor to the fifth, the building is entirely for the student use and would see 29 student units being provided on each floor, in a mix of studios and cluster apartments. On the sixth floor there are four areas of internal amenity and one large area of external amenity for the students, in addition to two studio units, one of which is accessible. From the 7th to 17th floor 19 student units are provided in the form of cluster units of 10 and 9. Above the 18th to 26th floor, the building includes 10 cluster student units per floor with a further external communal amenity space at 18th floor level. At the building's apex, PV panels and a plant room have been allocated.

Northern site Layout

36. The northern site would comprise the student accommodation use only, with 200 bedspaces. The building is accessed from a legible, covered access at the south western corner of the building, at its most prominent corner, across from the emerging development at 10-11 Watkin Road. The ground floor is formed of the entrance lobby, and a residents' lounge on the easy side of the block, the residential core and bin storage centrally in the block and plant rooms to the east side of the block.
37. The first and second floors are largely comprised of internal amenity space for the flats, but the first also includes water services and two studio units. The building would contain an 8-unit cluster apartment, with 1 'small studio' and 2 further 'accessible studios' between floors 3 to 8. There would be 1 accessible unit, a 'small studio' and additional premium studio from floors 9 to 20. The tallest residential storey in the northern block is the 21st floor, and it is used for roof plant and occupants of this blocks rooftop amenity space.

Scale, height, massing and design of the development

38. The proposed building would comprise two buildings of the southern building, the central part presents a height of 6 storeys which extends to 18 storeys to the east and 27 storeys to the west at the corner of Watkin Road and Fulton Road. The northern site extends to a height of 21 storeys.

39. The site falls within the Tall Building Zone and is also located within the Watkin Road site allocation. As the site sits adjacent to the edge of the Wembley masterplan zone it is closer to the dense development (either built or consented) and therefore less sensitive, however, there are locations to the north and east of the allocation site which are more sensitive given their proximity to lower scale development (low scale industrial and the residential buildings forming Empire Court) where no change is anticipated in current policy.
40. The proposed development is up to 27-storeys within the southern site, stepping down to 18 and 6 storeys on its eastern side. It is noted that this building would sit on a prominent junction (Watkin Road/Fulton Road) within the eastern side of the masterplan area. The plot is very visually prominent, particularly from the junction of Olympic Way and Fulton Road, where it would centrally frame the view eastwards along Fulton Road. However, it is noted that the plot is located fairly centrally in a site allocation and that its location is slightly more peripheral to the masterplan area than the immediately neighbouring sites to the west and south, such as 10 – 11 Watkin Road (24 storeys), Quintain NE05 (23 storeys and Quintain NE06 (34 storeys). When taking this emerging context into account, the proposal for a building between 18 and 27-storeys on this plot is considered to appropriately mediate between the taller heights and denser development to the east and south and the requirement for development to transition to a smaller scale at the western edges of the site allocation and massing will also provide a prominent landmark framing for the view along Fulton Road from the west, as shown in the applicants' Townscape and Visual Impact Assessment
41. The proposal seeks a development of 21 storeys within the northern site. Unlike the southern site, this building would not sit on a prominent junction and would sit more peripherally within the site allocation adjacent to the Wealdstone Brook, across from which the Empire Court development (4 storey apartment blocks) sits. The block would, however, sit immediately adjacent to 10 -11 Watkin Road (24 storeys) to the east. The 21-storey massing is considered to result in an effective transition from the taller developments further east within the masterplan and the existing Empire Court, as the site would sit to the west of 10-11 Watkin Road, it provides an adequately reduced height of 21 storeys.
42. The 21-storey massing would also respond effectively to the transitional tall building zone, within which the northern site sits (between the 'core; and general tall building zone), proposing a massing which is not significantly in excess of the base definition of tall buildings as set out in the Local Plan (i.e. 30 metres of about 10 storeys). Vertical articulation adds to the depth of the façade of the taller buildings through the use of horizontal bands of brickwork, including in contrasting tones, vertical arrangements of windows and aluminium panels create alternating projecting brick detail bands.
43. The extant consent of 20/0587 proposed lower building heights overall, including a 17-20 storey building on the southern site and a 14 storeys situated in the northern site. While lower in overall height, the 17- and 20-storey elements resulted in a large overall form, whereas the current proposal includes a lower 6-storey element separating the taller 27 and 18 parts of the building, breaking up the visual form of the building.
44. The extant permission included projecting balconies, this element (which formed part of the extant consent 20/0587) has been omitted from this submission. The materiality has sought to improve the articulation of the blocks through the use of differing bricks which accentuate the verticality of the building.
45. The building's footprint has reduced since the earlier extant consent which presented a much more rectangular southern building, whereby the current one has now been set in from the pedestrian walkways and allows for a chamfered entrance which alleviates the pinch points which were slightly more prevalent subject of the earlier consent. The buildings have also now incorporated level access within the site, negating the requirement for external ramps which while providing a necessary use did reduce the legibility for the site and created additional hardstanding in areas that have now benefitted from improvements in soft landscaping, further buffering the building from its surroundings.
46. The 6-storey central element of the south block is treated with simplicity and acts as a connection between the two larger vertical components, allowing the taller elements to express themselves as independent elements.
47. The south west corner of this block is chamfered to create an improved sense of arrival from Fulton Road. The first three floors of the chamfered section are designed with contrasting materials to the remainder of the building to further emphasise the entrance.

48. The proposal would sit within the viewing corridor of the Wembley Stadium Arch as seen from Chalkhill Park, which is a strategically protected view within Local Plan Policy BHC2. The applicants' Townscape and Visual Impact Assessment illustrates the impact the development would have on this view. The previous extant consent saw a stepping down of the massing which ensured that whilst the northern site's block would not impede the view of the Wembley Stadium Arch from the park, the southern site's block would impede the view of the arch to an extent on the building's eastern side. However, as part of the submitted development, while the height has been increased within all three blocks, the massing has been separated to allow for an uninterrupted gap allowing for sightlines through to Wembley Arch from Chalkhill Park. The separation ensures that the viewing corridor is clear and would continue to allow for the stepping down from the remainder of the consented and built massing.
49. The GLA has also considered the visual impact on the arch from a strategic perspective and notes the following:

"The height and massing approach is generally supported... the tall elements have been arranged logically on the site and are appropriate in the emerging context. The variation in height and particularly the much lower central section in the south building is positive... The submitted TVIA View 5a from Chalkhill Park illustrates how the height of the east part of the South block has been reduced to sit beneath the Wembley arch in the view. This is a positive step."

Townscape and Visual Impact Analysis

50. This development site sits centrally within the site allocation and is adjacent to development of significant density, particularly in the southern section. It is acknowledged that the northern part of the development site would act as a buffer space between the tall emerging development of 10-11 Watkin Road to the west and the Wealdstone Brook and low-scale Empire Court to the east and should be designed accordingly.
51. A Townscape and Visual Impact Assessment has been provided with the planning application and provides the following existing and proposed views, including cumulative views which take into account other emerging developments. These are described and assessed in the following paragraphs. Additionally, a discussion on the extant consent and its impact on the arch as a comparison is set out below.

View 1: Watkin Road/ Fulton Road

52. This view is considered to be of low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be immediately apparent in the close range view at ground level and limit sky views, however, the detailing and wayfinding provided with the chamfered corner are considered to provide a strong emphasis to the slender appearance of the built form. The pronounced change to this view and the magnitude of the effect is considered to be large. The view is of a moderate beneficial significance.
53. When compared to the extant consent, the massing as visible from this viewpoint would be largely similar, with the building being very pronounced on this elevation, limiting the sky views. While the building is presented with largely the same massing, the removal of the balconies from the earlier consent have been removed which would to an extent have reduced the massing, with the chamfered edge of the building fronting Fulton Road now allowing for an increased feeling of subservience.

View 2: Fulton Road

54. This view is considered to be of a low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be seen in the middle of the ground of view alongside the existing and emerging high-rise forms. The buildings are continued to introduce vertical interest and will break up the horizontal form of surrounding buildings. The reduction in height of the 6 storey elements allows that it does not appear as a block of development, with rhythm introduced. The proposed development is considered to help create a smoother transition in scale when taking into account the adjacent tall buildings. The view is of a minor beneficial significance.
55. When compared to the extant consent, the proposed view from Fulton Road would be largely similar to the proposal given the building would show the northern and southern building, however, as the site now incorporates No. 4 Fulton Road the buildings massing would be situated closer to the Fulton Road viewpoint. The site would still fall within the site allocation though. The sky views would still be limited and

from this angle there would be no discernible difference in the heights from street level.

View 3: Empire Court

56. This viewpoint is located on North End Road and is considered to be of a low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be visible beyond the intervening built form and would reduce the extent of the sky visible, taking up a substantial proportion of the view. The proposed development would be large with some disruption of views towards the Wembley Arch. However, the development would be seen alongside other high-rise developments and the disruption would be lesser than the extant consent. The view is of a moderate adverse significance.
57. The extant consent as viewed from the Empire Court viewpoint appears as a block like building, with dense massing. While other buildings obscure the arch from this view, the building does not provide a comfortable break in development. When compared to the proposed view subject of this application the building allows for visibility through the massing of the development and while it obscures more of the arch from this view, it is not negligible worse than the existing view of which a building is already situated in the background.

View 4: Dane Court

58. This viewpoint is located on North End Road and is orientated to the south-east. The proposed development is expected to be entirely screened by intervening built form, such that no change will be perceived. The view is of a neutral significance.

View 5a Chalkhill Park

59. The viewpoint is located within Chalkhill Park and is orientated south-west. The foreground of the view comprises the flat amenity grassland associated with the park. The park is bordered by semi-mature planting to its southern edge. The value of the view is judged medium due to it being noted as a locally protected view and is therefore of a high overall sensitivity. The proposed development would be visible in the background of the view, filtered by intervening built form and vegetation. While the introduction of the south and north block would result in a partial reduction in the extent of the sky visible, these buildings would be seen alongside other existing and emerging high-rise developments that populate the skyline in this locality.
60. Views of the lowermost portion of the Wembley Stadium arch will be retained through the drop in height of the south block, with the eastern part of this block sitting below the oversailing height of the arch and well as being set below the taller consented building that forms part of the Quintain Masterplan. The design of the south block, with massing dropping down from east to west, ensures that the profile and silhouette of the arch will remain. In addition, the step down in scale will result in a layering effect in the view obtained, mirroring the arch in the backdrop and assisting in amplifying its prominent in the vista. On the basis of the above there will be a noticeable change to the view and the magnitude of effect is considered to be medium.
61. The arch subject of the previous consent (20/0587) had a large portion obscured on its western wing as viewed from Chalk Hill view point, while the buildings allowed for a stepping down as the developments drop-off towards the periphery of the tall building zone the development that has currently been submitted appears much more comfortable in its surroundings and it continues to allow for the stepping down in scale of the building which is much more respectful of the arch. The arch as part of the current proposals is much more visible when compared to the earlier consent with the buildings suitably framing it to retain those view points which had been partially obscured as part of the 20/0587 consent.
62. The proposed development would have a negligible adverse significance.

View 5b: Chalkhill Park

63. This viewpoint is also located within Chalkhill Park and is orientated towards the south-west. The foreground of the view comprises the flat amenity grassland associated with the park. The value of the view is judged to be medium due to it being a locally protected view, given the outdoor recreation associated with the context there is expected to be a high overall sensitivity in this location.
64. The proposed development would be visible in the background of the view, partially filtered by the

intervening built form and vegetation.

65. While the introduction of the south and north block would result in a partial reduction of sky visible, these buildings will be seen alongside other existing and emerging high rise developments that populate the skyline in this locality.
66. The views of the eastern portion of Wembley Stadium arch will be interrupted by the proposed development as consistent with the consented proposal. The eastern section of the south block would be set to the north and from this angle at a comparable height of the consented building that forms part of the Quintain Masterplan.
67. This view was not submitted to support the 20/0587 consent and as such a comparison cannot be considered.
68. The design of the south block, with massing stepping down from west to east, references the profile of the arch and assimilates with the adjacent built form, stepping up to the taller built form to the west. On the basis of the above, there will be a noticeable change to the view and magnitude of effect is considered to be medium. The view is of a negligible adverse significance.

View 6: Fulton Road

69. This viewpoint is situated on Fulton Road and is orientated to the east. Fulton Road extends perpendicular from the foreground into the background. The view is considered to be of low value as it is not designated within the area and the location does not have any notable cultural associations. The development's south block would be partially visible in the background of the view, with the north block being screened by the adjacent existing development. Furthermore, the consented development to the east of Rutherford Way Road will, once constructed truncate views of the majority of the south block.
70. The small section of the south block that will be apparent in the background of the view, will be seen within the context of adjacent tall buildings. The location of the south block within the skyline will create a newly defined vista, with the eye drawn along Fulton Road. The vertical emphasis in the façade helping to maintain a slender appearance and ensuring it does not appear as a bulky structure. It is considered that there will be a subtle change to the view and the magnitude of effect is considered to be small. The proposed development will be seen in context with the surrounding future context and high-rise developments in situ. The view has a minor beneficial significance.
71. When compared with the earlier consent TVIA, the Fulton Road east view presented a much more immediate step down, without any fluid rhythm, whereas the taller building of the proposed allows for the step down to be more gentle in nature and continues the perspective of the road, with the smallest element in the centre surrounded by taller buildings. The proposal also allows for an improvement of the sky from a lower level, accentuating the verticality and slenderness of the tall tower as proposed.

View 7: Wembley Arena

72. This viewpoint is located within the area of public realm situated to the east of Wembley Arena and orientated to the north east. This hardscaped area is enclosed by high rise modern development on all sides, with mature standard trees in the foreground helping to soften a hard standing townscape scene. The view is located in close proximity to the listed Wembley Arena and is accordingly considered to be of medium value. The receptors at this location are of medium sensitivity.
73. The proposed development would be predominantly screened in views between a gap in two of the enclosed built forms and its introduction will not be immediately apparent and will instead echo the existing extent of containment within this locality.
74. On the basis of the above, there will be a barely perceptible change to the view and the magnitude of the effect is considered to be very small. The view is of a neutral significance.
75. When compared to the earlier extant consent, the building as proposed is now visible, when it was not present before on the view. While this is acknowledged, as above, there is no perceptible change and it is not considered to allow a negative impact.

View 8: White Horse Bridge

76. This viewpoint is located on White Horse Bridge and orientated towards Wembley Stadium to the northeast. The view is framed by the arches of the bridge, which echo the arch of Wembley Stadium itself.
77. The value of the view is judged to be medium due to it being noted as a locally protected view. The proposed development will be entirely screened by intervening built form, such that no change will be perceived. Accordingly, the magnitude of effect is none. The proposed development will not be visible when taking into account the future context. The view has a neutral significance.
78. There is no change from the earlier 20/0587 consent of which the development does not appear on the view.

View 9: Sherrans Farm

79. This viewpoint is located in Sherrans Farm open space and is orientated to the north. The foreground of the view consists of an area of open gently sloping grassland that leads towards a row of trees in the middle ground of the view. The view is considered to be of low value as it is not within a designated area and is not within any cultural associations. The proposed development will be entirely screened by intervening vegetation and built form, such that no change will be perceived. Accordingly, the magnitude of effect is none. The proposed development would not be visible when taking into account the future context. The view has a neutral significance.
80. Subject of the earlier TVIA, additional buildings have been approved in this locality which further shield the development from this viewpoint. As such, there is not expected to be any discernible change to this view when compared to the extant consent.

View 10: Atlas Road/ Hannah Close/ Fourth Way

81. This viewpoint is located at the junction between the three, extending from Atlas Road in the foreground of the view in the middle ground, before bending out of sight to the left, while fourth way forks to the right towards a stand of mature vegetation that curtails views beyond. The view is considered to be of low value as it is not within a designated or cultural association area. The overall sensitivity is considered to be low.
82. The upper sections of the proposed development will be visible from this location, albeit not immediately apparent and seen in the context of existing and emerging high-rise development in the background of the view.
83. North block itself will in effect foreshorten the view towards the built development, with the 27-storey scape building seen to ride behind this newly introduced building. Similarly, south block will be visible alongside this higher rise development and will be seen as a transitional element due to its step down in scale to the east.
84. On the basis of the above, there will be a barely perceptible change to the view and the magnitude of effect is considered to be very small. The proposed development will be seen alongside other high-rise development when taking into account the future context and collectively create a visually pleasing composition as the built form cascades from south to north. The view has a negligible beneficial significance.
85. The building was visible in the earlier consent, however, it was of a lower level height which did not present a steady rhythm dropping away towards Empire Court. The proposal now includes a gradual stepping down, presenting the cluster with a more appropriate rhythm.

View 11: Brent Town Hall

86. The viewpoint is located on the footpath that leads south from the old Brent Town Hall across the A4088, with the view itself also orientated south. The view is considered to be of low value as it is not within a designated area and the location does not have any notable cultural associations. The overall sensitivity of this site is medium, given the location is used by pedestrians and cyclists who would have an appreciation for their surroundings.
87. The northern elevations of the north block and part of the south block would be visible from this location and when travelling south along this route. However, it is considered that heavy vegetation will curtail

views of the proposals. Where visible the introduced built form would appear to dovetail with the emerging built context around Wembley Stadium.

88. On the basis of the above, there would be a perceptible change to the view and the magnitude of effect is considered to be small.
89. The view from Brent Town Hall slightly obscures the arch more subject of the proposed development than the earlier consent, however, as above, the vegetation from Chalk Hill estate will continue to buffer this, with the arch still mostly visible atop the surrounding Quintain developments.
90. The proposed development will be seen alongside other high-rise development when taking into account the future context, helping to provide further architectural interest to the skyline, provide a modulated transition in scale and height and anchor the arch of Wembley Stadium into the townscape. The view would have a negligible adverse significance.

View 12: Welsh Harp Reservoir

91. The view is located within the Welsh Harp Reservoir open space on the Capitol Ring long distance footpath and is located to the south-west. The value of the view is judged to be medium due to it being noted as a locally protected view with a high overall sensitivity.
92. The filtered views of the upper sections of the proposed development would be seen in the background of the view alongside other existing and emerging high-rise development with the majority of the introduced built form screened from view by the intervening vegetation that encloses the area.
93. The materiality and articulation of the facades will not be perceived from this distance with only the tallest elements of the building readily noticeable. The height of the south block would sit below that of the other buildings in the backdrop and thus would not draw the eye and instead blend it with the existing composition, adding another positive contemporary contribution in the vicinity of Wembley Stadium, with views towards the arch preserved.
94. On the basis of the above, there will be an unobtrusive change to the view and the magnitude of effect is considered to be very small.
95. As above, the earlier consent was very minimal in terms of the visibility of the building from this view and as such, there is no considerable change observed.
96. The proposed development will be seen alongside other high-rise development when taking into account the future context. There is expected to be a negligible beneficial significance.

View 13: Barn Hill

97. This viewpoint is located within the Barn Hill Open space and is orientated to the south. The value of the view is judged as medium due to it being a protected view and given its location within the Barn Hill Conservation Area. The proposed development will be entirely screened by intervening built form and vegetation, such that no change will be perceived. Accordingly, the magnitude of the effect is none, with a neutral significance.
98. As above, the development would still be screened as part of the proposal and therefore there is no considerable change proposed when compared to the earlier consent.

View 14: One Tree Hill

99. This viewpoint is located within the One Tree Hill Recreation Ground and is orientated northeast of the site. The value is judged to be medium due to it being noted as a locally protected view, with a high overall sensitivity.
100. The building as part of the earlier consent was not visible and that remains the same with the proposals. As such there is no change.
101. The proposed development would be entirely screened by the intervening built form and vegetation, such that no change is perceived. Accordingly, the magnitude of the effect is none. The proposal would have a neutral significance.

View 15: Elmwood Park

102. This viewpoint is located within a localised vantage point at Elmwood Park and orientated to the east. The view is a protected one and is judged to be medium with a high overall sensitivity. The proposed development while visible in the background of the view, would be seen alongside existing and emerging high rise development within the vicinity of Wembley Stadium. The materiality and articulation of the facades will not be perceived from this distance, with only the overall mass of the building being appreciated, being comparable in scale to other built forms in its vicinity. Views of the arch would remain unaltered. On the basis of the above there would be a barely perceptible change to the view and the magnitude of effect is considered to be very small, with a neutral significance.

View 16: Horsenden Hill

103. This viewpoint is located on Horsenden Hill and is orientated to the north east. The view consists of an area of elevated scrub grassland that is contained within an area of woodland. The value of the view is judged to be medium due to it being a locally protected view with a high overall sensitivity. The proposed development would be entirely screened by intervening built form and vegetation, such that no change would be perceived. Accordingly, the magnitude of the effect is none, with a neutral significance.

104. The assessment has demonstrated that there would be only minimal impacts on views of medium and high value within the surrounding area, including the conservation areas and other heritage assets identified. While the building would be more noticeable in some views of lower value and would be a prominent feature in short-distance views, it would be seen within the context of other existing and emerging buildings within the Growth Area.

105. 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. The closest Conservation Area of Barn Hill to the north west and the Grade II listed Wembley Arena to the south west are both located more than 500m from the site.

106. 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 201 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.

107. 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 of the London Plan, 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.

108. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Masterplan area and from the Listed buildings and CAs, and it is therefore considered there would be no harm to the setting of designated heritage assets.

109. The building is now more visible when compared to the earlier consent, however, this is still sheltered by the intervening building form and as such, the view is not considered to be of significance.

Architecture and Materiality

110. The visual design and architecture of the buildings is pleasing, relying on a simple rectilinear massing with a brick heavy external appearance, helping to establish a residential character. The architecture is mainly based on the use of a mix of dark and light brown buff brick and cream and white brickwork, with the white brick predominantly used for soldier coursing and lighter brickwork at the tallest levels within the southern block. Decorative glazed brickwork is proposed in both a mango colour for the southern buildings chamfered entrance and a jade colour for the northern buildings canopy entrance clearly defining the colonnade portion of the frontages and to provide a distinctive ground layer and legible

entrance for the building. The architectural features across the facades are neatly arranged in vertical stacks to emphasise the slenderness of the buildings.

111. Samples of the materials to be used in the development will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Public Realm

112. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. The main residential entrance to the southern block is focussed on the small section of Watkin Road which is perpendicular to Fulton Road and is provided underneath a chamfered colonnade. Within the primary student accommodation lobby in the southern building, there is a short stair and also an internal ramp access in order to adhere to ensure a safe flood level for the building, owing to the proximity of the Wealdstone Brook. The colonnade feature would correspond with the colonnade feature used at the 10-11 Watkin Road site across the road and would act as a clearly legible and inviting means of defining the main entrance. A new landscaped area will be provided in front of the colonnade incorporating three new trees. Along Fulton Road, there would be access to the secondary access for the student accommodation lobby via an internal ramp and additionally the entrance to the commercial/industrial/makerspace units. A small stretch of inactive frontage will be present along the Fulton Road frontage, given the site constraints. These areas are where the storage and stairwells will be located. The public realm along Watkin Road would be comprised of active frontages to the commercial space, including the main entrance to the commercial spaces as well as a small stretch of inactive frontage at the eastern edge of the frontage, accommodating the substation, commercial and residential bin stores. The Watkin Road frontage would also contain a refuse presentation area for use on collection days, as well as the main servicing layby and two disabled parking bays.

113. The smaller northern block would be located across from the southern block, on the northern side of Watkin Road. The blocks entrance would be at the south western corner of the block, closest to the Fulton Road/Watkin Road junction, and, as with the southern block, would be a covered colonnade entrance accessed through steps or a ramp that ensure the building sits at an appropriate level to mitigate the risk of flooding given the proximity of the Wealdstone Brook. The area to the east of the block would be landscaped with new tree planting would also be incorporated to the external area in front of the lobby. The landscaped area would immediately adjoin with the landscaped area forming part of 10-11 Watkin Roads emerging development and the two areas together would form a 13m x 20m public landscaped area between the buildings. This area also sits adjacent to the boundary with the Wealdstone Brook banks and the open space across both sites in this area has ensured potential for increased brook access and restoration works to take place from here in the future. If this were delivered down the line, it would have a local public amenity benefit as well as positive implications for local ecology and climate change adaptation. The western frontage of the northern block (to the landscaped area) would of mostly active frontage, with two windows being provided to the lobby. The southern frontage of the northern block (to Watkin Road) would be a mixture of active (windows to the residential lobby) and inactive (doors to the bin store and substation/generator). The pavement on this side would also be amended to provide two additional on-street disabled parking spaces and a small refuse presentation area at the eastern end of the frontage.

114. The public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level, interest and strong legibility having been provided by the colonnade features and new landscaping having been introduced in the public realm, especially at the base of the northern block. In establishing a good connection between the two sites, the applicants would deliver a step free pedestrian crossing across Watkin Road, which would incorporate dropped kerbs and tactile paving and be secured through a legal agreement.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

115. 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 Grade II Listed Wembley Arena is located approximately 460 metres to the south west whilst the Grade II listed Brent Town Hall (now used as the Lycée International de Londres Winston Churchill) is located approximately 570 metres to the north. About 500 metres to the

north is the southern boundary of the Barn Hill Conservation Area.

116. The applicants have submitted a detailed Townscape and Visual Impact (TVIA) assessment. 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.
117. 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. Policy HC1 of London Plan and policy BHC1 of the 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.
118. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Opportunity Area and that there would be no harm to the setting of designated heritage assets.

Archaeology

119. 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 a report to communicate the findings. 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).
120. The history of the site has largely been as agricultural land until the area became managed parkland forming part of the wider Wembley Park during the late 19th/early 20th Century. Later, aerial imagery indicates that Watkin Road's existing industrial buildings were built out in the late 1940s/ early 1950s. The development plots are to the north of the main site of the British Empire Exhibition (1924-1925) and there are no buildings shown on the development plots of land on the diagrammatic 1924 plan of the Exhibition. Because of this, it is concluded that the site has a low archaeological potential for all past phases of human activity. Borehole logs from nearby sites (Amex House and Fernlea House) have been negative in their results with the area of the national stadium and its immediate vicinity having been subject to intense truncation, thus having removed potential archaeological deposits. For the above reasons, further archaeological mitigation is not recommended.
121. The Council's heritage officer agrees with the findings of the report and that no further archaeological mitigation measures should be required. As a result, the proposal accords with Policy HC1 of the London Plan and policy BHC1 of the Local Plan and the NPPF.

Relationship with neighbouring properties

Policy context

122. 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. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Separation distances of 18m between directly facing habitable room windows is sought, except where the existing character of the area varies from this. A distance of 9m should be kept from gardens to habitable rooms and balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy, in addition to high quality design solutions that mitigate impacts and allow for efficient use of land. These standards are also applied to ensure that the development does not compromise the redevelopment of adjoining sites, and to individual buildings within large developments.
123. To ensure development has an appropriate relationship with existing properties, it is set out in SPD1 that new buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries. It is also set out that to ensure good levels of daylight and sunlight, the use of the BRE's "Site Layout Planning for Daylight and Sunlight: a guide to good practice

(BR209)" is supported.

124. The guidance set out that where buildings would be within a 25-degree line of existing windows, the Building Research Establishment considered that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. When the 25-degree test is not met in relation to neighbouring properties, the BRE Guidelines recommended 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.
125. 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.
126. However, the BRE guidance also recognised 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. Where existing high density developments are potentially affected, the BRE suggests that impact of an imaginary new building of similar height and proportions as the existing building could be modelled in order to derive 'mirror image' target values for VSC. 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

127. The north block sits adjacent to the 10-11 Watkin Road development (LPA: 18/3381 & 19/2750) and will be separated by a 14m gap. While this is below the distance set out in SPD1, this maintains the same approach as approved via the extant permission (LPA: 20/0587) which also had habitable room windows facing 10-11 Watkin Road at this distance, and the proposal results in a comparable level of overlooking between buildings, and natural surveillance of the public space between the two buildings. In addition, the north block sits adjacent to 8 Watkin Road and the south block sites adjacent to 5 Watkin Road, which are both currently low-rise industrial units, with each block located 1m from the site boundary. The proposals do not include balconies or habitable room windows to the east elevation. Therefore, the proposal will not prejudice the ability of either 5 or 8 Watkin Road to be developed in the future.
128. The closest part of the development is approximately 30m from the nearest block of Empire Court (The Lodge), which exceeds the minimum distance required to maintain a good level of privacy. The Lodge has a mixture of south and west facing windows; no windows face directly onto the north block and a few west facing windows will indirectly face the proposed north block and have a 48m separation distance. As such, it is not considered The Lodge will be significantly impacted. This maintains the same approach as approved via the extant permission (LPA: 20/0587).
129. The distance between the north block and south block would retain an 18m gap, as per the extant permission (LPA: 20/0587).
130. With regard to the neighbouring Daylight and Sunlight Assessment the following properties, with are considered to have high sensitivity receptors, have been assessed as part of these proposals:
- 10-11 Watkin Road
 - Amex House
 - Empire House Block 1
 - Empire House Block 2
 - Empire House Block 3
 - Empire House The Lodge

- Empire Court
- Euro House
- Quintain Masterplan

10-11 Watkin Road

131. Out of the 326 windows assessed, 75 (23%) will meet BRE Vertical Sky Component (VSC) criteria. Of the 251 windows that fall below the criteria, 147 windows serve bedrooms. While the remaining windows have an average VSC alteration of circa 54%. The alteration of circa 54% is not uncommon in a dense urban location, especially with tall tower blocks. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. It is also worth acknowledging that the views from 10 – 11 Watkin Road at present is out onto a low-rise part industrial area, so additional impacts are expected, however, these impacts have been considered as part of the site allocation for the application site. Additionally, the existing properties within 10 – 11 Watkin Road could be having daylight impacted in part by virtue of the developments overhanging balconies. Notwithstanding the above, the extant consent included increased massing on the application site, so further impacts have always been expected.
132. The No Sky Line (NSL) analysis finds that 102 out of the 236 (39%) rooms will meet the BRE guidance. Of the 161 rooms which do not meet the BRE guidance, 124 will retain an NSL of 50% or more, meaning that the sky can be seen from the majority of the room area. The 37 rooms which do not retain 50% NSL are bedrooms which have a lower requirement for daylight compared to other room uses, given that they are used at night time.
133. In terms of Annual Probably Sunlight Hours (APSH) analysis, out of the 326 windows assessed, 260 (80%) meet the criteria for winter sunlight and 188 (58%) meet the criteria for the annual sunlight. Of the 66 windows that do not meet the criteria for winter sunlight, 66 will retain winter sunlight of 3% or more which is considered reasonably close to the BRE guideline of 5%. Of the 138 windows which do not meet the criteria for annual sunlight, 39 will retain an APSH of 20% or more which is considered reasonably close to the BRE guideline of 25%; a further 48 windows will retain in excess of 15% APSH.
134. When considering the sunlight results, it is important to note the orientation of 10-11 Watkin Road and the location of the development, meaning that the path of the sun makes impact to 10-11 Watkin Road unavoidable.
135. Compared to the consented scheme, the proposed development will create further alterations in VSC and NSL to 10-11 Watkin Road, however this is expected due to the increase in site area and massing. In terms of sunlight, whilst there are some further alterations to isolated windows, the overall effect to sunlight is considered to remain consistent.
136. PV panels are located to the rooftop of 10-11 Watkin Road. In accordance with 2022 BRE guidelines, the annual probable sunlight hours received by PV panels have been assessed. All PV panels will experience no less than 0.9 reduction in the levels of sunlight due to the Proposed Development and therefore the effects are not considered significant.

Amex House

137. Out of 370 windows assessed, 343 (93%) will not experience any noticeable alteration in daylight (VSC). The 27 windows that do not meet the BRE guidance are located in isolated areas and nearly all located within dual aspect apartments where light is also received from other windows.
138. NSL analysis demonstrates that 257 out of 270 (95%) of rooms will meet BRE guidelines. Out of the 13 rooms which do not meet BRE guidelines, 11 will retain daylight distribution of 55% or more of their room area and the remaining rooms will retain daylight distribution of 37% and 39% of their room area. 317 out of the 370 (86%) windows assessed will meet BRE guidelines in relation to winter sunlight and 355 out of 270 (96%) windows will meet the BRE guidelines for annual sunlight.

139. Of the 53 windows that fall below for winter sunlight, 30 serve less-sensitive bedrooms and the remaining 23 serve LKDs that achieve 1-10% in existing context and 0-4% in the proposed context.
140. 9 out of the 15 windows that fall below for annual sunlight serve LKDs and retain an APSH of 15% or more. The remaining six windows serve less-sensitive bedrooms.
141. Whilst the sunlight assessment has identified some isolated breaches of the BRE guidelines, these are limited and the majority of windows do meet BRE guidelines. Therefore, it is considered that the daylight and sunlight is acceptable given the dense context.
142. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Empire House Block 1

143. 80 out of 112 (71%) windows meet the BRE guidelines for VSC. Out of the 32 windows that do not meet the BRE guidelines, 15 windows have low levels of sky visibility in the existing context of between 7-12%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable. The remaining windows will experience alterations of 20-31% which is only marginally above the BRE criteria.
144. All 72 rooms (100%) meet BRE guidelines in relation to NSL. 76 out of the 96 (79%) windows assessed meet the BRE guidelines for winter sunlight and 64 out of 96 (67%) windows assessed meet the BRE guidelines for annual sunlight.
145. The 17 windows that fall below for winter sunlight retain 3% or more in the proposed context. Of the 32 windows that fall below for annual sunlight, 13 retain at least 15% in the proposed context.
146. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
147. The overall effect to daylight is consider consistent with the consented scheme. There are possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire House Block 2

148. All windows and rooms (100%) assessed will comply with the BRE guidelines for VSC and NSL.
149. Out of the 96 windows assessed, 93 (97%) will meet the BRE guidelines for winter sunlight and 89 (93%) for annual sunlight. The 3 windows that fall below for winter sunlight achieve between 7-8% in the existing context and retain between 3-4% in the proposed context. Of the 7 windows that fall below for annual sunlight, 6 retain at least 15% in the proposed context.
150. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
151. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Empire House Block 3

152. Out of 144 windows assessed, 133 (92%) would adhere to BRE guidelines for VSC. The 11 windows that do not meet the BRE guidelines have fairly low levels of sky viability in the existing context of between 8-17%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable. The NSL analysis demonstrates that 112 out of 120 rooms (93%) meet the BRE guidelines. Of the 8 rooms that do not meet the BRE guidelines 6 will retain daylight distribution to 50% or more of their room area and the remaining 2 will retain 41-42% daylight distribution. Of the 144 windows

assessed, 120 (83%) will meet the BRE guidelines for winter sunlight and 117 (81%) for annual sunlight. Of the 24 windows that fall below for winter sunlight, 7 retain at least 15% in the proposed context. Of the 27 windows that fall below for annual sunlight, 7 retain at least 15% in the proposed context.

153. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
154. The overall effect to daylight is consider consistent with the consented scheme. There are possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire House, The Lodge

155. For VSC, 3 of the 7 windows assessed will meet BRE guidelines. Of the 4 windows that do not meet guidelines, all experience a reduction of between 20-23% VSC, which is marginally in excess of the 20% criteria. All exceed the 18% VSC identified by BRE as common for city locations.
156. For NSL, 6 of the 7 rooms assessed meet BRE guidelines. The one room which does not meet guidelines retains a NSL of 64%.
157. Of the 7 windows assessed, 5 (71%) will meet BRE guidelines for winter sunlight and 4 (57%) will meet BRE guidelines for annual sunlight. The 2 windows that do not meet winter sunlight criteria will retain 4% APSH and the 3 windows that do not meet annual sunlight will retain 18-20% APSH which, although below recommendations, is considered acceptable in a dense urban location.
158. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
159. The overall effect to daylight is consider consistent with the consented scheme. There is possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire Court

160. For VSC, 39 out of the 44 (89%) windows meet BRE guidelines. The 5 windows that do not meet criteria have low levels of sky visibility in the existing context of between 4-7%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable.
161. For NSL, 20 out of the 32 (63%) rooms assessed meet BRE guidelines. Of the 12 rooms which do not meet guidelines, 9 will retain daylight distribution to 51% or more of their room area.
162. Of the 44 windows assessed, 38 (86%) will meet BRE guidelines for winter sunlight and 36 (82%) will meet BRE guidelines for annual sunlight. Of the 7 windows that fall below for winter sunlight, they currently receive 3-9% in the existing context and will receive between 1-4% in the proposed context. For annual sunlight, the 8 windows will receive 1-24% APSH in the proposed condition.
163. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
164. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Euro House (currently under construction)

165. Out of the 441 windows assessed, 440 (99.7%) meet the BRE criteria for VSC. The one window which

does not serves and LKD and will experience slightly in excess of the 20% criteria at 23.57%. The window also receives a very low level of amenity in the existing context of 3.14% which marginally falls to 2.40% within the proposed context.

166. For NSL, 295 (100%) of rooms assessed will comply with the BRE criteria. 236 of the 237 (99%) windows assessed will comply with both winter and annual sunlight BRE criteria. The single remaining window retains 4% APSH in the proposed conditions. For winter sunlight, all windows meet the BRE criteria.
167. It is worth noting that since the submission of the revised Daylight and Sunlight assessment in January, an S73 application at Euro House has been approved (LPA:22/3123) which sought an uplift in units, in addition to external design changes. Avison Young have provided an updated memo in relation to this building, and while the scheme has not been retested it was considered that there would be a negligible impact to daylight and sunlight. Officers' consider that given the shortfall of a single window meeting the BRE criteria and the approved updated design following the same building footprint, the level of impact is likely to be comparable and therefore an updated assessment has not been requested in this instance and as such, a further assessment has not been requested.
168. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Quintain Masterplan

169. The outline Quintain Masterplan has been assessed against the proposed development using VSC and APSH façade analysis.
170. In the existing context, the majority of future windows could achieve VSC levels of between 15-30% on the lower levels directly opposite the site. The proposed development will have a potential impact on VSC at lower levels resulting in 10-15% VSC. In the existing context, the majority of future windows could achieve APSH levels of between 15-20% at the lower levels directly opposite the site. The levels of sunlight reduce due to the Proposed Development, with retained levels of sunlight of between 5-15% APSH.
171. It is acknowledged that compared to the extant planning consent (LPA:20/0587), the scheme has increased in height and massing. However, the site continues to form part of the newly adopted BCSA6 Site allocation. While currently there are surrounding low-rise buildings and further impacts are expected, it is considered that given the regeneration benefits of the scheme the impacts can be considered acceptable in this instance.
172. The assessment has considered the amenity areas to the following three developments:
- Empire Court Block 1
 - Empire Court The Lodge
 - Amex House

Direct Sunlight

173. The amenity area of Empire Court Block 1 will retain two or more hours of direct sunlight to over 80% of its area on 21st March, and therefore will meet the recommended BRE guidelines.
174. The amenity area of Empire Court, The Lodge, was already significantly overshadowed with its existing context on 21st March, achieving two or more hours of direct sunlight to only 1.65% of its area; it falls to 0% in the proposed context. Considering the extremely low level of direct sunlight in the existing context, it is considered that the Proposed Development will have a negligible impact.
175. Amex House amenity space receives two or more hours of direct sunlight to 8.89% of its area in the existing context, which reduces to 6.44% of its area in the proposed context. Given the existing low levels of direct sunlight, it is considered that the Proposed Development will have a negligible impact.
176. There will be no material change to the level of sun hours on ground overshadowing to the three amenity areas on 21st June following the introduction of the proposed development. In addition, all three amenity areas will achieve two or more hours of direct sunlight to 97% or more of their areas, which ensures the

retention of good direct sunlight during summer months.

Overshadowing

177. In terms of overshadowing, Empire Court Block 1 amenity area will experience additional overshadowing as a result of the Proposed Development at 2-3pm on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. In addition, the amenity area will be unaffected by overshadowing from the proposed development throughout the day on 21st June.
178. Empire Court The Lodge amenity area will experience a small amount of additional overshadowing as a result of the Proposed Development at 3pm on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. In addition, the amenity area will be largely unaffected by overshadowing from the proposed development throughout the day on 21st June.
179. The amenity area of Amex House will experience additional overshadowing as a result of the proposed development at 10-11am on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. The amenity space will be overshadowed through the day on 21st June due to the existing context but the proposed development will cause no additional overshadowing.

Conclusion

180. Given the scale of the development and the number of windows potentially affected, it is considered that the impacts on existing windows are commensurate with the high density urban context. Although a limited amount of harm to neighbouring amenity would be likely to occur, on balance it is considered that these would be outweighed by the planning benefits of achieving high density redevelopment in a Growth Area, and that the proposal is acceptable on this basis.

Quality of student accommodation

Policy background

181. London Plan Policy H15 requires PBSA schemes to provide adequate functional living space and layout. However, there are no specific policy standards in terms of minimum internal floorspace or external amenity space. Brent's Policy BH7 requires non self-contained accommodation including student accommodation to provide acceptable quality, meeting appropriate standards for the needs of its occupants, including external amenity space, and appropriate communal facilities.
182. The BRE Guidelines published in 2011 recommend an Average Daylight Factor (ADF) of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms, although 1.5% is generally used for combined living spaces. Standards for daylight distribution and sunlight, including sunlight to amenity spaces, are also recommended. The Guidelines recognise that sunlight is most valued in living spaces, rather than bedrooms and kitchens.
183. The 2011 Guidelines were recently superseded by 2022 Guidelines which changed the way in which daylight and sunlight is assessed for proposed development (but not the impact on surrounding properties). These are not based on Average Daylight Factor, as the associated British Standard is now obsolete. They use a more complex modelling methodology that takes into account factors such as weather, time of day and window orientation. The assessment of sunlight has also altered, with the new target being a minimum of 1.5 hours of sunlight on 21 March. However, the assessment provides a quantitative assessment of daylight and sunlight that was routinely used to assess daylight and sunlight up until it was superseded in mid-2022. The application has therefore been considered on the basis of the assessment that was carried out was based on the 2011 Guidelines.

Internal layout

184. Internally, the layouts are well-planned and present a range of typologies that support different ways of living for a range of different residents. The cluster 10 bed apartment in the southern block include the placement of the shared kitchen area on the chamfered corner, allowing for views along Fulton Road providing a good vantage. In terms of floorspace, the cluster bedrooms vary from between 12.8sqm to 15.2sqm, with all units having ensembles. There are then accessible studios which are of 23sqm in area, with kitchenette and accessible ensuite facilities, accessed from the central core. On the other side of the central core for floors 3-5 there are typical studios with ensembles and kitchenettes, these are roughly 19.8sqm in size. On the eastern edge of the southern block, the cluster unit of 9 bedrooms has its communal amenity area located centrally with access onto Watkin Road, the remainder of the units vary

from 12.8sqm to 13.3sqm including en-suites within each of the rooms. The two cluster units of 10 persons and 9 persons, continue from the 7th to 17th floors following the same layouts and similarly to the 3rd floor provide a single separate accessible studio with kitchenette and en-suite facility.

185. The 6th floor mostly accommodates for internal and external communal amenity, with one located on the chamfered corner of southern building and on the northern façade overlooking Watkin Road. The remaining two areas, situated to the east of the building are separated by an area of external amenity that allows access to both. The areas of amenity are sufficient in size, allowing for outlook and light to enter the areas which vary from 70sqm to 97sqm. There is an additional 266sqm area situated on the 2nd floor, allowing for dual aspect over Watkin Road and Fulton Road.
186. The remaining external amenity is accommodated for on the roof, on floor 18 on the eastern edge of the southern building, achieving 220sqm. The western edge of this building for the remainder of the floors up to 26th replicate the 10-person cluster units and accessible studio, as included within floors 7-17. The roof of this building has made provision of solar panels.
187. Internal daylight and sunlight has been assessed, using a target of 1.5% ADF for cluster bedrooms, communal study areas and ancillary ground floor spaces, and 2% for studio rooms and shared kitchen / living areas. Overall, 48% of habitable rooms assessed would achieve the recommended ADF values. Daylight distribution within rooms was also assessed, and 41.5% of rooms would meet or exceed the target against this measure and 82% of the habitable communal dining spaces would meet the sunlight exposure criteria.
188. The proposal includes 62 accessible studio units across both the north and the south block, achieving 10% of accessible units across the scheme in line with the London Plan.
189. In the context of student accommodation in a high-density urban environment, the proposal is considered to provide a very good standard of internal daylight and sunlight.

Communal amenity space

190. The proposal offer varying sizes of amenity spaces throughout the north building and south building within the development, giving future residents acceptable levels of amenity spaces. The total area of internal amenity spaces proposed within the north block 305sqm, and within the southern block there is 609.3sqm proposed. These subsequently result in 1.5sqm of internal amenity space per unit within the north block and 1.45sqm of internal amenity space within the southern block. While there is a minor shortfall within the southern block it is considered that the offer with the smaller separate units on various floors would allow for the amenity spaces to serve different functions in different areas for the 419 students and therefore the minor shortfall can on balance be considered acceptable. Moreover, when taking into account the external amenity provision and the function it serves for amenity space, the communal areas of the northern block achieve 2.4sqm per bedspace and 2.27sqm per bedspace within the southern block which has a 342sqm offer for external amenity space situated on the 6th and 20th floors. Overall, the combined blocks would achieve 570sqm, which equates to an average of 1.47sqm per bedspace. However, given these blocks are situated on adjacent sides of Watkin Road the combined figures would be unlikely to be an accurate representation given the students would likely build a community within their individual respective blocks of north and south.
191. The sixth and twentieth floor roof terraces would be landscaped. This area would receive at least two hours direct sunlight on 21 March across 82% of its area, and most of the space would have over six hours of sunlight on this date and in the summer. In terms of the BRE targets for overshadowing of external amenity spaces, it would be very well sunlit throughout the year. A landscaping condition would be attached to any grant of planning approval, to ensure that the amenity spaces have a strong offer for study and relaxation, supporting the health and wellbeing of future residents allowing smaller communities to congregate within these areas.

Comparison with other student accommodation developments

192. The Design & Access Statement sets out a comparison of student housing developments in Wembley and elsewhere in London, in terms of the level of internal space provided. This is summarised in the table below, which demonstrates that the proposal is comparable to other developments in terms of the size of the basic cluster room and the amount of kitchen space for students, and that it provides noticeably more internal amenity space than other schemes reviewed. The range of communal

facilities provided is similar across the seven schemes.

	Cluster room area	Kitchen area per bedspace	Internal communal amenity space per bedspace
North Block (Proposal)	12.65sqm (average across 2 unit sizes)	3sqm	1.5sqm
South Block (Proposal)	13.7sqm (average across 3 unit sizes)	2.9sqm	1.45sqm
Fairgate House	12.5sqm	4.3sqm	1.5sqm
Unite, Olympic Way	9.5sqm	3.14sqm	0.65sqm
Apex House, Fulton Road	14sqm	4.44sqm	0.57sqm
Kelaty House, First Way	13.5sqm	5.45sqm	0.76sqm
Raffles House, Lakeside Way	11.8sqm – 12.7sqm	3.9sqm	0.47sqm
Scape, Fulton Road	12sqm	3.56sqm	Information not provided

Conclusion

193. In summary, it is considered that the proposal would offer an acceptable standard of accommodation for students, in terms of internal private and communal space, external amenity space, daylight and sunlight. The proposal compares well with other student housing developments and would contribute effectively to students' overall wellbeing.

Sustainability and energy

Policy background

194. All major developments are required to achieve zero carbon standards including a 35% reduction on the Building Regulations Part L Target Emission Rates achieved on-site, in accordance with the energy hierarchy set out in London Plan Policy S12. An Energy Assessment is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions. Ongoing monitoring and reporting of energy performance is also required under the 'Be Seen' part of this policy, and a whole lifecycle carbon assessment is required for applications referable to the Mayor. London Plan Policy S7 also requires a circular economy statement.

195. The Building Regulations Part L 2021 took effect from 15 June 2022 and all planning applications submitted on or after this date are required to comply with this version, which supersedes the 2013 Part L.

196. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy BSUI1, 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 person per day. Major commercial floorspace is required to achieve a BREEAM Excellent rating and this also needs to be appropriately evidenced.

197. An overheating assessment is also required, to assess and mitigate the risk of high temperatures in residential units in accordance with London Plan Policy S14, and Policy S17 also requires a circular economy statement for applications referable to the Mayor.

Proposed energy strategy

198. An Energy & Sustainability Statement, a Circular Economy Statement, Whole Life-Cycle Assessment, and an Overheating Analysis Report have been prepared by JAW and submitted in support of this application.
199. In terms of carbon dioxide emissions, the proposals will achieve 20.3% saving at the Be Lean stage of the GLA energy hierarchy and 10.5% improvement over the building regulations at the Be Green stage of the GLA energy hierarchy, through the use of PV panels and air source heat pumps, resulting in a total carbon reduction of 30.8% and 20.4%. This is further expanded upon within the table below:

	Student			Employment		
	CO2 Emission (tonnes/annum)	CO2 Savings (tonnes/annum)	% Saving	CO2 Emission (tonnes/annum)	CO2 Savings (tonnes/annum)	% Saving
Baseline	219.84.27			4.02		
Be Lean	175.30	44.54	20.3%	3.39	0.64	15.8%
Be Clean	175.30	0.00	0.0%	3.39	0.00	0.0%
Be Green	152.19	23.11	10.5%	3.20	0.18	4.6%
		64.42	30.8%		0.82	20.4%

200. Whilst this is less than 35% target as set out within the London Plan, it is highlighted that the assessment has been based on Part L 2021 methodology, which sets significantly lower targets than the previous 2016 methodology. The section 106 agreement would secure the maximum reasonable emission in carbon reduction together with any shortfall to net zero to be off set through the carbon offset fund at £95/tonne for a 30-year period (estimated to be around £442,867). Be seen reporting to the GLA would also be secured in the section 106 agreement.
201. The extant consent which was assessed under Part L (2013) building regulations sought a financial contribution towards carbon off-setting of £223,974, £60 per tonne. The 2021 Part L methodology sets out lower targets than the previous methodology and seeks a payment figure of £95 per tonne, resulting in the required contribution of £442,867. Additionally, the consent had a break down of 39.95% for residential carbon savings (65.48 CO2 Savings (tonnes/annum)) and for the industrial areas a reduction of 37.97% (15.93 CO2 Savings (tonnes/annum)) was proposed.
202. The GLA have reviewed the energy assessment and advised that further refinement within the energy statement would be required together with further information to demonstrate that the scheme has reasonably maximised carbon emissions within the scheme. Such information is set out below and will be reported to the GLA ahead of stage 2 referral:
- Be Green – demonstration that renewable energy has been maximised, including roof layouts showing the extent of PV provision and details of the proposed air source heat pumps;
 - Be Seen – confirmation of compliance with this element of policy, with compliance to be secured within the S106 agreement;
 - Energy infrastructure – further details on the design of district heating network connection is required, and the future connection to this network must be secured by condition or obligation;
 - Managing heat risk – further details to demonstrate the cooling hierarchy has been followed.

Whole life-cycle carbon and circular economy

203. In accordance with London Plan Policy SI2 the applicant is required to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development's carbon footprint. The applicant has submitted a WLC assessment, and this is welcome. The GLA have requested that the applicant follows the latest assessment from the GLA ahead of stage 2 referral. The GLA also advised that a condition should be secured requiring the applicant to submit a post-construction assessment to report on the development's actual WLC emissions.
204. London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy

Statements LPG.

205. The GLA have requested that the applicant updates their Circular Economy Statement to be in line with latest guidance to include Pre-Redevelopment Audit, Pre-Demolition Audit and Operational Waste Management Plan. Such details will be provided ahead of stage 2 referral and appropriate conditions secured in relation to Circular Economy.

206. The development also seeks to achieve a BREEAM rating of "Excellent" for the commercial element which would be secured through a condition. Water efficiencies measures would also be secured by condition.

207. In conclusion, the proposals provide a sustainable and energy efficient scheme to maximise reduction of carbon emissions and reduce risk of overheating, in accordance with the GLA energy and cooling hierarchies.

Impacts on microclimate and reception of TV and radio services

208. Policy D4 of the London Plan requires buildings and their construction to not interfere with telecommunications.

209. A Television and Radio Impact Assessment, prepared by GTech Surveys Limited, has been prepared and submitted as part of this application. The Assessment concludes that the development may cause some highly localised disruption to reception of both digital terrestrial and digital satellite television services to the immediate north and northwest. However, if this were to occur, improving antennas and moving satellites should restore good reception conditions. Further survey works and any mitigation measures would be secured through the Section 106 Agreement.

Environmental health considerations

Air quality

210. Like many areas in Brent, the site is in an Air Quality Management Area. London Plan Policy SI1 requires that all major developments within London are Air Quality Neutral. As such, an Air Quality Neutral Assessment needs to be undertaken and submitted with the planning application. Brent's Policy BSUI2 requires major developments in Growth Areas to be Air Quality Positive, in line with the approach set out in the GLA's draft Air Quality Positive guidance.

211. An air quality assessment has been submitted and includes an air quality neutral assessment. The assessment considers the air quality impacts associated with use of the emergency life-saving generator and pumps for fire use, in addition to the construction and operation of the development. The air quality assessment has also considered the level of exposure for occupiers of the proposed development in relation to concentrations of pollutants and concludes that the levels are below objectives, and therefore future residents and users will experience acceptable air quality, without the need for mitigation measures.

212. The document has been reviewed by Environmental Health officers, who have confirmed that it is acceptable and that there are no objections in relation to air quality and no further conditions are required.

Noise and vibration

213. London Plan Policy D14 expects new developments to reduce, manage and mitigate noise to improve health and quality of life. An acoustic assessment was submitted. Recommendations for mitigation measures were put forward to ensure that future occupants of the accommodation would not suffer a loss of amenity as a result of internal and external noise, including the use of suitable glazing, acoustically attenuated ventilation and appropriate thermal design.

214. Environmental Health officers have reviewed the report and recommend a condition to ensure that the mitigation measures should be implemented. A condition to limit noise from plant and equipment is also required. In terms of noise from the proposed development impacting on neighbouring residents, it is considered that implementation of a Student Management Plan would be sufficient to prevent any undue nuisance or disturbance occurring.

215. A ground investigation report was submitted with the planning application. Environmental Health officers have reviewed the document and note that there is the potential for source to receptor pathway of land contamination, due to the previous uses and the proposed use for residential.
216. On this basis, site investigation and remediation conditions are required to be attached to any grant of consent.

Construction process

217. A condition is recommended, to secure the submission of a Construction Method Statement prior to commencement, to control dust, noise and other nuisance impacts of the construction process.

Trees, biodiversity and urban greening

218. Trees are a material planning consideration in any planning application, and Brent's Local Plan Policy BGI2 requires major developments to make provision for planting and retention of trees on site. The railway line embankments are part of a designated wildlife corridor protected by Brent's Policy BGI1, and this policy also requires new development to achieve a net gain in biodiversity on site.
219. London Plan Policy G5 and Brent's Policy BGI1 encourage development proposals to embed urban greening as a fundamental element of site and building design, and require detailed information on the development's urban greening factor to be submitted as part of major planning applications. The urban greening factor combines measures such as new tree planting, biodiversity enhancements, landscaping and sustainable drainage features into a single measure, and Policy G5 seeks a score of 0.4 for predominantly residential developments.
220. The Arboricultural Impact Assessment survey has been submitted in support of the application, which indicates that 9 individual trees and a group of trees were surveyed as part of the preliminary assessment. These trees are acknowledged to form part of a ribbon of trees growing in proximity to Wealdstone Brook, which is quite important to the area and an important ecological feature contributing to the green and blue infrastructure of Wembley.
221. Three London Plane trees were located to the northern site boundary and were considered to have high retention value (Category A); A Honey Locust tree and Whitebeam tree were considered to have moderate retention value (Category B); Three trees considered of low retention value (Category C) due to dense ivy and other defects; and A Hybrid Black Poplar tree was considered to have very limited retention value (Category U) due to defects.
222. There are no trees proposed to be removed as part of the development as no trees are located within the site boundary. The long-term health of the retained trees is not considered to be significantly impacted by the proposals.
223. Development works will take place within the root protection areas (RPAs) to two trees (1 Category A and 1 Category C). Given that the demolition of the existing buildings and removal of hard surfacing will be required within close proximity to T1 and T2 the approach to this work should be detailed in a Tree Protection Plan and Arboricultural Method Statement which would be conditioned to be provided and approved prior to commencement on site. Construction of the proposed building will take place partially within the RPA of both trees and further hard surfacing is proposed within the RPA of T2. The potential for significant impact on these trees is relatively small subject to the TPP and AMS being followed, however some pruning works will be necessary. This should be detailed as part of the AMS and scheduled to take place at the outset of the works to prevent unplanned damage to the above ground elements of the trees.
224. The proposed building appears to be set back a little more than the existing, however the building directly adjacent to T1 and T2 is proposed to be 20 storeys high with studio accommodation being identified to the northeast of the building from level one, so overlooking the trees.
225. A total of 10 medium sized trees and 6 small sized trees will be planted to the south of the north building and north and west of the south building, alongside Watkin Road. Brent's tree officer has raised no objection to the proposal and welcomes the additional planting of 10 more trees, however, has suggested that a tree protection and landscaping condition be included within any grant of planning consent.

Urban Greening Factor

226. The proposed development seeks to retain and increase the number of trees and canopy cover within the development site, providing biodiversity enhancements and a UGF score of 0.40 in line with Policy BSU11, in accordance with London and Local planning policies.

Ecological considerations

227. The application site does not lie within any designated ecological areas, however, the Wealdstone Brook to the north, is designated as SINIC Grade 2, which has ecological value. Policy G6 of London Plan highlights that where harm to a SINIC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation of better biodiversity value.

228. It goes onto to state that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

229. The above position is reinforced within policy BGI1 of Brent's Local Plan which highlights that all developments should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

230. A Preliminary Ecological Appraisal was submitted to support the application. This set out that the buildings on site had negligible potential to support bats and that the site was not considered suitable for badgers, and other protected species such as dormice, great crested newts, barn owls, water voles, otters and hedgehogs. The report also noted that no bird nests were found at the time of the survey and that the buildings have limited potential for nesting birds. In relation to the Wealdstone Brook, the report noted that the sheltered tree line set within the urban landscape may provide commuting and foraging opportunities for bats and may support a variety of urban and common bird species. It therefore recommended that a sensitive lighting scheme is implemented to the north of the site to minimise the impacts on bats and that new planting within the scheme would enhance the wider green links and support the functionality of the corridor.

231. The application site predominantly consists of buildings and hard standing at present. The proposal would introduce new areas of soft landscaping within the roof terraces and new street trees at ground floor level, together with bird nest boxes. This would secure a net gain in biodiversity within the site. The GLA have advised that the net gain in biodiversity should be based on latest metric. Such information could be provided ahead of stage 2 referral. However as set out below, the site has very limited ecological value and the proposal would secure a net gain in biodiversity. Such details are recommended to be conditioned.

Transport Considerations

232. Vehicular and pedestrian access to the northern and southern sites is currently taken from Watkin Road.

233. The proposed site is located at the junction of Watkin Road with Fulton Road. The existing car parking is accessed from Watkin Road; a cul-de-sac with a turning head at the eastern end, although currently illegal parking is a regular occurrence which prohibits service vehicles from turning around.

234. The site is not currently in a Controlled Parking Zone. It is in the Wembley Stadium Event Day parking restriction zone in which parking is restricted to permit holders from 10am to midnight on event days.

235. The London Plan states that student accommodation should be 'car-free'. The previously approved application for residential use on this site was also subject to a 'car-free' agreement, so the principle of 'car-free' housing has already been accepted, even though there is no year-round CPZ on Fulton Road. Although students would not be entitled to parking permits due to the temporary nature of the accommodation, a condition is recommended to secure the 'car-free' status, in order to ensure students are made fully aware by the management company that they would not be entitled to permits. Officers in Transportation have requested a contribution of £50,000 towards CPZ expansion within the locality.
236. Notwithstanding this, two disabled parking spaces are proposed to be provided in new on-street parking bays. As these are shown within the footway area, they would need to be constructed through a S278 Agreement, with a new footway behind provided through a S38 Agreement.

Cycle parking

237. The London Plan requires 0.75 long term cycle spaces per bedroom for student accommodation and 1 short term space per 40 bedrooms. In the case of the commercial use there is a requirement for 1 long term space per 250sqm (GEA) and 1 short term space per 1000sqm (GEA).
238. To comply with the above standards the scheme requires a total of 365 long stay cycle spaces and 15 short term cycle spaces for the student accommodation and 19 long stay and 4 short stay spaces for the commercial element.
239. A total of 465 long term cycle spaces are proposed for the student accommodation but all of these are located within the basement of the southern block. The applicant has advised that due to the flood constraints of the northern block, a basement could not be feasibly introduced. Whilst it would be preferable to have cycle parking within the both the southern and northern blocks, given that the site would be in use for PBSA and under one management, access would be managed for the students of the northern block to use the cycle stores within the southern block with a distance of approx. 40m between the closest entrances to both buildings across Watkin Road.
240. The lifts to access the basement are confirmed as being suitably sized for bicycles. However, all access to the cycle parking needs to be a minimum of 1.2m wide, although accessible cycle parking (23 in total) now have suitable spacings between stands.
241. Twenty general and one accessible long-stay cycle parking spaces are proposed for the commercial uses, which meets minimum requirements. The plans have been amended to incorporate showers, lockers and changing facilities for cyclists for the commercial use.
242. Nine external bike stands are shown around the southern building, whilst two are outside the northern building, which meets the short-stay requirement.
243. Overall, subject to a condition being secured in relation to a management plan to secure access for students both within the southern and northern blocks to have access to the cycle store, the proposal is considered acceptable.

Servicing

244. The proposal involves the creation of a 10m long, 3m wide, inset loading bay in the location of the existing adopted footway on Watkin Road to facilitate the servicing of the buildings. However, it has been relocated further to the east, which would be too remote from the refuse store of the northern block. It is also noted that the total capacity for the refuse stores at 33,000l would be significantly less than 75,000l required for general residential homes set out within Brent's Waste Capacity Guidance. However, as the scheme is for student accommodation, there is the option for the refuse being collected from a private operator rather than Veolia. This would allow flexibility to have more frequent collections due to the lack of capacity and stand the refuse vehicle within the loading bay with a carrying distance of more than 10m. This would need to be secured within the section 106 agreement.
245. Notwithstanding this, any location would involve the creation of an extra 2m of footway to the rear, which would need to be adopted through a S38 Agreement. Indeed, a width of at least 2m for the footway of the around the entire site frontages is required, which will also require the adoption of a sliver of land on the inside of the bend in Watkin Road fronting the southern building. Widening of the adopted footway along the Fulton Road frontage would also be welcomed, although this would not be able to include any

land over which doors from the building open outwards.

246. TfL has highlighted that their preference would be to secure 2.4m wide pavement behind the loading bay and disabled parking bays. The requirement for a 2m footpath behind the loading bay and disabled parking bays was secured under the consented residential scheme, and as such a 2m wide footpath would continue to be acceptable in this instance.
247. The commercial units front Fulton Road, rather than Watkin Road, although the refuse stores are now located on the Watkin Road side. Other deliveries may still try to service from Fulton Road, which would not be welcomed. However, it is noted that the main lobby and circulation space to the commercial floorspace is also located on Watkin Road close to the loading bay. This is the main space to provide ramped and lift access up to the commercial floorspace on the floor above. It is therefore considered that this could be managed through the Delivery & Servicing Plan to manage other deliveries to the site would therefore still be required.
248. A Student Management Plan setting out arrangements for dealing with the influx of new students at the start of term has been submitted and the details within this are broadly acceptable from a Transport point of view.

Travel Plan

249. There is no baseline data for the commercial units, but as the commercial space is relatively low, this is acceptable. A bicycle user group has been proposed, but for this to be effective, it will require a budget in order to pay for any improvements the group identifies as important. The Framework Plan is fine at this stage, but will need to be developed into a Final Full Student Travel Plan. This would be secured through the section 106 agreement.

Transport Assessment

250. A multi-modal trip generation assessment has been provided as part of the application. The assessment indicates that the proposed development will generate a total of 15 and 11 bus trips during the AM and PM respectively. In line with the approach used for other sites within this area, TfL have requested a contribution of £487,500 (97,500 * 15) towards bus service enhancements should be secured from this development in line with Policy T4.

Wider highway improvement works

251. With the greater number of residents now proposed within the development and a greater propensity for students to walk, there is an increased need for better pedestrian facilities in the area, particularly in terms of connections to the public park and other facilities that are to be provided within the Quintain North-East lands Masterplan area to the south of Fulton Road.
252. It is therefore recommended that the contribution towards improved pedestrian crossing/traffic calming facilities (e.g. speed tables) in Fulton Road is increased to £60,000 instead of the previous £10,000 secured within the consented residential scheme. This would still represent a lower overall financial contribution from the developer than for the approved residential scheme and this would be better targeted to facilities that are needed.

Conclusion

253. A car-free development is acceptable in this location and adequate cycle parking provision would be made, together with arrangements for deliveries and servicing to be undertaken without affecting the flow of traffic on the highway. Subject to the conditions and planning obligations recommended above, and any financial contribution requested by TfL being secured through the s106 agreement, the proposal is considered to be acceptable in transport terms.

Fire Safety

254. Policy D12 of the London Plan requires major development proposals to be accompanied by an independent fire strategy detailing:

- The building's construction;
- Means of escape for building users;

- Features which reduce the risk to life;
- Access for fire service personnel and equipment;
- Provision within the curtilage for fire appliances to gain access to the buildings; and
- Any potential future modifications to the building will not compromise the base build fire safety/protection measures.

255. A Gateway 1 Planning Fire Statement has been prepared by Clarke Banks and submitted in support of the application.

256. Sprinklers will be provided within both the PBSA and commercial elements of the Proposed Development. The PBSA element will have detection and alarm systems, and have a stay-put evacuation strategy, unless it is unsafe to do so. The commercial element will have a standalone commercial grade detection and alarm system, and a simultaneous evacuation strategy.

257. Seven evacuation lifts are proposed to be provided, one is proposed per residential stair core. The north block will be served by 2 evacuation lifts by stair 1 and 2, and 1 firefighting lift and the South Block will be served by 5 evacuation lifts and 2 firefighting lifts which are to be located at either end of the building (Stair). Each evacuation lift will be provided in conjunction with a disabled refuge point, fitted with Emergency Voice Communication stair cores and one for the commercial single-stair core. Fire vehicle access will be via Watkin Road and Fulton Road. The closest fire hydrant is located along Fulton Road, less than 100m from Site.

258. The proposed firefighting strategy of the development is considered acceptable and in accordance with relevant planning policy and regulations. The Health and Safety Executive have raised no objection to the proposed fire strategy.

Flooding and Drainage

259. Policy SI12 of London Plan relates to flood risk. Policy BSUI3 of Brent's Local Plan relates to managing flood risk and sets out that proposals requiring a Flood Risk Assessment (FRA) to demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a FRA must contribute to flood risk management and reduction and:

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

260. The application site is located in an area of flood zone 2 for fluvial flooding, with parts of Watkin Road and the north plot located within flood zone 3a for fluvial flooding. Part of the site (in particular Watkin Road) lies within land that is liable to surface water flooding (3a) and the whole site sits within a Critical Drainage Area.

261. The Environment Agency reviewed the Flood Risk Assessment (FRA) and initially raised concerns with the proposal on flood risk grounds. The objection related to two areas of concern in relation to flood storage compensation and finished floor levels. In response to the concerns, an updated FRA was provided to address these concerns. In relation to flood storage compensation, the updated FRA provided updated calculations to demonstrate that the scheme will provide adequate flood storage for the lifetime of the development on a level-for-level and volume-for-volume basis. It also demonstrates that the proposed flood storage compensation scheme is hydraulically and hydrologically connected to the area of floodplain which will be lost as a result of the proposed development. The strategy includes providing compensation through allowing bin stores to flood through hit and miss style access doors. The overall compensation would increase by 93m³ compared to existing situation, resulting in a reduction of surface water passing onto areas outside the boundary.

262. In relation to finished floor levels (FFL) the scheme is required to demonstrate that the development will have finished floor levels 300mm above 1% annual probability (1 in 100 year) plus an allowance for climate change floor level. This is required to prevent internal flooding and ensure the safety of the development's users. The Environment Agency raised concerns with inconsistencies on the plans in

relation to FFL. In response, the applicant has provided details of the FFL and advised that whilst some FFLs (excluding bin/cycle stores) are lower than the flood level, these rooms will be designed to be flood resilient. Other FFLs will be above 300mm requirement set out above.

263. The Environment Agency have reviewed the updated FRA and confirmed that they wish to remove their objection as they are satisfied that the revised FRA demonstrates sufficient Flood Plain Compensation is provided on a level-for-level and volume-for volume basis and is connected hydraulically to the floodplain. They are also satisfied with the finished floor levels. They have recommended an informative in relation to a Flood Risk Activity Permit.

264. The applicant has also submitted a Flood Warning and Evacuation Plan setting out information on evacuation procedures in the event of flooding.

Sustainable urban drainage systems (SuDS)

265. Local Plan policy BSUI4 requires sustainable drainage measures, and a drainage strategy is required, in accordance with the sustainable drainage hierarchy set out in London Plan Policy SI 13. As referred above, the site location is within a surface water flood zone 3a and a critical drainage area.

266. The scheme is looking to reduce surface water run-off from the north building to 2 l/s and from the south building to 5 l/s.

267. For SUDs a combination of blue roofs with integrated green top layer and to make up the remaining storage volume required a buried geo-cellular attenuation tank (12m in length by 1m in width 0.8m in depth) will be located between the southern block and the inset servicing bay. All of the proposed SUDs measures provide effective treatment of runoff; the vegetation of the blue/green roof will help remove oil, silt and other pollutants. These measures will also grant additional biodiversity and amenity benefits to the site and wider area.

Equalities

268. 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

269. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and s106 legal agreement to secure the obligations as set out.

270. The mix of PBSA and industrial floorspace would make efficient use of the land as national policy advises and is appropriate in the Wembley Growth Area location. It is identified as an appropriate location in the borough where tall buildings can be located, and the scale and massing of proposed buildings would relate well to the existing and emerging site context. As the report acknowledges, owing to the constrained nature of the site and dense urban pattern of development in the locality, there is expected to be some impacts on existing daylight and sunlight light conditions to existing residential developments nearby. As acknowledged the impacts would be noticeable in some cases, but commensurate with development of this form within the high density urban environment that is both existing and emerging in the Wembley Growth Area, and such impacts must be balanced against the planning benefits of the proposal. Whilst the proposal would not currently achieve a 35% reduction in carbon emissions for the PBSA and industrial floorspace (based on 2021 regs), Overall, and on balance, the impacts associated with the development would it is considered be outweighed in this case by the benefits of redeveloping this brownfield site, including the provision of PBSA contributing towards the housing targets within the Borough and an uplift in industrial floorspace with a contribution towards off site affordable workspace provision, wider economic benefits and public realm improvements.



DECISION NOTICE – APPROVAL

Application No: 22/3965

To: Miss Marrocco
ROK Planning
16 Upper Woburn Place
London
WC1H 0AF

I refer to your application dated **18/11/2022** proposing the following:

Demolition of existing buildings and construction of two new buildings to provide commercial floorspace (Use Class: E) and student accommodation bedspaces (Use Class: Sui Generis), associated access and highways works, amenity space, cycle parking spaces, disabled car parking spaces and refuse/recycling stores.

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

at **1-4 and 9 Watkin Road, Wembley, HA9 0NL**

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: 01/08/2023

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 Local Plan 2019-2041

- 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):

33641-A-P10-001 REV P05 - Proposed Basement Plan;
33641-A-P10-002 REV P07 - Proposed Ground Floor Plan;
33641-A-P10-003 REV P05 - Proposed First floor plan;
33641-A-P10-004 REV P05 - Proposed Second floor plan;
33641-A-P10-005 REV P02 - Proposed third to fifth floor plan;
33641-A-P10-006 REV P03 - Proposed sixth floor plan;
33641-A-P10-007 REV P02 - Proposed seventh to seventeenth floor plan;
33641-A-P10-008 REV P02 - Proposed eighteenth floor plan;
33641-A-P10-009 REV P02 - Proposed nineteenth to twentieth floor plan;
33641-A-P10-010 REV P02 - Proposed twenty first floor plan;
33641-A-P10-011 REV P02 - Proposed twenty second to twenty sixth floor plan;
33641-A-P10-012 REV P02 - Proposed roof plan;
33641-A-P10-013 REV P02 - Proposed roof plan;
33641 A-P12-001 REV P01 - Elevation south block south;
33641 A-P12-002 REV P02 - elevations west;
33641 A-P12-003 REV P02 - elevations south block north;
33641 A-P12-004 REV P01 - Elevations east;
33641 A-P12-005 REV P01 - Elevations north block south
33641 A-P12-006 REV P01 - Elevations north block north;
33641-A-P13-001 REV P01 -Proposed sections south block;
33641-A-P13-002 REV P01 - Proposed sections north block;
33641-A-SK40-025 REV B - Commercial industrial makerspace

Supporting Documents:

Flood Risk Assessment and Drainage Strategy (P450231-REP-004 REV 01); Avison Young Daylight and Sunlight Internal Assessment (February 2023), Avison Young Daylight and Sunlight Neighbouring Assessment (February 2023); ROK Planning Statement (July 2023); Fire Statement V6.

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

- 3 The student accommodation hereby approved shall be not be occupied other than by Students for a period of not less than 39 weeks in any year unless otherwise agreed in writing by the Local Planning Authority. For the purpose of this condition, Students are defined as any person enrolled on a full time UK accredited and based further education course at a recognised higher education institution for not less than 80% of the course time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the accommodation meets an identified need and contributes towards a balanced community.

- 4 The development hereby approved shall provide a minimum of 1,490sqm of commercial floorspace. The floorspace shall not be used other than for purposes in Use Class E(g)(ii) and (iii), notwithstanding the provisions of the Town and Country Planning (General) Permitted Development Order (England) (2015, as amended) (or 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.

- 5 The scheme hereby approved shall contain 619 student bedspaces, as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 6 The development shall be built so that no fewer than 10% of the student bed spaces hereby approved are accessible rooms. These rooms shall be maintained as accessible for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the hotel development achieves an inclusive design.

- 7 The cycle storage, refuse storage and all internal and external areas for communal use by students shall be installed in accordance with the approved plans (or as otherwise agreed in writing by the local planning authority) prior to occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety and to ensure an acceptable form of development.

- 8 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 BSUI1 and London Plan Policy SI1.

- 9 Occupiers of the student accommodation and commercial floorspace hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is Situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. On, or after, practical completion but prior to any occupation of the student accommodation development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the development.

Reason: In order to ensure that the development does not result in an increased demand for parking.

- 10 All internal and external communal amenity spaces located on the first, second, sixth, eighteenth and twenty-first floors shall be made available to all students, regardless of the type

and affordability of their accommodation. All internal amenity spaces on other floors shall be made available to all students occupying the relevant floors, regardless of the type and affordability of their accommodation.

Reason: In the interests of proper planning and to ensure an equitable distribution of amenity space.

- 11 The windows on the flank elevation of the eastern wing of the northern and southern block from first to twenty sixth floor levels and the windows on the flank wall of the western wing from second to fifteenth floor shall be obscured glazed and high opening only (1.7m above internal floor level) and shall be maintained as such for the life of the development.

Reason: To ensure that the any redevelopment of the neighbouring sites is not compromised.

- 12 The development shall be carried out in full accordance with the approved Flood Risk Assessment, Drainage Strategy and Flood Warning and Evacuation Plan (prepared by Whitby Wood), unless alternative measures are submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency, and the scheme is thereafter implemented in full accordance with the alternative measures.

Such measures as noted above should be retained throughout the lifetime of the development.

Reason: To ensure that the scheme is resilient to all sources of flooding including fluvial and pluvial flooding.

- 13 The development shall be carried out fully in accordance with the Recommendations in the approved Preliminary Ecological Appraisal prepared by The Ecology Partnership dated May 2022.

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

- 14 Prior to the commencement of the development a Construction Method Statement 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. In addition, measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should also be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

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

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

- 15 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading

- and unloading takes place clear of the highway and that no construction vehicles will visit site within 4 hours of any major stadium event taking place;
- iii. Construction phasing and details of times when the use of a crane would be required;
- iv. Vehicular routes to the site;
- v. Parking of vehicles of site operatives and visitors;
- vi. Storage of plant and materials used during the construction period;
- vii. Wheel washing facilities;
- viii. Any temporary lighting;
- ix. Protection of the carriageway and any footway users at all times during construction;
- x. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;
- xi. Contact details of personnel responsible for the construction works

Details of measures to be used to ensure that disruption to existing nearby residents is minimised as much as possible during the construction period (including demolition) shall also be provided.

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

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

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

- 16 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837: 2012 including a Tree Protection Plan (TPP, at para. 5.5 BS 5837) and an Arboricultural Method Statement (AMS, at para. 6.1 BS 5837) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS (delete or add items as necessary):

- a) Location and installation of services/utilities/drainage
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA that may impact on the retained trees
- d) A full specification for the installation of boundary treatment works
- e) A full specification for the construction of any roads, parking areas and driveways to be constructed using a no-dig specification including the extent. Details shall include relevant sections through them.
- f) Detailed levels and cross sections to show that the raised levels or surfacing, where the installation of no-dig surfacing within the RPA is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction activities in this area clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained trees and landscaping
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved

details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

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

- 17 (a) Following the demolition of the building and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority, 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 contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

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

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

- 19 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), a plan showing the arrangement of cycle storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out the following cycle storage provision:

1. 465 long-stay cycle parking spaces to be provided for the student accommodation and 19 long term cycle parking spaces for the commercial units;
2. 19 short term spaces
3. details of showers, lockers and changing facilities for cyclists for the commercial use

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development unless alternative details are agreed in writing by the Local Planning Authority.

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

- 20 Prior to the commencement of development (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.

The development shall thereafter be completed in accordance with the approved details.

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

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

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

- 22 Prior to commencement of development (excluding demolition, site clearance and the laying of foundations), details of materials for all external work, including samples to be made available at an agreed location shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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 commencement of development (excluding demolition, site clearance and laying of foundations) a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of, but not limited to the following:

- Proposed materials for all hard surfaces and the permeable qualities;
- Details and sizes of all raised planters, including any trellises;
- Details of all external furniture (including refuse or other storage units) and informal seating/benches;
- Species, locations and densities for all trees, grass and shrubs, which shall include a minimum of 9 individual trees at ground floor level
- Proposed walls, fencing, screening treatment (including to all roof terraces) and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights;
- Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision)
- Details of any signs and signboards within the site;
- Tree pits for all new tree planting;
- Soil depth and composition on roof terraces, and details of plants and shrubs for these areas;
- Details of biodiversity enhancement measures based on measures as set out in the submitted Preliminary Ecological Appraisal prepared by The Ecology Partnership dated May 2022.
- Details to maximise the urban green factor (UGF) for the site in line with policy G5 of London Plan (with a minimum target of 0.4), including the requirement to submit a UGF Masterplan
- Details of any external CCTV installations
- A Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities.

The approved landscaping scheme and implementation programme shall be completed in full;
(a) prior to first occupation or use of the building, in respect of hard landscaping components and boundary treatments;
(b) during the first available planting season following completion of the development hereby

approved, in respect of all other soft landscaping components.

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

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

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

- 24 Prior to first occupation of the student accommodation, an updated Student Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated plan shall include:

- details of the student accommodation management provider appointed to manage the student accommodation;
- details of a dedicated community liaison contact for the development;
- details of how students would be encouraged and facilitated to recycle waste where practical to do so;
- details of how access to communal student spaces including external areas and cycle storage will be managed;
- details of access control measures to ensure safety of students and other users of the building.
- details of student move in/out procedures to minimise impact on the highway network.

The approved Student Management plan shall be implemented for the life of the development from first occupation of the student accommodation.

Reason: To ensure that the development is appropriately managed to minimise detrimental impacts on surrounding properties.

- 25 Prior to the first occupation of the development hereby approved, a Delivery and Servicing Management Plan including details of long term maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan shall include details on servicing for the commercial units from the loading bay on Watkin Road, how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement. The plan shall include a strategy for the management of delivery and servicing on event days at Wembley National Stadium, and shall ensure that no deliveries take place between four hours prior to the start of an event, to four hours after the end of an event.

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 proposed development.

- 26 Prior to the occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy

Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

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

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

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

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

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

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

- 29 Prior to first occupation of the development, a report shall be submitted to and approved in writing by the local planning authority, which provides evidence that the recommended mitigation measures described in the approved Noise Assessment (prepared by Hann Tucker) have been implemented, unless alternative mitigation measures have been submitted to and approved in writing by the Local Planning Authority, and thereafter installed in accordance with such approved details.

Reason: In order to safeguard the amenities of future occupiers, in accordance with Brent Local Plan Policy DMP1.

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

Prior to installation of plant equipment, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority, the plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 31 Within six months from practical completion of the non-domestic floorspace hereby approved, a revised BREEAM Assessment and Post Completion Certificate, demonstrating compliance

with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSU11.

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 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.
- 3 The applicant should note that this decision does not relate to any aspect of the advertisements or signage on site. In order to obtain formal approval for these, the applicant may require Advertisement consent under the Town and Country Planning (Control of Advertisements) Regulations 1992. The applicant is advised to refer to 'Outdoor advertisements and signs: a guide for advertisers' (<https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>) for further advice.
- 4 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 government website: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>
- 5 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.
- 6 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 August, 2023
06
22/1145

SITE INFORMATION

RECEIVED	28 March, 2022
WARD	Alperton
PLANNING AREA	Brent Connects Harlesden
LOCATION	Prospect House, North Circular Road, Stonebridge, London, NW10 7GH
PROPOSAL	Demolition of existing building and erection of a 23 storey building to provide 139 units (Use Class C3) and 801sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works (DEPARTURE FROM POLICY: E4 OF THE LONDON PLAN AND BE2 OF BRENT'S LOCAL PLAN)
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_159622</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 "22/1145" (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:
 - (i) 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. Provision of a minimum of 47 affordable housing units, comprised of a minimum of:
 - a) 33 London Affordable Rented dwellings
 - b) 14 units for Shared Ownership
 - c) Together with an early and late-stage review mechanisms in accordance with the Mayor of London SPG to capture any uplift in affordable housing.
 4. Employment and Training obligations, comprised of:
 - a) The submission of an 'Employment and Training Plan' (a document setting out how the obligations in section 106 agreement would 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;
 - b) 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;
 - c) a commitment to deliver the adopted employment targets - (7 construction jobs of at least 26 weeks, 7 construction apprenticeships of at least 52 weeks & 3 operational jobs for Brent residents
 - d) a commitment to pay the job support contribution (£15,950) commensurate with those targets, except where construction apprenticeship target is exceeded, with this payment reduced by £1,000 per construction apprenticeship delivered above target;
 - e) a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - f) specific commitments in respect of employment opportunities in relation to operational phases;
 - g) where it is not possible to achieve employment targets in line with the approved Employment and Training Plan, and it has not been demonstrated that reasonable endeavours were undertaken to achieve the employment targets, a commitment to pay the additional financial contributions which are calculated as follows:
 - h) Shortfall against target numbers of jobs/apprenticeships lasting a minimum of 26 weeks for an
 - i) unemployed Local Resident x £5,000 (the average cost of supporting an unemployed Local Resident into sustained employment)

5. A financial contribution of £35,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site.
 6. A financial contribution (to be agreed with TfL) towards improvements to Stonebridge Park Station;
 7. A financial contribution (to be agreed with TfL) towards bus service enhancements in the vicinity of the site;
 8. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any CPZ that is introduced in the future;
 9. The stationing of a Car Club vehicle at the site (subject to the agreement of a Car Club operator) and/or the provision of three years' free membership for residents of a Car Club;
 10. The provision of an unobstructed permissive footpath through the site to connect Old North Circular Road to a reopened pedestrian footpath to the Grand Union Canal along with suitable wayfinding signage;
 11. The approval and implementation of a modified Travel Plan incorporating greater support for Car Clubs and further clarity on future monitoring surveys;
 12. To enter into a S278 agreement for any Highways works associated with the development;
 13. Securing affordable workspace provision;
 14. Approval of a detailed design stage energy strategy;
 15. Commitment to net zero carbon with financial contribution towards carbon offsetting with the initial payment calculated to be £184,944 (residential) and £25,392 (non-residential) and the final contribution calculated following the submission and approval of the detailed design stage energy strategy;
 16. Commitment to 'Be Seen' monitoring in respect of carbon emissions;
 17. Canal and River Trust Financial Contribution (TBC); and
 18. Indexation of contributions in line with inflation
 19. Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (ii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iii) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and Informatives to secure the following matters:

CONDITIONS

Compliance

1. TIME LIMITED
2. APPROVED PLANS
3. INDUSTRIAL FLOORSPACE
4. RESTRICTED USE (LIGHT INDUSTRIAL)
5. PROVISION OF COMMERCIAL PRIOR TO RESIDENTIAL OCCUPATION
6. NUMBER OF AFFORDABLE DWELLINGS

7. NUMBER OF DWELLINGS
8. PARKING / CYCLE PARKING / REFUSE STORAGE
9. EV CHARGING
10. NON ROAD MOBILE MACHINERY
11. FIRST PLANTING AND REPLACEMENT PLANTING
12. DELIVERY AND SERVICING PLAN

Pre-commencement

13. CONSTRUCTION ENVIRONMENTAL PLAN
14. CONSTRUCTION LOGISTICS PLAN
15. CONSIDERATE CONSTRUCTORS SCHEME
16. CIRCULAR ECONOMY STATEMENT

Post-commencement

17. FIRE STRATEGY
18. PILING METHOD STATEMENT
19. CONTAMINATION: SITE INVESTIGATION
20. DRAINAGE STRATEGY
21. DISTRICT HEAT NETWORK CONNECTION
22. WHOLE LIFE CARBON ASSESSMENT
23. FRONTAGE AND SIGNAGE FOR COMMERCIAL UNIT(S)
24. COMMUNAL AERIAL AND SATELLITE DISH SYSTEM
25. DIGITAL CONNECTIVITY
26. ECOLOGICAL ENHANCEMENTS FOR FLOOD RISK
27. LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN
28. GREEN AND BLUE ROOF
29. WIND MITIGATION
30. OVERHEATING MITIGATION STRATEGY
31. SECURE BY DESIGN
32. ACCESSIBLE HOUSING
33. MATERIALS SAMPLES
34. LANDSCAPING
35. ECOLOGICAL LIGHTING STRATEGY

36. FLOOD WARNING AND EVACUATION PLAN

37. SATELLITE DISHES / TV ANTENNA

38. ACTIVE TRAVEL ZONE

Pre-occupation

39. PARKING DESIGN & MANAGEMENT PLAN

40. CIRCULAR ECONOMY: POST COMPLETION

41. WATER INFRASTRUCTURE

42. WATER EFFICIENCY

43. CONTAMINATION: REMEDIATION & VERIFICATION

44. EXTERNAL LIGHTING

45. NOISE ASSESSMENT: MECHANICAL PLANT

46. REVISED TRAVEL PLAN

47. INTERNAL NOISE LEVELS

48. EXTRACT SYSTEMS

49. URBAN GREENING

Post-completion

50. BREEAM CERTIFICATION

INFORMATIVES

1. CIL LIABILITY

2. PARTY WALL INFORMATION (STANDARD WORDING)

3. BUILDING NEAR BOUNDARY INFORMATION (STANDARD WORDING)

4. LONDON LIVING WAGE NOTE (STANDARD WORDING)

5. FIRE SAFETY ADVISORY NOTE

6. ASBESTOS

7. FLOOD RISK ACTIVITY PERMIT

8. ANY OTHER INFORMATIVE(S) CONSIDERED NECESSARY BY THE HEAD OF PLANNING

- (iv) 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

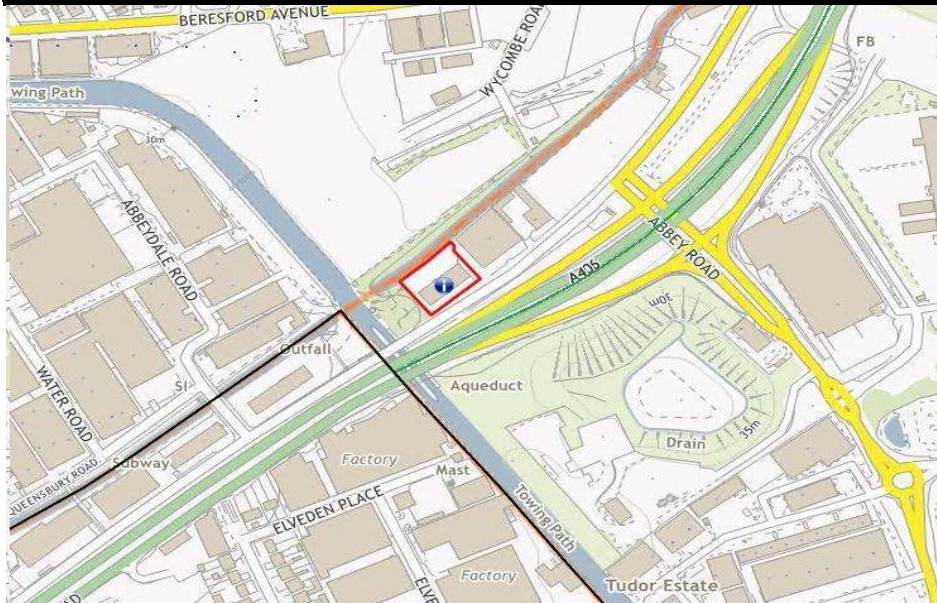


Brent

Planning Committee Map

Site address: Prospect House, North Circular Road, Stonebridge, London, NW10 7GH

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This map is indicative only.

PROPOSAL IN DETAIL

- Full planning permission is sought for the demolition of existing building and erection of a 23-storey building to provide 139 self-contained residential units (Use Class C3) and 801 sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works at the site currently known as Prospect House, North Circular Road.

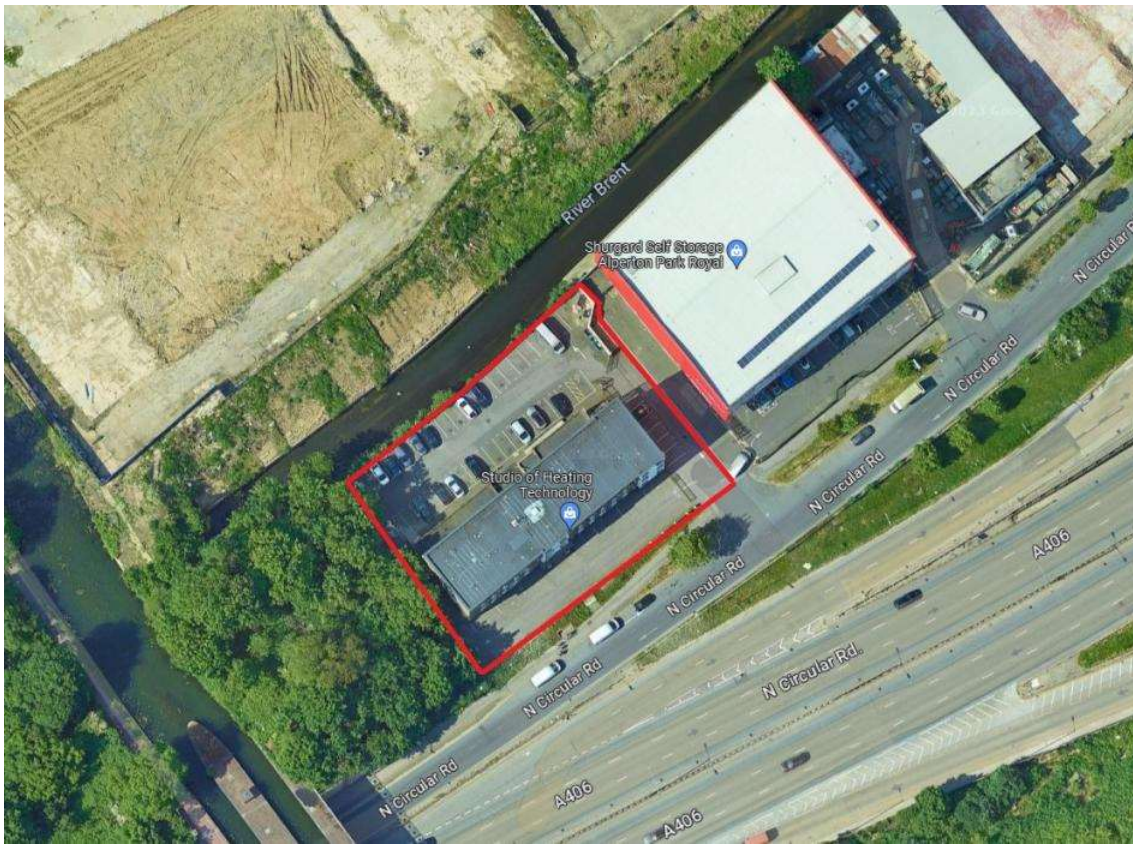
Table 1: Proposed Tenure by Dwelling Size (Source: Design & Access Supplementary)

Tenure	Dwelling size					Total
	Studio	1B2P	2B3P	2B4P	3B5P	
Social (LAR)	4	4	5	5	15	33
Shared Ownership	3	1	2	5	3	14
Market	10	10	10	49	13	92
Total	17	15	17	59	31	139

- The proposed building would have a maximum height of 80.4m to the top of the parapet (78m to roof level), stepping down to a shoulder element approximately 69.4m (20-storeys) in height (70.4 to the top of balustrading). It would have a footprint of approximately 160sqm.
- The ground floor would contain two commercial units, separate residential and commercial entrances and it would house the ancillary accommodation such as refuse stores, a sub-station and one of the cycle stores. The first floor would also contain commercial floorspace, while the second floor would house the majority of the cycle storage and other ancillary accommodation which is required to be above potential flood levels. The residential dwellings are housed from the third floor to the twenty-third floor.
- The development would be car-free, except for the provision of blue-badge parking. Six spaces, located near to the north-east boundary of the site, would be provided from the outset, with 1no. space secured for the commercial elements. There is the potential to provide further on-street spaces, should the need arise. A servicing bay is also provided on-site adjacent to the blue-badge parking.
- A total of 248 cycle spaces (predominantly two-tier stands) is proposed. There would be one cycle store located at ground floor level for the non-standard sized bicycles, and four stores located at second floor level, with access via a dedicated cycle lift. Six short-stay cycle parking spaces are provided at the front of the building.

EXISTING

Figure 1: Aerial image of the site (Source: Google Earth)



8. The site comprises of a three-storey, former office and residential building, bounded by the North Circular on its southern boundary, the River Brent on its northern boundary, with the St George 'Grand Union' Development on the former Northfields Industrial Estate beyond this, an area of woodland to the west (designated as a SINIC) with the Grand Union Canal beyond, and the Shurgard Self-Storage building immediately to the north-east, which rises to approximately 7-storeys in height.
9. The first and second floors of Prospect House had been converted to residential accommodation under "permitted development" (Prior Approval application **ref: 15/0752**), comprising 6 x studio flats, 4 x 1-bedroom and 7 x 2-bedroom. The office use (approx. 510sqm) was retained on the ground floor. As the flats were created through "permitted development", there was no requirement in planning for the provision of Affordable Housing. However, they were let to homeless families on a 5-year lease arrangement managed by the Shepherd's Bush Housing Association.
10. The site shares a common vehicular access point with the Shurgard building (approximately 22.5m in height and 12m between facing walls), which is cantilevered at second floor level and above, over the loading bays. The vehicular access leads passed 6 parking spaces along the flank of the building to a further 36 car parking spaces at the rear, accessed through a vehicular gate.
11. The existing building sits back approximately 11m from the front boundary wall of the site. From the boundary wall, at a midway point along that boundary, it is approximately 7m to the Old North Circular Road, 18m to the first of the two lanes serving the east-bound off-ramp for the North Circular, and 25m to the first of the east-bound lanes of the North Circular.
12. Ground level at the nearby Northfields site is approximately 8m higher than that of the application site, which in turns sits approximately 1.3m above street level (North Circular Road) and 3m above the level of the (A406 North Circular Road). The change in levels is illustrated in Figure 2 below:

Figure 2: Extract from Drawing No. 11246/A/E/152 Rev.A showing relative changes in level, north-east elevation.



13. The site is located adjacent to the Old North Circular Road, which in turn lies adjacent to the North Circular which forms part of the Transport for London Road Network (TLRN). Transport for London (TfL) is therefore the highway authority for the TLRN. Stonebridge Park Station is approximately 670 north-east of the site, with Harrow Road, which forms part of the Strategic Road Network (SRN), a further 200m beyond. The Alperton and Hangar Lane Underground Stations are approximately 1200m west and south-west of the site respectively. Bus services are available from the aforementioned stations but also much nearer to the site, along North Circular Road, Heather Park Drive, Beresford Avenue, and Abbey Road.
14. The River Brent and Grand Union Canal are each designated as Sites of Importance for Nature Conservation (SINC). The site also falls within the Alperton Growth Area and the Alperton Tall Building Zone.
15. The site is not located within a Conservation Area and does not comprise of any locally or statutorily listed buildings. A number of designated and non-designated heritage assets are located within walking distance of the application site, as discussed further in the body of this report.

SUMMARY OF KEY ISSUES

2. The key planning issues are set out below. Officers have made their recommendation after balancing all of the planning issues and objectives.
 - a. **Principle:** The proposal involves the redevelopment of the site for a mixed use commercial and residential development on land within a designated Strategic Industrial Location ('SIL'). The commercial element will comprise of 801sqm of light industrial floor space (Use Class E(g)(iii)) which represents a significant increase over the existing commercial floorspace (510 sqm) whilst falling below 0.65 of the plot area. The principle of this is accepted and considered to be appropriate with light industrial uses being appropriate for designated industrial areas, having regard to the site's designation and adopted spatial policy. The residential element is considered acceptable in principle in this instance due to the two upper floors of the existing building being in lawful use for residential accommodation by virtue of a conversion to residential via a prior approval application under permitted development. Subsequently, planning approval had been granted in 2017 for four additional floors of residential accommodation, although it is noted that this consent was not implemented and has now lapsed. However, due to the existence of residential accommodation on the site the principle of further residential development on this site is therefore accepted subject to the consideration of the remainder of the material planning considerations.

- b. **Housing / Affordable Housing:** The proposed development would deliver 139 dwellings over floors 3 to 23 which represents a net increase of 122 homes. The scheme also proposes 35% affordable housing by habitable room which has been assessed against adopted policy and through a viability assessment as being the maximum quantum of affordable housing possible. This is therefore considered to be policy compliant in relation to the Affordable Housing provision. It is noted that the former housing association tenants of the site have been re-housed elsewhere in Brent and the proposed development would not cause any displacement of vulnerable tenants. The proposal includes 31 family sized homes (3 bedroom). While this falls short of the policy target in terms of the 139 total homes, none of the existing homes have 3 or more bedrooms, and the provision would exceed the 1 in 4 home target in relation to the net increase in homes.
- c. **Heritage:** Although the site does not contain any designated / undesignated heritage assets, there are some within the wider area. The proposed scheme would not harm the significance of any of the identified heritage assets.
- d. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development is considered to be acceptable. The proposed height (23-storeys (80.43m), is considered acceptable having regard to the with the heights of the buildings currently under construction and consented within the Northfields site to the north. The proposed materials are considered to be acceptable and would complement the materials palette of the neighbouring developments both consented and constructed, and the articulation in the façade would create visual interest.
- e. **Quality of accommodation:** Each of the residential dwellings would meet with the relevant space standards, and have acceptable access to outlook, daylight and sunlight. Consideration has been given to how the design of the building and features such as the location of balconies would negate any potential impact from the North Circular both in terms of noise and pollution.
- f. **Amenity Space:** With all residential dwellings located at third floor level and above, there is a requirement to provide 20sqm of private amenity space for each dwelling. Due to space constraints, this is not achievable, therefore in accordance with BH13, each dwelling is provided with a balcony that exceeds the minimum London Plan standard of 5sqm, and the shortfall is almost all made up in terms of communal space (98 % of the target), with a cumulative shortfall of only 53 sqm (averaging approx. 0.4 sqm per flat for the 136 flats that are below 20 sqm of private space. Two main areas of communal space are proposed: at ground floor level toward the rear of the site (c.893sqm), and at rooftop level 20 (c.338sqm). The spaces proposed are considered to be highly functional and will offer residents a good quality environment away from the noise and emissions of the North Circular. Doorstep playspace provision is made for the 0-4yrs age group, with some incidental play to be provided within the main communal areas. Nearby parks are also identified for use by the older age groups.
- g. **Air Quality:** The site is located within an Air Quality Management Area, and being located near to the North Circular Road, air quality is recognised as a key issue to be addressed, given the intensification of residential use of the site. The proposed building is sited approximately 36m from the eastbound lanes of the North Circular and the proposed residential accommodation is located from the third floor and above. Concentration of emissions will be higher at ground floor level and will dissipate at higher levels. In addition, through the provision of mechanical ventilation residents will not have to open windows. Balconies are not located on the façade facing the North Circular. The ground level communal and play space is located away from the North Circular and the rooftop amenity space is located on the 20th floor. These design measures serve to ensure that residents are not unduly exposed to pollutants. The scheme is considered air quality neutral rather than air quality positive, but this is considered to be acceptable on balance. This element of the proposal is discussed in detail below, under the Sustainable Design section of the report.
- h. **Neighbour Impact:** The nearest proposed residential building is sited 40m distant within the Northfield site. Having regard to distancing levels, the development should not unduly impact on the amenity of the neighbouring occupiers.
- i. **Highway Impact:** The site has a PTAL rating of 2 over its western half and 3 over its eastern half and is therefore considered to have a low to moderate PTAL score. The development would be car-free except for the provision of 6no. on-site blue-badge spaces, inclusive of 1no. for the commercial use. Additional spaces can potentially be provided on the street. Cycle parking would be provided in accordance with London **Page 124**. Key linkages to sites north and south-west of

the site are considered essential to improve connectivity and to encourage active travel. This includes reopening the footpath with steps between the site's car park and the adjoining Grand Union Canal, which is currently closed with locked gates and is overgrown. The applicant's site plan shows the reopening of this footpath, which would then provide a connection to the adjoining Northfields development and to the canal-side path proposed within that site. There are also separate proposals to construct a bridge over the canal in the vicinity of this footpath, which would in turn connect the site (and the Northfields development) to the canal towpath opposite for pedestrian and cyclists. A permissive right of way for pedestrians would therefore be required across this development site to connect Old North Circular Road and the footpath.

- j. **Flooding / Waterways:** The site is immediately adjacent to the River Brent and near to the Grand Union Canal. The site falls within flood zone 3a. Protection of and access to the River Brent is a key element of the scheme as is the flood mitigation measures needed to ensure flood resilience. This includes reducing the footprint of the built structures, raising floor levels, locating the more sensitive uses i.e. the residential element, at 3rd floor level and above, and the creation of a Flood Warning & Evacuation Plan. A SuDS strategy is proposed to retain and re-use as much rainfall prior to discharge into the public sewer.

RELEVANT SITE HISTORY

16. An application (**ref: 12/1614**) for the change of use from Office (Use Class B1) to College (Use Class D1) was **refused** on 14 August 2012 due to concerns over: the loss of SIL; the absence of an acceptable FRA; and the site being in an unsustainable location with regards to public transport.
17. An application (**ref: 12/1613**) for the change of use from Office (Use Class B1) to College (Use Class D1) was **refused** on 14 August 2012 due to concerns over: the loss of SIL; the absence of an acceptable FRA; and the site being in an unsustainable location with regards to public transport. A subsequent Appeal was **dismissed** on 17 July 2013, on all three grounds.
18. In November 2014, a prior approval application (**ref: 14/3764**) was **refused** for the change of use from office (use class B1) to residential (use class C3) creating 27 flats (12 x 2 bed, 7 x 1 bed and 8 studios) due to concerns that due to the site being within Flood Zones 3(a) and 3(b), the development had failed to demonstrate the safety of occupants or a safe means of access/egress in the event of flooding.
19. In April 2015, a prior approval application (**ref: 15/0752**) was **granted** for the change of use from offices (Use Class B1) to residential (Use Class C3) involving 17 flats (7 x 2 bed, 4 x 1 bed and 6 x studios) as the applicant had overcome the objections raised with the previous application in relation to flooding.
20. Planning permission (**ref: 17/0637**) was **granted** on 07 August 2019 for the erection of four additional floors over the existing mixed-use building comprising of 28 self-contained flats (8x 1-bed, 16x 2-bed, 4x 3-bed), an internal children's play area at ground level, cycle parking, roof terrace, landscaping, and alterations to the external façade of the building.

CONSULTATIONS

Public Consultation

21. Letters were sent to the occupiers of 370 neighbouring and nearby properties, in addition to statutory site and press publicity. No comments were received.

Statutory / Non-statutory Consultees

Canal & River Trust

22. No objections are raised subject to securing to details in relation to the landscaping, lighting, CEMP, waterborne feasibility study, and foundation design.

Ecology

23. It has been advised that the reports and surveys have been conducted by appropriate professionals and where necessary by a MCIEEM Ecologist. The Preliminary Ecological Appraisal (April 2021) acknowledges the sub-optimal timing limitation of the survey. However, the existing c.0.25ha site was found to have limited habitat and ecological value. No invasive species were found on the development site, other than Buddleia. The development site is adjacent to two SINC, which do have ecological value. The existing building had some potential for bat roosting.
24. A Bat Activity Survey Report dated September 2021 was conducted, including dusk (28th July 2021) and dawn (21st September 2021) emergence surveys. Both surveys were during the optimal seasons for bats surveys. No emergences from (or to) the building were noted. However, Noctule bats were recording using the adjacent water/side SINC habitats.
25. The Biodiversity Audit (Biodiversity Impact Calculation Report) used the DEFRA Biodiversity Metric 3.0 to access potential Biodiversity Net Gain. The author of that report (Patricia Holden of Syntegra) does note slight limitations of their methodology, in particular as noted at 3.3 and 3.5, in that the Prospect House assessment uses the closest habitat option to that of the Biodiversity Metric 3.0 – and (at 3.5) that ‘the landscape plan has not provided species types or mixes’ to enable a more exact assessment. That is also apparent from the calculation table/s at 4.2.2 which use broad landscaping categories. However, the approach and the calculations appear valid and while the inference from the above is that either the proposed landscaping details were not available at the time of the assessment (or subsequently), the headline of the assessment, if implemented, is that whereas the existing biodiversity value was assessed as practically zero, there would be a net gain of 0.21 biodiversity units. On a baseline of zero, any increase of biodiversity is positive; and would be over the 10% net gain margin.
26. The Ecological Lighting Assessment explains that horizontal illuminance onto the adjacent SINC would average 1 lux and be of a maximum of 3 lux. Lighting strategies are explained, and that the proposal would manage lighting to where it is required and to minimise light spill.
27. The proposals appear designed to create additional habitat and to link with the existing habitat of the adjacent SINC. Access for residents and visitors would also be enhanced. Within the documents there is slight disjoint between the details. However, if the proposals are implemented as in the Design & Access Statement, the Biodiversity Net Gain has the potential to be realised. Note also the comments and recommendation conditions from the Canal & River Trust.

Environment Agency

28. Following an initial objection in relation to an inadequate flood risk assessment; its proximity to a watercourse; and a detrimental impact on nature conservation, the objections have been removed following the submission of additional information. Conditions are proposed to secure details of ecological enhancements for flood risk; and a landscape and ecological management plan.

Environmental Health (Air Quality)

29. It has been advised that the Air Quality Neutral Assessment is accepted. It is noted that whilst unusual to not have dispersion modelling, prediction maps have been used and the predicted levels are below air quality objectives. Conditions are proposed in relation to construction noise/dust, and non-road mobile machinery.

Environmental Health (Contamination)

30. It has been advised that the Preliminary Risk Assessment concludes that a Phase 2 site investigation is required. Conditions are proposed to secure this and a remediation/verification report.

Environmental Health (Noise)

31. It has been advised that the site location falls under risk category of high noise impact due to higher background ambient noise levels from the proximity to A406 North Circular Road. The design has mitigated the effects of noise as much as possible and compliance with BS8233:2014 criteria is

satisfactory. Conditions are proposed to secure details of any plant to be installed, and for a scheme of sound insulation to mitigate any impact to the residential units above.

GLA (Stage I Response)

32. Within the Stage 1 response, the GLA noted that the application does not fully comply with the London Plan and further information is needed on the matters set out below. It should be noted that further discussions have taken place and additional information received since the stage 1 response was provided as discussed in the main body of this report.

- **Land use principles:** Whilst it is noted the site is already in residential use, the intensification of this sensitive use within a SIL would not comply with Policy E7. This issue must be considered in the planning balance at the Mayor's decision-making stage. Furthermore, the applicant must clarify matters with respect to re-provision of the existing housing (including affordable or specialist housing) on site.
- **Housing:** The application proposes 35% affordable housing (72/28 London Affordable Rent / shared ownership). The GLA Viability Team is rigorously scrutinising the submitted FVA to advance viability discussions and ensure that the maximum level of affordable housing is secured over the lifetime of the development. Review mechanisms are required, and affordability levels must be secured via S.106. The applicant must clarify the existing housing arrangement on-site.
- **Urban design:** The applicant must address issues in respect of housing quality and height and massing. The Council should secure details of key facing materials as part of any future planning permission.
- **Transport:** Contributions towards bus capacity and station enhancements are sought as well as those required by the Council including towards the consultation and implementation of a CPZ. Appropriate legal agreements comprising a permit-free agreement, Section 278 agreement, parking design and management plan, cycle parking, EVCPs, Travel Plan, DSP and CLP should be secured.
- **Sustainable development:** Further information and clarification is required on the sustainable development strategies before compliance with the London Plan can be confirmed.

Health & Safety Executive

33. The HSE initially advised that they had "Some Concern" in relation to the proposal. However, following the receipt of revised plans and document, it is advised that they are now 'Content'.

Heritage

34. No objections are raised due to the proposal not impacting any of the borough's conservation areas. Moreover, it would not be seen in context with Brent Viaduct (list entry: 1078890) as there are more modern bridges in front and the building would only be seen in the distance as part of the modern backdrop.

Inland Waterways Association

35. Objections are raised for the following reasons:

- The sheer height and bulk of the proposed development would have a harmful visual impact on the adjacent canal as well as frequently causing wind problems for boats and non-boating visitors on the towpath.
- To mitigate, the Council should seek contributions for the provision of community moorings, visitor moorings and/or residential moorings, and the provision of an electrical supply and a water point for servicing the moorings.

London Fire Brigade

36. Following an initial objection to the proposal, primarily in relation to the lack of a second staircase, a

further consultation was undertaken but no response received. (Please note that the HSE, who are the statutory consultees in relation to fire safety, have responded positively to the amended scheme to introduce a second staircase)

Local Lead Flood Authority

37. No objections are raised because the Flood Risk Assessment is considered acceptable. A condition is requested for details of: an overall drainage plan to include SudS attenuation such as blue roofs; and an access / egress diagram.

London Borough of Ealing

38. No objections are raised because it is considered that the proposal would not be likely to represent a direct conflict with Ealing Council's strategic plan for the borough.

Metropolitan Police

39. The Secure By Design Officer does not support the application for the following reasons:

- The walk from the tube station to the site using the footpath next to the A406. During the day there would be some activity but at night it would be poorly used and observed leading to a risk of robbery and other violent crimes from occurring.
- The plans to make the site more permeable and attractive to acquisitive forms of crime such as burglary.
- On the actual main building there is no active frontage on the first two floors (overnight), light industrial is proposed but this would close after a certain time and possibly weekends also leaving no legitimate activity.

40. Conditions were suggested to secure confirmation that the plans can achieve secured by design accreditation; and for the site to achieve a secured by design accreditation to silver award and to maintain this standard through the life of the development. It should be noted that the rear areas of the site are now intended to be communal rather than public.

Thames Water

41. It has been advised that with regard to foul water sewerage network capacity and the water network infrastructure capacity, no objections are raised, based on the information provided. Regarding wastewater infrastructure (surface water drainage), additional information is required as network reinforcement works might be required to avoid flooding and/or potential pollution incidents.

Transportation

42. It has been advised that there are no objections subject to ensuring that:

- A S106 Agreement to secure obligations as set out at the beginning of this report, and conditions to secure electric vehicle charging and a construction logistics plan.

Transport for London

43. Contributions towards bus capacity and station enhancements are sought as well as those required by the Council including towards the consultation and implementation of a CPZ. Appropriate legal agreements comprising a permit-free agreement, Section 278 agreement, parking design and management plan, cycle parking, Electric Vehicle Charging Points, Travel Plan, Delivery and Servicing Plan and Construction Logistics Plan should be secured.

Tree Officer

44. An Arboricultural Impact Assessment (AIA) has been provided which has highlighted two trees and a one

tree group adjacent to the site that would be impacted by the proposed construction. Two category C trees and one category U tree. A landscape plan has been provided outlining tree planting on the ground floor, with 47 trees in a range of species. As well as this there is proposed planting of 12 trees of a range of species on the roof terrace. The suggested species are suitable, but no management plan has been provided for the establishment. No objections are raised subject to conditions.

Urban Design

45. No objections are raised.

POLICY CONSIDERATIONS

46. 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.

47. The development plan is comprised of the London Plan (2021) and the Brent Local Plan (2022).

48. Key policies include:

The London Plan

- GG1: Building strong and inclusive communities
- GG2: Making the best use of land
- GG3: Creating a healthy city
- GG4: Delivering the homes Londoners need
- GG5: Growing a good economy
- GG6: Increasing efficiency and resilience
- SD1: Opportunity areas
- SD6: Town centres and high streets
- D2: Infrastructure requirements for sustainable densities
- D3: Optimising site capacity through the design-led approach
- D4: Delivering good design
- D5: Inclusive design
- D6: Housing quality and standards
- D7: Accessible housing
- D8: Public realm
- D9: Tall buildings
- D11: Safety, security and resilience to emergency
- 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
- H10: Housing size mix
- H11: Build to Rent
- S4: Play and informal recreation
- E1: Offices
- E2: Providing suitable business space
- E3: Affordable workspace
- E4: Land for industry, logistics and services to support London's economic growth
- E5: Strategic Industrial Locations (SIL)
- E7: Industrial intensification, co-location and substitution
- E11: Skills and opportunities for all
- HC1: Heritage, conservation and growth
- HC3: Strategic and local views
- G1: Green infrastructure
- G5: Urban greening

G6: Biodiversity and access to nature
 G7: Trees and woodlands
 S11: Improving air quality
 S12: Minimising greenhouse gas emissions
 S14: Managing heat risk
 S15: Water infrastructure
 S16: Digital connectivity infrastructure
 S17: Reducing waste and supporting the circular economy
 S112: Flood risk management
 S113: Sustainable drainage
 T2: Healthy streets
 T3: Transport capacity, connectivity and safeguarding
 T4: Assessing and mitigating transport impacts
 T5: Cycling
 T6: Car parking
 T6.1: Residential parking
 T6.5: Non-residential disabled persons parking
 T7: Deliveries, servicing and construction
 T9: Funding transport infrastructure through planning

Local Plan

DMP1 Development management general policy
 BP7 South west
 BSWGGA1 Alperton Growth Area
 BD1 Leading the way in good urban design
 BD2 Tall buildings in Brent
 BD3 Basement development
 BH1 Increasing housing supply in Brent
 BH2 Priority areas for additional housing provision within Brent
 BH3 Build to rent
 BH5 Affordable housing
 BH6 Housing size mix
 BH13 Residential amenity space
 BS11 Social infrastructure and community facilities
 BE1 Economic growth and employment opportunities for all
 BE2: Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
 BHC1 Brent's Heritage Assets
 BHC3 Supporting Brent's culture and creative industries
 BHC4 Brent's night time economy
 BGI1 Green and blue infrastructure in Brent
 BGI2 Trees and woodlands
 BSUI1 Creating a resilient and efficient Brent
 BSUI2 Air quality
 BSUI3 Managing flood risk
 BSUI4 On-site water management and surface water attenuation
 BT1 Sustainable travel choice
 BT2 Parking and car free development
 BT3 Freight and servicing, provision and protection of freight facilities

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 National Design Guide (2019)
 Mayor of London - A City for all Londoners
 LB Brent S106 Planning Obligations Supplementary Planning Document (2022)
 LB Brent Design Guide for New Development (SPD1)
 LB Sustainable Environment and Development SPD (2023)
 LB Brent Affordable Workspace (2022)
 LB Brent Residential Amenity Space and Place Quality Supplementary Planning Document (2023)
 LB Brent Waste and Recycling Storage and Collection Guidance for Residential Properties SPG (2013)
 LB Brent Air Quality Action Plan 2017-2022
 Community Infrastructure Levy Regulations 2010

DETAILED CONSIDERATIONS

Amendments Since Submission

49. The following amendments have been made since the original submission:

- a) Second staircase added to comply with changes to Building Regs.
- b) Internal changes to accommodate the second staircase results in some change to the unit mix as set out in Table 2 below:

Table 2: Revised schedule of units and areas (Source: Design & Access Statement Supplemental)

Submitted			Revised			Change
Units	139		Units	139		
Market	92	66%	Market	92	66%	-
Affordable	47	34%	Affordable	47	34%	-
Habitable rooms	418		Habitable rooms	399		-19%
Market	272	65%	Market	259	65%	-13%
Affordable	146	35%	Affordable	140	35%	-6%
Affordable Units			Affordable Units			
Rented	33	70%	Rented	33	70%	-
Shared Ownership	14	30%	Shared Ownership	14	30%	-
Affordable Hab. Rooms			Affordable Hab. Rooms			
Rented	105	72%	Rented	102	73%	-3
Shared Ownership	41	28%	Shared Ownership	38	27%	-3
Unit Mix			Unit Mix			

			Studio	17	12.2%	+17
1B2P	28	20.1%	1B2P	15	10.8%	-13
2B3P	17	12.2%	2B3P	17	12.2%	-
2B4P	65	46.8%	2B4P	59	42.4%	-6
3B5P	29	20.9%	3B5P	31	22.3%	+2
Areas			Areas			
NIA (sqm)	10,986.5		NIA (sqm)	10,734.4		-234.4
GIA (sqm)	14,784.1		GIA (sqm)	14,784.1		-
Commercial GIA (sqm)	818.6		Commercial GIA (sqm)	800.9		-17.7

- c) Ground floor residential lobbies and workspace raised from 22.71mAOD to 24.055mAOD to comply with Environment Agency (EA) flood risk mitigation requirements.
- d) Coir pallets to improve in-channel biodiversity of the water course replace previously proposed bio-islands because of insufficient depth.
- e) The formal playground moved outside of the required 8m buffer zone of the River Brent to ensure that there is no risk of conflict with any EA maintenance vehicles.
- f) Height of parapet increased by 2.58m to hide rooftop plant, which includes the relocated backup generator.
- g) An increase in the number of Sheffield bike stands from 30 to 66 bringing the total proportion to 25%. The total number of cycle parking spaces remains unchanged at 248.

Land Use

Presumption in favour of sustainable development

50. The NPPF sets the presumption in favour of sustainable development, and this is reflected in Brent Local Plan (Local Plan) Policy DMP1 and the other policies of the Local Plan. Policy DMP1 confirms the acceptability of developments subject to it satisfactorily addressing the broad issues identified, in order to secure development that improves the economic, social, and environmental conditions in Brent.

Making effective use of land

51. Chapter 11 of the NPPF promotes the effective use of land and para. 119 states:

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

52. This is carried forward in various policies in the London Plan. Policy GG2 (Making the best use of land)

seeks to enable development of brownfield land, among other areas, prioritise sites which are well connected by public transport, and explore the potential to intensify its use to support additional homes, workspaces, and higher densities.

53. Policy D2 of the London Plan advises that the density of development proposals should consider and be linked to the provision of future planned levels of infrastructure rather than existing levels. Where there is currently insufficient infrastructure capacity to support proposed developments, boroughs are advised to work with applicants and infrastructure providers to ensure that there would be sufficient capacity at the appropriate time.
54. Policy D3 (Optimising site capacity through the design-led approach) of the London Plan seeks to optimise site capacity by ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.

Land use principles

Industrial land

55. Notwithstanding the existence of housing on the site, the site is located on land designated as Strategic Industrial Land ('SIL'). As such, London Plan Policy E5 (Strategic Industrial Locations) confirms that such land should be managed proactively for uses that support London's economy. Policy E7 (Industrial intensification, co-location and substitution) encourages the intensification of business uses in Use Classes B1c, B2 and B8 through the introduction of small units, multi-storey schemes, basements, and the more efficient use of land through higher plot ratios where appropriate.
56. The existing building currently has approximately 510sqm of office space (Use Class E - previously Use Class B1a) located over the ground floor, which has, according to information provided by the applicants, been vacant since January 2019.
57. The proposed development would not contain any office floorspace, instead proposing 801sqm of light industrial floorspace (Use Class E(g)(iii)) which while not achieving the 0.65 plot ratio, represents a significant net increase over the existing commercial floorspace. The proposed loss of existing office floorspace is considered to be acceptable due to the lengthy period of vacancy prior to this application being made along with the re-provision of industrial floorspace which is considered to be a more appropriate use within a Strategic Industrial Land location. London Plan Policy E5 states that development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities. It goes on to state that residential development adjacent to SILs should be designed to ensure that existing or potential activities in SIL are not compromised or curtailed.
58. As discussed above under the Design Considerations section, the layout of the site should not compromise the ability of the neighbouring Shurgard site to re-develop in a similar way. There is a distance of approximately 12m to the common boundary at the upper levels, with that neighbouring site, which is considered more than sufficient to maintain and protect residential amenities in terms of overlooking and loss of privacy. In terms of noise and disturbance from any industrial-type activity, as will be discussed below, the dwellings are designed to mitigate noise and it is anticipated that the constant high ambient noise levels generated by the North Circular would generally mask all but the noisiest of industrial processes.
59. Policy E7 of the London Plan states that mixed-use or residential development proposals on non-designated industrial sites should only be supported where there is no reasonable prospect of the site being used for industrial purposes, it has been allocated in the Local Development Plan for residential development or where industrial floorspace is provided as part of mixed-use intensification.
60. In this instance while the site falls on SIL land and the provision is therefore contrary to this policy, the principle for residential development has previously been established by the existence of residential units on the site and as such Policy E7 of the London Plan and BE2 of the Brent Local Plan are considered to be relevant. This is discussed further in the housing section below.
61. The proposed development has been designed in such a way that the proposed industrial use can be

operated and serviced without causing any conflict with the proposed residential use above.

62. The design and specification have been informed through discussions with Council officers. Moreover, officers are advised that the applicant has also held discussions with specific operators from the Council's preferred Affordable Workspace Provider list. As such, the workspace has the capability to be used for makerspace / artists' studios / workshops, which includes 4m floor to ceiling heights, ensuring sufficient flexibility for their operations. The submitted drawings also show how the space is designed to be flexible and can be used as either larger spaces, or sub-divided into smaller spaces. The location of the proposed creative industry floorspace at ground and first floor levels ensures it can be easily accessed from the street, for deliveries and servicing.
63. To ensure that the industrial uses are provided, in accordance with London Plan Policy E7D2, a condition would be imposed to have the industrial units completed in advance of any residential dwelling being occupied. In addition, a condition would be imposed to ensure that the approved use remains as light industrial and permitted development rights are removed that would allow a change of use to other use classes.
64. Broadly, the principle of the loss of office floorspace but the re-provision of a suitable quantum and quality of industrial floorspace is considered to be acceptable and accords with adopted policy.
65. Policy BE1 of the Brent Local Plan state that an Employment, Apprenticeship and Training Plan will be required for all developments of 5000sqm or more or sites capable of providing 50 or more residential units, to be prepared in partnership with Brent Works. This is being secured as part of the proposed legal agreement with the applicants.
66. Overall, it is considered that the proposed development constitutes a betterment over the existing arrangement with regard to the Strategic Industrial Land location of the proposed development.

Housing

67. The development would include the loss of the 17 existing dwellings, occupying the two upper floors of the building, and the provision of 139 dwellings (399 habitable rooms), inclusive of 47 affordable dwellings (140 habitable rooms) to be accommodated from 3rd floor level and above. The dwellings were used to house homeless families on a 5-year lease arrangement managed by Shepherd's Bush Housing Association. The applicant has advised that all tenants have been offered alternative accommodation in the borough and that 16 are now vacant. These homes were provided under "permitted development" and there is no planning condition or obligation to provide them as Affordable Housing. As such, they could be used as private housing without the need to apply for planning permission. The proposal would result in a net increase in homes, including affordable homes and family-size dwellings (as discussed below) which will meet an identified need in the borough.
68. As the land is designated as a Strategic Industrial Location, housing would not normally be considered appropriate. However, as discussed above, the first and second floor already contain residential dwellings that were converted through prior approval and the residential use of the site has been established. The proposal looks to provide light industrial on the lower floors, which can successfully co-locate with residential dwelling. However, the proposal would result in an intensification of the residential use of the and the proposal must not compromise the ability of adjoining and nearby industrial sites to operate. The quality of accommodation for the homes must also be good, and routes between the homes and services / transport links must also be appropriate.
69. Policy D13 (Agent of change) of the London Plan advises that it is the responsibility of new noise-sensitive developments to mitigate the impacts from existing noise and other nuisance-generating activities. Noise and servicing requirement impacts are considered in the relevant sections below.
70. Notwithstanding co-location considerations, the increase of on-site housing would contribute to meeting the housing targets for the Borough, which is currently set at 2,325 per year for the period to 2029. The proposal represents approximately 6% of the yearly target, therefore in terms of the intensification of housing on site, this would be compatible with London Plan Policy H1 (Increasing housing supply) and Local Plan Policy BH1 (Increasing housing supply in Brent). The proposal is also an opportunity to replace poor quality accommodation with purpose-built, high-quality housing.
71. The level of affordable housing proposed (35% by habitable room) would not meet the threshold for the

fast-track route identified within Policies H4 (Delivering affordable housing) and H5 (Threshold approach to applications) of the London Plan and with Local Plan Policy BH5 (in delivering 50% on land designated as SIL) and therefore must be viability tested in accordance with the aforementioned policies to ensure that the level of Affordable Housing is policy compliant. This element will be discussed further, under the Housing section of this report.

Land use summary

72. The redevelopment of the site for a mixed use commercial and residential scheme is proposed. Whilst not strictly policy compliant, having regard to the site's SIL designation, this is considered to be acceptable in principle because of the existence of housing on site. Nevertheless, the submission would need to demonstrate that the increase in intensity of residential use would not affect the ability of nearby industrial or warehousing uses to operate, and the quality of the homes would need to be good together with the routes and connections to nearby facilities and public transport links. The proposal would result in benefits to the borough in terms of the re-introduction of industrial uses, an uplift in employment floorspace, an uplift in housing provision, and an uplift in affordable and family housing.
73. Agent of change principles should ensure that any potential impacts from the industrial activity are appropriately mitigated.

Housing

Affordable Housing

74. Policies H4 (Delivering affordable housing), H5 (Threshold approach to applications), and H6 (Affordable housing tenure) of the London Plan confirms the approach to be used to maximise the delivery of affordable housing. Policy H4 in particular confirms that the strategic target is for 50% of all new homes delivered across London to be genuinely affordable. Policy H5 confirms that on strategic industrial land, to quality for the "fast-track" approach, developments should be delivering 50% affordable housing by habitable room. If the scheme is unable to deliver 50%, it must follow the viability tested route. Policy H6 confirms that the preferred tenure split is:
- a minimum 30% low-cost rented homes at either London Affordable Rent (LAR) or Social Rent levels;
 - a minimum 30% intermediate products which meet the definition of genuinely affordable housing, including London Living Rent (LLR) and London Shared Ownership; and
 - 40% to be determined by the borough as low-cost rented or intermediate products, based on an identified need.
75. It is set out within Brent Local Plan policy BH5 that 70 percent of homes should be Social Rent or London Affordable Rent whilst 30 percent should be intermediate, thus confirming that the 40 % set by the borough should be one of these low-cost rental products.
76. The proposal includes 35% affordable housing (by habitable room) with a 72:28 split between London Affordable Rent and intermediate (72% LAR and 28% Shared Ownership). The provision is below the 50% affordable housing required for the fast-track approach and as such, a Financial Viability Assessment (FVA) was submitted to support this offer. The FVA was assessed by an independent expert on behalf of the Council.
77. The FVA concluded that with a residual land value of £15.8M against a Benchmark Land Value of £7.04M, the development would result in a deficit of £22.8M taking into account reasonable profit expectations. Despite the large deficit, we are advised that the applicant is a committed stakeholder, and the scheme viability is not a prohibitive factor to deliver a high-quality scheme together with the public benefits of the scheme. Moreover, it is anticipated that growth above market trends due to improvements in the wider area.

78. The Council's independent review of the FVA has agreed that the scheme is in deficit but to the lesser amount of £0.17M. This followed adjustments being made to some of the assumptions within the FVA to "*bring them into line with normal market facing assumptions*" (BNP Paribas). Although it is acknowledged that the applicants position and the Council's advisors have a discrepancy, both confirmed an operational deficit, and on balance it is therefore concluded that the offer of 35% affordable housing does constitute in this instance the maximum reasonable amount of affordable housing that can be provided. However, due to the more limited deficit identified by the Council's advisors, the requirement for a suitably worded upward only review mechanism is considered to be important.
79. The affordable housing will be secured by a S106 Agreement and will be subject to an early-stage review if an agreed level of progress has not been made within 2 years of the granting of planning permission. A late-stage review would be triggered once a certain number of dwellings are sold or let. This would take into account actual values and is considered to be appropriate mechanism to capture additional affordable housing if changes in the market result in improvements to scheme viability.

Family Housing

80. Local Plan Policy BH6 (Housing size mix) confirms that 1 in 4 (approx. 25%) of new homes should be family-sized dwellings (i.e. 3-bedrooms or greater). Exceptions to the provision of family sized dwelling are allowed where the applicant can show that the location of the development will not be able to provide a high-quality family environment, or its inclusion will fundamentally undermine the development's delivery of other Local Plan policies. The proposal provides 31 three-bed dwellings, whereas 34 family sized homes would be required in order to meet the policy requirement of 1 in 4 homes. Justification for the shortfall has been provided by the applicant. The applicant contends that when calculated by habitable room, 28% of the dwellings provided are family housing. However, the policy refers to 1 in 4 homes being family sized rather than this proportion being calculated by habitable room.
81. The applicant also contends that regard should be given to financial viability, the proposed split of 72:28 between LAR and shared ownership which will result in a higher provision of genuinely affordable dwellings beyond the Local Plan requirement of 70:30 and meeting other plan targets such as increasing industrial capacity and public realm improvements. The provision of private family homes is known to negatively affect scheme viability. This can affect the ability of a scheme to meet other policy objectives and provide scheme benefits, such as the provision of higher proportions of Affordable Housing. Sensitivity testing has not been undertaken in relation to the provision of a policy compliant proportion of family sized homes. However, it has been established through testing that the development provides the maximum viable amount of affordable housing and a negative affect on scheme viability would affect the amount of Affordable Housing that could be provided.
82. It is also noted that while there is a shortfall of 5 family sized homes against the total number of homes (139), none of the 17 existing homes on site are family sized. The proposal results in a net increase of 122 homes (i.e. taking into account the loss of the existing homes), and if the 1 in 4 target is applied to the net increase, a total of 30 family sized homes would be required. The proposal exceeds this by 1 home. The policy does not take into account the net change in homes (just the number of homes within a development). Nevertheless, the net change is considered to be a material consideration.
83. When weighed against all of the benefits that the proposed development would deliver, the degree of shortfall against the total homes, the reduction in scheme benefits that are likely should a higher number of family sized homes be provided, and noting that it would achieve the 1 in 4 target if applied to the net increase in homes, it is considered that on balance, the proposed quantum of family-sized units is justified in this instance and the limited conflict with this policy is considered to be acceptable.

Accessible and Adaptable Dwellings

84. Policy D7 of the London Plan requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 14 wheelchair dwellings from the outset. These would be secured by an appropriately worded condition.

Heritage Considerations

Statutory Background and the NPPF

85. The beginning of the Agenda Pack contains a summary of the legislative and national policy context for the assessment of the impact of a development proposal on the historic environment and its heritage assets. This is in addition to Lambeth Local Plan and London Plan policies. The assessment that follows has been made within this context.
86. The first step is for the decision-maker to consider each of the designated heritage assets, which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset.
87. The assessment of the nature and extent of harm to a designated heritage asset is a matter for the planning judgement of the decision-maker, looking at the facts of a particular case and taking into account the importance of the asset in question. Proposals that are in themselves minor could conceivably cause substantial harm, depending on the specific context, or when viewed against the cumulative backdrop of earlier changes affecting the asset or its setting. Even minimal harm to the value of a designated heritage asset should be placed within the category of less than substantial harm.
88. The NPPF (paragraph 200) states that any harm to, or loss of, the significance of a designated heritage asset requires “*clear and convincing justification*”. The NPPF expands on this by providing (paragraph 201) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 201 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 202 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
89. In terms of what constitutes a public benefit, this can be anything that delivers economic, social or environmental objectives, which are the three overarching objectives of the planning system according to the NPPF. The Planning Practice Guidance advises that “public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit”. The degree of weight to attach to any particular public benefit is a matter for the decision-maker, having regard to factors such as the nature and extent of the benefit and the likelihood of the benefit being enjoyed. Different benefits may attract different amounts of weight.
90. The decision-maker is directed therefore by the NPPF to balance any harm to the significance of a designated heritage asset against the public benefits that flow from the proposal by considering in the case of less than substantial harm whether this harm is outweighed by the public benefits of the proposal, or in the case of substantial harm whether the tests in paragraph 201 of the NPPF are met. Importantly, these balancing exercises are not simple unweighted exercises in which the decision-maker is free to give the harm whatever degree of weight they wish.
91. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to have “special regard” to the desirability of preserving a listed building or its setting. In *Barnwell Manor* the Court of Appeal identified that the decision-maker needed to give “considerable importance and weight” to any finding of likely harm to a listed building or its setting in order properly to perform the section 66 duty. In the case of conservation areas, the parallel duty under section 72 of the same Act is to pay “special attention” to the desirability of preserving or enhancing the character or appearance of the conservation area. The courts have held that ‘preserving’ in this context means ‘doing no harm’.
92. The NPPF at paragraph 199 provides that “great weight” should be given to the “conservation” of a designated heritage asset, and that “the more important the asset, the greater the weight should be”.
93. The High Court in *Field Forge* explained that “it does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in *Barnwell*, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is

not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering". In Bramshill, the Court of Appeal (endorsing the Court's earlier decision in Palmer) observed that "the imperative of giving "considerable weight" to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is "uniform". That would depend on the "extent of the assessed harm and the heritage value of the asset in question". These are questions for the decision-maker, heeding the basic principles in the case law."

94. It is important also to note that as the Court of Appeal stated in Bramshill (which concerned a listed building) "one must not forget that the balancing exercise under the policies in [...] the NPPF is not the whole decision-making process on an application for planning permission, only part of it. The whole process must be carried out within the parameters set by the statutory scheme, including those under section 38(6) of the Planning and Compulsory Purchase Act 2004 [...] and section 70(2) of the 1990 Act, as well as the duty under section 66(1) of the Listed Buildings Act. In that broader balancing exercise, every element of harm and benefit must be given due weight by the decision-maker as material considerations, and the decision made in accordance with the development plan unless material considerations indicate otherwise...".
95. Where the significance of more than one designated heritage asset would be harmed by the proposed development, the decision-maker needs to account for the individual harms and to consider the level of harm arising when the assets are considered cumulatively.
96. As regards non-designated heritage assets, these are buildings, monuments, sites, places, areas, or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. For the most part, non-designated heritage assets will have been included on the Council's Local List, but it is not necessary for an asset to be included on the Local List in order for it to be treated as a non-designated heritage asset.
97. If there is harm to the significance of a non-designated heritage asset, paragraph 203 of the NPPF requires the decision-maker to arrive at a balanced judgement, having regard to the scale of any harm or loss and the significance of the asset.
98. What follows is an officer assessment of the extent of harm which would result from the proposed development to any designated and non-designated heritage assets that have been identified as potentially affected by the proposed development.

Context

99. The site does not contain any designated or undesignated heritage assets. The nearest listed building to the site is the Grade II listed "Brent Viaduct" over the North Circular Road (listing number 1078890)

Identification of Heritage Assets

100. A Heritage Statement was not submitted with the application however a Townscape and Visual Impact Assessment discusses some heritage impact. Heritage assets were identified using the Council's GIS system, LB Ealing's GiS-Ealing Maps, and Historic England's online tools. The assets identified include:
 - Brent Viaduct, A406 Grade II (434m north-east)

1838. By Robert Stephenson. West face. Stock brick. Large central arch over North Circular Road (formerly over River Brent). Framed by brick pilasters with modillioned capitals which support a continuous parapet cornice.
Smaller side arches. Widened on east side and the east face hidden by adjoining bridge but has the same treatment. Original and very little altered viaduct from the London and Birmingham Railway, carrying the main line from Euston. As described by J Bourne 'London and Birmingham Railway' 1838.
 - Twyford Abbey Road Garden wall enclosing former kitchen garden Grade:II (500m south-west)

TWYFORD ABBEY ROAD 1. 5010 NW 10 Garden wall to north of Twyford Abbey TQ 18 SE 2/14 12.1.77 II GV 2. C18. Red brick wall about 12 ft high enclosing a large area, once a kitchen garden. An important feature of the Twyford Abbey group.

- Twyford Abbey Road Twyford Abbey (Nursing Home) Grade:II (516m south-west)

TWYFORD ABBEY ROAD 1. 5010 NW10 Twyford Abbey TQ 18 SE 2/13 30.1.73 II GV 2. 1807-9 by William Atkinson. Enlarged 1904. "Gothic" country house. Brick, cement fronted. Two storeys, casements. Crenellated parapet. Buttresses, turrets.

- Brentmead Gardens St Mary West Twyford Church Grade:II (600m south-west)

II Parish church and community centre. 1808 by William Atkinson for Thomas Willan, encasing the previous and probably C17 chapel which replaced or incorporated a medieval church or chapel. Enlarged 1958 by NF Cachemaille-Day, refurbished 2009-10 for use as a church and community centre

- Hanger Hill (Haymills) Estate Conservation Area (LB Ealing) 1.3km south-west

101. It should be noted that the nearest Conservation Area in Brent (Wembley High Street) is sited approximately 2.1km north of the site and is considered too distant for the proposal to have any material heritage impact on it.

Assessment of Significance and Contribution

102. Against the identified heritage assets, what must therefore be determined is whether the proposed development would harm their significance, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72). The factors for consideration would be:

- The significance of the asset
- The sensitivity to harm of the asset
- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset

103. The Brent Viaduct is the nearest of the identified heritage assets however there are more modern bridges between it and the development site. The development would be viewed in the context of the emerging skyline and developments. View 13 of the TVIA provides illustrates the potential impact, which is considered to be positive (see Figures 3 and 4 below).

Figure 3: View 13 - PROPOSED: North Circular, north-east of junction with Harrow Road, looking south-west (towards Grade II listed Brent Viaduct)(Source: TVIA)



Figure 4: View 13 - PROPOSED: North Circular, north-east of junction with Harrow Road, looking south-west (towards Grade II listed Brent Viaduct)(Source: TVIA)



104. The potential impact from the three of heritage assets centred around Twyford Abbey can best be seen in View 5 of the TVIA. This illustrates that the proposed development, together with the massing of the Northfields estate would be completely screened by mature vegetation (see Figures 5 and 6 below). The visibility of the Northfield development may increase in the winter when less foliage is on the trees, the cumulative impact would be neutral.

Figure 5: View 5 - PROPOSED: Twyford Abbey grounds, south of Twyford Abbey building (Grade II listed), looking

north-east (Source: TVIA)



Figure 6: View 5 - CUMULATIVE: Twyford Abbey grounds, south of Twyford Abbey building (Grade II listed), looking north-east (Source: TVIA)



105. The proposed building would be visible from the edge of the Hanger Hill (Haymills) Estate Conservation Area. It would be largely obscured by trees, with only the very top visible. When viewed in the context of the approved massing for Northfield, the cumulative impact of the proposed development is considered to be neutral (see Figures 7 and 8 below).

Figure 7: View 6 - PROPOSED: Brunswick Road, at junction with North Circular, looking north-east (at edge of Brunswick and Hanger Hill (Haymills) Estate Conservation Areas)(Source: TVIA)



Figure 8: View 6 - CUMULATIVE: Brunswick Road, at junction with North Circular, looking north-east (at edge of Brunswick and Hanger Hill (Haymills) Estate Conservation Areas)(Source: TVIA)



Impact of the Development

106. The proposed development would introduce a building which would represent a significant change to the site. However, it would be viewed within the context of the Northfields development.

Summary of Heritage Considerations

107. Although there would be some visibility of the proposed development from the Viaduct Bridge and the Conservation Area as illustrated in the images above, visibility of it from the Twyford Abbey-related heritage assets would be limited to the winter months. Notwithstanding, the proposed development must be viewed within the context of the approved Northfield scheme where it would be largely subsumed in view of that neighbouring development. Visibility does not necessarily equate to being harmful. At worst, the impact of the development is considered neutral.
108. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal would not lead to any harm to the identified heritage assets, having regard to Policy HC1 of the London Plan, and Policy BHC1 of the Local Plan.

Design Considerations

109. There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.
110. Policies D1-D3 and D8 of the London Plan and the Mayor's Housing SPG apply to the design and layout of development and set out a range of urban design principles relating to the quality of public realm, the provision of convenient, welcoming, and legible movement routes and the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages and minimising inactive frontages. London Plan Policy D8 sets out a range of key design principles relating to the public realm. This requires development proposals to ensure that the public realm is well-designed, welcoming, inclusive, well-landscaped and supports urban greening, active travel, and benefits from natural surveillance.

Layout and Access

Layout

111. The existing site is occupied by a single rectangular building, with the long elevation facing the North Circular. Being located within SIL, with former offices located on the ground floor and the top two floors having been converted to residential via the prior approval route, the site is dominated by hardstanding to the front and rear, laid out for parking and vehicle circulation around the building (see Figure 1 above).

Figure 9: Indicative site layout (Source: Design & Access Statement)



112. Externally, the proposed layout significantly reduces the amount of impermeable surfacing and introduces a considerable increase in landscaping, which is considered more appropriate to its siting adjacent to a SINC and the River Brent (see Figure 9 above). In addition, at approximately 11m distance to the edge to the River Brent, the building is sited beyond the 8m buffer normally requested by the Environment Agency.

113. Parking would be aligned with the vehicular entrance along the north-eastern boundary, along the common boundary with the Shurgard Storage site, and would provide 5no. blue-badge spaces for the residential units and 1no. disabled space for the commercial floorspace. A dedicated service bay is provided in this location for deliveries.

114. There is sufficient space around the building to ensure that it does not feel cramped. Distancing of approximately 12m to the common boundary with the Shurgard building is maintained at the upper levels (13.5m at ground floor level) and 17m is maintained to the facing wall of the Shurgard building at the upper levels. There is approximately 11m at ground floor level to the River Brent and a further 30m to the façade of the nearest indicative building at Northfields (Block F). A suitable green buffer would be provided between the proposed building and the River Brent, and trees would be planted along the boundary with the Shurgard site.

115. Internally, the proposal responds to the flood risk constraints of the site by locating the least sensitive uses – the commercial elements and some of the ancillary accommodation, at ground and first floor levels. The second floor, as described earlier, would contain plant and cycle storage, with the residential dwellings located at third floor level and above.

116. Balconies are provided on the facades of the building that do not face the North Circular Road to avoid issues in relation to noise and air quality. The impact of noise and air quality on the development is discussed below.

117. Two level-access residential entrances on the north-east elevation are provided to access the lower and taller towers and also provide a separation of the affordable and non-affordable housing elements. Whilst it is preferable to provide a single residential entrance, it is easier, for management of the affordable core, to provide separate entrances. There are also two entrance points at the rear of the building to provide access to the ground level amenity space.
118. Three commercial entrances are provided at ground floor; a lobby with goods lift serving the first floor located off the main entrance courtyard, an entrance to the roadside which provides access to ground floor commercial space to the south-west of the building and a self-contained commercial unit to the rear of the building to ensure ground floor active frontage.
119. The building has a number of lifts for different residential uses. The separation of the residential uses by tenure results in 2no. lift cores, each with 2no. passenger lifts. One lift to the market core would be a fire-fighting lift and 1no. lift per core would be used as an evacuation lift in line with new fire regulations. Both cores benefit from a 13-person lift which can be used to move furniture in and out of the residential units. To the rear of the building a dedicated cycle lift provides access to the second floor cycle storage, which is also accessed by all 4 lifts mentioned above.
120. The commercial floorspace benefits from a goods lift which would serve the first floor commercial space from the entrance within the courtyard. It would also act as an evacuation lift for disabled egress from the building in the event of fire.

Height and Massing

121. Policy BD2 of the Local Plan defines a tall building as one over 30m in height. It directs tall buildings to the locations shown on the policies map as being within a Tall Building Zone. The site lies within the Alperton Housing Zone, identified as an area where higher density is considered appropriate due to its sustainable location, and it is also within the Alperton Tall Building Zone. Immediately to the north is Northfields, where buildings up to 28-storeys have been approved as part of the masterplan (see Figure 10 below).

Figure 10: Existing site with heights achieved in the Northfields development outline consent (Source: Townscape and Visual Impact Assessment)

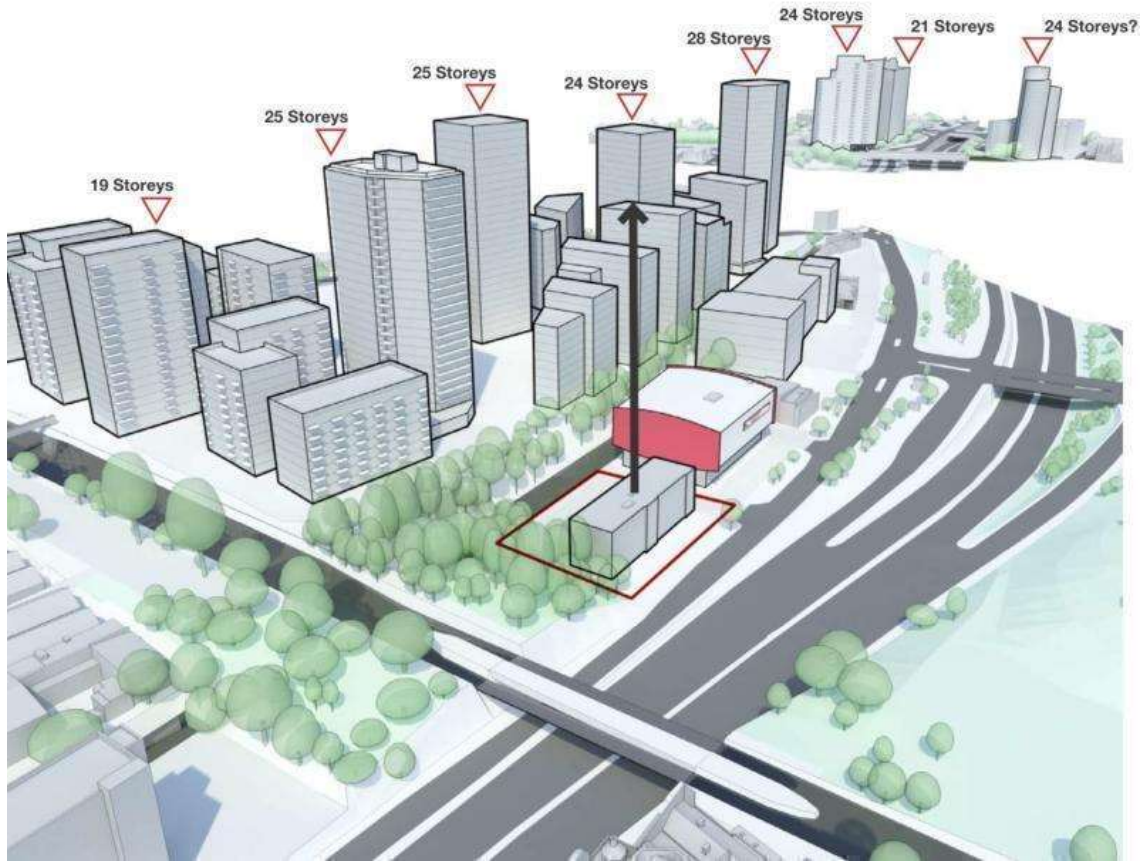


Figure 11: Proposed development viewed in context with Northfields (Source: Townscape and Visual Impact Assessment)

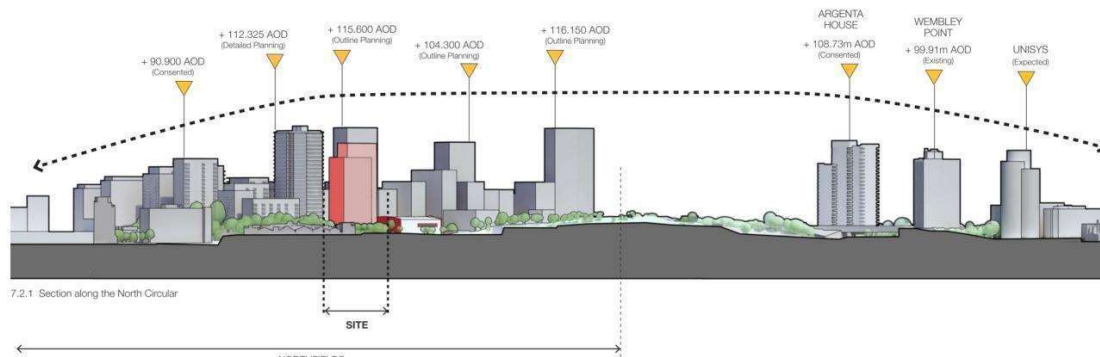


Figure 12: Cumulative Impact with Northfields (wire outline) and Shurgard Storage - View West



122. The proposed building, with a maximum height of 23-storeys (80.4m) would represent a significant change in terms of the existing site. Whilst the proposed building would be considerably taller than its immediate neighbour, the Shurgard building, this is considered acceptable having regard to the commercial nature of that building with its expansive blank south-west elevation, although it should be noted that there would be a separation distance of approximately 17m between facing elevations, so as to not compromise the ability of the Shurgard site to similarly re-develop.

123. Moreover, having regard to Figures 10, 11 and 12 above, the context of the area is undergoing a transformation with the implementation of the Northfields development. The proposed building would therefore be largely seen within the context of the emerging development and would not appear out of scale.

124. Within the wider context, the submitted Townscape and Visual Impact Assessment (TVIA) confirms that from various vantage points that due to its height, the scheme in isolation would be noticeable but with the emerging townscape included (albeit in the form of wire drawings), the height of the proposed development remains acceptable (see Figures 13 to 16 below) from all viewpoints.

Figure 13: Proposed and Cumulative View South-West from Footbridge over North Circular (Source: TVIA)



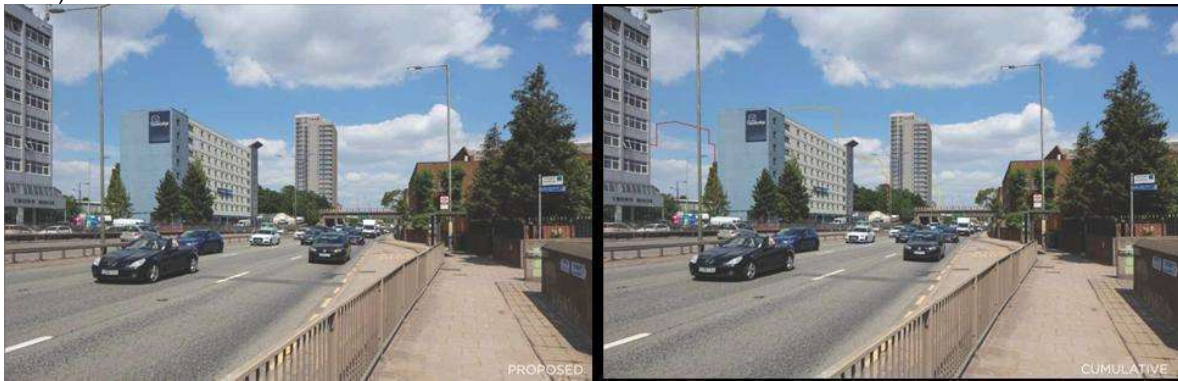
Figure 14: Proposed and Cumulative View South-West from Junction of North Circular and Harrow Road (Source: TVIA)



Figure 15: Proposed and Cumulative View North from Grand Union Canal Towpath, South of Aqueduct Over North Circular (Source: TVIA)



Figure 16: Proposed and Cumulative View North-east from North Circular at Iveagh Avenue Bus Stop (Source: TVIA)



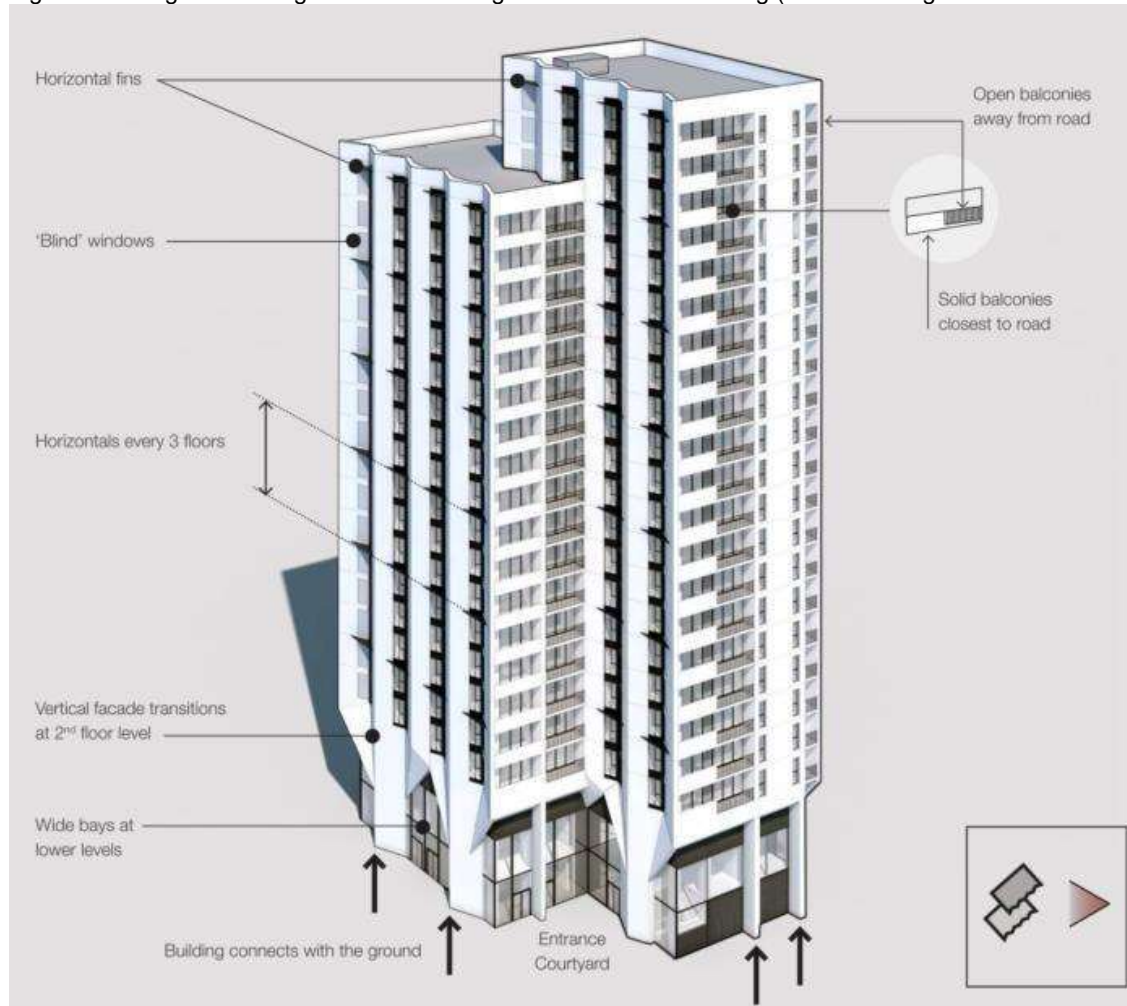
Elevations and Materials

125. There is a requirement to achieve the highest quality of architectural and urban design (Policy D4 of the London Plan and BD1 of the Local Plan). The front façade of the building is provided with a 'folded' façade. This provides some articulation and interest to this elevation and also serves to direct views away from the North Circular Road and towards the canal or the City of London. On the remaining facades, views are more expansive over the canal, the River Brent and Northfields, and the balconies are more open, with metal balustrading because noise and air quality issues are not as critical.
126. The Environment Agency required the building footprint to be smaller than the existing building and combined with the strategy for optimising the site for 8no. residential units per core, results in a larger footprint for the residential floors. This strategy provides a clearly legible 'Base' and 'Middle' elements to the building (see Figure 17 below).
127. The angled facade opens up on the lower floors to provide a visual base to the building whilst allowing the commercial floors to be visually distinct from the residential. This results in robust vertical elements

which come to ground. The scale and texture of brickwork enhances this strategy by creating heavy masonry columns which connect with the ground.

128. In addition to the living spaces and private balconies facing away from the road, a strategy is employed whereby the balconies are solid to balustrade height closest to the road and are more open away from the road. This further ensures that residents in the units closest to the road are protected against any oblique views overlooking the North Circular.

Figure 17: Image illustrating some of the design features of the building (Source: Design & Access Statement)



129. In terms of materials, whilst the final appearance would be subject to an appropriately worded condition, the scheme would use brick as its primary material. To help reduce massing, the two towers would be of different but complimentary tones and heights. The colour of the brickwork has been informed by the Northfields masterplan and whilst originally proposed in grey tones, the warmer brick tones and clearer distinction between the two towers is considered more acceptable. Metal balustrading be provided on the more open balconies and curtain walling provided at ground floor level (see Figure 18 below).

Figure 18: Proposed materials (Source: Design & Access Statement and DAS Supplemental)



130. The lower floors maximise the active frontages by providing a large quantum of glazing to take advantage of the views towards the River Brent and the SINC.

131. it is considered that the proposal responds positively to the building's location at the juncture of three key pieces of infrastructure (canal, river, road) and would, subject to appropriately worded conditions, result in a high-quality building.

Quality of Accommodation

Internal layout

132. Policy D6 (Housing quality and standards) and Table 3.1 of the London Plan reflect the adoption of nationally prescribed minimum space standards. Local Plan Policies DMP1 and BH13 confirm that

dwellings need to meet the private internal space standards set out in London Plan Policy D6. The proposal should also comply with the guidance contained within Brent Design Guide SPD1.

133. The proposal would achieve comfortable and functional layouts which are fit for purpose and would meet the needs of future occupiers. All homes would meet or exceed the minimum space standards and provide adequate room sizes and storage space. With respect to floor to ceiling heights, the residential minimum standard is 2.5m for at least 75% of the GIA and section drawings provided confirm that the floor to ceiling heights would be 2.5m. Floor to ceiling height for the commercial element is 4m, to enable greater flexibility of use for potential commercial operators. It is noted that some of the internal hallways, in particular for Flat Type 10 (1B2P dwellings) appear narrow, but at 0.93m it would exceed the minimum width of 0.9m. Communal corridors meet the minimum width of 1.2m.
134. Policy D6 of the London Plan and Brent's SPD1 seek to maximise dual aspect dwellings within a development, although recognising that single aspect dwellings may need to be provided when it is considered a more appropriate design response when trying to meet with the requirements for optimising site capacity (London Plan Policy D3) providing that adequate passive ventilation, daylight, privacy, and overheating avoidance can be demonstrated. The staggered footprint enables a greater proportion of dual aspect dwellings to be provided than a conventionally shaped building with dwellings either side of a central corridor. Of the 139 dwellings, approximately 88% (122 dwellings) would be dual aspect. It is noted that the original submission indicated that 100% of the units were dual aspect, however due to the provision of a second staircase to comply with revised fire safety regulations, Flat Type 08 was converted from a 1-bed dwelling to a studio dwelling, with the former bedroom now designed to serve as the staircase. It is also noted that whilst the outlook from within Flat Type 08 is in a north-west direction, the balcony faces south-west.

Inclusive access

135. London Plan Policy D5 seeks to ensure developments achieve the highest standards of accessible inclusive design. London Plan Policy D7 requires ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'; ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
136. Fourteen of the 139 dwellings proposed would be designed to M4 (3) 'wheelchair user dwellings' standards, thus satisfying the 10% Policy requirement. It has also been confirmed that the remainder (90%) of the dwellings would be designed to M4 (2) 'accessible and adaptable dwellings' standards, thus ensuring that the development achieves the highest standards of accessible and inclusive design. This element of the scheme would be secured by condition.
137. As stated above, there would be level access into the building, with direct access to lifts from the lobbies and blue-badge parking is provided on site.

Privacy and Outlook

138. Policy DMP1 of the Local Plan states that "*For those in the development and neighbours it is important that the development creates a high-quality environment, addressing issues like spaces between buildings, privacy, outlook...*".
139. As confirmed above, separation distances to the Shurgard site (17m) and to the nearest of the Northfield buildings (approximately 40m) would ensure that the potential occupiers would not be unduly impacted in terms of loss of privacy or outlook.

Daylight, Sunlight, Overshadowing

140. During the course of the application, the Daylight, Sunlight and Overshadowing and Internal Daylight Report was updated to reflect the updated BRE guidance that came into effect in June 2022, These changes affect the way in which daylight and sunlight within new development is assessed. To this end, an Internal Daylight and Sunlight Addendum by Syntegra Consulting (June 2023) has been submitted.
141. In terms of internal daylight, the annual daylight method is now used, and this involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.

142. A target illuminance (ET) is the illuminance that should be achieved for at least half of

annual daylight hours across a specified fraction of the reference plane in a daylit space. Daylight Autonomy (DA) is the percentage of occupied hours that each sensor receives more than the illuminance threshold, and Spatial Daylight Autonomy (sDA) is an annual daylighting metric that quantifies the fraction of the area within a space for which the daylight autonomy exceeds a specified value.

143. The UK National Annex gives specific minimum recommendations for habitable rooms in dwellings in the United Kingdom. These are intended for 'hard to light' dwellings, for example in basements or with significant external obstructions or with tall trees outside, or for existing buildings being refurbished or converted into dwellings. The National Annex, therefore, provides the UK guidance on minimum daylight provision in all UK dwellings.
144. The UK National Annex gives illuminance recommendations of:
 - 100 lux in bedrooms,
 - 150 lux in living rooms and
 - 200 lux in kitchens.
145. These are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours.
146. For the study, the accommodation over floors 3 to 7 were assessed because it is these levels that would be the most likely to be impacted, primarily due to the height of the Shurgard building at approximately 7 floors. Being south of the Northfields development, the proposed building would be affected by overshadowing from any of the buildings on that nearby site.
147. The assessment of internal daylight levels reveals that 100% of the rooms assessed over each floor, achieves the DA threshold (lux, 50% of the Daylight Hours for 50% of the Area). The proposed development would therefore provide very good levels of internal daylight for future occupiers.

Amenity Space Provision

148. Policy BH13 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 would normally be expected to be 50sqm for family housing (homes with 3 or more bedrooms) at ground floor level and 20sqm for all other housing.
149. The requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
150. More recently, on 12th June, the Council adopted the Residential Amenity Space & Place Quality SPD. The SPD confirms that where the full area requirement cannot be provided, at least part of each dwelling's required amenity space would be private space and comply with London Plan policy as a minimum.
151. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
152. Policy D6 of the London Plan specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the policy.
153. As confirmed above, Policy BH13 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. Page 152 provides the total shortfall in amenity space in

terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used.

Table 3: Amenity space provision

Floor	Flat Type	Policy Requirement (sqm)	Private Balcony (sqm)	Shortfall
3 to 7	04	20	12.57	7.43
	05	20	13.66	6.34
	06	20	12.18	7.82
	07	20	11.5	8.5
	08	20	5.5	14.5
	13	20	15.23	4.77
	14	20	9.63	10.37
Total over 5 floors	35	700		298.65
8	03	20	9.6	10.4
	04	20	12.69	7.31
	05	20	13.72	6.28
	06	20	12.15	7.85
	07	20	11.68	8.32
	08	20	5.47	14.53
	09	20	15.28	4.72
Total	7	140		59.41
9 to 19	03	20	9.71	10.29
	04	20	12.65	7.35
	06	20	12.16	7.84
	07	20	11.73	8.23
	08	20	5.54	14.46
	09	20	15.15	4.85
	10	20	6.85	13.15
	11	20	7.28	12.72
Total over 11 floors	88	1,760		868.23
20	03	20	9.63	10.37
	09	20	20.99	0
	12	20	12.69	7.31

Total	3	60		17.68
21 to 22	03	20	9.53	10.47
	09	20	20.99	0
	12	20	12.67	9.33
Total of 2 floors	6	120		39.6
Cumulative Totals	139	2,780		1,283.57

	Policy Requirement (sqm)	Shortfall (sqm)	Communal Spaces (sqm)	Cumulative shortfall (sqm)	% of Req.
Total dwellings:	2,780	1,283.57	1,230.6	52.97 (average of 0.4 / flat for 136 flats)	98.1

154. In terms of private amenity space provision in the form of balconies, only three dwellings (FT09), located at floor levels 20 to 22, exceed the 20sqm requirement. Although none of the remaining dwellings would be provided with 20sqm as specified by Policy BH13, each would exceed the minimum requirement of 5sqm set out in the London Plan and illustrated by Table 3 above. Total private amenity space provision equates to approximately 60% of the policy requirement.

155. With respect to communal space, this is in the form of rooftop provision (c.337.8sqm) and the landscape around the building but primarily at the rear (892.8sqm). This would make up almost all of the shortfall in the private amenity space provision reaching 98.1 % of the policy target, with a total shortfall of 52.97 sqm (average of 0.4 sqm per home for the 136 homes that have less than 20 sqm of private space).

Playspace

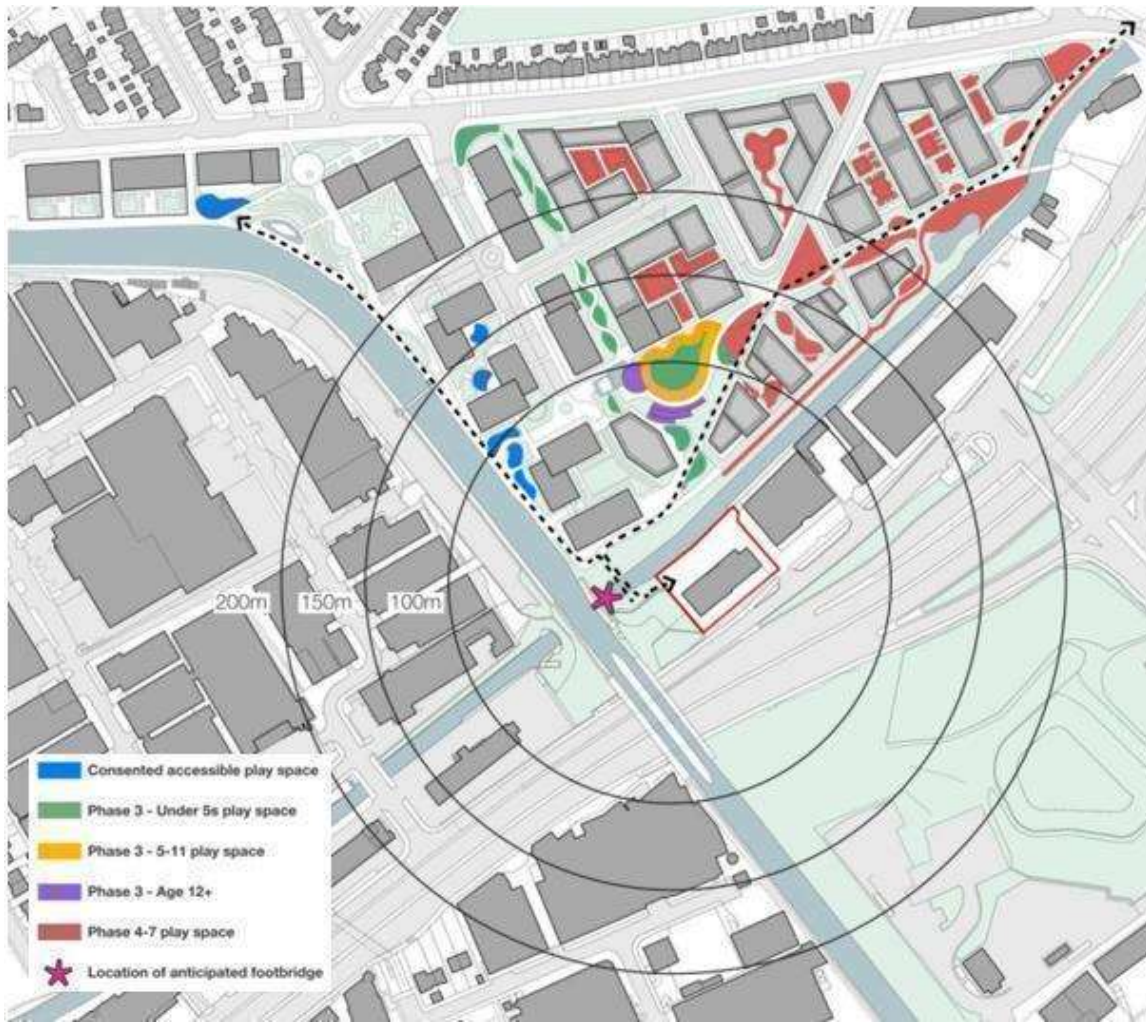
156. Play space provision to cater for a range of age groups should be made in accordance with the Mayor's 'Play and Informal Recreation' SPG and Policy S4 of the London Plan and a benchmark of 10sqm per child should be provided. The total expected child yield for the proposed development is 71.6, equating to a total onsite playspace provision of 715.8sqm. The breakdown by age group is shown in Table 4 below.

Table 4: Child Yield for the Development (Source: Planning Statement)

Age Group	Child Yield	Playspace required (sqm)
0-4	33.8	338
5-11	24.3	243
12-17	13.5	135

157. The playspace strategy is to provide 338sqm of playspace, located at the rear of the site and this would cater for the 0-5yrs age group. This approach is considered acceptable as doorstep play for the youngest age group should be the priority if there isn't sufficient space to cater for all age groups. It is also appropriate to consider any parks and open space within proximity of the site. Figure 20 below indicates the location of play and open spaces in proximity to the site.

158. It is clear from Figure 19 below that the scheme would be reliant on the Northfields development to the north to cater for the off-site provision, however this would not be delivered for several more years. Given build times, this is not considered unreasonable, however it does highlight that need for good pedestrian links to connect with Northfields and beyond. It should be noted that the Heather Park Drive open space is located approximately 300m (in a straight line) north of the site.



159. Beyond the more immediate provision offered by the emerging Northfields development and Heather Park Drive, the applicant has also included locations that could reasonably cater for the older age groups such as at the Brent River Park, as indicated in Figure 20 below:

Figure 20: Location of neighbouring playspace (Source: Design & Access Statement)



Playspace summary

160. The focus of on-site provision would be on the youngest users, where the greatest level of supervision can be provided. There are opportunities for older children to use some of the landscaped areas as incidental play, but it would not be unreasonable to utilise off-site space. It is considered that notwithstanding the shortfall of on-site provision, the applicant has advanced a sound playspace strategy.

Impact on Neighbour Amenity

161. One of the core planning principles in the NPPF is that decisions should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

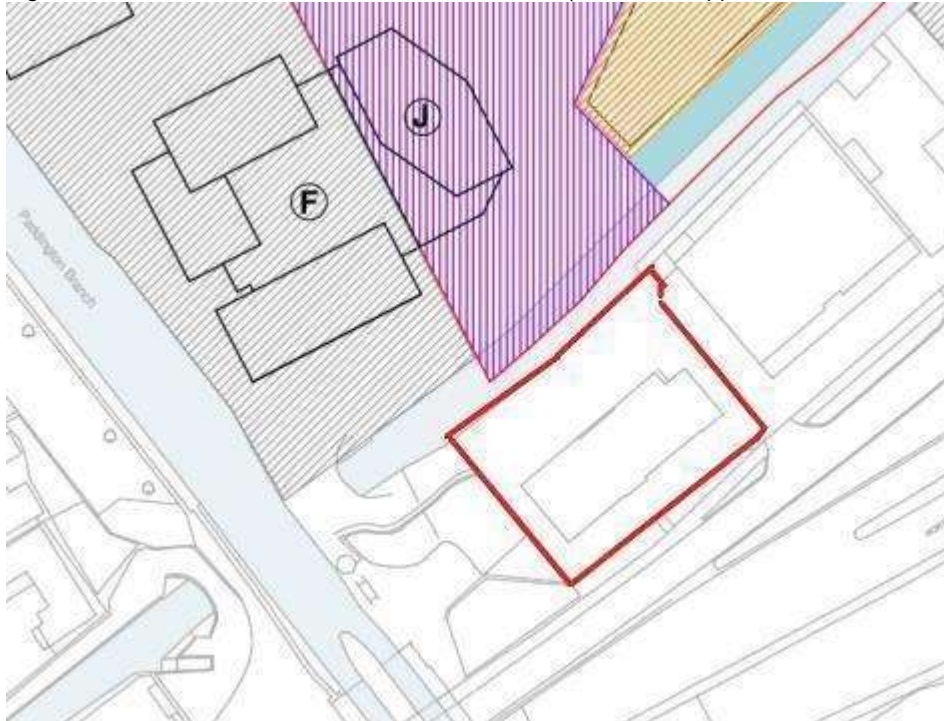
162. Distancing levels to the nearest adjacent developments, existing and emerging was discussed earlier. With regards to the Shurgard site, this is a commercial building therefore these matters need not be discussed further. It is noted above that there would a distance of approximately 12m to the common boundary, therefore should that adjoining site come forward for redevelopment, it would not be prejudiced by the proposal in terms of loss of outlook, outlook, and privacy.

163. In relation to the nearest of the proposed blocks on the Northfield site, distancing of approximately 30m would ensure that the proposed development would not unduly harm the amenities of the future occupiers in terms of loss of outlook, outlook, and privacy.

Daylight and Sunlight

164. The applicant has submitted a Daylight, Sunlight and Overshadowing and Internal Daylight Report by Syntegra Consulting (February 2022) to demonstrate the impact of the development on surrounding existing properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. As confirmed above, updated guidance came into effect in June 2022, but this relates only to the way in which daylight and sunlight within new development is assessed. The updated BRE guidance leaves in place the previous guidance for assessing daylight and sunlight effects within neighbouring properties and areas of open space. Officers are satisfied that the analysis (plus all additional targeted assessments) identifies the neighbouring properties which could be affected by the proposed development. To this end, the Shurgard site was not included in the assessment because of its commercial nature. However, Blocks F & J of the emerging Northfields development were assessed. Block F is sited approximately 40m distant, with Block J a further 5m beyond i.e., 45m distant. Figure 21 below illustrate the relation of the site to Blocks F & J.

Figure 21: Site in relation to Blocks F & J, Northfield (Source: Sheppard Robson Parameter Plan)



165. A total of 328 eight windows (W1-W328) have been assessed for external levels of daylight VSCs (Vertical Sky Components) and sunlight APSHs (Annual Probable Sunlight Hours). In addition, 3 amenity areas (A1-A3) have been assessed for overshadowing impacts.
166. BRE advice is that an adverse effect would occur if the proposed value was not only less than 27% VSC but also less than 0.8 of the former (existing) value. A total of 47 windows on Blocks F & J would experience only marginally above a 20% loss on proposed VSC, and 8 windows experience marginally more than a 20% loss of APSH values.
167. The windows experiencing a minor impact for VSC are only marginally more than 20% (from 0.79 to 0.74), and 2.5% of windows experience a minor impact for APSH. The majority of the impacted windows have balconies, which obstruct a windows ability to view sky over an adjacent building. On balance, the results are considered to be excellent for its surrounding townscape and location within a designated tall building zone, regeneration area and Housing Zone.
168. On Block F (windows W1-W208), all windows with a minor impact are associated with either bedroom or living/dining areas, where the room has multiple windows, or it has no great depth and therefore would experience good levels of daylight distribution. Furthermore, as the units would have a predominantly southerly outlook, and there would be large separation distances (in excess of 40m) between Block F and the proposed building, neighbouring residential occupiers would continue to be provided with

sufficient levels of amenity and outlook.

169. With regard to Block J (Windows 209-W328) the windows with a minor impact are associated with either bedroom or living/dining areas which are part of dual aspect units. The bedrooms have a single glazing unit but given the shallow size and the large glazing area these areas are expected to receive very good levels of natural daylight. Living/dining areas benefit from dual aspect with additional windows facing away from the proposed development and would therefore achieve excellent levels of daylight.

Daylight and Sunlight Summary

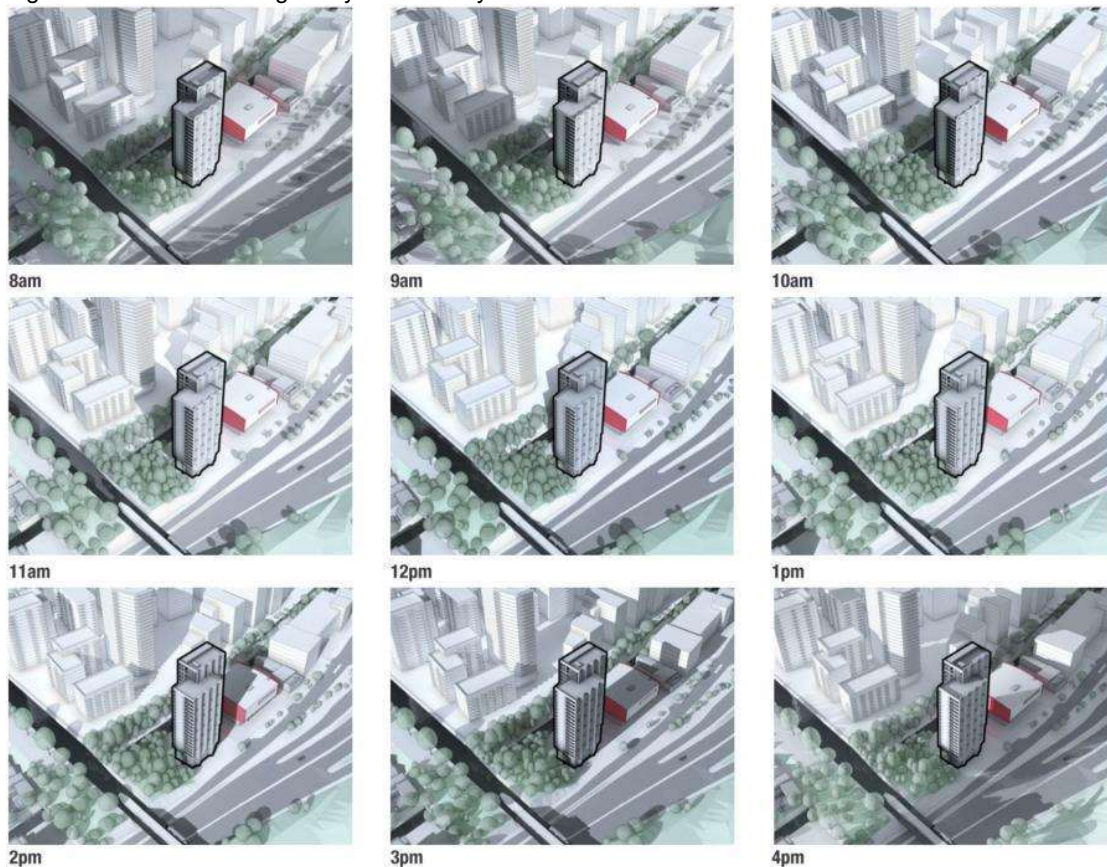
170. Through VSC, APSH, NSL and ADF analysis, the levels of daylight at the nearest Northfield Blocks (Blocks F&J) would not be adversely affected by the proposed development. Although the levels of daylight for some of the surfaces at Blocks F&J would be affected by the proposed development, the impact would be very minor, particularly as all the impacted rooms exceed the No-Sky Line criteria and similarly exceeds Average Daylight Factor (ADF) criteria, both of which would ensure excellent levels of daylight are achieved.

Overshadowing

171. A study was undertaken to establish whether the proposed building would unduly impact on external amenity space and the adjacent watercourses as a result of overshadowing. BRE guidance advises that 50% of an amenity space should receive at least two hours of sunlight per day on the 21st of March (spring equinox). Overshadowing was assessed from the hours of 7am to 6pm when the sun's altitude is above 10°.

172. The rear amenity space adjacent to the river achieved more than 50% which equates to over 5 hours of sunlight. More than 80% of the roof terrace achieved 2hrs of sunlight. The canal achieved more than 90% of sunlight, which equates to nearly 10 hours per day. Figure 22 below provides a visual representation of the overshadowing study on March 21st.

Figure 22: Overshadowing Analysis at Hourly Intervals for March 21st



Summary of Neighbour Impact

173. Given the above considerations, it is considered that the proposal would not unduly impact upon the amenities of the future residential occupiers on the Northfield site. The level of distancing involved would ensure that there is no overlooking, loss of privacy or loss of outlook.
174. In respect of daylight and sunlight, there is limited existing massing on site and although this would significantly change with the provision of a 23-storey building, the impacts on the nearest of the residential blocks on the Northfield site are considered very minor. The proposal would accord with Policy DMP1 of the Local Plan.

Transport

Policy and Context

175. London Plan Policy T1 sets a strategic aim for all development to make the most effective use of land reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Local Plan Policy BT1 seeks to promote sustainable pattern of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.
176. The site is in an area with a Public Transport Accessibility Level ('PTAL') of 2 broadly over its western half and 3 over its eastern half. This is categorised as 'Moderate' on a scale where '1b' indicates poor public transport access, to 6b with excellent levels of public transport accessibility. Underscoring the PTAL score, as already mentioned above, there are Underground and bus links within a reasonable walking distance of the site.

Parking

177. Car parking allowances for the proposed uses within the building are set out in Tables 10.3 and 10.4 of the London Plan. As the site is located in Outer London and has a moderate PTAL value, up to 0.75 spaces would be allowed per 1-/2-bed dwelling, with one space allowed per 3-bed dwelling, and up to one space per 100sqm is allowed for the workspace. Therefore, the building as a whole would be allowed up to 119 car parking spaces. The scheme is car free, in accordance with Policy T6 of the London Plan, with the exception of blue-badge parking, and the proposed six disabled spaces is therefore well within the maximum standard, whilst also exceeding the minimum requirement for disabled parking set out in the London Plan. To further conform with London Plan requirements, at least two of the spaces would require electric vehicle charging points at the outset, with the remainder having passive provision.
178. A Parking Design and Management Plan (PDMP) has been provided, and it identifies where additional disabled person parking spaces can be provided should the need arise. Whilst the PDMP is welcomed and would be secured via an appropriately worded condition, it is noted that the additional spaces would be located on-street and could lead to a pinch-point on the footway leading south to the nearest bus stop. Moreover, the presence of parked cars at this narrow point could disrupt the smooth flow of traffic on the highway, as it would not be wide enough for larger vehicles to safely pass alongside parked cars.
179. Local Plan Policy BT2 also requires that any overspill parking that is generated can be safely accommodated on-street. To estimate likely parking demand, data from the 2011 Census has been considered, which suggests average car ownership of 0.53 cars/flat in this area, equating to 74 cars for the 139 flats. This would lead to an estimated overspill of 68 cars, which far exceeds the on-street parking capacity along the site frontage.
180. With the ongoing redevelopment of the wider, including the approved redevelopment of the Northfields Industrial Estate to the north, funding is being secured to implement Controlled Parking Zones (CPZ) in the area to allow overspill parking to be regulated. It is therefore suggested that, as with other developments in the area, a financial contribution of £70,000 is secured towards the implementation of a CPZ and that a restriction is placed on any new dwellings, withdrawing the right of future residents to on-street parking permits in the event that a CPZ is introduced. This would mitigate the parking concerns that would otherwise arise from the limited off-street parking that is proposed.

Cycle Parking

181. With regard to bicycle parking Table 10.2 of the London Plan would require 264 secure residential spaces, plus six secure spaces for the workspace. A further six external short-stay spaces for visitors are also required.
182. Four stores providing a total of 248 bike spaces (predominantly two-tier stands) are proposed on the second floor of the building for the dwellings, accessed via an appropriately sized lift. A further 16 spaces for non-standard bikes are shown within a store located on the ground floor. Bicycle storage for eight bikes is also shown within the entrance to the commercial units, whilst three external bicycle stands are shown to the front of the building for visitors. The bicycle parking provision therefore meets standards.

Access

183. It is proposed to relocate the existing crossover westwards so that the two accesses can be separated to provide a strip of footway area between them, with tactile paving also added. Tracking has been provided to confirm that the two accesses would both be able to still accommodate access by large rigid vehicles. The alteration to the access is considered to be beneficial to pedestrian safety and is welcomed. A previously shown gate across the access to the site has been removed and this is also welcomed.
184. The main pedestrian access to the site would remain from the Old North Circular Road via an existing set of steps within the grass verge fronting the site. Step-free access would be via a separate gate and route across the site forecourt area.

Trip Generation

185. To provide information on the likely impact of this proposal on the local transport networks, a Transport Statement has been submitted with the application, which has used the national industry standard TRICS database to estimate likely trips to and from the site by all modes of transport, based on comparisons with seven other surveyed sites in Bexley, Brent, Hounslow, Havering, and Richmond.
186. The development is predicted to increase journeys to and from the site by 9 arrivals vs. 74 departures in the morning peak hour (8-9am) and 43 arrivals vs. 22 departures in the evening peak hour (5-6pm). Census data has then been used to estimate future modal splits, with an adjustment made to reflect the low level of car parking proposed (n.b. this is contingent upon a CPZ being introduced in the area to support the 'car-free' development). As a result, just one car journey and up to three delivery vehicle movements in each peak hour are expected to be generated. This would have no noticeable impact on the highway network and would actually have a lesser impact than the existing building with its larger car park.
187. For public transport trips, the development is predicted to generate 4 arrivals vs. 32 departures in the am peak hour and 28 arrivals vs. 9 departures in the pm peak hour by rail and Underground. Census data for journeys to work has been used to establish the likely origins and destinations of these trips, allowing trips to be allocated to particular stations and rail services. The data suggests that the vast majority of trips would use Stonebridge Park station, with the Bakerloo line experiencing the greatest demand (although in reality, trips would probably be more evenly split between Bakerloo and London Overground services than shown). This would equate to approximately 1-2 additional passengers per train, which is not considered significant.
188. These figures have also been added to baseline figures for throughput at the station (including other nearby developments) in order to assess the adequacy of the station. This suggests that the existing number of gates (3) is adequate. However, this differs to the assessment for the Northfields development, which showed that an additional gate would be required to increase capacity, with a significant financial contribution to be provided towards this. Given that the Healthy Streets Assessment has also highlighted the lack of step-free access at the station as an issue, and having regard to TfL comments on this matter, a financial contribution of £194,500 is also sought from this development towards a feasibility study and station improvements. This would be consistent with sums secured by other developments in the area, and in accordance with Policy T4 of the London Plan.

189. For bus trips, an additional 28 trips are expected in each peak hour. Again, these have been allocated to various routes based upon likely destinations, with route 112 expected to carry the most passengers (14 per hour). This equates to approximately one additional passenger per bus. TfL, as operator of these services, has advised that a review of the local bus network has identified a need for capacity improvements. Therefore, in accordance with Policy T4 of the London Plan, a contribution of £182,000 towards bus capacity enhancements is sought by TfL.

Servicing and Deliveries

190. A 7.5m x 4m loading bay has been indicated alongside the car parking spaces. This would be able to accommodate the requirement for servicing of the offices by 8m long rigid vans. The site frontage and parking area also provides sufficient space to allow access and turning by larger 10m refuse vehicles and fire appliances to the front of the building, with tracking diagrams having been submitted to demonstrate this. As such, servicing requirements are met.

191. Two refuse storage rooms are both shown conveniently located within 10m of the servicing area. However, the quantity of bins shown falls short of standards, with only 20 Eurobins detailed, as opposed to the requirement for 35 such bins (16 general waste, 16 recycling & 3 organic waste). The applicant therefore proposes that refuse is collected twice weekly. This arrangement has been accepted for other developments in the area, subject to a payment being made to Brent's Waste Contractors to cover the increased cost of more frequent collection, as those sites were particularly constrained. In this instance, whilst officers would prefer to see the scheme provide full storage capacity, it is understood that the Environment Agency would object to the siting of any bin store within 8m of the River Brent. The proposal to pay for an additional collection is therefore supported in this instance.

192. The submitted Delivery and Servicing Management Plan sets out arrangements to help to manage the 34 expected daily deliveries to the dwellings. This includes the provision of information to residents to help them reduce the number of deliveries to the site (e.g., use click & collect), to use more sustainable delivery companies and to allow the management team to accept deliveries on behalf of residents when they are not home. A specific Delivery and Servicing Management Plan for the commercial use has also been provided which specifies how the 7 expected daily deliveries will be managed through a booking system and arrangements for future monitoring.

193. The measures set out within the two Delivery and Servicing Management Plans are welcomed, and would be secured by an appropriately worded condition.

Construction Logistics Plan

194. A framework Construction Logistics Plan (CLP) has been submitted in support of the application, and it indicates a construction programme to last 96 weeks, with standard working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays.

195. The CLP confirms that the site would be fully self-contained behind 2.4m high hoardings and that all delivery vehicles would be able to access and turn within the site with the aid of a banksman. Delivery movements would also be pre-booked to ensure there is always space available within the site to receive deliveries (estimated to peak at 33 per day). As such, with the existing crossover to be used for access and wheel-washing to be provided, the impact on the public highway is considered to be minimal.

196. Away from the site, delivery vehicles would be routed via the North Circular Road, at the Abbey Road junction, ensuring traffic does not use minor roads. Staff would also be encouraged to use public transport to reach the site, with limited parking to be provided on-site. This would also help to keep highway impact to an acceptable level.

197. A full CLP would be secured through condition in line with London Plan Policy T7. This should detail the full measures that would be implemented to minimise the impact on the surrounding transport network and demonstrate how construction would be carried out in accordance with the Mayor's Vision Zero and Healthy Streets principles.

Healthy Streets

198. Policy T2 of the London Plan seeks to ensure that all developments deliver against the Mayor's Healthy

Streets approach. The Healthy Streets approach seeks to improve air quality, reduce congestion, and make attractive places to live, work and do business. There are ten Healthy Street indicators which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle, and use public transport.

199. A Healthy Streets Assessment has been undertaken to consider the quality of the existing pedestrian and cycling routes in the area. Six routes were studied, linking the site to Stonebridge Park Station, West Twyford Primary School, Brent River Park, Hanger Lane Station, Central Middlesex Hospital/Asda superstore and Alperton Station. Two of these routes lie predominantly within the London Borough of Ealing.
200. Potential improvements have been recommended to the routes. These include increased tree planting, improved pedestrian crossing facilities, increased litter bins, increased seating, wider footways, reduced speed limits, extensions to cycle routes, improved signage etc. These improvements are not generally considered essential to make the scheme acceptable in transport terms but do provide a list of potential improvements that CIL funding could be used for.
201. However, one potential improvement that is mentioned and is considered essential to the acceptability of the scheme is a link between the development site and the Grand Union Canal towpath, as this would provide a traffic-free route over the North Circular Road and onward towards Park Royal, Old Oak Common and Central London.
202. There is an existing footpath with steps between the site's car park and the adjoining Grand Union canal, which is currently closed with locked gates and is overgrown. The applicant's site plan shows the reopening of this footpath, which would then provide a connection to the adjoining Northfields development and to the canal side path proposed within that site.
203. There are also separate proposals to construct a bridge over the canal in the vicinity of this footpath, which would in turn connect the site (and the Northfields development) to the canal towpath opposite for pedestrian and cyclists. The Council is currently leading on developing a preferred design for the bridge, in consultation with the landowners (St. George and the Canal & River Trust), with a view to using CIL funding to construct the bridge. Whilst a preferred option has been arrived at, this still requires the agreement of all parties, so is not yet ready to be taken forward to a detailed design. Nevertheless, there is a reasonable prospect of the bridge being provided in the near future.
204. The key requirement from this development site (aside from providing additional CIL funding that can be put towards the bridge), is therefore to ensure that any reopened footpath link is accessible to the general public, so that they can also access the towpath from the North Circular Road (which is not possible at present). In this respect, it is noted that the path does not provide a step-free route for cyclists and wheelchair users in its existing condition, and it is unlikely that it would be able to accommodate such users in future either, given the 8m difference in level between the car park and the canal. A permissive right of way for pedestrians would therefore be required across a part of this development site to connect Old North Circular Road and the footpath. It could pass along either the front of the building or along the edge of the site but would need to be clearly shown on the site plan and signposted on the ground. It must also not be obstructed by any locked gates. This right of way would be secured through any S106 Agreement for the development.
205. Road accident statistics for the last five years has been examined for the area, with a particular emphasis on fatal and serious accidents and accident clusters. Precise details of accidents have not been provided, but it is noted that there were no accidents on Old North Circular Road in the immediate vicinity of the site. Some of the potential improvements at junctions further from the site (notably the junctions of North Circular Road with Abbey Road and Harrow Road) are in any case subject to further study as a legal obligation placed on the Northfields development, so are to be looked at in greater detail separately to this proposal.

Active Travel Zone

206. An Active Travel Zone (ATZ) assessment has been included within the Transport Assessment. Additional routes to the site should be identified to include destinations of local cultural significance and educational facilities. Noting the current industrial nature of the site, TfL has requested that the ATZ assessment is also updated to include a night-time assessment of all routes. A revised ATZ would be secured by condition.

Travel Plan

207. To help to manage travel to and from the site by modes other than the car, the applicant has submitted a Travel Plan. This sets out a range of measures to be managed by a Travel Plan Co-ordinator (probably one of the site management team) to support the use of sustainable transport.
208. In terms of targets, the aim is to keep car trips to no more than 4% of the total, in line with the findings of the Transport Assessment. The emphasis would therefore be on increasing active travel, with the main aim to increase walking and cycling trips from 15% to 25% of the total over five years, with public transport journeys reducing from 78% to 68% of trips. Progress towards these targets would be monitored biennially, following an initial baseline survey undertaken within six months of occupation of the building. However, it is not confirmed that the surveys would be compatible with either TRICS or i-TRACE standards. The need for further measures would then be reviewed if targets are not being met.
209. Proposed measures to achieve these targets include provision of a welcome pack to residents promoting the benefits of walking, promoting cycling through participation in campaigns such as National Bike Week, providing public transport timetable information etc.
210. A development of this size may be capable of supporting a Car Club by itself. If not, other developments in the nearby area (such as Northfields) are required to provide Car Club vehicles. As such, more commitment towards Car Clubs needs to be secured from this development. This needs to include engagement with Car Club operators to establish whether there is an interest in basing a vehicle on the site. If not, then the minimum requirement would be to provide free membership of a local Car Club for residents for a minimum period of three years. It is recommended that this is secured as a separate item through the S106 Agreement.

Sustainable Design

Policy and Context

211. Chapter nine of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Local Plan (Chapters 6.7).
212. Major residential and non-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 SI2. Since the submission of the planning application, the Building Regulations have been updated with the 2022 version. Nevertheless, given that the application was submitted prior to the updated regulations coming into effect. A detailed design stage energy assessment will be required through the Section 106 legal agreement to ensure that assessment is undertaken in accordance with the relevant regulations. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.
213. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council. Policy BSU11 is not triggered insofar as the need for the commercial elements to achieve BREEAM "Excellent" are concerned because the threshold for this is 1,000sqm or more, and 801sqm is proposed.
214. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
215. The applicant has submitted a variety of reports to address this element of the proposal, and these are considered more fully below.

Carbon Reduction / Energy

216. The submitted Energy and Overheating Strategy outlines the approach to carbon emission savings and renewable energy, as set out in Table 4 below.

Be Lean

217. Overall heat loss is dependent upon the U-values of various building elements and the properties' air tightness. U-values and air permeability better than Part L (2013) minimum values have been suggested for this development.

218. The low U-values presents a risk for overheating that is alleviated by the presence of some balconies and low g-value glass, hence reducing solar gain. A consistent glazed panel is applied to all elevations ensuring adequate natural daylight to all areas. The internal layout and windows have been designed to improve daylighting in all habitable spaces, as a way of improving the health and wellbeing of occupants.

219. Water efficient fittings including low volume dual flush WCs, and low flow taps/ showers/ bath are proposed. These measures would result in the internal water consumption rate of 105 litres/person/day or less, excluding an allowance 5 litres per person per day for external water consumption.

220. A mechanical ventilation heat recovery (MVHR) ventilation strategy would be adopted in the development with Heat exchanger efficiency 75% or higher, and a specific fan power (SFP) of 1.5W//s or less for commercial units and communal spaces. The specified units for each dwelling, presenting an SFP of 0.48W//s and a heat recovery efficiency of 96%.

221. The proposed light fittings would be low energy efficient fittings. Photoelectric dimming and occupancy sensing controls are suggested for commercial spaces.

222. Employing Be Lean measures is expected to reduce carbon by 13% for residential units and 15% for non-residential units achieved against the Baseline set by Building Regulations Part L 2013.

Be Clean

223. The feasibility of connecting into an existing heating network or providing the building with its own combined heat and power plant has been assessed alongside the London Heat Map Study for the borough. The study identifies that the site is not located near any existing district heat networks (DHN). Notwithstanding, the development must ensure that it is designed to allow for future connectivity to a heat network should one be delivered in the future, therefore the details of a connection point to be incorporated as a futureproofing measure shall be secured by condition.

224. Although the London Plan's Energy Hierarchy identifies combined heat and power and tri-generation (CHP and CCHP respectively) as a means to produce low-emission heat, electricity and chilled water, encouraging the installation of CHP energy centres where technically feasible, they would not be employed within the proposed development due to: the heating and hot water loads not being consistent enough to justify the installation of a costly CHP system; CHP's dependency on fossil fuel and hence larger carbon footprint; air quality issues.

Be Green

225. In this stage, the applicant is required to maximise the use of onsite renewable technologies to further reduce carbon emissions. Air Source Heat Pumps (ASHP) are considered to be the most appropriate option for the development because it can meet the space heating demands on site efficiently in comparison with gas boilers. Although ASHPs consume electricity to operate, due to their higher efficiency, the heat output is much greater. Therefore, the technology has been suggested for the space heating, cooling and hot water demand.

226. Photovoltaics (PV) is also considered to be a feasible option due to its high carbon payback, although with the ASHP needing to occupy some roofspace, this amount of PV panels that can be installed on the rooftop would be limited.

227. The design stage specifications used for energy calculations are provided in Table 5 below. However, the ASHP was proposed only for simulation and detailed ASHP specifications would need to be provided by a mechanical engineer during the design development.

Table 5: Regulated Energy Use and Carbon Reduction at Be Green Stage (Source: Noise Impact Assessment)

	Regulated CO2 Emissions (Tonnes CO2/yr)		Carbon Reduction (%)
	BE CLEAN	BE GREEN	
Residential	133.1	64.9	44%
Non-residential	11.8	8.9	21%

Table 6: Carbon dioxide Emissions following each stage of the Energy Hierarchy (Source: Energy and Overheating Strategy)

Energy Hierarchy		Regulated Carbon Emissions (Tonnes CO2/yr)	
		Residential	Non-residential
Baseline	TER set by Building Regs. Part L 2013	153.8	13.8
Be Lean	After energy demand reduction	133.1	11.8
Be Clean	After CHP / Communal Heating	133.1	11.8
Be Green	After renewable energy	64.9	8.9

Energy Hierarchy		Regulated Carbon Emissions Savings %	
		Residential	Non-residential
Be Lean	After energy demand reduction	13%	15%
Be Clean	After CHP / Communal Heating	0%	0%
Be Green	After renewable energy	44%	21%
Total Cumulative Savings		58%	36%
Carbon Offset Fund for residual carbon emissions		£184,944	£25,392

228. Table 6 above confirms that the residential element would achieve a 58% reduction required over Part L of the Building Regulations and the commercial element would exceed the 35% reduction target. However, in accordance with the London Plan, the remaining regulated carbon dioxide emissions, to 100%, are required to be off set through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere. The sums identified in the Table above would be secured via a S106 Agreement.

Whole Life Carbon

229. A Whole Life-Cycle Carbon Assessment prepared by Syntegra Consulting (March 2022) has been submitted in accordance with Policy SI2 of the London Plan to assess the carbon emissions of the development resulting from the materials, construction, and the use of the building over its entire life. Although some basic data is provided, additional information is required in relation to such elements as estimated WLC emissions, material quantity, whole life-cycle emissions. An updated Assessment can be secured by condition.

Overheating

230. Policy SI4 (Managing heat risk) of the London Plan confirms that major development proposals should demonstrate how they would reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises passive measures above active measures.
231. The criteria for the assessment of overheating risk have been specified by the Chartered Institute of Building Services Engineers ('CIBSE') in the CIBSE TM59: Design methodology for the assessment of overheating risk in homes (2017) and provides a standardised approach to predicting overheating risk for both naturally and mechanically ventilated residential buildings. The following criteria must be met to achieve compliance:
- For living rooms, kitchens, and bedrooms: The indoor operative temperature should not exceed the threshold comfort temperature by 1-degree (K) or more for more than 3% of occupied hours. (CIBSE TM52 Criterion 1: Hours of exceedance);
 - For bedrooms only: to guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10pm to 7am shall not exceed 26°C for more than 1% of the annual hours. (Note: 1% of the annual hours between 10pm and 7am for bedrooms is 32 hours, so 33 or more hours above 26°C would be recorded as a fail); and
 - For communal corridors, the operative temperature should not exceed 28°C for more than 3% of the annual hours.
232. In addition, schemes are required to comply with Part O of the Building Regs.
233. The overheating assessment has been undertaken on the basis of Mechanical Ventilation with Heat Recovery System (MVHR) only, due to the sites location near to the North Circular and associated noise levels. While windows are openable, this cannot be used to mitigate for the risk of overheating and therefore excluded from this analysis. The proposed specification for such system is based upon an MVHR system with the room ventilation rates are set as 13l/s for living rooms and 8l/s for bedrooms for continuous trickle ventilation. It should be noted that windows would be openable but are not depended upon for purge ventilation, hence exclusion from the analysis.
234. The Assessment confirms that all rooms assessed pass the TM59 criteria 01, 02 and 03 but only with the following measures:
- use of an enhanced MVHR unit, the Zehnder Comfo-cool Q600, which is able to lower air temperature by approximately 8-degrees;
 - increased MVHR ventilation rates dependent upon the dwelling type;
 - a reduction in the glazing G-value to 0.26 to minimise low lying solar gain on the evening when living areas and bedrooms witness peak internal gains;
 - applied solar blinds to all windows with a shading coefficient of 0.4 (similar to white roller blinds)
235. Providing that the above measures are utilised overheating should not be an issue for the proposed development. It should be noted that using a standard MVHR unit, the Assessment confirms that in the 56 sample rooms tested, only 2 (both bedrooms) would meet the CIBSE TM59 criterion 01 for overheating. A condition is therefore proposed to secure the above measures.

Air Quality

236. With the site located in a designated Air Quality Management Area, London Plan Policy SI1 and Local Plan Policy BSUI2 (Air quality) require the submission of an Air Quality Assessment ("AQA") to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development. The North Circular is recognised as having some of the highest concentrations of pollutants within the borough. An AQA has been

submitted in support of the application.

237. There is the potential for air quality impacts as a result of fugitive dust emissions from the site (dust, particulate matter (PM10 and PM2.5)) during the construction phase of the development and their impacts were assessed in accordance with the Institute of Air Quality Management (“IAQM”) methodology. Assuming good practice dust control measures are implemented, as detailed within Table 23 of the AQA, the residual significance of potential air quality impacts from dust generated by earthworks and construction and track out activities is predicted to be negligible. Those mitigation measures would be subject to an appropriately worded condition.
238. An Air Quality Neutral Assessment was included within the AQA. The development is wholly based on the use of air source heat pumps with Photovoltaics (PV). As there won't any continuous gas systems or systems with a combustion process, they are not considered within the assessment.
239. Total building emissions, should ASHP's and PV be installed, is estimated to be 0.
240. Throughout the construction phase, mitigation measures to minimise impacts from traffic and plant are proposed, which would be secured by an appropriately worded condition. During the operational phase of the development, Travel Plan measures, including the provision and use of cycle parking spaces and electric vehicle charging would help to keep levels below national Air Quality Objectives.
241. It is expected that the maximum number of trips generated by the development would be 204 in total (168 for the residential element and 36 for the commercial element) and at this level, the scheme would produce 0.297 tonnes of NOx per annum and 0.051 tonnes of PM10 per annum. With respect to NOx emissions, this is below the Transport Emissions Benchmarks (TEB) of 0.298 tonnes per annum and in relation to PM10, this meets the TEB of 0.051 tonnes per annum. The scheme is therefore considered air quality neutral against both measures.
242. In relation to exposure from emissions from vehicular activity on the North Circular, data from the London Atmospheric Emission Inventory (LAEI) has been reviewed. LAEI estimates of annual Mean NO2 and PM10 concentrations at the development are showing to be on a downward trajectory, most likely as a result of the introduction of the Low Emission Zone in London in February 2008. Predicted mean nitrogen dioxide (NO2) levels are shown in Table 7 below and are showing to be below the relevant Air Quality Objective (AQO) at the development site (40 ug/m3).

Table 7: Predicted Annual Mean NO2 Concentrations (Source: Air Quality Assessment)

Pollutant	Predicted Background Concentration (ug/m3)			
	2013	2016	2020	2025
NO2	51.96	47.98	37.74	30.02
PM10	28.47	25.74	26.59	26.10

243. The Council's Environmental Health Officer are satisfied with the results of the Air Quality Assessment and do not require any additional conditions to be imposed in relation air quality. This is because whilst the predictions at the facades are below air quality objectives, they have considered existing air quality levels. The development would not create any emissions, therefore there would be no increase on air quality and therefore no constraints in terms of this element. Whilst it is set out in policy BSUI2 that Major development within Growth Areas should be Air Quality Positive and the submission only demonstrates that the scheme will be Air Quality Neutral, it is noted that the proposal will not negatively affect air quality and there is no harm associated with this. The amount of car parking provided on site has decreased significantly and Electric Vehicle Charging is being provided. The homes are to be served by Air Source Heat Pumps and PV Panels. On balance this is considered to be acceptable having regard to the benefits of the proposal.
244. While it is noted that the proposed development would be located adjacent to the North Circular Road, it should be noted that the nearest active carriageway that is not either the more lightly trafficked Old North Circular Road, or a slip road, is some 36m from the nearest elevation of the proposed development. There is currently residential accommodation at first floor level of the existing building, while the proposed development would result in residential accommodation being provided from 3rd floor level

upwards. The distance from the carriageway when considered against the existing arrangement, the increased height of the proposed residential floorspace and the mechanical ventilation measures proposed in the new development cumulatively would result in an acceptable proposal with regard air quality. It is noted that none of the proposed external amenity space faces directly onto the North Circular Road, instead facing to the east, west and to the north over the River Brent and neighbouring residential development.

Air Quality Conclusions

245. Given the location of the site, a key consideration is whether the residents of the proposed building would be exposed to undue levels of emissions. The North Circular is one part of the inner ring road around central London and similar to other A-roads, experiences high levels of vehicular activity and is therefore subject to more elevated levels of vehicle emissions, although NO₂ concentrations have been decreasing as a result of tighter vehicle emission controls in London e.g. the LEZ was introduced in London in February 2008.
246. On the basis of the information provided, the building itself would not produce any emissions because of the decision to use ASHP's and PV's. the building itself is set back some 36m from the eastbound lanes of the North Circular and the dwellings are located at third floor level and above. Concentrations of emissions would be higher at ground floor level, dissipating with increased height. Residents would not be exposed to undue exposure within their dwellings due to the mechanical ventilation that would be provided, and again, emissions dissipate with increasing height. As discussed above, there are no balconies facing the North Circular and the two main communal areas are located on the roof of the 20th floor and at the rear of the building, a significant distance from the North Circular Road.
247. Due to the design of the building and measures to be secured by condition, it is considered that the proposed development would not expose potential residents to undue levels of pollution, in compliance with London Plan Policy SI1 and Local Plan Policy BSUI2. The submission demonstrates that the development will be Air Quality Neutral, but has not been accompanied by an Air Quality Positive assessment in line with Local Plan Policy BSUI2. Nevertheless, this is considered to be acceptable on balance having regard to the benefits of the development, noting that the scheme will achieve Air Quality Neutral and there is no harm associated with the proposal in this regard.

Contamination

248. The applicant has submitted a Preliminary Risk Assessment, and this has been reviewed by the Council's Environmental Health team. The Assessment confirms that there are no surface water or potable abstractions within 2km of the site. The nearest groundwater abstraction is located 1424m southwest of the site for the use of a heat pump. Consequently, the study site is not within 500m of a source protection zone, therefore abstraction is considered not to be at risk from potential sources from the site.
249. The stretch of the River Brent adjacent to the site flow through a concrete channel, however groundwater beneath the site may be in hydraulic continuity with the River, and therefore, a potential pollutant linkage is considered to exist at this stage.
250. Due to the potential presence of asbestos containing materials within the existing buildings on site, an asbestos survey is recommended and any asbestos containing materials found should be removed under suitably controlled conditions. There should be no risk to end users from asbestos within the fabric of the existing building if the potential asbestos containing materials are removed by suitably qualified and experienced specialists under controlled conditions. The removal of asbestos is controlled by the Control of Asbestos Regulations 2012, therefore an Informative will be added to remind the applicant of their duties under the Regulations in relation to removal and disposal of asbestos.
251. The Assessment recommends that an intrusive investigation is undertaken to clarify potential risks to the identified receptors, assess the extent of made ground soils present at the site and to provide geotechnical recommendations. Conditions are therefore recommended to secure further investigative works, and the submission of a remediation measures and a verification report.

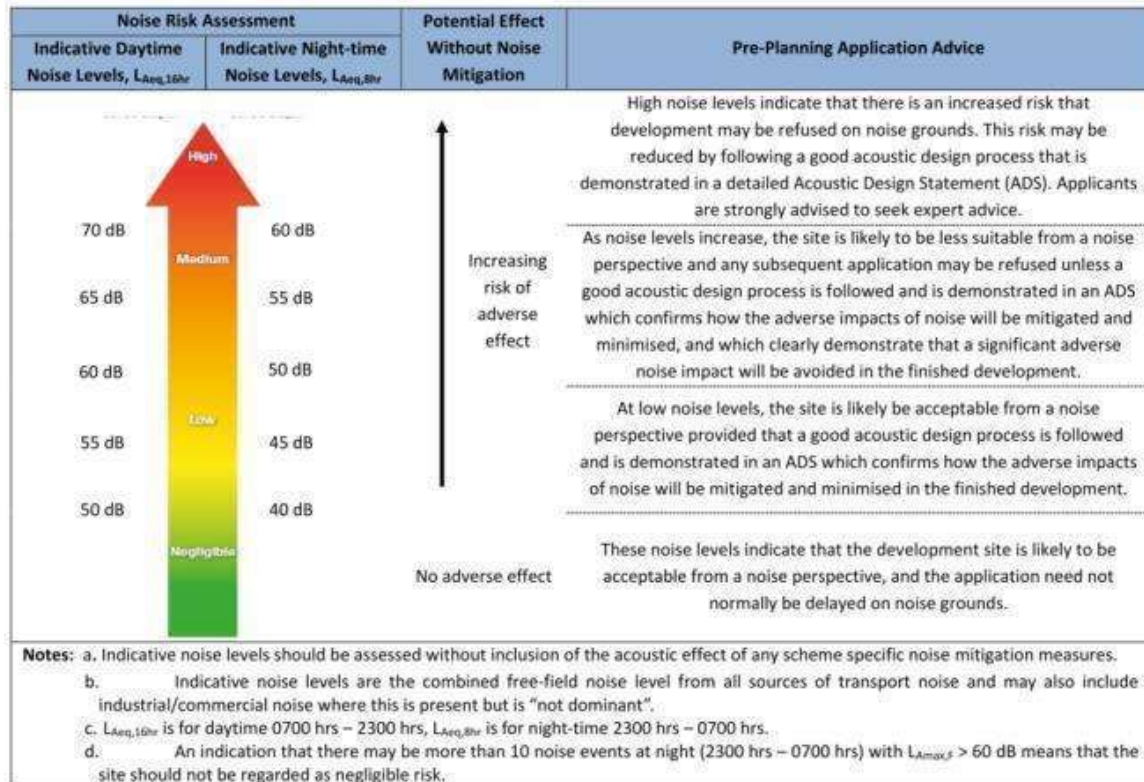
Noise

252. Policy D14 (Noise) of the London Plan requires that noise sensitive development should be

separated from major sources of noise wherever practicable. Policy D13 (Agent of change) of the London Plan expects that planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby, with the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

253. Although located within land designated as SIL, the most likely source of noise would be vehicular traffic on the North Circular. The potential impact from noise on existing and future occupiers has been assessed through a Noise Impact Assessment by Syntegra Consulting (ref: 20-7666 Rev.C, February 2022). The Assessment adopts the guidance contained within the Professional Practice Guidance (ProPG) on Planning and Noise for New Residential Development, published in May 2017 by the Association of Noise Consultants (ANC), Institute of Acoustics (IOA) and Chartered Institute of Environmental Health (CIEH). Figure 23 below is a representation from the ProPG, replicated within the Noise Impact Assessment, of an initial noise risk assessment.

Figure 23: Initial Site Noise Risk Assessment (Source: Noise Impact Assessment)



254. The proposed building, having a stepped footprint, would have its front (south) façade between approximately 7.5m and 18m from the front boundary wall, and the rear façade would be between 22m and 31m distant. There is an additional 25m to the first of the east-bound lanes of the North Circular.

255. Table 8 below sets out the predicted noise levels for the four facades, taken at third floor level, and the initial site risk.

Table 8: Predicted Noise Levels and initial Site Risk Assessment (Source: Noise Impact Assessment)

	Daytime Ambient Noise Level $L_{Aeq,16hr}$ (dB) / Risk Assessment		Night-time Ambient Noise Level $L_{Aeq,8hr}$ (dB) / Risk Assessment		Night-time L_{Amax} (dB)
North Façade	63	Medium	61	Medium-High	64
East Façade	74	High	70	High	76

South Façade	77	High	73	High	82
West Facade	77	High	73	High	82

256. The initial site risk assessment confirms that the due to its location, the development is at high risk in terms of noise on most facades and a medium risk on its northern façade.

Internal Noise Levels

257. In developing a proposal that demonstrates good acoustic design, the site layout and the dwellings should be designed so that the internal target levels can be achieved with open windows in as many dwellings as possible. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g., trickle ventilators) should be assessed in the “open” position and, in this scenario, the internal LAeq target levels should not normally be exceeded. Table 9 below identifies the likely LAeq and L Amax internal noise levels, assuming windows closed, utilising the Simple Calculation Method described in BS 8233:2014.

Table 9: Internal Noise Levels (Source: Noise Impact Assessment)

	Period (hrs)	External Noise Levels (dB)	Sound Insulation of Glazing (dBA)	Internal Noise levels (dB)	Compliance with ProPG Criteria
Ambient Noise Level LAeq (dB)					
North Façade	Daytime (0700-2300)	63	31	32	Yes
	Night time (2300-0700)	61	31	30	Yes
East Façade	Daytime (0700-2300)	74	45	29	Yes
	Night time (2300-0700)	70	45	25	Yes
South Façade	Daytime (0700-2300)	77	45	32	Yes
	Night time (2300-0700)	73	45	28	Yes
West Facade	Daytime (0700-2300)	77	45	32	Yes
	Night time (2300-0700)	73	45	28	Yes

Maximum Noise Level L_{AFmax} (dB)					
North Façade	Night time (2300-0700)	64	31	33	Yes
East Façade	Night time (2300-0700)	76	45	31	Yes
South Façade	Night time (2300-0700)	82	45	37	Yes
West Facade	Night time (2300-0700)	82	45	37	Yes

258. In achieving compliance with the ProPG criteria, as indicated in the Table above, the following assumptions have been made:

- The façade build-up would be a standard brick and block construction (or equivalent) to achieve a weighted sound reduction index (Rw) of approximately 55dB.
- For facades on the east, south and west of the building (overlooking the A406):
 - A double glazing system in a 13/12/13 configuration (or equivalent) would be installed to give a Sound Reduction Index (SRI) of 45dB Rw
 - An alternative means of ventilation, such as MVHR, would be installed to allow adequate ventilation without the requirement to open windows
 - Purge ventilation (as defined by ADF) through open windows
 - Open windows would not be suitable for the mitigation of overheating
- For façades facing north:
 - A typical double glazing system in a 6/12/6 configuration (or equivalent) would be installed to give a Sound Reduction Index (SRI) of at least 31dB Rw
 - An alternative means of ventilation, such as acoustic trickle vents with a D n,e,w of at least 37dB, would be installed to allow adequate ventilation without the requirement to open windows.
 - Purge ventilation (as defined by ADF) through open windows.
 - Open windows would not be suitable for the mitigation of overheating

Demolition and Construction Noise

259. In assessing potential noise and vibration from demolition activity, although proposed work processes or method statements haven't been scrutinised, it is acknowledged that without mitigation, some neighbouring properties would notice noise levels above the defined threshold of 65dB $L_{Aeq,10hr}$. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location would exceed the 65dB $L_{Aeq,10hr}$ threshold but with mitigation, all but one location would exceed (66.2dB $L_{Aeq,10hr}$) the threshold. Mitigation for both of these activities could take the form of but not limited to hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive

piling rather than vibratory piling.

External Amenity Areas

260. External amenity areas should ideally not exceed the design range of 50-55dB L_{Aeq,16hr}. These values, however, may not be achievable in all circumstances. BS8233:2014 acknowledges this by advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.

261. The development proposes external amenity spaces in the form of a ground level communal amenity space and play areas on the northern side of the plot, rooftop amenity on the 20th floor, and individual balconies for dwellings on the northern, eastern and western facades at 3rd floor level and above.

Table 10: External Noise Levels for Amenity Areas (Source: Noise Impact Assessment)

	Predicted External Noise levels L _{Aeq,16hr} (dB)	Compliance with Upper Guideline Criteria	Compliance with Lower Guideline Criteria
Rear Amenity Area	53	Yes	No
Rooftop Gardens	49	Yes	Yes
Northern Façade Balconies	58	No	No
Eastern Façade Balconies	69	No	No
Western Façade Balconies	72	No	No

262. Table 10 above displays the predicted noise levels for those external areas, with a screening correction of 10dB applied to the rooftop amenity area. Solid balustrade features for balconies are expected to provide up to 5dB attenuation, and a ground level 1.8m high fence providing 10dB attenuation from noise generated by the North Circular.

263. Whilst the predicted results for the rear amenity area and the rooftop garden is demonstrated to meet with accepted levels, further consideration must be given to the exposure to noise of the proposed balconies. None of the balconies face the road, they do not protrude beyond the building line and are therefore not unduly exposed but would rather sit between solid walls. The balconies would provide much needed external amenity for individual occupiers without direct access to a garden or park and would be supplemented by the rooftop and ground level amenity areas should quieter spaces be needed.

264. On balance, despite the balconies being likely to experience noise levels greater than the upper guideline criteria, due to the benefits they offer to residents, coupled with communal amenity areas that would provide some relief from noise, they are considered acceptable in this instance.

External Plant Noise

265. In relation to external plant noise, a schedule of plant associated with the industrial units has not yet been established and potential occupiers have not yet been identified. Therefore, once a plant schedule has been chosen by future commercial occupiers, a full BS4142 assessment would need to be undertaken prior to installation to ensure that a satisfactory acoustic environment is achieved. Where a future occupier would like to install different/additional plant, a further noise impact assessment would be required.

Future Industrial Noise

266. An assessment on the potential noise arising from industrial activity has been undertaken because as stated earlier, the co-location with residential on this SIL site must not compromise the efficient operation of the industrial activity.
267. The level above which such impacts would be expected on this development can be calculated using the existing noise levels at the site and a standard acoustic propagation calculation. Using such means, assuming a point source in the centre of the adjacent plot approximately 75m away, a source level of 83dB LAeq at 5m (or 97dB LAeq at 1m) operating at night with no screening or other attenuation in the path between the source and the receiver would be required to create a level at the proposed residential which might be reliably audible (i.e. above the LA90 background noise level recorded during the noise survey) due to high noise levels generated by nearby major roads.
268. Such a level would generally be considered to be a high level of acoustic output, even for industrial uses, and restricting the level of industrial noise to a high level should not normally be considered to compromise the integrity or effectiveness of locations adjacent to this development in accommodating industrial type activities. The residential element of the scheme should therefore not place any undue constraints on the surrounding industrial land.

Noise Conclusions

269. As anticipated, noise generated from vehicular traffic would be the source of most of the noise that would be experienced by residents. Noise from traffic bears a different characteristic to industrial noise (a mechanical plant, workshop, factory etc) because it has a relatively constant and stable drone which the majority of occupants are likely able to block out without any adverse short-term effects because it lacks tonal qualities, that is, the intermittent nature or high/low frequency tones that make other type of noise sources more noticeable and subject to complaints.
270. The main area of concern is likely to be amenity space during the daytime because the lower night-time background levels are unlikely to result in major sleep disturbance or short-term health effects. The majority of prospective occupants would already have an idea of local noise conditions when they view the property and therefore expectations would be managed at the outset.
271. Traffic noise would inevitably be a factor in urban developments and can be effectively managed by mitigation measures. However, it is acknowledged that a number of the proposed units would at certain times be exposed to some traffic noise from the nearby road network, however alternative shared areas of amenity space (in the form of the rooftop garden and the garden by the River Brent) could also be used by residents. These spaces are located significantly further from the primary noise source and would offer affected residents' respite.
272. The design of the windows meets with best practicable means criteria but as with all developments close to busy roads, the new residents would be exposed to traffic noise on a daily basis as would existing domestic residences along busy traffic networks and similar 'A' roads. Fully enclosing balconies is not an option to fully mitigate noise impacts because this would completely alter the appearance of the building and as stated earlier, the potential noise exposure of residents using their balconies would not be dissimilar to other residential properties backing onto / facing busy road networks.
273. With regards to residential units attaining an appropriate relationship with future industrial noise, with existing high ambient levels, a future industrial/commercial premises should not have any difficulty in attaining the BS4142 noise criteria of 10db below background. The Environmental Health officer is of the opinion that the proposed development would not place any undue constraints on adjacent land use, with most normal use, mid-range commercial/industrial activity being fine; and a major industrial plant being unlikely to have an acoustic output at such a high level as to exceed the current background levels against the North Circular.
274. Having regard to all of the above, it is considered that through mitigation measures proposed, the development would not result in unacceptable noise levels to future occupiers from vehicular traffic along busy transport corridors. Moreover, with the mitigation measures proposed and having regard to ambient noise levels, the viability of the industrial activity should not be unduly impacted.
275. It should be noted that in relation to the above matters, there is also control through Environmental Health Legislation and planning should not duplicate any controls that are available under other

legislation.

Wind Microclimate

276. Policy D8 (Public realm) of the London Plan requires the consideration of local microclimate created by buildings, reinforced by Policy D9 (Tall buildings) which requires the environmental impacts to be assessed. Policy DMP1 of the Local Plan also requires this.

277. A Wind Assessment has been provided within the Design & Access Statement and has been undertaken against the industry standard guidance – the Lawson Criteria. The Lawson Criteria sets out five pedestrian activities and are reflective of the fact that less active pursuits require calmer wind conditions, as demonstrated in Figure 24 below:

Figure 24: The Lawson Criteria (Source: Design & Access Statement)

Key	Comfort Category	Threshold	Description
	Sitting	0-4 m/s	Light breezes desired for outdoor restaurants and seating areas where one can read a paper or comfortably sit for long periods
	Standing	4-6 m/s	Gentle breezes acceptable for main building entrances, pick-up/drop-off points and bus stops
	Strolling	6-8 m/s	Moderate breezes that would be appropriate for window shopping and strolling along a city/town centre street, plaza or park
	Walking	8-10 m/s	Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering
	Uncomfortable	>10 m/s	Winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended

278. The meteorological data for the site indicates prevailing winds from the south-west quadrant throughout the year with secondary winds from the north-east direction which are more prevalent during the spring months. With the existing site in situ, wind conditions during the windiest season range from sitting to standing use, with localised strolling conditions to the north of the Site around the Northfields Phase 2 development. During the summer season, wind conditions are generally calmer, which is due to the lower wind speeds and frequency associated with this period of the year, with most locations having sitting use conditions, with localised standing and strolling use conditions.

279. The windiest season saw most areas around the building pass the safety criteria with the exception of one area to the south-west, one area to the car park and two areas to the south-west corner of the Shurgard building. For the amenity areas during summer, the entrance courtyard proved suitable for seating. However, the rear amenity adjacent to the river recorded a 'standing' level of comfort.

280. Most balconies passed the comfort criteria with the exception of one balcony at 19th floor level in the lower tower. The roof terrace at 20th floor level passed the safety criteria, but wind levels only provided standing or strolling comfort levels.

281. To improve comfort levels, a series of mitigation testing was undertaken and the provision of trees and other plantings, particularly the placement of large trees in entrance courtyard and are strategically positioned to disrupt wind flow around the corners of the building.

282. The Inland Waters Association has sought the provision of community and visitor moorings and/or residential moorings together with an electricity supply to compensate for the perceived wind impact on the canal. As can be seen in Figures 25 and 26 below, the proposed development will not lead to adverse wind conditions on the canal, or along the River Brent, therefore it would therefore be unreasonable to request those suggested obligations.

Figure 25: Pedestrian Wind Comfort, Ground Floor - Windiest Season (Source: Wind Assessment)

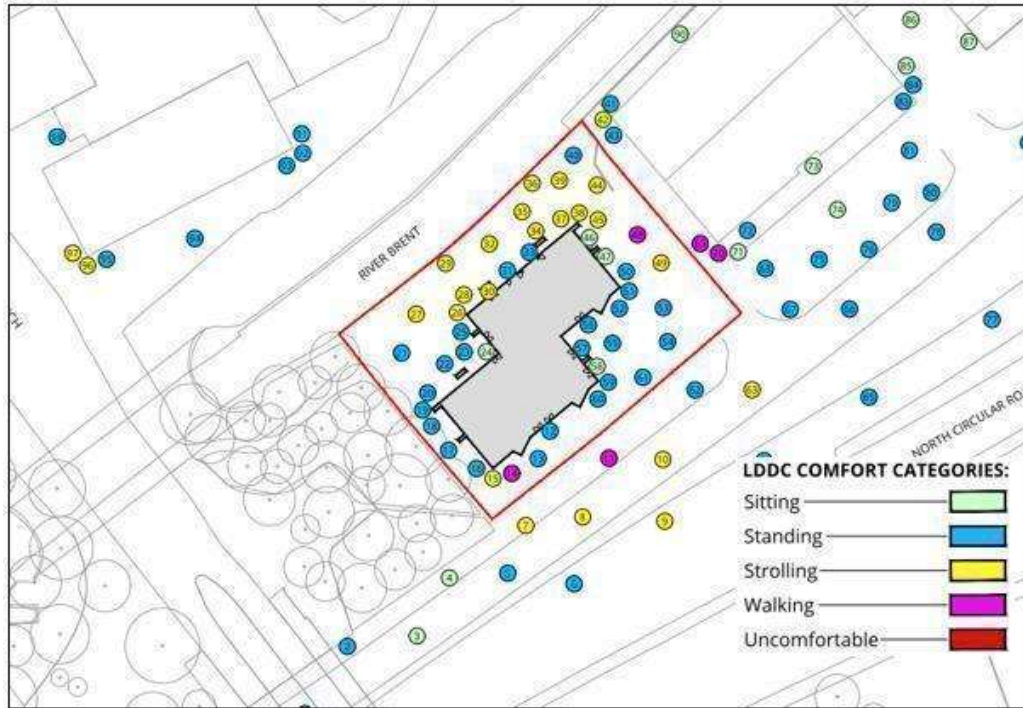
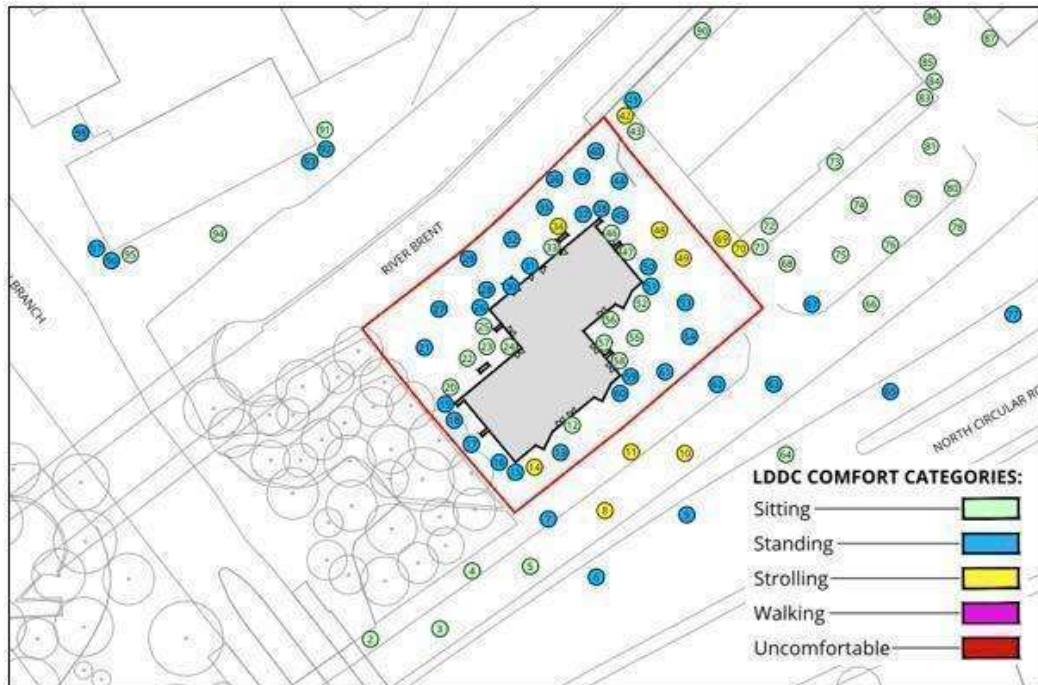


Figure 26: Figure 25: Pedestrian Wind Comfort, Ground Floor - Summer Season (Source: Wind Assessment)



283. It is considered that an appropriately worded condition could be imposed to ensure the amenity spaces are assessed and any necessary mitigation measures are implemented.

Flood Risk/Drainage/Water Consumption

Flood Risk

284. London Plan policies SI12 and SI13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies BSUI3, and BSUI4 confirms the Councils approach. The submitted Flood Risk Assessment (FRA) has correctly identified that the site is within Flood Zone 3a and is assessed as having a 1 in 100 year or greater annual probability of fluvial flooding. Developments

within flood zones 2 or 3 are required to undertake a sequential test unless one has already been undertaken for a development of the type proposed. Should the sequential test show that it isn't possible to use an alternative site, an exceptions test is required to be undertaken, which demonstrates how flood risk would be managed and that any sustainability benefits arising from the scheme to the wider community outweighs the flood risk. Appendix D of the FRA includes a Sequential Test, with the FRA itself forming the Exceptions Test.

Sequential Test

285. Allocated and un-allocated sites have been reviewed to establish whether they could be reasonable considered as a suitable alternative for the development proposed, and the results provided at Table 5.1 of the submitted Flood Risk Sequential Test.

286. The result of this Test demonstrates that none of the sites within the Growth Area are suitable for the proposed development, with consideration of planning policy and planning history status, physical and environmental constraints, risk of flooding, and reasonable availability as an alternative to the application site.

Exceptions Test

287. To pass the Exception Test two separate criteria must be met:

- a. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b. the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, would reduce flood risk overall.

Wider Sustainability Benefits

288. Some benefits have been identified by the applicant and these include:

- The development is on brownfield land;
- It would deliver 35% affordable housing by habitable room;
- It would increase the amount of commercial floorspace on site from 559sqm to 801sqm;
- It is a car-free development; and
- It incorporates sustainability measures in its design and construction.

289. Officers support the benefits advanced by the applicant. The site is classified as brownfield land and development is directed towards brownfield land in the first instance through policies that encourage the more effective use of land (London Plan Policies GG2 and H1). To this end, the Council is required to maintain a register of brownfield land, and the site is included on the register. Moreover, the site is part of the Alperton Growth Area, and Growth Areas are identified as areas where the Council would maximise opportunities to deliver additional dwellings (Local Plan Policy BH1. The increase in commercial floorspace and housing (including affordable housing) is discussed above, and the sustainable design and construction benefits are discussed throughout the report.

Safety over lifetime without increasing flood risk

290. To address the second criterion, a number of amendments have been made and mitigation measures proposed: ground floor level has been raised to 24.55mAOD, meaning that finished floor levels would be 300mm above the 1% + 20% climate change threshold; residential dwellings are located at third floor level and above; louvered doors to allow for the passage of water would be provided for bin store and cycle store entrances, and flood proof doors provided for the substation; a Flood Warning and Evacuation Plan would be produced.

Drainage/SuDS

291. London Plan Policy SI13 and Local Plan Policy BSUI4 requires development to utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so. They also require proposals to achieve greenfield run-off rates and adequately manage surface water run-off. London Plan

policy SI13 further sets out a drainage hierarchy to ensure that run-off water is managed as close to its source as possible and gives preference to green over grey features.

292. The development reduces the amount of impermeable surfacing by 26% due to a reduction in the building footprint and the provision of landscaping. Surface water would be attenuated through permeable paving (380sqm) and cellular storage with an indicative capacity of 100cu.m.
293. Blue / green roofing is proposed for the upper roof covering an area of 128sqm, with 272qsm proposed for the lower roof. With a storage depth of 100mm at each roof level, the proposed blue / green roof would deliver a storage volume of 40cu.m. Water collected would then discharge to the ground level drainage network.
294. The GLA advised, in their Stage I response, that further commitment to rainwater harvesting was needed. It is noted that at Table 8.2 of the FRA, we are advised that "*rainwater harvesting may be suitable however the feasibility of this option would need to be investigated at detailed design stage*". Including an integrated rainwater harvesting system for example, with the blue / green roof proposed, could enable the water already attenuated to be used within the building, for example, for toilet flushing. This would further reduce the need to discharge attenuated water to the public sewer and make the development more sustainable. Details of the feasibility of providing further rainwater harvesting would be secured by condition.

Water Consumption

295. In order to minimise impact on water supply, Policy SI5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.
296. The Sustainability Statement confirms that insofar as the residential elements are concerned, the policy requirement would be met through the use of appropriately rated appliances and fittings which should result in 104.72 litres for internal consumption and 5 litres for external use. This would be secured by condition.

Conclusion

297. The FRA confirms that there are no sequentially better sites for the development proposal than the current site. In addition, subject to conditions such as securing a Flood Warning & Evacuation Plan, the proposal should provide sufficient safeguards to ensure the safety of occupiers.
298. The proposed drainage strategy, again subject to conditions, is considered acceptable and should sufficiently attenuate water and reduce the risk of flooding.
299. The GLA and the LLFA have reviewed these elements and are generally satisfied that the proposal, subject to the conditions proposed, complies with adopted policy.

Ecology and Biodiversity

Protected Habitats and Species

300. London Plan Policy G6 D (Biodiversity and access to nature) seeks to ensure that proposals manage impacts on biodiversity and aim to secure net biodiversity gain. Local Plan Policy BG11 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.
301. A Preliminary Ecological Assessment (PEA), a Further Bat Survey, a Biodiversity Audit, and an Arboricultural Impact Assessment, have all been submitted in support of the application and assessed by the Parks and Open Space Officer.
302. The PEA, and officers, note the sub-optimal timing limitation of the survey but officers are satisfied with the methodology, which has been undertaken to the required standard and includes a robust assessment of the site and any risks to protected species, along with proposed enhancements and

mitigations to benefit birds, bats, and other protected and non-protected species, as set out in Table 11 below:

Table 11: Protected species/features and recommendations (source: PEA)

Protected species/feature	Impact	Avoidance and Mitigation	Compensation and Enhancements
Boundary SINCs	<p>Potential pollution damage during construction works.</p> <p>Operational impacts from new development</p>	<p>Retain boundary vegetation.</p> <p>Use of strong CEMP with use of erosion guards on western and northern boundaries. Adherence of standard pollution prevention measures from GOV.UK; fuel kits to be kept on site and fuelling of all vehicles done off-site.</p> <p>Lighting to ensure no direct spill into northern and western boundaries. Use of suitable landscape plan with buffer in place along N and W boundaries.</p>	<p>Landscape plan that uses native species only with strong buffers in place to act as a corridor and link wider habitats</p>
Nesting Birds	<p>Potential loss of nesting sites within onsite vegetation and building</p>	<p>Retention of trees where possible; works to identified areas of potential and within close proximity to be done outside nesting bird season (March to August inclusive) unless first checked by SQE; Black redstart surveys required due to potential and proximity to River Brent</p>	<p>Installation of nest boxes suitable for black redstart or house sparrow incorporated into new building walls. Foraging enhancement site by new native trees (especially fruit bearing varieties) within site and around boundaries. Use of green roof when possible.</p>
Bats	<p>Potential loss of roosting areas, foraging, and traversing grounds</p>	<p>Retention of boundary trees wherever possible. Further surveys required on buildings in line with BCT survey guidelines to determine mitigation on site. Lighting plan that is low lux, of hooded design, direct. Should any of the trees identified with roosting features have any proposals, further surveys would be required.</p>	<p>Planting of native and wildlife-friendly species throughout the proposed development including green roof, when possible, further survey on building to determine mitigation measures. Incorporation of two bat tubes (Schwegler 2FR) within the western side of the new building</p>
Invasive Species	<p>Spread of buddleia in wider landscape</p>	<p>Control and eradication by best practice</p>	<p>Replace with native species</p>

Invertebrates	Potential loss of shelter, foraging and breeding grounds.	Retention of boundary features wherever possible. Further consultation would be required if dead wood removal is required.	Biodiversity enhancement by planting of native/wildlife species with new hedgerow with hawthorn on western boundary and where possible use of green roof; installation of insect boxes within established garden boundary areas
Hedgehogs	Potential loss of shelter, foraging and traversing grounds.	Retention of boundary vegetation, use of mammal ladders for any holes, ditches and/or trenches. Clearance works under ECoW.	Future fencing to have hedgehog gates, enhance boundaries wherever possible to ensure connectivity across landscape and to maintain foraging grounds.

303. The PEA includes a series of recommendations which must be incorporated into the final development in order to enhance biodiversity. These include bird and bat boxes, bug boxes, wildlife friendly planting, and a lighting to minimise light spillage. It also recommends additional surveys. Appropriately worded conditions to secure the recommendations and mitigation measures are recommended.

Biodiversity Net Gain

304. Biodiversity net gain (BNG) is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost, notwithstanding that losses should, in the first instance, be avoided. A minimum 10% net gain is required.
305. A Biodiversity Impact Calculation Report, prepared by Syntegra Consulting, has been submitted in support of the application in order to establish whether the scheme would achieve a net gain. This considers factors such as: the area of each habitat and the linear length of features such as hedgerows; the strategic significance of the habitat; and the condition of each habitat parcel (rated as poor, moderate, or good condition).
306. The proposed plans would result in the loss of one habitat on site, Urban: Developed Land and therefore result in a loss of 0 units. However, the loss is compensated by the creation of Urban: Developed Land, Sealed Surface, Urban: Vegetated Garden, Grassland: Modified, and Urban: Sustainable Urban Drainage Feature and Hedgerow: ornamental non-native. The creation of these habitats would provide a gain of 0.21 biodiversity units or 100%.
307. The proposed development is considered to comply with Policy G6 of the London Plan and Local Plan Policy BG11. Conditions would be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, and therefore the BNG calculation is achieved.

Urban Greening

308. London Plan Policy G5 (Urban greening factor) identifies that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Proposals should include a maintenance plan for the lifetime of the development. Planning obligations may be sought to cover future maintenance of green infrastructure.
309. Table 8.2 of the London Plan introduces an Urban Greening Factor ('UGF') to identify the appropriate amount of urban greening required in new developments. Local Plan Policies BG11 (Green and Blue Infrastructure in Brent) seeks to apply the Urban Greening Factor in London Plan Policy G5 to developments in the borough.

310. The Mayor recommends a target UGF of 0.4 for developments that are predominately residential, and a target UGF of 0.3 for predominately commercial development. The UGF score for this development is 0.73 and this is achieved by a landscape proposal that maximises the amount of soft landscaping across the site, incorporating such measures as: a high level of tree planting as discussed below; extensive green roofs (231sqm); 432sqm of permeable paving for the play space and access road; and 607sqm of groundcover plantings.
311. The proposed development exceeds the Policy requirement for urban greening and would therefore have a positive impact on the environment in accordance with Policy G5 of the London Plan and Policy BG11 of the Local Plan. The measures proposed would be secured by condition to ensure that the anticipated UGF score is achieved or exceeded.

Trees and Landscaping

312. Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Policy BG12 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable.
313. Although there are no trees on site, the application was supported by an Arboricultural Impact Assessment (AIA) because of the close proximity of 3rd party trees (two individual trees and one group). The development would not impact on the off-site trees, but the AIA recommends that the canopies are pruned to avoid conflict during the demolition and construction phases of the development.
314. As part of the landscaping proposals, it is proposed to plant a row of trees (Alder) along the common boundary with the Shurgard site, to provide some 4m tall trees from the outset around the entrance courtyard in order to help mitigate adverse wind conditions, and to plant Willows along the water edge.
315. The planting strategy aims to select trees and hedges that would unite as a group. The planting would be designed and managed to increase biodiversity, attractiveness, and reintroducing habitat restoration to the landscape. Native species would be utilised, and where the species are non-native for amenity and beauty purposes, the species would be non-invasive.
316. These would include tree placements and hedge lines for wind breaks, planting along the SINC edge to absorb run off in this location and increase the area of the SINC, perennials, grasses, turf, and wildflower areas. The planting would also consist of species that can cope with fluctuating wind conditions and periodic flooding situations.
317. All selected species of planting are chosen because they can withstand wind and standing in water for periods of time, should there be a flood situation. This would be coupled with a naturalistic planting style across the site to continue the SINC and enhance the riverside in terms of both visual and environmental amenity.
318. The landscaping strategy would take the SuDS provision from the outset of the project. This marries with the ecological goals of the site and the landscape has been designed to work with SuDS requirements. The design would include a roof garden and permeable paving across the site. The site runoff from the building's surface would be utilised on the site before being redirected to the road, drainage systems or into the river. There would also be a pond which would be able to absorb the runoff from the adjacent SINC.
319. Full details of the landscaping proposals would be sought by condition.

Site Waste Management

320. Policy S17 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste by doing the following:
- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible

- 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
- 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026
- 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
- 5) meet or exceed the targets for each of the following waste and material streams:
 - a) construction and demolition – 95 per cent reuse/recycling/recovery
 - b) excavation – 95 per cent beneficial use
- 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

321. The Sustainability Statement has indicated the credits to be targeted in relation to this element of the scheme, however a strategy won't be fully developed until a contractor has been appointed. Having regard to Policy SI7, a Circular Economy Statement has been submitted however, the GLA has requested that additional information and clarification is sought regarding; the strategic approach, pre-demolition audit, operational waste and end of life strategy. This information can be secured by an appropriately worded condition.

Fire Safety

322. Since the submission of the application, and subsequent to the GLA's Stage 1 response, the Building Regulations have changed and now require buildings over 30m in height to be provided with a second staircase. Revised plans have been submitted showing the second staircase, which has been reviewed by the Health & Safety Executive who have confirmed that they are now satisfied with the proposal.

323. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development would achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape. The Fire Statement, as updated, satisfies the requirements of the Policy and a final strategy would be secured by condition.

Designing Out Crime

Crime prevention and counter terrorism

324. London Plan Policy D11 states that development should include measures to design out crime that (in proportion to the risk) deter terrorism, assist in the detection of terrorist activity, and help mitigate its effects. Policy DMP1 f) of the Local Plan seeks to ensure that developments are safe, secure and reduces the potential for crime.

325. The concerns raised by the Secure Design Officer have been reviewed. The concern in relation to the poor-quality environment on the walk to the tube station at night leading to a risk of crime is noted. Significant improvements to this route (between Beresford Avenue and the station) have been made through the Grand Union / Northfields development, and the redevelopment of that site will also introduce more residents and more ongoing activity. Lighting is provided beneath rail bridges and along the route to the station. The route between the site and Beresford Avenue is still not well overlooked at night, but on balance, given the distances involved and the open nature of the route, this is not considered to mean that the site is not suitable for residential intensification.

326. Concern was also raised in relation to the new pathways towards Northfields making the site more permeable, with this not being overlooked and therefore more attractive to burglary. Improving the permeability of developments is a key planning and design concept to encourage activity and therefore improve the safety of residents / users through the passive overlooking that this creates. The route through to the Northfields site is an important route to ensure that the site is not isolated from the social infrastructure facilities that would be coming forward as part of the Northfields redevelopment.

Equalities

327. The proposal would result in the loss of 17 homes which have been used as Affordable Housing. However, as discussed above, these were provided under "permitted development" and there is no planning condition or obligation to provide them as Affordable Housing. As such, they could be used as private housing without the need to apply for planning permission. The proposal would result in the provision of 47 Affordable homes including 33 at London Affordable Rents and 13 Intermediate affordable homes, including 15 family sized London Affordable Rented homes which meet standards M4(2) or M4(3) in relation to accessibility, which would be secured through the planning consent. The proposal is considered to result in a significant net positive impact in relation to equalities.

328. 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).

Conclusions

329. Having regard to all of the above, it is considered that on balance, planning permission should be granted for the following reasons:

330. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets and their significance as set out above. It is considered that the development proposal would not lead to any harm to those heritage assets having regard to Policy HC1 of the London Plan, Policies DMP1 and BHC1 of the Local Plan, and with guidance contained within the National Planning Policy Framework.

331. The proposed development would contribute to increasing London's supply of housing, having regard to Policies GG2, D3, H1, H4 and H6 of The London Plan, Policies BH1 and BH2 of the Local Plan, and with guidance contained within the National Planning Policy Framework.

332. The proposed development would re-introduce SIL compliant uses within this designated SIL site, increasing the boroughs industrial and employment capacity. Moreover, the intensification of housing provision on the site would not compromise the effective and efficient operation of the proposed SIL compliant uses. The proposal is considered to comply with Policies GG5, E2, E3, E4, E5 and E7 of the London Plan, Policies BE1 and BE2 of the Local Plan

333. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies D3, D4, D8, D9 of the London Plan Policy, Policies DMP1, BD1 and BD2 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

334. The proposed development, due to its siting does not unduly impact on the amenities of the future occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy D6 of the London Plan, Policies DMP1 and BD1 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

335. The proposed development, by virtue of its design and external design, is considered to provide a

high-quality level of accommodation for future occupiers, having regard to Policies D4, D5, D6, D7 of the London Plan, Policies DMP1 and BH13 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

336. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking, and in this respect complies with Policies T2, T4, T5, T6, T6.1, T6.6, T7 of the London Plan, Policies BT1, BT2 and BT3 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

337. The proposed development, by virtue of measures proposed and conditions imposed, would contribute to the mitigation of and adaptation to climate change, having regard to Policies GG6, G1, G5, G6, G7, SI1, SI2, S3, SI4, SI5, SI7, SI12 and SI13 of the London Plan, Policies DMP1, BGI1, BGI2, BSUI1, BSUI2, BSUI3, BSUI4, and BT1 of the Local Plan and with guidance contained within the National Planning Policy Framework.



DECISION NOTICE – APPROVAL

Application No: 22/1145

To: Mr Scaggiante
Savills (UK) Ltd
Finsbury Circus House
15 Finsbury Circus
London
EC2M 7EB

I refer to your application dated **28/03/2022** proposing the following:

Demolition of existing building and erection of a 23 storey building to provide 139 units (Use Class C3) and 801sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works (DEPARTURE FROM POLICY: E4 OF THE LONDON PLAN AND BE2 OF BRENT'S LOCAL PLAN)

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

at **Prospect House, North Circular Road, Stonebridge, London, NW10 7GH**

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: 01/08/2023

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 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):

411 GA 01 REV.02 PROPOSED LANDSCAPE GROUND FLOOR PLAN
411 GA 02 REV.00 PROPOSED LANDSCAPE GROUND FLOOR PLAN A1
411 GA 03 REV.01 PROPOSED LANDSCAPE GROUND FLOOR TREE PLAN
411 GA 04 REV.00 PROPOSED LANDSCAPE GROUND FLOOR PLAY AREA

11246-A-E-040 EXISTING SOUTH EAST ELEVATION
11246-A-E-041 EXISTING SOUTH WEST ELEVATION
11246-A-E-042 EXISTING NORTH WEST ELEVATION
11246-A-E-043 EXISTING NORTH EAST ELEVATION
11246-A-E-140 REV.A PROPOSED SOUTH EAST ELEVATION
11246-A-E-140 REV.A PROPOSED SOUTH WEST ELEVATION
11246-A-E-142 REV.A PROPOSED NORTH WEST ELEVATION
11246-A-E-143 REV.A PROPOSED NORTH EAST ELEVATION
11246-A-E-150 REV.A PROPOSED SOUTH EAST ELEVATION
11246-A-E-151 REV.A PROPOSED SOUTH WEST ELEVATION
11246-A-E-152 REV.A PROPOSED NORTH EAST ELEVATION

11247-A-P-001 LOCATION PLAN
11247-A-P-002 BLOCK PLAN
11246-A-P-010 EXISTING GROUND FLOOR PLAN
11246-A-P-011 EXISTING FIRST FLOOR
11246-A-P-012 EXISTING SECOND FLOOR
11246-A-P-013 DEMOLITION PLAN - GROUND FLOOR
11246-A-P-014 DEMOLITION PLAN - FIRST FLOOR
11246-A-P-015 DEMOLITION PLAN - SECOND FLOOR
11246-A-P-101 REV.A PROPOSED FLOOR PLAN 01
11246-A-P-102 REV.A PROPOSED FLOOR PLAN 02
11246-A-P-103 REV.A PROPOSED FLOOR PLAN 03-07
11246-A-P-104 REV.A PROPOSED FLOOR PLAN 08
11246-A-P-105 REV.A PROPOSED FLOOR PLAN 09-19
11246-A-P-106 REV.B PROPOSED FLOOR PLAN 20
11246-A-P-107 REV.B PROPOSED FLOOR PLAN 21-22
11246-A-P-108 REV.A PROPOSED ROOF PLAN
11246-A-P-120 REV.A PROPOSED SECTION A-A
11246-A-P-121 REV.A PROPOSED SECTION B-B
11246-A-P-122 REV.A PROPOSED SECTION C-C
11246-A-P-123 REV.A PROPOSED SECTION D-D
11247-A-P-202 PROPOSED FLAT TYPE 02 - 3B5P
11247-A-P-203 PROPOSED FLAT TYPE 03 - 2B4P
11247-A-P-204 PROPOSED FLAT TYPE 04 - 2B4P
11247-A-P-205 PROPOSED FLAT TYPE 05 - 3B5P
11247-A-P-206 PROPOSED FLAT TYPE 06 - 3B5P
11247-A-P-207 PROPOSED FLAT TYPE 07 - 2B3P (WA)

11246-A-P-208 REV.A PROPOSED FLAT TYPE 08
 11247-A-P-209 PROPOSED FLAT TYPE 09 - 2B4P
 11247-A-P-210 PROPOSED FLAT TYPE 10 - 1B2P
 11247-A-P-211 PROPOSED FLAT TYPE 11- 2B4P
 11247-A-P-212 PROPOSED FLAT TYPE 12 - 3B5P
 11246-A-P-213 PROPOSED FLAT TYPE 13
 11246-A-P-214 PROPOSED FLAT

Air Quality Assessment, prepared by Syntegra, February 2022, Ref: 20-7666;
 Arboricultural Impact Assessment, prepared by Syntegra, February 2022, Ref: 20-7666;
 Bat Activity Survey Report, prepared by Syntegra, September 2021, Ref: 20-7666;
 Biodiversity Impact Calculation Report, prepared by Syntegra, December 2021, Ref: 20-7666;
 BREEAM New Construction 2018 (UK) Pre-Assessment Report, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.A
 Circular Economy Statement, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.C;
 Construction Logistics Plan, prepared by TTP Consulting, February 2022;
 Covering Letter, 24 March 2022
 Daylight, Sunlight, Overshadowing and Internal Daylight Report, prepared by Syntegra, February 2022, Ref: 20-7666;
 Internal Daylight and Sunlight Addendum, prepared by Syntegra, June 2023, Ref: 20-7666 Rev.E;
 Delivery and Servicing Plan, prepared by TTP Consulting, February 2022;
 Delivery and Servicing Plan Employment Space, prepared by TTP Consulting, November 2022
 Design and Access Statement, prepared by FAL, March 2022;
 Design and Access Statement Supplemental, prepared by FAL, March 2023;
 Ecological Lighting Assessment, prepared by Strenger, February 2022
 Electromagnetic Interference Assessment, prepared by GTech Surveys Limited, 21/01/2022
 Energy Strategy and Overheating Report, prepared by Syntegra, February 2022 Rev.E;
 Equality Impact Assessment Report, prepared by CBRE, 19 June 2023;
 Flood Risk Assessment (and Drainage Strategy), prepared by WSP, February 2022, Ref: 70085515;
 Flood Sequential Test, prepared by Savills Planning, February 2021
 GLA Worksheet Excel Spreadsheet, prepared by Syntegra;
 GLA Be Seen Excel Spreadsheet, prepared by Syntegra;
 GLA Whole Lifecycle Carbon Excel Spreadsheet; prepared by Syntegra;
 Healthy Streets Transport Assessment, prepared by TTP Consulting, March 2022;
 Land Contamination Assessment, prepared by Syntegra;
 London Plan Fire Strategy, prepared by OFR;
 Noise Impact Assessment, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.C;
 Pedestrian Level Wind Microclimate Assessment, prepared by Syntegra, February 2022;
 Planning Statement (Including affordable housing assessment and planning obligations assessment), prepared by Savills Planning, March 2022;
 Preliminary Ecological Appraisal Report, prepared by Syntegra, April 2021, Ref: 20-7666;
 Preliminary Risk Assessment Report, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.B
 Rapid Health Impact Assessment, prepared by Dr Martin Birley, 25/3/22
 Servicing and Refuse Management Plan, prepared by TTP Consulting;
 Statement of Community Involvement, prepared by Eversleigh;
 Sustainability Statement, prepared by Syntegra, March 2022, Ref: 20-7666;
 Townscape and Visual Impact Assessment, prepared by Savills Townscape and Heritage, February 2022;
 Transport Assessment Technical Note, prepared by TTP Consulting, 22 November 2022, Ref: 2020-3787/L01/SBD
 Travel Plan, prepared by TTP Consulting, February 2022;
 Utilities Appraisal, prepared by Syntegra, March 2022, Ref: 20-7666
 Viability Report, prepared by Savills Viability;
 Water Framework Directive Scoping Report
 Whole Lifecycle Carbon Assessment

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

(Use Class E(g)(iii)) as shown on the consented plans.

Reason: To ensure a level of industrial activity that supports the designation of the site as Strategic industrial Land

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the commercial units within the scheme hereby approved shall not be used other than for purposes within Use Class E(g)(iii), as defined by the Town and Country Planning (Use Classes) Order 1987, or the Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that Class in any statutory instruments revoking and re-enacting those Orders with or without modification.

Reason: To safeguard the amenity of residents and in the interest of ensuring appropriate access and servicing.

- 5 The commercial units hereby approved shall be completed and ready for occupation [excluding fit-out] prior to first occupation of any of the residential dwellings permitted by this permission, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the SIL designation of the site is not compromised by ensuring that the commercial units are ready for occupation, in accordance with Policy E7 of the London Plan.

- 6 The development shall provide a minimum of 14 shared ownership units and 33 London Affordable Rent (LAR) (Use Class C3), as shown on the consented plans, including the following mix:

- (i) Shared Ownership: 3x studio; 1x 1-bed, 7x 2-bed, 3x 3-bed
- (ii) LAR: 4x studio; 4x 1-bed, 10x 2-bed, 15x 3-bed

Reason: To ensure an appropriate mix of units having regard to the identified affordable housing needs of the Borough

- 7 The development shall provide 139 residential dwellings (Use Class C3), as shown on the consented plans, including 31 x 3-bedroom dwellings.

Reason: To ensure an appropriate mix of units having regard to the identified housing needs of the Borough.

- 8 The car parking, cycle parking and the refuse storage facilities as shown on the approved plans, or as otherwise approved in writing by the Local Planning Authority, shall be installed and available for use prior to occupation of the development and thereafter retained and maintained as approved for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and to encourage sustainable forms of transportation.

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

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

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW

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

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

- 11 All planting including tree planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out prior to first occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and appropriate landscape scheme is maintained relative to the developments location in order to comply with Local Plan Policies DMP1, BG11 and BG12.

- 12 Unless required by any condition attached to this permission, the Delivery & Servicing Plan (February 2022), prepared by TTP Consulting Ltd, the Technical Note Update (ref: 2020-3787/L01/SBD) dated 22 November 2022, and the Delivery and Servicing Plan Employment Space dated November 2022, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure adequate delivery and servicing arrangements for the development, to avoid conflict with other road users in the interest of highway safety.

- 13 No works at all, including site clearance and demolition, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors and must include the following:
- a. Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
 - b. Access Routes: Routing construction traffic away from noise sensitive receptors (NSRs).
 - c. Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
 - d. Screening: The use of site hoardings, enclosures, portable screens and/or screening nosier items of plant from NSRs, where reasonably practicable.
 - e. Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
 - f. Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
 - g. Piling: Ensuring that any piling is undertaken using the most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
 - h. BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
 - i. Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.

- j. Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a LEZ as a minimum; minimise movement of construction traffic around site.
- k. Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- l. Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate
- m. How surface waters will be managed during the construction and operational phases of the development
- n. A pollution prevention and response plan

The development shall be carried out strictly in accordance with the approved details.

Reason: Particular attention must be paid to minimising the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects. In addition, to ensure there are no adverse impacts on the ecology and water quality of River Brent and the Grand Union Canal.

- 14 Development shall not commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:
- a. a photographic condition survey of the roads, footways and verges immediately adjacent to the site;
 - b. details of construction access (avoiding existing construction sites in the vicinity), including any temporary heavy duty access, and associated traffic management to the site;
 - c. arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
 - d. arrangements for the parking of contractors vehicles;
 - e. arrangements for wheel cleaning;
 - f. a scheme of road-cleaning along construction routes;
 - g. arrangements for the storage of materials;
 - h. timing of deliveries (to avoid peak hours, school drop off/pick up times and to comply with local road restrictions);
 - i. number and type of vehicle movements;
 - j. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition';
 - k. size and siting of any ancillary buildings.

The development shall only be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment

- 15 No works at all, including site clearance and demolition, shall commence until, the developer has joined the Considerate Constructors Scheme. All of the requirements of the Considerate Constructors Scheme shall be adhered to throughout the period of construction.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment

- 16 No works at all, including site clearance and demolition, shall commence until a revised Circular Economy Statement, written in accordance with the published London Plan Guidance: Circular Economy Statements (February 2022) has been submitted to the Local Planning Authority and approved in writing in consultation with the GLA. The Circular Economy Statement shall have

particular regard to Appendix 2 of the London Plan Guidance to ensure that the necessary information is submitted.

The development shall be undertaken in accordance with the approved Circular Economy Statement.

Reason: to assist in the reduction of waste generated by the development and the promotion of recycling.

- 17 Following the demolition of the buildings but prior to the commencement of building works, a final Fire Strategy shall be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with approved Strategy.

Reason: To ensure that the highest standards in Fire Safety are achieved having regard to Policy D12 of the London Plan.

- 18 No piling shall take place until a Piling Method Statement (detailing the depth and type of any piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

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

- 19 Following the demolition of the buildings but prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority for approval in writing, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

- 20 Prior to commencement of development (excluding site clearance and demolition works), and a detailed drainage strategy including drainage layout plan shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the submitted Flood Risk Assessment 70085515 (February 2022) by WSP, but shall also include further proposals for rainwater harvesting, or shall demonstrate that these features cannot be achieved within the approved design.

A whole-life management and maintenance plan for the site shall also be submitted to and approved in writing by the Local Planning Authority. This shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SUDS component), with details of who is responsible for carrying out the maintenance. The approved maintenance plan shall subsequently be implemented in accordance with the approved details for the lifetime of the development.

The development shall thereafter be carried out in full accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate sustainable drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policy BSUI4.

- 21 Prior to commencement of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a district heating

network should one become available, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

- 22 Notwithstanding the submitted Whole Life Cycle Carbon Assessment by Syntegra Consulting, dated March 2020, a revised Whole Life Cycle Carbon Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding demolition and site clearance). The revised Assessment should comply with the GLA's 'Whole Life-cycle Carbon Assessment - draft for consultation - guidance document' and comply with BS EN15978 and cover all building elements to ensure that results are properly recorded and tracked through to post-construction stages.

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

- 23 Prior to the commencement of above ground superstructure works, details of the exterior of the non-residential ground floor frontages shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- a. windows, doors, shop fronts and glazing systems including colour samples; and
 - b. details of where advertisements would be applied notwithstanding that the advertisements themselves may require separate advertisement consent
- At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows.

The works shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and to ensure the non-residential elements provide an active frontage in the interests of natural surveillance and the viability and vitality of the area.

- 24 Prior to commencement of development (excluding site clearance, demolition and below ground works), details for the provision of a communal television system/satellite dish shall be submitted to the Local Planning Authority for approval in writing. The development shall only be undertaken in accordance with the approved detail.

Reason: To mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 25 Prior to commencement of superstructure works, detailed plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans thereafter and maintained as such in perpetuity.

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

- 26 Prior to commencement of development (excluding site clearance, demolition and below ground works), full details of the proposed ecological enhancements shall be submitted and approved by the Local Planning Authority. This should include cross sectional drawings where appropriate

as well as dimensions and materials to be utilised. The approved details shall be implemented prior to first occupation of the development and thereafter retained and maintained.

Reason: To assess the potential impact to flood risk and ensure capacity is not significantly reduced within the channel in line with National Planning policy Framework paragraph 167 and Local Plan Policy BSUI3 'Managing Flood Risk'.

- 27 Prior to the commencement of development (excluding site clearance, demolition and below ground works) shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved for the life of the development and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The management plan shall include the following elements:

- a. details of maintenance regimes
- b. details of any new habitat created on-site
- c. details of treatment of site boundaries and/or buffers around water bodies
- d. details of management responsibilities

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted local plan.

The works proposed as part of this development could have an unacceptable effect on the ecological value of riverine habitat at this site. Ecological enhancements that have been proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.

This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework and Local Plan policy BGI1 'Green and Blue Infrastructure in Brent' which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

- 28 Prior to the commencement of development (excluding demolition, site clearance and below ground works), and having regard to Condition 24 above (Drainage Strategy), details of the green / blue roof shall be submitted to the Local Planning Authority and approved in writing. The submitted detail shall also include details of the feasibility of including an integrated rainwater harvesting system, or any such system, that enables rainwater to be harvested for use within the development.

If within 5 years of the installation of a green roof, any planting forming part of the green roof shall die, be removed, or become seriously damaged or diseased, then this planting shall be replaced in the next planting season with planting of a similar size and species.

The green / blue roof shall be implemented in accordance with the approved detail and maintained for the life of the development.

Reason: To ensure adequate sustainable drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policy BSUI4.

- 29 Prior to the commencement of development (excluding demolition, site clearance and below ground works) final details shall be submitted to demonstrate how the recommended wind mitigation measures, as set out in the Pedestrian Level Wind Microclimate Assessment, ref: RWDI #2101788. REV C (8TH NOVEMBER 2022), are to be incorporated in the final building design. These details shall be approved in writing by the Local Planning Authority, and the development shall be built in accordance with these details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure safety and comfort of future users.

- 30 Prior to the commencement of development (excluding demolition, site clearance and below

ground works) a final Overheating Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall confirm the recommended mitigation measures, as set out in the submitted Overheating Analysis (Energy Strategy and Overheating Report (February 2022) ref: 20-0766 Rev.E, and any others considered necessary, will be implemented to minimise overheating risk.

The development shall be carried out in accordance with the approved Strategy, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the potential for overheating to occur and ensure the comfort of future residential occupiers.

- 31 Prior to the commencement of development (excluding demolition, site clearance and below ground works), details of the security measures incorporated into the scheme to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design shall be submitted to and approved in writing by the Local Planning.

The development shall be implemented in accordance with the approved details prior to first occupation.

Reason: To ensure that the development maintains and enhances community safety in accordance with Policy DMP1 of the Local Plan.

- 32 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)). Detailed layout plans, clearly showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing, excluding demolition, site clearance and laying of foundations, and thereafter development shall be implemented in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

- 33 Prior to commencement of development (excluding site clearance, demolition and below ground works), further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- a. building envelope materials e.g. bricks, render, cladding;
 - b. windows, doors and glazing systems including colour samples; and
 - c. balconies and screens

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

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

- 34 Prior to the commencement of development (excluding site clearance, demolition and below ground works), full details of the Landscaping Strategy and a Management Plan for all hard and soft landscaped area shall be submitted to the Local Planning Authority and approved in writing. All tree, shrub and hedge planting included within the above scheme shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent) and current Arboricultural best practice. The details shall demonstrate that the UGF score secured by condition attached to this permission, and net biodiversity, has been achieved. The details shall include:

- a. The treatment of all parts of the site not covered by buildings, including walls and boundary features and rooftop terraces
- b. Typical details of all internal and external boundary treatments, including elevations and specifications for all pedestrian gates and their means of opening for all residents, and details of measures to enable small animals to move freely into and around the site;
- c. The quantity, size, species, position, and the proposed time of planting of all trees and shrubs to be planted including details of appropriate infrastructure to support long-term survival;
- d. An indication of how all trees and shrubs will integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection including irrigation systems;
- e. Details of infrastructure to maximise rooting capacity and optimize rooting conditions;
- f. All shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape shall be similarly specified;
- g. All hard landscaping including all ground surfaces, planters, seating, refuse disposal points, cycle parking facilities, bollards, vehicle crossovers/access points;
- h. Biodiversity mitigation and enhancement measures as secured by other conditions attached to the permission.
- i. Full details of the children's play space provisions (layout, equipment specification, and phasing of delivery)
- j. A plan showing the provision of a future unobstructed permissive footpath through the site connecting Old North Circular Road to a reopened pedestrian footpath to the Grand Union Canal

The approved hard and soft landscaping shall be thereafter carried out in accordance with the approved prior to first occupation unless a phasing scheme has otherwise been submitted to and agreed by the Local Planning Authority and shall thereafter be retained and maintained.

Reason: In order to introduce high quality landscaping in and around the site in the interests of the ecological value and biodiversity of the site and to ensure a satisfactory landscaping of the site in the interests of visual amenity and to ensure appropriate provision for children's play on site having regard to Local Plan Policies DMP1, BGI1, BGI2 and BH13 and London Plan policy S4.

- 35 Notwithstanding the submitted Ecological Lighting Assessment by Strenger Ltd (February 2022), prior to the commencement of development (excluding demolition, site clearance and below ground works), an updated Ecological Lighting Assessment shall be submitted to the Local Planning and approved in writing. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy, a lux plan indicating light spill over all ecological sensitive receptors inclusive of the waterspace.
The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area, and to safeguard ecologically sensitive receptors.

- 36 Prior to the commencement of development (excluding demolition, site clearance and laying of foundations) a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be fully implemented and adhered to in the event of a relevant flood event.

Reason: To ensure the risk to the development and future users/residents from a reservoir flood event is minimised.

- 37 Prior to commencement of development above ground level, details of a communal television aerial and satellite dish system shall be submitted to and approved in writing by the Local Planning Authority, linking to all residential units within that building, and thereafter provided in accordance with the approved details prior to first occupation. No further television aerial or satellite dishes shall be erected on the buildings hereby approved, unless otherwise agreed in

writing by the Local Planning Authority.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 38 Notwithstanding the Active Travel Zone Assessment (ATZ) contained within the submitted Transport Assessment, a revised ATZ shall be submitted to the Local Planning Authority for approval in writing prior to commencement of development above ground level. The revised ATZ shall include a nighttime assessment of all routes and a re-assessment of all routes to cultural and education facilities in the vicinity.

Reason: To promote safe and active travel in accordance with Policy T2 of the London Plan.

- 39 Prior to first occupation or use of the development hereby approved, further details of arrangements for the allocation of on-site parking spaces for Blue Badge holders shall be submitted to and approved in writing by the Local Planning Authority in the form of a detailed Car Parking Design and Management Plan (PDMP) to be written in general accordance with London Plan 2021 Policy T6.1. The PDMP shall also include details of:
- How parking spaces within the site will be managed and allocated;
 - The location of the additional five potential on-street blue-badge parking spaces should the need arise, avoiding the creation of pinch points;
 - electric vehicle charging point provision;
 - how the use of the spaces provided for non-residential use shall be managed so as to minimise opportunities for unauthorised access to residential spaces;
 - the use of any associated signage;
 - how existing or future residents would request a bay, how quickly it would be created and what, if any, provision of visitor parking for disabled residents is available

The submitted PDMP shall clearly stipulate that any non-Blue Badge holding residents of the development are prevented using the car parking area, due to its limited capacity for parking.

The development shall thereafter be constructed and operated in full accordance with the approved PDMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure on-site parking is managed in an acceptable manner for the benefit of residents.

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

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

- 41 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that either:
- all water network upgrades required to accommodate the additional flows from the development have been completed; or
 - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 42 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day for the residential elements within the relevant Phase and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies

- 43 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority prior to first occupation of the development approved, confirming that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 44 On commencement of the development hereby approved, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- a. highway street lighting;
 - b. other public realm lighting;
 - c. communal amenity space including roof garden lighting;
 - d. lux levels;
 - e. measures to minimise light spillage to sensitive receptors

The works shall be carried out in accordance with the approved plans prior to first occupation and shall be retained for the lifetime of the Development.

Reason: These details are required to ensure that public and private spaces are adequately lit for pedestrian and highway safety and to prevent light pollution.

- 45 Prior to the installation of any mechanical plant further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve the relevant Block shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- a. detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
 - b. details of any ducting in terms of its appearance and siting;
 - c. demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
 - d. include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (c)
 - e. include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
 - f. include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The approved mechanical plant shall be installed in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure that existing and proposed residential occupiers do not suffer a loss of amenity by reason of noise, vibration or odour nuisance

- 46 Notwithstanding the submitted Travel Plan, a revised Travel Plan shall be submitted to the Local Planning Authority for approval in writing to include but not limited to, the following information:
- a. The Travel Plan Co-ordinator details (it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community;
 - b. Baseline targets identified through both the Travel Plan and Transport Assessment to include car mode share;
 - c. Confirmation that the Travel Plan and associated measures will be included at the point of sale (or rent)
 - d. Car club membership for residents

The development shall only be implemented in accordance with the approved Travel Plan.

Reason: in the interest of promoting sustainable travel, having regard to the car-free nature of the scheme

- 47 All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:
Daytime noise (07:00-23:00) - Living rooms and Bedrooms - Max levels: 35 dB LAeq (16hr)
Night-time noise (23:00-07:00) - Bedrooms - Max levels: 30 dB LAeq (8hr), 45 dB Lmax

Prior to first occupation of any residential dwelling hereby approved, tests shall be carried out within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results shall be submitted to the Local Planning Authority for approval in writing.

Reason: To obtain required sound insulation and prevent noise nuisance in the interest of the amenity of future occupants and the viability of the adjoining industrial land.

- 48 In the event that one or more of the commercial spaces hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to the Local Planning Authority for approval in writing.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen and the development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: in the interest of neighbour amenity and to ensure an acceptable appearance of the development is maintained in the interest of visual amenity

- 49 Prior to first occupation of the development hereby permitted, evidence shall be submitted to the Local Planning Authority for approval in writing validating the measures at the as-built stage to demonstrate that the stated Urban Greening Factor of at least 0.4 has been achieved.

Reason: To ensure that the urban greening factor has been achieved on site in accordance with London Plan Policies G5 and G6.

- 50 Within six months from practical completion of the non-residential floorspace hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, unless otherwise agreed in writing, shall be submitted to and

approved in writing by the Local Planning Authority.

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

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 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 7 The EA have advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the EA's National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and you advised to consult with the EA at the earliest opportunity.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166

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