



## Planning Committee

**Wednesday 11 December 2024 at 6.00 pm**

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

Please note this will be held as a physical meeting which all Committee members will be 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  
Chappell  
Dixon  
Johnson  
J.Patel

#### Substitute Members

Councillors:

Agha, Bajwa, Crabb, Gbajumo, Mahmood,  
Mitchell and Rajan-Seelan  
  
Councillors  
Hirani and Kansagra

**For further information contact:** Rebecca Reid, Governance Officer  
rebecca.reid@brent.gov.uk; 020 8937 2469

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[Council meetings and decision making | Brent Council](#)

**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 alternative 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 from the meeting on Wednesday 16 October 2024 as a correct record.		To Follow
<b>APPLICATIONS FOR DECISION</b>		
4. 24/1804 College North West London, Dudden Hill Lane, London, NW10 2XD	Roundwood	5 - 82
5. 24/1841 Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP	Wembley Park	83 - 164
6. 20/4143 403-405 Edgware Road, Cricklewood, London, NW2 6LN	Dollis Hill	165 - 214
7. 24/0826 Rivington Court, Longstone Avenue, London, NW10 3RL	Harlesden & Kensal Green	215 - 246
8. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Deputy Director Democratic Services or their representative before the meeting in accordance with Standing Order 60.		

**Date of the next meeting: Wednesday 15 January 2025**



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)

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## 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

11 December, 2024  
04  
24/1804

## SITE INFORMATION

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

<b>PLAN NO'S</b>	See condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_169398">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_169398</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "24/1804" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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

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

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

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

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

### **Conditions**

#### *Compliance*

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

#### *Pre-commencement*

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

#### *During construction*

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

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

#### *Pre-occupation*

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


#### Informatives

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

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

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

## SITE MAP

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

This map is indicative only.

## PROPOSAL IN DETAIL

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

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

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

### Phase 1

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

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

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

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

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

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

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

## Phase 2

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

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

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

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

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

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

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

## **EXISTING**

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

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

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

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

## SUMMARY OF KEY ISSUES

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

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

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

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

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



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

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

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

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

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

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

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

## RELEVANT SITE HISTORY

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

## CONSULTATIONS

## **Public Consultation**

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

### **Objections summary**

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

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

## **Statutory/ External Consultees**

### **Greater London Authority (Stage 1 response):**

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

#### **Land Use Principles:**

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

#### **Housing:**

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

#### **Transport:**

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

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

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

#### Transport for London (TfL)

TfL have raised the following conclusive comments:

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

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

#### Health and Safety Executive (Fire Safety)

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

#### Thames Water

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

#### Active Travel England

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

#### Sport England

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

#### London Underground

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

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

#### Network Rail

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

#### Internal consultation

#### Environmental Health

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

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

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

### **Statement of Community Involvement**

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

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

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

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

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

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

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

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

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

## **POLICY CONSIDERATIONS**

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

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041

The key policies applicable to this proposal are:

### **London Plan**

D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D5: Inclusive design  
D6: Housing quality and standards  
D7: Accessible housing  
D8: Public realm  
D9: Tall buildings  
D12: Fire safety  
D14: Noise  
H1: Increasing housing supply  
H4: Delivering affordable housing  
H5: Threshold approach to applications  
H6: Affordable housing tenure  
H7: Monitoring of affordable housing  
S4: Play and informal recreation  
HC1: Heritage, conservation and growth  
G5: Urban greening  
G6: Biodiversity and access to nature  
G7: Trees and woodlands  
S11: Improving air quality  
S12: Minimising greenhouse gas emissions  
S14: Managing heat risk  
S15: Water infrastructure  
S16: Digital connectivity infrastructure  
S17: Reducing waste and supporting the circular economy  
S112: Flood risk management  
S113: Sustainable drainage  
T2: Healthy streets  
T4: Assessing and mitigating transport impacts  
T5: Cycling  
T6: Car parking  
T6.1: Residential parking  
T6.3: Retail parking  
T7: Deliveries, servicing and construction  
T9: Funding transport infrastructure through planning

### **Brent Local Plan**

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

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

The following are also material planning considerations:

National Planning Policy Framework

National Planning Policy Guidance

Supplementary Planning Documents/Guidance (SPD/LPG):

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

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

## DETAILED CONSIDERATIONS

### Principle of development

#### *Loss / replacement of education facility (Class F1)*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### *Proposed flexible workspace (Class E(g))*

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

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

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

#### *Provision of retail floorspace*

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

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

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

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

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

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

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

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

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

#### Impact test

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



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

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

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

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

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

#### *Proposed social/ community and nursery uses*

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

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

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

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

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

#### *Provision of sport/ leisure facilities or MUGA*

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

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

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

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

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

#### *Meanwhile Uses*

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

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

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

#### **Unit type and tenure**

##### Affordable housing

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

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

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

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

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

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

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

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

#### Phase 1

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

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

Phase 2 (indicative)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Mix

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

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

## **Urban design considerations**

### Policy background

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

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

### Layout and public realm

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

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

### Phase 1

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

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

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

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

### Public Realm

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

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

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

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

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

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

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

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

### Height, massing and the approach to tall buildings

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

above ground level may be acceptable.

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

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

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

### *Visual Impacts*

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

#### *Functional impacts*

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

#### *Environmental impacts*

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

#### Architecture and materiality

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

construction details is recommended to be secured through condition.

## Phase 2: Development Specification and Framework Design Code

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

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

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

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

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

### Protected views

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

## **Heritage considerations**

### Policy background

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Assessment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Impact on neighbouring properties**

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

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

### Daylight

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*43-89 Denzil Road*

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Summary of daylight results – maximum parameter scheme*

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

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

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

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

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

#### Phase 1 Detailed + Phase 2 Illustrative Scheme Scenario

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

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

#### Sunlight

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

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

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

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

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

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

are justified.

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

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

#### Overshadowing to adjoining amenity spaces

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

#### Phase 1 Detailed + Phase 2 Maximum Parameter scheme

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

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

#### Phase 1 Detailed + Phase 2 Illustrative Scheme Scenario

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

#### Sense of enclosure

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

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

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

#### Privacy

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

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

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

### **Quality of accommodation**

180. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan policy D6 and the Mayor's Housing SPG. It goes on to say that all new homes should be provided with adequate levels of outlook, daylight and natural ventilation, which is supported by Council's Design guide SPD 1 (2018).

### Phase 1

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

### Internal layout

#### *Block C*

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

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

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

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

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

#### *Blocks D and E*

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

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

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

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

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

#### *Blocks F and G*

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

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

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

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

#### *Blocks H, J and K*

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

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

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

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

#### *Blocks V, W, Y*

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

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

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

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

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

#### Internal daylight and sunlight

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

201. A target illuminance (ET) is the illuminance from daylight that should be achieved for at least half of annual daylight hours across a specified fraction of the reference plane in a 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.

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

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

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

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

### *Summary*

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

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

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

### Accessible homes

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

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

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

### Privacy between new homes within the development

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

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

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



External Amenity Space

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

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

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

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

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

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

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

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

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

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

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

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

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

### Playspace

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

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

## GLA Population Yield Calculator

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

Total Units	1080
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Geographic Aggregation	London
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PTAL	PTAL 3-4
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### Play Space Calculator

Total Children	268.9
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	Benchmark (m <sup>2</sup> )	Total play space (m <sup>2</sup> )
Play space requirement	10	2689.1



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

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

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

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

## Transport and highways

### Policy background

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

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

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

submitted.

### Existing provision

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

### Car parking

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

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

236. As the site is located in the well-connected south of the Borough, up to 0.5 spaces would be allowed per flat, whilst up to one space per 75m<sup>2</sup> would be allowed for any retail floorspace. Any parking for the community space would need to be justified through the Transport Assessment. Nevertheless, no general parking is proposed within the site for either the residential units or the non-residential floorspace, so maximum standards will be complied with. To ensure the development remains genuinely 'car-free' and does not lead to extensive overspill parking in the surrounding streets, a 'permit-free' agreement will be required to withdraw the right of future residents to on-street parking permits. This has been accepted by the applicant.

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

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

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

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

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

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

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

#### Cycle parking

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

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

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

#### Servicing and deliveries

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

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

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

#### Refuse stores

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Transport Assessment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Travel Plan

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

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

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



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

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

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

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

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

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

## **Trees and Landscaping**

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

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

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

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

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

## **Ecology and biodiversity**

### *Ecological impact assessment findings*

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

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

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

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

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

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

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

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

### *Biodiversity net gain (BNG) and urban greening*

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

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

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

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

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

## **Environmental health considerations**

### Air quality

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

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

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

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

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

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

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

- NO<sub>2</sub> – 29.2 µg/m<sup>3</sup>;
- PM<sub>10</sub> – 23.3 µg/m<sup>3</sup> ; and
- PM<sub>2.5</sub> – 12.3 µg/m<sup>3</sup>.

These predicted concentrations are below the respective objectives and will remain below the objectives by the time the proposed development is operational. The predicted maximum PM<sub>2.5</sub> concentration is marginally above the GLA target; the GLA's aspiration is to meet the target of 10 µg/m<sup>3</sup> by 2030. The predicted value presented above is the maximum within the site boundary, immediately adjacent to the A4088; at the location of proposed buildings, the maximum in 2025 is 10.8 µg/m<sup>3</sup> and by 2030 (the target year), this falls to 9.8 µg/m<sup>3</sup>.

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

#### Construction noise and nuisance

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

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

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

#### Contaminated Land

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

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

#### Noise

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

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

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

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

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

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

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

### Lighting

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

## **Energy and sustainability**

### Policy background

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

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

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

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

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

### Carbon emissions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Whole Life Carbon and Circular Economy

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

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

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

#### Water consumption

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

#### Sustainable design and construction

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

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

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

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

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

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

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

## **Flood Risk and Drainage**

### Policy background

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

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

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

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

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

### Assessment of sequential and exception tests

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

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



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

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

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

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

#### Sustainable drainage

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

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

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

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

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

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

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

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

## Wind microclimate

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

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

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

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

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

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

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

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

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

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

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

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

## Fire Safety

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

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

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

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

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

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

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

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

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

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

## **Utilities**

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

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

## **Equalities**

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

## **Conclusion**

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

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

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

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

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

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

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

**DECISION NOTICE – APPROVAL**

Application No: 24/1804

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

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

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

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

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

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

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

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

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

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

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

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

Date: 03/12/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

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

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

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

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

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

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

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

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

Site-Wide Plans

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



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

#### PL100 GA Plans

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

#### PL300 Site Wide General

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

PL310 GA Elevations

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

PL400 Bay study

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

Supporting Documents

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

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

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

- 4 The relevant phase of the development in relation to the outline consent as hereby permitted shall not commence until the Reserved Matters of the relevant phase of the proposed development have been submitted to and approved in writing by the Local Planning Authority. The reserved matters comprise the following:
- (a) Layout;
  - (b) Scale;
  - (c) Appearance;
  - (d) Access;
  - (e) Landscaping.

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

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

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

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

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

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

Reason: In the interests of proper planning.

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

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

sufficient number of family sized homes.

- 9 The development shall be carried out in full accordance with the submitted flood risk assessment and drainage strategy (ref: 22249\_FRA\_V8 issued November 2024) and the mitigation measures outlined in this document.

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

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

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

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

- 11 The development shall be carried out in full accordance with the Fire Strategy Report (ref. AFF\_20780\_01\_Dollis Hill\_Phase 1\_FSR\_02 ) prepared by Affinity dated 14.06.24 and the mitigation measures outlined in this document.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 The development hereby approved shall not be commenced until:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

Reason: To protect the amenity of the locality.

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect acceptable local noise levels.

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To protect acceptable local noise levels.

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

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

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

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

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

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

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

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

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

Reason: To protect acceptable local noise levels .

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

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

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

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

## INFORMATIVES

1 -

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

11 December, 2024  
05  
24/1841

## SITE INFORMATION

<b>RECEIVED</b>	<b>2 July, 2024</b>
<b>WARD</b>	<b>Wembley Park</b>
<b>PLANNING AREA</b>	<b>Brent Connects Wembley</b>
<b>LOCATION</b>	<b>Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP</b>
<b>PROPOSAL</b>	<p>Demolition of the existing building and redevelopment of the site with a residential-led (Use Class C3) building with flexible commercial/community floorspace (Use Class E/F) at ground level; new basement excavation; cycle stores and blue badge parking; refuse stores and plant rooms/equipment; hard and soft landscaping including part-naturalisation of the Wealdstone Brook; new play space; and all associated engineering and ancillary works.</p> <p>Further explanation (not forming part of the formal description of development set out above):</p> <p>The proposed development includes the construction of two linked buildings of 18-storeys and 31-storeys to provide 307 residential dwellings (Use Class C3). The development proposes 179sqm (GIA) of commercial floorspace (Class E) and 216sqm (GIA) of flexible commercial/community floorspace (Classes (E/F2). Basement accommodation is proposed for plant and cycle storage.</p>
<b>PLAN NO'S</b>	see Condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_169439">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_169439</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "24/1841" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

### S106 and Conditions

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. Not to commence development until new College building (ref: 23/0578) has been substantially implemented
    4. Secure provision of 85no. affordable housing units, comprised of:
      - 85no. (100%) Social Rented units;
      - 100% nomination rights for the Council; and
      - Early and late-stage review mechanisms
        - Benchmark Land Value of £55 million and capital contribution to college costs: £50 million (total: £105 million)
        - Developer profit rates of:
          - Private sale – 17.5%
          - Build to rent – 15%
          - Affordable– 6%
          - Commercial – 15%;
    5. Training and employment of Brent residents - Prior to a material start:
      - 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;
      - 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 with a financial contribution towards any shortfalls in targets as set out within Brent's Planning Obligations SPD
    6. Financial contribution of **£99,000** to Brent Works for job brokerage services



7. Financial contribution of £**TBC** towards the implementation of a Controlled Parking Zone in the vicinity of the site for non-event days;
  8. Financial contribution (TfL) of £**TBC** towards bus service enhancements in the vicinity of the site;
  9. Financial contribution (TfL) of £**TBC** towards Wembley Park Station improvements;
  10. Financial contribution of £**TBC** towards Healthy Streets improvements in the vicinity of the site;
  11. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any CPZ that is introduced in the future;
  12. Financial contribution of £**76,750** towards a pedestrian crossing/pedestrian crossing improvements on Wembley Park Drive fronting the site
  13. Provision of three years' free membership for residents of a Car Club
  14. The approval and implementation of a modified Travel Plan incorporating:
    - Contact details for an Interim Travel Plan Co-ordinator if a full-time Co-ordinator has not yet been appointed;
    - Greater support for Car Club membership; and
    - The creation of, and funding for, a bicycle user group
  15. Safeguarding of an open boundary for pedestrians to any future development of the Fulton Quarter;
  16. Detailed design stage energy assessment:
    - Initial carbon offset payment (estimated to be around £**206,442**) 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; and
    - 'Be seen' energy performance monitoring and reporting
  17. Biodiversity Net Gain (BNG)
    - Submission of a Biodiversity Gain Plan together with a Habitat Management & Maintenance Plan and Statement of Community, and any required off-site provision and/or credits.
    - Survey and Monitoring Report for Net Gain for a 30 year period
  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, or other duly authorised person, is delegated authority to negotiate the legal agreement indicated above or to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Local Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement within 6 months of the resolution to grant permission.
- (iii) That the Head of Planning, or other duly authorised person, is delegated authority to issue the planning permission and impose conditions and Informatives to secure the following matters:

**CONDITIONS**

### Compliance

1. TIME LIMITED (THREE YEAR RULE)
2. APPROVED DRAWINGS AND DOCUMENTS
3. QUANTUM OF RESIDENTIAL UNITS
4. QUANTUM OF COMMERCIAL FLOORSPACE
5. DISABLED PARKING
6. COMMUNAL AMENITY SPACE
7. REFUSE STORAGE
8. NON-ROAD MOBILE MACHINERY
9. WATER CONSUMPTION
10. BASEMENT IMPACT ASSESSMENT
11. OVERHEATING STRATEGY
12. TREE PROTECTION

### Pre-commencement

13. CONSTRUCTION LOGISTICS PLAN
14. CONSTRUCTION METHOD STATEMENT
15. CONSTRUCTION ECOLOGICAL MANAGEMENT PLAN
16. FLOOD DEFENSES
17. BRIDGE DESIGN
18. WEALDSTONE BROOK BUFFER ZONE
19. CONTAMINATED LAND

### Post-commencement

20. PILING METHOD STATEMENT
21. DIGITAL CONNECTIVITY
22. DISTRICT HEAT NETWORK CONNECTION
23. CROWD MANAGEMENT (EVENT DAYS)

24. COUNTER TERRORISM MEASURES
25. EXTERNAL MATERIALS
26. WIND MITIGATION
27. ACCESSIBLE HOMES
28. CYCLE PARKING
29. COMMERCIAL BIN STORAGE
30. HARD AND SOFT LANDSCAPING
31. WILDLIFE AND NESTING FEATURES
32. FLOOD WARNING AND EVACUATION PLAN
33. INTERNAL NOISE LEVELS
34. DELIVERY AND SERVICING PLAN
35. THAMES WATER
36. EXTERNAL LIGHTING
37. WHOL LIFE CARBON
38. CIRCULAR ECONOMY
39. PLANT AND EXTRACTION SYSTEMS
40. EMERGENCY PLANT
41. EXTRACTION AND VENTILATION FROM COMMERCIAL KITCHENS

#### 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. FLOOD RISK ACTIVITY PERMIT


7. 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.

(v) 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.

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

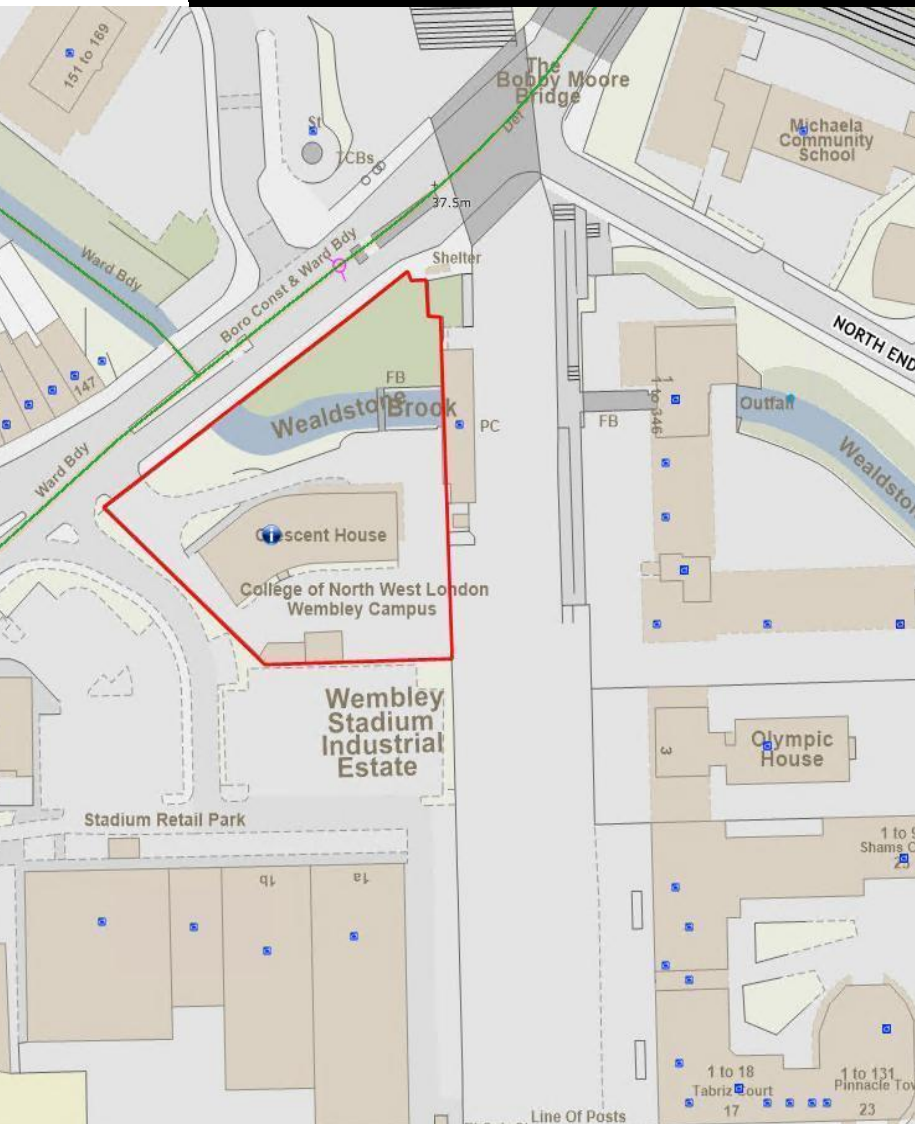
## SITE MAP



**Planning Committee Map**

Site address: Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP

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This map is indicative only.

## PROPOSAL IN DETAIL

Full planning permission is sought for the demolition of the existing College of North West London building (Use class D1) and the erection of two mixed-use linked blocks, A and B, which would be respectively 31 and 18 stories (including mezzanine level). The eastern part of the site which fronts Olympic Way would contain the tallest block, Block A. The development would provide 307 residential units (Use Class C3) along with flexible commercial/community use at ground level (Use Class E/F2), basement excavation, shared external amenity space, blue badge parking, cycle parking, refuse stores, plant rooms/equipment, and hard and soft landscaping including the part naturalisation of Wealdstone Brook, a Grade II SINC.

### Block A

Block A would be 31 stories (c.102m) and provide 222no. residential units, occupying all of the upper levels from mezzanine level upwards. It would be sited approximately 6.26m from the emerging Fulton Quarter Development (at the nearest point). All of the residential units would be at market rate and the size of the units would include a mix of studios, 1-bed, 2-bed and 3-bed dwellings.

Fronting Olympic Way, along the full length of the block would be 179sqm of flexible commercial space, with the remainder of the floor given over to ancillary residential accommodation: residential entrance lobby, cycle store lift, refuse stores, substations, switch room, and stair and lift cores.

The proposed basement would house the main cycle store, together with space for a future DHN substation and a smoke extract plantroom.

### Block B

Block B would be 18 stories (c.62.26m) and provide 85no. residential units from mezzanine level upwards. It would be sited approximately 1.77m from the common boundary with the emerging Fulton Quarter Development at the closets point. All of the residential unit would be at affordable rate. The size of the units would include a mix of 1-bed, 2-bed, and 3-bed units.

At ground floor level, two flexible commercial / community spaces (216sqm) will be provided fronting the southern, south-west and north-west frontages, and a residential lobby would be located in the north-east corner, opening towards Wembley Park Drive. The remainder of the ground floor would be occupied by a cycle store lift, refuse store, and stair and lift cores.

The proposed basement would house the main cycle store, together with commercial and sprinkler rooms, wet riser tank room, and a standby diesel tank room.

### External Spaces

A total of 1,452m<sup>2</sup> communal amenity space would be provided for residents and the public. It should be noted that Officers have excluded the Wealdstone Brook (266sqm) from the overall calculation because it is not useable amenity space.

The landscaping scheme would make use of the existing tree planting to the north, south-west, and south of the site. This would be enhanced through the additional planting of trees, including signature trees, native trees and ornamental/flowering trees. A further mix of riparian planting would be provided around the Wealdstone Brook and ecological floating islands would be introduced along the brook. The rest of the site would include a mix of ornamental, woodland, climbers, and wildflower meadow mix planting.

There would be a central courtyard. A mix of informal and formal play spaces would also be provided around the Wealdstone Brook, and a further informal play space to the South of the site. The on-site provision of play spaces would cater for the 0-4 age quantum. Children aged 5-11 would make use of off-site play provision, with three local gardens/park identified within walking distance.

One blue badge car parking space and a loading bay would be provided adjacent to the building frontage of



**EXISTING**



The site (0.38ha) is currently occupied by Crescent House, a part 7-storey, part 8-storey college building. It is bounded by Wembley Park Drive to the northwest, Olympic Way to the east and the Stadium Retail Park and the emerging Fulton Quarter Development secured under outline planning consent (ref: 17/3059) to the south (the outline planning consent is for a series of buildings ranging from 8-25 stories in height, with the buildings that would be sited directly adjacent to the Crescent House scheme being 22, 25 and 8 stories from east to west).

The Wealdstone Brook, a Grade II Site of Importance for Nature Conservation (SINC) runs through the site and is located towards its northern end, resulting in a significant portion of the site falling within flood zone 3a and 3b for fluvial and tidal flooding and 3a for surface water flooding.

The northern side of the brook, accessed via an existing pedestrian bridge, largely comprises of amenity grassland, shrubs, some woodland, and several trees. Access to this part of the site is restricted via a padlocked gate. At the northern end of the site, ground level is approximately 4.8m below street level.

Located c.96m from Wembley Park Station, the site has excellent access to public transport, with a PTAL level of 5/6a. It also forms part of the Wembley Growth Area, Wembley Town Centre, and Wembley Opportunity Area. The site is also within a Tall Building Zone and Air Quality Action Area. It is not located

within a Conservation Area, neither does it contain any designated or undesignated heritage assets.

## AMENDMENTS SINCE SUBMISSION

1. The following amendments have been made since the original submission:
  - a. Cycle parking plans were revised.
  - b. Amendments made to the FRA to address EA concerns

## SUMMARY OF KEY ISSUES

1. The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.
  - a. **Principle:** The site falls within Local Plan Site Allocation BCSEA11: College of North West London Wembley, and as such, is allocated for mixed-use residential-led development. The loss of the college use is accepted given that this will be re-provided in a new college building at No.8 Fulton Way, which has been approved under planning reference 23/0578. The proposed uses are considered to be consistent with the site allocation.
  - b. **Affordable Housing / Financial Viability:** The development would deliver 85no. affordable dwellings, or 30% by habitable room (246no. habitable rooms). All of the affordable dwellings will be at social rent levels, and all would be located within Block B. The submitted viability assessment has been independently reviewed by the Council's independent advisor and also by the GLA, which concludes that the scheme in isolation would be in deficit. The proposal is therefore delivering the maximum reasonable amount of affordable housing in line with policy. Early and late stage review mechanisms would be secured in line policy, but in this instance any uplift in affordable homes identified in the early stage review would be delivered within the redevelopment of the Dollis Hill Campus (LPA Reference: ) and the viability review mechanism would be based on the BLV of both this site and the Dollis Hill campus site together with the capital contribution to college costs.
  - c. **Dwelling Mix:** A total of 307no. dwellings would be provided in the following mix: 14no. studio; 119no. 1-bed; 128no. 2-bed; and 46no. 3-bed. The proportion of family-sized dwellings (15%) is below the 1 in 4 homes that is normally sought by Policy BH6 of the Local Plan (76 homes), but it is acknowledged that the Policy does permit exceptions to the 2target if its inclusion would fundamentally undermine the development's delivery of other Local Plan policies. This has also been reviewed as part of the viability review.
  - d. **Heritage:** Although the site does not contain any designated / undesignated heritage assets, there are some within the wider area. While some less than substantial harm has been identified in relation to the Barn Hill Conservation Area and the Lawns Court Conservation Area, it is considered that there are significant public benefits that arise from the development to outweigh the identified harm.
  - e. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development would be considered acceptable. The development site falls within a tall buildings zone and the existing and emerging context is one where numerous tall buildings are (or will be) situated.
  - f. **Quality of accommodation:** Each of the residential dwellings would meet with the relevant internal space standards, and have sufficient access to external amenity space (but noting that there is a shortfall of on-site amenity space compared to Brent standards), outlook, daylight, and sunlight.
  - g. **Neighbour Impact:** The potential impact of the development on existing and emerging developments, in terms of daylight and sunlight, distancing levels and loss of privacy has been considered. Although it is acknowledged that a development of the scale proposed will result in some loss of light, it must also be acknowledged that the site is within a tall building zone where it is recognised that not all rooms/windows would fully meet BRE guidance. It is also acknowledged that while the greatest impact would be to the consented Fulton Quarter scheme to the immediate south

of the development site, that permission is in outline form only, with the positioning of rooms and their layout, and windows not yet finalised. Notwithstanding, the potential impact on the Fulton Quarter development is considered to be acceptable.

- h. **Highway Impact:** The site is approximately 230m distant from the bottom of the stairs at Wembley Park Station, and as such, the site benefits from a high PTAL (public transport accessibility level) score of 5 to 6a. The development would be car-free except for the provision of 1no. on-site blue-badge space.
- i. **Flooding / Waterways:** The site falls within flood zone 2, 3a, and 3b both in terms of surface water and fluvial flooding, with Wealdstone Brook running through the site at its northern end. The applicant has addressed each of the concerns raised by the Environment Agency.

## RELEVANT SITE HISTORY

Planning permission (**ref: 08/2672**) was **granted on 30/032009** for the demolition of existing building and erection of 8- and 9-storey educational facility (Use Class D1) including performance space and ancillary hair and beauty salons, restaurant, 2 disabled parking bays, cycle parking and associated landscaping (as amended; and accompanied by Ecology Report; Energy Statement; Energy Statement Condensed; Environmental Noise Survey and Noise Limits; Existing Utility Services; Planning Statement, Design & Access Statement, Landscape Statement, Community Involvement Statement; Preliminary Arboricultural Report; Report on Phase 1 - Desk Study; Report on Phase 2 - Site Investigation; Sustainability Statement; Traffic Statement; Travel Plan, and Waste Management Reports) email received 27/11/08 regarding noise and letter received 28/11/08 regarding Secure by Design and Flood Risk; and the revised Flood Risk Assessment (FRA) for College North West London by Curtins Consulting last amended 12 February 2009 received 23/02/03 with revised pages 7 & 8 and Appendix B Plan 70348/D12 flood plain storage compensation table and cross sections) and subject to a Deed of Agreement dated 30th March 2009 under Section 106 of the Town and Country Planning Act 1990, as amended

Planning permission (**ref: 12/1152**) was **granted on 27/06/2012** for a single storey infill extension to ground floor to form new reception area, installation of new boundary gates and formation of new pedestrian access on to Olympic Way.

### Other Relevant Planning History

Planning permission (**ref: 23/0578**) was **granted on 15/03/2024** for the demolition of the Olympic Office Centre (8 Fulton Way) and the erection of a building for use as a purpose-built Further Education College Campus 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, subject to Deed of Agreement dated 14th March 2024 under Section 106 of Town and Country Planning Act, 1990 as amended

Outline planning permission (**ref: 17/3059**) was **granted on 01/02/2021** in relation to all of the units at Stadium Retail Park, for the demolition of existing buildings on site and provision of up to 85,000 sqm (Gross External Area, GEA) of new land use floorspace (across 1.679 ha) within a series of buildings, with the maximum quantum as follows:

- A1-A4 Retail and/or B1 Office and/or D1 (Non-Residential Institutions) and/or D2 Leisure and Assembly: up to 6,600 sqm; and
- C3 Residential: up to 78,400 sqm gross (approximately 995 units);

No occupied residential accommodation will be at ground level or below.

The development will also provide associated open space and landscaping; car parking spaces and cycle storage; pedestrian, cycle and vehicle access; associated highway works; and associated infrastructure including water attenuation tanks, and the diversion of any utilities and services to accommodate the development. Internal plant, refuse, cycle stores, residential lobbies, circulation and other ancillary space will comprise a maximum of 10,000 sqm gross external in addition to the 85,000



sqm total set out above.

Subject to a Deed of Agreement dated 27 January 2021 under Section 106 of Town and Country Planning Act 1990, as amended.

Temporary planning permission(5-years) (**ref: 17/1621**) was **granted on 17/10/2017** for external alterations to the existing toilet block and the change of use to a cafe / restaurant (use class A3)(Blacksheep Café). The permission was renewed for a further 4-years under planning reference **21/2518** on **02/07/2021** through a variation of condition application (condition 2).

## CONSULTATIONS

### Statutory / Non-statutory Consultees

Consultee	Comments	Officer Response
Environment Agency	<p>The EA initially objected to the proposed development based on the details submitted in its present time-</p> <ul style="list-style-type: none"> <li>• The current Flood Risk Assessment (FRA) does not meet requirements for site-specific flood risk assessments;</li> <li>• The proposed access ramp is considered to be incompatible with the current flood zone designation (3b - where only 'water compatible' or 'essential infrastructure' can be permitted);</li> <li>• The EA advises that they would unlikely grant a Flood Risk Activity Permit for a bridge crossing and development within 8m of a designated main river i.e., the Wealdstone Brook;</li> <li>• In light of the absence of a minimum 8m buffer zone adjacent to the Wealdstone Brook, concerns are raised over the detrimental impact that the proposed development would have on the ecological value of this water body;</li> <li>• The proposal has failed to include adequate information regarding the proposed measures to ensure that the bats and its foraging/commuting habitat would be protected in this location;</li> <li>• Absence of details in demonstrating that the proposed footbridge is suitable in its location owing to its potential impact on flood risk and ecological aspects;</li> <li>• The LPA is advised to include an informative within the Decision Notice that a Flood Risk Activity Permit would need be obtained for certain works;</li> </ul>	<p>Additional information provided to the EA has addressed the concerns of the EA, who have now withdrawn their objection.</p>

	<ul style="list-style-type: none"> <li>The EA also notes that the mandatory 10% Biodiversity Net Gain requirement has not been met and further advises that the purchase of statutory credits should be used as a last resort.</li> </ul>	
Quintain	<p>The following comments have been made:</p> <ul style="list-style-type: none"> <li>Concerns raised over the methodology of the submitted Daylight and Sunlight Report which appears to present a full representation of the daylight and sunlight impacts that the proposed development would have to the upcoming Fulton Quarter Development which secured outline planning consent (ref: 17/3059) in 2021;</li> <li>Quintain reiterates that they are not in support the potential link to the Southwest of the site with the Fulton Quarter development, and has cited particular concerns with operational, security and management;</li> <li>The applicant has identified that the future removal of the Black Sheep Coffee building once its temporary consent expires would bring opportunities for urban design improvements. Quintain highlights that they do not have any plans to remove the building and seeks to potentially engage with the LPA to secure planning permission for the building.</li> </ul>	<p>As noted, the planning permission at Fulton Quarter is in outline form with final room layouts and positioning of windows to be confirmed. In any event, the proposal has made an assessment on the likely impact</p> <p>Quintain's position regarding the potential link and the Blacksheep Coffee Building is noted.</p>
Active Travel England	<ul style="list-style-type: none"> <li>No comments to make</li> </ul>	Noted
Health and Safety Executive Fire	<ul style="list-style-type: none"> <li>It has been advised that HSE are content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.</li> </ul>	Additional information submitted by the applicant to HSE has also address the supplementary comments provided.
GLA Response Stage 1	<ul style="list-style-type: none"> <li>Land use principles: The site forms part of a wider consolidation of CNWL facilities and would enable delivery of the new college campus at Fulton Road. The scheme is consistent with the site allocation and is supported in land use terms.</li> <li>Housing: 30% affordable housing (by habitable room) comprising 100% social rent is proposed, subject to grant. The scheme must follow the Viability Tested Route. GLA Officers are scrutinising the Applicant's financial viability assessment to ensure the maximum quantum of affordable</li> </ul>	These are noted and addressed within the report

	<p>housing is delivered.</p> <ul style="list-style-type: none"> <li>• Urban design: The site is identified as suitable for tall buildings. Officers will conclude on the visual, functional, environmental and cumulative impacts of the proposed tall buildings at Stage 2. Both buildings would include a second staircase to floors with residential units. Further information is required on the fire strategy.</li> <li>• Transport: Further clarity is needed regarding cycle parking numbers and design. The quantum of Blue Badge Parking is not London Plan compliant. Additional information is required regarding the Active Travel Zone assessment and design. A contribution towards bus service enhancements is sought.</li> <li>• Other issues on heritage, sustainable development and environmental issues also require resolution prior to the Mayor's decision making stage.</li> </ul>	
Thames Water	<ul style="list-style-type: none"> <li>• Concerns are raised over an inability of the existing foul water network infrastructure to accommodate the needs of the development proposal. In this instance, the LPA has been advised impose a condition to require the development to not be occupied until confirmation has been provided that either all foul water network upgrades required to accommodate the additional flows from the development have been completed or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied;</li> <li>• In light of the proposed development being within 15m of a strategic sewer, concerns are raised over piling which has the potential to have an impact on the local underground sewage utility. The LPA has therefore been advised to Thames Water has advised the LPA to secure a Piling Method Statement and piling layout through a condition with any grant in planning permission;</li> <li>• In the event of the sewerage network surcharging to ground level during storm conditions -the applicant is requested to incorporate the installation of a positive pumped device (or equivalent) as part of their proposed development. This should be in line with part H, paragraph</li> </ul>	<p>The applicant has been advised that Thames Water will need to be engaged at the earliest opportunity to agree to a housing and infrastructure phasing plan.</p> <p>The advised conditions are also noted by the LPA and would be imposed with any consent in planning permission.</p>

	2.36 of Building Regulations. The applicant should also be aware that a Groundwater Risk Management Permit from Thames Water would be required if the proposal requires the discharge of ground water to the public network as part of the basement level development;	
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## Public Consultation

- Letters were sent to the occupiers of 421 neighbouring and nearby properties, in addition to statutory site and press publicity. One objection was received.

Comments	Officer Response
Strain on local social infrastructure from more than enough high density housing schemes	The development, if approved would be CIL liable, with money collected to be used towards infrastructure identified on the Council's Regulation 123 List.
The townscape has been greatly changed with an inevitable effect on local heritage	The development has been assessed against the potential impact on heritage assets. While some harm has been found in relation to the Barn Hill and Lawns Court Conservation Areas, some substantial public benefits have been identified to outweigh the harm. See the Heritage Considerations section below.
The scheme is being funded by a private building firm, so the flats are highly unlikely to be genuinely affordable	The affordable housing proposed will be at social rent levels, a genuinely affordable product
Fire safety must be another major consideration especially with the tower block fires across Greater London	Fire safety is an important consideration. See discussion below.

## 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) and the Brent Local Plan (2022). 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
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
S:3:	Education and childcare facilities
S4:	Play and informal recreation
E9:	Retail, markets and hot food takeaways
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
BP1	Central
BCGA1	Wembley Growth Area
BCSA11	College of North West London Wembley
BD1	Leading the way in good urban design
BD2	Tall buildings in Brent
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH3	Build to rent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BE1	Economic growth and employment opportunities
BE4	Supporting strong centres
BE5	Protecting retail in town centres
BE7	Shop front design and forecourt trading
BS11	Social infrastructure and community facilities
BHC1	Brent's Heritage Assets
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality

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 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  
London Cycling Design Standards

## DETAILED CONSIDERATIONS

### Land Use

#### Presumption in favour of sustainable development

1. 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

2. 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.*

3. 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.
4. 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 will be sufficient capacity at the appropriate time.
5. London Plan Policy D3 (Optimising site capacity through the design-led approach) 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

6. The site falls within Local Plan Site Allocation BCSA11: College of North West London Wembley, and as such, is allocated for a mixed-use residential-led development. In addition, as stated above, it also falls within the Wembley Park Town Centre boundary, Wembley Growth Area, and the Wembley Opportunity Area. The proposed residential and non-residential uses would therefore accord with the site allocation.

### Loss of Education

7. The site falls within Local Plan Site Allocation BCSA11: College of North West London Wembley and is allocated for a mixed-use residential-led development, with an indicative capacity of 155 homes. The site allocation highlights that the loss of the site to non-educational uses is on the basis that the education use is being provided elsewhere in the Borough. As set out above in the planning history section, a new college facility for the College of North West London has been secured at No.8 Fulton Way, which has been approved under planning reference 23/0578. As the provision of the new college is a requirement that is set out within planning policy to enable the release of this site for alternative purposes, a legal obligation will be captured within the Section 106 agreement to ensure that the proposed development cannot come forward unless the new college facility is being delivered and works have commenced on that facility. The loss of the education facility within the site is therefore considered acceptable and considered to be consistent with the site allocation.

### Residential Use

8. Policy H1 of the London Plan (Increasing housing supply) confirms that Brent has a 10-year target for net housing completions of 23,250 new dwellings. In order to achieve this, the policy advises that Local Plans should, amongst other criteria, allocate sites suitable for residential and mixed-use development and intensification, and optimise the potential for housing delivery on suitable and brownfield sites that have good public transport access levels which are located within 800m distance of a station or town centre boundary.
9. The provision of 307no. dwellings within a highly sustainable area, would contribute towards the Borough's 10-year housing target, thus satisfying Policy H1 of the London Plan and would be consistent with the site allocation.

### Non-residential Uses

10. As noted above with the site allocation, the development proposes 395sqm of flexible commercial/local community floorspace within the ground floor of the development. The main commercial floorspace (179sqm) fronts onto and Olympic Way at the base of Block A, and this space is anticipated to be occupied as either a shop or restaurant. Two additional units are provided in the base of Block B (216sqm), one of which fronts onto and activates Wembley Park Drive.
11. The non-residential units within Block B, due to their siting, would be less prominent than that in Block A, however, have they will face onto a new pedestrian link at the southern end of the site, between Wembley Park Drive and Olympic Way, thus helping to activate the public realm. A flexible use is proposed to maximise prospects to create an active and engaging use on this part of the building.

## Housing

### Affordable Housing

12. London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
13. Brent's Local Plan policy (BH5) echoes while supporting the Mayor of London's Threshold Approach to applications (Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split.

14. Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across newly adopted policies as 70% for low cost rented homes (social rent or London Affordable Rent) and 30% for intermediate products.

Table 1: Affordable housing policy context

Policy Context	Status	% Affordable Housing Required	Tenure Split		
London Plan	Adopted	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Local Plan	Adopted	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

15. In assessing the proposed affordable housing offer, consideration is given to the cumulative approach which includes the re-development of the other existing College campus at College Green, and this is summarised in the Table 2 below:

Table 2: Affordable housing proposal for cumulative College schemes

	Affordable Housing commitment (habitable rooms)	AH tenure split by unit	%AH family homes (by unit)
College Green site-wide application	18.1%	64% intermediate 36% social rent	50% (123 homes)
Crescent House application	30%	100% social rent	19% (85 homes)
Average across both sites	20%	51% social 49% intermediate	42%
College Green Phase 1	9.3%	100% social rent	62% (43 homes)
College Green Phase 2	34.8%	91% intermediate 9% social rent (illustrative scheme)	45% (83 homes) within illustrative scheme

16. The Crescent House scheme is proposing 85no. affordable dwellings (246no. habitable rooms), all located within Block B, and provided at social rent levels. This equates to 30% affordable by habitable room.
17. The College Green proposals would deliver 6.4% affordable housing (all social rent) on a unit basis in Phase 1 and 9.3% on a habitable room basis which reflects the number of family sized homes. A greater proportion of affordable housing would be provided in Phase 2 – 34.8% on a habitable room basis – although this would be weighted towards intermediate homes (31.8% by habitable room). This is below the 50% threshold for the fast-track approach on public sector land, which is set out in Policy BH5, at 18% on this site. The proportion of affordable housing is also weighted towards intermediate homes (shared ownership) – at 64%:36% across both phases - and therefore is in conflict with the 70:30 tenure split weighted towards lower cost homes (either Social Rent or London Affordable Rent)



which is expected by both London Plan policy H5 and Policy BH5 of the Local Plan.

18. The applicant has stated that a number of factors have changed affecting development viability, most notably significant increases in construction costs and finance rates, together with new Building Regulations requirements to incorporate second staircases into all residential cores of 18m (7 storeys) or higher, which have come into force since early pre-application discussions.
19. Importantly, the applicants have also highlighted that the redevelopment of the two existing CNWL sites is contingent on the delivery of the new college facility in Wembley Park (with planning permission already granted) which is required through the Council's planning policies. As such, the applicant highlights that the development of the existing Dudden Hill and Wembley college sites for alternative uses would only accord with policy if the new College facility is delivered. This plan-led approach is indeed set out within the Council's planning policies, with the Fulton Road site identified as the location for the new college facility and the two existing college sites identified for residential led mixed use development contingent on the delivery of the new college facility.
20. Due to the assessment involving the provision of a college the Benchmark Land Value has been set as a combination of the EUV (plus premium) of £55m and the Capital contribution to college costs of £50m, for the Financial Viability Assessment and review mechanism. Despite this, officers consider that the viability of the scheme must be tested on a conventional EUV+ basis in line with adopted policy and guidance, and as such a Financial Viability Assessment has been submitted which looks at both this site and the Crescent House scheme in the round. This has been independently assessed by external consultants, BNP Paribas (BNPP), who have been instructed directly by the Council.
21. The applicant's initial FVA concluded that, using a conventional EUV+ approach, the Crescent House scheme would be in a deficit by £24.09 m, with the maximum viable amount of affordable housing able to be provided on the site being approximately 5.7% rather than the 30% offered. BNPP's initial review of this FVA disagreed with a number of the parameters, but nevertheless agreed that the scheme would be in deficit by £12,052,338 based in a residual land value of £3,283,612 and a BLV of £15,336,000. BNPP initially concluded that the College Green scheme instead generated of approximately £39.2m using the conventional approach and stated that even when factoring in a deficit of approximately £12.05m on the Crescent House scheme, this would still generate a surplus of c. £27m on the combined sites which could be put towards affordable housing.
22. However, subsequent discussions between the applicants' viability consultants and BNPP have clarified a number of assumptions made, and sensitivity tests have been carried out on a number of key parameters, including residential and commercial rental values, finance rates and construction costs. More detailed estimates for S106 costs and CIL costs have also been accounted for. Following this, BNPP have concluded that the scheme (without a capital contribution to college costs) would now experience a deficit of approximately £ 13.06 m, which although not as great a deficit as initially calculated by the applicants, is still a deficit and demonstrates that the proposed affordable housing offer is the maximum reasonably viable on the site.
23. Viability is normally considered on an application-by-application basis. However, in this instance, funding from both the Crescent House and Dudden Hill sites is required to deliver the new college facility, and the policy requirement discussed above applies to both sites. When evaluated on an EUV+ basis, BNPP considered that the Dudden Hill scheme would generate a surplus of £19.93 m, and the combined schemes (Crescent House and Dudden Hill) would therefore result in a surplus of £ 6.86 m on a traditional EUV+ basis.
24. Notwithstanding the above, the applicants have also set out the costs involved in providing the new college facility and set out the viability scenario where the receipts from the delivery of the two sites for residential purposes goes towards the delivery of the college. The FVA sets out that despite receiving funding from the GLA, Brent Council and the Department for Education, there would be a funding shortfall of £107m which would need to be made up by receipts from the proposed development. The applicants FVA states that if this is taken into account, the combined schemes at Crescent House and College Green are in a financial deficit of c. -£147,713,255.
25. BNPP, acting on behalf of the Council, consider that while the level of deficit for the combined schemes wouldn't be as high as initially stated by the applicants, a significant deficit of £43.2 m (across the two schemes) would be encountered when taking into account the college delivery. Therefore, BNPP have concluded that if taking this into account, the affordable housing offer would exceed the

maximum viable amount of affordable housing that could be provided.

26. Officers have carefully weighed up the conclusions drawn by the viability assessment and the policy requirement for the delivery the new college facility in order to enable the release these two sites for development. Officers also have attached weight to the benefits associated with the delivery of the new college. Officers consider that the inter-relationship between these two schemes and the delivery of the new college facility is material to the consideration of this application, and a Section 106 obligation will prevent the implementation of these two applications unless the construction of the new College building is going ahead.
27. It is therefore considered reasonable and appropriate for the Council to place weight on the financial contribution that the sale of these two sites will make towards the delivery of the new college building and officers have also evaluated the scheme on this basis. However, it is for the decision maker to determine what weight should be applied to the facilitating role that the sale of these sites play in the delivery of the new college facility.
28. Officers consider that this should be given substantial weight given that the new college facility cannot be delivered without the sale of these sites to the College, not only for financial reasons (as the sale is required to fund the college) but also for planning policy and legal reasons (as Section 106 obligations will prevent the implementation of these two applications, if approved, unless the new college facility is going ahead).

#### *FURTHER SENSITIVITY TESTING AND REVIEW MECHANISMS*

29. Overall, officers conclude that the 30% affordable housing offer at this site and 20 % across the two sites is considered to represent the maximum reasonable level of affordable housing on the site at this stage, and therefore accords with Policy BH5 of the Local Plan and Policies H5 and H6 of the London Plan. As discussed above, the proportion of Social Rent falls below that set out within policy (70:30 in favour of Social Rent). However, given the proposal would deliver significantly beyond the maximum viable amount of Affordable Housing (with a deficit of £43.2 m), the scheme would provide a policy compliant proportion of affordable housing with additional intermediate homes provided beyond that. A section 106 agreement will be entered into to secure the affordable homes in perpetuity and will also secure early and late stage reviews to ensure further affordable housing can be captured, if possible, within the development process. The review mechanism would be on the basis of the agreed inputs to include a Benchmark Land Value and capital contribution to college costs, together with developer profit rates of private sale (17.5%), Build to rent (15%), Affordable (6%) and commercial (15%).

#### Family Housing

30. Local Plan Policy BH6 (Housing size mix) confirms that 25% of new housing should be family-sized dwellings (i.e., 3-beds 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.
31. The number of 3-bedroom homes that would be required to meet the policy target is 76 whereas the scheme would deliver 46 with 16 of the social rented homes as family sized. The applicant advises that the provision of further family sized homes would affect scheme viability and result in a lower proportion of Affordable Housing being viable on the site. Officers agree that the level of Affordable Housing that is viable is likely to be lower if the number of family sized private homes increases (noting that the scheme is in a deficit) and when balancing the benefit of providing additional affordable homes with the harm associated with the under provision of total family sized homes, officers consider that the proposed housing mix is acceptable on balance.

Table 3: Housing mix summary

Dwelling Size	Block A	Block B	Total
Studio	-	14	14
1-bed	25	94	119

2-bed	44	84	128
3-bed	16	30	46
Total	85	222	307

## Accessible and Adaptable Dwellings

32. 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. A recommended condition seeks to secure the levels of accessibility across the development, in accordance with adopted policy.

## Employment

33. Brent's Local Plan policy BE1 'Economic Growth and Employment Opportunities for All' states an Employment and Training Plan will be required for all major developments, to be prepared in partnership with Brent Works or any successor body.
34. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development will be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000sqm of floor space.
35. As set out in Brent's Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed Brent resident is secured per ten C3 homes delivered and per each 500sqm of commercial floorspace delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs within commercial uses should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20 sqm of commercial floorspace.
36. When applying these standards to the proposed development, it is projected that 31.5 construction jobs, plus an additional one per each 500sqm of commercial floorspace delivered (4.5 operational jobs), should be secured for unemployed residents, with at least half of these jobs being in the form of apprenticeships for Brent residents. In addition, reasonable endeavours must be used to secure a minimum of 20% of jobs, one operational, for Brent residents. Projected construction and operational phase jobs shall be set out in an accompanying Employment and Training Plan, secured via s106 agreement, together with a support fee of £99,000.
37. The SPD also sets out a requirement for financial contributions to deliver support fees for each of the Brent resident's jobs to be secured of £2,750 per job. This would apply to each construction job and each operational phase job created, for a total contribution towards employment and training. The applicant has confirmed they are willing to agree to a partial contribution, the precise amount is to be agreed.
38. If the job targets are not met, an additional payment of £5,000 per the number of jobs below the target is to be secured to help secure other job opportunities for Brent residents. If the applicant fails to meet the job targets but can demonstrate that reasonable endeavours were undertaken to seek to meet the job targets, an increase in the base contributions will not be required. On the other hand, if the number of apprenticeship positions delivered for Brent residents exceeds the apprenticeship target, a reduction in the base contribution of £1,000 per additional apprenticeship would be applied.

## Design Considerations

39. 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.

40. 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

41. The proposed layout is a result of a number of site constraints, such as Wealdstone Brook running through the northern part of the site; and the extant outline permission for Fulton Quarter. The decision to flip the existing crescent form away from the Brook is a response to these constraints and in doing so, creates a combined amenity area of a harder landscaped courtyard to the south of the Brook and retaining a soft and enhanced garden to the north of it.
42. The two-winged approach to the blocks allows a taller tower block to sit in the prime position on Olympic Way, framed within the Wembley Arch from key views (particularly from Barn Hill). Block A incorporates a series of setbacks, which have helps to provide a more slender form and maximising dual aspect.
43. At ground floor level, flexible commercial units (3no.) are proposed in accordance with the site allocation. Although tenants are unknown at this stage, it is anticipated that the larger of the three units, which fronts Olympic Way, could be used for a shop or restaurant.
44. Access into the site will continue to be from Olympic Way to the east and Wembley Park Drive to the west. Submitted plans also show a potential future connection with the Fulton Quarter to the south, should this opportunity arise in future.

### Height, Scale, Massing and Bulk

45. LP Policy D9 states that individual boroughs should define what is considered a tall building and determine if there are locations where tall buildings may be an appropriate form of development. 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.
46. Block A has a maximum proposed height of approximately 103m and Block B has a maximum height of approximately 62m. Both constitute a tall building for the purposes of the London Plan and the Local Plan. The site is located within a Tall Building Zone and therefore the principle of a tall building is acceptable in this location subject to comply with other development plan policies including policy D9 of London Plan 2021 and policy BD2 of Brent’s Local Plan.
47. Part C of London Plan Policy D9 sets out matters to be considered when assessing tall buildings including immediate, medium, and long distance visual effects, functional impacts, environmental effects and also cumulative impacts from impacts of proposed, consented and planned tall buildings in an area. It advises that proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their settings. These considerations are reiterated in the Local Plan. Consideration of the proposal’s compliance with Part C of London Plan Policy D9 is given in Table 4 below:

Table 4: Assessment against London Plan Policy D9: Tall Building Policy D9

London Pan Policy D9(C)	Comments on scheme response
1: Visual Impact	
(a) the views of buildings from different distances (long range, mid-range,	Officers have assessed the views and consider the impacts acceptable. See separate analysis in views narrative at Section

immediate views)	XX.
(b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding	The development will be seen in the context of surrounding and emerging tall buildings.
(c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan.	Officers consider the proposal to meet this requirement. See separate analysis in design narrative below.
(d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.	The settings of heritage assets have been fully assessed by the applicant and officers. Officers are satisfied that whilst some less than substantial harm is identified, there are significant public benefits that would outweigh the harm. See separate analysis of heritage considerations.
(e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value (OUV) of the World Heritage Site, and the ability to appreciate it.	N/A
(f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river.	N/A
(g) buildings should not cause adverse reflected glare.	The use of brickwork for the primary exterior material/ finish would minimise glare.
(h) buildings should be designed to minimise light pollution from internal and external lighting.	A condition is recommended requiring further details of external lighting, to ensure light pollution is minimised.

## 2: Functional Impact

(a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants.	This requirement is considered to be met. See section relating to elevations and materials.
(b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process.	This requirement is considered to be met. See sections relating to design and transport considerations. A Delivery and Servicing Plan is being secured via a condition.
(c) entrances, access routes, and ground	This requirement is considered to be met.

floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas.	Building entrances are appropriately located and there is sufficient space for users around the building. In addition, future potential connectivity with Fulton Quarter is indicated.
(d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building.	This requirement is considered to be met. See sections relating to transport considerations.
(e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area	This requirement is considered to be met. The proposal optimises the potential of the site in accordance with the site allocation for a mixed-use development that would bring economic, social and environmental benefits.
(f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings.	This requirement is considered to be met. It falls below the threshold that would trigger an automatic consultation with Gatwick Airport, and it should not unduly impact telecoms and solar energy infrastructure.
<b>3: Environmental Impact</b>	
(a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building.	This requirement is considered to be met. See sections relating to wind microclimate and daylight/sunlight.
(b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions.	This requirement is considered to be met. See section relating to wind microclimate.
(c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building.	Noise impacts from the development would be acceptable subject to the recommended conditions. See section relating to noise impacts.
<b>4: Cumulative Impacts</b>	
(a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.	The cumulative impacts have been considered.

48. The massing of the proposed development comprises of two elements; the 30-storey Block A which

will primarily front Olympic Way, and the 18-storey Block B. Whilst further consideration is given to this element in relation to the potential impact on protected views and neighbour amenity below, it must be acknowledged that the proposal is significantly greater in scale than the existing building. However, through good architectural design and materials, the bulk and massing is suitably broken down.

## Protected Views

49. Policy HC3 (Strategic and Local Views) of the London Plan states that strategic views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. The Policy also advises that where local views are identified, they should be protected and managed in a similar manner as Strategic Views, following the principle of Policy HC4 (London View Management Framework).
50. London Plan Policy HC4 states that development proposals should not harm but should seek to make a positive contribution to the characteristics and composition of strategic views and their landmark elements and preserve the ability of the viewer to recognise their features. Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view. Where existing buildings currently detract from or block the view, this should not be used as justification for new development to likewise exceed the threshold height of the Landmark Viewing Corridor.
51. Policy BHC2 (National Stadium Wembley) identifies 17no. views towards the National Stadium where development must not be to the detriment of the particular view.
52. The proposed development does not impact any strategic views. Although the development would be seen in a number of locally protected views, this does not necessarily lead to harm because of distancing levels and/or cumulative developments diminishing the prominence of the proposed buildings. There are, however, three locally protected views that should be considered:
53. Barn Hill (View 1);
  - Wembley Park Station (View 6); and
  - The Bobby Moore Bridge (no View provided).

### Barn Hill

- The HTVIA considers that the Fulton Quarter permission partially occludes the Arch and the proposed development “sits comfortably within this emerging composition, reinforcing the legibility of Wembley Park and, importantly, providing a transition in scale towards areas of finer grain development to the west”. It also considers that within the cumulative context, the magnitude of effect would remain Low and the likely significant effect would be Minor Beneficial. The HTVIA considers that the proposed development would preserve the architectural integrity of the National Stadium in the view.
54. Officers do not agree with the HTVIA assessment that the magnitude of effect is low and that there would be a minor beneficial effect on significance. The proposed tower is significantly more prominent than any other development and clearly demonstrates the proximity of the top of the tower (Block A) to the top of the Wembley Arch, with the proposed block prominent even within the context of the cumulative developments. From this View, more of the Stadium is obscured by the proposed development, and it is therefore considered that there is some harm arising from it.
  55. Policy HC4 D 3) of the London Plan advises that Linear Views should be managed so that the ability to see specific buildings, or groups of buildings, in conjunction with the surrounding environment, including distant buildings within views, is preserved.
  56. Having regard to Policy HC4, it is noted that this View is already partially obscured by vegetation, with a Silver Birch tree just to the right of the tower obscuring views of some of the Stadium and proposed development. While Silver Birch trees are deciduous, and the impact becomes more evident during the winter months it is also recognised that this View is static and the experience of a view towards the Stadium will change depending on the perspective of the viewer. There will still be views of the Stadium and its arch with the proposed development in situ and amongst the cumulative schemes.



## Wembley Park Station

57. In its assessment of View 6, the HTVIA acknowledges that the cumulative schemes will only be partially visible on either side of the Stadium. It considers that the magnitude of impact is Medium and would give rise to a Moderate Beneficial likely effect to visual receptors and preserving the architectural integrity of the Stadium in the view.
58. The proposed development would dominate the view from Wembley Park Station, however as it is it would be to the west of Olympic Way thus not unduly impacting the view to the Stadium.

## Bobby Moore Bridge

59. There is no view or assessment provided within the HTVIA from the Bobby Moore Bridge, however, View 16, taken from the east side of the pedestrian walkway beneath the Bobby Moore Bridge, provides an indication of what would be experienced. Similar to what would be experienced from Wembley Park Station. Whilst slightly nearer to the proposed development, it is considered that this View would not be harmed as a result of the proposed development.

## Conclusion and Summary of Protected Views

60. The proposal has been assessed against the potential impacts on locally protected views and for the majority of the protected views, the development proposal would have an acceptable impact. In relation to the view from Barn Hill, whilst it is considered that there would be some harm from that locally protected view, the Stadium would still be seen amongst the cumulative developments.

## Elevations and Materials

61. There is a requirement to achieve the highest quality of architectural and urban design (London Plan Policy D4 and Policy BD1 of the Local Plan).
62. The use of a considered brick palette is a positive response to local distinctiveness and meets Local Plan Policy BD1. A lighter brick palette and contrasting darker grey metal cladding for the external cladding is proposed. The verticality of Block A is emphasised with uninterrupted vertical lines on the north and south elevations. In contrast, the broader east and west facades adopt a horizontal approach, with a recessed darker brick-coloured facade framed by lighter bricks. The horizontal emphasis of Block B is a deliberate contrast to Block A but utilising using similar brick tones.
63. Corner balconies are used to soften the edges of the building, whilst the massing steps in towards the top of the building culminating in a crown, all of which have the visual effect of slimming the tower, particularly viewed in contrast to the horizontal emphasis of Block B.
64. In Block A, windows and doors for residential units, flexible commercial areas, and service zones will be made of dark grey metal, complementing the warmth of the darker brickwork, and contrasting with the lighter-coloured brick. Residential windows will feature a single brick reveal, responding to the block scale and creating a rhythmic pattern on the longer sides, enhancing the structure's sense of elevation. These windows are vertically proportioned and orthogonal. On the north and south facade, windows and doors onto the balconies enhance the tower's verticality but also maximise light within the dwellings. All windows are accessible from within the apartment for maintenance and cleaning purposes, equipped with a 1100mm transom or cill. Conversely, Block B incorporates horizontally oriented paired windows, introducing a contrasting sense of width and openness.
65. Although Block A would be taller than the surrounding development and it would appear as a prominent new townscape element in some local viewpoints, the proposed buildings are of a high quality that would add to the visual experience of the locality. Subject to conditions to secure its detailing, finishes and materials, to ensure they are high quality and durable, the proposed building is considered to be of high architectural quality, and it would make a positive contribution to the existing and emerging skyline.

## Quality of Accommodation

### Internal layout



66. 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.
67. All homes would meet the minimum space standards and provide adequate room sizes, storage space, and access to private balconies/external space that comply with minimum standards. 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 satisfy this requirement.
68. Adopted policies and guidance 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. Of the 307no. dwellings, 278no. will be dual aspect (90.5%). In addition, none of the single-aspect dwellings would be north-facing.

#### Inclusive access

69. London Plan Policy D5 seeks to ensure developments achieve the highest standards of accessible inclusive design. London Plan Policy D7 requires that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings'; 10% 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. Policy DMP1(b) of the Local Plan requires that developments are satisfactory in terms of access for all.
70. Thirty one dwellings 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 will 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 will be secured by condition.
71. As stated above, there will be level access into the building, graded access from Olympic Way, with direct access to lifts from the lobbies and a blue-badge parking space is provided on site, with the potential for future blue-badge parking on the opposite side of Wembley Park Drive, subject to securing funding towards the provision of a pedestrian crossing to enable disabled users to safely cross Wembley Park Drive in an appropriate and convenient location. Conditions are recommended to secure the proposed level of accessibility across the development while the funding towards a pedestrian crossing would be secured in the s106 Agreement. Subject to the recommended conditions (see Conditions) and a suitably worded obligation in the legal agreement, this element of the proposed development accords with Policies D5 and D7 of the London Plan and Policy DMP1 of the Local Plan.

#### Privacy and Outlook

72. 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...".
73. The nearest residential development would be located at Fulton Quarter, to the south of the development site, with plans for the outline application indicatively showing a separation distance of approximately 18m between facing buildings. It is of course noted that being in outline form, the positioning of windows and rooms have not been finalised. Notwithstanding, an 18m separation would be sufficient to maintain good levels of privacy.
74. In relation to distancing levels to other developments, it is approximately 40m to the face of the buildings on the opposite side of Olympic Way and 30m to the nearest buildings on the opposite side of Wembley Park Drive. Due to the high level of distancing, there would be no concerns in relation loss of privacy and outlook.

#### Amenity Space Provision

75. 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 will 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.

76. 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.
77. More recently, 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 will be private space and comply with London Plan policy as a minimum.
78. 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.
79. 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.
80. As advised above, Policy BH13 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. Table 5 below 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. Moreover, with respect to the shortfall in private amenity space, there are a number of parks in the vicinity that could be utilised for more active recreation opportunities.

Table 5: Private amenity space provision

Floor	Dwelling Type	Number of dwellings by Type	Policy Requirement per dwelling (sqm)	Total Policy Requirement (sqm)	Total Provision (sqm)	Shortfall / Surplus
<b>Mezzanine to 29</b>	Studio	14	20	280	90	-190
	1-bed	119	20	2,380	775.3	-1604.7
	2-bed	128	20	2,560	1085.5	-1474.5
	3-bed	46	20	920	435.7	-484.3
<b>Total</b>		<b>307</b>		<b>6,140</b>	<b>2386.5</b>	<b>-3753.3</b>

81. With respect to communal space, this is primarily in the form of the soft-landscaped area north of Wealdstone Brook (c.733sqm) and the courtyard in the elbow of the building and immediately to the north of the building(345sqm). It is noted that the applicant's figures (1,452sqm) are higher than officers have calculated but this is because the watercourse should not be included as part of the calculation as it is not useable amenity space. A contribution towards nearby parks will be sought for the shortfall.

Table 6: Communal amenity space provision

	Policy Requirement	Private Balcony	Shortfall	Communal Spaces	Cumulative shortfall	% Of Req.
Total dwellings:	6,140	2,386.5	-3,753.3	1,078.37	2,675.13	56.4

### Playspace

82. 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. A benchmark of 10sqm

per child should be provided. The total expected child yield for the proposed development, as indicated in Table 7 below, is 119.7, equating to a total onsite playspace requirement of 1,197sqm. The breakdown by age group is as follows:

Table 7: Playspace provision

Age Group	Child Yield	Playspace required (sqm)
0-4	56.3	563
5-11	40.5	405
12-17	22.9	229
Total	119.7	1197.2

83. As currently proposed, 343sqm of playspace would be provided for the 0-4 age group, which represents a shortfall of 220sqm. A contribution towards play provision would be sought. With limited external space, it is agreed that older children can utilise nearby parks, with Elvin Gardens, Union Park and Chalkhill Park all within or just over 400m from the development site.

#### Internal Daylight and Sunlight

84. 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.

85. The UK National Annex gives illuminance recommendations of:

86. 100 lux in bedrooms,

87. 150 lux in living rooms and

- 200 lux in kitchens.

- The above 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. All 819no. habitable rooms in the development, across 307no. dwellings, were tested in relation to internal daylight and sunlight levels. The tests were run on the basis of two scenarios:

- Non-cumulative scenario with existing neighbouring buildings; and

88. a cumulative scenario whereby the neighbouring consented future developments of Fulton Quarter and 3-5 Olympic Way are factored into the existing baseline conditions.

#### *Daylight to new dwellings – non-cumulative scenario*

Table 8: Summary of daylight illuminance - non-cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	No. meeting min. target	No. below min. target
Block A	<b>574</b>	470 (82%)	104 (18%)
Block B	<b>245</b>	228 (93%)	17 (7%)
Total	<b>819</b>	698 (85%)	121 (15%)

- Table 8 above demonstrates that of the 819no. rooms assessed, 698no. (85%) would satisfy a strict application of the guidelines (i.e., median illuminance of at least 200 lux in multi-purpose rooms containing a kitchen, e.g., LKDs). This compliance rate is considered to be outstanding, reflecting a

standard that meets or exceeds that of similar urban projects within dense city environments.

- The rooms that fall below the recommended BRE guidelines are primarily located on the lower floors, east and west of Block A. Within Block B, only one room on each floor, located on the Northeast side of the building, falls short of meeting the BRE guidelines (labelled R1 in the appendices attached to the Assessment).
  - The scheme needed to be adjusted to ensure compliance with the overheating requirements, which has reduced the glazed areas to some of the windows. There is a balance between the requirement to satisfy the BRE guidelines and compliance with the overheating regulations. Needing to comply with the overheating regulations reduces the overall level of adherence with the BRE recommendations.
89. It is considered inevitable when developing in an emerging urban context, that a number of rooms on the lower floors will have their ability to receive daylight obstructed by surrounding properties and will not meet the suggested BRE guidelines. Nonetheless, the scheme overall shows excellent adherence to the BRE guidelines, indicating that the proposed dwellings will benefit from acceptable levels of daylight that could be considered excellent for the location.

*Sunlight to new dwellings – non-cumulative scenario*

90. All rooms in the Assessment have been assessed for sunlight regardless of orientation or room use. Although results are included for all room types, the guidelines for flatted developments are that one habitable room per dwelling (preferably a living room) should meet the sunlight guidelines. In Appendix 4 of the Assessment and Table 9 below, the level of adherence to the BRE numerical guidelines for each of the rooms that were assessed are provided.

Table 9: Summary of sunlight exposure results - non-cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	Meeting target (>=1 room)	No. below min. target
Block A	<b>574</b>	310 (54%)	264 (46%)
Block B	<b>245</b>	160 (65%)	85 (35%)
Total	<b>819</b>	470 (57%)	349 (43%)

91. Of the 819no. rooms assessed, 470no. (57%) would satisfy the sunlight guidelines (i.e., can receive at least 1.5 hours of sunlight on 21 March). This is considered to represent a good overall adherence to the BRE guidance.
92. The compliance level achieved is considered fully satisfactory for a development of this scale and typology, especially considering that a considerable portion of the building's facades face within 90° of due north. Moreover, the incorporation of balconies compensates for the reduced direct sunlight penetration. This design consideration, alongside the need to mitigate overheating, contributes to a well-balanced approach to light in an urban context.

*Daylight to new dwellings –cumulative scenario*

Table 10: Summary of daylight illuminance - cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	No. meeting min. target	No. below min. target
Block A	<b>574</b>	428 (75%)	146 (15%)
Block B	<b>245</b>	161 (66%)	84 (34%)
Total	<b>819</b>	589 (72%)	230 (28%)

93. Table 10 above demonstrates that of the 819no. rooms assessed, 589no. (72%) would satisfy a strict application of the guidance (i.e., median illuminance of at least 200 lux in multi-purpose rooms

containing a kitchen, e.g., LKDs). This compliance rate is considered to be good, reflecting a standard that meets or exceeds that of similar urban projects within dense city environments.

94. The neighbouring developments are positioned in close proximity to the site, specifically to the east and south. Consequently, the compliance rate to the BRE daylight recommendations will naturally be lower in comparison to the non-cumulative results. This results in several rooms located on the lower floors of the east and south sides of Block A, as well as the south and south-west sides of Block B, to fall short of the BRE guidelines.
95. In accordance with the BRE guide, a flexible approach is recommended for the assessment of proposed developments within an urban regeneration area, particularly when aligning with the height and proportions of consented neighbouring schemes. However, the overall daylight results continue indicate a good level of adherence with BRE guidance.

*Sunlight to new dwellings –cumulative scenario*

96. The same considerations given to the non-cumulative scenario are applied here. Appendix 7 of the Assessment and Table XX below, provide the level of adherence to the BRE numerical guidelines for each of the rooms that were assessed.

Table 11: Summary of sunlight exposure results - cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	Meeting target (>=1 room)	No. below min. target
Block A	<b>574</b>	274 (48%)	301 (52%)
Block B	<b>245</b>	143 (58%)	102 (42%)
Total	<b>819</b>	416 (51%)	403 (49%)

97. Of the 819no. rooms assessed, 416no. (51%) would satisfy the sunlight guidelines (i.e., can receive at least 1.5 hours of sunlight on 21 March). This is considered a modest 7% reduction in adherence to the BRE guidelines when compared to the non-cumulative scenario and remains a good overall level of compliance with the BRE guidelines.

*Sunlight to amenity areas – non-cumulative scenario*

98. The results of the two-hour sun-on-ground assessment are shown in Table XX below. The results confirm the proportion of each amenity space that would retain at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.80 times former value). All 3no. amenity spaces assessed, as indicated in Table XX, would satisfy the BRE guidelines for sun-on-ground.

Table 12: Sun-on-ground impacts – non-cumulative scenario (source: Daylight and Sunlight Report)

	Proportion sunlit >=2hrs		Ratio	Meets Bre?
	Existing %	Proposed %		
Olympic Way	100	100	1.00	Yes
Crescent House	96	69	0.73	Yes
Olympic Square	98	98	1.00	Yes

*Sunlight to amenity areas –cumulative scenario*

99. The results of the two-hour sun-on-ground assessment are shown in the table below. The results confirm the proportion of each amenity space that would retain at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.80 times former value). In this scenario, of the 3no. amenity spaces assessed, 2no. would satisfy BRE guidelines.

Table 13: Sun-on-ground impacts – non-cumulative scenario (source: Daylight and Sunlight Report)

	Proportion sunlit >=2hrs		Ratio	Meets Bre?
	Existing %	Proposed %		
Olympic Way	97	91	0.94	Yes
Crescent House	90	42	0.52	No
Olympic Square	98	98	1.00	Yes

100. While Crescent House narrowly falls short of the BRE guidelines, Olympic Way and Olympic Square significantly exceed BRE compliance. Therefore, when considering the area holistically, officers agree with the findings within the Assessment that there will be good levels of sunlight, providing ample opportunity for utilisation. The Assessment considers that Crescent House would likely meet BRE compliance if an assessment was run during the summer months, when the space is likely to be utilised more frequently compared to March.

#### *Daylight and sunlight summary*

101. The assessment of internal daylight and sunlight levels for the proposed development demonstrates that occupiers would experience good levels of daylight and sunlight. Given the levels of distancing between the proposed development and existing developments, the internal non-cumulative daylight results demonstrate an excellent level of compliance. As expected, this does reduce slightly for the cumulative scenario, when the outline permission for Fulton Quarter in particular, is taken into account but still remains very high. Overall, proposed levels of daylight and sunlight received by the development is accepted by officers.
102. With regards to potential impact on amenity spaces i.e., sun-on-ground, the development would not have an unacceptable level on neighbouring amenity spaces. In relation to the site itself, the communal space north of the brook is impacted from the height and siting of the proposed building but as the Assessment surmises, levels of sunlight should be much improved over the summer months when the space is more likely to be utilised.
103. Overall, it is considered that the proposed development will result in acceptable levels of internal daylight and sunlight, and to amenity spaces.

#### Impact on Neighbour Amenity

104. 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

105. Distancing levels to the nearest adjacent developments, existing and emerging was described above. Distancing levels to the nearest existing residential developments on Olympic Way (c.40m) and Wembley Park Drive (c.30m) are considered sufficient to not result in any loss of amenity in terms of loss of outlook, overlooking, and loss of privacy.
106. With regard to emerging developments, as discussed above, the extant outline scheme at Fulton Quarter indicatively shows a separation distance of 18m), which is also considered acceptable to not lead to unacceptable levels of overlooking and loss of privacy. This is notwithstanding that the location of windows and rooms on that development site have not yet been finalised.

#### Daylight and Sunlight

107. The applicant has submitted a Daylight and Sunlight Report (May 2024) prepared by Delva Patman Redler, to demonstrate the impact of the development on surrounding existing properties, utilising the

recommended methodologies set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2022)' document. In assessing the likely impact on neighbouring dwellings, BRE recommends the application of two tests: Vertical Sky Component (VSC) and No-Skyline (NSL).

108. The neighbouring sites and developments that were analysed for the purposes of the Daylight and Sunlight Report include:
109. Nos.133-147 (odd) Wembley Park Drive;
110. Nos.1, 3 and 5 Olympic Way; and
111. Stadium Retail Park (Fulton Quarter).
- The tests were run on the basis of two scenarios as described above i.e., the non-cumulative and cumulative scenarios.

Daylight to existing neighbouring developments

- The VSC test measures the amount of sky that is visible to a specific point on the outside of a property, which is directly related to the amount of daylight that can be received. It is measured on the outside face of the external walls, usually at the centre point of a window. If a room has two or more windows of equal size, the mean of their VSC can be taken. Windows serving bathrooms, toilets, storerooms, circulation areas and garages are not considered.
  - The NSL test calculates the distribution of daylight within rooms where layouts are known by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'no sky line'. The working plane height is set at 850mm above floor level within residential properties.
112. For the above methods, the guidance suggests that existing daylight may be noticeably affected by new development if: -
- Windows achieve a VSC below 27% and are reduced to less than 0.8 times their former value; and
  - Levels of NSL within rooms are reduced to less than 0.8 times their former values.
113. Where rooms are greater than 5m in depth and lit from only one side, the guidance recognises that a greater movement of the no skyline may be unavoidable.
114. In relation to VSC, as shown in Table 14 below, 173 windows were tested, with 80% (138no.) meeting the BRE guidelines. Of the 35no. that did not meet the BRE guidance, 16no. (9%) would experience a low reduction, 14no. (8%) would experience a medium reduction and 5no. (3%) would experience a high level of reduction.

Table 14: Summary of VSC impacts to existing neighbouring windows (source: Daylight and Sunlight Report)

Address	No. of windows tested	VSC (windows)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	3	0	2	1	-	3
145 Wembley Park Drive	4	1	1	2	-	3
143 Wembley	4	2	1	1	-	2



Park Drive						
141 Wembley Park Drive	3	2	-	1	-	1
139 Wembley Park Drive	4	3	-	-	1	1
137 Wembley Park Drive	4	3	-	1	-	1
135 Wembley Park Drive	6	6	-	-	-	-
133 Wembley Park Drive	5	5	-	-	-	-
1 Olympic Way	140	116	12	8	4	24
Total	173	138 (80%)	16 (9%)	14 (8%)	5 (3%)	35 (20%)

115. Among the 8no. windows tested within Nos.137 to 145 (odd) Wembley Park Drive where VSC reduction fall below BRE guidelines, 5no are secondary windows with less reliance on daylight compared to the primary windows. The primary windows in these properties either fully comply with or closely approach BRE guidelines. For example, 139 Wembley Park Drive would experience a high VSC reduction in the north-east facing secondary side window (W1/51), while the primary south-east facing window (W2/51) would be BRE compliant.
116. It is also noted that Nos.133 to 147 (odd) Wembley Park Drive feature an overhanging fascia which results in these properties, in particular, the primary windows, from achieving full compliance with BRE guidelines. This is particularly evident with Nos.143 to 147 (odd) Wembley Park Drive. It is also noted that for these properties, VSC levels above 15% are retained, which is a level considered acceptable in urban settings.
117. In relation to No.1 Olympic Way, 24no. windows (17%) of the 140no. tested would not meet BRE guidance. Sixteen windows (11%) would experience medium to high levels of VSC reduction, however the façade upon which these are sited, are set further back than the remainder of the façade, thus already being impacted by the design of the building. Of the non-compliant windows, 8no. of these will retain VSC levels above 15%.

Table 15: Summary of NSL impacts to existing neighbouring windows (source: Daylight and Sunlight Report)

Address	No. of windows tested	NSL (rooms)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	2	2	-	-	-	-
145 Wembley Park Drive	2	2	-	-	-	-
143 Wembley Park Drive	2	2	-	-	-	-
141 Wembley	1	1	-	-	-	-



Park Drive						
139 Wembley Park Drive	1	1	-	-	-	-
137 Wembley Park Drive	1	1	-	-	-	-
135 Wembley Park Drive	2	2	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-
1 Olympic Way	79	77	2	-	-	2
Total	92	90 (98%)	90 (2%)	0 (0%)	0 (0%)	2 (2%)

118. In relation to NSL, Table 15 above demonstrates that of the 92no. windows tested, all but two windows met BRE guidance, and the two windows that did not satisfy the guidance would experience a low level of NSL reduction. The two windows that would experience a low reduction in NSL are sited on the façade of the building that is set back, as described above, thus the building design restricts the amount of daylight that can be received within those rooms.

119. Whilst the two rooms do not achieve BRE guidance, both retain 69% NSL, which is considered to be a good result on the basis that in urban settings, 50% is considered to be acceptable.

#### Sunlight to existing neighbouring developments

120. In relation to sunlight assessments of neighbouring properties, the Annual Probable Sunlight Hours (APSH) test calculates the percentage of probable hours of sunlight received by a window or room over the course of a year.

121. In assessing sunlight effects to existing properties surrounding a new development, only those windows orientated within 90-degrees of due south, and which overlook the site require assessment. The main focus is on living rooms, with bedrooms and kitchens deemed less important.

122. The assessment calculates the percentage of APSH over the whole year (annual sunlight) and between 21 September and 21 March (winter sunlight). The guidance suggests that the main living rooms within new buildings should achieve at least 25% of annual sunlight hours, with 5% during the winter period. For neighbouring buildings, the guide suggests that occupiers would notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.8 times its former value.

Table 16: Summary of APSH impacts to neighbouring windows (source: Daylight and Sunlight Report)

Address	No. of rooms tested	No. inside annual & winter guidelines	APSH - annual (rooms)				APSH - winter (rooms)			
			No. outside guidelines				No. outside guidelines			
			Low	Medium	High	Total	Low	Medium	High	Total
147 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
145 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-

143 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
141 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
139 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
137 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
135 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
1 Olympic Way	75	75	-	-	-	-	-	-	-	-
<b>Total</b>	<b>88</b>	<b>88</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

123. The results of the annual and winter sunlight analyses are indicated in Table 16 above and these demonstrate that the sunlight impacts would be fully inside the BRE guidelines annual and winter sunlight.

Daylight to neighbouring developments – cumulative scenario

124. Table 17 below confirms that in this scenario, the impact of the proposed development on neighbouring developments would be more evident. The proportion of windows that satisfy the VSC test would be 49% (85no. out of 173no. windows tested). Of the 88no. windows (51%) outside of the BRE guidance, 59no. windows (34%) experience a low level of reduction, 25no. windows (14%) experience a medium level of reduction, and 4no. windows (2%) experience a high level of reduction.

Table 17: Summary of VSC impacts to neighbouring windows – cumulative scenario (source: Daylight and Sunlight Report)

Address	No. of windows tested	VSC (windows)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	3	0	-	3	-	3
145 Wembley	4	1	-	2	1	3

Park Drive						
143 Wembley Park Drive	4	1	1	2	-	3
141 Wembley Park Drive	3	1	1	-	1	2
139 Wembley Park Drive	4	2	1	-	1	2
137 Wembley Park Drive	4	2	1	1	-	2
135 Wembley Park Drive	6	6	-	-	-	-
133 Wembley Park Drive	5	5	-	-	-	-
1 Olympic Way	140	67	55	17	1	73
Total	173	85 (49%)	59 (34%)	25 (14%)	4 (2%)	88 (51%)

125. BRE guidance confirms that a more flexible approach should be adopted for developments in urban regeneration areas, especially if development is to match the height and proportions of recently consented neighbouring schemes. This is to ensure that opportunity sites are not sterilised due to neighbouring development coming first or developing close to the boundary of another site.
126. In relation to Nos.137 to 147 Wembley Park Drive, compared to the existing buildings scenario, the number of windows that exceed BRE guidance increases from 11no. to 15no., and as discussed earlier, the existing building design results in not all windows being fully BRE compliant.
127. With regard to No.1 Olympic Way, the number of windows that meet BRE guidance reduces from 116no. (83%) to 67no. (48%) of the 140no. windows tested. However, the greater majority of those exceeding BRE guidance (55no.) will experience a low VSC reduction. In addition, 59no. of the BRE non-compliant windows will retain VSC levels exceeding 15%, falling within the range of 17% to 26% VSC, which as discussed earlier, is considered acceptable for urban development schemes.
128. The remaining 14no. windows that would experience medium to high VSC reductions, whilst also falling below 15% VSC levels, are all sited on the façade of the building that sits further back, as described earlier, thus being impacted upon through the design of the building.

Table 18: Summary of NSL impacts to neighbouring windows – cumulative scenario (source: Daylight and Sunlight Report)

Address	No. of windows tested	NSL (rooms)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	2	2	-	-	-	-

145 Wembley Park Drive	2	1	1	-	-	1
143 Wembley Park Drive	2	2	-	-	-	-
141 Wembley Park Drive	1	0	1	-	-	1
139 Wembley Park Drive	1	1	-	-	-	-
137 Wembley Park Drive	1	0	1	-	-	1
135 Wembley Park Drive	2	2	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-
1 Olympic Way	79	75	3	1	-	4
Total	92	85 (92%)	90 (2%)	1 (1%)	0 (0%)	4 (8%)

129. Having regard to the NSL test, Table 18 above, 85no. out of 92no. rooms (92%) would meet the strict BRE criteria. Of the 7no. rooms (8%) outside the BRE guidelines, 6no. rooms (7%) would experience a low level of reduction and 1no. room (1%) would experience a medium level of reduction. The NSL reductions outside of the BRE guidance will exhibit a slight increase, rising from 2no. rooms in the non-cumulative scenario to 7no. in the cumulative scenario. Considering that 6no. of these 7no. impacted rooms would have a low reduction, the overall NSL impact is considered to be small.
130. With respect to No.1 Olympic Way, each of the 4no. rooms experiencing NSL reductions outside of the BRE guidance will retain NSL levels within a range of 74% - 63%. These retained NSL levels are generally considered acceptable because NSL levels exceeding 50% are deemed satisfactory in dense urban environments.

Sunlight to neighbouring developments – cumulative scenario

131. The results of the APSH test in this scenario, reveals the same results as for those achieved under the non-cumulative scenario, that is, 100% of the 88no. rooms tested would meet with BRE guidance. The results are provided in Table 19 below.

Table 19: Summary of APSH impacts to neighbouring windows– cumulative scenario (source: Daylight and Sunlight Report)

Address	No. of rooms tested	No. inside annual & winter guidance	APSH - annual (rooms)				APSH - winter (rooms)			
			No. outside guidelines				No. outside guidelines			
			Low	Medium	High	Total	Low	Medium	High	Total
147 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
145 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
143 Wembley Park	2	2	-	-	-	-	-	-	-	-

Drive										
141 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
139 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
137 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
135 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
1 Olympic Way	75	75	-	-	-	-	-	-	-	-
Total	88	88	0	0	0	0	0	0	0	0

### Daylight and Sunlight Summary

132. Overall, the development would not have an unacceptable impact on neighbouring existing or emerging developments. Whilst there are some windows and rooms that fall outside of the BRE guidance, some of this is due to the design of those respective buildings.

### Overshadowing

133. The assessment measures the percentage of each area that can receive at least two hours of sunlight on 21 March - the 'two-hours sun-on-ground'. At least half of the area of a garden or amenity space should be able to receive at least two hours of sunlight on 21 March. If such a space is already heavily obstructed, then any further loss of sunlight should be kept to a minimum. In this poorly sunlit case, if, following development, the area which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, this loss of sunlight is likely to be noticeable and in such cases the garden or amenity area will tend to look more heavily overshadowed.

134. Reviewing the cumulative scenario, 100% of Olympic Way and 98% of Olympic Square would retain at least 2 hours of sunlight and therefore meet with BRE guidance. These figures are the same as that when the existing scenario is assessed. In relation to the amenity area north of Wealdstone Brook, within the site, the proportion of space receiving 2 hours of sunlight reduces from 96% in the existing scenario, to 69% in the cumulative scenario. This would also satisfy BRE guidance.

### Summary of Neighbour Impact

135. Given the above considerations, it is considered that the proposal would not unduly impact upon the amenities of the future residential occupiers. The level of distancing involved will ensure that there is

no overlooking, loss of privacy or loss of outlook.

136. In respect of daylight and sunlight, there is limited existing massing on site and although this would significantly change with the provision of a 30-storey building, the impacts on the nearest of the residential blocks are considered very minor. In addition, the development would satisfy the 'two-hours sun-on-ground' test. The proposal would accord with Policy DMP1 of the Local Plan.

## Heritage Considerations

### Statutory Background and the NPPF

137. 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. 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.
138. The NPPF (paragraph 206) states that any harm to, or loss of, the significance of a designated heritage asset requires "clear and convincing justification". The NPPF expands on this by providing (paragraph 207) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 207 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 208 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
139. 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.
140. 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 206 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.
141. 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'.
142. At paragraph 205, the NPPF 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".
143. 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 will 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."

144. 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...".
145. 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.
146. 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.
147. If there is harm to the significance of a non-designated heritage asset, paragraph 209 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.
148. 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 and Identification of Heritage Assets

149. The site does not contain any designated or undesignated heritage assets. A Heritage Statement was not submitted with the application however a Heritage Townscape and Visual Impact Assessment (HTVIA) includes a Built Heritage section that discusses the heritage context and the potential impact of the development on the identified assets through an analysis of: plans, site observations, the application of a Zone of Theoretical Visibility (ZTV) for each of the identified assets, and the use of 3D modelling through VuCity software.
150. Heritage assets were also identified using the Council's GIS system, and Historic England's online tools. The assets identified include:
  - Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed (578m north-east) Date first listed: 23 Sep 1990

*Municipal offices, library and assembly hall. Built 1935-40 as Wembley Town Hall by Clifford Strange. Brick - clad steel frame; flat roof. Multi-function and sloping site expressed in T-shaped plan set around central entrance hall with council chamber above and assembly hall to rear, and library to left. Severe Scandinavian style 3-storey front. Tall central staircase tower, slightly recessed behind flanking wings, has tall window set above entrance with flat canopy and steps;*

15-bay wing to right has upper windows set in tall recessed bays above continuous ground-floor windows with glazed tile piers to drip mould; bay of some height to left of tower, with similar ground-floor fenestration and large first-floor window; lower 2-storey, 4-bay range to left has similar ground-floor fenestration and tall first-floor windows. Other elevations are similar, with stepped blocks making use of sloping site: entrance with canopy to library on left; assembly hall to rear has continuous strip of low-level fenestration. Interior: marble walls and floors to entrance hall and foyer with Art Deco railings to staircase. Council Suite has 3 committee rooms separated by sliding partitions. Panelled dado to assembly hall. Circular light walls to library. Recommended as a town hall in the Scandinavian style which is an example of simple but effective 1930s municipal, planning, the interiors making much use of borrowed light and internal glazing. Pevsner called Wembley "the best of the modern town halls around London, neither fanciful nor drab".

- Wembley Hill Lodge, 114 Wembley Hill Road, Grade II (716m south-west), Date first listed: 31 May 1973  
*Early 19th century cottage orné style. One storey and attic colour washed brick with gable to front. One 2 light leaded casement in gable; one 3 light leaded casement oriel window on ground floor with thatched roof. Part set back to right of one storey with continuous lean to roof in front, serving as a canopy to porch. Thatched roof. Left hand part has colour washed brick lower part; 20th century tile hanging to upper floor and tile roof. Formerly a lodge to Wembley Park.*
- Wembley Arena (formerly the Empire Pool), Grade II (384m south), Date first listed: 31 Oct 1976  
*Designed by Sir E Owen Williams and built in 1934 for The Empire Games. It has a reinforced concrete frame of 3 hinged arches spanning 240 feet which was the largest concrete span in the world at that time. The pool was 200 feet long and 60 feet wide with a deck for ice skating. The end of the building opens and used to lead to sunbathing terraces and lawns. The sides have 15 massive concrete buttresses. The ends are galed with 20 narrow lights of increasing height from the edges to the centre. Used for 1948 Olympic Games*
- Three K6 telephone kiosks, Engineers Way, Grade II (370m south), Date first listed: 28 Jun 1987  
*Three telephone kiosks. Type K6. Designed 1935 by Sir Giles Gilbert Scott. Made by various contractors. Cast iron. Square kiosks with domed roofs. Unperforated crowns to top panels and margin glazing to windows and doors.*
- Barn Hill Conservation Area 300m north (designated March 1990)  

The special character of the Barn Hill Conservation Area is derived from its hillside setting and layout as much as from a wide variety of designs which have a distinctive Mock-Tudor character. The 85m high hill dominates the estate. The design of the houses and their mature landscape setting are particularly attractive and the dips in the road, the inclines, the views between houses and glimpses over Wembley and across to Harrow gives the estate a special charm which is worthy of protection. The Character of the Conservation Area is defined by Barn Hill Open Space, just outside the boundary at the top of Barn hill. The roads either are directed towards the peak, or along the contours of the hill.
- Lawns Court Conservation Area 245m north (designated June 1995)  

The special character of the Lawns Court Conservation Area derives from the design of its buildings, the open space but also on their street setting and the street scenes. Lawns Court Conservation Area is a planned development built along a main road, The Avenue. It comprises of as a string of six linear apartment blocks of varying lengths set out in a doglegged pattern so as to accommodate a small communal triangular green between the central four blocks and the main road. The blocks are up to three storeys high and are the depth of a typical suburban house.
- Wembley High Street Conservation Area 618m south-west (designated March 1990)  

The special character of the Wembley High Street Conservation Area derives from the design of its buildings, the open space but also on their street setting and the street scenes. Wembley High Street is a narrow cul-de-sac of quaint cottages in the historic street pattern of old Wembley Village. It is



important to maintain this aspect of the Conservation Area because such a plan form evokes a sense of rural character which is not utilised in modern suburban developments. The layout and position of properties creates a housing enclave of particular character that is considered to be worth retaining and enhancing.

## Assessment of Significance and Contribution

151. Against the identified heritage assets, what must therefore be determined is whether the proposed development will 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 will be:

- The significance of the asset
- The sensitivity to harm of the asset
- Proximity
- Visibility

152. Compatibility of the proposal with the context and setting of the asset

## Impact of the Development

Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed

153. It is noted that the GLA comment that an assessment of harm is not possible as there weren't any Views provided. However, the HTVIA confirms that the ZTV indicates that the development would be visible from the southern entrance of the Town Hall, and partially glimpsed across its rear elevation in views from The Paddocks, a road running north, along the eastern boundary of the former Town Hall. In response to GLA comments, the applicant provided imagery from a VuCity model.
154. In light of the VuCity images, Officers would agree with the assessment within the HTVIA that the proposed development would be visible among the existing tall building cluster of the Wembley Tall Building Zone and would be experienced in the wider setting of the listed building, which does not contribute to the heritage significance of the listed building.
155. It is also agreed that the magnitude of change would be low, and the effect would be minor and neutral, therefore there would be no effect on any element of setting that contributes to its heritage significance.

Wembley Hill Lodge, Grade II Listed

156. The GLA commented that an assessment of harm is not possible as there weren't any Views provided for this heritage asset. Notwithstanding, the HTVIA confirms that the ZTV indicates no visibility from within the vicinity of the development. However, the applicant subsequently provided images of a VuCity model. The images demonstrate that the development would not be seen due to the intervening built development. The development proposal would therefore not unduly harm the setting or special interest of this heritage asset.

K6 telephone kiosks, Engineers Way, Grade II

157. There is no view within the HTVIA towards the development site from within proximity of the three listed telephone kiosks. Notwithstanding, the Brent Civic Centre would block any view of the site and therefore, it is considered that the proposal would not lead to any harm to the special historic interest and setting of the Grade II listed telephone kiosks.

Barn Hill Conservation Area

158. There are various verified views within the HTVIA towards the development site from within the Barn

Hill Conservation Area: Barn Hill Open Space (View 1 – Local Plan Protected View), Barn Hill / Barn Way (View 11a), Barn Hill / Eversley Avenue (View 11b), Barn Rise / Barn Way (View 12a), Barn Rise / Eversley Avenue (View 12b), Corringham Rd (View 13), and Barn Rise / Midholm (View 14).

159. Officers agree that the extent of visibility of the proposed development would not be consistent and would vary depending upon the observers' position relative to the development site. This would range from full views of the proposals, such as along Barn Hill Road (View 11), through to less extensive views of the proposals such as along Barn Rise (View 12) and glimpsed views of the upper storeys within the west and north parts of the Conservation Area (Views 13 and 14). From the protected view of Barn Hill Open Space, the view is partially obscured because of a tree
160. The impact has to be considered in relation to the whole of the Conservation Area and views of the development site would be seen within the context of existing tall buildings. The magnitude of impact to the significance of the Conservation Area is considered to be low, and the impact would give rise to a low level of harm, which would be considered 'less than substantial' and very low on that spectrum.

#### Lawns Court Conservation Area

161. The HTVIA contains one verified view towards the development site from within the Lawns Court Conservation Area, taken from The Avenue (View 15). This does demonstrate that the proposed development would be visible but would again, be seen in the context of the existing and emerging tall buildings such as the TfL car park scheme and the Brook Avenue scheme which members recently resolved to grant planning permission at the October planning committee (ref: (23/3880). The development would not impact on the significance of the Lawns Court Conservation Area, with its character and appearance continuing to be preserved.

#### Wembley High Street Conservation Area

162. There is one view towards the development site from the Wembley High Street Conservation Area within the HTVIA, taken from the Green Man Public House (View 18).

### Assessment of Harm vs Benefits

163. The HTVIA concludes that the development proposal would lead to some harm to the Barn Hill Conservation Area, as discussed above. The Conservation Officer also considers that there may similarly be a low level of harm to the Lawns Court Conservation Area but this is more difficult to ascertain because only one view was provided, although it is noted that the HTVIA does not consider that there would be any harm to this heritage asset. To all other identified heritage assets, there would be no additional impact on either their setting, significance or character and appearance.
164. As some harm has been identified, albeit a low level of harm and less than substantial, it is necessary to consider any public benefits that would arise from the scheme to weigh against that harm to the two identified Conservation Areas. Officers consider that the proposed development would deliver the following benefits:

#### Economic

- Benefits to local economy associated with new residents and workers supporting local businesses
- Would support employment in some form on site:
  - direct construction jobs over the construction period
  - indirect construction jobs over the construction period
  - employment within the flexible commercial spaces and in managing the development

#### Social

- The provision of 307no. dwellings, of which 85no. (27.7%) are affordable dwellings.

- Forty six family dwellings (14.9%) will be provided for which there is a high need in the Borough.

#### Environmental

- The scheme would improve the biodiversity and urban greening on the site
- Improvements to the edge of the Brook and access to the Brook
- Optimising and delivering sustainable development of brownfield land

#### Public Realm

- Enhancements to the public realm
- Improved linkage between Olympic Way and Wembley Park Drive
- Future potential link to the Fulton Quarter to the south of the site

### Summary of Heritage Considerations

165. 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.
166. For a number of the identified heritage assets, it is considered that the proposed development would not lead to any harm to their significance, setting, or character and appearance. However, as also discussed, some low level harm was identified to the Barn Hill Conservation Area and the Lawns Court Conservation Area, and to this end, consideration has been given to the existence of any public benefits. These are identified above and cumulatively are considered to substantially outweigh the less than substantial harm identified. The proposed development is considered to comply with Policy HC1 of the London Plan, and Policy BHC1 of the Local Plan.

### Transport

#### Policy and Context

167. 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 patterns of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.
168. The site fronts Wembley Park Drive, a London Distributor Road, and Olympic Way, a pedestrianised / shared surface street with no through traffic for vehicles other than those accessing the adjacent offices. The site has a PTAL rating of 5/6a.

#### Parking

169. In support of the application, a Healthy Streets Transport Assessment (TA) has been submitted. Owing to the excellent PTAL of the site, policy T6 of the London Plan confirms that the proposed development should be car-free and for residential developments delivering 10 units or above, three percent of dwellings must have at-least one designated disabled persons parking bay per dwelling. A strategy would also be required to increase this to 10% in the future if demand is warranted. In this instance, the proposed development is expected to provide at least nine disabled parking spaces.
170. One blue-badge space is proposed on-site. The applicant attempts to address the shortfall by highlighting the proximity of the site to public modes of transport which would mitigate the need for further parking spaces to be provided on-site. In particular the applicant highlights that Wembley Park Underground Station has step free access and there is also an extensive local bus network. In the

scenario that future residents would require vehicle transport, the applicant also refers to the free Dial-a Ride service offered by TFL which is available for seven days a week.

171. Nonetheless, there is no empirical evidence to demonstrate that the provision of step-free access reduces the need or demand for disabled parking in practice. In order for the LPA to consider whether the shortfall is robustly justified, the applicant was requested to demonstrate that the routes for those with mobility impairments to navigate from the site to the public transport facilities through an updated Active Travel Zone Assessment (ATZ). This would detail the public realm improvement works, particularly around Wembley Park Drive and the routes to Wembley Park Station, with a focus on nighttime scenes. Details should also be sought on access to information, such as whether real time information is available at bus stops.
172. The subsequent study (technical note) demonstrates that the route through Olympic Way is activated by the night time economy which is frequented by pedestrians and is well lit, all of which contributes to making the route safe. Wembley Park Drive is also well-lit with CCTV provided to both Olympic Way and Wembley Park Drive. These routes are considered to be in line with the Healthy Street Indicators.
173. The technical note also advises that the proposed route through the pinch point from Wembley Park Drive onto Olympic Way would also facilitate safe movement for both pedestrians and cyclists where extensive lighting, CCTV would be provided, trees and landscaping would also be provided to create a welcoming route.
174. The Council acknowledges that due to the constrained layout of the site, additional disabled parking on-site would be difficult to achieve, therefore securing the provision of safe access to off-site parking on the opposite side of Wembley Park Drive is considered to be a priority in order to help justify the shortfall.
175. Aside from the provision of one on-site disabled parking space, which will have an EV charger, the proposed development would be car free, which would be in line with the maximum car parking allowance. A 'car-free' agreement would need to be entered into withdrawing the right of residents to on-street parking permits. At the present time, this would only be enforceable on Wembley Stadium Event days, as there is no year-round CPZ in operation on Wembley Park Drive or Brook Avenue. Therefore, to help protect nearby streets from over-spill parking, a financial contribution towards the introduction of a year-round CPZ in the area should be provided.
176. The EV charging facility be secured through condition together with a revised Transport Assessment.

## Cycle Parking

177. In terms of numbers, the residential accommodation requires at least 541 long-stay and eight short-stay spaces, whilst the commercial/community units (based upon food retail standards) would require two long-stay and 21 short-stay spaces.
178. The Transport Assessment suggests that 542 long-stay cycle parking spaces will be provided within the basement, of which 4.4% will be on 'Sheffield' stands to cater for non-standard bikes, with the remainder on two-tier racks. However, the revised basement layout plan shows a shortfall in provision and triple tier cycle stands, which are not accessible through any ability -original cycle parking stands layout would be better than the revisions. Further details are required.
179. The proposed lift access to the basement is acceptable in principle however it is noted that the width of the entrances is slightly below standard. Revised details can be secured by condition.
180. For the commercial units, it is stated that internal bicycle parking for staff will be provided as the units are fitted out. This is acceptable in principle and further details would be secured by condition as to the design and siting of them.
181. No details of external bicycle parking for visitors are shown on the plans. The Transport Assessment suggests this will be incorporated into the landscaping, but the hard landscaping drawing is currently missing this detail, so again, further details are required. The locations of the stands will need to be convenient to the residential entrance cores and the commercial units. There should be 7 or 8 spaces and they should be located in close proximity to the courtyard -anywhere outside of vehicle zones -but without impacting on the amenity space / landscaping provision.

## Access and Servicing

182. The proposed plans do not indicate a segregated access for pedestrians to the site from Wembley Park Drive, and this is considered necessary in terms of highway safety. A revised plan will be secured through condition to show this. It is noted that during the daytime, the vehicular gates will remain open so as to not impede traffic on the highway, and this will be secured by condition.
183. To support servicing and delivery for both the residential and non-residential uses, the proposal would involve the relocation of the vehicular access from Wembley Park Drive north-eastwards by 8m-9m along with an increase in width to 9m. The tracking diagrams also shows that large refuse vehicles would be able to manoeuvre past the nearby pedestrian refuge when turning out of the site. This arrangement is considered to be acceptable on the understanding that the developer would cover the cost of relocating the existing lamp column that fronts the site.
184. A 6.6m long loading bay would be proposed adjacent to the new vehicular access, within the site and oriented parallel to the highway. This would require vehicles to reverse across the front of the residential entrance at the end of the building, which is not ideal and also requires a wide vehicular access.
185. A Luton van / 7.5 tonne vehicle would be used for van deliveries and a swept path analysis has been subsequently provided within the technical note to demonstrate its movement into the proposed loading bay.
186. Section 5.5 of the Framework Delivery Service Plan states that the blue badge bay would provide an opportunity for a second vehicle to enter the site when the loading bay is occupied. This is not supported, and the applicant would need to demonstrate adequate servicing and delivery without the use of the blue badge parking space.
187. The DSP estimates that 5-6 deliveries would be made to the commercial units and 17 deliveries to the flats. In order to consolidate residential deliveries, the DSP states that residents would be provided with information to explain how deliveries could be consolidated with their neighbours. Provision will also be made for first time deliveries with the lobby for parcels to be stored on-site safely and reduce the need for return visits from distribution depots/the post office. The applicant has been advised to further detail how this would work and that it would also be useful to minimise deliveries at peak times, including Wembley Stadium Event Days.
188. To consolidate commercial deliveries, the DSP states that the commercial use would be encouraged to use the same suppliers to minimise the overall deliveries. If this is not possible, the tenants are expected to arrange deliveries such that they arrive at different times across the days. However, no details have been provided to understand how deliveries to the commercial units might be co-ordinated or how deliveries would be made to the unit fronting Olympic Way. This would be secured by condition via an updated DSP.
189. Policy T7 of the London Plan also requires proposed development to demonstrate how it would support sustainable and active freight. Although the Framework DSP discusses some measures to reduce freight trips, consideration should also be given to supporting other measures such as cargo bicycle deliveries, with space to be provided externally to support this.
190. A condition is proposed to secure a Delivery & Servicing Plan that addresses the concerns outlined above. Subject to this, this element of the proposal is considered acceptable.
191. In relation to refuse provision and in accordance with Brent's standards, the proposed flats would require a total of 65 Euro bins to meet storage capacity requirements for general waste, recycling and organic waste. Block A would require forty 1100L bins and twenty two 240L bins meanwhile Block B would require eighteen 1100L bins and nine 240L bins.
192. There is a current shortfall of one 100L and 240L bins each bin for Block A and one 240L bin for Block B. However, further details to show how this minor shortfall in refuse storage will be addressed can be secured through condition. In relation to commercial refuse, this will be undertaken via a private collection.
193. Tracking diagrams has been provided to show that the refuse vehicles would be able to access and

manoeuvre the central court yard of the site to be within 10m of the bin stores.

## Trip Generation

194. The submitted TA provides predicted future trip generation for the proposed development. This is generated through identifying six other existing private residential blocks of flats in London with comparable characteristics to the proposed development. While noting that the proposed development contains a mix of ownership compared to the privately owned residential blocks used as comparables, the assessment notes that private residential units generate a greater number of trips than affordable residential units.
195. The trip generation figures estimate for the proposed development for all modes of transport is arrived at the following:
- 25 arrivals /155 departures in the morning peak hour (08:00am-09:00am)
  - 87 arrivals/43 departures in the evening peak hour (17:00pm-18:00pm)
196. In terms of the modal split, the proposed development is expected to generate 1590 trips per day with 179 trips in the morning peak (08:00-09:00am) and 130 person trips in the evening peak (17:00-18:00pm). The total number of trips generated throughout the day by modal share is shown as follows:

Table 20: Proposed Trip Generation for Development with Modal Breakdown (source: Transport Assessment)

	197.	AM Peak Hour			PM Peak Hour			Daily (07:00-19:00)		
		Arr.	Dep.	Total	Arr.	Dep.	Total	Arr.	Dep.	Total
Vehicles	1.0	0	2	2	1	0	1	8	8	16
Cyclists	11.4	3	18	20	10	5	15	89	92	181
Pedestrian	35.7	9	55	64	31	15	46	278	289	568
Rail/Underground	28.5	7	44	51	25	12	37	222	231	453
Bus	23	6	36	41	20	10	30	179	186	366
<b>Total</b>	<b>100</b>	<b>25</b>	<b>155</b>	<b>179</b>	<b>87</b>	<b>43</b>	<b>130</b>	<b>779</b>	<b>810</b>	<b>1590</b>

198. The proposed trip generation data demonstrates that there would be 1-2 vehicular trips generated in each peak hour, with a total of 16 throughout the day which is commensurate with the 'car-free' nature of the development. This is not considered to have a noticeable impact on the local traffic network.
199. With regards to public transport, the development would generate 37-51 rail trips in each peak hour and with 37 tube trains departing nearby Wembley Park Station each hour in each direction, there would be limited impact on the tube services and station capacity.
200. There would be 30-41 trip journeys per hour. TfL have advised that a contribution will be sought towards the bus service capacity and have requested contribution of £149,500. However, they have advised that this may change following further clarification about trip rates and this will need to be

clarified prior to the stage 2 referral to the Mayor and agreed prior to any legal agreement being signed.

## Construction Logistics Plan

201. An Outline Construction Logistics Plan (CLP) has been submitted in support of the application, detailing that construction would take place from August 2024 to September 2027. This will need to be updated to reflect that planning permission hasn't yet been granted.
202. Up to eight peak number of trips would be generated per day (see Table 21 below) and these would be scheduled through a Delivery Management System where the hours of delivery would be from 8:00-18:00pm Monday to Friday, although core delivery hours will be between 9:30-15:00pm to avoid peak hour school trips. Whilst this time period would be strictly adhered to, there may be exceptions for special circumstances, such as a large concrete pour. It should also be noted that the CLP will also need to be updated to ensure that deliveries would not be scheduled within four hours of an event at Wembley Stadium.
203. The delivery vehicles were originally proposed to be routed through Neasden Lane/Blackbird Hill/Forty Lane and through Forty Avenue/ East Lane to the site, with Bridge Road being used for the last part of the journey. However, following concerns Brent's Transport Officer raised concerns that the use of Forty Avenue and East Lane could not be supported, and all HGVs should instead be routed through North Circular, a subsequent technical note confirms this position and that this would be included within a full CLP, to be submitted at a later stage.

Table 21: Initial construction programme (source: Outline Construction Logistics Plan)

Construction Phase	Period of Stage	No. of Trips (monthly)	Peak No. of trips (daily)
Site setup and demolition	Q3 2024 – Q4 2024	153	6
Basement excavation and piling	Q4 2024 – Q1 2025	76	3
Sub-structure	Q1 2025 – Q3 2025	80	3
Super-structure	Q2 2025 – Q4 2026	194	8
Cladding	Q4 2025 – Q4 2027	194	8
Fit out, testing and commissioning	Q4 2025 – Q3 2027	194	8

204. A full CLP will be secured through condition detailing the full measures that will be implemented to minimise the impact on the surrounding transport network and demonstrate how construction will be carried out in accordance with the Mayor's Vision Zero and Healthy Streets principles, and also restricting collections and deliveries on event days at Wembley Stadium.

## Healthy Streets

205. An Active Travel Zone assessment, which is part of TfL's Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres.
206. Six key routes were reviewed during the daytime (09:00-12:30) to assess the quality of the walking routes.
207. The applicant's Healthy Streets Assessment includes the repairing of some parts of the pedestrian footpath along Brook Avenue to improve accessibility and the installation of cycle lanes to assist the crossing of the A4088/ Preston Road/ Oakington Road Junction.
208. TBC night time ATZ, routes to station, improvement works esp along Wembley park Drive , cultural

facilities?

## Active Travel Zone

209. An Active Travel Zone assessment, which is part of TfL's Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres.

## Travel Plan

210. To help to manage travel to and from the site by reducing the reliance on single occupancy car journeys, the applicant has submitted a Framework Travel Plan. This has set out three targets in the form of (1) monitoring and reviewing of cycle parking provision (2) the provision of information detailing modes of travel to future residents mainly through welcome packs and notice boards and (3) making the travel plan available to all residents and staff.

211. However, these targets are not considered to be clearly defined and incentives should be considered to alter the mode of travel for future residents. Such incentives can include a subsidised car club membership, creation of a bicycle user group. A revised Travel Plan will therefore be secured through condition.

## Sustainable Design

### Policy and Context

212. 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).

### Carbon Reduction / Energy

213. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy, as set out in Table 22 below.

### Be Lean

214. At the 'Be Lean' stage, applicants must achieve carbon emissions savings through passive energy saving measures. As stated above, new developments must show a 10% improvement over the current SAP Target Emission Rate (15% for non-residential).

215. For this proposal, the applicants have considered the building fabric in order to meet or exceed current Building Control requirements. This includes enhanced U-values (including the use of high level of insulation and high performance glazing in order to reduce the demand for space heating and/or cooling), air permeability improvement, high efficiency light fittings, the use of mechanical ventilation heat recovery (MVHR), air source heat pumps and the control and monitoring of equipment to allow occupiers to reduce energy use.

216. The 'Be Lean' measures are expected to result in a carbon reduction of 22.4% across the whole site including 22.4% for residential units and 33.9% for non-residential units against the Baseline set by Building Regulations Part L 2021. This exceeds the London Plan targets by over 10% for the residential units and over 15% for the non-residential part of the scheme.

### Be Clean

217. For the 'Be Clean' stage, applicants are required to maximise the use of onsite renewable technologies to reduce carbon emissions. Applicants have explored the feasibility of connecting into a district heating network (DHN). As there are no DHN close to the site, the development would use a communal heating system, with Air Source Heat Pumps (ASHPs) for the residential component and assumed Variable Refrigerant Flow (VRFs) for the non-domestic component. The development will be designed to allow for connectivity to in anticipation of a future District Heating Network and details of a connection point as a futureproofing measure shall be secured by condition. Nevertheless, in the absence of a connection to a DHN, the development will not achieve any carbon savings through the 'be clean' stage of the hierarchy.



**Be Green**

- 218. For the 'Be Green' stage, applicants are required to maximise the use of onsite renewable technologies to further reduce carbon emissions. The renewable technologies feasibility study carried out identified photovoltaics (PV) and air source heat pumps as the most suitable for the development.
- 219. Other technologies were considered but discounted including: Biomass (due to NOx emissions and limitations for fuel storage and delivery); solar thermal (due roof space maximised to include PV and ASHP area); GSPH (due to significant space required, additional time at the biggening of the construction process and high capital cost); and wind (due to significant visual impact and reduced efficiency in an urban setting).
- 220. When considering the 'Be Green' measures proposed, the residential dwellings and the non-residential element of the development score a total of 52.7% and 4.1% respectively (see Table 22 below).

Table 22: Reduction of CO2 emissions following the implementation of the Energy Hierarchy (source: Energy Statement)

	Regulated CO2 Emissions (Tonnes CO2/yr)		Carbon Reduction (%)
	Be Lean	Be Green	
Domestic	222.40	71.30	52.7%
Non-domestic	1.21	1.13	4.1%

**Whole Life Carbon**

- 221. A Whole Life-Cycle Carbon Assessment prepared by XCO2, dated April 2024 has been submitted in line with the requirement of London Plan policy SI2 to assess the carbon emissions of the development resulting from the materials, construction, and the use of the building over its entire lifetime.
- 222. The Assessment demonstrates actions taken to reduce life-cycle carbon emissions will include measures such as:
  - Reducing the amount of concrete use within concrete mixtures for foundation, substructure and superstructure building elements
  - The use of aluminium and timber composite frames for windows and doors across the building façade.
  - Opportunities for additional carbon reduction are proposed to be investigated at a later stage.
- 223. The WLC assessment submitted does not fully comply with London Plan Policy SI 2 and further information should be submitted in relation to operational modelling methodology, cost per building element, estimated emissions, WLC emissions reductions, materials and end-of-life scenarios and be reviewed by the GLA. An updated Assessment can be secured by condition.

**Circular Economy**

- 224. Policy SI7 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste. To this end, a Circular Economy Statement (CES) prepared by XCO2, dated April 2024 was submitted in accordance with the GLA guidance. The statement details the proposed measures for each of the six Circular Economy principles as identified by the GLA. The reports outlines that a pre-demolition audit was conducted in October 2022, which indicated that >95% of materials on-site can be reused, recycled, or converted to useful energy via biomass.
- 225. The circular economy strategy submitted includes the following measures that are expected to be incorporated into the design, construction, and management phases of the development:

226. Prioritising a 'building in layers' approach to ensure different parts of the building are accessible and can be maintained and replaced where necessary.
227. Minimising the quantities of materials used within each layer
- Using durable materials and avoiding a premature end of life for all building materials.
  - The building will be designed to be flexible and adaptable to multiple uses.
  - Ensuring that the building is designed to allow for disassembly
  - Promoting the use of systems, elements or materials that can be reused or recycled where possible.
- With regard to compliance with policy SI7, the GLA has requested additional information in relation to development details; design approach; pre-redevelopment audit; pre-demolition audit; design principles; bill of materials; reporting; operational waste; and end-of life strategy. Additionally, the applicant will be required to submit a post-construction report. Members are advised that these details would be secured by conditions

## Overheating

228. Policy SI4 (Managing heat risk) of the London Plan confirms that major development proposals should demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises passive measures over active measures.
229. 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. In addition to complying with Part O of the Building Regs, 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.
230. Within the Energy Statement, the applicant has detailed proposed both passive and active design measures to be implemented such as:
- Reducing the amount of heat entering the building in summer by integrating external shading elements across the elevations such as balconies to reduce solar gains and by using internal blinds. Additionally, glazing will be used with a lower solar transmittance (g-value) of 0.5 for the domestic portion of the development and 0.3 for the non-domestic portion to help reduce overheating risk.
  - Minimising internal heat generation through energy efficient design. This includes reducing the lateral pipework length within the internal spaces to reduce heat loss and ensuring that pipework and heat sources are sufficiently insulated.
  - The use of thermal mass and high ceilings to manage the heat within the building for non-domestic areas. During peak summer periods, the thermal mass of the building will absorb and store excess heat, which will be released in the cooler evenings to help reduce peak diurnal weather conditions.

- The scheme would use Mechanical Ventilation with Heat Recovery System (MVHR) as a primary strategy for fresh air supply. This will operate in summer bypass mode to allow the dissipation of heat build-up during peak summer conditions.
  - Passive ventilation will be used as a secondary strategy to provide fresh air and dissipate heat across the development, except for the areas likely to be exposed to noise discomfort and excessive solar gain. This includes cross ventilation when feasible and night purge ventilation through openable windows and doors operated by the occupants.
231. Three different three scenarios were used (Design Summer Year (DSY)), representing different types of hot summer:
- DSY1 – moderately warm summer, with a return period of seven years
  - DSY2 – a year with a very intense single warm spell
  - DSY3 – a year with a prolonged period of sustained warmth
232. The overheating assessment notes that three options were tested: without additional measures and the windows partially closed (option 1), with the provision of acoustic ventilated panels (option 2), and with an additional cooling capacity being incorporated through mechanical ventilation (option 3). As bedrooms are at increased risk of noise overnight, the provision of acoustic ventilated panels was deemed not suitable. Consequently option 3 appears as the most appropriate as it includes windows to be closed overnight and mechanical ventilation to be applied. The results concluded that all of the assessed habitable rooms would meet the Part O overheating risk criteria when including a combination of natural and mechanical ventilation, with openable windows through the day as the main means of mitigating high internal temperatures. Corridors were modelled with continuous mechanical ventilation which was found to be sufficient in allowing them to meet the Part O criteria and therefore they are not considered to be a risk for overheating.
233. With regards to scenarios DSY2 and DSY3, the mechanically ventilated option was applied. All of the modelled bedrooms were found to meet overheating risk criterion 1, but would fail to comply with the night-time criterion of Part O. Nevertheless, the scheme would comply with DSY1 by including solar control glazing with a g-value of 0.5 throughout all residential spaces as well as generous openable areas and goes as far as feasible in terms of performance with the DSY2 and DSY3 most severe weather scenarios. Additionally, a future retrofit plan for overheating risk mitigation with more onerous weather files could include the increase of the cooling provision and capacity to increase performance for both these scenarios.
234. In relation to non-domestic spaces, the guidance set out in CIBSE TM52 should be used to assess the overheating risk. At least two of the following criteria should be met:
- Criterion 1 sets a limit on the number of hours the operative temperature can exceed the maximum comfort temperature. This should not exceed 1 degree for more than 3% of occupied hours.
  - Criterion 2 sets a daily limit on the length and severity of the operative temperatures. The operative temperature should not exceed the maximum comfort temperature by more than 6 degree-hour.
  - Criterion 3 sets an absolute upper temperature limit for a room. The upper limit increase in temperature must not exceed 4 degrees.
235. The assessment notes that all of the occupied rooms satisfy the mandatory overheating risk criteria for non-residential spaces under scenario DSY1 through a combination of natural ventilation, energy efficient lighting, a low g-value (0.4) and the provision of cooling to allow for an additional element of comfort.
236. To conclude, providing that the identified passive and active measures are implemented, overheating should not be an issue for the proposed development. A condition is recommended to secure the above measures.

## Air Quality

237. 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 main air pollutants of concern related to residential exposure are NO<sub>2</sub> and fine particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>).
238. The AQA has considered the suitability of the site for introducing new residential occupants within the area. There are four automatic monitoring stations for local air quality within the borough, however none of these are within the vicinity of the development and the closest is located 1.8km away, adjacent to the A406 (North Circular Road). Annual NO<sub>2</sub> concentration has however be measured since 2018 at two nearby non-automatic monitoring sites, which are located respectively 350m and 500m to the northeast of the site. As these monitoring locations are considered to be representative of the air quality conditions at worst-case locations within the proposed development given their roadside locations, it is expected that NO<sub>2</sub> will be below the objective for the proposed development. Additionally, the NO<sub>2</sub> concentration measured at the closest automatic monitoring station near the A4006, although it has limited relevance due to its location, indicates a consistent reduction in concentration overtime. The figures for 2020 and 2021 should not be relied upon due to the reduced activity resulting from the Covid-19 pandemic which reduced pollutant concentrations.

Table 23: NO<sub>2</sub> concentrations measured at monitoring sites (source: Air Quality Assessment)

Station	2016	2017	2018	2019	2020	2021	2022
Closest automatic monitoring station (North Circular Road)	76.0	72.0	71.0	63.0	49.0	46.4	43.2
Non-automatic station Bridge Road/Forty Avenue	-	-	-	30.1	33.1	27.6	26.6
Non-automatic station Forty Lane/Old Brent	-	-	-	27.5	26.6	30.4	31.6
<b>Objective</b>	<b>40</b>						

239. In relation to PM<sub>10</sub> or PM<sub>2.5</sub>, there are no monitors measuring concentrations in the vicinity of the site. However, no exceedances of the annual mean PM<sub>10</sub> or PM<sub>2.5</sub> objectives have been recorded by the London Borough of Brent in the recent years. Additionally, the measurements taken at the BT4 automatic monitoring station, where higher levels of pollutant would be expected than at the application site, indicates that the objectives were met in 2022.

Table 24: PM<sub>10</sub> or PM<sub>2.5</sub> concentrations measured at the closest monitoring sites (source: Air Quality Assessment)

	2016	2017	2018	2019	2020	2021	2022
PM <sub>10</sub>	33.0	33.0	32.0	30.0	26.0	25.6	27.9
Objective	40						
PM <sub>2.5</sub>	23.7	21.4	20.0	20.7	13.0	13.5	12.8
Objective	20/10*						

\*The 20µg/m<sup>3</sup> PM 2.5 objective, which was to be met by 2020, is not in Regulations and there is no requirement for local authorities to meet it. 10µg/m<sup>3</sup> is the GLA target for annual mean PM 2.5; again, there is no requirement for local authorities to meet this

240. In addition to the measured concentrations discussed above, based on the London Atmospheric Emission Inventory (LAEI) data, the maximum pollutant concentrations for 2025 have been predicted to fall below the objectives for NO<sub>2</sub> and PM<sub>10</sub>. It is noted that the predicted maximum PM<sub>2.5</sub> concentration falls marginally above the GLA target of 10µg/m<sup>3</sup>, however this objective is to be achieved by 2030. Additionally, the PM<sub>2.5</sub> value is the maximum measured at the site boundary adjacent to the A4089; whilst when measured at the location of the proposed building this falls to 10.5µg/m<sup>3</sup> by 2025 and to 9.6µg/m<sup>3</sup> by 2030 (the target year).

Table 25: Predicted Annual Mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> Concentrations (Source: Air Quality Assessment)

	NO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Predicted Background Concentration (ug/m <sup>3</sup> ) for 2025	28.5 µg/m <sup>3</sup>	25.5 µg/m <sup>3</sup>	12.4 µg/m <sup>3</sup>

241. The report has also considered dusk impacts during construction including dust generation and plant vehicle emission. A Construction Assessment has been undertaken, setting out mitigation measures to be implemented during the construction works to reduce dust emissions. This considers potential impacts within 250m of the site boundary, or within 50m of roads used by construction works. The risk level for the site was determined to be Medium and the proposed mitigation measures were considered appropriate by both the GLA and Brent Environmental Health Officers.
242. With regard to construction traffic, the applicant has confirmed within the Construction Logistic Plan submitted that the maximum number of vehicles movement generated at any point during construction equate to 16 trips per day, which is below the screening criterion of 25 recommended by EPUK / IAQM guidance.
243. In relation to on-site generated emissions following completion, the proposed development will be 'car-free', with only one accessible car parking space to be provided, in line with London Plan requirements. As the result, the development will generate very few additional vehicle trips on the local road network and the trip generation is likely to be well below published screening criteria. Additionally, the proposed development will utilise an all-electric energy strategy for the provision of heat and hot water. As such it is considered that there will be no on-site emissions generated by the routine provision of energy.
244. The development does include the provision of an emergency diesel generator for life-safety purposes. The main air pollutants of concern related to diesel generator emissions are NO<sub>2</sub> and fine articulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). The generator is however only expected to be routinely operated for testing and maintenance for up to an-hour per month and a four-hour load every 6 months. The AQA submitted notes that the flue will exhaust from the roof of Block B above the 17th floor, which is higher than any existing buildings. As such, it is considered unlikely that the emissions will lead to an exceedance of the objectives upon existing sensitive properties in the surrounding area.
245. The proposed development does not include any on-site combustion plant and would be 'car-free' and as such is considered to be Air Quality Neutral. Additionally, an Air Quality Positive Assessment was included with the AQA due to the development falling within the Wembley Growth Area. This demonstrate that due to the reduced car traffic generated by the site and no direct emissions from routine heating and hot water provision, the development will likely result in an improvement over existing local air quality conditions.

#### Air Quality Conclusions

246. Based on the information submitted, the location of the development is not considered to result in an unacceptable risk of high levels of exposure to poor air quality to future residents as existing and projected pollutants concentration through the site are below air quality objectives.
247. Whilst construction works have the potential to create dust, mitigation measures will be applied to minimise dust emissions and protect the receptors close to the external dust generating activities.
248. Due to the use of an all-electric energy strategy and the 'car-free' nature of the scheme, the development would likely result in an improvement over the existing conditions and is expected to be air quality positive.

249. Having regard to all of the above, it is considered that the proposed development would not expose potential residents to unacceptable levels of pollution, in compliance with London Plan Policy SI1 and Local Plan Policy BSUI2. Officers in Environmental Health have reviewed the air quality information and raised no objections, subject to the mitigation measures being conditioned.

## Contamination

250. The submitted Basement Impact Assessment includes an evaluation of the site history and potentially contaminative historical land uses. It finds that there are some risks of contamination from the made ground associated with previous land uses and development, and while those risks are low, an investigation is recommended.
251. This has been reviewed by the Council's Regulatory Services Team who concur with this recommendation and who have advised that conditions should be added regarding a site investigation and remediation strategy.

## 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.

## Internal Noise Levels

253. 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.
254. Based on the results of the calculations undertaken, the measured noise levels at the site (considering both the day and night-time average and maximum noise levels), a specification has been developed showing the sound insulation performance requirements for all facades of the development.
255. It can be seen from the above that acceptable internal noise levels will be achievable in the development subject to the specification of suitable glazing and ventilation systems to achieve the desired specification. The proposed development is, in principle, acceptable with regards to the noise levels that will exist within the habitable rooms.

## Demolition and Construction Noise

256. 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 may notice noise levels above the defined threshold of 65dB LAeq,10hr. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location will exceed the 65dB LAeq,10hr threshold but with mitigation, all but one location will exceed (66.2dB LAeq,10hr) the threshold. Mitigation for both of these activities could take the form of but not limited to hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive piling rather than vibratory piling.

## External Amenity Areas

257. External amenity areas should ideally not exceed the design range of 50-55dB LAeq,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.

258. Noise levels in external amenity areas are predicted to exceed the 55 dB LAeq,T limit by up to 12dB. However, for the following reasons, it is considered that this would not be unacceptable due to:

- Most developments in urban areas will be subject to noise levels above the BS8233 recommended levels for balconies.
- It is common for noise levels in external amenity areas to exceed the BS8233 recommended noise levels in Wembley and elsewhere. For example, there are existing dwellings on Wembley Park Drive where noise levels would exceed BS8233 'desirable' levels;
- On balance, the provision of private external space that does exceed the recommended noise levels is outweighed by not having any such space.

## External Plant Noise

259. 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: 2014 assessment will 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 will be required.

## Noise Conclusions

260. The proposed development, with suitable mitigation, should not have an unacceptable impact in relation to noise impacts to surrounding sensitive receptors.

261. 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

262. 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.

263. A Pedestrian Level Wind Microclimate Assessment, prepared by RWDI, has been provided. It has been undertaken against the industry standard guidance – the Lawson Comfort Criteria, which sets out five pedestrian activities that are reflective of the fact that less active pursuits require calmer wind conditions. It has also been undertaken on the basis of the following scenarios:

- Scenario 1: the existing site and surrounding buildings;
- Scenario 2: the proposed development with the existing neighbouring buildings;
- Scenario 3: the proposed development with the cumulative surrounding buildings; and
- Scenario 4: the proposed development with the cumulative surrounding buildings, proposed landscaping, and mitigation.

264. In scenario 1, wind conditions around the site are in the sitting and standing comfort categories. During the summer season, wind conditions are generally one category calmer with more locations around the site having sitting use conditions. Safety exceedances do not occur at the existing site.

265. In scenario 2, the majority of locations on-site and all locations off-site would have wind conditions suitable and safe for their intended use. However, the pedestrian pathway along the south-west boundary with Fulton Quarter would have unsafe wind conditions, which would have the potential to

cause harm to vulnerable pedestrians. Balconies on levels 1-8 balconies at the south-west face of the proposed development would also experience strong winds, which would represent unsafe conditions for occupant use.

266. Comfort exceedances would be present for two entrances (Flexible commercial space and Residential entrance lobby on the northern side of the Block A) and the proposed seating amenities (benches in the Southern Boundary) at ground level. These would have wind conditions one category windier than suitable for their intended uses.
267. In scenario 3, the addition of the cumulative surroundings (specifically, Fulton Quarter) is considered to have a significant positive impact on wind conditions within the site. All unsafe / unsuitable conditions would be resolved. The Assessment considers that mitigation measures could therefore be considered temporary until the cumulative schemes come forward.
268. In scenario 4, the addition of the proposed landscaping scheme at ground level and mitigation measures up to the level 8 balconies would ensure safe conditions year-round. With the landscaping in place, the ground seating amenities would have suitable conditions during the summer seasons. The mitigation measures at the balconies would improve the safety conditions to allow safe use year-round. Recessing the north-western entrances would return suitable conditions during the windiest seasons. Mitigation measures will be secured by condition.

## Flood Risk/Drainage/Water Consumption

### Flood Risk

#### Policy background

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

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

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

- minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
- wherever possible, reduce flood risk overall;
- ensure a dry means of escape;
- achieve appropriate finished floor levels which should be at least 300 mm above the modelled 1 in 100 year plus climate change flood level; and



- not create new basement dwellings in areas of high flood risk.

271. The policy goes on to say that proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. The majority of the site is within functional floodplain zone 3a (surface water and fluvial and tidal) and is at risk of flooding. Applications are required to undertake a detailed Flood Risk Assessment (FRA). Development must be consistent with the recommendations of the Brent Strategic Flood Risk Assessment Level 2.

#### Flood risk assessment

272. A Flood Risk Assessment (FRA) was submitted in support of the application and has been reviewed and amended post submission to address the concerns of the Environment Agency (EA).
273. The site lies within Flood Zone 2 but with areas falling in Flood Zones 3a and 3b (Flood Zone 3b is classified as the 'functional floodplain'). Although there would be no in-principle objections to development within Flood Zones 2 and 3a, without appropriate mitigation and compensation, only 'water compatible' development or 'essential infrastructure' is allowed within Flood Zone 3b.
274. Residential uses are classed as 'More Vulnerable' whereby such uses would not be supported in Flood Zone 3a where the sequential and exception test has not been met. In this case, as noted earlier, the site does form part of a site allocation within the Local Plan. As part of the evidence base to support the Local Plan, the site was included as part of the Brent Flood Risk Sequential and Exception Test documentation. The document set out that the Sequential Test had been passed as "It is necessary to identify the site to address longer term housing needs as there are insufficient alternative sites in fluvial zones 1 or 2". The document also sets out that the site would pass the exception test concluding the following: " development can be made safe throughout its lifetime without increasing flood risk elsewhere and passes the exceptions test in principle. In the case of an application, a site specific flood risk assessment should demonstrate that the development meets the requirements of the SFRA Level 2".
275. As some of the site is within a functional floodplain, water must flow or be stored in times of flooding. A mitigation scheme has been prepared comprising lowering of ground levels in the open space on the north bank of the Brook. Volumetric analysis is presented in the FRA to demonstrate that level-for-level compensation has been provided for the 1 in 30 annual probability (AP), 1 in 100 AP and 1 in 100 AP +20% fluvial events. In addition, above the 1 in 100 AP event the river can overtop the weir of the surface water mitigation scheme on the south bank. It is noted that the fluvial mitigation design does not rely on the surface water mitigation scheme. Mitigation schemes have also been prepared to ensure floodwater is not displaced off-site due to the development. Fluvial floodplain compensation is achieved by lowering levels on the north bank of the Brook. An underground conveyance and storage system will manage surface water flood events. Designs are based on the 1 in 100 AP plus climate change events.
276. With regard to finished floor levels, these should be at least 300mm above the modelled 1 in 100-annual probability AP plus a 20% allowance for climate change however it is recognised that in this instance, this would still be below flood levels. It is therefore proposed to set minimum ground levels at 32.9m AOD, which is 0.7m above the 1 in 100 AP +17% fluvial flood event and 0.3m above the 1 in 100 AP +40% surface water flood event. The commercial space on the east side will have floor level set no lower than the 1 in 100 AP +40% surface water flood level to remain accessible from Olympic Way.
277. The existing footbridge will be replaced with a new clear-span footbridge structure. The new footbridge soffit level will be set no lower than the existing footbridge soffit of approximately 31.8m AOD (to be surveyed accurately prior to removal). The bridge deck level is dictated by the raised levels on the south side of the Brook (to accommodate the building levels), but by the existing ground levels on the north side (to accommodate the floodplain mitigation and permit a compliant access path down to the new play space). Therefore, it is not possible to raise the bridge soffit 600mm above the 1 in 100 AP +20% flood level. However, designing the new footbridge soffit no lower than the existing footbridge soffit will ensure that there is no detrimental impact on flood risk. It should also be noted that the existing Olympic Way (downstream) culvert soffit level is lower at approximately 31.6m AOD.
278. The Brent Reservoir (Welsh Harp) is approximately 1.5km to the east and has an estimated volume of 1,600,000m<sup>3</sup>. The Level 2 SFRA suggests that flood depths may reach 2m in depth in result of

reservoir failure for most of the site. Flood waters may also reach speeds between 0-2 m/s in the event of reservoir failure.

279. Reservoirs across England are regulated by the Reservoirs Act 1975 which set stringent conditions for the operation of reservoirs to ensure high levels of safety. They are designed to operate in a way which ensures the likelihood of failure is incredibly low and therefore the risk of the site flooding from a reservoir is still considered to be extremely low. Notwithstanding, prior to occupation of any part of the development, the applicant would need to engage with the Council's Emergency Planning Officers, and this would be secured by condition.

### Summary

280. Following ongoing discussions with the EA, the applicant has addressed the initial concerns in relation to flood risk. Subject to the imposition of the conditions suggested by the EA and the securing of appropriate details, the development should not pose an unacceptable risk, having regard to Policy BSUI 13 of the Local Plan.

### Drainage/SuDS

281. LP 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.
282. The proposed Surface Water Drainage Strategy for the Proposed Development comprises the following:
283. Hard-paved surfaces will be constructed as permeable surfacing with low-level overflows to the piped drainage system. The permeable sub-base will provide treatment of runoff from any vehicular surfaces.
284. Rain garden and tree pit overflows will connect to the piped drainage system.
- The surface water drainage system will discharge into the Wealdstone Brook via the mitigation system.
  - Discharges will be reduced from the existing rates by at least 77%. Proposed rates have been calculated as 3.2 l/s for the 1 in 1 AP storm events, 4.4 l/s for the 1 in 30 AP +35% events and 5.0 l/s for the 1 in 100 AP +40% events (see Appendix G). The larger events are thus reduced below greenfield rates.
  - Attenuation storage will be achieved within the flood mitigation system which has been designed to accommodate the development runoff. The tanks provide sufficient volume to accommodate the 1 in 100 AP + 40% rainfall events.
  - Hard landscaping on the north side of the Brook will be constructed with permeable surfacing. Any runoff will be directed overland to the Brook, and hence no change from existing.
  - Modelled results are presented within the FRA, both with and without the surface water inflow from Olympic Way. On its own, the site runoff is limited to 5.0 l/s in the 1 in 100 AP +40% event. This is below the greenfield rate.
285. A draft Drainage Maintenance Plan (DMP) outlining ownership and maintenance responsibilities is included with the FRA and would be secured by condition.

### Water Consumption

286. 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.

287. The Energy and Sustainability Statement confirms that consumption would be limited to 105 litres per head per day. And this would be secured by condition.

## Ecology and Biodiversity

288. 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. Policy BGI1 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.
289. Wealdstone Brook runs through the northern part of the site, separating the soft landscaped area from the remainder of the site, and it is recognised for its contribution to the ecological network through its designation as a site of importance for nature conservation (SINC Grade II).

## Protected Habitats and Species

290. A Preliminary Ecological Assessment (PEA), an Ecological Impact Assessment Report (EIAR), a Bat Survey, a BNG Report, and an Arboricultural Impact Assessment, have all been submitted in support of the application and assessed by the Council's Senior Ecologist and Principal Tree Officer.
291. Table 3 of the EIAR provides an evaluation of the site surveys and the potential effects from the development, together with potential mitigation. In relation to amphibians, reptiles, badgers, and hazel dormice, there is a lack of suitable habitat. The steep concrete banks of the brook make it unsuitable for riparian mammals such as water voles and otters (although otters may pass through the site). The soft landscaped area to the north of the brook is also considered unsuitable for hedgehogs because access is only afforded by the footbridge.
292. With particular regard to bats, the two buildings on site (Crescent House and a single storey storage building), are considered to not have any obvious potential roost features. The Olympic Way Bridge is considered to have a high roost suitability, while the Wembley Park Drive Bridge and the onsite footbridge are both considered to have a moderate suitability. The footbridge is identified as a suspected roost by 5no. bats (4no. common pipistrelles and 1no. Nathusius' pipistrelle), which have been confirmed using habitats within the site during the foraging surveys, specifically the brook. A Natural England (NE) European protected species (EPS) mitigation licence would be required prior to any works on the footbridge, to ensure that works are undertaken legally. Mitigation and compensation requirements or impact to roosts would be detailed as a part of the licence. One of the trees on site, a semi-mature hybrid black poplar has a low suitability to support roosting bats.
293. The vegetation on the northern part of the site offers some foraging and breeding opportunities for birds. Any clearance work would need to be undertaken from September to February (outside of the breeding season) unless the works are supervised by an ecologist.
294. The EIAR and Bat Survey include some recommendations which must be incorporated into the final development in order to protect ecological features and enhance biodiversity and roosting opportunities. These include bird and bat boxes, wildlife friendly planting, and the recommendation for a lighting to minimise light spillage. While not included, consideration should also be given to the provision of bug boxes.
295. The submission of a Biodiversity Mitigation and Enhancement Scheme detailing the proposed mitigation and compensation is also recommended. Appropriately worded conditions to secure the recommendations and mitigation measures will be secured by condition.

## Biodiversity Net Gain

296. 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.
297. A Biodiversity Impact Calculation Report, prepared by Geosphere Environmental, has been submitted in support of the application in order to establish whether the scheme will 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).

298. The proposed development would result in an improvement over the existing arrangement with regard to Biodiversity Net Gain, however this would fall below the 10% minimum due to the constraints of the site.
299. However, Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) allows for acceptable development proposals which fall under the 10% minimum BNG requirement to provide either off-site units and/or statutory biodiversity credits. If developers cannot achieve all of their BNG on-site, they can deliver through a mixture of on-site and off-site. Developers can combine all options.
300. A planning obligation will be required to ensure that the developer provides sufficient BNG in accordance with the Act.
301. The proposed development is therefore on balance considered to comply with Policy G6 of the London Plan and Local Plan Policy BGI1. Conditions and/or planning obligations will be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, any off-site provision or credits acquired to ensure that a policy compliant BNG calculation is achieved.

## Urban Greening

302. 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.
303. 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 BGI1 (Green and Blue Infrastructure in Brent) seeks to apply the Urban Greening Factor in London Plan Policy G5 to developments in the borough.
304. 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 submission demonstrates that the development will UGF score in excess of 0.4 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.
305. The application therefore accords with adopted policy in relation to urban greening.

## Trees and Landscaping

306. 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 BGI2 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable.
307. The Arboricultural Impact Assessment submitted with this application indicates that the development would result in the removal of one Category C tree, one Category B group (a hedgerow), and three Category C groups of trees. Tree T4 (Category B) was previously removed as part of ongoing grounds maintenance.
308. The proposed development includes the provision of 34 new trees to be planted.
309. The area to the north of the Wealdstone Brook is proposed to be used as amenity space and therefore laid out more formally. This would result in the removal of a number of trees. However, a Black Poplar tree and an Ash Tree are proposed to be retained, together with an off-site adjacent Plane tree and

off-site adjacent Poplar Tree.

310. The most individually significant trees in terms of visual amenity are proposed to be retained.
311. However, as highlighted above the proposed development would result in the re-provision of 34 new trees, which would mitigate for the loss of the existing trees.
312. A pre-commencement condition is recommended to seek detail of a comprehensive hard and soft landscaping plan, which would require further details of the species, sizes, locations and densities for all trees, including tree pits, along with shrubs, and other planting. On balance, the provision of 34 new trees is considered to sufficiently compensate for the loss of some existing Category B and C trees/shrubs, and the proposed condition will allow the Council's Tree Officer the opportunity to further work with the applicants and their agents to ensure the correct species/sizes of trees are planted.
313. Additionally, the same condition would require an Urban Greening Factor score of 0.40 to be achieved.

## Basement Impact

314. The application is supported by a Basement Impact Assessment (BIA) due to the development proposing a basement up to 4.5m deep. The BIA indicates that the basement should not have any unacceptable impacts on the surrounding area, subject to the works recommended within Section 4 (Scoping Study) of the BIA are undertaken. It should also be noted that one of the reasons for the initial objection by the EA, in relation to the additional loading on Wealdstone Brook and its associated flood defences, has been overcome with the submission of additional information to the EA who, as advised above, have withdrawn their objections. Officers consider the development to be in accordance with Local Plan Policy DMP1. A condition would be attached to any consent to ensure that the Basement Impact Assessment is adhered to.

## Site Waste Management

315. Policy SI7 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:
- 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
  - encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
  - ensure that there is zero biodegradable or recyclable waste to landfill by 2026
  - meet or exceed the municipal waste recycling target of 65 per cent by 2030
  - meet or exceed the targets for each of the following waste and material streams:
    - construction and demolition – 95 per cent reuse/recycling/recovery
    - excavation – 95 per cent beneficial use
  - 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.
316. A site waste management plan (SWMP) has been prepared for the development. A pre-demolition audit has been produced and has identified key materials suited for recovery and reuse. The SWMP outlines the methodologies for estimating waste quantities and streams generated during the

demolition, excavation, and construction stages of the site works, and set out recommended measures required to be adopted by the main contractor to minimise these as far as practically possible. The recommendations will be secured by condition.

317. An operational waste management strategy has been produced and will be implemented for the proposed development. This will demonstrate how the development has taken into account sustainable methods for waste and recycling management during its operation in order to meet planning policies. This will be secured by condition.

## Fire Safety

318. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12(B) 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.
319. In addition to the above, Policy D5 of the London Plan at Part B5 requires the developments to be designed to incorporate safe and dignified emergency evacuation for all users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
320. A Fire Statement prepared by Affinity (UK) Ltd was submitted in support of the application. This Fire Statement addresses Policy D12(B) of the London Plan insofar as it demonstrates how the proposed development would respond to parts A and B of D12, and defines the fire safety objectives and performance of the proposed development. The Fire Statement has been reviewed and considered acceptable by the Health and Safety Executive, who have not raised an objection to the proposed development.

## Designing Out Crime

### Crime prevention and counter terrorism

321. 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.
322. The scheme has been designed to ensure good levels of natural surveillance of public areas and to include suitable means to separate public from communal and private spaces, including measures which can be put in place for event days to facilitate crowd management. A condition will be attached to secure Counter Terrorism measures required by the MET Police.

## Equalities

323. 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).

## **S106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the

- agreement and (b) monitoring and enforcing its performance
- And those Heads of Terms highlighted elsewhere in this report.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.



Application No: 24/1841

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

I refer to your application dated **02/07/2024** proposing the following:

Demolition of the existing building and redevelopment of the site with a residential-led (Use Class C3) building with flexible commercial/community floorspace (Use Class E/F) at ground level; new basement excavation; cycle stores and blue badge parking; refuse stores and plant rooms/equipment; hard and soft landscaping including part-naturalisation of the Wealdstone Brook; new play space; and all associated engineering and ancillary works.

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

The proposed development includes the construction of two linked buildings of 18-storeys and 31-storeys to provide 307 residential dwellings (Use Class C3). The development proposes 179sqm (GIA) of commercial floorspace (Class E) and 216sqm (GIA) of flexible commercial/community floorspace (Classes (E/F2). Basement accommodation is proposed for plant and cycle storage.

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

at **Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/12/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.



2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework  
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):

## Series 05-000 - Existing - Site

- CNWL-FLA-ZZ-XX-DR-05-001 1:1250 A1 Existing - Site Location Plan - Red Line Boundary P02
- CNWL-FLA-ZZ-XX-DR-05-002 1:200 A1 Existing - Site Plan P02
- CNWL-FLA-ZZ-00-DR-05-003 1:200 A1 Existing - Site Plan - Ground Levels P02
- CNWL-FLA-ZZ-XX-DR-05-004 1:200 A1 Existing - Site Plan - Demolition Plan P02
- CNWL-FLA-ZZ-ZZ-DR-05-005 1:500 A1 Existing - Site Elevations - East and North West Elevations P02
- CNWL-FLA-ZZ-ZZ-DR-05-006 1:500 A1 Existing - Site Elevations - North and South Elevations P02
- CNWL-FLA-ZZ-00-DR-05-010 1:100 A1 Existing - Plan - Ground Floor P02
- CNWL-FLA-ZZ-01-DR-05-011 1:100 A1 Existing - Plan - Level 01 P02
- CNWL-FLA-ZZ-02-DR-05-012 1:100 A1 Existing - Plan - Level 02 P02
- CNWL-FLA-ZZ-03-DR-05-013 1:100 A1 Existing - Plan - Level 03 P02
- CNWL-FLA-ZZ-04-DR-05-014 1:100 A1 Existing - Plan - Level 04 P02
- CNWL-FLA-ZZ-05-DR-05-015 1:100 A1 Existing - Plan - Level 05 P02
- CNWL-FLA-ZZ-06-DR-05-016 1:100 A1 Existing - Plan - Level 06 P02
- CNWL-FLA-ZZ-07-DR-05-017 1:100 A1 Existing - Plan - Level 07 P02
- CNWL-FLA-ZZ-RF-DR-05-018 1:100 A1 Existing - Plan - Roof Level P02

## Series 05-020 - Proposed - Site Plans

- CNWL-FLA-ZZ-XX-DR-05-020 1:200 A1 Proposed - Site Plan P02
- CNWL-FLA-ZZ-00-DR-05-023 1:200 A1 Proposed - Site Plan - Ground Levels P03

- Series 05-030 - Proposed - Site Elevations
- CNWL-FLA-ZZ-ZZ-DR-05-030 1:500 A1 Proposed - Site Elevations - East and North West Elevations P01
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- CNWL-FLA-ZZ-M0-DR-05-1M0 1:100 A1 Proposed - Plan - Mezzanine Level P03
- CNWL-FLA-ZZ-01-DR-05-101 1:100 A1 Proposed - Plan - Level 01 P03
- CNWL-FLA-ZZ-02-DR-05-102 1:100 A1 Proposed - Plan - Level 02 P03
- CNWL-FLA-ZZ-03-DR-05-103 1:100 A1 Proposed - Plan - Level 03 P03
- CNWL-FLA-ZZ-04-DR-05-104 1:100 A1 Proposed - Plan - Level 04 P03
- CNWL-FLA-ZZ-05-DR-05-105 1:100 A1 Proposed - Plan - Level 05 P03
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- CNWL-FLA-ZZ-09-DR-05-109 1:100 A1 Proposed - Plan - Level 09 P03
- CNWL-FLA-ZZ-10-DR-05-110 1:100 A1 Proposed - Plan - Level 10 P03
- CNWL-FLA-ZZ-11-DR-05-111 1:100 A1 Proposed - Plan - Level 11 P03
- CNWL-FLA-ZZ-12-DR-05-112 1:100 A1 Proposed - Plan - Level 12 P03
- CNWL-FLA-ZZ-13-DR-05-113 1:100 A1 Proposed - Plan - Level 13 P03
- CNWL-FLA-ZZ-14-DR-05-114 1:100 A1 Proposed - Plan - Level 14 P03
- CNWL-FLA-ZZ-15-DR-05-115 1:100 A1 Proposed - Plan - Level 15 P03
- CNWL-FLA-ZZ-16-DR-05-116 1:100 A1 Proposed - Plan - Level 16 P03
- CNWL-FLA-ZZ-17-DR-05-117 1:100 A1 Proposed - Plan - Level 17 P03
- CNWL-FLA-ZZ-18-DR-05-118 1:100 A1 Proposed - Plan - Level 18 P03
- CNWL-FLA-ZZ-19-DR-05-119 1:100 A1 Proposed - Plan - Level 19 P03
- CNWL-FLA-ZZ-20-DR-05-120 1:100 A1 Proposed - Plan - Level 20 P03
- CNWL-FLA-ZZ-21-DR-05-121 1:100 A1 Proposed - Plan - Level 21 P03
- CNWL-FLA-ZZ-22-DR-05-122 1:100 A1 Proposed - Plan - Level 22 P03
- CNWL-FLA-ZZ-23-DR-05-123 1:100 A1 Proposed - Plan - Level 23 P03
- CNWL-FLA-ZZ-24-DR-05-124 1:100 A1 Proposed - Plan - Level 24 P03
- CNWL-FLA-ZZ-25-DR-05-125 1:100 A1 Proposed - Plan - Level 25 P03
- CNWL-FLA-ZZ-26-DR-05-126 1:100 A1 Proposed - Plan - Level 26 P03
- CNWL-FLA-ZZ-27-DR-05-127 1:100 A1 Proposed - Plan - Level 27 P03
- CNWL-FLA-ZZ-28-DR-05-128 1:100 A1 Proposed - Plan - Level 28 P03

- CNWL-FLA-ZZ-29-DR-05-129 1:100 A1 Proposed - Plan - Level 29 P03
- CNWL-FLA-ZZ-30-DR-05-130 1:100 A1 Proposed - Plan - Level 30 P03
- CNWL-FLA-ZZ-RF-DR-05-131 1:100 A1 Proposed - Plan - Roof Level P02

Series 05-200 - Proposed - Sections

- CNWL-FLA-ZZ-ZZ-DR-05-200 1:200 A1 Proposed - Section - AA P03
- CNWL-FLA-ZZ-ZZ-DR-05-201 1:200 A1 Proposed - Section - BB and CC P03
- CNWL-FLA-ZZ-ZZ-DR-05-202 1:200 A1 Proposed - Section - DD P02
- Series 05-300 - Proposed- Elevations
- CNWL-FLA-ZZ-ZZ-DR-05-300 1:200 A1 Proposed - Elevation - East P02
- CNWL-FLA-ZZ-ZZ-DR-05-301 1:200 A1 Proposed - Elevation - South P02
- CNWL-FLA-ZZ-ZZ-DR-05-302 1:200 A1 Proposed - Elevation - South West P02
- CNWL-FLA-ZZ-ZZ-DR-05-303 1:200 A1 Proposed - Elevation - North West P02
- CNWL-FLA-ZZ-ZZ-DR-05-304 1:200 A1 Proposed - Elevation - North East P02
- CNWL-FLA-ZZ-ZZ-DR-05-305 1:200 A1 Proposed - Elevation - West P02
- CNWL-FLA-ZZ-ZZ-DR-05-306 1:200 A1 Proposed - Elevation - North P02
- Series 05-400 -Proposed Façade Bay Studies
- CNWL-FLA-ZZ-ZZ-DR-05-400 1:50 A1 Proposed - Bay Study - Tower - East Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-401 1:50 A1 Proposed - Bay Study - Tower - South Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-402 1:50 A1 Proposed - Bay Study - Link - South Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-403 1:50 A1 Proposed - Bay Study - Lower Building - South West Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-404 1:50 A1 Proposed - Bay Study - Lower Building - North West Elevation P02

Accompanying Documents & Reports

- CNWL-FLA-ZZ-XX-RP-A-00-001 N/A Design & Access Statements P03
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- Basement Impact Assessment
- Arboricultural Impact Assessment
- Ecological Impact Assessment
- Preliminary Ecological Impact Assessment
- Fire Strategy Report
- Flood Risk Assessment
- BUILT HERITAGE, TOWNSCAPE AND VISUAL IMPACT ASSESSMENT
- WHOLE LIFECYCLE CARBON ASSESSMENT

- CIRCULAR ECONOMY STATEMENT
- PEDESTRIAN LEVEL WIND MICROCLIMATE ASSESSMENT

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

- 3 The scheme hereby approved shall contain 307 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The development hereby approved shall contain 395 sqm of commercial floor space (GIA) which shall not be used other than for purposes within Use Class E or F2 as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The disabled parking space within the development shall be provided prior to occupation and provided with electric vehicle charging infrastructure from the outset. This charging infrastructure shall be permanently maintained thereafter for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with London Plan policy T6.1.

- 6 The external communal amenity space within the development shall be made available and accessible to all residents within that building, regardless of the type and affordability of their accommodation, for the lifetime of the development.

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

- 7 The refuse storage for the residential dwellings as detailed within the approved plans shall be designed to provide sufficient capacity for both blocks and shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development. The refuse storage facilities for the residential use shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To ensure that there is sufficient capacity for waste and that the location of the bin stores are within suitable locations for collection.

- 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 Policies BSUI1, BSUI2 and London Plan Policy SI1.

- 9 The residential development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance

with requirement G2 of Schedule 1 to the Building Regulations 2010.

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

- 10 Unless otherwise required by any other Condition attached to the development hereby approved, the development shall only be undertaken in accordance with all of the recommendations within Section 4.0 (Scoping Study) of the Basement Impact Assessment (ref: CRM.1027.104.GE.BIA.R.002.A), unless otherwise approved in writing by the Local Planning Authority.

Reason: To minimise any adverse impact from the implementation of the basement.

- 11 The recommendations set out within the Overheating Risk Assessment (15.12.2023) shall be implemented in full 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.

- 12 The development shall be carried out in accordance with the tree protection measures for retained trees as detailed within the Arboricultural Impact Assessment CNWL - Crescent House prepared by RSK ADAS Limited dated December 2023 throughout the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting trees identified to be retained within the 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 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 hoarding's, security fencing and scaffolding on/over and pavements and carriageway (which shall be crowd loaded and anti-climb on the Olympic Way frontage during a Major Stadium Event at Wembley National Stadium);
- 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.

- 14 Prior to the commencement of the development (including site clearance and demolition works), 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 development commencing, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, setting out how the construction process will be managed so as to protect the existing ecology of the site and off-site receptors, in accordance with the recommendations of the approved Ecological Impact Assessment Report and Bat Roost & Activity Survey prepared by Geosphere Environmental dated 01/05/2024 and the approved plan shall be implemented in full throughout the construction of the development.

Reason: In order to ensure that the development results in no net loss to biodiversity and impact upon the nearby sites of Borough Grade I site of importance for nature conservation.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development to protect the existing ecology and nearby SINCs Grade I and therefore needs to be discharged prior to construction.

- 16 Prior to the commencement of the development (including site clearance and demolition works), a strategy for maintaining and improving the flood defences shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. This strategy shall include the following components:

1. A detailed intrusive survey of the existing river wall, including identification of possible buried elements.
2. A scheme, based on the condition of the survey in (1), to undertake any required improvements or repairs to the flood defence prior to the construction works to bring the wall up to a satisfactory condition, sufficient for the lifetime of the development. The scheme shall include a plan for any required long-term monitoring and maintenance and a programme for the improvements or repairs completion.
3. Demonstration that a continuous and unobstructed area is maintained to ensure access to the main river/associated flood defence. This is to protect the riparian zone, avoid potential increase in flood risk and ensure there is sufficient room for maintenance, future improvement works and emergency access.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason(s): The proposed development, built within 8 meters of the Wealdstone Brook main river is only acceptable if the above condition is implemented. This condition is required to ensure that the structural integrity of the flood defence is not compromised so that the development can remain safe for its lifetime and to not increase flood risk on site and elsewhere, in line with paragraph 165 of the NPPF.

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

- 17 Prior to the commencement of the development (excluding site clearance and demolition works), a bridge design scheme has been submitted to and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The scheme for the new bridge must adhere to the following:
- i. The bridge is required to be clear span, with soffit level no lower than the soffit level of the entrance to the downstream Olympic Way culvert at 31.6 mAOD.
  - ii. All abutments must be set back a minimum of 1m from the top of bank and be as minimal as possible.
  - iii. Any loss of floodplain due to abutments and ramps will need to be compensated for. If necessary, floodplain compensation requires land on the edge of the floodplain, above the 1% annual probability (1 in 100 year) flood level with an appropriate allowance for climate change.
  - iv. All parapets and railings need to be permeable and as open as possible with a minimum 100mm spacing.

The design scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phrasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason(s): To ensure that the new bridge does not block flood flows, influence flood storage or impact on the structural integrity of the flood wall thereby causing an increase in flood risk.

- 18 Prior to the commencement of the development (excluding site clearance and demolition works), a scheme for the provision and management of an appropriate buffer zone alongside the Wealdstone Brook shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The scheme shall include:
- i. Plans showing the extent and layout of the buffer zone
  - ii. Details of any proposed planning scheme (for example native species)
  - iii. Details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for the management plus production of a detailed management plan
  - iv. Details of any proposed footpaths (including the provision of a segregated access for pedestrians from Wembley Park Drive), fencing, lighting etc.
  - v. Details of any proposed lighting including the specifications, location and direction of external artificial lights. This should be such that lighting levels within 8 meters of the top of bank of the watercourse are maintained at background levels (Lux level of 0-2).

Reasons: To ensure that development conserves and enhances the environment by minimising impacts on and providing net gains for biodiversity in line with paragraphs 180 and 186 of the NPPF.

- 19 (a) Prior to the commencement of development (excluding site clearance and demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works that



includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

- 20 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) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan.

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.

- 21 Prior to commencement of development (excluding site clearance and demolition works), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The 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.

- 22 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 Brent's Local Plan Policy BSUI1.

- 23 Prior to commencement of the development (excluding demolition, site clearance and laying of foundations) details of the temporary crowd loaded and anti-climb fencing to Olympic Way for Major Stadium Events at Wembley National Stadium, together with precise locations, specification and a management plan for its storage, installation and removal, shall be submitted and approved in writing by the Local Planning Authority. The details shall be agreed in collaboration with Public Safety Officers.

The fencing and associated management procedures shall be fully implemented in accordance with the approved details, retained and maintained for the lifetime of the Development, unless prior written approval to alternative fencing and/or management have been granted by the Local Planning Authority and those alternative details are implemented in full and thereafter retained and maintained.

Reason: To ensure appropriate crowd and public safety in relation to Wembley events.

- 24 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police and the approved details shall be implemented in full prior to first occupation of the development hereby approved and thereafter retained and maintained.

Reason: To ensure a satisfactory development that accords with London Plan policy GG6.

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

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

- 26 Prior to commencement (excluding demolition, site clearance and the laying of foundation) a plan indicating all of the microclimate mitigation measures together with detailed drawings of railing/screens and other design measures as per the recommendations of the pedestrian level wind microclimate assessment prepared by RWDI dated 6th June 2024 shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 27 The development hereby approved shall be built so that no fewer than 10% of the 307 residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings', and the remaining homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Detailed layout plans, 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.

- 28 Prior to commencement of development (excluding site clearance, demolition and laying of foundations), the following details shall be submitted to and approved in writing by the Local Authority Planning:

- i. the layout and access to cycle stores to provide 541 long-stay residential cycle spaces, 2 long stay commercial spaces and 29 short stay "Sheffield" stands, including details of the cycle storage room doors demonstrating that they will have a minimum width of 1.2 m, in line with the guidance set out within London Cycle Design Standards.
- ii. Opportunities to make provision for the use of E-bike charging points, if feasible

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

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

- 29 Prior to commencement of the development (excluding demolition, site clearance and laying of foundations), details of the refuse storage facilities for the commercial uses shall be submitted to and approved in writing by the Local Planning Authority, and therefore provided in accordance with the approved details prior to first occupation of the commercial uses, and thereafter retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that there is sufficient capacity for waste and that the location of the bin stores are within suitable locations for collection.

- 30 Prior to commencement of relevant landscape works for the development hereby approved a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme and implementation programme shall be completed in full, prior to first use or occupation of the relevant buildings.

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.

The landscaping scheme submitted shall incorporate the hard and soft landscaping details indicated on the approved plans, as well as further details of but not limited to the following;

- i. Proposed materials for all hard surfaces and the permeable qualities (including colour finishes);
- ii. Species, sizes, locations and densities for all trees (and tree pits where relevant), shrubs, planting and a detailed implementation programme;
- iii. Materials and size of all raised planters and trellises;
- iv. All external furniture, benches, tiered seating and informal seating (including location and type of cycle parking stands in landscaped / public realm areas);
- v. All biodiversity enhancement measures as set out within the Ecological Impact Assessment Report;
- vi. Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision);
- vii. Details to demonstrate compliance with the proposed Urban Greening Factor score of 0.40,
- viii. A detailed Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities in perpetuity;
- ix. Any external CCTV installations
- x. All raised edges, including locations, in order to protect planted / landscaped areas from vehicle damage;
- xi. Proposed retractable bollards;
- xii. All boundary treatments, including fencing, gates, retaining structures and other means of enclosure (including the above ground external amenity levels), indicating materials, position and heights, and details to confirm the extent of the western site boundary (for the southern site) that is to remain open and permeable. The open and permeable sections of the western site boundary (for the southern site) shall be maintained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority;
- xiii. Soil depth and composition of green biodiverse roof areas, and details of their future maintenance.

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, unless otherwise agreed in writing with 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, provides ecological, environmental and biodiversity benefits, and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 31 Prior to occupation of the development hereby permitted, a scheme for wildlife and nesting features in accordance with the recommendation of the Ecological Impact Assessment Report shall be submitted to and approved in writing by the Local Planning Authority.

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan.

- 32 Prior to first occupation of the development, 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.

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

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

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

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

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

- 34 Prior to the first occupation of the development hereby approved, a final Delivery and Servicing Management Plan including details of long term maintenance and management including running costs and service charges shall be submitted to and approved in writing by the Local Planning. The Delivery and Servicing Plan shall include details of how footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity. The plan shall include a strategy for the management of delivery and servicing on event days at Wembley National Stadium which shall be worked on up in

consultation with the 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 commercial units.

- 35 The development shall not be occupied until confirmation has been provided that either:
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
  2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

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

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

- 36 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.

- 37 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](mailto: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.

- 38 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](mailto: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.

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

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

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

Reason: To protect acceptable local noise levels.

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

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

## INFORMATIVES

**1** - The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

**2** - (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](http://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](mailto: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.

**8** - The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

**9** - The applicant is advised that if the development is carried out it will be necessary for the existing vehicle access points to be altered by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for such works should be made to the Council's Highways Team by applying online at: <https://www.brent.gov.uk/parking-roads-and-travel/roads-and-streets/vehicle-crossings-and-dropped-kerb>. Please note that the grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

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



## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

11 December, 2024  
06  
20/4143

## SITE INFORMATION

RECEIVED	11 December, 2020
WARD	Dollis Hill
PLANNING AREA	Brent Connects Willesden
LOCATION	403-405 Edgware Road, Cricklewood, London, NW2 6LN
PROPOSAL	Demolition of existing building and basements and replacement with mixed-use development (26,677 sq. m GIA) incorporating 22 storey building and 3 basements, comprising: flexible light industrial (Class E)/B8 employment space (in accordance with Part 3 of Schedule 2 (Class V) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)); Class C1 Hotel (including ancillary gym, spa and swimming pool); Class F.1 Conference Centre; Class F.2 community hall; basement car parking accessed from Oxgate Lane; cycle parking; internal service yard; coach drop-off lay-by; management and back of house areas; plant; roof garden and outdoor terraces; public realm improvements and associated works. (REVISED DESCRIPTION AUGUST 2024 - SEE REVISED DRAWINGS AND SUPPORTING DOCUMENTS ON WEBSITE).
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_152957">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_152957</a></p> <p><b><u>When viewing this as a Hard Copy</u></b> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "20/4143" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of commencement 28 days prior to material start
3. At least 10% of all employment floorspace to be provided as affordable workspace to be delivered as follows:
  - a) In perpetuity
  - b) At no more than 50% of comparable local market rates
  - c) Floorspace is to be provided as affordable research and development, light industrial, flexible office and studio workspace
  - d) Managed by one of the Councils approved affordable workspace operators
  - e) With a minimum lease term of 15 years or a minimum long-lease of 125 years
  - f) To a minimum fit-out standard as set out in the Affordable Workspace SPD
4. Employment and Training obligations 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 (estimated to be £112,304.50 for construction phased job opportunities and £171,050 for the operational phased job opportunities ) calculated in accordance with Brent's Planning Obligations SPD) to Brent Works for job brokerage services.
5. Implementation and review of Parking Design and Management Plan, including management of coach parking
6. S38/S278 highway works under the Highways act 1980 to secure:
  - a) Widen and resurface the footways of Edgware Road and Oxgate Lane fronting the site, to provide a coach lay-by, to provide new accesses to the basement car park and service yard and to provide street furniture including bicycle stands and street trees, together with all associated signing, lining, lighting, drainage and other ancillary or accommodation works or works to statutory undertakers equipment rendered necessary, all in general accordance with drawing 1808-16.PL01(E);
  - b) Provision of a bus shelter for the nearby southbound bus stop on Edgware Road
7. Contribution towards review of local streets and implementation of any future Controlled Parking Zone (CPZ) - £50,000
8. Contribution towards pedestrian and cycle improvements, including a new cycle lane along Oxgate Lane in connection with improved connections to Brent Cross West station (£250,000)
9. Contributions to local bus network improvements, as requested by TfL (£162,500)
10. Contributions to way finding signage (£5,000)
11. Submission and approval of Workplace and Commercial Travel Plans for the development.
12. Energy assessment to include:
  - a) Prior to a material start submission and approval of a detailed design stage energy assessment. Initial carbon offset payment (estimated to be £275,496 / £95 per tonne) to be paid prior to material start if zero-carbon target not achieved on site.
  - b) Post-construction energy assessment. Final carbon offset payment (estimated to be £275,496 / £95 per tonne) upon completion of development if zero-carbon target not achieved on site.

c) 'Be seen' energy performance monitoring and reporting

13. Indexation of contributions in line with inflation from the date of committee resolution

Any other planning obligation(s) considered necessary by the Head of Planning. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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

Conditions -

*Compliance*

1. Three year rule
2. Approved drawings and documents
3. Use restriction on industrial and commercial floorspace and no individual industrial units to exceed more than 1,000 sqm
4. Quantum of hotel rooms
5. 90 day restriction on occupation of hotel rooms
6. Accessible room requirements for hotel rooms
7. Compliance with Flood Risk Assessment and Drainage Strategy
8. Compliance with Preliminary Ecological Appraisal and Biodiversity Impact Assessment
9. Car parking and Electric Vehicle Charging Points
10. Tree Protection Measures
11. Non Road Mobile Machinery
12. Compliance with Microclimate mitigation measures

*Pre-commencement*

13. Historic England recording
14. Details of selective salvage and permanent heritage display in hotel lobby
15. Construction Logistics Plan
16. Construction Method Statement

*During construction*

17. Contaminated land
18. Piling Method Statement
19. District heating network connection
20. Fibre connectivity
21. External materials
22. Hard and Soft Landscaping
23. Secure by Design measures

*Pre-occupation*

24. Hotel Accessibility Management Plan
25. Community Access Plan
26. Delivery and Servicing Plan
27. External lighting
28. Whole Life Carbon Assessment
29. Circular Economy
30. Plant Noise

*Post occupation*

31. BREEAM

Informatives


As set out within the decision notice

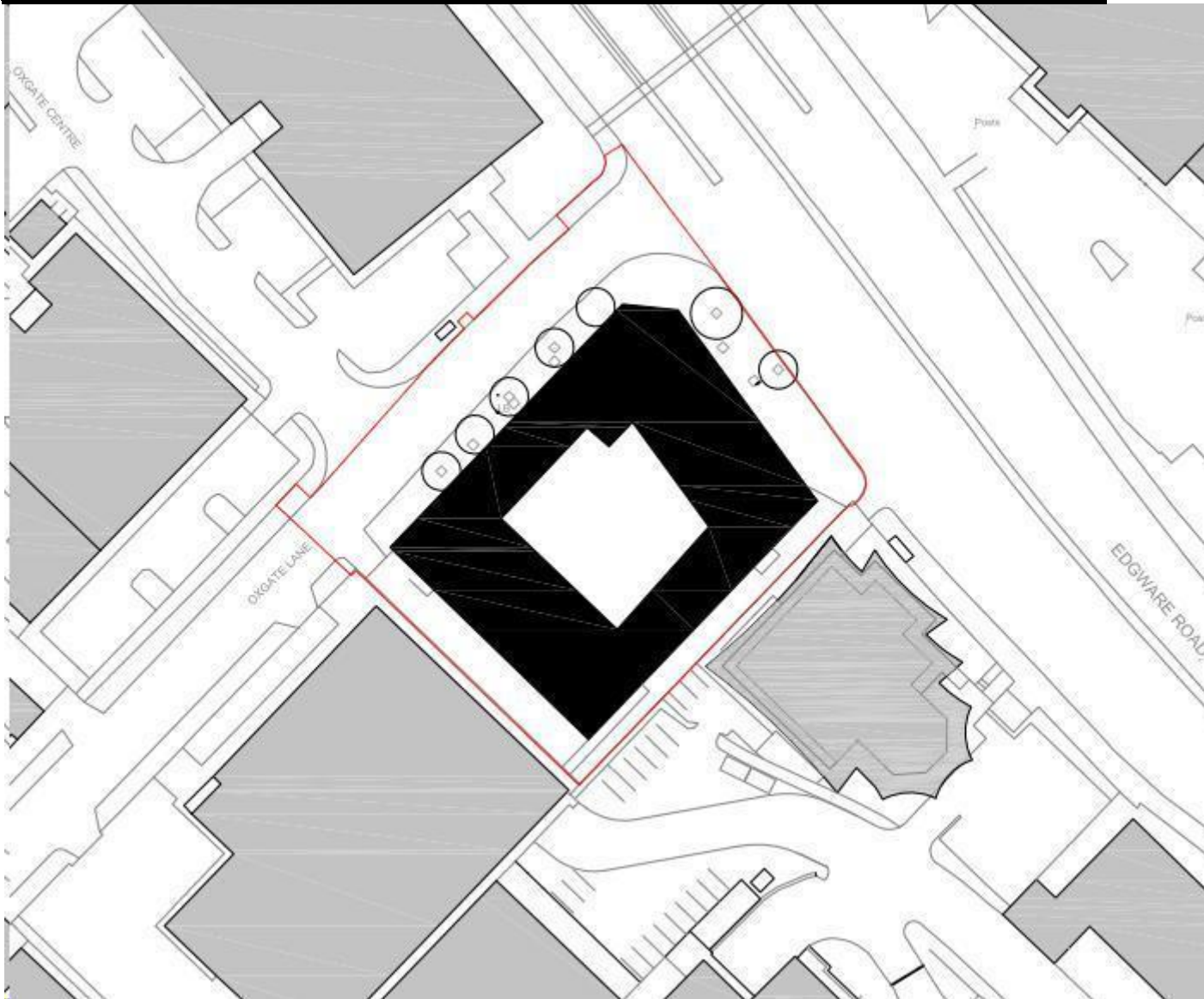
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, Informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

	<b>Planning Committee Map</b>
	Site address: 403-405 Edgware Road, Cricklewood, London, NW2 6LN
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the demolition of the existing building and its replacement with a maximum 22-storey building, with an employment focused mixed-use development amounting to 26,677 sq. m GIA.

The proposed development would incorporate the following land uses:

- Replacement flexible employment space (Class E(g)(iii)/B8): 4,858 sqm (GIA)
- Hotel (Class C1): 210 bed hotel, café/restaurant, gym, health spa and swimming pool: 13, 655sqm
- Conference Centre (Class F.1): including 2 No. Halls (and access to a third hall – shared with the community facility, together with shared lobby and reception areas – 1,038 sqm (excluding shared hall)
- Community Hall (Class F.2): 1,133sqm

In addition, the development includes the following back of house and supporting elements:

- The provision of car parking (36 spaces including 5 disabled) serving the replacement industrial floorspace, the hotel and conference facilities and retail floorspace within two levels of the basement;
- A dedicated internal service yard, accessed from Oxgate Lane, with 436 sqm GIA on the ground floor, together with van 'drop-off' and loading area in Basement -1
- Several outdoor amenity spaces (comprising a podium terrace, sky-garden and two private terraces) (these would have a combined area of 1,391 sqm)
  - The provision of a coach drop-off on Oxgate Lane (capable of accommodating 2 No. standard 12 metre coaches)
- Public realm improvements, including regraded area in front of the building to provide level access into the building, and the planting of new street trees on Edgware Road
- Provision of 24 short stay cycle parking spaces (split between the Edgware Road and Oxgate Lane public realm areas)

Use	Existing GIA	Proposed GIA
Office and laboratories (Class E(g))	6,672	
Flexible Employment (Class E(g)(iii)/B2/B8)		4,858
Hotel (including conference centre, gym/spa, swimming pool and restaurants)		13,655
Conference centre		502*
Community hall (Class F.2)		497**
Ancillary plant, management, BOH		1,716
<b>Total</b>	<b>6,672</b>	<b>22,400</b>

## EXISTING

The application site is located adjacent to the eastern boundary of LB Brent, which adjoins the LB Barnet. The site is located within the Staples Corner Strategic Industrial Location (SIL), and within the Staples Corner Growth Area. It is located at the junction of Edgware Road (A5) and Oxgate Lane, with the existing building fronting onto both streets.

The site has an area of 0.43ha, with the existing three-storey building set around a central courtyard, with two further basement levels. The building is locally listed (non-designated heritage asset), constructed between 1937 and 1939 and designed with a bomb-proof bunker during WWII, to be used by the Admiralty. Its lawful use is E(g) (offices and laboratories).

To the north of the site are the junctions of the North Circular Road (A406) with the M1, and the A41 (to the north east). Vehicular access to the site is via an access from Oxgate Lane, in the north west corner of the site, where there is a small servicing road adjoining the western edge of the site.

In terms of other designations, parts of the site and the surrounding road network are located within Flood Zone 3 for surface water flooding, and the site is within an Air Quality Focus area.

## SUMMARY OF KEY ISSUES

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

**Representations received:** Two rounds of consultation took place with a total of 11 comments received objecting to the proposal, 93 comments received supporting the proposal and 4 neutral comments received. Comments were also received from a number of internal and external consultees. Further details of the comments received are discussed within the “consultation section” below.

**Principle:** The re-development of the site with replacement industrial floorspace and hotel provision is considered acceptable in line with London Plan and Local Plan policies. Given the Staples Corner Growth Area Masterplan and Design Code which has now been adopted, the quantum of replacement industrial provision is acceptable, with officers now assured that the layout and quality of this space would be attractive and viable for future users, with 10% of the workspace being affordable. It is accepted that the provision of a 22-storey hotel is required to support the viability of the scheme, and sufficient justification (including a sequential assessment) has been provided to ensure it is acceptable in this location outside of a Town Centre.

**Design:** The development proposes a tall building within a designated tall building zone. It's height is considered acceptable given its location within the tall building zone, and the emerging context.

**Loss of non-designated Heritage Asset:** The site would involve the demolition/ loss of the existing building, which is locally listed and therefore a non-designated heritage asset. Objections have been received on heritage grounds from the C20th Society and SAVE Britain's Heritage, as well as neighbouring residents, to the demolition of the existing building, which is considered to have historical significance given its status as a WWII underground bunker for the Admiralty. However officers have undertaken a robust assessment of the significance of the building, and consider that the scale of harm resulting from its loss would be outweighed by the benefits secured by the proposed scheme. Historic England have not raised any objections, and the GLA agree with officers' assessment.

**Quality of hotel accommodation:** The proposed hotel rooms would be of a good quality, all benefitting from good levels of light, outlook and ventilation. At least 10% of rooms would be wheelchair accessible, and all shared amenities would be fully accessible. The hotel also benefits from a variety of external amenity spaces.

**Impact on neighbouring properties:** The development would have a negligible impact on neighbouring residential properties in terms of daylight, with all windows and habitable rooms tested meeting BRE guidelines, which reflects the predominantly commercial surrounding context. Similarly, there would be a limited impact in terms of sunlight, overshadowing and privacy impacts. The emerging Growth Area context must also be taken into consideration, with the surrounding area likely to be subject to increasing density where flexibility to the BRE Guidelines needs to be shown.

**Transport:** A reduction of 76 car parking spaces within the site from that initially proposed, to a maximum of 36, has been achieved in order to ensure that the development would be sustainable and meet the wider aims of the SCGA. Financial contributions would be secured within the S106 Agreement towards public realm and access improvements, particularly to improve future links to Brent Cross West Thameslink station. Contributions towards improved bus routes, and upgrades to the adjacent bus shelter, are also secured as a result of TfL comments. Issues with the service yard have now been overcome. The submitted Transport Statement confirms that existing trip generation would be limited and would not have a noticeable impact on the local highway network. The proposal is considered to be acceptable in relation to the potential transportation impacts subject to the conditions and obligations set out within the recommendation section of this report.

**Landscape, ecology, biodiversity and flooding/drainage:** Of the 7 existing trees on site, 2 category B trees would be retained on the Edgware Road frontage with 5 existing trees to be lost to accommodate the development. The scheme would include the planting of 60 new trees within the site (in the various roof terraces) and along the street frontages (this would account for a net increase in 55 trees within the site). The site is not within any designated ecological assets and there are no SNIC sites in proximity to the site. It is not likely to form habitat for any protected species, given its extensive hard-surfacing and limited green components. Net gain in biodiversity is to be achieved as a result of development, as well as a significant

improvement to the Urban Greening Factor score. Flood risk has been assessed, and no objections are raised by the Local Lead Flood Authority on these grounds. A range of SuDS measures are proposed to address surface water management, with further details of the drainage strategy to be secured by condition(s).

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

## RELEVANT SITE HISTORY

In 2014 and 2015 there were enforcement investigations into changes of use to mixed residential/ religious use and for religious purposes. These uses subsequently ceased.

**92/1762:** Certificate of lawfulness granted on 15<sup>th</sup> Dec 1992 for proposed use of basement as B1 use.

**92/1425:** Certificate of lawfulness granted on 13<sup>th</sup> Oct 1992 for proposed use of building above ground for B1 use.

## CONSULTATIONS

### Public Consultation (original scheme – Feb 2021)

A total of 673 addresses were initially notified of the development on 12/02/2021.

A Site Notice was displayed on 12/03/2021.  
A Press Notice was published on 18/02/2021.

A total of 45 written comments were received to the proposals at this stage, from adjoining residents and interested parties (40 of which are supporting and 4 are objecting with 1 neutral comment).

The grounds for objection are summarised in the table below:

Objection	Response
Loss of Historical assets	Refer to sub section "Heritage Considerations" below
Lack of parking and vehicles should have waiting time limit	Refer to sub section "Transport and Highways" below.
Additional traffic on the street	Refer to sub section "Transport and Highways" below.
Signs are required so drives would not be advised to go to the wrong way	Refer to sub section "Transport and Highways" below.
New job opportunities should be secured and should not be limited to low skilled job or part time job. Discount should be given to start-ups.	Refer to sub section "Employment and Training" below. The scheme would also secure affordable workspace provision as set out within the Heads of Terms.
The building should benefit local residents if granted planning permission for C1, F1, and F2 uses.	Refer to sub section "Community Uses" below.
Seek clarity on the designated F2(b) space, including the second-floor hall and fourth-floor hub, and oppose permission for only shared space.	Refer to sub sections "Principle of proposed hotel and conferencing use" and "Community Uses" below.

A total of 40 representations in support of the application have been received. The main points made in support of the application are set out below:

Nature of support comment	Response
The proposed facilities would be beneficial to	Comment acknowledged.

the residents	
Great design with appropriate building height	Comment acknowledged.
More job opportunities provided in the area	Comment acknowledged.
New amenities to provide for employee	Comment acknowledged.
The proposed parking would ease congestion	Comment acknowledged.
Current site is unpleasant and dangerous with no benefit to the community	Comment acknowledged.

### Revised scheme (August 2024)

A total of 464 addresses, including all those who initially commented on the application, were notified of the revised drawings and supporting documents by letter on 04/09/2024.

A site notice with the revised description of development was displayed on 02/09/2024  
A press notice with the revised description of development was published on 05/09/2024

A total of 53 written comments were received to the proposals at this stage, from adjoining residents and interested parties including Dollis Hill Residents Association, LAMAS and SAVE Britain's Heritage (43 of which are supporting and 7 are objecting with 3 neutral comment).

The grounds for objection are summarised in the table below:

<b>Objection</b>	<b>Response</b>
Concerns regarding construction works impact on the neighbouring environment including noise	It is acknowledged that noise from construction can result in some unavoidable noise impact. The hours of construction are controlled through Environmental Health legislation to mitigate the impact as far as possible while a Construction Management Plan and Construction Logistics Plan would be secured through condition.
Additional traffic on the street	Refer to sub section "Transport and Highways" below.
Housing is preferred over a hotel	Refer to sub sections "Local Plan and SCGA Masterplan and Design Code SPD" and "Principle of proposed hotel and conferencing use" below.
Loss of Historical Assets	Refer to sub section "Heritage Considerations" below
Accessibility of podium terraces	A condition is secured requiring details of an accessibility management plan for the proposed hotel use.
Concerns regarding the design and the inappropriate height of proposed building	Refer to sub section "Urban design considerations" below.

A petition has been set up against the demolition of Oxgate Admiralty Citadel and advocates for its transformation into an indoor skatepark. Four signatures have been collected.

Representations have also been received on behalf of the Wing Yip site to the immediate south. The main issues raised are summarised as follows:

- Lack of engagement with the Wing Yip site from the applicant
- Prematurity of the development in the absence of a formally adopted Masterplan
- Un-neighbourly relationship with the Wing Yip site/ southern boundary
- Lack of active frontage/ activation to public realm
- Unclear how proposed community hall and conference centre would operate
- Concerns with vehicular access/ conflicts along Oxgate Lane
- Impacts during construction works
- Lack of utilities assessment

*Officer comments: It is considered that these issues have all been addressed in the main remarks section below, or have been clarified by the applicants.*



A total of 42 representations in support of the application have been received. The main points made in support of the application are set out below:

Nature of support comment	Response
The proposed facilities would be beneficial to the residents	Comment acknowledged.
Great design with appropriate building height	Comment acknowledged.
More job opportunities provided in the area	Comment acknowledged.
New amenities to provide for employee	Comment acknowledged.
The proposed parking would ease congestion	Comment acknowledged.
Current site is unpleasant and dangerous with no benefit to the community	Comment acknowledged.
Support economic growth of the area	Comment acknowledged.
The proposed green space would be beneficial in terms of sustainability	Comment acknowledged.
Better disability access and cycle parking	Comment acknowledged.

**Statutory/ External Consultees**

**Greater London Authority (Stage 1 comments):** The GLA initially commented on a number of strategic issues with the scheme in February 2021, including land use principles, urban design and heritage, transport and sustainable development. Objections were raised on a number of these issues, mainly around the prematurity of re-development of the site in the absence of a Masterplan, the loss of industrial floorspace within SIL, and the nature of the proposed hotel use.

Since these comments, there have been lengthy discussions with the applicants and a number of amendments have been made, as well as significantly the adoption of the SCGA Masterplan and Design Code in November 2023. The GLA have briefly commented on the amendments submitted in Aug 2024, as follows: *The site appears to be identified for residential use with café / retail at ground floor level so from an industrial perspective the re-provision of industrial is welcome, especially the B8 element. Given the strategic evidence, the amount of B2/B8 floorspace should not be capped.*

*The design and operation of the industrial provision need to ensure a true industrial occupier can use the space eg appropriate floor to ceiling heights, dedicated access, dedicated loading, operating hours – ideally 24/7, especially for the B8 element – please refer the applicant to the draft Industrial land and uses LPG for some introductory design guidelines. Need to apply the Agent of Change.*

*In addition, whilst the hotel use does not accord with London Plan policy E4, the principal of introducing non-industrial uses is established by the Local Plan, subject to a masterplan. Should the proposal for a hotel be accepted, this should not result in the further erosion of the SIL/industrial only area at Staples Corner.*

Amendments to the sustainability and energy statements have also been reviewed by the GLA's energy team - there are no in principle objections, subject to conditions and further work to be undertaken before Stage 2 referral.

Officer comments: *These comments have been noted and are considered and addressed in the land use and principle of development section of the report.*

**Transport for London:** TfL have commented on the revised scheme and while amendments are made, they have requested conditions and financial contributions should be secured via legal agreement. These are addressed in the relevant transport sections of the report.

**Thames Water**

No objections regarding foul and surface water infrastructure capacity. Condition requiring the submission of a piling method statement for approval.

**LB Barnet**

No objections raised.

**Metropolitan Police - Secure by Design Officer**

No objections but recommend a condition is secured to achieve secured by design accreditation to silver

award

### **Historic England**

No comments to make, views of the LPAs heritage officer should be sought on the proposals.

### **Twentieth Century Society**

Objection. The existing building, the Oxgate Admiralty Citadel, is of historical significance and is recognised as a Locally Listed Non-designated Heritage Asset. The building should be renovated and adapted for reuse.

*Officer comment: These issues are addressed in more detail within the heritage section of the report.*

### **SAVE Britain's Heritage**

Re-iterates earlier objections on heritage and climate grounds. The proposed demolition of the locally listed building fails to comply with paragraphs 157 and 209 of the NPPF, Brent's Historic Environment Place-Making Strategy (2019) and the SCGA Draft Masterplan and Design Code SPD (May 2024).

Officer comment: These issues are addressed in more detail within the heritage and sustainability sections of the report.

### **Natural England**

No objections subject to a condition requiring the installation of bird friendly glass solutions, as outlined in the submitted Ecological Impact Assessment, as suitable mitigation to ensure flightlines are not unduly impacted by the proposed tall building.

### **Fire Brigade**

Applicant advised to ensure that plans conform to Part B of Approved Document of the Building Regulations.

### Internal consultation

### **Environmental Health**

Environmental health raises no objections to the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

### **Statement of Community Involvement**

A Statement of Community Involvement (SCI) has been submitted with the application, sets out the public consultation and level of engagement undertaken before submitting the application, as required through the Localism Act (2011) and also following the advice set out in Brent's SCI. In light of restrictions during the Covid-19 pandemic, a 'virtual' public exhibition went 'live' in May 2020, with over 2,800 local residents and businesses invited within a 700m radius of the site. Local councillors and key stakeholders were also invited to attend by email and letter. The exhibition took an online form with the same type of materials – eg. banners, feedback mechanisms and contact details of the project team – as would be available with a physical exhibition. Full details of the exhibition are available within the applicant's submitted SCI.

Feedback received through the course of this consultation programme has been taken into consideration when finalising the proposals and is evident in the final planning application.

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

## **POLICY CONSIDERATIONS**

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

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041

The key policies applicable to this proposal are:

## **London Plan**

GG1 Building Strong and inclusive communities  
GG2 Making the best use of land  
GG3 Creating a healthy city  
GG5 Growing a Good Economy  
GG6 Increasing Efficiency and Resilience  
D1 London's Form and Characteristics  
D4 Delivering Good Design  
D5 Inclusive Design  
D8 Public Realm  
D9 Tall buildings  
D12 Fire Safety  
D14 Noise  
E3 Affordable workspace  
E4 Land for industry, logistics and services to support London's economic function  
E5 Strategic Industrial Locations (SIL)  
E7 Industrial intensification, co-location and substitution  
E10 Visitor infrastructure  
HC1 Heritage Conservation and Growth  
G1 Green Infrastructure  
G5 Urban Greening  
G6 Biodiversity and access to nature  
G7 Trees and Woodlands  
SI1 Improving Air Quality  
SI5 Water Infrastructure  
SI7 Reducing Waste and Supporting the Circular Economy  
SI12 Flood Risk Management  
SI13 Sustainable Drainage  
T2 Healthy Streets  
T4 Assessing and Mitigating Transport Impacts  
T5 Cycling  
T6 Car Parking  
T7 Deliveries, servicing and construction

## **Brent Local Plan**

DMP1 Development Management General Policy  
BD1 Leading the Way in Good Urban Design  
BD2 Tall Buildings  
BP2 East  
BEGA2A Staples Corner Growth Area  
BSI1 Social infrastructure and Community facilities  
BE1 Economic Growth and Employment Opportunities for all  
BE2 Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)  
BE4 Supporting Strong Centres  
BE9 Visitor Accommodation and Attractions  
BHC1 Brent's Heritage Assets  
BGI1 Green and Blue Infrastructure in Brent  
BGI2 Trees and Woodlands  
BSUI1 Creating a resilient and efficient Brent  
BSUI2 Air Quality  
BSUI4 On Site Water Management and Surface Water Attenuation  
BT1 Sustainable Travel Choice  
BT2 Parking and Car Free Development  
BT3 Freight and servicing

The following are also material planning considerations:

National Planning Policy Framework

National Planning Policy Guidance

### Supplementary Planning Documents/Guidance (SPD/SPG):

Staples Corner Growth Area Masterplan and Design Code (2024)  
Sustainable Environment and Development (2023)  
Brent SPD1: Design Guide for New Development (2018)  
Basement SPD (2017)  
Planning Obligation (2022)  
Mayor's Sustainable Design and Construction SPG  
National Design Guide  
Brent Waste Planning Guide

### Regional

Air Quality Positive LPG  
Be Seen energy monitoring LPG  
Circular economy statements LPG  
Energy Planning Guidance  
The control of dust and emissions in construction SPG  
Whole life carbon LPG  
Urban Greening Factor LPG

### Draft Supplementary Planning Documents:

### Regional

Industrial Land and Uses LPG (2023)  
Fire Safety LPG

## **DETAILED CONSIDERATIONS**

### **Principle of industrial floorspace re-provision**

#### *Policy context*

#### Local Plan and SCGA Masterplan and Design Code SPD

1. The site is located within the Staples Corner Strategic Industrial Location (SIL). Policy BE2 of the Local Plan states that the Council is committed to exceeding the additional 0.6ha equivalent of industrial floorspace need within the plan period. In order to do this, within SIL and LSIS, development will be supported where it intensifies industrial uses, including those for waste, utilities and transport infrastructure. For Staples Corner SIL, a principle of intensification with some co-location subject to the comprehensive masterplan approach will apply, with replacement industrial floorspace needing to meet the following requirements:
  - a) Conformity with London Plan policy E7;
  - b) a net increase in industrial floorspace resulting in a minimum 0.65 plot ratio or the existing floorspace total, whichever is greater, across the masterplan area;
  - c) a mix of research and development, light industrial, general industrial and storage and distribution floorspace will be delivered reflective of borough needs, including start-up and move on space;
  - d) proactive engagement with existing businesses to seek to retain them on site where possible, and support for any businesses that cannot be incorporated to relocate off site;
  - e) 10% of employment floorspace to be affordable workspace;
  - f) the development is of a high quality design and will result in sustainable development, well served by community facilities and open space; and
  - g) any potential conflicts between uses can be mitigated and a high standard of amenity achieved.
2. In line with the requirements of London Plan Policy E7 and Brent Local Plan Policies BEGA2A and BE2, Brent Council adopted the Staples Corner Growth Area Masterplan and Design Code SPD in November 2024. It therefore forms a material consideration as part of the assessment of planning applications within the Growth Area
3. The aim of the SCGA Masterplan and Design Code SPD is to help enhance Staples Corner as an attractive, prosperous and sustainable place, supporting new industrial business and employment growth,

as well as new residents to the neighbourhoods. The document also recognises the need to protect and intensify the majority of the industrial land solely for industrial purposes, whilst allowing some either for a mix of uses incorporating some industrial or for residential led development, capable of delivering:

- *Modern, fit for purpose industrial spaces for local businesses including logistics, light industrial units and affordable workspace;*
  - *Opportunities for employment, skills and training for local people;*
  - *A minimum of 2,200 new high quality homes, including affordable homes and family sized dwellings;*
  
  - *A range of new local services and community spaces that support interaction and community cohesion;*
  - *New open spaces, incorporating play for a range of ages, and public realm improvements particularly along the North Circular Road and Edgware Road;*
  - *A high quality environment that is safe and accessible to everyone;*
  - *An industrial movement network that keeps HGV and large vehicles to the strategic road network, with other streets encouraging walking and cycling over private motor vehicles, and better connect Staples Corner to the surrounding area;*
  - *A place that achieves the highest standards of sustainability to support a low carbon circular economy.*
4. The SCGA Masterplan estimates that the Growth Area includes 179,300 sqm GIA of industrial floorspace (across circa 100 individual units) together with 46,100 sqm GIA in active non-industrial use. It is of note that the SCGA Masterplan does not include the application site within this floorspace calculation, but instead the building is recognised as a long term vacant property. In terms of proposed land uses, a Strategic aim of the masterplan is to:
    - a) Intensify substantial SIL designation
    - b) New dense mixed-use town centre development
    - c) Explore options for colocation of industrial and residential uses
    - d) Integrate new commercial, business, service, cultural, leisure and community uses
  5. The SCGA Masterplan and Design Code SPD divides the Growth Area into nine sub-areas, with the application site falling within Sub-Area 9 (referred to as “Wing Yip & Oxgate Centre”). In its assessment of the existing land use and floorspace situation of Sub-Area 9, the Masterplan identifies the application site as the only vacant building within the sub-area. The illustrative masterplan suggests that Sub-Area 9 is capable of accommodating 7,357 sqm of industrial floorspace and 164,370 sqm of non-industrial floorspace, with the latter including provision of 1567 new homes. It is estimated the Sub-Area 9 is capable of creating 720 jobs.
  6. The document presents two options for how Sub-Area 9 could be developed, with each containing a mixed use development comprising light industrial and café/retail uses in a podium, above which would either be high density residential accommodation or “Hotel uses may be considered acceptable subject to compliance to acceptable policy/guidance”.

#### London Plan

7. Policy E4 of the London Plan 2021 seeks to ensure that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions is provided and maintained. The policy also sets out that London’s land for industry, logistics and services falls into three categories: Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and non-designated industrial sites. The policy also states that the retention, enhancement and provision of additional industrial capacity across the three categories of industrial land should be planned, monitored and managed. It further states that any release of industrial land in order to manage issues of long-term vacancy and to achieve wider planning objectives, including the delivery of strategic infrastructure, should be facilitated through the processes of industrial intensification, co-location and substitution set out in Policy E7 and supported by Policy E5.
8. Policy E5 of the London Plan states that SIL sites should be managed proactively through a plan-led process to sustain them as London’s largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London’s economy. It supports industrial-type activities in SIL and development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis.
9. In recognition of the need to intensify industrial capacity within London, Policy E7 of the London Plan

2021 actively encourages development proposals to intensify industrial use of selected sites, and where this is possible, and delivers increases in capacity, it may be possible through a plan-led or masterplan-led approach to deliver residential or other uses. Part D of this policy sets out that intensification and co-location on SIL could be brought forward as part of a plan led (or masterplanning) process where:

- 1) *The function of the surrounding industrial uses is not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements*
- 2) *The intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied*
- 3) *Appropriate design mitigation is provided in any residential element to ensure suitable amenity levels are achieved.*

10. Additionally, some weight is placed on the draft Industrial Land and Uses LPG, which was published by the Mayor for public consultation in late 2023/ early 2024 and is still under review before final publication. As well as supporting the approach to co-location and intensification which is set out by Policies E5 and E7, the guidance also provides some useful detail in terms of how proposals for industrial re-provision should consider key transport, environment and amenity, and design aspects at an early stage to ensure efficient and successful industrial spaces are provided. Some of these aspects are outlined in more detail within later sections of the report.

### Assessment

11. The application proposes 4,858 sqm of flexible light industrial (Class Eg (iii))/B8 employment space. Being flexible, the floorspace is capable of being occupied by either a light industrial or B8 use (in its entirety, or in constituent parts) and for a range of different business sizes. The nature of this floorspace is fully compliant with the type of floorspace which London Plan Policy E4 identifies as being suitable for land allocated as SIL.
12. However, the policy basis which governs the provision of industrial floorspace that should be included in the redevelopment of the application site has evolved over the course of the application. Both Brent officers and the GLA raised concerns with both the initial quantum of floorspace and the quality of this space for future occupiers. The GLA's initial Stage 1 comments stated that:  
  
*"Whilst it is acknowledged that this is more than the existing site provides (assuming the building is Class B1a), the scheme fails to sustain the industrial focus of the site as the majority of floorspace on the site would be associated with non-SIL appropriate uses (hotel and conference centre)."*
13. However, crucially from a policy perspective, the SCGA Masterplan has evolved from its very early stages at the time of the initial submission of this application in early 2021, to now being adopted in November. One of the GLA's other principal concerns was the lack of a Masterplan being in place, and that it would be premature to approve the re-development of the site without an industrial focus in the absence of this.
14. The SCGA Masterplan now clearly identifies areas where industrial floorspace should be increased (broadly in Sub-Areas 1 to 6) and areas where they can be reduced (which in general terms is the southern part of the growth Area, closest to the Brent Cross West station - the area within which the application site is located in). The Masterplan accepts a reduction in industrial floorspace in the Sub-Area within which the application site is located (Sub Area 9) – from 10,119 sqm to 7,357 sqm of industrial floorspace.
15. At 4,858 sqm, the application site is therefore proposed to provide two thirds of the industrial floorspace which the Masterplan suggests is appropriate for Sub-Area 9. Therefore, in line with London Plan Policies E4, E5 and E7, Brent Council's aspirations are to see a doubling of the industrial floorspace with the Staples Corner Growth Area if development comes forward in line with the expectations of the Masterplan. Accordingly, there should be no concern within the quantum of industrial floorspace proposed on the application site, and the benefits this will bring to the overall supply of industrial floorspace in Sub-Area 9 (and the wider growth area) is supported in policy terms.
16. Since the initial submission, more work has also been undertaken regarding the specification of the industrial floorspace, and this is contained within both the revised design and access statement and planning statement. The proposed space has been considered against the specifications in the GLA

Intensification and Co-Location Study: Design and Delivery Testing, which reflect occupier requirements for different typologies. In terms of ceiling heights occupiers for workshops and studio space as a minimum require 3.5-4.4metres. For other industrial uses, ceiling heights need to be higher.

17. The proposed industrial space now meets this requirement, with ceiling heights of between 5m (to underside of beam) and 6.5m (to structure/ceiling) on all levels above ground level, with the existing constraints of the building meaning that only 3.6m ceiling heights are achieved at basement level.
18. The illustrative plans include a mix of co-working space and individual units - ranging in size from 22 sqm to 474 sqm (within the First and Second Floors), which (according to GMW's employment land assessment) are capable of accommodating 'micro' and 'small' businesses. In addition, the employment floorspace in Basement -3 (793 sqm) is larger and capable of accommodating a small business.
19. All of the illustrative workspaces have access to one of the service lifts, via a 3.5 metre service corridor, together with wide entrance doors. Details of how goods can be moved through and around the building (including from the service yard and basement spaces) to different parts of the building are illustrated in the Design & Access Statement. The indicative layouts/diagrams illustrate some of the units accommodating mezzanine floors.
20. Having worked with AMAFHH's design team in the evolution of the proposed industrial floorspace, GMW are confident that the application scheme is of the quality and design which businesses are looking for. As a result, GMW's advice (in their Employment Land study) is that:

*"There are no employment land issues which would suggest that the development proposal should be refused. Indeed, it would be perverse to leave such an important site vacant given it is incapable of re-use or redevelopment in its own right for a standard scheme of single storey units for industrial and warehouse occupiers.."*

21. The proposed workspace has also been tested and designed in line with latest requirements for modern flexible employment space (including the suitability of head heights, service access/lifts, floorplates etc.) as set out in the Mayor of London's Industrial Intensification Primer Report (2017) and more recently in the London Plan Guidance - Draft 'Industrial Land and Uses' (November 2023).
22. The former document advises that, in the case of 'smaller scale stack industrial units', "multi-storey options should be considered", noting that "Smaller businesses may operate adequately on upper floors where there is access to a goods lift and shared yard". Both a goods lift and a shared yard are present within the industrial floors, with the shared service yard capable of accommodating three vehicles at any one time, whilst still allowing a vehicle to manoeuvre within the yard. In addition, the proposals include goods lifts which connect the service yard to all areas of the industrial floorspace.
23. Agent of Change principles have been incorporated, in terms of sound insulation and mitigation and the orientation of windows. Details of the noise mitigation strategy would be secured by condition if the application were to have been recommended approval.

#### Affordable workspace

24. Policy BE2 seeks 10% of employment floorspace to be affordable workspace in redevelopment of LSIS sites. This is reinforced in London Plan Policy E3. The applicant's planning statement and supporting employment land assessment set out the strong demand in Brent for small and start-up business floorspace within the borough, and the applicant has confirmed their commitment to securing 10% of the proposed employment floorspace as affordable by definition, i.e. to be let at 50% of market rent, via legal agreement.

#### Summary of industrial floorspace provision

25. Overall, officers consider that the applicants have done more work to improve the quality and layout of the proposed industrial floorspace since the initial submission, and therefore the proposed scheme now has the potential to offer a significant amount of industrial floorspace which meets a recognised need for this type of floorspace (demonstrated in market analysis undertaken in the supporting Employment Land Study. The flexible nature of the floorspace is considered to contribute to meeting Brent's employment needs, including from 'micro businesses' (employing 1-9 staff) to 'small businesses' (employing 10-9 staff).

26. The location of the proposed workspace benefits from the site's improved transport links (which have significantly improved following the opening of Brent Cross West station), with the multi-level floorspace model fitting with the latest guidance (and design requirements) for such floorspace.
27. In summary, the proposed development accords with the needs to intensify employment floorspace (recognised in London Plan Policy E7 and Local Plan Policies BE2, BP2 and BEGA2A). Furthermore, the application proposal represents an innovative solution to achieving the intensification and co-location of floorspace within this growth area.

### **Principle of proposed hotel and conferencing use**

28. As outlined above, London Plan policies E4, E5 and Local Plan Policy BE2 protect SIL for light and general industrial, storage and logistics/distribution, utilities, waste management, research and development and light industrial uses. The proposed hotel and conference centre is not a SIL compliant use and as such, the proposal is contrary to both London Plan and Local Plan policy. The applicant has stated that the hotel and conference centre is required to make the industrial floorspace viable.
29. Additionally, hotels and conference facilities are defined as main town centre uses in the NPPF, and directed to town centre locations in accordance with the sequential approach. Brent Local Plan policy BE9 directs future hotel provision to be encouraged in the two major town centres of Wembley and Kilburn, with other town centre locations appropriate in accordance with the sequential approach. They will also only be supported provided they:
  - a) do not significantly compromise the supply of land for new homes on allocated housing sites and the council's ability to meet its housing targets;
  - b) are inclusive and accessible, with applications for detailed planning permission accompanied by Accessibility Management Plans;
  - c) are not occupied by any resident for 90 consecutive days or more; and
  - d) create active ground floor frontages.
30. Whilst London Plan policy E10 requires a sufficient supply and range of serviced accommodation to be maintained, this does not override the site being in an out of centre location and subject to the sequential test. The applicant has submitted a sequential assessment to support the application.
31. PPG paragraph 012 states '*Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.*' In determining the area of search, the applicant has considered the applicants' market and locational requirements.
32. Initially concerns were raised by officers about the submitted sequential test lacking proper assessment of Kilburn, Burnt Oak/ Colindale, Willesden Green, Edgware and Wembley town centres. The applicant submitted an addendum to the original sequential assessment including these centres, with the exception of Edgware. Edgware Town Centre is excluded on the basis of transport links not meeting the locational requirements for the proposed hotel operator, with Edgware Station being a 30 minute journey to Kings Cross. Following review of the addendum information, officers consider that the sequential test has been passed.
33. Despite this, the appropriateness of a hotel within a SIL still needs to be justified in terms of policy BE2 and London Plan policies E4 and E5. This is aided by the adopted SCGA Masterplan, which clearly outlines that the site would be appropriate for co-location, and sets out the majority of the replacement industrial floorspace would be located in sites to the north of the masterplan area (i.e. within a cluster closer to the A406).
34. The Masterplan clearly for a wider range of uses than would ordinarily be appropriate in SIL, including hotels. The overall proposals represent a significant uplift in floorspace on site and therefore in employment generation, whilst current limited alternative provision close by, means it could be beneficial to supporting existing business functions, either for its meeting spaces or accommodation for visitors to businesses, and crucially it is close to the new Brent Cross West station. Weight is given to the Masterplan objectives and therefore officers do consider there is sufficient justification for a hotel in this location.
35. In support of the hotel use, the applicants have also submitted letters of interest from two hotel operators



(Hilton Hotels and Ability Group) who have assessed of the suitability of the proposal site and concluded that it would meet their criteria for operating requirements. The Ability Group have highlighted that their interest is specific to Staples Corner, as they see the benefits of tapping into the economic growth in the area (arising from the two regeneration projects) as well as the improved public transport connectivity. Hilton Hotels letter makes clear that they consider the application site is in a different catchment area to Wembley (where Hilton already operates a hotel), stating “...we are of the belief that the opening of a hotel at Staples Corner would not compete against the Hilton Wembley or potential future hotels in the Wembley area, since the demand generators for the two locations are not the same”.

36. With regard to the proposed conferencing facilities, the applicants have outlined in the applicant's planning statement that there is only one hotel in the immediate vicinity (Holiday Inn Express, within approximately 1km to the north-east) which provides an on-site business centre, including meeting rooms for hire. However, the largest conference room they offer only has capacity for 100 people, whereas the application proposal includes rooms capable of accommodating up to 500 people. Therefore, the Holiday Inn Express is unable to cater for the larger events which are expected to operate from the proposed development.
37. Given the above, officers consider that sufficient justification has been presented - most importantly in the form of the sequential test which has been passed - to demonstrate that this would be an appropriate location for a hotel use despite some conflict with both London and Local Plan policies. Conditions are attached to ensure that an Accessibility Management Plan is submitted for approval to ensure the hotel is fully inclusive and accessible, and that there is no future occupation by any resident for 90 consecutive days or more, to ensure compliance with Policy BE9 of the Local Plan.

### **Community uses**

38. The second part of Local Plan Policy BS11 focuses on new social infrastructure, and states that *'proposals for new or enhanced social infrastructure facilities, including the consolidation of existing facilities, will be supported by the Council where:*
- e) easily accessible by public transport, walking and cycling, preferably in town centres or Growth Areas;*
  - f) located within the community they are intended to serve;*
  - g) provided in flexible and adaptable buildings;*
  - h) ideally co-located with other social infrastructure uses; and*
  - i) maximising wider community benefit, through if necessary, requiring formal community use agreements.'*
39. One of the key overarching objectives of the SCGA Masterplan and Design Code SPD is to increase the quantum and quality of community spaces within the Growth Area. Although the detailed Sub-Area analysis does not specifically indicate the provision of social and community facilities in this part of the Growth Area (i.e. within Sub Area 9), the Land Use Strategy does outline that Local Community uses should be directed to this section of the Growth Area, i.e. adjacent to Edgware Road, between Oxgate Lane and Humber Road. The Design Code also goes into detail on how encouraging developments in Staples Corner to enable community groups or operators in voluntary and community sector to rent space in the area.
40. The applicant's planning statement sets out (paras. 7.99-7.101) that the scheme would include the provision of a community hall, providing a large event space of approx. 547sqm NIA) available for the community to use for events, activities and private hire, including exhibitions, community meetings, dance and fitness classes.
41. The statement goes on to outline that there may be occasions where the community event space needs to be enlarged, and this is catered for by designing the space to incorporate the two conference centre halls, which are also located on the third floor. The applicants have explained that in order to limit the potential impact of such large events on the transport infrastructure and to reduce the potential for such events affecting adjoining businesses within existing Industrial Estates, a condition is accepted which limits the number of occasions for this amalgamation to occur to no more than 20 days per calendar year (and only 11 of these can be on consecutive days). However given the high public transport accessibility and travel plan to be secured, officers consider that this restriction is not considered necessary.
42. The community hall would provide a large event space at third floor level (of approximately 497 sqm, including external terrace but excluding shared foyer and WCs/ changing rooms) available for the community to use for events, activities and private hire. It is anticipated the space will be used for events such as exhibitions, community meetings, dance and fitness classes, conferences etc. The objective is to

create flexible space, which can house a single event, or be easily sub-divided into smaller spaces.

43. There may be occasions when the community event space needs to be enlarged. To accommodate such a scenario, the scheme has been designed to enable the community event space to be amalgamated with the two conference centre halls (which are also located on the third floor), bringing the total amount of community space potentially to just over 1,000sqm. However, to limit the potential impact of such large events on the transport infrastructure and to reduce the potential for disruption of such events affecting adjoining businesses operating in the industrial estate (albeit it is expected that such larger events would occur outside of business hours, in the evening and at weekends), the applicant is prepared to accept a planning condition limiting the number of occasions that this amalgamation can occur - to no more than 20 days in any calendar year, of which only 11 events can be on consecutive days. However given the high public transport accessibility and travel plan to be secured, officers consider that this restriction is not considered necessary.
44. The supporting Site Management & Operational Strategy sets out the event management that would be in place for different events happening with this space, as well as events taking place in the conference centre. Officers have asked for further clarification on whether local community groups have been consulted on their likely take-up of the space and whether there are certain requirements of the space they have, however little information has been submitted on this. However to ensure this space is advertised properly and used efficiently, officers have ensured that a Community Use Agreement is secured within the s106 Agreement, which will give precise details of how the space will operate, co-ordination with community groups, details of pricing, types of events etc, tying in closely with the recommendations of the Design Code as outlined above.
45. Furthermore, the proposed development accords with Local Plan Policy BHC3 which supports the development of creative workspaces, cultural facilities and other mutually complementary uses. In terms of the Staples Corner area, the proposed community uses meet the objectives of Local Plan Policy BEGA2 which recognises the need for the new Staples Corner mixed use 15-minute neighbourhood/community to be supported by new social infrastructure and multi-functional community facilities. It also would ensure delivery of some significant community floorspace early in the Masterplan period, which is a significant benefit.

#### **Other commercial/ Class E use**

46. Local Plan Policy BE4 states proposals involving 500 sqm or above gross retail or leisure floorspace, which are outside town centres and do not accord with the Local Plan, should be accompanied by an Impact Assessment. Also of relevance is London Plan Policy SD7, which states that boroughs apply the sequential test to applications for main town centre uses, requiring them to be located in town centres. If no suitable town centre sites are available or expected to become available within a reasonable period, consideration should be given to sites on the edge-of-centres that are, or can be, well integrated with the existing centre, local walking and cycle networks, and public transport.
47. A ground floor café use is proposed on the corner of Oxgate Lane and Edgware Road, adjacent to the main hotel lobby/ entrance. This is supported in principle as it would provide some active frontage on this corner, and as such ties in with the objectives of the SCGA Masterplan for this location (outlined in Sub-Area 9). At approximately 120 sqm, it would be of a modest size and not require any impact assessment to be undertaken. Officers recommend a condition to ensure that the amount of Class E(a) or (b) use is limited to 120 sqm here, to ensure there are no larger retail or café uses which harm the viability of neighbouring town centres.

#### **Urban design considerations**

##### **Policy context**

48. 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.
49. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs

tall buildings (defined as those of over 30m in height) towards designated Tall Building Zones (TBZ), and expects these to be of the highest architectural quality. The application site is within a TBZ and site allocation policy BEGA2A for the Staples Corner Growth Area identifies the potential for tall buildings be considered taking account of the need to respect views from Golders Hill through to Harrow on the Hill and not have a detrimental impact on the Brent Reservoir Site of Special Scientific Interest, reducing in scale towards its residential and open space edges.

50. In response to the above the SCGA Masterplan and Design Code SPD provides more detailed guidance on the acceptability of tall buildings as part of the masterplan. It highlights for Sub-Area 9: Wing Yip & Oxgate Centre that buildings of between 22-31 storeys in height would be acceptable in the west (outside the protected view corridor) stepping down to heights of 12 to 16 storeys in the east (inside the protected viewing corridor).

#### Height, massing and materiality

51. The proposed development includes a podium base of 4 storeys in height. This element of the scheme occupies the majority of the plot. Above the main podium is a set in podium roof terrace. On the corner of Edgware Road and Oxgate Lane, a tower element is proposed up to 22 storeys in height. The overall relationship of the tower element to the lower podium would be proportionally well balanced. The podium would respond well to the surrounding area defining clear edges to the site, as well as a clear base and body.
52. In terms of elevational treatment, the podium of the building at ground to second floor level is proposed to be enclosed by an insulated wall panel and stick curtain glazed wall system. Entrances are identified through a different material palette including the use of Portland stone, although further detail would be secured through the materials condition to ensure that they create a strong sense of arrive and are discernible from one another and relate to the respective uses that they access. The conference and community uses on the third floor are proposed to be enclosed by a decorative metal screen. The tower form is proposed to be accentuated vertically by a balance between perforated metal panels and glazing. The tower element is then proposed to be covered by an exo-skeleton façade treatment, using powder coated aluminium. The palette of materials departs from the SPD which suggests the use of brick, pre-cast concrete and other similar materials whilst the SPD also suggests that facades could incorporate industrial inspired architectural features. Nevertheless, the use of the exoskeleton creates interest in the facades and contrast the vertical metal panels and glazing that will sit behind it. Given the wide range of and nature of materials to be used, further refinement of the materials palette can be secured through the materials condition to ensure that the suite of materials works cohesively together.
53. This application was supported by a Townscape and Visual Impact Assessment (TVIA) which evaluated the potential impacts of the proposal from a number of viewpoints. While the Growth Area is a designated tall building zone with a significant amount of development identified within the adopted policies and SPD, this is the first tall building to be put forward within the growth area. As such, the proposal inevitably would result in significant effects when evaluated in both the existing context and when examining the cumulative effects (taking into account development that has already been consented in the Brent Cross Town Regeneration Area). It is noted within the TVIA that the proposed development would result in a positive contribution to the townscape character and urban fabric. The assessment concludes that the proposal, on balance, has no unacceptable townscape, landscape or visual effects and that it can be absorbed into the character and views of this part of the city. While noting the degree of change from the existing context, officers have regard to the policy designation together with the adopted SPD which promotes higher densities in this location and indicates that buildings between 22-31 storeys in height would be acceptable. Officers agree with the conclusions of the TVIA and consider that the proposal is acceptable in relation to the potential townscape impacts.

#### Layout and public realm

54. The ground floor of the proposal include the entrance foyer to the conference centre/community centre on Oxgate Lane with the entrances to the café, hotel foyer and industrial space on Edgware Road. Active frontages have been maximised along the Edgware Road frontage and Oxgate Lane frontages. It is however noted that the western end of the site is predominantly inactive with large elements of the southern elevation also inactive. These elevations currently face onto industrial uses rather than public realm. Nevertheless, the SCGA Masterplan and Design Code SPD includes as aspiration for a public square to the south of the application site and a North-South Spine Road to the west. However, the scheme was revised to include glazing to the southern elevation at ground floor level. Servicing takes place from Oxgate Lane.

## Heritage considerations

### Policy context

55. Policy HC1 of the London Plan 2021 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process. These policies also apply to non-designated heritage assets.
56. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. Regarding listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" and regarding conservation areas special attention must be paid to "the desirability of preserving or enhancing the character or appearance of that area".
57. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting.
58. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect 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. The NPPF goes on to say that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

### *Assessment of existing building's significance*

59. The site itself contains a locally listed building (a non-designated heritage asset) known as the Oxgate Admiralty Citadel. The building is not in a conservation area, and no statutory listed buildings are located in the vicinity of the site. Furthermore, the site is not within an Archaeological Priority Area (APA) or a local Site of Archaeological Importance (SAI).
60. The local listing describes the building as a 1930's art deco building above ground with upper basement and protected sub-basement and states that its historic significance is the subterranean reserve war rooms for the military and the government. The listing acknowledges that the underground spaces are known to be semi-derelict.
61. Objections have been received from the Twentieth Century Society and SAVE Britain's Heritage regarding the loss of the existing building, which they consider to be of historical significance and recognised as a Locally Listed Non-Designated Heritage Asset (NDHA) in Brent's Local List, indicating it to be one of the borough's "*important local landmarks in their own right [that] make a significant contribution to the character and appearance of their area.*" SAVE also outline that the SCGA Draft Masterplan and Design Code SPD (May 2024) states that "*opportunities for reuse, adaptation and retrofitting must be explored as a first approach to any and all development proposals*".
62. The council's principal heritage officer has reviewed the revised proposals and commented that the local list description sets out its significance with a score of 7 out of 12. The scoring system is based on approved methodology (contrary to the Heritage Statement). Having reviewed the evidence provided within the heritage statement and a revisit to the site, the council's heritage officer concludes that it is closer to score 5. Thus, it is considered of low significance.
63. The Heritage Statement (revised in October 2021) sets out the history of the building and also puts it into context with an 'overview of the building type: WWII Military Citadels'. It also sets out the significance including a Statement of Significance. The key conclusions reached within this statement are:
- In isolation, the Citadel retains limited historic value as a surviving example of the Government's early plans for the provision of central government emergency headquarters in the London suburbs
  - In the context of other contemporary bunkers specifically designed and developed as an initial

emergency structures it is ranked as medium significance

- As part of a group it retains some interest as a surviving contingency wartime administration space for the Admiralty
- It had little activity during wartime
- Architecturally the above ground structure retains no interest whilst the underground portion retains some limited interest as an example of substantially reinforced basement structure built to withstand repeated bombing.

64. The council's principal heritage officer considers the above assessment to be fair. The statement does not draw out any special interest in the construction or finish of the above ground office block, although its very utility might be seen as a significant historically. The statement also acknowledges that the reinforced basement was little used during the war with the main naval operational command remaining in Whitehall and the Admiralty Citadel (Listed Grade II). Furthermore, there are no original fittings. In contrast, the Paddock cabinet war rooms which are also in Brent were used on a number of occasions. Paddock is also more characterful and retains more fittings.

#### *Assessment of harm and significance of heritage asset against benefits of the proposed scheme*

65. The NPPF outlines that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect 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.

66. In his assessment, the council's principal heritage officer has weighed up the desirability of retaining the building, and concluded it would be advantageous to retain the two basements as this is the most significant element of the structure.

67. In terms of retaining the basements, the Heritage Statement and the Condition Report both confirm that in order to put it into a viable use [consistent with its conservation, NPPF 197a] it would be 'disproportionately expensive to create the third level of basement beneath the existing levels' and that the 'existing basement shell is beyond realistic repair with regard to providing a future sixty years of design life and creating a space that would serve its intended use.'

68. The heritage statement reinforces the view that it would be very costly to retain the structure in a new use. It concludes that 'the cost of investigation, testing and remediation for the very low grade rental value of the two basement spaces will generate a huge financial deficit.' Grant Mills Wood (commercial and industrial property agents and chartered surveyors) have also assessed options for refurbishment and letting the existing building. It advises, from a marketing perspective, even if the whole building was refurbished, that it would be very challenging to let given its age and design. They conclude that the refurbishment cost of the building is highly unlikely to be covered by sufficient rental levels. BTP Quantity Surveyors conclude that the cost of refurbishing the existing building would be £22.22m of which works to improve the basements would be circa £2.56m.

69. Full demolition, by its very nature, must be seen as harmful to the significance of the heritage asset. However, it has been established that the structure is now of limited architectural and historical interest and narrow level of intactness. Furthermore, there is the prohibitive cost of restoring it to a viable and practical use. Considering everything, although the basement structure (the most noteworthy element) would be lost, it is now of limited significance and following the submission of a more robust and comprehensive set of evidence as part of the revised information, officers' consider that it would be unrealistic to restore the basements as part of the scheme.

70. While the proposal does not affect a designated heritage asset, officers still consider it is important to balance the harm to the site's significance through its demolition with the proposed benefits of the scheme. Officers set these out in more detail in other sections of the report. However in summary the provision of replacement industrial floorspace, including affordable workspace, the proposed community space and the contribution to the wider re-development of the Staples Corner Growth Area in terms of bringing this site back into viable use and the public realm improvements being secured, are considered to be significant benefits.

71. It is also pertinent to note the GLA's comments on the heritage aspects of the scheme, with paragraph 33 of the Stage 1 comments stating that *'with regards to the loss of this non-designated heritage item, GLA officers acknowledge that given the condition of the item together, with the likely future role of the Staples*

*Corner growth area, the public benefits of such a proposal could potentially outweigh any harm that would result from its loss.' Officers consider that in light of the public benefits outlined above, the GLA's comments also justify the harm resulting from the loss of the locally listed building.*

72. Nevertheless, the building has distinct local and national interest (at whatever level of significance) for what it contributes to understanding of historical development of the building type: WWII Military Citadels. In line with para. 211 of the NPPF, LPAs should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence publicly accessible.
73. On this basis, the council's principal heritage officer has confirmed that there is therefore a need for the building's significance to be recorded to Historic England's recommended standards. Additionally, a condition is recommended to ensure that full details of mitigation measures, include selective salvage and a history of the building prominently displaced in the hotel lobby, are secured in consultation with the heritage officer and key heritage groups.
74. On balance, and when read in conjunction with other relevant sections of this report, the proposals would accord with paras. 209-211 of the NPPF, and policies BHC1 of the Local Plan and HC1 of the London Plan.

## **Layout and standard of hotel accommodation**

### Floorspace standards, outlook and aspect

75. The hotel use occupies the upper levels of the building from fourth to 22<sup>nd</sup> floor level, with 210 hotel rooms in total, accessed by a central lift core and two staircases. The rooms surround the lift core and are accessed via a hallway which stretches the length of the building. There are 14 rooms per floor, ranging from larger corner rooms of approximately 170-175sqm, and standard rooms being approximately 95sqm. In line with policy, a restriction on 90 day occupation would be applied to ensure that the hotel is used for visitor accommodation purposes.
76. Each room is double occupancy and every floor has access to the 'goods lift', 'passenger lift' and 'evacuation lift', with two stairwells and risers. The largest of the rooms are the accessible studios which are shown to accommodate for disabled users through the provision of turning circles present in both the room and the accessible en-suite facility. The smaller rooms have a small kitchenette and en-suite toilet and shower.
77. All rooms have windows to allow for daylight and natural ventilation, with the corner rooms being dual aspect. Each room has a double bed, with storage, a shower and toilet en-suite and a kitchenette facility. Inclusive access has been confirmed as integral to the design of the hotel. It has been confirmed that 10% of the hotel rooms would be accessible in accordance with London Plan policy E10.
78. Within the basement and accessible through the hotel lift cores, the swimming pool is proposed, ancillary to the hotel use, with a spa and associated facilities within a 'pavilion' building at fourth floor level. There are adequate changing facilities and showers included. The lowest level of basement (-3) has provision of plant rooms for the hotel use, as well as additional plant room situated within the lower basement serving the swimming pool facility.
79. The car park includes parking spaces for the hotel within the basement and is accessible through the car lift serving the ground floor hotel lobby and accessed from within the building. The allocation of car parking spaces for each use would be secured through the car park management plan. There are also long-stay cycle spaces in the basement for hotel users.

## **Impact on neighbouring properties**

80. SPD1 provides guidance on how new development should be designed in order to minimise the impact on neighbouring properties. The guidance states that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property measured from a height of 2m above floor level. It goes on to state that where proposed development adjoins private amenity/garden areas then the height of the new development should normally be set below a line of 45 degrees at the garden edge measured from a height of 2m above ground level.

81. The revised drawings include long sections which demonstrate that despite the proposed increase in height to 22 storeys, there would be no breach of either 30-degree or 45-degree lines to nearby residential properties given the significant distance maintained to these and the largely commercial nature of the surrounding area currently (outlined in more detail below). It should also be noted that the site does not directly adjoin any residential properties or private amenity/garden areas.
82. The applicant has also submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2022)' document. Officers are satisfied that the report successfully identifies all neighbouring properties (both within the site and immediately adjoining it) which could be affected by the proposed development, which are summarised as follows:
  83. Myrdale Lodge – 415 Edgware Road
  84. 3-7 Oxgate Lane
  85. 29-35 Humber Road

### Daylight

86. For daylight, an assessment was undertaken using two tests, namely the Vertical Sky Component (VSC) and, where room layouts are known, Daylight Distribution (or No Sky Line) (NSL) in line with BRE guidelines.

#### *Myrdale Lodge*

- Myrdale Lodge is a six-storey residential block to the north-west of the application site, on Edgware Road (approximately 120m from the northern boundary of the application site). There are a number of residential windows to the rear facing elevation of this which have angled views to the proposed development.
- The report outlines that all windows serving habitable rooms could be materially affected by the scheme (i.e. those at lower ground and ground floor levels), all retain VSC levels in excess of BRE targets (the most affected window would still retain VSC levels of at least 0.94 their former value). This is reinforced by the findings of the NSL assessment, which concludes that all habitable rooms to the block would retain levels of daylight distribution in excess of BRE targets, with one room experiencing a 1% loss and one room experiencing a reduction of 6%. Given these conclusions, officers consider it reasonable that only the two lowest levels of the building have been tested.

#### *3-7 Oxgate Lane*

- 3-7 Oxgate Lane are a series of three terraced, two-storey dwellings on the south side of Oxgate Lane, which are to the south-west of the application site (approximately 205 metres away from the western boundary of the site). There are a number of front, side and rear facing windows which may be affected by the proposed development and required assessment.
87. The report outlines that in terms of VSC, there would be no reductions in excess of 20% to any of the potentially affected windows. No NSL assessment has been carried out due to the lack of any detailed drawings available, however officers consider that given the distance of these buildings to the application site, the conclusions drawn by the VSC testing are sufficient.

#### *29-35 Humber Road*

88. 29-35 Humber Road are also a series of two-storey terraced dwellings on the south side of Humber Road, to the south of the application site (approximately 205-230 metres from the southern boundary of the site). There are a number of front facing windows which may be affected by the proposed development and required assessment.
89. The report outlines that in terms of VSC, there would be no reductions in excess of 20% to any of the potentially affected windows, and therefore there would be no material loss of daylight to habitable windows of the property. Again, no NSL assessment has been undertaken due to the lack of any detailed drawings available, however officers consider that given the distance of these buildings to the application site being more than 200m away, the conclusions drawn by the VSC testing are sufficient.

90. Overall, based on the results of the daylight assessment as discussed above, the nearby residential occupants would not experience a noticeable reduction in daylight as a result of this development.

#### Sunlight and overshadowing

91. Paragraph 3.2.2 of the BRE Guidance stated that 'obstruction to sunlight may become an issue if:

*Some part of a new development is situated within 90° of due south of a main window wall of an existing building*

*In the section drawn perpendicular to this existing window wall, the new development subtends an angle greater than 25° to the horizontal measured from the centre of the lowest window to a main living room.*

92. The assessment of sunlight to existing buildings is undertaken using Annual Probable Sunlight Hours (APSH). This assessment calculates the percentage of statistically probable hours of sunlight received by each window in both the summer and winter months throughout the year. Paragraph 3.2.6 goes on to advise "if a room can receive more than one quarter of Annual Probable Sunlight Hours (APSH), including at least 5% of APSH in the winter months between 21 September and 21 March, then it should still receive enough sunlight. Also, if the overall annual loss of APSH is 4% or less, the loss of sunlight is small...".

#### Myrdale Lodge

93. The report concludes that in terms of both APSH and WPSH, there would be no reductions in excess of 0.8 of the former value to any of the potentially affected windows. A transient shadows analysis has also been undertaken as recommended by BRE Guidance when a tall building is proposed. This analysis concludes that there would be some shadow on the south elevation of Myrdale Lodge between 7-9am on 21<sup>st</sup> March, however this would be marginal and no adverse effect would occur.

#### 3-7 Oxgate Lane

94. The report concludes that in terms of both APSH and WPSH, there would be no reductions in excess of 0.8 of the former value to any of the potentially affected windows.

#### 29-35 Humber Road

95. The report concludes that in terms of both APSH and WPSH, there would be no reductions in excess of 0.8 of the former value to any of the potentially affected windows.

#### Staples Corner Masterplan context

96. The proposed SCGA Masterplan indicates that a maximum of 31 storeys could be appropriate in this location, while at the same time there is expected to be a degree of residential co-location in the area in future years as a result of the Masterplan. Notwithstanding what has been stated above about the scheme's compliance with the BRE guidance based on the existing scenario, the guidance is largely based around a more low density, suburban context and does also allow for flexibility where change is expected to occur and the existing baseline conditions cannot realistically be maintained.

97. The site is in a Growth Area location where higher densities are likely to be achieved, and any new residential development coming forward around this site would need to be assessed in this context. Therefore, while officers acknowledge that while the existing scenario is likely to worsen from a daylight and sunlight perspective, the wider objectives of the Masterplan would need to be taken into account, and BRE guidance clearly acknowledges this.

#### Overlooking and privacy

98. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land.



99. Existing adjacent properties are non-residential. However, the expectation is that mixed use development will come forward in due course and any scheme must therefore relate well to the adjoining sites and not prejudice the redevelopment of those sites.
100. The lower floors of the proposed development are situated in close proximity to the western and southern site boundaries, with the first and second floor of the podium projected to adjacent to the western boundary and between 3.5 and 4 m from the southern boundary. The masterplan envisages the provision of a new road to the west of the site. This was envisaged within the adjoining site and is not proposed to be delivered within this application. While it therefore cannot be relied upon for this scheme, it is noted that the podium uses will comprise industrial and community/conferencing uses which do not rely on outlook. The conferencing rooms are proposed to be clad in decorative metal panels, thus preventing significant overlooking but still allowing light into the facility. Within the southern façade, opaque glazed curtain walling is proposed for many of the windows of the industrial units, whilst the windows closer to Edgware Road are proposed to be clear glazed to balance the benefits of natural surveillance with potential privacy impacts for future development sites. It is also noted that the masterplan identifies land immediately to the south of this site for the provision of a new open space. The hotel elements of the scheme are situated within the tower, which is focused toward the junction of Oxgate Lane and Edgware Road, thus not resulting in future privacy issues for surrounding sites. As such, it is considered that the potential impacts to the privacy of adjoining development sites have been mitigated through the design of the building.

## **Transport and highways**

### Policy background

101. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and maximum parking allowances for residential development are set out in Policy T6.1. Brent's Policy BT2 sets out parking allowances to align with those of the London Plan.
102. Cycle parking spaces must be provided in compliance with London Plan Policy T5 in a secure weatherproof location and in accordance with design guidance set out in the London Cycling Design Standards. Bin storage should allow for collection within a 20 m carrying distance (or 10 m for larger Eurobins), and more detailed guidance on bin storage requirements is given in the Waste Planning Guide.
103. London Plan Policy T2 expects new development proposals to follow a Healthy Streets Approach and include an Active Travel Zone (ATZ) assessment, and Policy T4 requires Transport Assessments to be submitted.

### Car Parking

104. With the opening of the new Brent Cross West railway station, serving eight trains per hour in each direction, the site now has a PTAL rating of 4. Compared to the situation when the application was first submitted in early 2021, this makes the site much more appropriate for a large-scale hotel and conferencing development in spatial planning terms, with the location having become much less reliant on car travel for access.
105. However, the level of car parking would consequently be expected to fall to reflect this, and the adoption of the Local Plan means that car parking standards now align with London Plan standards for the employment uses. Separate standards apply for the hotel, community and conference facilities.
106. Table 10.4 of the London Plan restricts the maximum parking for office floorspace to one space per 100m<sup>2</sup>, but with a further reduction applied to industrial/warehouse uses to reflect the lower employment density, as per the HCA Employment Density Guidance 3rd Edition. With typical employment densities of one employee per 34m<sup>2</sup> – 55m<sup>2</sup> for industrial and light-industrial uses respectively, this would equate to between 87-142 staff for the amount of employment floorspace proposed.
107. With the aim of the parking standards being to keep car use to the London Mayor's target of 80% travel by non-car modes, applying a 20% car mode share to the higher staffing total of 142 staff would give a parking figure of about 28 spaces (~ one space per 175m<sup>2</sup>). Parking standards for the hotel and community/conference facilities are set out in Appendix 4 of the Brent's Local Plan and state that parking in areas with a high PTAL rating should be limited to operational and disabled parking only, unless otherwise justified by a Transport Assessment.

108. The revised scheme shows a reduction in parking from the original 76 spaces to 36 spaces (incl. 5 disabled). London Plan and local standards suggest that 'car free' should be the starting point in assessing parking provision but allow operational parking for hotel and conferencing uses and target 80 % of travel by non-car modes for industrial uses. The applicant's revised Transport Assessment set out some further justification for the amount of parking proposed, supported by an outline Parking Management Plan. While officers do not necessarily agree with all of the applicant's arguments for an increased level of parking, having regard to the nature of uses in the scheme, the floorspace for each use and the anticipated employment yield, it is considered that the proposed provision of 36 spaces overall accords with adopted policies for the provision of car parking. A detailed Parking Management Plan would be secured, to be submitted prior to first use of any part of the development, to ensure parking arrangements for the various hotel, workspace and other commercial elements operate efficiently and do not unduly impact the local highway network.
109. The basement car park access is accessed via a two-way ramp to a 10% gradient from Oxgate Lane down to the upper basement level and a single-width ramp between the upper and lower basement levels. A means of traffic-light control will be required for the lower basement access ramp if approved. It is confirmed that a headroom of at least 2.6m will be maintained throughout for small vans and high-top conversion vehicles for wheelchair users.
110. The inclusion of 24 electric vehicle charging spaces is considered acceptable, provided the remainder have passive provision), whilst the inclusion of 5 wide disabled spaces (14% of the total) is welcomed. A condition ensuring these amounts are secured is attached to the draft decision letter.

#### Cycle Parking

111. With the revised floor areas, the amount of bicycle parking required for the various uses totals a minimum of 38 long-stay and 32 short-stay spaces. The amended drawings show 55 long-stay spaces on in two stores within the basement car park, along with showering, changing and locker facilities, which more than meets requirements.
112. Access is via suitably sized lifts from the hotel/community reception area and from the industrial entrance area.
113. In terms of short-stay parking, only 24 spaces are indicated on the plans though, set on 'Sheffield' stands around the perimeter of the building. A further four stands will be required to meet standards, and officers are satisfied that these can be secured via condition.

#### Delivery and Servicing

114. The proposed servicing arrangements involve an undercroft servicing area for two 12m rigid lorries and a transit-sized van, plus a turntable to enable delivery vehicles to access and egress in a forward gear. As before, the turntable is only 12.56m in diameter, so would not enable articulated lorries, whilst large rigid lorries would also have to position themselves very accurately on the turntable if they are not to strike the building as the table turns.
115. However, the Transport Assessment confirms that the type of industrial floorspace being provided would not be attractive to large industrial businesses that might require servicing by articulated lorries and this will be communicated to potential occupiers through their lease arrangements so that they are aware of the limitations on deliveries before moving to the building. This is fine in principle and a planning condition restricting the type of occupier of the industrial floorspace is attached, ensuring that no individual unit would be more than 1,000sqm.
116. A Framework Delivery and Servicing Plan has also been submitted to help to manage the use of the service yard. Amongst the measures set out include the operation of a delivery booking system, rescheduling of deliveries outside of peak hours and use of a centralised ordering system to consolidate loads and minimise the number of suppliers and delivery movements. Delivery activity will then be monitored. This is welcomed and is recommended to be secured by condition.

#### Coach Parking

117. The proposed hotel also requires at least two coach parking spaces. As before, a lay-by for coaches to

set down and collect passengers is proposed along Oxgate Lane and this has now been lengthened to 25m for two 12m coaches. As previously mentioned, any waiting restriction controls in the lay-by will be at the discretion of Brent Council. Some allowance for taxi parking would also be appropriate and the restrictions will be agreed as part of the S278 works to construct the lay-by.

118. The proposed highway works will also need to include the adoption through a S38 Agreement of extra footway space behind the lay-by to maintain pedestrian access along Oxgate Lane, as well as extra footway space at the corner of Oxgate Lane and Edgware Road.
119. Transport for London (TfL) have raised concerns that standing coaches could obstruct visibility splays for vehicles leaving this site and the adjoining premises. However, a visibility splay of 2.4m x 25m is shown to be retained from the car park exit, which is appropriate for this 20mph street. An extension of the kerbline further westwards is also still considered beneficial, as it would increase footway space.
120. The proposal would result in the loss of existing on-street parking spaces to accommodate the lay-by, with a lack of parking survey data to show how well used they are. However, it is noted that the proposal has received very few objections, so this does provide some comfort that public objections are unlikely when it comes to advertising the Traffic Regulation Order.
121. It should also be noted that the lay-by does not correspond with the aspirational street layout for Oxgate Lane drawn up through the Staples Corner Growth Area Design Code, which sets out an arrangement where the buildings are set back with a 7.5m wide carriageway, 3m wide cycleway and widened footways and planting strips, with no on-street parking. In particular, the coach lay-by will significantly reduce the available space within the carriageway for a potential cycle lane along this length of Oxgate Lane, which was envisaged on the opposite side of the road. A greater set-back will be required on the opposite (northern) side of Oxgate Lane in order to ensure the delivery of the cycle lane. This is considered to be reasonable given the considerably greater depth of those sites and associated increased ability to deliver the additional land to provide this infrastructure. This scheme would still secure highway works to widen and resurface the footways of Edgware Road and Oxgate Lane fronting the site, and provide bicycle stands and street trees. This in turn would improve the pedestrian environment surrounding the site, in line with the aspirations of the SCGA Masterplan and Design Code SPD.

#### Site Management

122. Given that the above issues regarding parking and servicing require a large degree of site management, a Site Management and Operation Strategy has been submitted, which addresses a number of issues including non-transport matters such as opening hours, use of areas of floorspace and terraces, noise impacts etc. Measures are also replicated in the Car Park Management Strategy, Delivery & Servicing Plan and Travel Plan.
123. In terms of car parking, Automated Number Plate Recognition will be used to restrict access to pre-authorised vehicles only, with use of the parking spaces being regularly monitored. For the service yard, a service yard co-ordination team will operate a booking system of time slots for access to the service yard, with arriving vehicles needing to provide 15 minutes' notice to ensure access to the yard is available when they arrive. The strategy will also oversee the management of any large events within the community/ conference floorspace to ensure travel arrangements for such events are clearly communicated to visitors, particularly around use of Brent Cross West station.
124. As outlined above, the parking management plan would be secured by condition, as would the Delivery and Servicing Plan (DSP). Travel Plans for each element of the proposed uses would be secured via section 106 agreement.

#### Trip Generation

125. The revised Transport Assessment includes a reassessment of previous trip rate assumptions, partly to reflect the alterations to the relative floor areas (such as the increased industrial space) and partly as a sense-check to the original assumptions, including adjustments to reflect the lower level of proposed car parking compared with some of the comparison sites used previously.
126. The revised vehicular trip generation estimates are 23 arrivals/29 departures in the morning peak hour (8-9am) and 30 arrivals/49 departures in the pm peak hour (5-6pm). These flows are not considered to be significant enough in the context of existing flows in the area to require any further assessment of junction capacity, particularly as the junction that would experience the greatest impact would be Oxgate

Lane/Edgware Road, which is a simple left-in/left-out priority junction anyway.

127. The applicant also points out that the former use of the site would have historically generated a certain amount of traffic anyway, although limited weight should be given to this is debatable given the poor condition of the building and the fact it has been vacant for a decade. However, the vehicular trip rates do need to be reconciled against the assumptions in the Staples Corner Growth Area Masterplan, in order to ensure the volume of traffic generated is consistent with the expectations of the Masterplan.
128. In this regard, it is noted that the peak hour vehicular trip rates for the workspace are considerably higher than the rates used in the Masterplan. This gives rise to concern over the cumulative impact on the redevelopment of the area if this development sets the benchmark and suggests that car parking is not being sufficiently constrained to deliver the low traffic aspirations for the area. The vehicular trip generation assumptions therefore highlight the importance of ensuring that car parking provision is suitably constrained and compliant with maximum parking standards. In this regard, a suitable financial contribution towards the introduction of a CPZ (suggested at £50,000) in the adjoining area is advised to ensure that the development does not simply lead to on-street parking problems. Officers recommend that this is secured as part of the Section 106 agreement.
129. With regard to overall trip numbers, the revised assessment estimates total person trips during the peak hours to be 66 arrivals/146 departures in the morning peak hour and 122 arrivals/133 departures in the evening peak hour. These have then been broken down by mode in accordance with Census data for the nearby Mapesbury ward (rather than for the immediate Dollis Hill ward), on the basis that the Brent Cross West Thameslink station is expected to have altered modal choice. This is accepted as being a reasonable assumption, with the caveat that the uplift in rail trips would be experienced on Thameslink train services, rather than on Underground services.
130. Transport for London (TfL) have confirmed that they have no concerns with the impact on local rail or tube services during the peak hours. However, they have requested a sum of £162,500 towards bus service enhancements in the area. Further consideration has also been given to changes in trip rates across the course of the whole day, rather than just peak hours, to reflect the move away from a purely employment use on the site to include the hotel, conference and community facilities, particularly bearing in mind that the conference/community space has a potential combined capacity for 2,000 guests. The assessment of daily trips suggests that the development will generate an estimated total of 2,725 trips by all modes of transport across the course of a day. This is approximately three times the estimated number of daily trips for the existing building, if brought back into use.
131. It is accepted by the applicant that the hotel use will generate more weekend trips than the former employment use of the site. However, given that weekday trips for the building as a whole are still likely to exceed Saturday trips (unless a particularly major event, such as a wedding, is held), the omission of any Saturday assessment is considered acceptable in this case.
132. Whilst the impact on the highway and public transport networks are most keenly felt during weekday peak hours and has been addressed above, the predicted tripling of daily trips by foot and bicycle does require the safety of walking and cycling routes to the site to be given much greater attention.
133. The original Transport Assessment included a Healthy Streets Audit for the area and did identify potential improvements over five key routes to the site, including to the bus stops on Edgware Road to the north and south, the route to Geron Way and the forthcoming Brent Cross West station and routes along Oxgate Lane. Areas for improvement included the route along Oxgate Lane to Oxgate Court Parade, which was identified as having a poor pedestrian environment with a lack of dropped kerbs and tactile paving at junctions and numerous accesses.
134. However, significant changes to this area are now proposed through the SCGA Masterplan, whereby each site will be expected to deliver improvements along their own frontage. Therefore it is not now considered sensible to secure improvements to this route at this particular time, as wider redevelopment may result in the improvements being removed and replanned anyway.
135. Instead, proposals for the provision of a pedestrian crossing on Edgware Road in the vicinity of Oxgate Lane to improve access to Brent Cross West station are being developed and this would be a significant benefit to this site too. Given the complexity of the design, requiring a two-stage crossing with the removal of the central reservation and railings in order to accommodate a pedestrian island, the works are expected to be costly. A financial contribution of £250,000 is sought towards the provision of the crossing.

136. Landscaping improvements are also proposed around the site, including new planting and seating, which is welcomed. As mentioned above, this should also include widening of the highways along the Edgware Road and Oxgate Lane boundaries and resurfacing of the footways and needs to be delivered through a S38/S278 Agreement.
137. Transport for London have also recommended the provision of a shelter at the southbound bus stops to the south of the site and the provision of Legible London wayfinding signage and the applicant has agreed to fund these measures via section 106 agreement.

### Travel Plan

138. An updated Framework Travel Plan has been provided with the revised proposals, which sets out a greater range of potential measures, including promotion of car sharing amongst staff, interest-free loans for public transport season ticket and bicycle purchase and general provision of information through welcome packs for staff and website information.
139. However, no mention is made of car park management as a Travel Plan tool, such as offering priority parking to car sharers or charging for car parking to subsidise other measures. The overarching target is to achieve a 10% reduction in the number of car trips to the site, although this needs to be broken down into three- and five-year targets. The targets also need to be consistent with the London Mayor's target of 80% of trips being by sustainable transport. The targets will be reviewed and firmed up following the undertaking of initial baseline surveys to be undertaken within three months of occupation.
140. It is then proposed to undertake yearly monitoring of the Travel Plan for five years, although precise details of the monitoring standard are absent at this stage. As such, whilst the proposed Travel Plan is an improvement on the previous submission, it will require further development before it can be approved. Officers therefore recommend this is secured via section 106 agreement, which will also ensure yearly monitoring takes place.

### Construction Management

141. To minimise construction impacts, a Framework Construction Logistics Plan (CLP) has been submitted. This will need to be built into a full document once a principle contractor is appointed. In the meantime, this anticipates building works extending from early 2025 until late 2027, with standard working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays.
142. Due to the limited size of the site, a remote site compound is proposed on Coles Green Road (easily accessed from North Circular Road), from where stored goods can be brought to site on a 'just-in-time' basis. This is welcomed and will minimise any disruption to traffic flow around the site. The site itself will be accessed directly from Oxgate Lane, which is also welcomed. Deliveries will be pre-booked, with larger vehicles scheduled to arrive outside of network peak hours.
143. Wheel washing facilities will be provided and as on-site parking will be limited, staff will be encouraged to use public transport to access the site. The framework plan forms a good basis from which to develop a full plan and a condition is sought to require the approval of a full CLP prior to works commencing.

### Transportation summary

144. The main concerns with the proposals as originally submitted, i.e. the amount of car parking and the quality and layout of coach parking, have now been addressed subject to appropriate conditions. There currently is no CPZ in the nearby streets, but a payment towards the review and implementation of CPZ in a local street would be secured via section 106 agreement. Cycle parking has been proposed to meet London Plan standards.
145. The revised plans and highway works on Oxgate Lane ensure that the long-term strategic objective of a new cycle lane along Oxgate Lane are not compromised, and further contributions towards public realm and highways improvements to improve links to Brent Cross West Station in the future have been secured. Servicing provision within the site is considered to be sufficient to meet projected demand, whilst the initial construction management plan and construction logistics plans are considered to be

acceptable in principle subject to final approval via condition. Contributions are also sought by TfL towards station improvements, cycle routes and bus services. The proposal is considered to be acceptable on balance in relation to the potential transportation impacts subject to the conditions and obligations set out within the recommendation section of this report.

## Sustainability and energy

### Policy background

146. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, at the design stage, how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development.
147. 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 2022 version. Nevertheless, given that the application was submitted prior to the updated regulations coming into effect, and designed in accordance with 2013 regulations, transitional arrangements are applicable and it is considered appropriate to consider the carbon reductions in accordance with the Building Regulations 2013 Target Emission Rates (not those updated and effective from June 2022).
148. 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.
149. 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 also requires any proposal for commercial floorspace of over 1,000 sqm to demonstrate that it achieves BREEAM Excellent standards.

### Carbon emissions

150. The energy assessment submitted sets how the London Plan energy hierarchy has been applied. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive energy saving measures. For the 'be lean' and 'be clean' stage of this proposal, significant improvement have been made to the fabric of the development in comparison to the part L minimum values. This includes external glazing, rooflights, ground contact floor and personal doors. The MEP solutions include a DHW by ASHP as this is the main energy demand and this will be suitable for a future district heating connection. Water loop systems have been utilised for the hotel and VRF systems within the industrial areas. The water loop systems will allow for future connection to the heat network.
151. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to incorporate air source heat pumps (ASHPs) to supply space heating and hot water together with Photovoltaic Panels (PVs) to allow a total reduction of 5% through the current GLA methodology.
152. The assessment demonstrates that the scheme would deliver a 5% reduction in carbon emissions across the development below the 2021 Building Regulations baseline, which is broken down into the following elements below:

#### *Non-domestic*

	Regulated emissions CO2 p.a	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions based on Part L 2013	202.6	n/a	n/a
Building Emissions following 'Be	197.2	5.4	3%

Lean' measures			
Building Emissions following 'Be Clean' measures	197.2	0	0%
Building Emissions following 'Be Green' measures	193.3	3.8	2%
Total		9.2	5%

153. It should be noted that if based on the earlier 2013 version of the Building Regulations, the overall saving in carbon emissions would have been a 77% improvement.
154. In respect of the 'Be Lean' savings, the non-residential component of the scheme falls short of the 15% minimum savings sought for this element, but given the overall savings significantly exceeding the 35% target, the limited conflict with policy SI2, is accepted on balance. A carbon offsetting payment of £95 per year for 30 years for each tonne of emitted regulated carbon is to be secured from the developer in line with London Plan policy. A detailed energy strategy would be secured within the s106 agreement with the need to pay any contribution should the scheme not achieve zero carbon, which at this stage is anticipated to be around £550,992
155. A commitment has been provided that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages. This will be secured through the s106 Agreement.
156. The GLA have confirmed that the development's energy strategy is in general compliance with the London Plan policies, although to ensure that the projected and (where possible) additional savings are achieved, further information or clarifications relating to the Be Lean target for the non-residential element, overheating, photovoltaics (demonstrate that delivery is being maximised), futureproofing, air source heat pumps and on-site heat network are required. This would be provided ahead of the stage 2 referral.
157. The GLA have also requested a commitment that the development will be designed to enable post construction monitoring and that the information set out in the 'Be Seen' guidance is submitted to the GLA's portal at the appropriate reporting stages is to be secured via the Section 106 agreement, as well as carbon off-set contribution. Connection or future connection to a district heating network is also to be secured via condition.

#### Sustainable design and construction

158. A number of the applicant's submission documents outline sustainability benefits which would be incorporated into the scheme. Brent's BSUI1 policy require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'.
159. An Energy and Sustainability Report was submitted with the application. The proposal includes the use of aerothermal heat pumps for both hotel and B Class areas, contributing to overall energy and carbon savings. These heat pumps are efficient at part load and are preferred over ground source heat pumps due to limited urban space. A water loop system will be implemented in the hotel areas to facilitate heating and cooling exchanges, with provisions for future district heating connections.
160. An air-to-water heat pump will also provide 100% of the domestic hot water load, further reducing energy demand. Combined Heat and Power (CHP) units, which generate both electricity and useful heat, could offset domestic hot water demand in hotels, but a specific unit has not been defined due to upcoming regulatory changes that may affect carbon reduction benefits. A total of 45 kWp of solar photovoltaic (PV) panels is proposed, with a canopy on the southwestern façade to support the PV array while providing shading.
161. The Energy Statement achieved a 5% reduction in carbon emissions for the overall development, exceeding Part L targets through improved U-values, multi-split VRF technology for heating and cooling, low energy lighting, and air-to-water technology for domestic hot water. The development aligns with local planning policies, providing a healthy indoor environment while demonstrating a 5% improvement over

the baseline energy performance.

162. In addition, the application has been accompanied by a BREEAM Pre-Assessment which identifies that the proposed new build would achieve BREEAM rating of Excellent. Officers recommend that a condition is attached ensuring post-construction checks are undertaken to secure the excellent rating.

#### Whole Life Carbon Cycle and Circular Economy

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

164. A Circular Economy (CE) statement has been submitted, as required by London Plan policy SI7. This is to be reviewed by the GLA as part of the stage 2 referral. Suitable planning conditions (where relevant) relating to the WLC and CE Statement will be incorporated following consideration of GLA feedback at the Stage 2 referral stage.

#### Overheating

165. London Plan Policy SI 4 states that major development proposals should demonstrate through an energy strategy how they will reduce the potential for overheating and reliance on air conditioning systems in accordance with a cooling hierarchy. The energy statement submitted with the application outlines the measures to be taken to meet the requirements of the policy to address overheating, and ensuring that there is no over-reliance on mechanical ventilation.

#### **Ecology and biodiversity**

166. London Plan policy G6 sets out that SNICs should be protected, and development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This policy position is also reinforced in the Local Plan with policy BGI1 setting out that all development should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area. The site does not lie within a Site of Nature Conservation Importance (SNIC) but is located approximately 0.54km south-east of the Brent Reservoir Site of Special Scientific Interest (SSSI) and the Brent Reservoir/Welsh Harp LNR.
167. An Ecological Impact Assessment has been submitted, which comprised a desk study, Field Survey, Baseline Ecological Conditions and assessment of ecological effects and mitigations. This report is based on a field survey and desktop study conducted in June 2024.
168. The report indicated the development will not directly impact designated sites due to its distance and urban surroundings, but the increased skyline may pose a risk to birds from the Brent Reservoir SSSI and LNR. Bird-friendly glass with visual markers will be used to prevent collisions. The retention of existing trees and new planting will enhance habitat quality, providing a net gain in biodiversity.
169. No impacts on bats are expected, but 12 bat boxes will be installed as an enhancement, and these will be secured as part of a wider ecological management condition. Demolition could affect nesting birds, so works will either avoid the breeding season or be monitored by an ecologist. Sixteen swift nest boxes will also be incorporated. Overall, no significant residual or cumulative effects are anticipated subject to these mitigation methods being adopted.
170. This site has suitability for breeding birds, and while adverse impacts on this ecological feature were identified, appropriate mitigation measures have been proposed. Post-development, no residual or cumulative impacts are anticipated. Enhancements such as additional planting, installation of bat roosting, and bird nesting features would result in a net gain for biodiversity, thereby according with Policy BGI1 and BGI2 of the Local Plan, Policy G6 of the London Plan, and the NPPF. Such details are recommended to be conditioned.
171. Natural England were consulted on the likely ecological impacts of the proposed development. Initially, Natural England expressed concern over potential significant effects on the Brent Reservoir SSSI. Following the submission of revised documents, Natural England raised no objection, provided that



appropriate mitigation measures are secured. Specifically, they highlighted the potential impact on bird flightlines due to changes in the skyline and recommended the use of bird-friendly glass solutions, as outlined in the Ecological Impact Assessment (EclA). It is advised that these mitigation measures be secured through a planning condition to ensure the protection of the SSSI's interest features.

### Urban Greening Factor

172. London Plan Policies G1 and G5 emphasise the importance of urban greening in development. Acceptable urban greening features include street trees, green roofs, rain gardens and hedgerows. Policy G5 recommends that a target Urban Greening Factor (UGF) score of 0.3 and should be achieved on predominantly commercial developments. Brent Local Plan Policy BGI1 states that in meeting the urban greening factor, major developments should place emphasis on solutions that support biodiversity.
173. The greening strategy proposed for the development includes features such as semi-natural vegetation, intensive green roofs, tree planting and open water, resulting in an urban greening factor (UGF) uplift of 480sqm within the site. The urban greening factor score itself has not been confirmed but given that the existing site predominantly consists of hard standing there is the opportunity to enhance the urban greening factor with further details to be secured by condition in line with policy G5 of London Plan.

### **Trees and Landscaping**

174. 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.
175. An Arboricultural Impact Assessment and a Landscape Management & maintenance Plan have been submitted, identifying seven street trees (T1-T7) along Edgware Road and Oxgate Lane. All 7 trees have been identified by Category B trees (moderate amenity value), 3 have been assessed as category C (low amenity value) and 1 as category U (dead/dying). With the exception of tree T1 and tree T2 on the Edgware Road frontage (both Whitebeam) all other individual trees would need to be removed to accommodate the development.
176. The scheme would include the planting of 60 new trees within the site (in the various roof terraces) and along the street frontages both on Oxgate Lane and Edgware Road (this would account for a net increase in 55 trees within the site).
177. The indicative location of the proposed trees is considered to add value both in terms of biodiversity and visual amenity for occupiers within the site as well as the sites overall appearance.
178. A condition is recommended in relation to tree protection measures for the two trees that would be retained on site together with a condition that requires final detailed landscaping drawings to be submitted and approved by the LPA, which will include full details of type and species of tree planting throughout the site. The highway works within the Section 106 Agreement would also secure the provision of the street tree planting as part of the wider highway works.

### **Environmental Health considerations**

#### Air Quality

179. The site is located within a Growth Area and it is within an Air Quality Focus Area. London Plan Policy S11 requires major developments to be supported by an air quality assessment and to demonstrate 'air quality neutral' impacts. The assessment should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. In addition, policy BSUI2 of Brent's Local Plan 2019-2041 sets out the requirements for Major developments within Growth Areas and Air Quality Focus Areas to be required to be Air Quality Positive and elsewhere Air Quality Neutral. Where on site delivery of these standards cannot be met, off-site mitigation measures will be required.
180. The application is supported by an air quality assessment and air quality neutral and positive assessment dated August 2024. It concludes that pollutant concentrations at the façades of proposed receptors are predicted to be within the relevant health-based air quality objectives. On that basis, future occupants of the proposed development are unlikely to be exposed to unacceptable air quality and the

site is deemed suitable for its proposed future use in this respect, without the need for mitigation measures.

181. In addition, the application has been accompanied by an Air Quality Neutral and Positive Assessment (Sections 5 and 6 of the Air quality assessment). This highlights that the proposed development transport emissions for the development overall are just below the Transport Emission Benchmark for the range of uses proposed. It should be noted that the number of car parking spaces within the site has also reduced further since this report was produced. The scheme would also be air quality neutral in terms of building emissions. The results therefore show that overall, no further mitigation measures are required. In terms of air quality positive, the report concludes that there are sufficient measures proposed including the use of green infrastructure, reduction in glazing and heat recovery system as part of the ventilation strategy. The scheme would also promote sustainable modes of transport through cycle parking, a travel plan and car park management strategy.
182. The report concludes that there will be no adverse impact on air quality and it complies with the policy SI1 of the London Plan and policy BSUI2 of Brent's Local Plan. Officers in Environmental Health have reviewed the air quality information and raised no objections in terms of air quality.

#### Construction Noise and nuisance

183. As noted above, the development is within an Air Quality Focus Area and located close to other commercial premises. Demolition and construction therefore have the potential to contribute to background air pollution levels and cause nuisance to neighbours.
184. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a CMS to be submitted for approval before works start. This will need to include management of dust through wheel washing and other mitigation measures such as noise restrictions.
185. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

#### Contaminated land

186. This site has been identified as previously contaminated, and the applicant has submitted a Phase 1 desk study by CGL dated December 2020. This study concludes that the potential risks to human health are generally considered to be low to moderate. However, the report recommends a full land contamination assessment to verify the result. It is therefore recommended that conditions are secured in relation to a site investigation, remediation and verification. The quality of the imported soil must be verified by means of in-situ sampling and analysis. Soil quality certificates from the soil supplier as proof is unacceptable.

#### Noise

187. The application has been accompanied by a Noise Impact Assessment prepared by Anderson Acoustics dated August 2024. This includes details of the assessment methodology; the baseline conditions at the site and surroundings; the likely environmental noise and vibration effects; and the mitigation measures required to reduce and minimise any adverse effects.
188. The report is concerned with the impact of existing sources of noise that would affect the proposed hotel bedrooms, and also the noise from any plant associated with the development affecting existing residential receptors, for which noise emission limits have been determined at this stage. The sound levels in the outdoor amenity spaces have also been considered. This has indicated that levels will be no more than the standard limit of 55 dB. In terms of building services plant associated with the development, noise emission limits have been proposed. With the limits adhered to, it is considered that the development would be compliant with National and Local policy. Whilst, with the provision of suitable specifications of glazing and passive means of ventilation where relevant, the adopted internal noise targets would be met and suitable internal sound levels for the future occupants achieved.
189. The information has been reviewed by Environmental Health who have advised that the submitted assessment demonstrates that the noise levels within the hotel rooms will be acceptable, however, plant noise cannot be fully assessed at this time as the plant information is not available. Therefore, a condition

is recommended to be attached requiring a submission of an assessment of the expected noise levels for any installed plant to protect acceptable local noise levels

### Lighting

190. A condition is recommended to be attached requiring that a lighting strategy to any forthcoming scheme that considers lighting levels within the site, details of luminance levels at the nearest residential windows and any overspill lighting onto the nearby properties.

## **Flood Risk and Drainage**

### Policy background

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

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

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

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

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

### Assessment of flood risk

194. The site is located within Flood Zone 1 and is therefore classified as being at a low fluvial and tidal flood risk. No significant risks have been identified from any of the other sources assessed. However, Oxgate Lane and Edgware Road are at 'medium' and 'high risk' of surface water flooding. Therefore, the site is considered to be sequentially preferable for development and passes the Sequential Test and is acceptable.

### Sustainable Drainage Measures

195. 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.

196. The Sustainable Drainage Assessment indicates that required storage volume for surface water drainage has been sized to store the 1 in 100 annual probability storm events including a 40% increase in rainfall intensity in order to allow for climate change in accordance with current standards.
197. Confirmation has been provided surface and foul water would be dealt with separately, and that the sustainable drainage measures would be managed and maintained for the lifetime of the development by an appropriate managing body. It is considered that the sustainable drainage measures are acceptable and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent.
198. The LLFA is satisfied with the findings of the drainage report. It is noted that the GLA have requested further information on the drainage strategy to ensure that it achieves run off rates as close to greenfield rates as possible, including information on whether rainwater harvesting and reuse could be applied. This would be addressed ahead of stage 2 referral.
199. It notes that achieving Greenfield runoff rates for the development could not be achieved due to insufficient space on site to install attenuation systems to the required volume. It has however been agreed with the LLFA to restrict run off rates from the site to 19 l/s. which is a significant improvement on existing discharge rate of 109 l/s for a 1 in 100 year-year storm event. A vortex flow control will be installed to restrict flows to the maximum discharge rate set for the 1 in 100-year storm, plus an allowance of 40% for climate change. This proposal will ensure that the development does not lead to an increase of flood risk elsewhere through a significant reduction in discharge rates compared to the existing scenario. The proposed rate of 19 l/s will apply to all storm events. Despite not meeting Greenfield runoff rates, this betterment is a vast improvement.
200. Attenuation storage will be provided below ground to contain rainfall events up to 1 in 100-year return period (including a climate change allowance of 40%), prior to discharging to the River Brent. There is a need to provide 106 m<sup>3</sup> of attenuation storage. The attenuation storage required is to be provided by the combined use of permeable paving and geo-cellular flood crates. Further superficial attenuation will be provided through green roofs and soft landscaped areas.
201. Thames Water was consulted and confirmed that they have no objection to the proposed development with regard to foul water, surface water, and water network infrastructure capacity. However, due to the site's proximity to a strategic sewer, they request a Piling Method Statement to ensure piling activities do not damage underground sewerage infrastructure. Thames Water also recommends installing a positive pumped device to protect the property from sewage flooding during storm conditions. If the development includes discharging groundwater to the public sewer, a Groundwater Risk Management Permit will be required. Additionally, the developer should design the water supply system to account for a minimum pressure of 10m head and a flow rate of 9 litres per minute.

## **Fire Safety**

202. Policy D12 of the London Plan states that major applications should be accompanied by a Fire Statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.
203. Further to the above, Policy D5 (B5) of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.
204. A Fire Statement has been prepared by a suitably qualified third-party assessor and has been submitted in support of the application. This statement was updated to reflect recent scheme design changes. The means of escape from all levels will be via a minimum of two escape stairs, with the first and second floors being served by a total of four escape stairs, reducing down to three from the fourth floor. The statement addresses the requirements of Policy D12 and D5 including the features to minimise

the risk of fire spread, an evacuation strategy and suitable means of escape for all building users, access and equipment for firefighting personnel.

205. London Fire Brigade was consulted on the proposed development and initially provided feedback advising the applicant to ensure that the plans conform to Part B of the Approved Document of the Building Regulations. Additionally, the applicant was directed to review Guidance Note 29 on Fire Brigade Access, with particular attention to paragraph 16, regarding water mains and hydrants.
206. On the basis of the above, the submitted Fire Statement and fire safety design are suitable to meet the requirements of D12.

### **Wind microclimate**

207. Policy D8 requires amongst other considerations that development proposals should ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place. It goes on to say within policy D9 that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building.
208. To support the above requirements, a Wind Microclimate CFD Study (ref: WH246-01F02(REV1)) has been provided by the applicant to assess the effect of the proposed development on the wind conditions in and around the site.
209. The assessment was undertaken through Computational Wind Engineering (CWE), which uses Computational Fluid Dynamic (CFD) techniques to model a 'virtual wind tunnel' and simulate conditions around the site. The wind assessment considered the effect of the existing site with existing surrounds, the proposed site with existing surrounds and the proposed site with existing surrounds and mitigations.
210. The result of the study divides into two parts: winter comfort contours and summer comfort contours. The study suggests that wind conditions in the surrounds and on the ground level are safe. On the elevated levels, the wind conditions are suitable for the intended use in most areas. However, there are small areas where the wind conditions are unsuitable for the intended use including the small isolated area on the 4th floor terrace.
211. The study also concludes that on the ground levels, the wind conditions are suitable for the intended use in most areas. Nonetheless, there are minor areas where the wind conditions are unsuitable for the intended use, including:
- Small isolated areas at the northern corner of the development
  - Small isolated areas at the eastern corner of the development
  - Small isolated areas at the southern corner of the development
  - Off-site entrance along Oxgate Lane
  - Thoroughfares along Oxgate Lane
212. However, it is noted that the model used in this analysis does not include the decorative exoskeleton of the proposed development. Additionally, some landscaping elements on the 4th floor terrace and along Oxgate Lane are also omitted. The recessed off-site entrance along Oxgate Lane is another feature not represented in the model. These elements were excluded to provide conservative results, representing a worst-case scenario.
213. Overall, following the introduction of the mitigation strategies, the results of the assessment show that the wind conditions at the ground and elevated levels are safe. In addition, entrances and all other areas on site and off site would be comfortable and fit for intended usage following the introduction of the exoskeleton.

### **Utilities and Television and Radio Reception Impact**

214. A TV and Radio Reception Impact Assessment has been submitted with the application, and updated to reflect the additional five storeys which form part of the revised scheme. The report sets out the

existing levels and quality of radio and television signal reception in the survey area, and concludes that the proposed development is unlikely to cause any interference to the reception of any television or radio broadcast platform. As no interference is expected, no mitigation measures are required to restore the reception of any broadcast service. The proposals are therefore acceptable in this regard.

215. A condition is attached ensuring that high-speed broadband is secured for all future dwellings, in line with London Plan policy SI6.

### **Employment and training**

216. Brent's Local Plan policy BE1 'Economic Growth and Employment Opportunities for All' states an Employment and Training Plan will be required for all major developments, to be prepared in partnership with Brent Works or any successor body.
217. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development will be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000 sqm of floor space.
218. As set out in Brent's Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed Brent resident is secured per ten C3 homes delivered and per each 500 sqm of commercial floorspace delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs within commercial uses should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20 sqm of commercial floorspace.
219. When applying these standards to the proposed development, it is projected that 55.5 construction jobs, plus an additional one per each 500sqm of commercial floorspace delivered (9.5 operational jobs), should be secured for unemployed residents, with at least half of these jobs being in the form of apprenticeships for Brent resident's. In addition, reasonable endeavours must be used to secure a minimum of 20% of jobs, one operational, for Brent resident's.

### **Equalities**

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

### **Conclusion**

221. The proposals would result in a mixed-use re-development of an existing industrial site within the Staples Corner Growth Area. Following significant discussion with the applicants over the timeframe of the application, the quantum and quality of the replacement industrial floorspace provision is now considered acceptable, particularly given the approach and land use strategy now adopted within the SCGA Masterplan. The principle of the hotel is supported despite the out-of-centre location, with a sequential assessment having been undertaken and passed, and weight placed on the Masterplan principles and improved transport links as a result of the opening of Brent Cross West Thameslink station. The overall mix of uses is considered acceptable.
222. The principle of a 22-storey building with lower podium block is acceptable, with the architectural quality of the buildings considered acceptable, and the approach to building height, massing and composition is supported. It has been successfully demonstrated that the design approach is suitable and meets the key criteria of London Plan policy D9, and is supported by the SCGA Masterplan and Design Code.
223. The quality of the proposed hotel rooms is considered to be satisfactory, with good levels of outlook, ventilation and access to amenity space and shared facilities. There would be no harm to the amenity of neighbouring residential properties.
224. Following reduction in parking levels and access arrangements on Oxgate Lane, the highways

arrangements are considered acceptable, subject to S106 contributions towards public realm and future highways improvements to Brent Cross West station connections, improvements to the bus network, and review and implementation of a CPZ in the local area.

225. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.



Application No: 20/4143

To: Mr Mills  
Contour Planning Services Ltd  
The Barn  
Unit 3, Pirton Grange  
Shillington  
Hitchin  
SG5 3HB

I refer to your application dated **11/12/2020** proposing the following:

Demolition of existing building and basements and replacement with mixed-use development (26,677 sq. m GIA) incorporating 22 storey building and 3 basements, comprising: flexible light industrial (Class E)/B8 employment space (in accordance with Part 3 of Schedule 2 (Class V) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)); Class C1 Hotel (including ancillary gym, spa and swimming pool); Class F.1 Conference Centre; Class F.2 community hall; basement car parking accessed from Oxgate Lane; cycle parking; internal service yard; coach drop-off lay-by; management and back of house areas; plant; roof garden and outdoor terraces; public realm improvements and associated works. (REVISED DESCRIPTION AUGUST 2024 - SEE REVISED DRAWINGS AND SUPPORTING DOCUMENTS ON WEBSITE).

and accompanied by plans or documents listed here:  
Refer to condition 2

at **403-405 Edgware Road, Cricklewood, London, NW2 6LN**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/12/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

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



Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

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

- 1 The 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):

EDG-TOD-ZZ-ZZ-DR-A-100-110 Rev 1 Site Location Plan (Dated 25.10.2020)  
EDG-TOD-ZZ-ZZ-DR-A-200-200 Rev 1 Existing Ground Floor Plan (Dated 07.10.2020)  
EDG-TOD-ZZ-ZZ-DR-A-200-210 Rev 1 Existing First Floor Plan (Dated 07.10.2020)  
EDG-TOD-ZZ-ZZ-DR-A-200-220 Rev 1 Existing Second Floor Plan (Dated 07.10.2020)  
EDG-TOD-ZZ-B2-DR-A-200-230 Rev 1 Existing Roof Plan (Dated 29.10.2020)  
EDG-TOD-ZZ-B2-DR-A-200-201 Rev 1 Existing Basement -1 (Dated 09.12.2019)  
EDG-TOD-ZZ-B1-DR-A-200-202 Rev 1 Existing Basement -2 (Dated 09.12.2019)  
EDG-TOD-ZZ-ZZ-DR-A-300-100 Rev 1 Existing Elevations (Dated 28.10.2019)  
EDG-TOD-ZZ-ZZ-DR-A-300-101 Rev 1 Existing Courtyard Elevations (Dated 07.10.2020)  
EDG-TOD-ZZ-ZZ-DR-A-100-130 Rev 2 Proposed Site Plan (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-100 Rev 2 Proposed Ground Floor (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-101 Rev 2 Proposed First Floor (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-102 Rev 2 Proposed Second Floor (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-103 Rev 2 Proposed Third Floor (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-104 Rev 2 Proposed Fourth Floor Plan / Podium (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-105 Rev 2 Proposed Typical Hotel Floor (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-106 Rev 2 Proposed Twentieth Floor Restaurant / Terrace Lounge Plan (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-107 Rev 2 Proposed Roof Plan (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-010 Rev 2 Proposed Basement -1 (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-020 Rev 2 Proposed Basement -2 (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-200-030 Rev 2 Proposed Basement -3 (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-301 Rev 2 Proposed South East Elevation (Exo-Skeleton) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-302 Rev 2 Proposed South East Elevation (Streetscape) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-303 Rev 2 Proposed Edgware Road Elevation (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-304 Rev 2 Proposed Edgware Road Elevation (Streetscape) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-305 Rev 2 Proposed Oxgate Lane Elevation (Excluding Exo-Skeleton) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-306 Rev 2 Proposed Oxgate Lane Elevation (Streetscape) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-307 Rev 2 Proposed South West Elevation (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-300-308 Rev 2 Proposed South West Elevation (Streetscape) (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-400-401 Rev 2 Proposed Section AA (Dated 16.08.2024)  
EDG-TOD-ZZ-ZZ-DR-A-400-403 Rev 2 Proposed Section BB (Dated 16.08.2024)

6570-PHL-SW-ZZ-DR-L-2000 Rev 00 Landscape Proposal (Dated 16.08.2024)  
6570-PHL-SW-ZZ-DR-L-2300 Rev 00 Soft Works Plan (Dated 24.07.2024)  
1808\_PL01 Rev C Proposed Access Arrangements (Dated 25.06.2024)

### Supporting Documents

Revised Design & Access Statement (Rev P01) – TODD Architects - August 2024  
Townscape Visual Impact Assessment – Park Hood Architects – ref. 896/ER/TVIA/2024 - dated August 2024  
Noise Impact Assessment – Anderson Acoustics – ref. 6168\_001R\_0-1\_RHM - August 2024  
Flood Risk Assessment & Drainage Strategy – Parmarbrook – ref. 1946 Rev 1.1 – December 2020  
Landscape Management & Maintenance Plan - 4570-PHL-SW-XX-OHL-2001 - August 2024  
Ecological Impact Assessment – ECOSA - 20.0378.0002.F0 - August 2024  
Arboricultural Impact Assessment – Innovation Group Environmental Services – ref. PA-15233-Rev-1 – November 2020  
Fire Statement – Marshall Fire – Rev 01 - August 2024  
Wind Microclimate CFD Study – Windtech - WH247-01F02(rev1) - August 2024  
Framework Delivery and Servicing Plan - Transport Planning Associates - August 2024  
Car Parking Management Plan – Transport Planning Associates – Ref. 1808-16-TN08 v01 - August 2024  
Revised Circular Economy and Whole Life Carbon Statement – BPP Energy - August 2024

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

- 3 The development hereby approved shall be built so that no less than 4858 sqm of industrial floorspace Class E(g) (iii)/ Class B8, and no greater than 120 sqm of Class E(a) or (b) floorspace is provided, unless otherwise agreed in writing by the Local Planning Authority.

The industrial floorspace approved shall be subdivided into individual units of no more than 1,000 sqm (GIA) of Class E(g)(iii) or B8 floorspace unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure maximum re-provision of industrial floorspace is provided and to limit the quantum of Class E(a) or (b) floorspace outside of a town centre, and to ensure servicing arrangements for any individual unit are acceptable in highways terms.

- 4 The scheme hereby approved shall contain 210 rooms within the proposed hotel, as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 No guest or customer of the hotel use hereby permitted may occupy any part of the hotel accommodation for a period exceeding ninety days (90) in any continuous period of six months. The operator of the hotel shall at all times maintain an accurate register of the permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable request.

Reason: To ensure the hotel accommodation meets an identified need and the quality of the hotel accommodation is sufficient in accordance with Brent Policy BE9.

- 6 The development shall be built so that no fewer than 10% of the hotel rooms hereby approved are accessible rooms in accordance with the criteria set out in London Plan 2021 policy E10 (H)(1). These aparthotel rooms shall be maintained as accessible for the lifetime of the development.

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

- 7 The development hereby approved shall be carried out fully in accordance with the approved Flood Risk Assessment and Drainage Strategy prepared by Parmarbrook Ltd dated 9th December 2020, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate arrangements for drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policies BSUI3 and BSUI4.

- 8 The development hereby approved shall be carried out fully in accordance with the mitigation measures set out within the Ecological Impact Assessment prepared by ECOSA Ecological Survey & Assessment dated August 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the ecological and biodiversity value of the site, having regard to Local Plan policies DMP1, BGI1, BGI2 and London Plan policy G6.

- 9 The car parking spaces including the disabled parking bays as detailed within the approved plans shall be provided prior to occupation of the development, with 24 of the spaces provided with electric vehicle charging infrastructure from the outset and the remainder to be provided with passive provision. This charging infrastructure shall be permanently maintained thereafter for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with London Plan policy T6.1.

- 10 The development hereby approved shall be carried out fully in accordance with the approved Arboricultural Impact Assessment, including AIA, Tree Survey and Tree Protection Plan, prepared by Innovation Group Environmental Services dated 12th November 2020, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate consideration for trees, in accordance with Brent Policy BGI2 .

- 11 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.

- 12 The development hereby approved shall be carried out fully in accordance with the mitigation measures set out within the Wind Microclimate CFD Study prepared by Windtech dated 16 August 2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring suitable microclimate conditions for occupiers of the development and pedestrians at street level.

- 13 No development shall commence until a written scheme of investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall provide details of the programme of historic building recording works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The historic building recording

site work shall thereafter be implemented in full in accordance with the written scheme of investigation.

The recording is to be carried out on the building internally and externally in accordance with Historic England's Understanding Historic Buildings to a Level 3 standard by a professional archaeological/building recording consultant or organisation with a proven track record of delivering historic building recording. No demolition or development shall take place before the historic building recording has been completed in accordance with the written scheme of investigation approved and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To ensure that the heritage of the existing building of the site are adequately documented.

Reason for pre-commencement condition: To ensure that the heritage of the existing building is adequately documented prior to any demolition works taking place.

- 14 No development shall commence until full details of mitigation measures, include selective salvage and a history of the building prominently displaced in the hotel lobby, are secured in consultation with the Council's Heritage Officer and key heritage groups. The agreed measures shall thereafter be provided in accordance with the agreed measures and retained on display throughout the lifetime of the development.

Reason: To ensure that the heritage of the existing building are adequately preserved and documented.

Reason for pre-commencement condition: To ensure that the heritage of the existing building is adequately documented prior to any demolition works taking place.

- 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, in consultation with Transport for London. The CLP include, but not limited to details on the measures that will be implemented to ensure a safe environment for pedestrians and cyclists using surrounding streets during the construction phase, the measures that will be implemented to ensure no adverse impact on bus operations and infrastructure adjoining or in proximity to the site, details on the discussion had with adjoining development and/or schemes and measures to be implemented to reduce the cumulative impact and a commitment to avoid deliveries during the peak hour. 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 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.

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

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

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

- 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 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 Brent's Local Plan Policy BSUI1.

- 20 Prior to commencement of development (excluding site clearance and demolition works), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The 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.

- 21 Prior to the commencement of development (excluding demolition, site clearance and laying of

foundations), further details of external materials (including samples of key materials which shall be provided on site for inspection or in another location as agreed, and/or manufacturer's literature) shall be submitted to and approved in writing by the local planning authority, and thereafter completed in accordance with the approved details.

The works shall be carried out in accordance with the approved details.

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

- 22 Prior to development commencing above ground on the development, a detailed landscaping scheme and implementation programme for all works within the red line boundary of the site 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:

- (i) Details of hard surfacing, including details of permeable paving, tree pit design, underground modular systems, etc.
- (ii) Boundary treatment, means of enclosure and retaining structures;
- (iii) Other equipment and structures including precise locations of all Sheffield cycle stands to be provided within the public realm for a minimum of 28 sheffield stands for short-term cycle spaces;
- (v) Species, locations and densities for 60 trees, grass and shrubs;
- (vi) Proposed walls, fencing, screening treatment and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights;
- (ix) Details of biodiversity enhancement measures to achieve a net gain in biodiversity within the site;
- (xi) Details to maximise the urban green factor (UGF) for the site in line with policy G5 of London Plan 2021, including the requirement to submit a UGF Masterplan;
- (xii) Details of any external CCTV installations;
- (xiii) 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 shall thereafter be carried out in full accordance with the implementation programme prior to first occupation or use of the building.

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.

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. Unless required by a separate landscape management condition, all soft landscaping scheme shall incorporate written five year maintenance programme following planting.

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 urban greening and visual amenity having regard to Local Plan Policies DMP1, BG11 and BG12 and London Plan policies G5, G6 and G7.

- 23 Prior to commencement of above ground works, proof that the plans can achieve secured by design accreditation must be submitted to the design out crime officer and the Local Planning Authority. The site / development should demonstrate reasonable endeavours have been used to achieve secured by design accreditation to silver and maintain this standard throughout the lifetime of the development.

Reason: In the interests of reducing the potential for crime, in accordance with Local Plan Policy

DMP1.

- 24 Prior to the commencement of use of the hotel, an Accessibility Management Plan (relating to the hotel use) shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate the future operator's commitment to the provision of an inclusive and accessible facility which is reviewed on a quarterly basis in accordance with the principles laid out in Section 10 of the Design and Access Statement submitted with the application.

The Plan shall be fully implemented as approved thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

- 25 Prior to first occupation or first use of the development, a Community Access Plan relating to the use of the Flexible F1/F2 Space shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access arrangements and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of first occupation or use of the facilities and it shall remain in operation for the duration of the use of the Development.

Reason: To ensure the development is fit for purpose and provides facilities for local communities, and to protect the amenity of local residents.

- 26 Prior to first occupation or use of the development hereby approved, a full Delivery and Servicing Plan (DSP) outlining measures proposed to reduce the impact of servicing on the surrounding transport network, and how the site will look to support sustainable and active freight shall be submitted to and approved in writing by the local planning authority. All delivery and servicing activity shall thereafter be carried out fully in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network, in accordance with Policy T7 of the London Plan.

- 27 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.

The lighting shall not be installed other than in accordance with the approved details.

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

- 28 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](mailto: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.

- 29 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. 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.

- 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. 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.

- 31 Within six months from practical completion of the development hereby approved, a 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.

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

11 December, 2024  
07  
24/0826

## SITE INFORMATION

RECEIVED	27 March, 2024
WARD	Harlesden & Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Rivington Court, Longstone Avenue, London, NW10 3RL
PROPOSAL	Proposed second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings. Associated enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168331">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_168331</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "24/0826" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to 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. An early and late stage review mechanism towards the provision of affordable housing 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. Biodiversity Net Gain to include:
  - Biodiversity Gain Plan
  - Habitat & Maintenance Management Plan
  - Statement of Conformity
  - Survey & Monitoring Report for Net Gain
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 impose conditions and attach the following informatives in relation to the following matters:

### Conditions

#### Compliance

1. Three-year rule for commencement
2. Approved drawings and documents
4. Number of Units
5. Cycle Parking
6. Refuse Stores
7. Car-free agreement
8. NRMM
9. Implementation of submitted Travel Plan

#### Pre-commencement


10. Materials
11. Privacy Screens
12. Landscaping Details
13. Construction Method Statement
14. Construction Logistics Plan

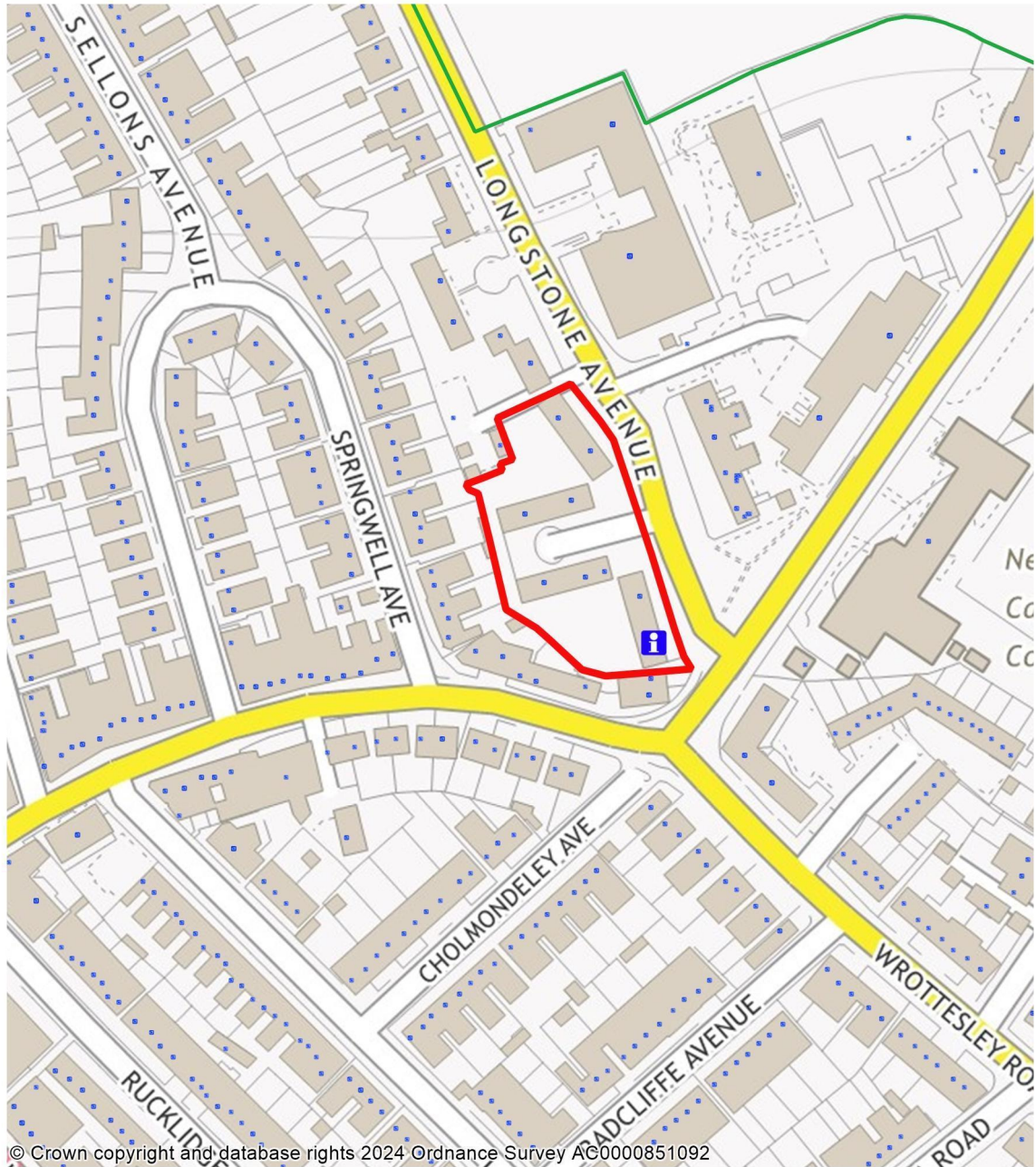
## Informatives

1. CIL Liability Approval
2. Party Wall
3. Building Near Boundary
3. Fire Statement Informative

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

	<b>Planning Committee Map</b>
<b>Brent</b>	Site address: Rivington Court, Longstone Avenue, London, NW10 3RL
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

## PROPOSAL IN DETAIL

The development proposes the second and third floor extensions to 4 x existing blocks to create 16 new self-contained residential dwellings. The proposed dwellings would comprise 2 x studios, 6 x 1-bedroom units, 4 x 2-bedroom units and 4 x 3-bedroom units. The 2 bedroom and 3 bedroom properties would have a duplex layout and the other 8 would be flats. Other works within the site would involve the enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.

## EXISTING

The application site is 1 - 41 Rivington Court located on the west side of Longstone Avenue. The surrounding area is predominately residential. This application concerns four of the residential blocks. Two of the blocks (A and B) are three storey brick and render buildings with pitched roofs. These buildings are parallel to each other and sited around and fronting a central cul-de-sac with a turning circle. Two of the blocks (C and D) are two-storey in height and face onto Longstone Avenue. The site lies within the Harlesden Neighbourhood Forum area. The site is not situated within a Conservation Area, nor is it nearby any Listed buildings.

## AMENDMENTS SINCE SUBMISSION

Since the submission of the application, the top floor massing of Blocks A and B has reduced to maintain a greater distance from the rear gardens and rear windows of properties on Springwell Avenue. This has resulted in the reduction of dwelling A-03-01 and B-03-01 to Studio 1 bedroom 1 person dwelling.

## SUMMARY OF KEY ISSUES

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

**Representations Received:** 17 objections were received. Further details of the comments received are discussed within the Consultation section below.

**Principle:** Having regard to good accessibility of the level and the proximity Harlesden Town centre, the site is considered acceptable for principle of residential intensification.

**Affordable Housing:** The proposed development would not provide any on site affordable housing. The scheme has been viability tested and has been demonstrated provide maximum reasonable. The legal agreement will secure early and late stage reviews.

**Housing Mix:** The development creates 16 units (2 x studios, 6 x 1 bedroom units, 4 x 2 bedroom units and 4 x 3 bedroom units). This would equate to 25% family sized homes.

**Quality of Residential Accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would all be dual aspect providing good outlook and light. The amount of external private amenity space meets London Plan requirements but does not fully meet Brent's numerical requirements set out within policy BH13, however, the development provides enhanced good quality communal amenity and as such this is considered of sufficient quality and provides a variety of external communal spaces and on-site play for future occupiers.

**Character and Appearance:** The development proposes a good approach to rooftop extensions, utilising the existing building character while adding contemporary alterations that complement the appearance while maintaining a scale that is appropriate for the residential area.

Externally, the scheme proposed changes to the landscaping with the introduction of native and ecologically beneficial planting, the provision of additional furniture (seating and play facilities) within shared amenity spaces and introduction of Sustainable Drainage (SuDS) measures. In addition, the new shared cycle stores and refuse stores are proposed to the rear of the cul-de-sac. In terms of appearance, these alterations will visually enhance the amenity areas and areas surrounding the site. In addition, the provision of dedicated refuse and cycle stores in convenient locations will reduce the visual clutter on the footpath and present.

**Heritage Assets:** NONE

**Impact to Neighbouring Amenity:** The scheme is considered acceptable with regards to privacy and overlooking. Conditions requiring privacy screening to some balconies are sought to protect neighbouring amenity space. The 30 and 45 degree lines are broadly complied with. Whilst there is a slight infringement of the 45 degree rule in part, these are limited to small corners of the proposed development. With regards to daylight, sunlight and overshadowing the scheme is fully compliant with BRE guidance, therefore the development is not considered to have an adverse impact on neighbouring residents.

**Transport Considerations:** The development is subject to a car free agreement for the new flats created. Suitable cycle and bin storage is provided. Subject to other conditions requiring a Travel Plan and a Construction management Plan the scheme is considered acceptable on transportation grounds.

**Landscape, Ecology, Biodiversity** The proposal provides a compliant Biodiversity Net Gain for the Site of 10.44%. The proposal have been demonstrated to meet an UGF with a score of 0.49. The landscaping includes ecologically beneficial planting and enhancement of current amenity areas through the planting of hedgerow, shrubs, green roof, hawthorn scrub, climbers, rain gardens and new trees. New pathways will be created providing access to proposed seating and play features for residents. Two rain gardens will be created bordering the main entrance with an area. Conditions relating to habitat management and maintenance, wildlife and nesting features, biodiversity plans and monitoring and a statement of conformity will be sought to ensure enhancements are secured. In addition, planning obligations relating to Biodiversity net gain will be secured through the S106 agreement.

**Flooding and Drainage:** A small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation. The proposals will use existing drainage connections which will not result in a net increase of surface impermeable area, will have a separation between surface and foul water systems and will include a SuDs meadow.

**Environmental Impact, Sustainability and Energy:** The measures outlined by the applicant achieve the overall 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.

**Fire Safety:** A Fire Statement produced by a qualified fire engineer has been submitted with the application. The statement responds to the criteria within London Plan Policy D12 (B).



## RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
23/1097	Prior approval for the construction of new dwellings on a detached block of flats: the addition of 1-storey above 2 x 3 storey residential building within Rivington Court. Comprising of 8 x 1B2P residential units (4 per block), totalling 241 sqm internal floor area (GIA), together with provision of 12 long-stay cycle parking spaces, 2 short-stay visitor cycle parking spaces as well as waste storage facilities.	Prior Refusal Required and Refused	30/05/2023

## CONSULTATIONS

### External Consultations

129 neighbouring and nearby properties were consulted for a 21-day period along with Harlesden Neighbourhood Forum commencing 10/04/2024.

A press notice and site notice were also displayed.

A further round of consultation was carried out on 6th November 2024 in relation to revised plans and additional supporting documents. A further press notice notice and site notice were also displayed.

In response a total of 17 objections were received as summarised below.

Reasons for objecting	Officer's Comment
<b>Design, Character and Impact on the Street Scene</b>	
Detrimental Impact to character and setting with concerns raised regarding height, general aesthetic and appearance of the buildings and the change in roof style, Not suitable for this location.	Refer to Design, Character and Impact on the Street Scene sections of the report.
<b>Impact on Nearby Residents</b>	
Impact to nearby neighbouring residents owing to loss of daylight, sunlight and overshadowing, to include garden spaces and a lack of consideration to windows and garden of Fort Garry	Refer to Impact on Neighbouring Occupiers sections of the report.
The proposal would result in the loss of peaceful enjoyment of neighbouring amenity spaces with permanent impact living conditions and mental health	Refer to Impact on Neighbouring Occupiers sections of the report.
The proposal would include additional residents resulting in additional noise and disturbances	The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a noise perspective.
Impact to neighbouring amenity owing to increased overlooking and loss of privacy	Refer to Impact on Neighbouring Occupiers sections of the report.
The additional units within the proposal would detrimentally impact the neighbouring amenity of existing top floor residents within the host site.	Refer to Impact on Neighbouring Occupiers sections of the report.

<b>Parking and Highways Considerations</b>	
The proposal includes inaccuracies involving rear parking spaces which are under separate garage renters and inaccuracies with ownership of shared access road to the rear	Refer to Transport and Highway Considerations section of the report
Concerns over parking arrangements and increased traffic and number of vehicles	Refer to Transport and Highway Considerations section of the report
Concerns regarding the position of bicycle/refuse storage	Refer to Transport and Highway Considerations section of the report
<b>Other Matters</b>	
The proposal raises health and safety issues	Not all health and safety issues are material planning considerations. Relevant assessment has been undertaken within this report regarding health and safety.
The proposal would lead to high levels of disruption, inconvenience, and noise disturbance due to construction. It would also add to the construction works taking place adjacent to the host site. This would include the creation of dust, noise pollution and debris. Further concerns with regards to construction methodology, access issues during and after constructions and lack of information on scaffolding.	A Construction Method Statement and Construction Logistics Plan would be required by condition to reduce any potential noise harm from the proposed works.
Concerns have been raised regarding asbestos	Whilst this is not a material planning consideration, the Control of Asbestos would be required to comply with other standards (i.e. building Regulations)
The proposal would lead to an increase in crime, anti-social behaviour and a loss of security	The application site is located within a generally residential area. The proposed residential intensification is therefore considered to be acceptable from a public safety perspective.
Shared amenity space with many residents would be detrimental to the overall standard of accommodation.	Refer to Quality of Residential Accommodation section of the report
Limited information provided within the application submission and lack of consultation from applicant/freeholder	The application submission was considered to meet planning validation requirements to include the appropriate Certificate of Ownership being signed on the submitted Application Form. The Council actioned statutory public consultation on the development proposal within the required timeframes to invite comments.
There is a lack of appropriate infrastructure and amenities (GP access, schools and nurseries) for the increased occupancy.	A financial contribution via a section 106 Legal agreement is sought in supporting the wider borough intensification.
Details of the freeholder's intent for the site is not evident. (Lack of essential repairs and maintenance, Lack of security measures influencing lights, Opportunistic development, Money making exercise, Associated costs to upgrade common parts of building, Increased service charges for leaseholders, Compensation for residents should be given, Leaseholder concerns, Increased financial burdens)	These are not material planning considerations.
The development would incur concerns regarding fire safety and means of fire escape	Refer to Fire Safety section of the report
The structural integrity of the proposed	These are not material planning considerations.

extensions are not detailed - The date of the construction of the existing buildings predates 1948	
Social housing contribution	Refer to Housing section of the report – subheading: Affordable Housing
Lack of access by way of lifts, impact on accessibility of new homes created.	Refer to Housing section of the report – subheading: Accessible Housing
Lack of carbon offset	Refer to Energy and Sustainability section of the report
Concerns regarding surface water flooding and drainage issues, increased water pipe blockages and disruption of water tanks to the lofts	Refer to Flood Risk and Drainage section of the report
Concerns regarding size and quality of proposed flats	Refer to Quality of Residential Accommodation section of the report
Granting consent for this application will set precedents for other developments	Each planning application is assessed on its own merit and would be required to address a wide range of planning policy requirements to be deemed acceptable.
Concerns raised with the proposed flat roof resulting in damp and mould	Damp and mould are not material planning considerations. Such matters are governed by Building Regulations.
There are legal implications for granting the application	Legal implications are civil matters and any advice should be sought from a suitably qualified legal professional.

#### *Internal Consultations*

**Transport** - no objections raised. Conditions are recommended in relation to a car free scheme for the new units, implementation of the Travel Plan and the submission of a Construction Management Plan.

**Urban Design** – No objections raised. The proposal of high architectural merit could represent an exemplar and best practice approach to rooftop extensions.

**Environmental Health** - no objections raised. Conditions are recommended in relation to air quality and construction management.

**Ecology** – No objections raised. Conditions are recommended in relation to Biodiversity Net Gain, Habitat Management, Wildlife and Nesting and Planning Obligations requirements.

**Local Lead Flood Authority** – No response received. However, only a small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation.

**Thames Water** – No objections raised subject to informatives.

**Cadent Gas** - No response received from Cadent Gas regarding notifiable pipeline but no excavation required

## **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
- Harlesden Neighbourhood Plan

Relevant policies include:

### **London Plan 2021**

D1 London's form, character and capacity for growth  
D3 Optimising site capacity through the design-led approach  
D4 Delivering Good Design  
D5 Inclusive design  
D6 Housing quality and standard  
D7 Accessible housing  
D12 Fire Safety  
H1 Increasing housing supply  
H2 Small sites  
H4 Delivering affordable housing  
H6 Affordable housing tenure  
H7 Monitoring of affordable housing  
H10 Housing size mix  
S1 Developing London's social infrastructure  
S4 Play and informal recreation  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
T5 Cycling  
T6 Car Parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction

### **Brent Local Plan 2019-2041**

DMP1 Development Management General Policy  
BD1 Leading the Way in Good Urban Design  
BH1 Increasing Housing Supply in Brent  
BH2 Priority Areas for Additional Housing Provision within Brent  
BH4 Small Sites and Small Housing Developments in Brent  
BH5 Affordable Housing  
BH6 Housing Size Mix  
BH13 Residential Amenity Space  
BH10 Resisting Housing Loss  
BSI1 Social Infrastructure and Community Facilities  
BGI1 Green and Blue Infrastructure  
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 & Car Free Development

### Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework
- National Planning Practice Guidance
- Supplementary Planning Guidance / Documents:
  - SPD1 Brent Design Guide 2018
  - Harlesden Neighbourhood Plan
  - Brent's Sustainable Environment & Development SPD
  - Brent's Planning Obligations SPD
  - Brent's Residential Amenity Space & Place Quality SPD

## **DETAILED CONSIDERATIONS**

### **Principle**

#### *Principle of Residential intensification*

1. London Plan Policy H1 sets a target of 23,250 new homes across a ten-year plan period from 2019 for Brent. Local Plan policy confirms that the council will maximise the opportunities to provide additional homes in the period to 2041, granting planning permission, including on appropriate windfall sites, for a minimum 23,250 homes in the period 2019/20-2028/29 and a minimum of 46,018 homes in the period 2019/20-2040/41. Brent's Local Plan Policy BH2 states that in addition to the Growth Areas and Site Allocations identified in the Plan, town centres, edge of town centre sites, areas with higher levels of public transport accessibility levels and intensification corridors will be priority locations where the provision of additional homes will be supported. Policy BP5 relating to the South Place within Brent envisages a minimum of 4,900 additional homes in the period to 2041. The Harlesden Neighbourhood Plan anticipates a minimum of 797 dwellings being provided in the Harlesden Neighbourhood Plan Area in the period to 2041.
2. Being larger than 0.25ha in site area, the site would not fall under London Plan Policy H2 which relates to small residential sites (under 0.25ha). However, Brent's Local Plan Policy BH4 would apply as this covers small housing developments (below 0.25 hectares or 25 dwellings in size). This policy identifies small sites as an additional important source of new housing and supports small housing developments through the more intensive and efficient use of sites, within the priority locations of PTAL 3-6, intensification corridors, or a town centre boundary. The entrance and the portion of the site fronting Longstone Avenue has a PTAL score of 3 (parts of the site are in PTAL 2, but the site is also close to a PTAL 5 area). It would therefore be reasonable to consider this to be a priority location for intensification under Local Plan policy BH4.
3. Whilst not within a town centre, it is noted that the site entrance is a 2-minute walk from the edge of Harlesden town centre. A variety of social infrastructure, including food shops and pharmacies, are easily accessible on foot. In addition, Roundwood Park is around 200 metres (3 minutes' walk) away and Roundwood Youth Centre is around 130 metres (2 minutes' walk) away. This makes it possible to meet many day-to-day needs within a short walk of the proposed development.
4. Harlesden Local Plan Policy H2 New housing density states that 'Density of new housing development should be optimised taking account of the development site's connectivity and accessibility and subject to the proposals being acceptable in terms of local context and design.'
5. In view of the above, residential intensification of the site is considered acceptable in principle, given its access to public transport and social infrastructure facilities, and subject to appropriate design.

### **Housing**

#### *Affordable Housing*

6. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. The strategic target remains at 50% affordable housing, and a fast-track route is provided whereby applications proposing at least 35% affordable housing, a policy-compliant tenure split. Applications not meeting the criteria for the fast-track route are subject to viability testing, to determine the maximum reasonable amount of affordable housing that the scheme can support.

7. 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.
8. 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 the remaining 30% being for intermediate products.
9. The proposals have been viability tested. The applicant has submitted a Viability Study prepared by Turner Morum LLP dated March 2024. The viability of the scheme has been independently reviewed to establish whether the current offer is the maximum reasonable amount.
10. The applicant's financial viability study indicates that the scheme would result in a residual land value ("RLV") of -£853,545 (with 0% Affordable Housing) against a benchmark land value ("BLV") of £1. Where the RLV is less than the BLV, a scheme is in deficit, and as outlined above. Therefore, the scheme is considered non-viable by the applicant. The study set out the developer can choose to take a commercial decision on an individual site basis.
11. There are areas of disagreement regarding some of the provided assumptions. However, the independent review still identified a reduced deficit of - £181,415 when benchmarked against a site value of £1. Consequently, the proposed scheme cannot support any affordable housing, and this is the maximum reasonable amount. The scheme will be subject to both early stage and late-stage viability testing within a legal agreement.

#### *Accessible Housing*

12. London Plan Policy D7 Accessible housing requires proposals to provide suitable housing and choice to cater for London's diverse population. This applies to all new development. At least 10% of dwellings (which are created via works to which Part M volume 1 Building Regulations applies), should meet Building Regulation requirement M4(3) as 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
13. The submission does not propose any new lifts and seeks to justify this, with reference to paragraph 3.7.6 of the supporting text to London Plan policy D7 which acknowledges that lift provision may not be achievable in certain circumstances, including specific small-scale infill developments. It is accepted that the maximum height of the blocks would be four storeys and that the provision of lifts to each core may be difficult to achieve given space constraints. In this instance, it is considered that non-compliance with part A2 of London Plan policy D7 is justified with regard to the lack of a lift as the proposal is a small-scale infill development. The Design and Access Statement confirms that the new dwellings would be built to a good standard of accessibility, achieving Building Regulation requirement M4(1) at the very least.

#### *Housing Mix*

14. Local Plan policy BH6 requires that for every four dwellings included within developments at least one must be 3 bedrooms or more. A schedule of accommodation has been submitted which includes 2 x studios, 6 x 1-bedroom units, 4 x 2-bedroom units and 4 x 3-bedroom units. This would equate to four in sixteen units being family sized (25%) which would be in accordance with Local Plan policy BH6.

#### *Quality of Accommodation*

15. Local Plan Policy DMP1 states that new development must provide high levels of internal and external amenity. The size of dwellings and rooms should be consistent with London Plan Policy D6 specifically Table 3.1 'Minimum internal space standards for new dwellings'. London Plan Policy D6 also requires at least 75% of the GIA of each flat to have an internal floor-to-ceiling height of 2.5m. This exceeds the national standard of 2.3m as higher housing and the urban heat island effect are more prevalent in London, and a higher standard is required to ensure adequate quality in terms of daylight penetration, ventilation and cooling, and sense of space.
16. The proposed dwelling sizes are set out below:

Table 1: Dwelling Sizes

Dwelling	Dwelling Type	GIA (sqm)
<b>Block A</b>		
A-03-01	Studio	39.2
A-03-02	1b/2p	49.9
A-03-03	1b/2p	50.5
A-03-04	1b/2p	49.9
<b>Block B</b>		
B-03-01	Studio	39.1
B-03-02	1b/2p	50.3
B-03-03	1b/2p	50.2
B-03-04	1b/2p	50.5
<b>Block C</b>		
C-02-01	2b/3p (duplex)	73.9
C-02-02	3b/5p (duplex)	94.8
C-02-03	3b/5p (duplex)	94.8
C-02-04	2b/3p (duplex)	73.4
<b>Block D</b>		
D-02-01	2b/3p (duplex)	74.1
D-02-02	3b/5p (duplex)	95.1
D-02-03	3b/5p (duplex)	94.7
D-02-04	2b/3p (duplex)	74.1

17. Internally, the proposed dwellings broadly comply with London Plan policy D6 in terms of overall floor area and individual bedroom sizes. It is noted that A-03-02 and A-03-04 fall marginally short of 50 sqm which is the minimum space standard for a one storey 1b2p dwelling. However, the shortfall of 0.1 sqm is not considered to materially alter the quality and useability of the dwellings. Floor to ceiling heights across the extended floor area of Blocks A and B achieve 2.5m throughout. Blocks C and D have pitched roofs, therefore there are some minor with reduced headroom, however, over 75% of the GIA meets internal floor-to-ceiling height of 2.5m.
18. Across all Blocks, the development creates, at a minimum, dual aspect homes which provide good cross ventilation and daylight penetration. Block A and B dwellings propose north and south facing windows to habitable rooms which provide good levels of light and outlook. Block C and D dwellings propose east and west facing windows to habitable rooms which provide good levels of light and outlook. In addition, open plan living spaces lead directly onto balcony spaces and the majority of bathroom include windows to aid ventilation.
19. The daylight within the proposal has been tested as part of the submitted Daylight, Sunlight and Overshadowing Assessment. The new residential dwellings will benefit from daylight levels in excess of the requirements of BS EN 17037:2018 recommendation, therefore occupiers of the proposed dwelling will have sufficient daylight within their habitable rooms.
20. Overall, the proposed accommodation is considered good quality providing spacious, well-designed homes with good access to sunlight and daylight.

#### *Private Amenity Space*

21. London Plan Policy D6 states where there are no higher local standards, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings with an extra 1sqm for each additional occupant. The space must achieve a minimum depth and width of 1.5m.
22. Local Plan 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.
23. Private amenity space should be accessible to all dwellings from a main living room, ideally without level changes. It should also be planned to take maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot achieve the full requirement of the policy, the remainder should be provided

in the form of communal amenity space.

24. The provision of private amenity space is set out below:

Table 2: Amenity Space Sizes

Dwelling	Dwelling Type	Amenity Space (sqm)
Block A		
A-03-01	Studio	5
A-03-01	1b/2p	5.2
A-03-01	1b/2p	5.2
A-03-01	1b/2p	5.8
Block B		
B-03-01	Studio	5
B-03-02	1b/2p	5.1
B-03-03	1b/2p	5.1
B-03-04	1b/2p	5.4
Block C		
C-02-01	2b/3p (duplex)	10
C-02-02	3b/5p (duplex)	11.7
C-02-03	3b/5p (duplex)	11.7
C-02-04	2b/3p (duplex)	9.9
Block D		
D-02-01	2b/3p (duplex)	10
D-02-02	3b/5p (duplex)	11.7
D-02-03	3b/5p (duplex)	11.6
D-02-04	2b/3p (duplex)	9.8

25. All proposed new flats would have access to a private balcony, measuring at least 5 sqm with adequate depth and width. This would meet London Plan standards. In the case of Block C and D which creates 2 and 3-bedroom dwellings, larger amenity spaces are provided split between balcony areas on the second and third floor. Nevertheless, there is a shortfall when considering Brent Local Plan standards.
26. The existing site is served by a communal amenity space which surrounds the four blocks but is principally contained in the L-shaped enclosed areas between Blocks A and D, and Blocks B and C. Combined, these areas total approximately 1,589 sqm.
27. The existing blocks contain 40 flats. With the proposed development the communal amenity spaces would need to serve 56 flats (40 existing and 16 proposed flats). The existing flats are 2-bed, self-contained flats and would therefore have require 20 sqm of space each, totalling 800 sqm. The proposed 16 flats would require an additional 320 sqm of external space. Given that each dwelling provides a private amenity area, and the communal garden areas exceed 1,500 sqm, this area is considered sufficient in size terms, provided its quality and functionality are adequate. The provision of communal amenity space is sufficient in addressing the shortfall of private amenity space.
28. The submission sets out proposed enhancements to the existing communal amenity space. Additional planting is proposed along with facilities to enhance their use for recreational purposes, including seating and play equipment. The landscaping improvements would be likely to enhance biodiversity and the visual setting of the development and promote residents' use and enjoyment of their shared spaces, making good use of a space restricted area.
29. The landscaping improvements would be likely to enhance biodiversity and the visual setting of the development and promote residents' use and enjoyment of their shared spaces, making good use of a limited area. A long-term maintenance plan would need to be secured to ensure continued benefits of such provision.

*Playspace*



30. Policy S4 of the London Plan states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate good quality, accessible play provision for all ages and specifies that at least 10sqm of playspace should be provided per child.
31. Using the GLA population yield calculator, the proposed 16 new market dwellings in this location are estimated to house 4.5 children which would equate to 45 sqm of play space. Play equipment for young children is proposed in both communal gardens and the landscaping scheme offers opportunities for informal play across the site. The play equipment areas appear to occupy approximately 40 sqm of garden space. In addition, there is a Local Area of Play within a 400m distance of the site in the form of Roundwood Park to the north. This park includes designated children's play space and is a direct route from the site requiring the crossing of one road. The proximity of the park and the provision of the enhanced communal amenity space on site, is considered to provide sufficient opportunities for play in demonstrate compliance with this policy S4.

### **Design, Character and Appearance**

32. The NPPF seeks developments of high-quality design that will function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings while not discouraging appropriate innovation, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development.
33. 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. Brent's Local Plan Policy DMP1 and the Brent Design Guide SPD1 provide further guidance on principles of good design, and Policy BD1 seeks the highest quality of architectural and urban design. Policy BH4 highlights that in priority locations including Intensification Corridors, the character of the existing area will be subject to change over the Local Plan period.
34. In terms of height and massing the host site itself accommodates four flatted blocks, Blocks C and D are 2 storeys and front Longstone Avenue while Blocks A and B are three storeys fronting the cul-de-sac. These blocks sit within a landscaped plot with surrounding amenity space including some trees. There are a number of blocks of flats in the surrounding area, including on the opposite side of Longstone Avenue, which are 3 to 4 storeys in height, although the properties along Park Parade and Springwell Avenue are generally comprised of two-storey terraced houses.
35. For Blocks A and B, these two residential blocks are each three-storeys in height with a hipped roof parallel to each other and sited around and fronting a central cul-de-sac with a turning circle, set back from Longstone Avenue. These blocks are finished in brick exteriors for the first two-storeys and render for the final storey.
36. The proposed development would remove the pitched roof and create an additional habitable storey with a flat roof. The upwards extension would be set away from both the side elevations. The additional storey would be asymmetrical with a greater set in to the west to protect the impact from rear garden boundaries and rear windows of properties on Springwell Avenue. The additional floor would continue the render exterior. The roof of the third storey would be employed as private amenity areas for new units.
37. The additional storey would not add significant height due to the existing pitched roof, the maximum height of the building would increase by approximately 0.4m which is considered to respect the established height of buildings in the locality.
38. In terms of character, the approach to massing is simple and while the introduction of a flat roof would change the character of the buildings, the loss of the pitch in itself is not considered harmful. There are various precedents of development in the locality with flats roofs including 1-47 Longstone Avenue and Knowles House. The proposed window design aligns with pattern of fenestration at floors below and the external materials would be coherent with the current mixture of brick and render.
39. For Blocks C and D the existing Blocks face Longstone Avenue and are two-storey rectangular buildings with pitched hipped roofs. The proposal would remove the roof and add an additional storey with a habitable gable roof with dual height boxes framed recessed balconies to connect the two floors. The existing rear elevations of Blocks C and D are finished in brick and this will be carried up to the third floor. At roof level, two types of dormer windows have been proposed. An open dormer with a setback balcony

for the master bedrooms and a smaller dormer for the secondary bedrooms. As with Blocks A and B, the proposed fenestration has been aligned with existing window patterns below.

40. The development at Blocks C and D would incur an additional storey in height along with habitable roofspace. This alteration would be noticeable. However, the buildings front Longstone Avenue, a generous road with an open character due to the set back of the buildings on the eastern opposite side of the road. The provision of a 3-4 storey building is not considered to be out of character in the site context nor at a scale that would harm the visual appearance of the area.
41. Overall, the scheme presents a good approach to rooftop extensions, utilising the existing building character while adding contemporary alterations that complement the appearance while maintaining a scale that is appropriate for the residential area.
42. Externally, the scheme proposes changes to the landscaping, with the introduction of native and ecologically beneficial planting, the provision of additional furniture (seating and play facilities) within shared amenity spaces and introduction of SuDS measures. In addition, the new shared cycle stores and refuse stores are proposed to the rear of the cul-de-sac. In terms of appearance, these alterations will visually enhance the amenity areas and areas surrounding the site. In addition, the provision of dedicated refuse and cycle stores in convenient locations will reduce the visual clutter on the footpath and present.

### **Heritage Considerations**

43. Brent's Policy DMP1 and the Brent Design Guide SPD1, provide further guidance on principles of good design. Local Plan Policy BD1 seeks the highest quality of architectural and urban design, including innovative contemporary design that respects and complements historic character.
44. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
45. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest.
46. The site is not located within a Conservation Area nor contains any listed buildings. Harlesden Conservation is sited approximately 300m to the west of the site. The closest listed properties are the Green Man public house and 105, 107 and 109 High Street, all of which are Grade II and located ~300m to the west. Roundwood Park is a Grade II listed park and is approximately ~200m north of the site. The closest Grade II\* property is the Church of All Souls, approximately 530m south-west. These heritage assets are not considered to be affected by the proposed development.

### **Impact on Neighbouring Amenity**

47. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m to existing habitable room windows and 9m to boundaries should be maintained.
48. To ensure development does not adversely impact on daylight and sunlight to existing properties, 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, both measured from a height of two metres above ground level. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. A more detailed assessment of daylight and sunlight impacts based on the BRE's Site Layout Planning for Daylight and Sunlight 2022 guidance is required where the 25 degree test is not met.

### *Privacy and Overlooking*

49. With regards to privacy, the front and rear windows would continue the established relationships across the site. For Blocks A and B, proposed habitable rooms would be served by north and south orientated views with outlook across the communal amenity areas and towards each block. Directly facing habitable windows within the site would achieve approximately a 18m separation and beyond the site northwards

and southwards the same distance is provided to the neighbouring shared boundaries in excess of 9m. Units A-03-01 and B-03-01 create side balconies that fall short of a 9m separation to the adjoining boundaries of No.6 and No.14 Springwell Avenue, as such, a condition will seek privacy screening to the western facades of these balcony spaces to ensure privacy to private gardens.

50. For Blocks C and D, the proposed habitable rooms would be served by east and west orientated views with outlook across the communal amenity areas and Longstone Avenue. These windows would continue the established relationship with nearby windows and spaces. At the corner where Block A meets Block D and where Block B meets Block C there is a close relationship between residential units, however, this is due to the current positioning of the building and the windows have a perpendicular association to each other, therefore are considered to reduce mutual overlooking.

### *30 and 45 degree rules*

51. With regards to massing, long sections of Blocks A and B have been submitted that indicate the 30 and 45 degree to No.4 to No.16 Springwell Avenue. During the course of the application the massing was reduced to this side of the development. No. 4, 12 and 14 have rear garden outbuildings on the shared boundary, therefore this has also been taken into consideration. The closest neighbouring windows are contained within the ground floor rear windows of No.6 and No.8 and are set approximately 16 m and 18m away from the upwards extension of Block B. The additional massing would meet the 30 degree line to all neighbouring properties on Springwell Avenue, therefore the development is not considered to obstruct nearby windows. Neighbouring gardens are sited between 7.9m and 9.3m from the proposed upward extension. There are slight infringements to the 45 degree line, however, this is limited to the final corner and parapet of the proposed third floor. In the case of Block A, due to the outbuilding at No.14, the closest relationship with No.16 will only be experienced for a minor proportion of the rear boundary. This has a similar transgression to the existing pitched roof.
52. The additional height on Blocks C and D is not considered to pose significant concern to Fort Garry, Harlesden Road to the south or Fairfield Court to the north due to the buildings running parallel to each other. There are not any windows on the main side elevation of Fort Garry and the outrigger side windows that sit beyond the rear elevation only contain non habitable spaces, therefore the massing is not considered to have an impact on outlook. There is a small ground floor window on the flank wall of 1 to 4 Fairfield Court. From available plans, this window is also non-habitable or serves as a secondary window. Therefore, the additional height is not considered to pose significant concern, however the impact is discussed further below.

### *Daylight, Sunlight and Overshadowing*

53. The submission is accompanied by a Daylight, Sunlight and Overshadowing Assessment. The following calculations for the change in daylight and sunlight to existing buildings are addressed within the assessment:
- Vertical Sky Component (VSC) and No Sky Line (NSL) for daylight impacts
  - Annual Probable Sunlight Hours and Winter Probable Sunlight Hours (WPSH) (APSH) for sunlight impacts
  - Target Daylight Factor (DFT) for daylight within the proposal
54. The VSC method measures the general amount of light available on the outside plane of the window as a percentage of the amount of total unobstructed sky viewable following introduction of visible barriers such as buildings. The maximum value is just under 40% for a completely unobstructed vertical wall. This assessment calculates VSC using computer simulation under a CIE overcast sky. This works by simulating the amount of visible sky from the centre point of each window. It is not affected by orientation and so all potentially affected windows are assessed.
55. BRE guidance states that the NSL can additionally be calculated "where neighbouring room layouts are known". It is common practice, in view of the wording of the BRE guidance, that where reliable floor plans cannot be found then the NSL test should not be undertaken. In this instance, indicative floor plans have been sourced for the neighbour known as Fort Garry, 4B Springwell Avenue (first and second floors only) and 46 Park Parade. This means that NSL calculations can be undertaken for the several rooms of these addresses.

56. Annual Probable Sunlight Hours (APSH) and Winter Probable Sun light Hours (WPSH) are a measure of the amount of potential direct sunlight that is available to a given surface. APSH covers sunlight over the whole year and WPSH from September 21st to March 21st. The number of total available hours is calculated from a data file in the software, built up over a number of years of actual weather data records. Only windows which face within 90° of due south need be assessed for sunlight. APSH can also be used to assess the impact on external spaces such as gardens.
57. The relevant BRE recommendations for daylight and sunlight are:
- The Vertical Sky Component measured at the centre of a window should be no less than 27%, or if reduced to below this, no less than 0.8 times the former value.
  - The window should receive at least 25% of available annual sunlight hours and more than 5% during the winter months (September 21st to March 21st), or, where this is not the case, 80% of its former value.
58. For Daylight, windows were tested in Longstone Avenue, Fort Garry, Park Parade, Springwell Avenue and Rivington Court. All windows tested retain more than 80% Vertical Sky Component in accordance with BRE guidance. An objection has been received regarding the assessment excluding two rooflights within Fort Garry. It is noted that these windows project upwards and sit beyond the additional massing to the south, as such, the visible sky is not likely to be affected. Windows 73 and 76 on the ground floor of Fort Garry that are enclosed and closer to the development retain over 80% their original VSC.
59. In addition, NSL calculations were able to be undertaken for the several rooms of the addresses known as Fort Garry, 4B Springwell Avenue (first and second floors only) and 46 Park Parade. This test is more detailed and represents better the actual impact on a room, as it considers both the size of the room and the window(s), and accounts for multiple windows serving the same space, which VSC does not. The results submitted within section 8.0 of the Daylight & Sunlight Assessment, indicate that the assessed rooms retain in excess of 80% of their respective areas within the No Sky Line, in compliance with the BRE Guidance.
60. For Sunlight, all windows retain more than 80% Annual Sunlight Hours and Winter Sunlight Hours in accordance with BRE guidance.
61. In terms of Overshadowing, all gardens along Springwell Avenue retain well in excess of 80% of their existing values and therefore compliant with BRE guidance. The specific gardens identified as G3 (No.6 Springwell Avenue) and G7 (No.17 Springwell Avenue) retain 100% and 99.23% when comparing the before / after scenarios. This is not considered to be material. It is noted that the gardens in Fort Garry and Park Parade have not been tested due to their siting and orientation to the proposed development.
62. Overall, the scheme is fully complaint with BRE guidance, therefore the development is not considered to have an adverse impact on neighbouring residents in terms of daylight and sunlight.

### **Transport Considerations**

63. Longstone Avenue is a traffic-calmed local residential access road within a Controlled Parking Zone. There are 15 residents' permit bays along Rivington Court frontage & shared bays on opposite side of Longstone Avenue. Longstone Avenue not heavily parked at night. Rivington Court cul-de-sac is privately maintained and experiences extensive footway parking.
64. The site is located on the border of PTAL 2 (low) and PTAL 3 (moderate). The proposed new units will be within PTAL 3 (moderate).
65. Car parking allowances for Brent are set out at Appendix 4 of the Local Plan and for residential development, this requires compliance with the standards set out in Table 10.3 of the London Plan. As the site has a moderate PTAL rating, up to 0.75 spaces per 1-/2-bed flat and one space per 3-bed flat would be allowed. This proposal would therefore increase the parking allowance of the site from 30 spaces to 43 spaces. The applicant has submitted a Transport Statement to review this.

### *Transport Statement*

66. Paragraph 3.3 states that there is hardstanding northwest of the site, where approx. 11 vehicles can be parked, although this is not within the planning application red line boundary. Existing residents also have

access to on-street parking permits to park along Longstone Avenue, with 15 spaces located along the Rivington Court frontage. Nevertheless, parking still takes place along the central cul-de-sac, with its narrow width meaning that footway parking is commonplace. This is despite the presence of notices warning of private parking enforcement and large fines against any vehicles parking along this street.

67. 2021 Census suggests that car ownership for flats in this area averages 0.44 cars/flat. On this basis, total car ownership would increase from about 18 cars to about 25 cars with this proposal. With only 15 on-street spaces, along the site frontage, future demand cannot be met.
68. Paragraph 5.8 therefore states that the new dwellings will be subject to a 'car-free' (permit free) agreement. As the proposal will result in a significant increase in the parking standard (13 spaces) and as no new parking is proposed, measures to rein in on-street parking demand are welcomed. The site has a PTAL rating of 3 and is located within a Controlled Parking Zone, so the proposed 'car-free' agreement for the 16 new flats on their own distinct floors of the buildings can be enforced.
69. Please note that transportation would also request that access to off-street parking spaces within Rivington Court also needs to be denied, to ensure new residents do not displace existing residents' vehicles from the estate onto Longstone Avenue. Such measures could be requested through a Car Park Management Plan.
70. Paragraph 5.7 states that one on-street parking space will be changed into a disabled parking space, in order to satisfy disabled parking standards set out in the London Plan. As noted above there is no off street parking within the application site so should a disabled user require an on-street disabled bay, an application to the Council can be made for one to be marked out on Longstone Avenue.
71. Table 6.2 predicts the multi-modal trips for the new 16 units and this shows that the development will result in 8 additional public transport trips in the morning peak hour and 8 additional public transport trips in the evening peak hour. These extra loadings amount to less than one passenger per bus and the proposal is therefore unlikely to have any adverse impact on public transport capacity.
72. Paragraph 6.11 states that a parking beat survey was carried out on Wednesday 17th and Thursday 18th January 2024 overnight (5am). The survey results found that Longstone Avenue as a whole, had an average parking stress of 64.5%, which is not deemed to be heavily parked.
73. However, Appendix G shows that the on-street spaces along the site frontage on Longstone Avenue were all occupied on Wednesday 17<sup>th</sup>, with just two spaces being available on Thursday 18th. This indicates that there is very limited on-street parking available in the immediate vicinity of the site. The survey did not include a parking beat of vehicles parked along the access road of the site. Nevertheless, the 'car-free' proposal will ease any concerns regarding potential increases in on-street parking demand along the site frontage.

#### *Refuse Storage*

74. Section 6.18 states that servicing and waste collection will occur from the private cul-de-sac, which is an existing situation. Google Streetview images show bins left on the footpath permanently and not just on collection days. Whilst this is a private footpath, this practice would not be acceptable on a public footpath and to address this the applicant has shown proposed bin stores around the site. Paragraph 6.23 states that the bin stores are within 30m wheeling distance of the public highway, but flats are generally provided with large Eurobins which should be wheeled a maximum of 10m. It is therefore assumed that Brent's refuse truck reverses into the private cul-de-sac on collection day.
75. Google Streetview images do show signs stating 'no parking' with the private cul-de-sac, although vehicles do still park within the cul-de-sac. Nevertheless, the lack of authorised parking within the cul-de-sac is welcomed and allows service/refuse vehicles to use the cul-de-sac safely.

#### *Cycle Storage*

76. Paragraph 5.10 states that 28 cycle spaces will be provided, plus two visitors spaces. This does comply with the London Plan cycle standards for the new units. In addition to this, a further 24 cycle spaces will be provided for the existing residents, which is welcomed. Figure 5.2 shows the locations of the cycle stores, which will be provided north of the site (behind Block D), west of the site (between Blocks A and B) and adjacent to Block C, giving a good distribution of parking across the site. The cycle parking will be provided in the form of 'Sheffield' stands and will be covered, which is welcomed.

## Travel Plan

77. Table 3.1 provides the targets whereby a 5% increase in walking and cycling is sought over the 5 years and a 10% decrease in public transport use over the 5 years of the travel plan. The targets to increase walking and cycling are welcomed and should be at the expense of car and taxi trips, rather than solely as a result of a decrease in public transport trips. As such, with the new units being car-free, we would expect public transport, walking and cycling to increase over the 5 years.
78. Table 8.1 provides an Action Plan and shows that the Travel Plan will be reviewed during years 1, 3 and 5 following occupation.
79. As the size of the development falls below the threshold at which TfL's guidelines would require a Travel Plan, it would be acceptable to simply secure its implementation through a condition.
80. A Construction Management Plan (CMP) should be submitted for LPA approval, to ensure obstruction and damage to the highway do not occur.

## Energy and Sustainability

81. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, at the design stage, how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day (SI 5) and the use of sustainable drainage (BSUI4).
82. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2021 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.
83. 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.
84. For the residential 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.
85. The Council also adopted the Sustainable Environment and Development SPD that provides guidance on range of sustainable development issues.
86. The submission includes an Energy and Sustainability Assessment. The energy strategy includes utilising a communal air source heat pump (ASHP) system and installing PV panels. Following the energy hierarchy, passive design measures and energy efficient equipment the residential development has been demonstrated to be capable of achieving an improvement of 67% CO2 emissions over the Part L 2021 baseline. The scheme has incorporated these savings at Be Lean and Be Green stages through passive design measures and energy efficient equipment. However, a payment of £15,630 would be required to offset the shortfall to zero carbon. This will be secured within the S106 agreement.
87. The submission also includes an Overheating Assessment of the proposed units and concludes that all the units within the development would pass the requirements of the Building Regulations Part O overheating assessment. Therefore, no further mitigation is required.
88. The Sustainability statement provides details of how the development would mitigate water inefficiency at source by incorporating low-use fittings and confirms that water meters would be specified to encourage residents to limit their water usage.

### *Air Quality*

89. Local Plan policy BSUI2 requires major developments within Air Quality Focus Areas to be Air Quality Positive.
90. An Air Quality Assessment has been submitted which concludes that the proposed development would meet the London Plan's requirement that new developments are at least 'air quality neutral'. An air quality positive statement has also been provided. The assessment advises that air quality will not be an issue to the future occupants of the site or impact on existing residential receptors in the locality. This is deemed acceptable.

### *Construction Process*

91. A Construction Method Statement would be required as a pre-commencement condition, setting out details of how dust, noise and other environmental impacts would be controlled during the construction period.

### **Flood Risk and Drainage**

92. Brent Local Plan Policy BSUI3 outlines that where Flood Risk Assessment are required development will be resistant and resilient to all relevant sources of flooding including surface water.
93. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment as set out in paragraph 6.7.37 must contribute to flood risk management and reduction and:
- minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
  - wherever possible, reduce flood risk overall;
  - ensure a dry means of escape;
  - achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and
  - not create new basement dwellings in areas of high flood risk.
- c) Proposal that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
- d) Brent Local Plan Policy BSUI4 sets out that substantial weight will be afforded to the achievement of greenfield runoff rates for surface water. Where greenfield run-off rates cannot be achieved this should be clearly justified by the applicant.
94. Major development proposals or minor developments and changes of use which would impact on the current drainage regime must be accompanied by a drainage strategy.
95. A small part of the site falls within Flood Zone 3a (surface water). This area covers the end of a cul-de-sac into the site and does not cover any area of current or proposed residential accommodation. The submission has been accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy Report, prepared by Price and Myers, dated October 2024.
96. The FRA conducted for Rivington Court identifies minimal flood risks from multiple sources, including rivers, tidal, groundwater, surface water (Flood Zone 1), reservoirs, and sewer flooding.
97. The proposed SuDS strategy is well-designed and considers multiple drainage techniques that align with the London Plan's Policy SI13 drainage hierarchy:
- Nine Green Roofs
  - Two Detention Basins
  - One Attenuation Tank
98. The strategy achieves a significant 97% reduction in surface water discharge during a 1 in 100-year storm event (plus 40% climate change allowance), reducing the peak discharge to 2.3 l/s, which is below greenfield runoff rates. This complies with both Brent and London Plan policies on drainage and flood management.

99. Overall, The Flood Risk Assessment (FRA) for Rivington Court demonstrates a robust and effective approach to flood risk management. The SuDS strategy is comprehensive, achieving a significant reduction in flood risks and aligning with key national, regional, and local policies, including those addressing surface water, sewer, and groundwater flooding. By reducing peak surface water discharge to greenfield runoff rates, the strategy mitigates flood risks effectively.
100. Given the thoroughness of the assessment, the comprehensive range of proposed mitigation measures, and compliance with relevant policies, the FRA is considered to be acceptable.

### **Urban Greening and Biodiversity**

101. London Plan policy G5 states 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. The Mayor recommends a target urban greening factor (UGF) score of 0.4 for developments that are predominately residential.
102. London Plan Policy G6 and Brent Local Plan BG11 require biodiversity net gain and there is a statutory requirement for a biodiversity net gain of 10%.
103. The Planning Statement states that a Biodiversity Net Gain for the Site is 10.44% and this is supported by a report by Green Shoots Ecology. This notes that there is an increase in Area Based habitat units on site from 2.01 to 2.22, a net gain of 10.44% and an increase in linear based habitat units on site from 0.15 to 0.17, a net gain of 17.74%. The proposal has been demonstrated to meet an UGF with a score of 0.49. The landscaping includes ecologically beneficial planting and enhancement of current amenity areas through the planting of hedgerow, shrubs, green roof, hawthorn scrub, climbers, rain gardens and 24 new trees. New pathways will be created providing access to proposed seating and play features for residents. Two rain gardens will be created bordering the main entrance. Details relating to habitat management and maintenance, wildlife and nesting features, biodiversity plans and monitoring and a statement of conformity will be sought to ensure enhancements are secured. These matters relating to Biodiversity Net Gain would be provided as planning obligations secured through the S106 agreement.

### **Trees**

104. In accordance with Local Plan policy BG12, as major development, the proposals should make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers should provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at the time of planting being equal to the canopy area of existing mature trees proposed for removal.
105. The submission confirms that there no plans to remove any trees and no harm to trees is anticipated as a result of the proposal. The trees on the site have been retained due to the proposal only increasing storey heights and not affecting the footprint of the existing buildings. The final landscaping details will be secured by condition to ensure any landscape enhancements fully consider and mitigate against impact to trees. The proposal would secure the delivery of an additional 24 trees within the site.

### **Fire Safety**

106. Policy D12 of the London Plan states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
107. The statement should detail how the development proposal will function in terms of:
- the building's construction: methods, products and materials used, including manufacturers' details
  - the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
  - features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
  - access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire



suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

- how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

108. A Fire Statement produced by a qualified fire engineer has been submitted with the application. The statement responds to the criteria within London Plan Policy D12 (B).

### **Equalities**

109. 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**

110. The proposal would result in the delivery of 16 new homes in a location that is deemed appropriate for residential intensification. The development would provide good quality homes with good levels of internal and external amenity including four family sized dwellings. The development would be car-free with appropriate refuse and cycle storage facilities.

111. The development would delivery landscape improvements across the site in excess of 10% Biodiversity Net Gain and an 0.49 Urban Greening Factor.

112. The proposal would have an acceptable impact on neighbouring amenity in terms of privacy, overlooking, daylight, sunlight and overshadowing.

113. The scheme delivers sustainable improvements including the provision of Air Source Heat Pumps and PV panels.

114. 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 necessary legal agreements.



Application No: 24/0826

To: Mr Reeds  
Lambert Smith Hampton  
55 Wells Street  
London  
W1T 3PT

I refer to your application dated **27/03/2024** proposing the following:

Proposed second and third floor extensions to 4 x existing blocks to create new self-contained residential dwellings. Associated enlargement of refuse storage, cycle parking spaces to front / rear and improvements to soft landscaping to communal garden.

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

at **Rivington Court, Longstone Avenue, London, NW10 3RL**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 03/12/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

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

2023-P600-S2-P1 - ACCOMMODATION SCHEDULE  
2231-P001-S2-P0 - LOCATION PLAN  
2231-P002-S2-P0 - EXISTING SITE PLAN  
2231-P003-S2-P0 - PROPOSED SITE PLAN  
2231-P100-S2-P0 - PROPOSED GROUND FLOOR PLAN  
2231-P101-S2-P0 - PROPOSED FIRST FLOOR PLAN  
2231-P102-S2-P0 - PROPOSED SECOND FLOOR PLAN  
2231-P103-S2-P1 - PROPOSED THIRD FLOOR  
2231-P104-S2-P1 - PROPOSED ROOF PLAN  
2231-P200-S2-P1 - PROPOSED SITE ELEVATIONS  
2231-P201-S2-P1 - PROPOSED FRONT ELEVATIONS - BLOCKS A & B  
2231-P202-S2-P1 - PROPOSED REAR ELEVATIONS - BLOCKS A & B  
2231-P203-S2-P1 - PROPOSED SIDE ELEVATIONS - BLOCKS A & B  
2231-P204-S2-P0 - PROPOSED FRONT ELEVATIONS - BLOCKS C & D  
2231-P205-S2-P0 - PROPOSED REAR ELEVATIONS - BLOCKS C & D  
2231-P206-S2-P0 - PROPOSED SIDE ELEVATIONS - BLOCKS C & D  
2231-P300-S2-P1 - PROPOSED SITE SECTIONS  
2231-P301-S2-P0 - PROPOSED CROSS SECTION - BLOCK A & B  
2231-P302-S2-P0 - PROPOSED CROSS SECTION - BLOCK C & D  
2231-P400-S2-P1 - PROPOSED THIRD FLOOR PLAN - BLOCK A  
2231-P401-S2-P1 - PROPOSED THIRD FLOOR PLAN - BLOCK B  
2231-P402-S2-P0 - PROPOSED SECOND/THIRD FLOOR PLAN – BLOCK C  
2231-P403-S2-P0 - PROPOSED SECOND/THIRD FLOOR PLAN – BLOCK D  
PROPOSED BAY STUDY - BLOCKS A & B

DESIGN ACCESS STATEMENT  
PLANNING STATEMENT  
AIR QUALITY ASSESSMENT  
BIODIVERSITY METRIC CONDITION ASSESSMENT  
BIODIVERSITY METRIC ASSESSMENT  
BNG CALCULATION REPORT  
DAYLIGHT AND SUNLIGHT ASSESSMENT  
DRAINAGE NOTE  
ENERGY AND SUSTAINABILITY STRATEGY  
FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY REPORT  
LANDSCAPE DESIGN REPORT  
LONDON PLAN FIRE STATEMENT  
OVERHEATING ASSESSMENT

TRANSPORT STATEMENT  
TRAVEL PLAN  
VIABILITY REPORT  
LANDSCAPE PROPOSAL

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

- 3 (a) Details of materials for all external work, including samples, 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.

(b) Details of materials for all external work 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.

- 4 The scheme hereby approved shall contain 16 residential dwellings within Use Class C3 as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning

- 5 The development shall not be occupied until the provision of the 54 cycle spaces as approved, is completed. These facilities must be retained and maintained thereafter in perpetuity.

Reason: To ensure satisfactory facilities for cyclists.

- 6 Prior to the occupation of any part of the development, the refuse areas shall be laid out and provided in accordance with the approved drawings, and maintained as such thereafter.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 7 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future 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. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential 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 residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 8 The recommendations set out within the Travel Plan hereby approved shall be implemented in full.

Reason: To ensure the development encourages sustainable travel modes and has an acceptable impact on the local highway network.

- 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 Prior to the occupation of the building hereby approved the flood risk measures and drainage strategy shall be implemented in accordance with the Flood Risk Assessment and Drainage Strategy Report, Prepared by Price & Myers, dated October 2024

Reason: To ensure that the proposed development does not adversely increase flood risk.

- 11 Prior to any works commencing on the development (excluding demolition, site clearance and laying of foundations), details of privacy screening to the western facades of the balcony spaces of Units A-03-01 and B-03-01 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 to No.6 and No.14 Springwell Avenue.

- 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 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:

1. A scaled plan showing vegetation to be retained and trees and plants to be planted
2. A schedule detailing sizes and numbers of all proposed trees, hedges and use of native and/or wildlife attracting species to achieve a net gain in biodiversity within the site
3. Details to demonstrate that an Urban Greening Factor of at least 0.4 would be achieved within the site
4. Sufficient specification to ensure successful establishment and survival of new planting
5. Details of all proposed hardstanding
6. Details of all play space equipment
7. Details of cycle storage through the provision of secure, weatherproof cycle storage facility, which shall include capacity for a minimum of 28 long-stay and 2 visitor spaces.
8. 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.

15 Prior to commencement of the development hereby permitted, a Biodiversity Gain Plan must be submitted and approved by the Local Planning Authority. This will take the form of a report provided by Natural England available from: <https://www.gov.uk/government/publications/biodiversity-gain-plan>.

- 16 Prior to commencement of the development hereby permitted, a scheme for habitat creation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of a Habitat Management and Maintenance Plan (HMMP) and include an updated Net Gain evaluation, working to the Statutory BNG methodology and in general accordance with BS42020:2013, to provide a Net Gain of minimum of 10% on site.

Habitat that is assessed as “Significant On-site Gains” for this development and context and need to be managed and monitored to reach their target condition for a minimum of 30 years comprise:

- a. Woodland,
- b. Green roofs,
- c. Rain gardens,
- d. Hawthorn scrub,
- e. Introduced shrubs,
- f. Hedgerows; and
- g. Urban trees.

Habitats considered non-significant are the modified grassland and sealed surfaces.

- a. The sizes of each habitat/green infrastructure to be created, how they will be created and full details and responsibilities on at least 30 years of aftercare and ongoing management and monitoring from creation based on the submitted information;
- b. A soft landscaping masterplan will detail biodiversity enhancement through planting schemes that provide nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity. Substrate, provenance and numbers of all bulbs, seeds and plugs / whips / trees will be detailed, as will aftercare and ongoing management.  
Ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the “RHS Plants for Pollinators” lists (or of documented wildlife value), to provide increased resource availability;
- c. A timetable of delivery for each habitat to be created;
- d. Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA on the 1st November of each year of monitoring (years 1-3 after creation, years 5, 7 & 10 and every 5 years thereafter), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the Net Gain values set out in the HMMP for each habitat;
- e. Details of the contingency methods for management and funding, should the monitoring identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the Net Gain values set out in the HMMP for each habitat.

Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance with Policy BGI of the Brent Local Plan. This condition is required to be pre-commencement to ensure that the biodiversity value of the fully mitigated for, prior to the demolition / construction stage.

- 17 Prior to completion of the development hereby permitted, a scheme for wildlife and nesting features shall be submitted to and approved in writing by the Local Planning Authority. These will include:
- a. 3 x deadwood features within soft landscaping areas;
  - b. At least 4 features on buildings, such as
    - i. multi-chamber swift bricks (preferred) or boxes,
    - ii. starling boxes,
    - iii. house sparrow terraces,
    - iv. bat bricks (preferred) or boxes

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan

- 18 Prior to occupation of the development hereby permitted, a Statement of Conformity shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Conformity will be signed by a suitably qualified ecologist named within the Habitat Management and Maintenance Plan (HMMP) and include evidence in the form of full details on:
- a. starting and completion dates for each habitat/ feature green infrastructure/enhancement
  - b. time stamped photographs of each habitat/feature green infrastructure
  - c. proof will be provided that all natural environment data (e.g. habitats, species, green infrastructure features) from ecological surveys for the site (including pre- and post-development), will be shared with Greenspace Information for Greater London CIC (GiGL), London's environmental records centre, following GiGL's [data standards](#).
  - d.

This condition is to certify that the details for each habitat / green infrastructure/ feature, as approved under the HMMP, are in accord with the submitted information and that this information is made available for future use.

Reason: To enhance the biodiversity value of the land in accordance with Enhancement and Management Plan (BEMP)

- 19 Prior to occupation of the development hereby permitted, details of surveying and monitoring shall be submitted to and approved in writing by the Local Planning Authority. The Survey and Monitoring report shall:
- a. outline all surveying and monitoring to be undertaken to ensure the agreed upon net gain is delivered and maintained in perpetuity. A Survey and Monitoring report shall subsequently be provided to the LPA on the 1st November of each year of monitoring (years 1-3 after creation, and then years 5, 10 and every 5 years thereafter), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the agreed upon values.
  - b. provide full details of the contingency methods for management, should any of the Surveying and Monitoring reports identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the required biodiversity values.

## INFORMATIVES

**1** - The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

**2** - The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the



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>

- 3** - The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4** - The 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.

Any person wishing to inspect the above papers should contact Parag Dhanani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6007