

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 February, 2021
04
20/3156

SITE INFORMATION

RECEIVED	30 September, 2020
WARD	Alperton
PLANNING AREA	
LOCATION	1-26A, coachworks & storage areas, Abbey Manufacturing Estate, all units Edwards Yard, Mount Pleasant, Wembley, HA0
PROPOSAL	Demolition of the existing buildings and the erection of a mixed use development of buildings ranging between 3 and 16 storeys in height, comprising residential units, flexible commercial floorspace, affordable workspaces and community use floorspace, associated car parking, landscaping and ancillary facilities (phased development)
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "20/3156" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION

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

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

(Use Class F2(b)).

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

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

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

Conditions

Compliance

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

Pre-commencement

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

Post-commencement

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

Pre-occupation

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

Post-occupation

39. Submit plant noise testing if necessary

Informatives

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

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

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

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

SITE MAP



Brent

Planning Committee Map

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

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

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

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

EXISTING

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

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

SUMMARY OF KEY ISSUES

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

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

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

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

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

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
-------------	----------	----------	------	-----	----------------

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

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

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

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

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

CONSULTATIONS

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

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

Public Consultation

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

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

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

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

Internal Consultations

Environmental Health - No objection, subject to conditions.

External and Statutory Body Consultations

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

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

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

The Canal and River Trust

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

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

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

Thames Water

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

Pre-application Consultation

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

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

POLICY CONSIDERATIONS

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

The London Plan (2016)

2.13 – Opportunity areas and intensification areas

3.3 - Increasing Housing Supply

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

Brent Core Strategy (2010)

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

Brent Development Management Policies (2016)

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

Site Specific Allocations Document (2011) -

A.6 – Woodside Avenue

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

Emerging policy context

Intend to Publish London Plan

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

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

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

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

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

Brent's Draft Local Plan 2020

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

Relevant policies include:

General:

DMP1 – Development Management General Policy

Place:

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

Design:

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

Housing:

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

Social Infrastructure:

BSI1 – Social Infrastructure and Community Facilities

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All

Green Infrastructure and Natural Environment:

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

Sustainable Infrastructure:

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

Transport:

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

The following are also relevant material considerations:

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

DETAILED CONSIDERATIONS

Background

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

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

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

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

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

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

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

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

Principle of development

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

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

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

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

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

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

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

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

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

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

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

Consideration of the remainder of the site allocation

22. Consideration also needs to be given to the wider SSA that includes the triangular piece of land to the North West and the adjoining site allocation along the canal to the west (A.5). Whilst the triangular piece of land forms part of the site allocation A.6, it is common place for site allocations to come forward in a fragmented formation due to various matters such as land ownership. It is however important that bringing forward a site allocation in a fragmented approach does not compromise the wider delivery of the site allocation. This is recognised within the emerging site allocation which notes that whilst it is preferred for development to come forward as part of a comprehensive masterplan, any individual schemes should not compromise the wider delivery of the site allocation in an efficient manner. The development would be designed such that there would be scope to extend the canal towpath into the neighbouring allocation (A.5) if and when development comes forward on this site. The triangular site to the north is not compromised as the part of the development site that backs onto it is used as garden space for block K, meaning no windows or overbearing massing is within close proximity of the site. There are also no habitable room windows in the flank elevations that are closest to site allocation A.5 and this site also remains suitably uncompromised from a development perspective.
23. There is a current application proposing residential development within the adjoining triangular piece of land which is under consideration by the Council for the “erection of 14 dwellinghouses, provision for blue badge car parking space, cycle parking and private and communal amenity space” (LPA Ref: 20/1096).

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

24. The developer has made efforts to acquire all of the land parcels within the site prior to engaging with the planning process. However, some land parcels within the site remain outside of the developer’s ownership. The Council would not ordinarily grant planning permission in the absence of a completed section 106 agreement which bound all necessary interests. That is not possible where ownership has not been acquired.
25. Given this situation, a planning condition which would prevent development from occurring unless and until all parties with any legal or equitable interest in the land comprised in that part or phase of development are subject to and bound by the terms of the section 106 agreement (necessary to mitigate the impacts of the development) is being recommended for this application. This type of condition was applied by the London Borough of Islington in the planning permission for the development of the Arsenal FC’s Emirates Stadium (hence these are now commonly referred to as ‘Arsenal conditions’).
26. Government guidance (planning practice guidance) states as follows in relation such conditions:

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

is important in the interests of maintaining transparency.

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

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

proceed in phasing.

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

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

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

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

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

Housing mix, affordable housing provision and tenure mix

Policy background

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

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

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

42. The policy requirements can be summarised as follows:

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

Affordable housing offer

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

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

Units

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

Habitable rooms

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

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

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

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

Comparison with affordable housing offer of previous scheme

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

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

18/4919 affordable housing offer

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

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

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

		Affordable	Intermediate	
--	--	-------------------	---------------------	--

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

20/3156 affordable housing offer

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

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

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

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

50. The 2018 application would have delivered 16.8% affordable housing measured by habitable rooms (on a 78/22 London Affordable Rent/Shared Ownership tenure split) and 12.9% affordable housing measured by unit (on a 70/30 London Affordable Rent/Shared Ownership tenure split). The offer was also robustly scrutinised by BNP Paribas on behalf of the Council and it was confirmed that the offer represented more than the maximum reasonable amount of affordable housing.

51. Ultimately, the 18/4919 affordable housing offer was refused by the Planning Committee, on the basis that it did not provide the maximum reasonable amount of affordable housing. The application was thereafter formally issued for refusal in July 2020.

52. The proposed application significantly increases the quantum of affordable housing delivery compared with the offer put forward under 18/4919, largely enabled by the increased scope of the scheme as a whole (for an additional 103 homes). The overall number of affordable homes has increased from 75 to 218 between the two proposals, with the London Affordable Rent tenure increasing from 53 to 65 units, the Affordable Rent (65% OMR cap) tenure increasing from 0 to 87 units and the Shared Ownership tenure increasing from 22 to 66 units. The increase in affordable housing quantum has been achieved alongside a refining of the tenure split which strikes an optimal balance between both adopted and emerging policy requirements.

Greater London Authority Position on Affordable Housing

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

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

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

Acceptability of the wider tenure split

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

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

56. Whilst the family home percentage is below policy targets, the amount of family housing within the affordable tenures is above the policy requirements, at 29%. The greatest need within affordable tenures is for three bedroom homes and the over-delivery against policy expectations within the affordable tenures is strongly welcomed. It is also noted that 54% of the scheme's family homes are provided within the affordable tenures, including 35% family provision within the London Affordable Rented tenure, 3% family provision within the Affordable Rented tenure and 56% family provision within the Shared Ownership tenure.

Distribution of affordable homes

57. The affordable housing is proposed to be contained entirely within the northern site, specifically within blocks G, H, J, K and M. There are two London Affordable Rented blocks (J and M), two Shared Ownership blocks (G and K) and there is one Affordable Rented block (H). Blocks H and K also contain 4 London Affordable Rented units each at ground floor level, but are otherwise comprised entirely of Affordable Rented and Shared Ownership units respectively. It is welcomed that two of the affordable blocks are mixed, but the self-containment of single tenures within the other blocks is understood as being necessary for ease of management by a registered provider. This results in all of the northern site being affordable aside from one block (L), which forms a terrace of 4x3 bedroom houses.

58. The residential provisions within each of the affordable blocks is set out in the table below:

Affordable Block	London Affordable Rent Units	Affordable Rent Units	Shared Ownership Units	Total Units
G	0	0	28 (9x1, 2x2, 17x3)	28 (9x1b, 2x2b, 17x3b)
H	4 (3x1, 1x2)	87 (28x1, 56x2, 3x3)	0	91 (31x1b, 57x2b, 3x3b)
J	44 (6x1, 19x2, 19x3)	0	0	44 (6x1b, 19x2b, 19x3b)
K	4 (2x1, 2x3)	0	38 (8x1, 10x2, 20x3)	42 (10x1b, 10x2b, 22x3b)
M	13 (5x1, 6x2, 2x3)	0	0	13 (5x1b, 6x2b, 2x3b)
Total	65 (16x1, 26x2, 23x3)	87 (28x1, 56x2, 3x3)	66 (17x1, 12x2, 37x3)	218 (71x1b, 94x2b, 63x3b)

Design

59. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and public realm

60. The development site is large in size (about 2.45ha) and can broadly be split into two halves. A level change is present across the site, with the lowest point at the canal edge on the southern edge of the site and the highest part of the site being that in the northern half. The fall across the site from north to south is about 7 metres.

Layout of Northern Side

61. The northern half of the development proposal is formed of predominantly low-rise flatted development, with an urban grain that is defined by a continuation of the cul-de-sac roads which currently terminate at the edges of this part of the site. This includes Woodside Close and Woodside End, which would be extended southward and eastward respectively from their current ends to intersect in the central eastern part of the site. Woodside End is then proposed to extend further east to form a new T-junction with Mount Pleasant and would act as the main thoroughfare across the site from east to west; this would also form the only new road within the development site that is proposed to be adopted and open to public vehicular traffic. The final additional vehicular road would be Woodside Place, extended eastward from its current end to intersect with the extended Woodside Close in the north-eastern part of the site. Aside from Woodside End (the main road through the site), the new road from Woodside Place would be closed off to local traffic by bollards and would be for pedestrian use and essential vehicular use (e.g. Refuse collection, deliveries) only. Woodside Close would connect to the site by pedestrian access only. This would be soft landscaped and comprised of a narrower pedestrian pathway and play space, having the feel of a small pocket park. This landscaped transition space would act as both an attractive street feature as well as an effective means of addressing level change across this part of the site. All of new roads internal to the site would be formed of a shared surface to emphasise pedestrian priority.
62. The western side of the north part of the site is formed of two partial perimeter blocks in the form of a part 3, part 4 and part 5 storey L-shaped building (fronting Woodside Close and Woodside Place) containing 42 units (block K) and a part 4, part 5, part 8 and part 12 storey U-shaped building (fronting Woodside Place, Woodside Close and Woodside End) containing 135 units (blocks H and J). This marks the second tallest part of the development, with the 12 storey massing fronting on the corner of Woodside End (the main road through the site) and Woodside Close. Given its central location in the site, the 12 storey building, whilst certainly tall in the local context is broadly supported as a reasonable height increase appropriate for the centre-of-site location. These two buildings are to be provided with rear garden spaces away from the streets they front. The U-shaped building's garden will be podium form with a parking basement underneath (accessed from ramp on Woodside End), also containing cycle and bin stores.
63. The eastern side of the north part of the site is formed of three smaller buildings: A part 4 and part 7 storey building (fronting Woodside End and Woodside Close) containing 28 units and a large commercial space at ground, first and second floor levels (block G), a 4 storey building to the north (fronting Woodside Close) containing 13 units (block M) and finally a 3 storey terrace of 4 townhouses to the north eastern edge of the site, also fronting Woodside Close (block L). The houses forming block L represent the only non-flatted development in the site and will offer family homes with large private gardens.

64. The proposals for the northern site are summarised in the table below:

Blocks	G	H	J	K	L	M
Height/s	4 & 7 storeys	5 & 12 storeys	4 & 8 storeys	3, 4 & 5 storeys	3 storeys	4 storeys
Commercial use at lower levels	679sqm – Market 693sqm – Affordable 128sqm - Communit	None	None	None	None	None
Residential units	28 x Affordable	91 x Affordable	44 x Affordable	42 x Affordable	4 x Private	13 x Affordable
Total Residential units	222 Units – (4 x Private [2%] & 218 x Affordable [98%])					

Layout of Southern Side

65. The southern half is taller and denser and is formed of a large city/perimeter block in the west and the centre (blocks B, C, D and E) and a smaller building that separates the city block from a 'linear park' style public recreation area along the eastern edge of this part of the site (blocks A and F). The buildings along this section front the Grand Union Canal on their south sides and define the focal spaces for the development site, which is to be the linear park corridor (shared across the boundary with Liberty Wharf to the east) and the canal front, accessed from the linear park link. The city block is varied in its heights, ranging from 5 to 16 storeys (containing 315 units), whilst the smaller building is 9 storeys in height, with a reduced central section that is 5 metres in height (containing 147 units). The smaller building is to contain a commercial focus at ground floor, with affordable workspace being provided at this level. The

focus of commercial floorspace on the eastern side of the site, close to the junction with Mount Pleasant is logical and should help to establish a stronger neighbourhood centre. The 16 storey massing is focused at the centre point of the development, along the new Woodside End frontage and aligned centrally at the southern end of the extended Woodside Close to frame the view along it. The 16 storey massing is also directly opposite the 12 storey massing (the tallest point of the development on the north side of the road) forming the dense centre part of the site.

66. A large podium garden is proposed centrally in the city block atop a basement car park which is to be accessed from a minor access road which spurs off from Woodside End.
67. A final new route through the site is a large pedestrianised corridor between the city block and the eastern block and linear park on the east side which leads to a wide flight of steps down to the canal frontage. The steps address the level change that is seen in this part of the site. This presents an alternative means of access to the canal aside from the linear park and would be more direct for residents in the northern half of the site. The steps are supported as both a means of access and as a visual feature of the environment, an alternative ramped route for disabled users is achievable through the linear park link which runs parallel to this route.
68. The proposals for the southern site are summarised in the table below:

Blocks	A	B	C	D	E	F
Height/s	5 & 9 storeys	5 & 10 storeys	5 & 9 storeys	6, 7 & 8 storeys	7, 8 & 16 storeys	5 & 9 storeys
Commercial use at lower levels	None (64sqm – Market commercia in pavilion to south)	None	None	None	None	369sqm - Market
Residential units	81 x Private	73 x Private	86 x Private	65 x Private	91 x Private	66 x Private
Total Residential units	462 Units [100% Private]					

Removal and re-provision of pumping station

69. The site currently contains a sewage pumping station within the responsibility of Thames Water. The existing pumping station is located broadly in the middle of the site between the east and west boundaries and close to the canal frontage, broadly where blocks B and C are proposed. The applicant is having to remove and re-provide this pumping station as part of the works. The re-located pumping station is to located be at the South Western corner of the site, close to the western wing of block C. The applicant has confirmed that the pumping station will not emit noise or vibration above the surface and that the works to deliver it will be undertaken at the point where the south site is demolished ahead of new construction.

Public Realm

70. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. Largely, all building facades that front a street within the development site are active at ground floor level, with the focus generally on residential frontages although commercial frontage along parts of the extended Woodside End also form a notable element of the scheme. Ground floor units front onto the street and are accessible from the street rather than from the cores. This will significantly increase street activity and further embed a residential character. Appropriate defensible spaces, which form part of the landscaping plan, will establish a suitable soft landscaped privacy buffer between the ground floor residential windows and the defensible spaces.
71. The development site will involve a substantial coverage of new public realm, including high value public realm fronting the canal. An extensive landscaping proposal has been submitted incorporating a large amount of street tree planting and numerous landscaping features. The pedestrian corridor along the eastern edge of the site and the canal frontage itself is the clear focal point of the landscaping strategy, being the prime connection between the commercial node at Mount Pleasant and the canal. The environment along this corridor is to be shared with the consented Liberty Wharf development.

Scale, height, massing and design of the development within its local context

Height and Massing

72. Policy BD2 of the emerging Local Plan directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. This site sits within the tall building zone. Furthermore, the emerging site allocation notes that development coming forward should be denser than the surrounding suburban character. The allocation states that the site is suitable for tall buildings of a mid-rise height, which sit well subject to detailed design analysis showing no adverse impacts and a satisfactory relationship in terms of scale and massing. This should be delivered in context with the residential properties in the neighbouring Liberty Wharf development which rises to six storeys and the surrounding two storey residential properties elsewhere that are likely to remain.
73. Whilst clearly of substantially greater massing than Liberty Wharf in its central core, the massing would, from most viewpoints, appear less prominent in this location, being buffered from view by the surrounding built form which is of a lower height that evokes the scale of Liberty Wharf more strongly. Officers consider that the general approach to massing is comfortable. The approach sees:
- 3 to 6 storey massing at the edges of the site where the adjacent context is suburban housing;
 - 9 storey massing adjacent to the 6 storey Liberty Wharf development;
 - Up to 10 storey massing fronting the Grand Union Canal;
 - Greater massing located centrally in the development, away from the lower scale context, 7 to 12 storeys in the northern part of the site and 16 storeys in the southern part of the site.
74. This approach establishes a clear transition from smaller buildings close to the suburban edges of the site, stepping up to the tallest features centrally. It is acknowledged that the central massing, particularly the 16 storey high point of the development, is development which would be significantly higher than its surroundings, however officers note that the majority of the site will be comprised of moderately sized buildings which would relate suitably to their surroundings whilst also establishing a denser suburban fabric as required by the site allocation briefs. The denser nature of this development compared to its surroundings would also be conducive to meaningful housing delivery in line with emerging London Plan housing targets for the borough, and thus making efficient use of this brownfield site. In summary, a key part of the height and massing strategy's success is the positioning of lower buildings around the periphery of the site, forming a substantial visual buffer between the surrounding streetscene and the central part of the site, obscuring much of the prominence of the 16 storey high point of the proposal.
75. The previously refused application (18/4919) was for a slightly lower scale development. This application has seen most of the buildings within the scheme increased in height, either by one storey or two storeys depending on the sensitivity of the location. The proposal has also seen a connecting block being added to the scheme between Blocks A and F (previously an open space between the two blocks).
76. These two elements of increased massing have accommodated the additional 103 units beyond the 18/4919 iteration that have been important in improving scheme viability to accommodate additional affordable housing. On a building by building basis, the increase in height will be modest and not starkly noticeable from street level, nonetheless, an appropriate assessment of the impact of this additional massing has been undertaken by officers to ensure this is acceptable in line with Brent's design guidance (SPD1) and the BRE guidelines in relation to daylight and sunlight impact, and this is discussed later in this report.
77. The specific increases in height and massing within this application compared to the refused application are set out below:
- Block A increase from 8 storeys to 9 storeys (+1)
 - Block B maximum height increase from 8 storeys to 10 storeys (+2)
 - Block C maximum height increase from 8 storeys to 9 storeys (+1)
 - Block D maximum height increase from 7 storeys to 8 storeys (+1)
 - Block E maximum height increase from 14 storeys to 16 storeys (+2)
 - Block F increase from 8 storeys to 9 storeys (+1)
 - Block G maximum height increase from 6 storeys to 7 storeys (+1)
 - Block H maximum height increase from 11 storeys to 12 storeys (+1)
 - Block J maximum height increase from 6 storeys to 8 storeys (+2)
 - Block K unchanged at 5 storeys
 - Block L unchanged at 3 storeys

- Block M unchanged at 4 storeys
- Addition of a 5 storey 'link block' to connect Blocks A and F

Architecture and Materiality

78. The applicant's plans indicate a strong focus on 1930s light industrial vernacular in terms of architecture and materiality. The key visual motif across the development site is the use of typical industrial style saw-tooth roof forms in different arrangements atop the blocks and a combination of red brick, light brick and metallic style panels (some in silver colour, some in salmon colour and some in gold colour) with a corrugated appearance along the external walls. All of these features strongly evoke the location's industrial heritage but also present a pleasing and distinctive visual design language, especially in the post-industrial context of this site. The 16 storey building at the centre of the development site would have a different design language, comprised of grey brickwork of two complementary shades and arranged in a way that would frame different sections of the building, providing a strong vertical emphasis and a more light-weight and neutral appearance compared with the more overt vernacular of the buildings that would surround it. The top level brick frame of the building would retain a saw-tooth appearance to ensure an element of design continuity with other parts of the proposal. The approach to a different materiality for the tallest building element is supported and would help to soften the visual prominence of this element. The architecture and materiality is supported in principle. The material palette will foster a strong residential feel at the lower levels but still evoke the neighbourhood's industrial past at the upper levels when seen from a greater distance.
79. The scale, massing and visual design of the proposed buildings will clearly appear different from the long-established suburban dwellinghouses that define the surrounding context. The focus on traditional brick facades for the buildings and the approach to limiting height and massing around the edges of the site would provide an element of continuity between the surrounding houses and the new developments whilst the more modern approach to the architecture and denser core elements would provide a suitable response to current housing pressures and would also provide an element of continuity with the Liberty Wharf development on the adjacent site.
80. The architecture and materials approach is supported, subject to a standard condition will require material samples to be submitted for officer approval.

Quality of residential accommodation

Internal design quality

81. The quality of the proposed residential units is high with deck access cores which generally have fewer than 8 units allowing for a high proportion of dual aspect units. Higher numbers of units per core are seen in the lower floors of Blocks A (10 units per core) and F (9 units per core) but otherwise the guidance is met in this respect. All units, including bedrooms, meet the relevant internal space standards as set out within emerging London Plan policy D6. The orientation of the blocks means that most of the units have east/west aspect maximising penetration of sunlight. 10% of homes have been designed to be adaptable for disabled users, meeting relevant London Plan policy requirements.

Aspect

82. A number of the proposed buildings have been designed to maximise dual aspect flats through deck access design, utilising communal access corridors to flats which are open air and located along the outside edges of the buildings. This allows internal rooms which are positioned adjacent to these corridors to still benefit from outlook visible from across the corridor. Within the corridors, openings have been placed appropriately to ensure that windows to habitable rooms are able to benefit from the outlook beyond these corridors. Blocks K, J, H and M in the north site and blocks B, C, D and E in the south site utilise this to achieve a greater number of flats with dual aspect than they would otherwise. In the north site 55% of flats have dual aspect, whilst in the south site 48% of flats have dual aspect, resulting in a scheme wide average of 50%. This is considered to be an acceptable amount within this form of development.

Amenity Space and Open Space

83. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20

sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).

84. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
85. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
86. Emerging London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.
87. Each flat in the development will be provided with its own private terrace or balcony. All of these terraces will comply with the London Plan standards and many will be very generously sized, utilising both internal and external outdoor spaces to maximise balcony space, with a number being as large as 30sqm in size. The proposal also incorporates four high quality communal gardens for the use of residents at ground level. One of these is to be located centrally between blocks B, C, D and E, serving all residents of these blocks and measuring 694.2sqm in size. Secondly, a fourth floor podium garden measuring 117.4sqm links together blocks B and C and would be usable by all residents in these blocks. Thirdly, a ground floor garden is provided for all residents in blocks J (an affordable block) and H measuring 832.2sqm in size and a fourth garden serves block K (also an affordable block) on the ground floor, measuring 705.6sqm in size. Private ground floor residential gardens are also provided for the terrace of four houses (block L) (about 50sqm on average).
88. All of the amenity spaces mentioned above were included within the previously refused application (18/4919). Through the amended plans within this scheme, the applicants have sought to increase the provision of amenity space compared to the previous application through the use of the rooftops for communal and private amenity areas. Rooftop amenity spaces have been incorporated atop Blocks A and F in the south site and atop Block G in the north site. The rooftop amenity spaces are well designed, attractive and usable for all residents and, by virtue of being located within the 'saw-tooth' roof forms of these blocks, offer a mixture of more open and enclosed open air spaces, improving their usability and adaptability. The saw-tooth roof forms for the relevant blocks have been established with gaps and openings within them to ensure a good mixture of open and enclosed spaces, whilst also retaining the integrity of the roof form as seen from the street and farther afield. The new application has been devised during the Covid-19 pandemic and the additional rooftop amenity spaces therefore have heightened importance.
89. Overall, the amenity space provision, and associated shortfalls below DMP19 (where relevant) is as follows:

Southern Site

Block	A	B	C	D	E	F	Total
Number of 1 and 2 bed units (20sqm)	72	65	75	52	83	66	413
Number of 3 bed units (50sqm)	9	8	11	13	8	0	49
Amenity space standard sqm (DMP19)	1,890	1,700	2,050	1,690	2,060	1,320	10,710
Shortfall in amenity sqm (incl. private)	1,210.6	1,003.6	1,342.9	1,144.9	1,354.7	726.5	6,783.2

Total share of communal space sqm	348.8	210.5	248.2	147.3	206.3	228.6	1,389.7
Adjusted shortfall sqm (incl. private & communal)	861.8	793.1	1,094.7	997.6	1,148.4	497.9	5,395.5

Northern Site

Block	G (aff)	H (aff)	J (aff)	K (aff)	L	M (aff)	Total
Number of 1 and 2 bed units (20sqm)	11	88	25	20	0	11	155
Number of 3 bed units (50sqm)	17	3	19	22	4	2	67
Amenity space standard sqm (DMP19)	1,070	1,910	1,450	1,500	200	320	6,450
Shortfall in amenity sqm (incl. private)	823.6	1,204.4	1,038.9	977	0	182.8	4,226.7
Total share of communal space sqm	313.4	561.0	271.2	705.6	0	0	1,851.2
Adjusted shortfall sqm (incl. private & communal)	510.2	643.4	767.7	271.4	0	182.8	2,375.5

90. In the context of this scheme, DMP19 would stipulate an amenity space standard of 17,160sqm (previous application: 15,100sqm) and, taking the above into account, the proposal sees a shortfall against this policy standard of 7,770sqm (previous application: 7,684sqm). Overall, whilst the scheme does not comply with the levels of amenity space set out in DMP19, the amenity space is considered to be of good quality, resulting in a high standard of residential accommodation.

91. Despite an increase in the number of units by 103, the shortfall against the required amount of amenity space is less than the previous scheme's shortfall in percentage terms. 50% of the required amenity space is provided in the southern site whilst 63% of the required amenity space is provided in the northern site. By comparison, the previous application proposed to deliver 41% of the required amenity space in the southern site and 61% of the required amenity space in the northern site.

92. In considering the acceptability of the amenity space offer, particularly in view of the proposals falling short of the quantum of amenity space specified in policy, officers would note that the proposal will deliver large areas of new landscaped public realm, both in the form of green space for general recreation and as designated child play space, referred to as doorstep play (more information on total play provision below). These spaces will most directly benefit residents of this development and in particular the residents whose blocks sit alongside the relevant public amenity spaces, but will also be accessible to the wider community.

93. Officers would highlight the following parts of the development's open space as having significant landscaping benefit and therefore warranting of being factored into the overall judgement of the acceptability of the open space and amenity space offer for residents of the scheme:

- Southern site (1,319sqm):

- Equipped doorstep play to the east of blocks A and F (395sqm)
- Landscaped space between blocks A and B (347sqm) of which part is equipped doorstep play (179sqm)
- Landscaped space alongside new canal towpath (577sqm) of which part is equipped doorstep play

(191sqm)

- Northern site (421sqm):

- Equipped doorstep play between blocks G, H and J (421sqm)

94. Therefore, the shortfall below policy targets of 7,770sqm is partially off-set by the provision of 1,740sqm of new public open space within the scheme.
95. In addition, officers would note that three existing public open spaces would be accessible to residents within a 10 minute walk of the site: Mount Pleasant Open Space (3 min walk), Heather Park (7 min walk) and One Tree Hill Recreation Ground (10 min walk), providing a further amenity offer to residents. Furthermore, additional open spaces are to be delivered as part of the Grand Union development to the east, with the Grand Union site being accessible within a 6 minute walk.
96. To summarise, the amount of external amenity space for a number of homes falls below the targets expressed within policy DMP19. However, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development, including the provision of new homes in the borough.

Play Space

97. Policy 3.6 of the London Plan requires that on site play space is provided to service the expected child population of the development. The applicants have set out a play space strategy which provides on-site play spaces in line with GLA's child yield matrix. The child yield matrix would require 3,326sqm of on-site play space based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. This quantum of play space would be split between enclosed courtyard podium play for 0-4 year olds (1,515sqm) and equipped doorstep play for 5-11 year olds (1,184sqm). Roof top play for all age groups (110sqm) would be provided across the newly added rooftop gardens to the scheme. Neighbourhood play for 11+ year olds would not be provided on site and the nearby parks of Mount Pleasant Open Space and Heather Park would effectively serve this purpose.
98. The enclosed courtyard podium playspaces are provided within all three of those spaces within the scheme, with a 453sqm play space forming part of blocks' B, C, D and E podium garden, a 598sqm play space forming part of blocks' J and H podium garden and a 464sqm play space forming part of block K's podium garden. Together, these play spaces amount to 1,515sqm of 0-4 year old play space, and the two larger play spaces (those serving blocks J, H and K) will be accessible to residents of the affordable blocks H, J and K. The all age rooftop play will be provided atop block F's rooftop garden (45sqm) and atop block G's rooftop garden (65sqm).
99. The equipped doorstep play is proposed within 5 separate spaces around the public parts of the site, which also form part of the public amenity space offer of the development. The largest (421sqm) will be in the landscaped transition space between blocks J, H and G, two smaller spaces (224sqm + 171sqm) will be provided along the western side of the linear park space between blocks A, F and the Liberty Wharf development and two other spaces (191sqm + 179sqm) will be within the canal frontage. These spaces together comprise 1,186sqm of 5-11 year old play space and will also be play spaces that will benefit the wider public.
100. Together, the play spaces amount to 2,811sqm, falling 515sqm (15%) short of the expected on site quantum (3,326sqm). The onsite provision has prioritised the lower age groups, meaning that higher age groups can rely on the nearby parks of Mount Pleasant Open Space and Heather Park, as well as the emerging open spaces within the Grand Union scheme, for recreation.
101. The previous application (18/4919) had a lower child play requirement of 2,706sqm (620sqm less than the current application). The scheme is offering 110sqm additional play space compared with that of the previous scheme, although the overall shortfall against child play provision has increased from a 5sqm (0.18%) shortfall to a 515sqm (15%) shortfall.
102. The increased shortfall in play space provision compared with the previous application is considered to be material and Brent would therefore seek mitigation to address this shortcoming. Brent's Parks services have confirmed that the child play facilities at local parks to this site (Mount Pleasant Open

Space, Heather Park and One Tree Hill Open Space) are all in a position to benefit from improvement to support the increasing population. A financial contribution towards this can therefore be secured in the S106 agreement. This obligation will apply unless the applicant instead submits revised plans which effectively address the shortfall through increased on-site provision.

103. Detailed plans of the play spaces and their individual features will be secured through the landscaping condition. The development is considered to be acceptable in terms of its play space offer.

Privacy and relationships between blocks

104. The distances between the facades of blocks that face one another within the scheme range between 19 metres and 22 metres in most instances. These distances comply with SPD1 standards for suitable privacy separations across private environments, but nonetheless are separations across public streets in this case. These separations mirror the established separations of the surrounding residential streets of Woodside End and Woodside Place. A reduced 18 metre separation is established between Blocks J and K at the corner of the extended Woodside Place and Woodside Close and a further reduced separation of 15 metres is present between blocks F and G across the extended Woodside End. Given the public setting of these relationships, the separations are still considered to be generous and would continue to adhere with SPD1 guidance as the 18 metre standard is only required where windows face one another across private settings.

105. The separation between blocks A and F (at the upper floors, above the link block) in the south site is 16m and is a separation across private space. Within the two facing elevations are secondary habitable room windows. The architects have designed the scheme so as to place the windows such that they are deliberately offset from one another's line of sight to reduce the potential for overlooking between these habitable rooms. Whilst falling 2 metres short of the guidance, officers consider that the 16m separation between Block A's northern façade and block F's southern façade is justified in a scheme of this layout and density and would not result in a relationship which unduly detracted from the privacy of the units. The windows in the facades of blocks A and F, as discussed above, will face each other across the private rooftop gardens of the four units adjacent to the roof level of the link block. These garden spaces are generously size (54sqm) but will be overlooked because of this and will therefore have their desirability for use lessened; however each of the four affected flats also benefits from a separate London Plan compliant balcony which would not be overlooked. As such, the additional private rooftop gardens, whilst compromised in privacy terms to an extent, should still be supported.

106. Block G's northern flank will face Block M's southern flank and Block M's northern flank will face Block L's southern flank across distances of 5m in a public setting. Between Blocks G and M, only secondary windows that are offset from each other's direct line of sight are to be provided, with the primary windows provided in the eastern and western frontages. Between Blocks M and L, secondary windows are to be placed in the northern flank of Block M whilst the southern flank of Block L will not contain any windows. As such, it is not considered that an unacceptable overlooking relationship will be established between units in these locations.

107. The communal garden to Blocks B, C, D and E and the communal garden to Blocks H and J will be surrounded by residential facades on four sides and three sides respectively, thus enabling a direct line of sight between opposite facades. However, the separation distances in the context of these podium gardens are generous, with 23m (east to west) and 37m (north to south) separations being present across the B, C, D, E communal garden and a 27m separation being present across the H, J communal garden. These distances are significantly in excess of the 18m standard set out in guidance and will not result in undue overlooking.

Development Phasing

108. The development is to be phased as follows:

Pre-construction phases

- Demolition and decontamination of the north site (carried out prior to construction phase 1)
- Demolition and decontamination of the south site and relation of the pumping station (carried out prior to construction phase 5)

Construction phases (affordable blocks denoted in **bold**)

- Construction of blocks **M** and **L** - Phase 1
- Construction of block **K** - Phase 2
- Construction of basement below blocks **J** and **H** and new road through the centre of site – Phase 3
- Construction of blocks **J**, **H** and **G** - Phase 4
- Construction of basement below B, C, D and E - Phase 5
- Construction of blocks D and C - Phase 6
- Construction of blocks E and B - Phase 7
- Construction of blocks F and A - Phase 8

109. The phasing plan would see all of the scheme's affordable housing delivered within the first four construction phases which is welcomed.

110. The applicants have confirmed that the first residential completions are planned to be delivered within 3.5 years of consent being granted and continuing at a rate of about 100 units per year. This would result in a total build period of around 10 years. The phasing would see the site developed from north to south.

111. A number of the conditions within the decision notice as well as clauses within the S106 agreement have time triggers that account for the phasing plan.

Impact on amenities of neighbouring properties

112. The site is surrounded by a large number of properties. Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring properties in terms of losses of privacy and the creation of a sense of enclosure. There is clearly a sensitivity around the edges of the site in relation to the small scale housing along Woodside End, Woodside Place, Woodside Close and Mount Pleasant, as well as the backs of the houses fronting the north side of Carlyon Road across the canal. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Privacy, Overshadowing and Losses of Light

113. In order to maintain acceptable levels of privacy to neighbouring properties, SPD1 states:

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

114. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 states the following:

“The building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.”

“The 1:2 guidance for two storey extensions outlined in the Residential Extensions and Alterations SPD2 applies for commercial developments next to residential as well as between residential developments. This requires new buildings and extensions to not extend further beyond the neighbouring building line than half the distance to the centre of the nearest habitable room. Towards public streets and spaces, it is expected that buildings continue the established building line.”

115. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.

116. Given the extent of the site, the tests of privacy, overshadowing and light loss as per the SPD1

criteria will be reported building by building, as per the below. It should be clarified that whilst the heights of all but Blocks K, L and M have increased compared with the previous application (18/4919), the building placement remains identical to the proposal that was previously considered. The only exception to this is the addition of the link block between Blocks A and F, which forms additional coverage of development footprint compared with the previous scheme.

117. Members did not refuse the previous application on the basis of the impact on surrounding properties.

South site

Block A

118. Block A borders with Liberty Wharf to the east and 119 to 125 Carlyon Road to the south, across the Grand Union Canal. The separation with Liberty Wharf (21m) is substantial and complies with guidance for privacy separations. The red line boundary between these sites sits about halfway between the two facades. Given that the development faces Liberty Wharf across the linear park, a public pedestrian thoroughfare, the test of 30 degrees does not apply between Block A and Liberty Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.

119. At its closest point, the block will sit 34.75m from the boundary with residential gardens along Carlyon Road (119 Carlyon Road is the closest). This level of separation significantly exceeds the standard within guidance for retaining suitable privacy levels. Block A and the Carlyon Road properties would be separated by a significant expanse of the Grand Union Canal and 30 degree and 45 degree testing is therefore not relevant in the context of this relationship.

120. Block A will not directly impact the outlook to any other properties.

Blocks B and C

121. Blocks B and C border with 87 to 113 Carlyon Road to the south, industrial units to the west and 34 and 36 Woodside End to the north.

122. To the south, Block B will sit about 32.5m from the Carlyon Road gardens (at the closest point, to 113 Carlyon Road) and 45m from the Carlyon Road dwellinghouses (at the closest point, to 109 Carlyon Road), thus exceeding relevant guidance for privacy. These blocks and the Carlyon Road properties would be separated by a significant expanse of the Grand Union Canal and 30 degree and 45 degree testing is therefore not relevant in the context of this relationship.

123. To the north, the block will sit 22m from the rear boundary of properties along Woodside End, 38m from the rear wall of 34 Woodside End and 41m from the rear wall of 36 Woodside End. The 45 degree and 30 degree tests are relevant in this context and the tests are comfortably passed relative to these properties. At these distances, all relevant privacy relationships will also exceed the guidance requirement,

124. To the west, the industrial context would not warrant consideration against these criteria. The block sits about 7m from the boundary with the industrial properties, although will not have any habitable windows which would rely on outlook across this site. As such, the placement of this block within 7m of the neighbouring industrial site is not considered to result in any prejudice to the ability of the neighbouring site to be developed.

Block D

125. Block D borders with 36 Woodside End to the west.

126. Block D has been designed to give significant clearance to 36 Woodside End as Block D's central garden space will sit largely along the edge of this property. For the 3 metres of depth beyond the dwellinghouse and into the garden of 36 Woodside End, the development will project at a distance of 9.4m, which exceeds the standard for ensuring suitable privacy, as set out in SPD1. Given the side-to-side relationship between Block D and 36 Woodside End, the 1:2 relationship, set out in SPD1 and SPD2, is considered to be the most appropriate test for judging the acceptability in relation to the building's massing, as Block D has a side-to-side relationship with the rear of a domestic property. The

1:2 rule relationship complies with guidance when tested in the context of no. 36 Woodside End. The property at 36 Woodside End would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character.

Block E

127. Block E is located centrally in the site, away from boundaries and does not raise concerns relating to overshadowing & losses of light.

Block F

128. Block F is located along the eastern edge of the site, across from the emerging Liberty Wharf development. The separation with Liberty Wharf (21m) is substantial and complies with guidance for privacy separations. The red line boundary between these sites sits about halfway between the two facades. Given that the development faces Liberty Wharf across the linear park, a public pedestrian thoroughfare, the test of 30 degrees does not apply between Block F and Liberty Wharf. Given the growth area setting and the generous separation which meets SPD1 criteria in relation to privacy, the relationship is considered to be acceptable.

North site

Block G

129. Block G sits adjacent to the rear boundary of 148 and 150 Mount Pleasant. 148 and 150 Mount Pleasant is a solely commercial retail building and does not warrant testing against residential amenity standards. Nonetheless, a distance of about 17.8m is present between the nearest upper floor windows on the block facing the site and the affected site itself, confirming that the potential future development of this site will not be prejudiced by this proposal, in accordance with SPD1 guidance.

130. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block H

131. Block H borders with 11 Woodside End.

132. Similar to the approach taken with Block D, block H has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 1.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside End, the development will project at a relatively close distance of 3.75m. This relationship would meet the 1:2 rule test. The projecting stairwell of the block would project out from the main building by an additional 3.5m, resulting in a total projection beyond the rear wall of 11 Woodside End of around 5m. The stairwell element is set in by about 9m from the nearest habitable room window at the property, meaning that this element marginally fails the 1:2 relationship by about 0.5m of width. The property at 11 Woodside End would otherwise be given a generous clearance by the proposed development, being adjacent to a communal garden space that is 40m in width and which would fully comply with the 45 degree test for the remainder of its extent. The majority of the garden to 11 Woodside End would therefore largely continue to feel unconstrained and open in character. Nonetheless, the marginal shortfall in guidance criteria when assessed against the 1:2 rule relationship is acknowledged.

133. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block J

134. Block J borders with 12 Woodside Place.

135. Similar to the approach taken with Blocks D and H, block J has been designed to give significant clearance to its neighbouring property as its central garden space will sit largely along the edge of this property. For 4.2 metres of depth beyond the dwellinghouse and into the garden of 12 Woodside Place the development will project at a relatively close distance of 3.6 metres. This relationship would not meet 1:2 rule guidance, being about 2m deeper than would be needed to meet this test. The projecting

stairwell of the block would project out from the main building by an additional 3.5m, resulting in a total projection beyond the rear wall of 12 Woodside Place of around 7.7m. The stairwell element is set in by about 9m from the nearest habitable room window at the property, meaning that this element fails the 1:2 relationship by about 3m of depth. Nonetheless, this stairwell element would be fully buffered from view by the 3.5m projection of the main building as seen from the rear windows of 12 Woodside Place. The property at 12 Woodside Place would otherwise be given a generous clearance by the proposed development, being adjacent to a communal garden space that is 40m in width and which would fully comply with the 45 degree test for the remainder of its extent. The majority of the garden to 12 Woodside Place would therefore largely continue to feel unconstrained and open in character.

136. Nonetheless, the lack of full guidance compliance when assessed against the 1:2 rule relationship is acknowledged.
137. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.

Block K

138. Block K borders with 11 Woodside Place, 36 Woodside Close and the neighbouring open space which forms the other part of the site allocation.
139. The siting, height and massing of Block K has not changed from the previous application.
140. Similar to the approach taken with Blocks, D, H and J, block K has been designed to give significant clearance to its neighbouring property at 11 Woodside Place as its central garden space will sit largely along the edge of this property. For 4.5 metres of depth beyond the dwellinghouse and into the garden of 11 Woodside Place the development will project at a relatively close distance of 3.8 metres. This relationship would fail 1:2 rule testing by about 3m of depth. As with Blocks H and J, a projecting stairwell projects further beyond the rear wall of the property (to about 8m) at a separation distance of about 8m from the nearest habitable room window of the property. This also fails 1:2 testing being about 4m too deep, but, as with Block J, this stairwell element would be fully buffered from view by the 4.5m projection of the main building as seen from the rear windows of 11 Woodside Place. The property at 11 Woodside Place would otherwise be given a generous clearance by the proposed development and the garden environment would largely continue to feel unconstrained and open in character. Nonetheless, the lack of full guidance compliance when assessed against the 1:2 rule relationship is acknowledged.
141. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.
142. The northern part of this block borders close to the rear garden boundary with 36 Woodside Close. 36 Woodside Close's main rear elevation does not face towards the development, although block K will extend within close proximity of the garden (about 2.5m). The first 6m of the garden will see a noteworthy breach of the 45 degree line in terms of impact on that part of the rear garden of 36 Woodside Close. The building of block K will extend about 7m above the 45 degree line taken from this boundary. There are no habitable room windows that face towards the affected property, ensuring that there are no privacy breaches.
143. The block will not come within close proximity of the boundary with the open space to the north, accessible from Woodside Avenue, which is a separate parcel within the site allocation. Only non-habitable windows will face the development site and not from a distance of less than about 20.5 metres (or 17m in the case of the window to the projecting stairwell). At this distance, the development fully complies with guidance and would not prejudice the ability for the neighbouring site to be developed.

Blocks L and M

144. The siting, height and massing of Blocks L and M has not changed from the previous application.
145. Block L borders with the rear gardens of 124-132 Mount Pleasant.
146. Block L is the smallest block and is formed of four terraced town houses to a height of three storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree and 30 degree lines is passed.

147. Block M borders with 134-146 Mount Pleasant.
148. Block M is formed of one of the smaller blocks of apartments on the north site, rising to a height of 4 storeys. When testing the proposed block in the context of the affected houses, all of the relevant testing with the 45 degree lines is passed, however when considering windows at the rear of the outriggers to these properties, the 30 degree line testing is marginally failed, with the worst breach being by a height of 1.75m.
149. In terms of privacy between blocks, the distance from the rear facing windows of the blocks to the rear of the original houses is 18m, however, where these houses have been extended this distance is reduced. The closest relationship is between windows serving the communal corridor to Block M and the rear wall of no. 142 Mount Pleasant, where the rear window separation distance is 14.45m. Despite not meeting the 18m standard in all instances, consideration is given to the fact that it is only by virtue of extensions to the properties along Mount Pleasant that the standard is not met. The gardens to these properties are shallow and, in a number of cases, the garden depth is shallower than 9m. By contrast, the distance from the windows in the rear of blocks L and M to the rear garden boundaries with these Mount Pleasant properties is in excess of 9m. Full adherence to the 18m separation standard given this scenario would push the development further into the site unreasonably. A flexible approach has been taken given the need to make efficient use of land in the growth area setting.
150. Given the depths of their gardens and the potential for the houses forming block L to overlook Mount Pleasant to a greater extent if extended, the permitted development rights of these houses are to be removed through a condition. This will result in all extension works to these houses needing separate planning permission.

Summary

151. Overall, the development has a guidance compliant relationship with its surroundings in many respects, although there are some breaches of SPD guidance as follows:
152. A number of properties for which 30 degree line, 45 degree line, and (where relevant) 1:2 rule testing is not fully complied with. To summarise, in terms of properties whose rear gardens and rear windows face the development site, all properties are compliant with guidance with the exception of some properties along the west side of Mount Pleasant, whose rear windows to their outriggers will fail 30 degree line testing, with the most severe breach seeing block M's roof project above the 30 degree line by about 1.75m. In addition, 36 Woodside Close will see a 6m deep section of its garden enclosed by a structure that is about 7m in excess of the 45 degree line. This results from the height and placement of Block K; however, this property is oriented away from the development and the main aspect from the house into the garden will retain an open character. Furthermore, Block K remains unchanged in terms of its siting and height from the previous application, which members found to be acceptable in terms of its relationship with surrounding properties.
153. In terms of properties which sit alongside the development site and have a side-to-side relationship with it, 36 Woodside End, 11 Woodside End, 11 Woodside Place and 12 Woodside Place sit alongside blocks D, H, J and K respectively and pass the 1:2 guidance in relation to 36 Woodside End, would fail the 1:2 guidance by a marginal amount (about 0.5m in terms in rear window visible terms) in relation to 11 Woodside End and minor amounts (between about 2m and 3m in rear window visible terms) in relation to the other two properties.
154. Whilst the above amenity assessments have been carried out on the basis of the proposal in isolation, it should be noted that most rear gardens to existing properties that border the development site have 1 to 1.5 storey high warehouses running along or close to their rear garden boundaries at present. The outlook to properties bordering the development will therefore generally improve as the gardens are opened up and the proposed massing is established at a greater distance from the boundary than the warehouses at present, even in relation to properties which fail the amenity impact tests.
155. Given the scale of development, the degree of non-compliance against SPD1 criteria is considered minor and is considered acceptable given the substantial benefits of this proposal.

Daylight, Sunlight and Overshadowing

156. Within their previous application, the applicants submitted a daylight, sunlight and overshadowing

assessment prepared by suitably qualified experts. The report looked at impacts the previously considered development would have on surrounding properties in terms of changes to daylight and sunlight exposure.

157. Members did not refuse the previous application on the basis of its impacts on daylight and sunlight.
158. Within this new application, the applicants have submitted an addendum daylight and sunlight report to set out the impact associated with the new scheme and compared it with the original daylight and sunlight levels reported within the original application, which was a level of impact that was considered to be acceptable. To recap, the revised scheme is very similar to the previous scheme, with the only elements that could potentially increase daylight and sunlight impact being the increases in height and massing as follows:
- Block A increase from 8 storeys to 9 storeys (+1)
 - Block B maximum height increase from 8 storeys to 10 storeys (+2)
 - Block C maximum height increase from 8 storeys to 9 storeys (+1)
 - Block D maximum height increase from 7 storeys to 8 storeys (+1)
 - Block E maximum height increase from 14 storeys to 16 storeys (+2)
 - Block F increase from 8 storeys to 9 storeys (+1)
 - Block G maximum height increase from 6 storeys to 7 storeys (+1)
 - Block H maximum height increase from 11 storeys to 12 storeys (+1)
 - Block J maximum height increase from 6 storeys to 8 storeys (+2)
 - Block K unchanged at 5 storeys
 - Block L unchanged at 3 storeys
 - Block M unchanged at 4 storeys
 - Addition of a 5 storey 'link block' to connect Blocks A and F
159. Overall, in the original scheme, testing showed that 80% of potentially affected windows would meet the typical recommendations (as set by the BRE) for good daylight and 86% of potentially affected windows would meet the typical recommendations for good sunlight. Given that the increase in building heights is proposed to be modest, the impacts are not expected to be materially greater than those reported previously to the Planning Committee.
160. Daylight testing is carried out through two tests, the Vertical Sky Component (VSC) and the No Sky Line (NSL) tests. The VSC test analyses impact on windows based on how much of the sky would be visible from the window in existing and proposed scenarios. The results are expressed in comparative percentage terms and the BRE considers a VSC score of less than 27% and less than 0.8 times its former value to result in reduced daylight to that window which is likely to be noticeable. The NSL test analyses the parts of a room from which the sky would be visible through particular windows in existing and proposed scenarios in percentage terms. The BRE considers an NSL score of less than 0.8 times its former value to result in reduced daylight that is likely to be noticeable. Generally, windows/rooms that pass one or both of the above tests are considered to result in BRE compliance. Whilst the original scheme was tested on the basis of both tests, the addendum report submitted has tested the original scheme impact against the new scheme impact in respect of VSC, although has not modelled NSL impact given the very minor reductions observed in VSC impact.
161. Sunlight testing is carried out through the Annual Probable Sunlight Hours (APSH) tests. The APSH testing assesses windows that may be affected by the development whose orientations are within 90 degrees due south. The testing considers if these relevant windows can receive one quarter of the annual probable sunlight hours (APSH) based on the built form that may obstruct it. A second test considers whether at least 5% of the APSH will be received during the winter months between the autumn and spring equinoxes. If both tests are passed, then the room should receive enough daylight to maintain a good living environment. The original scheme included an assessment of all the surrounding impacts in respect of APSH, whilst the revised scheme's addendum report has considered the original scheme impact against the new scheme impact according to the same criteria.
162. BRE testing is to be used as a guide rather than strictly enforced. The BRE guidelines identify that the standards they establish generally represent acceptable impact in the context of a low density residential area and it is therefore widely understood that some flexibility and reasonably flexible judgement needs to be exercised at sites where a more urban character is sought. It is generally understood that across growth areas in London, VSC figures of between 10% and 20% have been found to be acceptable where a more urban character will be part and parcel of development that is intended to significantly boost housing numbers. Furthermore at paragraph 123 of the National Planning Policy

Framework (NPPF), it is stated that “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”.

163. In terms of the individual breakdown, buildings along the following roads were tested for impact as they had the potential to be detrimentally affected by the proposal: Woodside Close, Woodside Place, Woodside End, Carlyon Road and Mount Pleasant. In addition, the emerging Liberty Wharf development was tested for impact, although the considerations for Liberty Wharf are different given that the building does not represent an established residential environment and is instead an emerging residential environment. Liberty Wharf also forms recent development that has come forward as part of the Alperton Growth Area additions, which is of a more urban character than other surrounding development and accordingly would have a lesser expectation of full compliance with BRE guidance in relation to the impact from the proposed development, which is similar in nature. The individual tests, in terms of the original scheme (18/4919) impact are discussed below. Each section includes a separate addendum section which confirms any further worsening in impact compared to the originally submitted scheme.

Woodside Close (original scheme impact)

164. Woodside Close is a road which borders the site from the north, some of the houses along here directly adjoin the site and have been tested for impact. Of the tested properties, 41, 43 and 47 Woodside Close (odds) and 26-36 Woodside Close (evens) will pass all BRE tests and will not experience any noticeable change in their daylight and sunlight under BRE guidelines.

165. Numbers 45 and 49 Woodside Close will experience some losses under BRE testing. 8 out of 12 of the windows tested on these properties meet the guidelines for the VSC test but the other 4 (2 at each property) fail, with reductions of between 21 and 35%. However, these windows are slim slot windows that form parts of bays whose other windows comfortably meet BRE criteria. As such, there is a clear justification for this impact being acceptable. These properties pass all tests associated with NSL and APSH testing.

166. 51 Woodside Close had 25 windows tested for VSC with 20 out of 25 passing. The other 5 experience relative reductions in the range of 20-29% (only slightly below the 20% reduction or 0.8 times former value benchmark for acceptability). 4 of the 5 failed windows are panes within the curved ground floor bay, although at least four other panes in this bay meet BRE criteria. The final window serves a utility room which has two other windows, thus also providing a clear justification for accepting this impact. This property passes all tests associated with NSL and APSH testing.

Woodside Close (further impact attributable to increased massing)

167. At no's 26-36 Woodside Close, all of the windows (28) will retain 100% of their former VSC value attributable to the original scheme, thus confirming that the increased massing will not result in any difference to the daylight and sunlight experience at these properties. The worst reduction seen in the baseline sunlight is a 1% reduction in the APSH compared with the original scheme and a 5% reduction in the WPSH compared with the original scheme, although this does not result in these windows falling below the BRE guidelines for acceptable impact.

168. At no's 41-51 Woodside Close, none of the windows will see more than a 1% reduction in VSC beyond the impact attributable to the original scheme, thus confirming that the increased massing will not result in any noticeable impact to the daylight and sunlight experience at these properties. This will not result in any additional windows no longer complying with BRE guidance where they did previously. The worst reduction seen in the baseline sunlight is a 3% reduction in the APSH compared with the original scheme and an 8% reduction in the WPSH compared with the original scheme. All windows will continue to meet BRE criteria for good levels of daylight in terms of the NSL test.

169. The impact of the development compared with the original scheme is considered to be negligible.

Woodside Place (original scheme impact)

170. Woodside Place is a road which borders the site from the west. 4 properties (9, 10, 11 and 12) along this road were tested and all saw some deficiency in BRE compliance. For the house pair at no's 9 and 11, 16 of the 20 tested windows satisfy VSC criteria with the other 4 experiencing reductions in the range between 24% and 30%, but, all represent thin slot windows in the side of squared bays where the main

windows serving these rooms would comfortably meet BRE recommendations. All criteria relating to NSL testing and APSH testing will be comfortably met.

171. In relation to testing at 10 and 12 Woodside Place, 21/23 tested windows will satisfy VSC criteria with the two deficient windows again representing secondary panes within bays. NSL and APSH testing is fully satisfied.

Woodside Place (further impact attributable to increased massing)

172. The 4 Woodside Place properties tested retail 96% or more of their former VSC value compared with the baseline scheme. The reduction is considered negligible and any impact in daylight and sunlight compared with the previous scheme massing is unlikely to be noticeable to residents. However, the window and glazed door serving the kitchen of no. 12 will technically no longer pass the BRE guidelines, since these elements' overall losses compared to the existing scenario will have increased from around 18% and 19.5% within the previous scheme to 21% and 22.5% with the additional impact of the proposed scheme, thereby increasing the percentage loss beyond 20% (the 'pass mark'), even if that additional impact is negligible when judged in isolation.

173. In relation to APSH impact, the worst reductions are 4% in both APSH and WPSH categories, again considered to be negligible and likely to be unnoticeable. These reductions do not result in any additional failures in sunlight performance in BRE terms.

174. All windows will continue to meet BRE criteria for good levels of daylight in terms of the NSL test.

Woodside End (original scheme impact)

175. Woodside End borders the site from the west and is the road which would be extended through the site. Numbers 26-32 (evens) met all BRE tests whilst numbers 9, 11, 34 and 36 see some failures. Across numbers 9 and 11, 24 out of 24 tested pass VSC testing, with 9 of those failing representing secondary pane windows to six-pane bay windows (reductions range between 23-39%). The 10th failing window is a secondary window within the flank of 11 Woodside End, close to the rear corner of the property. It is assumed that this window serves as a secondary window to a dual aspect room, whose main window would be to the rear. NSL and APSH testing is passed in full.

176. Numbers 34 and 36 see 24 of 30 tested windows meeting VSC criteria. Five of the six failures (23-55% reductions) are again to individual secondary panes within bays whilst the sixth window is a window within a side dormer window which looks over to the development site. This window has been established through extension of the property and currently enjoys largely unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. The window would retain 17% VSC from a starting point of 38% which falls below BRE recommendations. The window would also fail NSL testing, with a 42% reduction versus an acceptability benchmark of 20%. The window would pass APSH testing. The window likely serves a habitable room in this loft environment, but paying mind to its highly unobstructed nature at present and the inevitability of some impact where dense regeneration is proposed, the impact to this window is to be accepted on balance.

Woodside End (further impact attributable to increased massing)

177. The majority of the windows to no's 9 and 11 Woodside End would retain at least 96% of their former VSC value. The flank window to no 11 would experience a further 14% reduction compared with the baseline scheme (resulting in the window going from a 64% reduction in daylight under the previous scheme conditions to a 78% reduction in daylight under proposed scheme conditions, compared to the existing) however, as discussed above, the room served by that window benefits from two other windows which retain 96% of their former VSC daylighting value. All other windows at these dwellings would retain over 97% of their former VSC values, within the negligible range, and likely to be unnoticeable to residents compared with the original scheme impact. Despite this, the upper floor bedroom window to no. 11 will technically now no longer meet the VSC criteria as its 3% additional reduction in VSC will result in the percentage change going from a 19% reduction against the existing to a 22% reduction against the existing (exceeding the 'pass mark'). This impact would be negligible when judged in isolation compared with the previous scheme. In terms of sunlight impact, a 5% reduction would be the worst case scenario impact to a window in APSH terms whilst there would be no reduction whatsoever in the context of WPSH to these properties. NSL criteria would continue to be fully complied with under the new scheme

conditions.

178. The majority of the windows to no's 26-36 Woodside End would retain at least 92% of their former VSC value. The side dormer window identified above would experience a 13% reduction compared with the baseline scheme, however, as discussed above, this window has been established through extension of the property and currently enjoys largely unobstructed views across the Abbey Industrial site, owing to its positioning at the end of the street. There are two additional sources of light to the loft space served by the dormer window, with these light sources retaining 99% of their VSC value compared to the baseline scheme. All other windows at these dwellings would retain over 92% of their former VSC values, within the negligible range, and likely to be unnoticeable to residents compared with the original scheme impact, nonetheless, it should be noted that 6 windows whose results were close to 20% under the previous scheme conditions would technically now no longer comply with BRE criteria under the proposed scheme. These include the two front windows to the side extension at no. 36, two edge of bay windows that have other sources of light serving them (at no's 34 and 28 respectively) and the two windows in the rear dormer extension to no. 36. Their VSC figure would increase to a low twenties percentage figure (through no greater than a 5% increase, except for one side bay window figure which would be greater) and therefore be in breach of BRE guidance.
179. In terms of APSH, the worst reduction will be 6% below the previous scheme impact and the same value is 5% in respect of the WPSH impact. There are no additional windows which fail to meet sunlight BRE criteria as a result of the new scheme.
180. The window which failed to meet NSL testing criteria previously will see a 1% reduction in the floor area that is lit, which is unlikely to be noticeable.

Carlyon Road (original scheme impact)

181. Carlyon Road runs east to west to the south of the site, and is separated from the site by the Grand Union Canal. Houses on the north side of Carlyon Road back on to the southern towpath of the canal and some would sit directly across from the proposed development across the canal.
182. Numbers 85 – 135 (odds) have all been tested as potentially affected properties, with numbers 85 – 95, 125 – 129 and 133 – 135 meeting BRE guidance in full. This leaves numbers 97 – 123 and 131 (15 properties) as deficient in BRE terms. Across these properties 78 windows have been tested for VSC and 39 (50%) pass the test. The other 39 windows will experience relative reductions in VSC between 20 and 25%, slightly short of the 20% BRE target. NSL testing and APSH testing is passed in all cases.
183. The quantity of windows which fall short of standards (39) is notable, however the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario. In view of the other benefits of the scheme, the impact to these properties is to be accepted.

Carlyon Road (further impact attributable to increased massing)

184. All the windows serving the Carlyon Road properties would retain at least 94% of their former VSC value compared with the original scheme. This is within the negligible range and is unlikely to be noticeable to the residents compared with the original scheme. Nonetheless, technically, 18 windows will cross the 20% 'pass mark' as a result of their small increase in impact, no longer being windows that comply with the BRE guidelines, with those windows being the ground floor rear windows to no's 95, 97, 99, 101, 103, 115, 123, 127 and 131. In terms of APSH impact, all affected rooms retain at least 98% of their former APSH value and none see a reduction at all compared to the baseline WPSH values. This will not result in any additional windows failing compared with the previous scheme in terms of sunlight tests. In terms of NSL impact, the impact to the ground floor rooms at the rear of no's 93 and 109 will be increased by 8% and 12% respectively, which, whilst more significant than the equivalent impacts on VSC and sunlight, would still fall comfortably within the range that the BRE guidance would consider 'likely to be unnoticeable'.

Mount Pleasant (original scheme impact)

185. Mount Pleasant runs to the east of the northern part of the site. Compared to the other roads tested,

the houses along Mount Pleasant are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that “a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above.”

186. 19 properties along this road were tested, including 77-87 (odds) and 120-146 (evens). 8 of the properties saw some breaches of BRE guidelines, whilst 11 were in full compliance. Numbers 128, 132 and 136 all saw some breaches of VSC but full compliance with NSL and APSH tests. At 128, 6 out of 7 windows meet VSC with the failure seeing a reduction in value by 22%. At 132, 6 out of 8 windows meet VSC with the two failures seeing reduction by 21-22%. At 136, 5 of 7 windows meet VSC with the two failures seeing reduction by 24-26%. These windows are generally rear bedroom windows with single aspect.
187. At number 138, 4 out of 7 windows will meet VSC criteria, with the three failing windows seeing reductions between 21 and 31%. NSL testing is met. APSH testing is not fully met as there is one room to this property (out of four tested) which fails the winter APSH test since only 1% of its APSH are likely to be experienced in the winter, where at least 5% is expected. However, this window will experience 33% of its APSH in the yearly context, notably exceeding the minimum expectation of 25%.
188. At number 140, 1 of 5 windows will meet VSC criteria, with the four failing windows seeing reductions between 20 and 32%. All of the rooms of the property will meet NSL criteria bar one which would experience a reduction of 32%. The room will retain light coverage to 67% of its extent and is served by a window that receives 25.5% VSC. The property meets sunlight testing guidelines.
189. At number 142, 1 out of 6 windows will meet VSC criteria, with the five breaching windows experiencing a reduction between 24 and 36%. Three of these windows have their existing baseline daylight obstructed by the rear additions to which they are adjacent, meaning that even in the existing scenario they fail VSC testing, with a figure of below 27% in the existing scenario. The other two windows are unobstructed but retain VSC figures which are close to the compliance levels (27%) of 24-26%. In terms of NSL testing, 1 out of 5 tested rooms meet BRE criteria. 2 of the 4 failed rooms experience reductions of between 24 and 26% which is only modestly beyond the guideline of 20%. The other two would experience reductions between 52 and 58%, however both of these rooms are located in a deep extension and are unusually close to their rear garden fence which limits daylight penetration to these rooms. In terms of APSH testing, 2 out of 5 rooms meet criteria for annual and winter APSH. Of the remaining 3, 2 meet BRE criteria for annual APSH but fall short on the 5% winter APSH benchmark, retaining 2-3% winter APSH rather than 5%. The remaining room is obstructed by the rear addition to which it is adjacent and does not meet BRE criteria in its existing scenario anyway. Despite this, the room retains 17% annual APSH, which falls short of the 25% target.
190. At number 144, 1 of 9 windows meet VSC criteria, with the 8 failures experienced relative reductions between 24 and 40%. Four of these windows are obstructed by the rear additions to which they adjoin resulting in sub 19% existing VSC for these windows. The remaining unobstructed windows will retain 19-23% VSC (where the target is 27%). NSL testing is met for all rooms. For APSH testing, 3 of 6 rooms meet BRE criteria, with 3 rooms failing on winter APSH levels (retaining 2-3% versus a target of 5). All rooms comply with year round APSH targets.
191. Number 146 has particularly deep outrigger rear additions which sees windows with low existing levels of light and leaves these windows very sensitive to changes in the environment. At this property 4 of 7 windows meet the VSC criteria with the 3 that fail to do so seeing reductions between 24% and 50%. One of these windows is heavily obstructed by the rear projection it is alongside, whilst the other two have highly unobstructed views (with existing VSC levels of 34-38% that reduce to 17-23% which is still relatively close to the target of 27%). All of the rooms meet NSL testing. In APSH testing, 1 of 4 rooms tested meets the BRE criteria for both annual and winter scenarios. 2 of the other rooms will achieve annual targets but not winter targets, retaining 1-3% versus a target of 5%. The remaining room is through to be a kitchen and retains 19% annual APSH, below the 25% target.

Mount Pleasant (further impact attributable to increased massing)

192. All the windows serving the Mount Pleasant properties would retain at least 98% of their former VSC

value compared with the original scheme. This is within the negligible range and is unlikely to be noticeable to the residents compared with the original scheme. Three of the windows (an upper floor rear window to 136, a lower floor rear window to 126 and an upper floor side window to 144) will technically become non-compliant windows relative to the existing situation as the marginal % increase will result in their VSC loss exceeding 20%. In terms of APSH impact, all affected rooms retain at least 95% of their former APSH value and all affected rooms retain at least 86% of their former WPSH value, except for two windows which will see a WPSH figure of 75% and 50% of their former values (rear windows to 142 and 146). These windows were already significantly affected by the previous scheme massing and are therefore far more sensitive to additional impact in numerical terms, even where this impact would not be easily noticeable in reality. Overall, the additional impact is considered to be negligible in the context of the original scheme.

193. Testing indicates that additional NSL testing is likely to have a negligible impact in the context of these homes and would not result in any additional non-compliance with the BRE guidelines compared with the previously identified impact. The worst affected room would be the living room to no. 144 Mount Pleasant, which would see a further 7% cumulative impact on top of the impact incurred as part of the original scheme.

Liberty Wharf (original scheme impact)

194. Liberty Wharf is the emerging development to the east of the south part of the development site. A key element of the Liberty Wharf development is the use of projecting balconies which overhang each of the windows below. The BRE guidelines acknowledge such situations as an additional constraint on achieving good daylight and sunlight levels as the balconies will establish a baseline position where the top part of the sky is blocked out. This means that even a modest obstruction opposite may result in a large relative impact on the VSC. To negate the effect of this, the applicants have tested a 'no balcony' scenario as well as a 'with balcony' scenario.

195. The existing site would also experience highly unobstructed views across the site given the existing low rise nature of the current uses. The growth area status and site designation seeking a development of density would naturally result in significant implications for the views becoming notably more obstructed. It is noted that the buildings proposed closest to Liberty Wharf would be of a similar height to Liberty Wharf itself, incurring a proportionate impact consistent with the emerging built form across both Liberty Wharf and the proposed development.

196. 254 windows were tested for VSC compliance and 152 (60%) of these windows passed the test. The failure range was significant, ranging from 29-82%. The more notable losses occur to the 56 windows that are recessed below large projecting balconies which is a defining characteristic of this building – the range of impact to these windows is 25-82%. Where balconies are not present, the impact to those 46 windows sits in a more modest 29-54% range. Where the balconies are removed and re-tested in this hypothetical scenario, VSC figures of over 16.5% are achieved in all cases, which compares favourably to the figures returned for the unobstructed windows and also compares favourably with many accepted VSC ranges at other growth areas in London. The residential typologies are clearly comparable to typologies seen across London and in Brent (such as Wembley) and the potential impact of the VSC figures is therefore considered differently and is still deemed acceptable, especially given that these residential units represent emerging homes rather than existing homes.

197. In terms of NSL testing, 97 of 193 rooms (50) meet BRE criteria. Those that fail the criteria experience relative reductions of 21-72%. 64 of the rooms falling short are bedrooms and 32 are open plan living spaces with kitchens. As is the case with VSC, the rooms currently receive abnormally high levels of daylight due to the nature of the development site at present.

198. In terms of APSH testing, 147 of 191 south facing rooms (77%) tested meet BRE criteria across both annual and winter scenarios. The remaining 44 rooms are all bedrooms oversailed by balconies and experience reductions of up to 87.5%. However, the 'no balconies' hypothetical test has returned results showing that all of these rooms meet APSH guidelines when the balconies are removed. This confirms that the impacts shown by the testing are far more attributable to the presence of balconies than by the proposal itself.

Liberty Wharf (further impact attributable to increased massing)

199. All the windows serving the western elevation of the Liberty Wharf properties would retain at least

70% of their former VSC value compared with the original scheme. This is within a range that would likely be noticeable although only 19 windows will see a retention of VSC that is lower than 80% of the former value, which is the threshold for where impact is unlikely to be noticeable to the residents compared with the original scheme. The testing shows that 6 windows would no longer comply with the BRE guidelines under the adjusted conditions of the new scheme, as the adjustment to their VSC level would result in a cumulative reduction of more than 20%, or where that is already the case, the adjustment would result in the overall VSC% dropping below 27. The additional percentage change for the 6 windows which would now no longer meet the BRE criteria for unnoticeable impact compared to the existing situation.

200. In terms of additional APSH impact, all the Liberty Wharf properties would retain at least 55% of their former APSH values compared with the original scheme; although only 30 windows will fall within the range between 55% and 80% where the impact is likely to be noticeable. 49 windows would become windows that technically no longer comply with BRE criteria in terms of APSH compared with the previous scheme.
201. In terms of WPSH impact, all the Liberty Wharf properties would retain at least 25% of their former WPSH values compared with the original scheme; although only 42 windows will fall within the range between 25% and 80% where the impact is likely to be noticeable. 37 windows would become windows that technically no longer comply with BRE criteria in terms of WPSH compared with the previous scheme.
202. In relation to NSL impact, testing indicates that 21 additional rooms would fall below BRE guidelines beyond the 96 rooms which did not meet the criteria under the conditions of the original scheme.
203. Overall, the additional impact is considered to be moderate in the context of the original scheme. The nature of Liberty Wharf as an urban regeneration scheme forming part of an adjacent site allocation for the development of a significant number of homes is an important consideration that changes the context within which this development must be seen, compared to the other surrounding properties, which are more suburban in nature and more established. Liberty Wharf is also alongside the part of the scheme where the new 5 storey link-block is to be delivered to increase the number of homes. This is an element that was absent in the previous scheme and which would be expected to result in a moderate increase in daylight and sunlight impacts to the Liberty Wharf scheme.
204. It is not considered that the additional impact to Liberty Wharf identified above would be unduly impactful or unacceptable when considered in the context of the nature of the Liberty Wharf development and when that impact is weighed against the benefits of the development that would incur that impact.

Overshadowing (original scheme impact)

205. BRE overshadowing guidance seeks to establish criteria for retaining good levels of direct light to garden and other outdoor amenity spaces. The criteria for an acceptable impact is for at least 50% of a garden space to receive at least 2 hours of direct sunlight on the 21st March.
206. 31 separate private garden spaces were seen as potentially affected by this development. 25 (80.6%) of these garden spaces meet BRE overshadowing guidance, whilst 6 fall short of the target. The gardens which fall short serve 124, 134, 136, 140, 144 and 146 Mount Pleasant. 124 Mount Pleasant falls short of guidance as 49% of its garden receives the 2 hours of sunlight, just 1% short of the target. This also represents a 20.1% change on the existing situation. 134, 136 and 140 Mount Pleasant experience slightly greater reductions compared to the existing, of 22% to 31%. Finally, 144 and 146 Mount Pleasant will experience material reductions in light to their gardens with 9.3% and 0% of these gardens received at least 2 hours of direct sunlight respectively.
207. To provide an additional point of comparison, the same test has been carried out for the day with the most sunlight hours (21st June) where it is found that all of the gardens will experience 2 hours of direct sunlight to over 50% of their areas. This will ensure that even the gardens which are affected to a notable extent will retain good daylight in the summer months, even if their overall daylight exposure is below BRE guide lines.

Overshadowing (further impact attributable to increased massing)

208. The overshadowing study submitted indicates that there would be no material increase in overshadowing to amenity spaces and no additional amenity spaces which would fall short of the BRE

requirements compared with the original scheme's impact.

Summary (original scheme impact)

209. All of the properties surrounding the site have been tested for relevant daylight and sunlight impacts. In the case of residential properties to the north and west (Woodside Place, Woodside End and Woodside Close), all of the properties will comply with BRE standards for daylight and sunlight, or possess very clear contextual features which justify accepting BRE breaches (breached windows serving secondary windows or peripheral panes of bay windows). One window in 36 Woodside End would fall short of daylight expectations and would serve a primary window to a habitable room. However, this window sits in a side dormer extension and currently benefits from an unusually unobstructed view across the site, at the end of its road.
210. In the case of Carlyon Road, VSC breaches are observed in some instances to rear facing windows and the quantity of windows which fall short of standards (39) is notable. However, the testing confirms that the extent of the failures to each of these windows is generally fairly small (up to 5% worse than the acceptable standard) and as such it is considered that the actual experienced outcome would likely be similar to a BRE compliant scenario.
211. In the case of properties along Mount Pleasant, the houses are older and have projecting outrigger features along their rear extents. This results in a number of the windows alongside the outriggers with low existing levels of light which, when subjected to the daylight modelling are very sensitive to changes in the environment in terms of the modelling, with relatively small absolute changes in the light being reflected as larger and somewhat misleading as percentage alterations. The BRE acknowledges this where its guidance states that "a larger relative reduction in VSC may also be unavoidable if the existing window has projecting wings on one or both sides of it, or is recessed into the building so that it is obstructed on both sides as well as above." Some breaches of both daylight and sunlight tests are observed across these houses, although a number of these breaches are attributable to poor existing conditions along these properties.
212. The emerging Liberty Wharf site sees 40% of affected windows falling below VSC targets, although it is acknowledged that the urban character of this block and its immediate siting next to another allocated site in a growth area does warrant reasonable acceptance of a more flexible standard (15% VSC) which would be consistent with the urban grain which is proposed and building typologies in other London growth areas. In terms of daylight testing, whilst a number of windows fall short of standards, supplementary testing has shown that this is attributable to the presence of oversailing balconies within the Liberty Wharf development rather than the proposal of this development.
213. Six residential gardens along Mount Pleasant will fall short of overshadowing guidelines for retaining good levels of direct sunlight to garden spaces, with two of these gardens failing to a material extent. All gardens meet an adjusted standard for direct sunlight during the summer solstice.
214. Taken as a whole, 75% of tested windows meet VSC guidance for daylight, 80% of rooms tested meet NSL guidance for daylight, 86% of rooms tested meet APSH guidance for sunlight and 80% of gardens meet overshadowing guidance. This clearly indicates that a notable percentage of surrounding sites will fall short of BRE expectations, but this also indicates a relatively high pass rate given the growth area status and the clear intent for this site to adopt a denser massing than its surroundings. Given the significant regenerative benefits of the scheme and the substantial number of new homes that will be delivered by it, officers accept the daylight and sunlight impacts of the scheme and do not consider them to reflect an unusual or anomalous scenario given the scale of the development.

Summary (further impact attributable to increased massing)

215. In respect of daylight and sunlight testing, the additional impact of the proposed development will, on most accounts, not incur any impact beyond that of the original scheme that is likely to be more noticeable to neighbouring residents than the impact of the original scheme. This is because all of the impacts beyond the original scheme are within 20% of the original daylight/sunlight impact values, and, as per the BRE guidance, are therefore unlikely to be noticeable to residents compared with the development which has been previously considered. There are a small number of properties which would experience a minor additional impact beyond that of the previous scheme, to the extent that the BRE criteria would consider it to be noticeable, and that is the case for two properties along Mount Pleasant. Aside from the above, the only other change of note between the two schemes' impact is in relation to

impact to the Liberty Wharf development to the east of the site, for which a moderate increase in daylight and sunlight impact would be experienced compared with the previous scheme, owing to both the height increase of Blocks A and F and the introduction of a link-block to connect the two blocks together.

216. Officers acknowledge that the BRE guidance for daylight and sunlight identifies appropriate visual amenity baselines in suburban locations and that the guidance needs to be considered with a greater degree of flexibility in this growth area location adjacent to other developments of higher density. Furthermore, it is noted that the NPPF, at paragraph 123, states that “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”. Overall, it is considered that the additional daylight and sunlight impact of the development will be acceptable when weighed against the benefits the development would bring to the area.

Transport

217. The general arrangement of the site remains as previously proposed, but with additional height added to some of the blocks and a resulting increase in the number of homes on the site from 581 to 684. In response, the basement parking has been adjusted to provide more bicycle storage at the expense of some of the car parking spaces.

218. As before, the scale of the development is such that it may have a significant impact on local transport networks. A Transport Assessment Addendum has therefore been prepared by Odyssey Consultants to address additional impacts, to be read in conjunction with the original Transport Assessment.

Car Parking

219. In terms of car parking, the site does not have good access to public transport services, so the higher residential allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. The location of the site to the northwest of the Dudding Hill railway line also means that the Outer London employment standard of one space per 200m² applies.

220. The proposed residential units would therefore be allowed up to 742 car parking spaces, whilst up to about 23 spaces would be allowed for the retail and affordable workspace areas, depending upon the exact subdivision between these uses.

221. The proposed provision of 156 off-street residential car parking spaces in basement and undercroft car parks, plus six on-street spaces and four spaces on the driveways of the houses, thus accords with maximum standards, with the provision of 21 spaces at the outset for disabled drivers meeting Brent's and TfL's standards for Blue Badge parking. Alternative car park layouts have also been shown with potential for up to 68 wide disabled spaces should future demand require it. Headroom of 3.4m is shown in both car parks to allow access by high-top conversion vehicles for wheelchairs.

222. At least 20% of spaces will require active electric vehicle charging points, with the remainder requiring passive charging points. This has been acknowledged in the TA Addendum and a condition is recommended to this effect.

223. An amended Car Park Management Plan has been included within the TA Addendum. Access to spaces within the car park is to be via a key fob operated barrier system, with fobs leased annually to allow flexibility in allocation as residents move in and out of the development in future years. Enforcement will be undertaken using cameras and patrols. The car park management measures set out are welcomed.

224. The ratio of spaces to flats would be only about 24% though, giving rise to potential concerns regarding overspill parking in the surrounding heavily parked area. The continuing heavily parked nature of the surrounding area during both the daytime and overnight was confirmed by parking surveys undertaken through the original Transport Assessment in April 2018.

225. Car ownership data from the 2011 Census suggests that about 0.81 cars per flat are owned by residents in this area, which would result in about 386 cars overspilling from this development if car ownership stays at this level. With the Woodside Avenue area in particular experiencing high levels of parking, including extensive footway parking, this is a potential cause for concern.

226. To address this, it is recommended that funding to the sum of £150,000 be provided towards the future

introduction of a Controlled Parking Zone in the area, with a 'permit-free' restriction also placed on all dwellings within this development to prohibit residents from obtaining permits once a CPZ is introduced. This will help to protect the amenities of existing residents in the Woodside Avenue area and further afield and help to maintain safe access to and from the site by vehicles and pedestrians.

227. No off-street parking is proposed for the commercial units and this is welcomed, helping to encourage the use of public transport to and from the site by staff and visitors. Transport for London has requested at least one dedicated blue badge parking bay for the commercial elements, Brent would not share this requirement however and any provision of blue badge parking for the commercial units (or lack thereof) would be subject to final agreement between the applicant and TfL.

Cycle Parking

228. The current London Plan requires the provision of at least 1,045 long-term and 18 short-term bicycle parking spaces for residents, plus up to about 16 long- and short-term parking spaces for the commercial units (depending on their exact use).

229. A total of 1,223 secure long-term spaces on a mixture of two-tier and vertical racks and 'Sheffield' stands for non-standard bikes are indicated in storage rooms around the edges of the car parks and on the ground floors of blocks at the northern end of the site to meet long-stay requirements. A further 42 'Sheffield' stands (84 spaces) are shown interspersed around the development to provide easily accessible visitor spaces.

Servicing

230. In terms of servicing, the commercial units generally require access by 8m rigid vehicles, although a food retailer occupying the larger unit could require access by 12m urban artic vehicles. A parallel lay-by for loading measuring 14m x 3.5m to accommodate a large vehicle or two vans is proposed alongside the new spine road close to the commercial units to meet requirements.

231. For the residential units, the main spine road and the cul-de-sac from Woodside Place provide good penetration through the site to access bin stores and entrance cores for most Blocks. Further access to Blocks A, B and C along the southern side of the site will be provided via shared surface areas for use by pedestrians and service and emergency vehicles only, with tracking provided to show service vehicles can turn around.

232. Fire appliances would therefore be able to access all blocks in the development and a Fire Safety Strategy has been prepared to demonstrate that Building Regulation requirements will be met.

Refuse vehicles can also get to a point within 10m of all bin stores on the northern part of the site. However, most of the bin storage for the southern part of the site is located around the edge of the basement car park, so a management arrangement whereby bins are brought out to a central collection point close to the car park access ramp will be employed on collection days.

233. This will form part of a Delivery and Servicing Plan for the site; a Framework version of which was included in the original Transport Assessment. This sets out how the anticipated 47 deliveries that will be made to the development each day can be managed to reduce their impact.

234. The intention, once the development is occupied, is to gather survey data for all deliveries to the site over a two week period and to seek areas where deliveries by the same supplier or of similar goods could be consolidated to reduce overall vehicle movements. The other main aim will be to encourage off-peak deliveries where possible and whilst it is assumed that a delivery booking system will be used to achieve this, it has not been confirmed. Nevertheless, the Delivery & Servicing Plan will be a live document that will be subject to continuing review and submission and operation of a final DSP should be secured through an appropriate planning condition.

Access

235. The main access to the development will be via a new central spine road through the site, connecting Mount Pleasant and Woodside End. This will be expected to be adopted as public highway through a S38 Agreement.

236. The road has been shown with an asphalt carriageway of 5.5m width with a 2m wide footway along its

northern side and a 1.7m footway on its southern side laid in block paving. Please note that the southern footway should be widened to 2m to meet highway design standards.

237. Otherwise, the carriageway could potentially accommodate casual pay and display parking along one side of the street for visitors. However, there is a pinch-point where the new road passes the corner of 150 Mount Pleasant, so the carriageway has been reduced to 3.5m width for a distance of 8m in this location. This will only allow single-file traffic flow, but this will serve as a traffic calming feature. Priority signs are proposed to indicate a right-of-way for vehicles entering the estate.
238. Aside from the pinch point, two speed tables are proposed in block paving along the length of the new road (see drawing 17-335-501B in Annex C of the TA Addendum), raised up to be flush with the footways with tactile paving to encourage crossing. These are welcomed as further traffic calming features, as is the 20mph speed limit proposed for the road.
239. As the new link road could offer potential scope for traffic to bypass peak-hour queues along Mount Pleasant, further S278 works to introduce traffic calming in Woodside Avenue, Woodside End and adjoining streets, with a 20mph speed limit, are also proposed, as set out in the above drawing. The implementation of this scheme at the developer's expense needs to be secured through the S106 Agreement for the development.
240. The kerb radii at the junction of the new road with Mount Pleasant are proposed to be increased to about 10m with the proposal to allow turning into and out of the site by refuse vehicles without overrunning opposing traffic lanes.
241. The accesses from the main spine road into the car parks are generally fine. The southern basement car park will be accessed via a 5.5m driveway to a gradient of 8.5% along the western side of the site, turning 90° into an 18m long, 7.5m wide (incl. 500mm margins & central strip), 12.2% (with transition lengths) gradient ramp into the basement. The northern undercroft car park is shown accessed via a 7.5m wide (incl. margins and median strip) ramp to a gradient of 10% directly from the spine road. The kerb radii at this entrance can be reduced to 2m or so though, as only access by cars is proposed. All junctions along the spine road will need to be provided with suitable dropped kerbs and tactile paving, which is missing from the detailed landscape drawings.
242. Oversailing balconies are proposed over the footway in two locations on Blocks F and G and oversailing licences under S177 of the Highways Act 1980 will be required for these. Please also note that doors from the commercial unit in Block G must not open outwards over the footway as shown.
243. The other vehicular access road into the site will be from Woodside Place, forming a cul-de-sac. This is again recommended for adoption through a S38 Agreement as far as the site boundary with Woodside Close and including the southern length of the T-shaped turning head (n.b. the loop to the rear of Block M is not considered suitable for adoption).
244. This cul-de-sac is proposed to be surfaced entirely in block paving and a smaller upstand of 25m or so between the footways and carriageway would be fine to provide more of a shared surface feel to the street. As with the spine road, an increased width of 2m for the southern footway is required (this could be taken from the carriageway width) and the kerb line needs to merge smoothly into the existing kerbline of Woodside Place.

Pedestrian Connectivity

245. The proposed provision of a pedestrian link to Woodside Close, comprising both a flight of 10 steps and a 30m long, 1.2m wide ramp, both with suitable corduroy tactile paving, is particularly welcomed in terms of providing permeability to and through the site for pedestrians and these links should also be included in the adoption agreement. This link will provide access from the northern end of the site to both Woodside Close and via a Brent Council maintained footpath to Mount Pleasant (westwards).
246. The scheme also includes pedestrian links on either side of the site to the Grand Union Canal, plus a path along the canal bank which would link to a new path fronting the adjoining development at Liberty Wharf. These paths are also welcomed, but would not be suitable for adoption as publicly maintainable highway. They should instead be secured as permissive paths for use by the public.

Transport Impact

247. To understand the volumes of traffic generated by the site at present, cameras were placed at the four separate entrances to the estate over a three day period (incl. a Saturday) in April 2018. These identified a maximum total of 1338 vehicular movements into and out of the estate between 7am-7pm on a weekday. This in turn translated to average existing weekday peak hour flows of 33 arrivals/16 departures in the am peak hour (8-9am) and 54 arrivals/57 departures in the pm peak hour (5-6pm).
248. Journey to work data from the 2011 Census for the immediate area was then used to translate these flows into a multi-modal profile of total trips to and from the site by all modes, on the basis of an average of 42.6% of trips being by car drivers.
249. Previously agreed trip rates from the earlier scheme for the residential and commercial floorspace were then applied to the increased size of development now proposed.
250. In terms of vehicular trips (incl. taxis and delivery vans), the development is now estimated to generate 64 arrivals/73 departures in the morning peak hour (8-9am) and 55 arrivals/55 departures in the evening peak hour (5-6pm). These are slightly higher than for the earlier scheme, despite the reduction in the amount of off-street parking proposed.
251. As before, when compared with existing flows into and out of the manufacturing estate, only the morning peak hour would be likely to see an increase in traffic as a result of this development, with the afternoon peak hour seeing traffic flows remaining unchanged.
252. The impact of the development on the priority road junctions of Woodside Avenue/Mount Pleasant and the main site access/Mount Pleasant was then re-tested using standard junction modelling software, including an allowance for future traffic growth to 2028 and redistribution of traffic along the new road. This exercise showed neither junction operating beyond 20% of its capacity in either peak hour, thus leaving plenty of spare capacity, so there are no concerns with the impact of traffic on junction capacity along Mount Pleasant.
253. With regard to flows further afield, the increase in the morning peak hour flows along Mount Pleasant would average about 5-6% above existing flows, which is not considered significant enough to cause concern, given that congestion in the area is generally less of an issue in the morning peak hour. Flows in the evening peak hour would remain unchanged.
254. With car parking being restrained, the additional trip generation arising from the increased sale of this development would mostly affect public transport. Overall rail and Underground trips are now estimated to increase by 149 trips in the morning peak hour and by 89 trips in the evening peak hour compared with the existing situation. Assuming Underground trips use Alperton station and rail trips use Stonebridge Park station, then this would now amount to an additional 6 passengers per Underground train and 10 passengers per London Overground train leaving the area in the morning peak hour, with 4-6 additional passengers per train in the evening peak hour. These totals are not considered likely to have a negative impact on rail capacity, but the views of Transport for London on this should be sought as the operator of these services.
255. For buses, an additional 127 journeys in the morning peak hour and 78 journeys in the evening peak hour are predicted. This would amount to approximately two additional passengers per bus on average on the five bus services passing within 640 metres of the site in the morning peak hour, which is not considered to be significant.
256. However, only route 224 (4 buses/hour) currently passes close to the site along Mount Pleasant, with the other routes calling at Alperton station as the nearest stop. Transport for London propose to amend this by extending route 83 along Mount Pleasant and Beresford Avenue to terminate at Stonebridge Park station, which would be of use to residents of this development using that station. Whilst some funding has been secured for this from the nearby Grand Union development, further funding was previously sought by TfL from this development as this site would also benefit from such an extension and this is expected to be further reviewed in light of the increased scale of the proposal.
257. The applicants have confirmed that they are offering the same contribution towards bus capacity improvements as the previous application (£717,250 contribution towards buses (maximum contribution assuming E(a) retail use, otherwise maximum £622,250 if non-residential institution or assembly and leisure use or maximum £513,000 for E(b), E(c) or E(g) use) and the acceptability of this contribution will be subject to final agreement with TfL and the applicant and will be secured in the S106 agreement.

258. For non-motorised modes, walking journeys are estimated to increase by 386 trips in the morning peak hour and 352 trips in the evening peak hour, whilst cycling trips are predicted to rise by 18 trips in each hour.

Healthy Streets and Local Infrastructure Improvements

259. The quality of the existing surrounding pedestrian and cycling environments was previously assessed using PERS and CERS audits, but these have now been supplemented by a Healthy Streets Audit included within the TA Addendum.

260. As before, the worst performing routes in this respect were Woodside Avenue and adjoining streets, where on-street parking causes significant obstruction, the quality of the paving is poor, the footways are interrupted by numerous dropped kerbs and where there is a shortage of dropped kerbs and tactile paving at junction crossing points.

261. The proposals for traffic-calming along Woodside Avenue and a CPZ in the area will help to raise the score for this route by reducing traffic speeds, regulating parking so that footways are less obstructed and prone to damage and by installing tactile paving at junctions. The removal of existing industrial units will also reduce the number of heavy goods vehicles using the street.

262. In terms of crossing points, the previous PERS audit also identified shortcomings with the existing pedestrian refuges on either side of the Mount Pleasant/Woodstock Road junction, in terms of narrow width and lack of dropped kerbs and tactile paving. It is therefore recommended that improvements to these crossing points are also added to the scope of the S278 works.

263. It is also noted that although the junction of Mount Pleasant/Ealing Road scores well, it has limited pedestrian crossing provision. However, this is subject to further study and potential mitigation works connected with the nearby Grand Union development proposals (ref: 18/0321), with Brent having separately developed a preliminary design for improvements. No further S106 funding is therefore sought from this development.

264. For public transport stops, it was noted that the two nearest stops along Mount Pleasant lack shelters and are squeezed between driveways to adjacent houses. However, it would be difficult to rectify this given the shortage of space available and as these are not major stops, this concern can be disregarded.

265. Shortcomings at Alperton station include lack of step-free access and lack of mapping information. A scheme to improve the forecourt area has been prepared, but requires final approval and implementation by TfL as land owners of the forecourt area. Funding towards this (and step-free access) would be a suitable use for any CIL funding from the development. In addition, the applicants are offering the same contribution as was agreed with TfL during the previous application towards accessibility improvements at the station (£166,000). The acceptability of this contribution is subject to final agreement between TfL and the applicant and will be secured in the S106 agreement.

266. The earlier CERS audit of cycling facilities rated most of the links and junctions around the site as average, so thus able to benefit from improvements such as cycle lanes. This is also reflected in the Healthy Streets Assessment, which gives poor scores for effective width for cycling.

267. However, the traffic-free east-west cycle route close to the site along the Grand Union canal towpath was not included in the audit, whilst the new spine road through the site will ultimately deliver a new pedestrian-cyclist link through the site to link to Atlip Road and Alperton station, as and when adjoining sites come forward for development, so cycling provision will eventually be dramatically improved.

268. For the route towards Stonebridge Park station, the Grand Union development will also provide a new cycleway along Beresford Avenue and old North Circular Road. Intervening sites between this development and the Grand Union site are generally providing increased highway width along their frontages as and when they come forward, which would ultimately provide additional space to extend allow a cycleway to be extended along Beresford Avenue to connect to this site.

269. The CERS audit also noted a shortage of cycle parking facilities at Stonebridge Park station, but other developments closer to that station will deliver such facilities.

270. The accident history for the area over the five year period January 2013-December 2017 has also been examined. This identified twelve accidents within about 200 metres of the site, predominantly along

Mount Pleasant. One accident resulted in serious injury, whilst both a pedestrian accident and a cyclist accident were recorded at the zebra crossing to the east of the site. However, there were no particular recurring accident patterns in close vicinity of the site that would be likely to be exacerbated by this proposal.

271. A cluster of accidents was recorded further west at the junction of Ealing Road and Mount Pleasant and this area is known to have a poor accident history. A road safety scheme is shortly to be implemented along Ealing Road and as mentioned above, a preliminary design for improvements to pedestrian crossing facilities at the Mount Pleasant junction has been drawn up that can be funded from the Grand Union development junction works budget.

Travel Plan

272. To help to minimise car journeys and encourage greater use of sustainable transport to and from the site, a Residential Travel Plan was previously prepared and a revised version has been submitted with this application.

273. This again aims to reduce the proportion of trips made to and from the site by car drivers by 10 percentage points from an estimated baseline of 17% to 7% over a five-year period. Please note though that the timescales for the Travel Plan may need to be adjusted depending upon the length of the overall construction programme, as it is to be delivered over a large number of phases.

274. As before, the Travel Plan is to be managed by a site-wide Travel Plan Co-ordinator, whose duties will include the provision of transport and marketing information through display boards, marketing brochures and welcome packs for new residents, promotion of cycling and encouragement of car sharing and Car Clubs at the site. With regard to Car Clubs, it is now confirmed that a Car Club vehicle will be provided within the site and two years' free membership will be provided to residents to introduce them to the concept.

275. The Travel Plan is to be monitored biennially, with the first survey undertaken within the first year of occupation to firmly establish a baseline position. All surveys are confirmed as being in line with TRICS and/or i-TRACE methodology, as required.

276. As things stand, the submitted Travel Plan forms a reasonable framework from which a final Travel Plan can be developed and finalised prior to occupation of the development.

Construction Management

277. Finally, the previously submitted Framework Construction Logistics Plan has been re-submitted with the application. Whilst the construction programme has yet to be drawn up in detail, this framework plan sets out some principles regarding the management of construction works.

278. Works will be confined to 8am-6pm on weekdays and 8am-1pm on Saturdays, with HGV movements restricted to those hours and avoiding peak hours (7-8am & 5-6pm). All vehicles will approach and leave the site to/from the east, via North Circular Road, Beresford Avenue and Mount Pleasant, entering the site at the existing main access from Mount Pleasant. This is confirmed as being the most appropriate route, keeping traffic away from residential areas and the congested Ealing Road as much as possible.

279. Deliveries will be pre-booked and drivers required to phone ahead to ensure there is sufficient space within the site to receive the delivery.

280. Use of the Grand Union Canal for deliveries should also be explored. The construction logistics plan condition will require that this aspect is considered.

281. It is confirmed that the site will be self-contained, with hoardings set up to protect the site that will not need to encroach over the public highway. All unloading and parking will take place within the site, although staff will nevertheless be encouraged to use public transport. The retention of pedestrian and cyclist access from Woodside End will assist in this respect.

282. It is confirmed that wheel-washing facilities will be provided to minimise any muck carried onto the highway, whilst any damage to the highway will be monitored and repaired.

283. The Framework Construction Logistics Plan is therefore fine, but will need to be developed into a final

document in line with TfL guidance prior to works commencing on site, once the main contractor is appointed and the construction programme is finalised. A condition will secure this.

Sustainability and Energy

284. The applicant has included an Energy and Sustainability Statement to address major development sustainability requirements as set out in the adopted and emerging London Plan.

285. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated within the residential part of the development is confirmed to emit 170 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 664 regulated tonnes per annum when designed to meet minimum building regulation requirements. This equates to a 74% reduction on the minimum Building Regulations (2013) as required within the London Plan. Within the non-domestic component of the development, the reduced emissions are at 7.52 regulated tonnes of Carbon Dioxide per annum, down from a baseline of 10.43, equating to a 28% reduction on the minimum Building Regulations (2013) requirements. A carbon-offset payment is required to achieve the zero carbon goal. The offset payment shall cover a 30-year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment (£306,000 for the domestic component and £13,536 for the non-domestic component) will be secured through the Section 106 agreement.

286. The details of the energy efficiency improvements are as follows:

Be Lean

(total savings from 'be lean': DOMESTIC: 92 tonnes/14% - NON-DOMESTIC: 2.51 tonnes/24%)

A number of passive design measures and measures improving energy efficiency of building services have been included in the design to help to reduce the CO₂ emissions. This includes low u-values, air permeability, avoidance of thermal bridging, high efficiency boilers, heat recovery ventilation and low energy lights.

Be Clean

(total savings from 'be clean': 0 tonnes / 0%)

No measures proposed.

Be Green

(total savings from 'be green': DOMESTIC: 402 tonnes/61% - NON-DOMESTIC: 0.4 tonnes/4%)

Air Source Heat Pumps to provide 85% of the heat demand and a photovoltaic system with a peak output of 663 kWp to be incorporated.

287. Whilst there are no plans for a district heat network to be delivered in Alperton in the near future, a condition will require that the applicant's plans for an external connection to a potential district heat network (were one to come forward in the future), as shown on drawing 6277-M-101 Rev P1, is implemented as part of the build.

288. The GLA have reviewed the applicant's submissions and note that the submitted energy strategy, drainage strategy, and flood risk assessment generally comply with London Plan and Intend to Publish London Plan Policies. The GLA has requested further work in relation to the whole life-cycle carbon which will be addressed by the applicant ahead of a Stage 2 referral.

289. Policy CP19 of Brent's core strategy stipulates a requirement for all major non-residential floorspace (where the cumulative non-residential floorspace exceeds 1,000sqm) to achieve a BREEAM rating of 'Excellent'. The commercial floorspace is in excess of 1,000sqm and a S106 obligation will therefore be imposed which secures appropriate BREEAM verification, with testing being undertaken at both pre build and post build stages.

Overheating

290. An overheating analysis has been undertaken in order to assess performance of the proposed development against criteria of thermal comfort and urban climate projections. A sample of the expected worst performing residential units, sample corridor and a sample commercial unit were

modelled. The predicted internal temperature was simulated considering all aspects of occupancy, solar gain and predicted internal heat gains. Specific weather conditions were tested to consider the building performance against urban heat island effects and projected future climate conditions.

291. The calculation results show that all tested residential units meet thermal comfort overheating criteria under 'future near extreme summer' conditions, demonstrating that the building is resilient to overheating during its lifetime. A complete series of tests, including 2 additional projected weather files representing distinct near-extreme summer conditions, informed the overheating strategy, which includes passive design considerations and mechanical ventilation. Mechanical cooling is not necessary for the residential units. However, commercial units are likely to require mechanical cooling to comply with thermal comfort requirements. Mechanical ventilation with heat recovery and summer bypass is required for ground floor residential units to comply with relevant criteria. It is also proposed for the commercial units, although the mechanical heating on its own does achieve compliance with overheating criteria for the commercial units.

Drainage and Flooding

292. The applicant has submitted a drainage strategy and flood risk assessment with the application, which have been reviewed by planning officers and the GLA.

293. This development falls within the Flood Zone 1 and the risk of flooding is very low. There are no historical records of any flooding at this site but there have been a number of isolated incidents of the onsite pumping station for the foul sewer system failing. This pumping station is part of the public sewer network and within the responsibility of Thames Water. As discussed earlier, the new development will deliver a new pumping station and this will be to a high standard with a minimal risk of failure.

294. In order to reduce the risks of flooding in the area and within the development site, the development will provide storage tanks, permeable paving and green roofs for surface water discharge with a flow control device. Together these measures would reduce runoff from the site at rates that are lower than they are today. In addition, the proposals to introduce landscaping across the site will also reduce the flow compared to the non-permeable surfaces that are currently present across the site.

295. This proposal will result in a reduction in the surface water discharge to the existing drainage network from the site by approximately 80%. As a result, this development will reduce the flood risk in this area and will minimise associated risks for prospective residents of the site.

296. Existing surface water is discharged to the Grand Union Canal and it is proposed that the proposed development will utilise the existing outfalls to discharge to the Canal. The Canal and River Trust, who have commented in respect of the impact on the canal, have not raised concerns in relation to this.

297. A condition will require that the drainage and flood risk documents are adhered to in full.

Impact on the Grand Union Canal

298. The Canal and River Trust have made the following detailed comments in respect of the scheme and these are addressed by officers in detail below as well:

Canal and River Trust comment	Officer Response
Connectivity between Mount Pleasant and the canal edge should be reinforced through site wayfinding	Signage and information boards are included on the proposed landscaping plans. Any additional signage to this was not requested in relation to the previous application and may relate to land outside of our control. This is not necessary to make the proposal acceptable in planning terms. Any additional signage could be funded through CIL monies.
A clarification on the proposed treatment of the edge of the canal is needed	The South Site Ground Floor plan and Landscape Masterplan show the correct arrangement. This information is only illustrative at this stage and will be the subject of conditions requiring further detail in due

	course.
The relationship between the pavilion building and the canal edge needs to be reconsidered to ensure a safe arrangement	This aspect of the proposal remains unchanged from the previous application, which was considered acceptable by the Council and the Canal and Rivers Trust.
A s106 contribution towards canal environment improvements is recommended, such as for the introduction of floating habitat to the canal	The proposal will not have a materially different impact on the canal compared to the previous one. No additional Section 106 contribution was requested in relation to the previous application and it is not justified on this application.
More covered cycle parking should be provided at ground level, or with ramped provision, particularly with increased provision by the canal	Covered spaces would occupy a larger footprint, would reduce the potential for soft landscaping and would need to be positioned to avoid blocking views. No change is proposed in this respect.
The travel plan should promote the canal towpath as a walking and cycling route and recreational resource	The detail of the final travel plan is a matter to be controlled by Section 106 obligation and may be able to incorporate this aspect, however this would ultimately be reserved for discussion with the highways authority at the point when the obligations require discharge.
Bins should be moved from the edge of the canal to prevent litter spilling into the canal	The formal application plans illustrate bins to the north of the canal side path, at approx 3m from the canal edge, farther than the illustrative CGIs show. The location of benches will be resolved at the detailed design stage when conditions are discharged.
Informative requested in relation to the need for the developer to sign up to the Code of Practice for Works affecting the Canal and River Trust Conditions requested in relation to design details, method statements and risk assessments for the basement and piling works, as well as vibration monitoring and a canal wall survey as well as preventing drainage into the canal during works	The informative is to be applied to the decision notice. The following conditions are to be secured, subject to phasing: <ul style="list-style-type: none"> • Waterway Wall • Impact Assessment • Risk Assessment • Landscaping • Drainage • CEMP
The trust to be provided with a copy of the soil remediation report when available	These matters will be dealt with at the detailed design stage and secured by condition. There will be no obligation on the Council to consult the CRT on this submission, however the information will be publicly accessible and the applicant can opt to send it directly to the CRT.
Lighting along the canal to balance safety considerations and wildlife impact considerations, and the details to be submitted as part of a landscaping condition	This requirement, forming part of the landscaping condition, is to be introduced to the landscaping condition.
Ecology mitigation/enhancement measures to be proposed within the canal itself, such as floating habitats	All planting proposed is native flora. The applicant's will introduce additional planting within the 1m strip adjacent to the canal edge, to be secured in the condition. We cannot

	agree to the floating habitat. Ecology measures within the canal itself was not required by the LPA or the CRT for the previous application and could not reasonably be required in this instance.
Condition recommended requiring developer to assess the feasibility of using the canal as a means of moving waste and materials during construction, to minimise reliance on road transport in the interests of sustainability	This condition is accepted and will form a requirement of the construction logistics plan submission.

Construction Management

299. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A requirement for a construction method statement is to therefore form a condition of the consent. The applicant did submit a Construction Management Plan however this is not suitable for this size of development and does not provide any details on whether any piling works will be undertaken. Full details will be secured through the full condition requirement.

Thames Water have requested that a piling method statement be secured by condition to ensure that underground Thames Water assets will not be damaged during the piling process.

Noise Impact

300. The applicant has submitted a noise impact assessment which has identified that the sources of environmental noise are relatively low and the internal conditions of all flats would fall within the acceptable range recommended in BS8233:2014. Potential for unacceptable noise impact in relation to construction and demolition for existing residents has been identified. The applicant's noise impact assessment includes a recommendation for Method Statements in relation to construction noise to be submitted. Similar details are to be required through a construction method statement which will be required by condition (as identified above).

301. Environmental Health officers have reviewed this assessment and agree with its methodology although have requested additional testing on the potential for noise disturbance to residents at the Liberty Centre, the details of which will be required by condition.

Air Quality

302. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The applicant has provided an air quality assessment and air quality neutral assessment by Aether dated September 2020. This assessment methodology is accepted and therefore there are no conditions requiring additional information, although a condition will be applied to secure the implementation of the submitted details.

303. Brent is currently part of the 'London low emission construction partnership'. Therefore, the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. A condition will require that these requirements are met.

Contaminated Land

304. The applicant has provided a Herts and Essex Site Investigation Phase 1 desk top study ref 12286 dated January 2018 and a Phase 2 site assessment dated September 2014. There are aspects of the site investigation that have not been completed e.g. vapour monitoring. In addition the site investigation was undertaken 6 years ago. As a result, a condition requiring the submission of further soil investigation reports (and remediation and verification reports where necessary) is to be applied to the consent. An

informative relating to soil quality will be also be applied in connection with this.

Ecology, Trees and Landscaping

305. The applicants have submitted a preliminary ecological assessment with the application. The report establishes the existing ecological value of the site and sets out a strategy for protecting and enhancing existing biodiversity on site. The application site was determined to be of negligible ecological interest, comprising industrial buildings and hardstanding. However, the buildings may support nesting birds and bats and the adjacent canal could see use by birds and bats as a foraging and commuting corridor.
306. The lack of notable ecological impacts identified would result in there being no further consideration of ecology at a later stage warranted, with the preliminary ecological study providing sufficient detail to inform the planning proposals.
307. Despite the lack of impact, the applicant's ecological assessment sets out a schedule of biodiversity mitigation and enhancements that will help to ensure a net gain in biodiversity is achieved through the development. The mitigations recommended for this site comprise:
- A bat emergence/re-entry survey on one of the buildings which has been identified as potentially accommodating roosting bats
 - Tree planting along the canal edge to mitigate the impact on foraging/commuting bats
 - External lighting reduction through external luminaires
 - Construction measures to minimise disturbance to any local hedgehog populations
308. The enhancements recommended for this site comprise:
- The installation of bat boxes on elevations of the buildings adjacent to the canal
 - The installation of bird nest boxes into the external walls of the new buildings
 - The installation of log/brush piles within areas of open space to provide habitats for small mammals and invertebrates
309. A condition will require all of these aspects of mitigation and enhancement to be implemented.
310. The site sees minimal tree coverage, being heavily comprised of hardstanding and tight knit industrial development. The proposal would introduce extensive planting of 203 trees across the site which is welcomed. Tree planting is proposed along all of the new streets within the development and along the canal frontage. Brent's tree officer strongly supports this and has requested that a detailed landscaping condition includes details of all proposed tree species, as well as details of a rain garden and the use of high retention soil for tree planting.
311. A comprehensive landscaping strategy forms part of the proposal which seeks to significantly improve the natural plant life and ecological value of the site. In terms of the public realm of the development, all new streets created by the development would see street tree planting, including a wide landscaping strip along the new adopted thoroughfare through the centre of the site. There will also be a particular focus on extensive landscaping by the canal frontage at the southern end of the site, with large grassed areas, defensible planting between the building lines and this area and numerous street trees. Significant planting is also proposed within the communal podium gardens, including strips of defensible planting around the edges of these spaces to assist with resident privacy and a large landscaping buffer at the northern end of the site to maximise softness to the edge of the site where it adjoins the triangular plot of land to the north west and to the houses at the rear.
312. The landscaping strategy is strongly welcomed and clearly offers a significant improvement compared to the existing situation, which currently sees a minimal/practically non-existent landscaping offer.
313. Intend to Publish London Plan Policy G5 seeks Urban Greening improvements for all major applications and sets an urban greening improvement target of 0.4. The development's proposals achieve a 0.36 urban greening factor, falling slightly short of the 0.4 target. The GLA has noted this shortfall but consider that the scheme represents the optimal balance between a number of competing requirements for the site, including the requests of the Canal and River Trust for the treatment of the canal edge. On that basis, the GLA considers that the proposals for urban greening are acceptable.

Brent's landscaping condition will include a requirement for all landscaping elements to be clearly identified on a plan at a suitable later stage.

314. The condition will also require that an external lighting plan is submitted.

Wind and Microclimate

315. A wind and microclimate summary has been submitted. The results of the testing and associated mitigating landscaping result in a development that is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrians) and that the development does not introduce any critical impact on the surrounding areas and on the existing buildings. A condition will secure the details of this document.

Fire Safety

316. The applicant has submitted a report setting out that the functional requirements of Part B of the Building Regulations can be satisfied for the development, in respect of fire safety. The report sets out preliminary details in respect of an evacuation strategy, a means of warning and escape system, the use of sprinkler systems in the taller blocks, minimisation of travel distances for residents, smoke ventilation, provision of refuge areas, emergency escape signage and lighting, limitation of internal and external fire spread and access and facilities for the fire and rescue service.

317. Fire safety is not a formal planning consideration; however, officers have sought to ensure that fire safety is an aspect that has been considered from the outset. Whilst more detailed design work will inevitably be needed, the fire safety report submitted provides a clear indication that fire safety is being considered and confirms, at this early stage, that the development is already likely to comply with the relevant part of the Building Regulations governing fire safety.

Archaeology

318. The applicant has submitted an archaeological assessment to consider whether any subterranean heritage assets are likely to be encountered during the building of the development. For this purpose, it is confirmed that the site does not fall within an archaeological priority area as defined by Brent Council and that no archaeological designated heritage assets, as defined by the NPPF, are recorded as being on or in close proximity to the site.

319. The site can be considered to have a general low archaeological potential for all past periods of human activity and past activities and uses (industrial) on the site are considered likely to have had a severe negative archaeological impact. The survey's author does not recommend any further archaeological mitigation measures to be needed in this particular instance. Brent's heritage officer agrees with the findings of the report and does not consider that any planning conditions in relation to archaeological findings are needed.

Equalities

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

Conclusion

321. Officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.

322. The levels of external amenity space within the proposed development do not accord with the targets specified within Policy DMP19. However, given the level and quality of amenity space proposed, provision of public open space and the proximity to Grand Union Canal, the quality of accommodation for future residents is considered to be good. The limited conflict is substantially outweighed by the very considerable benefits of the proposed development.

CIL DETAILS

This application is liable to pay **£18,270,145.93** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): 18964 sq. m.

Total amount of floorspace on completion (G): 70647.94 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	68682.54		50246.11	£200.00	£0.00	£14,984,108.2	£0.00
(Brent) General business use	1819.57		1331.14	£40.00	£0.00	£79,393.20	£0.00
(Brent) Non-residen institutions	145.83		106.68	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	68682.54		50246.11	£0.00	£60.00	£0.00	£3,117,436.7
(Mayoral) General business use	1819.57		1331.14	£0.00	£60.00	£0.00	£82,588.59
(Mayoral) Non-residen institutions	145.83		106.68	£0.00	£60.00	£0.00	£6,619.09

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£15,063,501.48	£3,206,644.45

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/3156

To: Mrs Jubb
Bell Cornwell LLP
Unit 2, Meridian Office Park
Osborn Way
Hook
United Kingdom
RG27 9HY

I refer to your application dated **30/09/2020** proposing the following:

Demolition of the existing buildings and the erection of a mixed use development of buildings ranging between 3 and 16 storeys in height, comprising residential units, flexible commercial floorspace, affordable workspaces and community use floorspace, associated car parking, landscaping and ancillary facilities (phased development)

and accompanied by plans or documents listed here:

Refer to condition 2.

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

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 02/02/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposal is in general accordance with the following documents:

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Site Specific Allocations Development Plan Document (2011)

Emerging Policy

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

Supplementary Planning Guidance / Documents

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

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

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

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

Drawings

Existing Site Location Plan - 32835-1-00-00-SH-A-90-1001 D0-1

Proposed Site Location Plan - 32835-1-00-00-SH-A-90-1002 D0-1

Proposed Block Plan - 32835-1-00-00-SH-A-90-1003 D0-2

Proposed South Site Basement - 32835-1-01-B1-SH-A-01-00B1 D0-2

Proposed South Site Ground Floor - 32835-1-01-00-SH-A-01-0001 D0-2

Proposed South Site First Floor - 32835-1-01-01-SH-A-01-0002 D0-2

Proposed South Site Second to Fourth Floor - 32835-1-01-02-SH-A-01-0003 D0-2

Proposed South Site Fifth Floor - 32835-1-01-05-SH-A-01-0006 D0-2

Proposed South Site Sixth Floor - 32835-1-01-06-SH-A-01-0007 D0-2

Proposed South Site Seventh Floor - 32835-1-01-07-SH-A-01-0008 D0-2

Proposed South Site Eighth Floor - 32835-1-01-08-SH-A-01-0009 D0-2
Proposed South Site Ninth Floor - 32835-1-01-09-SH-A-01-0010 D0-2
Proposed South Site Tenth to Fifteenth Floor - 32835-1-01-10-SH-A-01-0011 D0-2
Proposed South Site Roof Plan - 32835-1-01-R1-SH-A-01-00R1 D0-2

Proposed North Site Basement & Lower Ground - 32835-1-02-B1-SH-A-01-00B1 D0-2
Proposed North Site Ground Floor - 32835-1-02-00-SH-A-01-0001 D0-2
Proposed North Site First Floor - 32835-1-02-01-SH-A-01-0002 D0-2
Proposed North Site Second Floor - 32835-1-02-02-SH-A-01-0003 D0-2
Proposed North Site Third Floor - 32835-1-02-03-SH-A-01-0004 D0-2
Proposed North Site Fourth Floor - 32835-1-02-04-SH-A-01-0005 D0-2
Proposed North Site Fifth Floor - 32835-1-02-05-SH-A-01-0006 D0-2
Proposed North Site Sixth Floor - 32835-1-02-06-SH-A-01-0007 D0-2
Proposed North Site Seventh Floor - 32835-1-02-07-SH-A-01-0008 D0-2
Proposed North Site Eighth to Tenth Floor - 32835-1-02-08-SH-A-01-0009 D0-2
Proposed North Site Roof Plan - 32835-1-02-R1-SH-A-01-00R1 D0-2

Proposed South Elevations 01 & 02 - 32835-1-01-ZZ-SH-A-03-0001 D0-1
Proposed South Elevations 03 - 32835-1-01-ZZ-SH-A-03-0016 D0-1
Proposed South Elevations 04 - 32835-1-01-ZZ-SH-A-03-0002 D0-2
Proposed South Elevations 05 & 06 - 32835-1-01-ZZ-SH-A-03-0003 D0-2
Proposed South Elevations 07 & 08 - 32835-1-01-ZZ-SH-A-03-0004 D0-1
Proposed South Elevations 09 - 32835-1-01-ZZ-SH-A-03-0005 D0-1
Proposed North Elevations 10 - 32835-1-02-ZZ-SH-A-03-0014 D0-2
Proposed North Elevations 11 & 12 - 32835-1-02-ZZ-SH-A-03-0006 D0-1
Proposed North Elevations 13 & 14 - 32835-1-02-ZZ-SH-A-03-0007 D0-2
Proposed North Elevations 15 & 16 - 32835-1-02-ZZ-SH-A-03-0008 D0-2
Proposed North Elevations 17 & 18 - 32835-1-02-ZZ-SH-A-03-0009 D0-2
Proposed North Elevations 19 & 20 - 32835-1-02-ZZ-SH-A-03-0010 D0-2
Proposed North Elevations 21 - 32835-1-02-ZZ-SH-A-03-0011 D0-1
Proposed North Elevations 22 - 32835-1-02-ZZ-SH-A-03-0015 D0-1
Proposed North Elevations 23 - 32835-1-02-ZZ-SH-A-03-0012 D0-1

Proposed Basement Plan - 32835-1-00-B-SH-A-90-00B1 D0-2
Proposed Ground Floor Plan - 32835-1-00-00-SH-A-90-0001 D0-2

Proposed First Floor Plan - 32835-1-00-01-SH-A-90-0002 D0-2

Proposed Second Floor Plan - A1 32835-1-00-02-SH-A-90-0003 D0-2

Proposed Roof Plan - 32835-1-00-R1-SH-A-90-00R1 D0-2

Hard & Soft GA Plan Legend - Public Realm - 32835-1-SW-XX-DR-L-91-100 D0-2

Hard & Soft GA Plan 01 - 32835-1-SW-XX-DR-L-91-101 D0-2

Hard & Soft GA Plan 02 - 32835-1-SW-XX-DR-L-91-102 D0-2

Hard & Soft GA Plan 03 - 32835-1-SW-XX-DR-L-91-103 D0-2

Hard & Soft GA Plan 04 - 32835-1-SW-XX-DR-L-91-104 D0-2

Hard & Soft GA Plan 05 - 32835-1-SW-XX-DR-L-91-105 D0-2

Hard & Soft GA Plan 06 - 32835-1-SW-XX-DR-L-91-106 D0-2

Hard & Soft GA Plan 07 - 32835-1-SW-XX-DR-L-91-107 D0-2

Hard & Soft GA Plan 08 - 32835-1-SW-XX-DR-L-91-108 D0-2

Hard & Soft GA Plan 09 - 32835-1-SW-XX-DR-L-91-109 D0-2

Landscape Masterplan - 32835-1-SW-XX-DR-L-91-001 D0-2

Hard & Soft GA Plan Legend - Roof Terraces - 32835-1-XX-XX-DR-L-91-110 D0-1

Hard & Soft GA Plan Block A L09 Terrace - 32835-1-A-09-DR-L-91-111 D0-2

Hard & Soft GA Plan Blocks B-C L05 Terrace - 32835-1-BC-05-DR-L-91-112 D0-1

Hard & Soft GA Plan Blocks A-F L06 Terrace - 32835-1-AF-06-DR-L-91-113 D0-1

Hard & Soft GA Plan Block F L09 Terrace - 32835-1-F-09-DR-L-91-114 D0-2

Hard & Soft GA Plan Block G L02 Terrace - 32835-1-G-02DR-L-91-115 D0-1

Hard & Soft GA Plan Block G L06 Terrace - 32835-1-G-06-DR-L-91-116 D0-1

Phasing Plan - PL1

Drainage Strategy Plan - 17-335-0500 Rev B

Mechanical Services Site-Wide District Heating Services Layout - 6277-M-100-P1

Mechanical Services District Heating Future Proof Connections - 6277-M101-P1

North Basement Mechanical Services - 6277-M-103-P2

South Basement Mechanical Services - 6277-M-104-P2

Documents

Flood Risk Assessment & Drainage Strategy Addendum 1 (prepared by Odyssey, dated September 2020)

Preliminary Ecological Assessment (prepared by ACD Environmental, dated September 2020)

Air Quality Assessment (prepared by Aether, dated September 2020)

CFD-Informed Desk Study (prepared by Arcaero, dated September 2020)

Energy & Sustainability Statement (prepared by KUT, dated September 2020)

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

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

Reason: To ensure that the potential impacts of the development are mitigated through the obligations set out within the Section 106 legal agreement.

- 4 The development hereby approved shall be carried out in full accordance with the phasing plan with reference PL1.

The phases of development identified on this plan are to be referred to for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis.

The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority. Any revised phasing plan submitted shall show the location of phases, the sequencing for those phases and indicative timescales for their delivery. Any revised phasing plan which is approved in writing by the Local Planning Authority shall be implemented in full from the point at which it is approved. Any revised phasing plan which is approved in writing by the Local Planning Authority, shall, for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis, become the relevant phasing plan to refer to.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved.

- 5 The scheme hereby approved shall contain 684 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 6
 - a) The affordable workspaces within Block G shall only be used for purposes within use classes E(g)(i) and E(g)(iii), unless otherwise agreed in writing by the Local Planning Authority.
 - b) The commercial unit within the ground floor of block G shall only be used for purposes within uses classes E, F1, F2 and Sui Generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision unless otherwise agreed in writing by the

Local Planning Authority.

Reason: To ensure appropriate use of the retail units in line with expectations.

- 7 Unless otherwise agreed in writing by the Local Planning Authority, no individual commercial unit larger than 499 square metres of gross internal area shall operate within the development site, unless that commercial unit comprises affordable workspace.

Reason: To ensure that the vitality of Brent's retail centres is not detrimentally affected by this development.

- 8 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – 'accessible and adaptable dwellings' and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – 'wheelchair user dwellings' with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

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

- 9 The car parking spaces, bicycle storage and residential and commercial refuse stores for each phase of the development shall be provided and made available prior to the first occupation of the relevant phase of the development hereby approved. These provisions shall thereafter be maintained for the lifetime of the development unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure that the development complies with parking and refuse requirements.

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

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

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

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

- 12 With respect to the four dwellinghouses forming part of the development hereby approved, no further extensions or buildings shall be constructed within the curtilage of those properties, notwithstanding the provisions of Class A, B, C, D, E, F, G and H of Part 1 Schedule 2 of the Town & Country Planning General Permitted Development Order 2015, as amended, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation, visual appearance and level of impact on the amenities of adjoining occupiers, given the limited nature of the site and

relationship to adjoining properties.

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

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

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

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 15 Unless alternative details are first agreed in writing by the Local Planning Authority, the mitigation measures set out in the Flood Risk Assessment & Drainage Strategy Addendum 1 (prepared by Odyssey, dated September 2020) shall be fully implemented for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development mitigates surface water drainage and flood risk.

- 16 Unless alternative details are first agreed in writing by the Local Planning Authority, the details of biodiversity mitigation and enhancement set out in section 6.0 of the submitted Preliminary Ecological Assessment (prepared by ACD Environmental, dated September 2020) shall be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure that the development enhances local ecology and biodiversity.

- 17 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Air Quality Assessment (prepared by Aether, dated September 2020) shall be fully implemented for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses air quality impact.

- 18 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted CFD-Informed Desk Study (prepared by Arcaero, dated September 2020) shall be fully adhered to for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses microclimate impact.

- 19 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations made in relation to the mitigation of Overheating within the development as set out within the submitted Energy & Sustainability Statement (prepared by KUT, dated September 2020) shall be fully adhered to for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses the impacts of overheating.

- 20 Prior to first occupation of any residential dwellings within block E of the development, the energy centre within block E shall be implemented in full accordance with the details shown on plan ref 6277 M 101 P1 to allow for a future connection to a district heating network,

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

- 21 Prior to the commencement of works on a relevant part of the development hereby approved, a CIL chargeable developments plan shall be submitted to the Local Planning Authority through the submission of an application for approval of details reserved by condition.

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

Pre-commencement Reason: CIL payments must be made prior to commencement of development and the chargeable development and associated charge must therefore be known prior to the commencement of works on those relevant phases.

- 22 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The construction logistics plan shall include a feasibility study for transporting freight along the Grand Union Canal and shall seek to maximise the use of waterborne transportation for construction purposes where feasible. The development shall thereafter operate in accordance with the approved construction logistics plan.

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

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

- 23 Notwithstanding the details already submitted, prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority, through the submission of an application for approval of details reserved by condition, outlining measures, suitable to the scale of the development, that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 24 Prior to the commencement of the development hereby approved:

- A survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

Following the completion of the works and within 6 months of any occupation within phases 5, 6, 7 and 8 of the development hereby approved, as indicated on phasing plan PL1:

- A further survey of the waterway wall shall be carried out, and the details submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust, to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 25 Prior to the commencement of phases 5, 6, 7 and 8 of the development, as indicated on phasing plan PL1, a detailed Impact Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal & River Trust, to demonstrate that ground movement loading generated throughout the construction phases and permanent design shall not pose a threat to the integrity of the Canal walls, foundations, lining, lock's, weirs and any other associated canal infrastructure.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 26 No development shall not take place until the details of a Risk Assessment Method Statement (RAMS) have been submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust. The RAMS shall set out all proposed activities which have a potential to impact the integrity of the Canal or any of its associated infrastructure. These details shall include a programme of implementation in accordance with the Canal & River Trust Code of Practice for Third Party Works.

The requirements set out in the RAMS shall be followed, save for minor variations which are otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained. Information should be provided prior to commencement as impacts on the canal corridor may occur during the initial construction and demolition phases.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

- 27 Prior to the commencement of phases 5, 6, 7 and 8 of the development hereby permitted, as indicated on phasing plan PL1, a revised Construction Environmental Management Plan shall

be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition in consultation with the Canal and River Trust. The Construction Environmental Management Plan shall include details of proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works. Details should confirm the following:

- No surface water (either via drains or surface water run-off) or extracted perched water or groundwater should be allowed to be discharged into the canal during the demolition/construction/enabling works. Such waters should be discharged to the available foul sewer or be tankered off-site.
- The existing surface water drains connecting the site with the canal must be capped off at both ends for the duration of the works – i.e. at the point of surface water ingress and at the outfalls to the canal.
- Whether the drainage system discharging to the canal serves residential or commercial areas and how many car parking spaces it serves.

Reason: To ensure demolition and construction works do not have any adverse impact on the water quality of the Grand Union Canal.

Pre-Commencement Reason: The integrity of the Grand Union Canal has the potential to be compromised during construction and details must therefore be agreed prior to commencement.

28 a) Prior to the commencement of a phase of development (excluding demolition and site preparation works) a site investigation for that phase of the development shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to and approved in writing by the Local Planning Authority that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The report shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

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

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

29 No piling shall take place for a phase of development until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority for that phase in consultation with Thames Water. The method statement shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

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

sewerage utility infrastructure.

- 30 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of active electric vehicle charging points within at least 20% of the approved car parking spaces within the site and passive electric vehicle charging points within the remaining car parking spaces within the site shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use.

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

- 31 Details of materials for each phase of the development, for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

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

- 32 Notwithstanding the details already submitted, further details of external noise and its effect on the residential development for each phase shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The revised details shall show results (and any associated mitigation that is necessary) of an assessment meeting the requirements of BS4142 which fully considers the impact of nearby industrial units, including those within the Liberty Centre.

The approved details shall thereafter be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

Reason: To ensure an acceptable noise environment for prospective residents.

- 33 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with the Canal and River Trust.

The submitted scheme shall identify:

- The landscaping associated with each phase.
- All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- Details of a one metre wide landscaped area adjacent to the edge of the canal.
- Details of any new habitat created.
- Detailed plans of the child play spaces.
- Details of the use of rain gardens and high retention soil.
- External lighting locations and lux levels, with lighting proposals to evidently balance safety and wildlife impact considerations

- Details of vehicle barriers preventing vehicles from being driven into the canal.

The approved landscaping for each phase of the development shall be completed prior to first planting season after the occupation of the relevant phase of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality. To ensure the character of the Grand Union Canal is retained, and to maximise biodiversity benefits, in accordance with the Blue Ribbon Network Policies of the London Plan.

- 34 Where photovoltaic panel arrays are proposed on the roof as part of a phase of the development hereby approved, detailed drawings showing the photovoltaic panel arrays shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition within six months of the commencement of development for the relevant phase.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the relevant phase.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 35 Prior to the first occupation of the development hereby permitted, written confirmation shall be submitted to and approved in writing by the Local Planning Authority, through the submission of an application for approval of details reserved by condition, in consultation with Thames Water, confirming that all wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Alternatively, prior to the first occupation of the development hereby approved, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, in consultation with Thames Water.

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

Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

- 36 In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the

operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 37 Prior to occupation of the development hereby approved, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall thereafter operate in accordance with the approved parking design and management plan.

Reason: To ensure the development provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

- 38 Prior to occupation of each phase of the development hereby approved, a delivery and servicing plan for that phase shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

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

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

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

groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

5 The Canal and River Trust advise the applicant of the following:

- Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at Bernadette.McNicholas@canalrivertrust.org.uk for further information.
- Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal River Trust Utilities Team (Chris.Lee@canalrivertrust.org.uk)
- The applicant/developer should refer to the current Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-ou>
- Any additional moorings require the approval of the Canal & River Trusts' Business Boating Team. The applicant is advised to contact the Boating Business Manager, Tom Jackson if they wish to pursue this at Tom.Jackson2@canalrivertrust.org.uk.

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

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

8 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

9 Given the age of the buildings to be demolished, asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903