

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 February, 2021
05
20/0115

SITE INFORMATION

RECEIVED	13 January, 2020
WARD	Mapesbury
PLANNING AREA	
LOCATION	Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH
PROPOSAL	Demolition of existing building; erection of 3 buildings ranging from 3 to 7 storeys with basement, comprising 238 self contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space
PLAN NO'S	see Condition2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "20/0115" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to **GRANT** planning permission subject to:

- (i) Referral to the Mayor of London (stage II).
- (ii) The prior completion of a legal agreement to secure the following planning obligations:
 - a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
 - b) Notification of material start 28 days prior to commencement
 - c) Affordable housing: Provision of minimum 50 affordable rented units
 - d) All dwellings are held as BTR under a covenant for a minimum of 15 years, if the covenant is broken, a viability review is triggered
 - e) Affordable housing review mechanisms
 - f) Section 38/278 Agreement for highway works
 - g) Contribution so as to implement some of the recommendations from the Healthy Streets Review
 - h) Employment and Skills
 - i) Energy and Sustainability
 - j) Restriction of access to parking permits (except Blue Badge holders)
 - k) Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (iii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iv) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

Compliance

1. Time limited permission (3 years)
2. Approved plans
3. Number/Mix of LLR residential units
4. Number/Mix of PR residential units
5. Accessible and adaptable dwellings and wheelchair user dwellings to be implemented
6. Use of commercial space
7. Water consumption limitation
8. Provision of communal aerial and satellite dish system for each building
9. Non-road mobile machinery power restriction
10. Drainage strategy to be implemented as approved (subject to condition 22)
11. Landscaping scheme
12. Sound insulation measures

Pre-commencement

13. Construction Environmental Management Plan
14. Revised Construction Logistics Plan
15. Circular Economy Statement
16. UXO Risk Assessment
17. Site investigation
18. Frontage and signage for commercial units
19. Piling Method Statement

Post-commencement

20. Materials samples
21. Tree planting schedule
22. Feasibility of rainwater harvesting provision

23. Air Quality Neutral Assessment
24. Cycle parking details
25. Restriction of vehicular access onto Park Street

Pre-occupation

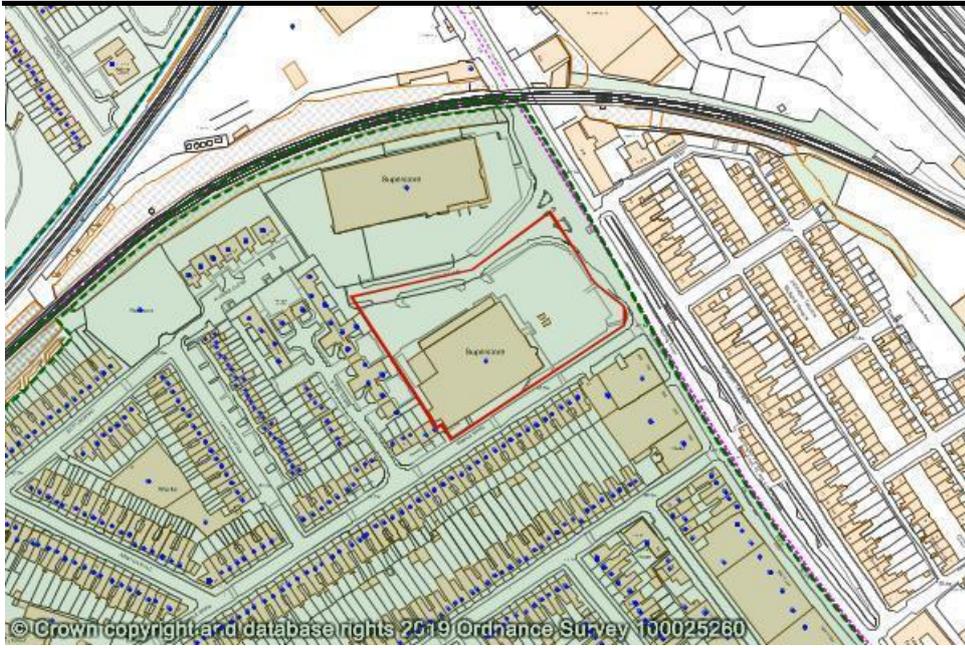
26. Water infrastructure
27. Remediation and Verification
28. Lighting
29. Noise assessment: Mechanical Plant
30. Delivery and servicing plan
31. Parking Design & Management Plan
32. Revised Travel Plan
33. Cycle storage details
34. Internal noise levels
35. Extract Systems

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. London Living Wage note
 5. Fire safety advisory note
 6. Quality of imported soil
 7. Any other informative(s) considered necessary by the Head of Planning
- (v) That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.
- (vi) That, if within 12-weeks of the date of the stage II response from the Mayor of London (assuming no objections raised/not calling the application in and subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

 Brent	Planning Committee Map
	Site address: Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



This map is indicative only.

PROPOSAL IN DETAIL

Full planning permission is sought for the demolition of the existing building and the erection of 3 buildings ranging from 2-storeys to 7-storeys in height, with basement, comprising a total of 239 self-contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space:

- Block A: 138 dwellings, 812sqm of commercial space and 160sqm of onsite management office space at ground floor level;
- Block B: 87 dwellings; and
- Block C: 11 dwellings

The proposal also includes the creation of a new street “Park Street” between Blocks A and B, running from Temple Road in the south to Longley Way in the north. The street will primarily be for pedestrians but with emergency and service vehicle access.

Blocks A and B will be provided with internal courtyard amenity space and a new public park will be created adjacent to Longley Way.

EXISTING

The application site comprises of 0.9ha of land on the western side of Cricklewood Broadway, occupied by the Matalan Discount Club building (footprint 0.33ha) sited towards the rear of the site, and its carpark to the front (east) and side (north).

Immediately to the north and separated by Longley Way, is Wickes, and beyond this an overground railway line.

Surrounding development is predominately residential, comprising of 2-storey terraced dwellings on Temple Road to the south, 2 and 3-storey blocks of Flats in Stoll Close to the west, and 2-storey terraced dwellings on Gratton Terrace (within the London Borough of Barnet and a conservation area) to the east. The exception to the above broad typology is the prominent part 5, part 5-storey gym on the junction of Temple Road and Cricklewood Broadway.

The existing Matalan car park has 128 parking spaces, inclusive of 6 disability spaces. There is a CPZ on Temple Road, in operation between 10:00 and 21:00 Monday to Saturday.

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The affordable offer has increased from 5% (12 units) to 21% (50 units) and the total number of dwellings has increased by 1 to 239.
- The maximum height has been reduced around the junction of Temple Road/Cricklewood Broadway from 9-storeys to 7-storeys and the relevant units redistributed.
- The material palette has been simplified

SUMMARY OF KEY ISSUES

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

- Principle:** Although the exiting use of the site is for commercial purposes (A1), within the draft Local Plan, together with the Wickes site immediately to the north, it is allocated for residential and commercial use (ref: BSESA17: Cricklewood Broadway Retail Park). The principle of the proposed residential and commercial uses is therefore acceptable.
- Heritage Assets:** The development site sits opposite the Railway Terraces Cricklewood Conservation Area, within the London Borough of Barnet. It is considered that in heritage terms, no harm arises to the identified heritage asset from the proposed development.

- c. **Housing:** The scheme will be 100% Build to Rent. It will provide 50 affordable dwellings (21%) and 692 habitable rooms (21%). Whilst the current affordable offer represents a significant increase over the original offer of 12 affordable dwellings (5%), it is still below the 35% target set out in policy. The viability of the scheme has been robustly reviewed by a consultant appointed on behalf of the Council and also reviewed by the GLA's own viability team, with the current offer being considered the maximum reasonable amount as the scheme would be in deficit of £533,734. A post-implementation review is again proposed, to be secured by legal Agreement. Seventy three family-sized units (72no. 3-bed and 1no. 4-bed) are proposed, equating to 30.5% of the total. Of these, 13no. are within the affordable tenure.
- d. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development is considered acceptable, with the heights of the three buildings mindful of the those of neighbouring developments and the articulation in the façade and roofline creating some visual interest.
- e. **Neighbour Impact:** The proposed buildings are considered to be sited sufficiently distant from adjoining properties to not unduly impact on the existing amenity of the neighbouring occupiers.

RELEVANT SITE HISTORY

The site has an extensive planning history, with the most relevant provided below:

- Planning permission (**ref: 86/0528**) was granted in September 1986 for the erection of a non-food retail store with ancillary facilities, car parking, service area and landscaping.
- Planning permission (**ref: 95/1343**) was granted in October 1995 for the change of use of the premises to include use as a retail discount club.
- Planning permission (**ref: 00/0178**) was granted in May 2000 for the a side extension and alterations to the car parking layout.

CONSULTATIONS

Statutory / Non-statutory Consultees

Thames Water

It has been advised that no objections are raised in relation to the foul water and surface water networks. Additional information is required to ensure that the existing water infrastructure can support the development. Informatives are also proposed in relation to development near Thames Water underground assets.

Environmental Health

It is advised that an Air Quality Neutral Assessment will need to be secured by condition. Conditions will also be required in relation to contamination, noise and dust.

Local Lead Flood Authority

No objections are raised.

Transportation

It has been advised that following the revision to the scheme, no objections are raised, subject to securing the following:

- A Section 38/278 Agreement for highway works
- A 'car-free' agreement to remove the right of future residents (except for Blue Badge holders) to on-street parking permits.
- The compensation of the Council for the provision of disabled bays on the public highway
- The compensation of Parking Services for the loss of pay and display bays
- S106 contribution so as to implement some of the recommendations from the Healthy Streets

Review

In addition, further details are sought via condition in relation to: the cycle parking spacing; a Car Parking Management Plan to identify the locations of potential blue-badge spaces and measures to enforce unauthorised parking; a revised Travel Plan; and a revised Construction Logistics Plan.

Greater London Authority

The GLA's Stage 1 response advised that while the principle of the residential –led mixed use development and loss of retail is supported, the application did not fully comply with the London Plan (including the Intend to Publish version), although advised on possible remedies:

- **Housing and affordable housing:** the proposed affordable offer (4% by habitable room, 5% by unit), in the absence of a verified viability position is wholly unacceptable and must be significantly increased to be supported in strategic planning terms. The applicant must explore all options to provide additional affordable housing, including removal of the basement (an obvious viability burden). The applicant should confirm whether market tenure units would be for sale or rent to establish whether Build to Rent covenant, clawback mechanisms are required. Further information is required in relation to playspace provision.
- **Urban design and heritage:** The design, layout, density, massing and residential quality is acceptable. However, the scheme would cause less than substantial harm to the Cricklewood Railway Terraces Conservation Area which must be outweighed by public benefits.
- **Environment and climate change:** The energy and drainage strategies are acceptable. The applicant should provide an Urban Greening Factor (UGF) assessment as part of the planning application. A benchmark target score of 0.4 would be applied to a residential development such as this. A UGF assessment of the existing site should also be carried out to demonstrate net gains in terms of urban greening.
- **Transport:** A car-free scheme is proposed, which is supported. Cycle parking should be provided in accordance with the Mayor's Intend to Publish London Plan and designed in accordance with the London Cycling Design Standards. The removal of the basement is required, which will necessitate design changes. Further necessary qualitative improvements to the surrounding pedestrian and cycle network should be secured. Further discussion is required in relation to bus capacity and the impact on bus operations.

Transport for London

It has been advised that Cricklewood Broadway is part of the Strategic Road Network ("SRN") therefore TfL has a duty under the Traffic Management Act 2004 to ensure that new development does not have a significant negative impact on the SRN. It is considered that the development meets Intend to Publish London Plan policies with regard to cycle parking and Healthy Streets. Further information is required regarding the footway public realm proposals, the disabled parking quantum and layout, the potential for cycle improvements on Cricklewood Broadway and the impact of the development trips on the bus network. More specifically:

- **Car parking:** disabled spaces should be provided for 3% of the units from the outset to comply with the minimum requirements. It should be demonstrated within a Parking Design & Management Plan (PDMP) that capacity exists for the remaining 7% of spaces should future need arise. A PDMP should be secured through condition to also regulate the use and allocation of disabled parking spaces, making sure they are used by those holding Blue Badges only. Further to this, the PDMP should include layout plans of the disabled parking spaces and ensure they are parallel to the footway, interspersed with landscaping and do not interrupt pedestrian desire lines. The provision of active Electric Vehicle Charging Points (EVCPs) for 20% of the car parking spaces, and 80% passive provision for the remaining spaces, must be secured by condition and should not impede pedestrian flows. This should also be secured within the PDMP condition and discussed with the Council as Longley Way is a borough road. The developer should also enter into a car-free agreement with the Council to exempt future residents from obtaining parking permits. If car parking spaces are for the sole use of the development rather than being new on-street spaces, they should be leased rather than sold, to ensure that spaces are used by those who need them at any given time.
- **Cycle parking:** All cycle parking should be designed and laid out in accordance with the London Cycling Design Standards to ensure overall compliance. Detailed plans showing the cycle storage and how it meets the LCDS should be secured by condition. TfL would expect to be consulted on these plans at this stage to ensure accessibility requirements are met. The location of Sheffield stands should not create street clutter, or interrupt pedestrian desire lines. There is potential for this

development to improve cycle connectivity on Cricklewood Broadway, TfL would be supportive of this and this should be subject to further discussion with the Council and applicant.

- Healthy streets and Vision zero:** An Active Travel Assessment/Audit has been completed which summarises the site's compliance with Intend to Publish London Plan Policy T2 Healthy Streets. Public realm improvements in the vicinity of the site by removing the left turn filter from Cricklewood Broadway into Longley Way and creating a more pedestrian friendly standard T-junction with a reduced carriageway width and a wider crossing point. Swept path assessment highlights that HGV's can safely enter the site with the revised crossing. These changes will improve HS indicators such as, 'Easy to Cross; and 'People feel safe' and are supported by TfL. Further clarity is needed on the proposed footway widths, which should be 2m. The Healthy Streets Assessment and Vision Zero analysis suggests further necessary improvements to the surrounding pedestrian and cycle network which should be discussed further with the Council, as identified in the applicant's Transport Assessment.
- Public transport impact and Trip generation:** The change in use of the site from retail to a residential, car-free scheme will reduce the overall vehicle trips generated from the site. The development would generate additional demand on the bus network with 33 new bus trips during the worst-case peak hour. The uplift in trips alongside the proposed highway changes may impact on bus operations. Further discussion is required with TfL and the Council on this matter and financial contributions may be sought as mitigation.
- Travel planning, construction, deliveries and servicing:** a framework travel plan has been submitted and the final version should be secured by condition. Intend to Publish London Plan Policy T7 expects new development to provide off-site servicing and therefore the proposed servicing strategy does not conform with this policy. As the site is bound by borough roads it is for the Council to ultimately decide on the acceptability of this. A framework Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) and have been submitted, the full DSP and CLP should be secured by condition and signed off by the Council in consultation with TfL, prior to commencement of development.

Public Consultation

Letters were sent to the occupiers of 4433 neighbouring and nearby properties, inclusive of those opposite within the London Borough of Barnet, in addition to statutory site and press publicity. Fifty one letters were received in the initial round of consultations and a further 94 were received following a further round of consultation from 26 May 2020 on the receipt of revised plans. Although many of the comments received supported the principle of housing they all raised some or all of the following points:

<u>Comment</u>	<u>Response</u>
Design	
Nine storeys is too high	Block A has been reduced from 9-storeys to 7-storeys on the Cricklewood Broadway frontage. The cores do rise up an additional floor to enable access to the roof.
The corner is too prominent with the lighter colour	The corner element has been removed and facing brick will be used.
9-storey point block is visually unattractive and the design should be amended to blend in with the local character of the area	The height has been reduced. The overall design is considered acceptable. Please see Design section below.
Units A.701, A.702, A.703, A.704 and A.704 (Upper Floor) should be removed from the scheme and Units A.601, A.602 and A.604 should be set back from the Cricklewood Broadway and Temple Road facades like Units A.613 and A.615 to reduce overlooking surrounding properties as well as the visual impact of the development on the surroundings	Units A.701, A.702, A.703, A.704 and A.704 have been removed but it is considered unnecessary to recess the additional units suggested because the level of distancing to neighbouring developments is considered sufficient to prevent overlooking.
Commercial spaces lack flexibility to allow for smaller units i.e. there is only one shared lift to basement level	
Glass fronted balconies have the potential to be unattractive; they are often used for storage purposes by residents. Should be opaque.	Glass is not considered to be an inappropriate balcony material, but it is acknowledged that building management is required to ensure that inappropriate items

	are not stored on the balconies. Materials can be conditioned.
Too prominent on Cricklewood Broadway, it should step down to the edges	Proposed height is considered appropriate and the buildings step down where appropriate. Please see Design section below.
Breaches the Brent Tall Buildings Strategy and the preceding Brent Design Guide	Although outside of the tall buildings zones identified within the Tall Buildings Strategy, the proposed buildings do not exceed the definition of a tall building.
238 residential units plus some commercial units is well in excess of the indicative capacity for the site	Indicative capacities are always subject to more detailed considerations as schemes are developed and the quantum of development is considered acceptable. The Council's housing target has increased from 15,253 to 23,250, therefore the proposed uplift in housing numbers will contribute to meeting with the new target. Please see Design section below.
The development will not provide a positive addition for neighbours, local residents or road users	Please see Design section below.
Glass balconies will harm the privacy of tenants and neighbours	The separation distances between homes is considered to be appropriate, and the scheme is not considered to result in undue impacts on privacy.
Why not strive to build something better here, instead of just cramming in homes	Please see Design section below.
Should at least be set back from the road, with higher levels stepped further back, and tall trees planted along the pavement to mitigate pollution	A set back on the Cricklewood Broadway frontage is not considered necessary. Ground floor residential frontages are set back to provide some defensible space.
Tower block is an eyesore	This has been removed.
Out of proportion with other buildings	The overall scale is considered acceptable and relates well to existing developments.
Should be red brick to harmonise with the Victorian area. The use of white materials, and particularly the ugly, threatening tower, is jarring and intrusive and should be removed	The primary material is a red brick and the tower has been removed,
Greedy developers trying to squeeze in maximum residences without actually considering the quality of life of the people that will live within and nearby	The quantum and quality of the development is considered acceptable. Please see Design section below.
Cricklewood has become a magnet for development of a very wrong type	Please see Design section below.
The idea of a skyscraper in Cricklewood verges on the ridiculous	Please see Design section below.
The nearby Fellowes Square represents a success story in terms of height and general tastefulness. This is 5 storeys and it complements existing 1930s detached and semi-detached houses opposite and in the Gladstone Park area	Fellowes Square rises up to 6-storeys with some cores rising to 7-storeys. The heights proposed for the Matalan site are considered to be appropriate and are designed having regard to surrounding existing developments.
Detrimental to our conservation area, both environmentally and physically	Please see Heritage section below.
A claustrophobic proximity to residents on Gratton Terrace and Temple Road	The development is approximately 40m distant from the dwellings on Gratton Terrace. Distancing to Temple Road properties (approximately 20m) is also considered appropriate.

Amenity	
Loss of daylight/sunlight	The development respects guidance in relation to distancing and height and will therefore not result in undue loss of daylight/sunlight to neighbouring occupiers.
Impact of construction (noise) adversely affecting existing health condition	Construction is a necessary activity and noisy activity is controlled through various legislation. These are outlined within the submitted Outline Construction Logistics Plan.
Overlooking	Distancing levels are considered sufficient to prevent overlooking.
Loss of privacy to top floor of Gratton Terrace properties	The development is approximately 40m distant from the dwellings on Gratton Terrace.
Development looms over Johnstone Terrace and the Railway Terraces	Proposed height and distancing is considered acceptable. Please see Design section below.
The disruption, noise and pollution to our area over a two-year period will be colossal, with associated health, nuisance and traffic concerns for all of us living nearby	New development will cause some disruption during the construction phase, however mitigation measures are proposed and will be secured by condition.
The proposal that the developer be allowed to access, deliver and work on Saturdays means that 6 mornings out of 7 our lives will be affected is totally unacceptable	Some disruption is inevitable during construction but this is temporary. The Control of Pollution Act 1974 regulates working hours.
Should not be allowed to work on Saturdays	Restricting work on Saturdays would lengthen the overall construction programme. The Control of Pollution Act 1974 regulates working hours and these are not generally controlled through planning..
Loss of views of sunsets from Gratton Road	Planning policy does not protect private views.
Overbearing	The development complies with relevant standards to ensure that it does not appear overbearing.
Sound reflection and amplification	The development will improve the environment for neighbours. Please see the Sustainable Design section of this report.
Highways Matters	
Contributions should be sought for: road surfacing for safer cycle routes to Gladstone Park and Cricklewood Broadway; cycle parking at Cricklewood Station; larger bus shelters along Cricklewood Broadway; and more buses.	The scheme does not generate the need for additional bus services. A Healthy Streets assessment confirms that the surrounding highways conditions are considered to be good but some improvements have been identified. Please see the Highway Safety section of this report.
Exacerbation of existing traffic problems on Temple Road and Cricklewood Broadway caused by school runs and Brent Cross. This will also spill over into Mora Road.	This is a car-free development with residents (except for blue-badge holders) restricted from gaining access to parking permits.
Parking in the area is already overstretched	This is a car-free development with residents (except for blue-badge holders) restricted from gaining access to parking permits.
Construction traffic will only add to traffic problems	Construction traffic is for a limited period. A Construction Management Plan (or similar) will be secured to minimise conflict with rush-hour traffic.
Will more buses be provided?	The scheme does not generate the need for

	additional bus services.
No extra parking because there is an assumption that the new tenants won't have cars. What about work people and visitors of all sorts needing access and parking?	This is a car-free development, with potential residents being made aware of this.

Housing	
There should be a higher proportion of affordable housing – 12 out of 238 seems very low	This has increased from 5% (12 dwellings) to 21% (50 dwellings).
Large numbers of Flats are purchased by foreign buyers as investments, leaving them empty e.g. Vancouver or Melbourne	This is not a material planning consideration
Flats will all be rented so the people living in them will have no commitment to the area and of course the rents will not be reasonable so more people than stated will be packed into the each one to be able to afford the rents	21% of the dwellings will be secured as affordable accommodation (London Living Rent levels)
Not a social housing venture but a private landlord venture	The scheme is providing rented affordable housing.
Would like to be reassured that this is accessible and affordable housing and not more boltholes for the wealthy	The scheme is providing rented affordable housing.
We already have huge new blocks of apartments down the road that have not been fully utilised or taken up	There is a recognised housing shortage and the scheme will contribute to reducing that.

Other Matters Raised	
Recessed areas on commercial frontage could attract rubbish and undesirable people	This is a matter for the building management.
Loss of Matalan because it provides a valuable community service.	Matalan is a retail unit which is better located within a town centre.
The “high street” concept in most of western Europe is becoming a distant memory.	
If relentless coverage of every sqm of Brent continues, you must be prepared to see sterile empty streets	Please see the Design section of this report.
Nearby developments have not let any of their retail space	The commercial space proposed is for office use.
Unclear whether sufficient attention has been paid to the ability of the local infrastructure to cope	Please see the report below.
Concerned whether the retail space could not be of better use to the local community. The retail units in the newly built Fellowes Square, in Barnet, a few hundred yards to the north on the Edgware Road, lie empty	Retail is not proposed.
Will Barnet and Brent Councils work together to consider the effect on residents of boundary developments	Barnet Council has been notified of the development
As a lay person it is impossible to understand fully the 77 planning documents	Please see the Design section of this report.
The outline construction logistics plan lacks robust information	An outline plan provides a broad overview. A more detailed plan is secured by condition
No increase in schools, GP clinics	The development is CIL liable, with payments funding the infrastructure identified on the Councils regulation 123 list
Additional pressure on already overburdened Victorian infrastructure-drains, utilities, roads	
You will devalue the area	Not a material planning consideration.
Can you install a small children centre for babies	The proposal is for residential and B1 use.

and mothers alike or a small walk in or something beneficial to this community	
Matalan provides an option for purchasing goods locally. Class B1 services are unlikely to provide the same level of services use for local residents	The site sits outside of the Cricklewood Town Centre and the draft Local Plan confirms that notwithstanding the existing retail use, the council is seeking to direct retail to existing town centres to support their viability.
As the properties will be rental units, a dependable staff of cleaners and grounds men will be needed to keep the place tidy and well ordered. I see no mention of this in this plan	Please see the Design section of this report.
The CGIs are inaccurate. Image labelled EXISTING VIEW FROM GRATTON TERRACE is misleading	CGI's of views from the Conservation Area have been corrected.

POLICY CONSIDERATIONS

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

The London Plan

- Policy 2.7 Outer London: Economy
- Policy 2.14 Areas for regeneration
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing
- Policy 3.13 Affordable housing thresholds
- Policy 3.14 Existing housing
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 3.17 Health and social care facilities
- Policy 4.1 Developing London's economy
- Policy 4.3 Mixed use development and offices
- Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste net self-sufficiency
- Policy 5.18 Construction, excavation and demolition waste

- Policy 5.19 Hazardous waste
- Policy 5.21 Contaminated Land
- Policy 6.3 Assessing the effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature

Core Strategy

- CP1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP5 Placemaking
- CP6 Design & Density in Place Shaping
- CP9 South Kilburn Growth Area
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock
- CP23 Protection of Existing and Provision of New Community and Cultural Facilities

Development Management Document

- DMP 1 Development Management General Policy
- DMP2 Supporting Strong Centres
- DMP5 Markets and Carboot Sales
- DMP4a Shop Front Design and Forecourt Trading
- DMP9a Managing Flood Risk
- DMP9b On Site Water Management and Surface Water Attenuation
- DMP12 Parking
- DMP13 Movement of Goods and Materials
- DMP15 Affordable Housing
- DMP18 Dwelling Size and Outbuildings
- DMP19 Residential Amenity Space
- DMP21 Public Houses

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released an "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies. The following are considered relevant:

Publication Version London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering new homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth

D2	Infrastructure requirements for sustainable densities
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D11	Safety, security and resilience to emergency
D12	Fire safety
D14	Noise
H1	Increasing Housing Supply
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H10	Housing size mix
H11	Build to Rent
S1	Developing London's Social Infrastructure
S3	Education and childcare facilities
S4	Play and informal recreation
E1	Offices
E2	Providing suitable business space
E3	Affordable workspace
HC1	Heritage conservation and growth
HC5	Supporting London's culture and creative industries
G1	Green infrastructure
G5	Urban greening
G6	Biodiversity and access to nature
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI3	Energy infrastructure
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T7	Deliveries, servicing and construction
DF1	Delivery of the Plan and Planning Obligations

The Examination in Public ("EiP") for the draft Brent Local Plan concluded on October 16th and the Local Authority is awaiting the Inspector's report. Therefore, having regard to the tests set out in paragraph 48 of the NPPF, Officers consider that greater weight can now be applied to some policies contained within the draft Local Plan. Key draft Local Plan policies include:

DMP1	Development management general policy
BP6	South east
BSESA17	Cricklewood Broadway Retail Park
BD1	Leading the way in good urban design
BD2	Tall buildings in Brent
BD3	Basement development
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH3	Build to rent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BSI1	Social infrastructure and community facilities
BE1	Economic growth and employment opportunities for all
BE4	Supporting Strong Centres Diversity of Uses
BE7	Shop front design and forecourt trading
BE8	Markets and car boot sales

BHC1	Brent's Heritage Assets
BHC3	Supporting Brent's culture and creative industries
BHC4	Brent's night time economy
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality
BSUI3	Managing flood risk
BSUI4	On-site water management and surface water attenuation
BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities
BT4	Forming an access on to a road

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 National Design Guide (2019)
 draft London Plan (December 2019)
 Mayor of London - A City for all Londoners
 Mayor's Good Practice Guidance to Estate Regeneration
 LB Brent draft Local Plan Regulation 19 Consultation (Nov 2018)
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPD1)
 LB Brent Residential Extensions & Alterations (SPD2)
 LB Brent Shopfronts SPD (SPD3)
 LB Brent Basement SPD (Jun 2017)
 LB Brent Waste Planning Guide SPG
 LB Brent Air Quality Action Plan 2017-2022
 LB Barnet Railway Terraces Cricklewood Conservation Area Character Appraisal (1998)
 Community Infrastructure Levy Regulations 2010
 London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of development

Residential-led Development and Site Allocations

1. The redevelopment of the site for a mixed use commercial and residential development is considered acceptable because the site, together with the neighbouring Wickes site to the north, is one of those identified within the draft Local Plan as being suitable for such uses (Policy BESA17: Cricklewood Retail Park). Paragraph 5.6.14 of the draft Local Plan confirms that notwithstanding the existing retail use, the council is seeking to direct retail to existing town centres to support their viability and any scheme on the site should be residential-led.

Heritage Considerations

Statutory Background and the NPPF

2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors. R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and*

Local Government [2015] EWHC 3 (Admin).

3. Section 16 of the NPPF (“Conserving and enhancing the historic environment”) (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.184). In determining applications, LPA’s are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
4. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that “*great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”. Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.
5. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. The supporting text to Policy CP17 (“Protecting and Enhancing the Suburban Character of Brent”) of the Core Strategy confirms that the Borough’s historical assets need to be protected and conserved. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets. This assessment would be also be undertaken having regard to Historic England’s *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* which identifies 5 steps to be followed (which is followed within the submitted Heritage Statement):
 - Step 1: Identify which heritage assets and their settings are affected
 - Step 2: Assess the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated
 - Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it
 - Step 4: Explore ways to maximise enhancement and avoid or minimise harm
 - Step 5: Make and document the decision and monitor outcomes

Identification of Heritage Assets

6. On the opposite side of Cricklewood Broadway is the Railway Terraces Cricklewood Conservation Area (“Conservation Area”), within the London Borough of Barnet and designated in March 1998. It is described within its Character Appraisal as forming an individual and unusual area with clearly defined boundaries and a uniform character with a distinctive, intimate but ordered feel as a result of the formal, regular streetscape and building layout. The lack of cars is a considered an important characteristic.
7. There are no statutorily listed buildings within the Conservation Area and in agreement with the Heritage Statement, there are no listed buildings that could reasonably be affected by the proposed development by virtue of the intervening spatial, visual and townscape context, and the nature of the listed heritage assets. The two closest listed buildings are the grade II listed St Michael’s Church, sited approximately 300m south-west of the site, and a grade II listed milestone approximately 200m south-east of the site. The setting of these heritage assets will not be harmed by the proposed development and should therefore not be considered further, having regard to Historic England’s setting guidance: *Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)*. It should be noted that all of the

building within the Conservation Area are locally listed.

8. The proposed development should however, be considered against the Railway Terraces Cricklewood Conservation Area. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage asset, having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72). The proposal will have a greater or lesser impact on individual heritage assets and the factors for consideration will be:

Assessment of Significance and Contribution

9. Although Cricklewood Broadway lies along the probable line of Watling Street, a Roman Road, it lies outside of the Area of Special Archaeological Interest directly to the south. There are no records of significant archaeological finds in the vicinity of the conservation area.
10. Following the opening of the Midland Railways Bedford to St Pancras line in 1866 and the subsequent opening of the Childs Hill and Cricklewood Station, Cricklewood was subject to intensive expansion with housing and factory developments. Construction of the railway worker's houses started in the late 1860s. There are five terraces in the conservation area; Gratton Terrace, facing Cricklewood Broadway, and Midland, Johnston, Needham and Campion Terraces behind. Originally there would have been an institute for the education of workers at the northern end of Gratton Terrace, but has since been demolished and replaced by the modern development at Dorchester Court. A former railway workers' hostel, fronting Cricklewood Broadway to the north of Gratton Terrace, was built after 1896 is now in use as the Sindhi Centre.
11. There were originally two main sizes and styles of house, with the higher status houses on Gratton Terrace. This terrace, with its larger houses, was built for higher grade railway workers. The houses originally faced Cricklewood Broadway and they are built on a grander scale, with more ornate architectural detailing with larger rear gardens. The terraces behind the Gratton Terrace frontage are smaller and modest by comparison, with little in the way of architectural detailing; their small back yards face narrow service roads. The 1896 to 1936 Ordnance Survey maps record undivided open spaces in between these terraces, but with subdivided plots by 1955. There is again now an open green swathe between Midland and Johnston Terrace, with individual garden plots between Needham and Campion Terraces.
12. The architectural interest of the conservation area derives from a reasonably coherent and consistent architectural treatment and townscape character, with terraces set out in a consistent, planned manner. The key distinction in the terraces is the difference between Gratton Terrace and the back terraces.
13. Dorchester Court is considered to detract from the architectural coherence and consistency of the area. Burlington Parade and the Sindhi Centre are individual buildings which stand out from the terraces and 'bookend' both sides of the Cricklewood Broadway frontage of the conservation area. Both of these are pleasant buildings and good examples of their age and type, but not considered architecturally outstanding or remarkable. The fact that the conservation area is devoid of listed buildings is considered an indication that it is not an area which relies on the character or quality of individual buildings, but rather the cohesiveness of the townscape on the whole.
14. The conservation area boundary essentially takes in a small, late 19th century railway workers' estate, developed by the Midland Railways. It was developed in more or less a single phase, and it has retained the character of the original layout. The urban form of the development is unusual and the differentiation in the hierarchy of the frontage (Gratton Terrace) from the more modest back terraces is interesting in terms of social history, but this also includes the relationship between the houses and the roads/gardens/communal swathes.
15. The significance of the Conservation Area is considered to not derive from any architectural interest (although some elements have aesthetic value) and as discussed above, there is no archaeological interest.
16. Views into and out of the Conservation Area are limited within the vicinity of the application site owing to the vegetated strip separating Gratton Terrace from Cricklewood Broadway. Views are gained in gaps in the privet hedge and through the trees. As the Heritage Statement identifies, greater views of the

buildings within the Conservation Area when the trees are not in leaf.

17. The relationship of the existing site to the Conservation Area is characterised by a sense of separation between the large shed that is Matalan and the dwellings within the Conservation Area, because of the large expanse of car parking in front of the Matalan building. The application site is considered with the heritage Statement to play no role in revealing or enhancing the significance of the Conservation Area.

Impact of the Development

18. The proposed development represents a significant change in the relationship of the site to the Conservation Area. Block A brings the front building line into common alignment with the buildings south of Temple Road, with the scale and massing being more evident from the Conservation Area. Views of the development will be largely screened by the aforementioned vegetation but will be visible above the tops of the trees, and in views along Dorchester Court, as shown in the submitted CGI's.
19. Visibility of the development does not necessarily equate to being harmful. As advised in the Heritage Statement, the Conservation Area would continue to be clearly experienced as separate from the proposed and existing developments along Cricklewood Broadway. The special characteristic of the Conservation Area, essentially being a small scale, dense, peaceful enclave, will remain unchanged. In addition, the choice and colour of brick as the primary material is considered to complement the buildings within the Conservation Area, as does the architectural language.

Summary of Heritage Considerations

20. For the purposes of this application, the only relevant consideration is Section 72(1) of the Act, which sets out the statutory duty in relation to any buildings or other land in a Conservation Area. This is not relevant to the application site, because the duty in s.72 of the Act relates to land within a conservation area and does not extend to the setting of a Conservation Area in the same way as it does for a listed building.
21. Although the proposed development will be visible from the Conservation Area but it must also be viewed within the context of the existing developments external to that heritage asset. Visibility does not necessarily equate to being harmful because it could be argued that views from the Conservation Area, such as along Dorchester Court, towards the site will be enhanced due to the removal of a large white shed and expansive car parking which is clearly out of place in the streetscene and its replacement with buildings, albeit larger, that are more sympathetic in terms of materials and even use. At worst, the impact of the development is considered neutral by Council officers.
22. It is noted that the GLA are of the opinion that, due to the overall scale and massing of Block A being visible from the Conservation Area, the setting of the Conservation Area would be altered, therefore the development would result in "less than substantial harm" to the Conservation Area. In heritage terms, if it is considered that a proposal would result in less than substantial harm, the harm should then be weighed against any public benefits of the scheme. Whilst this opinion differs from Council officers, it is agreed that the benefits of the scheme identified by GLA officers (public realm improvements, improved connectivity for pedestrians and cyclists, and the proposed park) should outweigh any harm. In addition, Council officers would also consider the provision of housing (and affordable housing), the removal of an unsympathetic building and large expanse of parking, and a development that better relates to the wider streetscene (in form, use and materials) would also contribute to outweighing any harm, if it should be considered that the scheme resulted in less than substantial harm.
23. Having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal will not lead to any harm to the Conservation Area, having regard to Policy 7.8 of the London Plan, Core Policy 17, Policies DMP1 and DMP7 of the Development Management Policies, and with section 16 of the NPPF.

Housing

Policy Background

24. Brent's adopted local policy (CP2 and DMP15) sets out the affordable housing requirements for major applications and stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50% target) on economic viability grounds. This is discussed in more detail later in this report.
25. The emerging London Plan (Publication Version) has been subject to examination and the associated affordable housing policies H4 ("Delivering affordable housing"), H5 ("Threshold approach to applications"), and H6 ("Affordable housing tenure") are now given greater weight. These policies establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:
26. 35 % Affordable Housing; or
- 50 % Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.
- * other criteria are also applicable.
 ** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.
- The policies set out the Mayor's commitment to delivering "genuinely affordable" housing and the following mix of affordable housing is applied to development proposals:
27. a minimum of 30 per cent low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
- a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent ("LLR") and London Shared ownership
 - 40 per cent to be determined by the borough
- When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40% to be determined by the borough). This means that this element of affordable housing mix should be provided as Affordable Rented homes.
28. Policy allows for a reduction to affordable housing obligations on economic viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that aren't eligible for the threshold approach must be accompanied by a Financial Viability Assessment ("FVA"). It is important to note that these policies do not require all schemes to deliver 35% or 50% affordable housing.
29. Brent's emerging Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted policy DMP15 policy and emerging London Plan policies H4, H5 and H6 would carry considerably more weight than the Brent emerging Affordable Housing policy at this point in time.
30. Policy H11 (Build to Rent/"BTR") of the Publication version London Plan sets the criteria on which such developments are assessed. A BTR scheme can be solely discounted market rent ("DMR") at a genuinely affordable rent, with the preference being LLR. This policy has been developed because BTR operates a different model to the more traditional Build for Sale. BTR relies on income through rent over a number of years, rather than an upfront return on sales (this is often referred to as the 'distinct economics' of the sector). Because of this, in some circumstances BTR may not be able to compete for land on an equal footing with speculative Build for Sale, as it may generate lower initial land values. Longer term, however, BTR is considered to be an attractive offer to institutional investors because it is less susceptible to housing market cycles, price downturns, offers longer-term tenancies (and certainty for tenants), and better management standards. BTR developments must also be secured for a minimum 15 year period and retained in single ownership, with overall ownership only permitted to change if the entire scheme stays as BTR. Individual homes cannot be sold without triggering a review in which the Council may be able to clawback some money for affordable housing.

31. Policy BH5 (“Affordable Housing”) of the draft Local Plan confirms the aforementioned Publication version London Plan policies but also advises that in BTR developments, it is expected that 100% will be London Living Rent. London Living Rent (“LLR”) is considered to be an intermediate affordable housing product, offered to households with a maximum household income of £60,000. Whilst primarily aimed at single people, couples, and families, it does not exclude house shares where the total household income does not exceed £60,000. Ward-level caps, calculated by the GLA, are based on one-third of the median gross household income of the Borough. It is important to note that the cap could vary from the Borough median by up to 20% in line with houses prices within the ward and by the number of bedrooms within the dwelling. Whilst an upper cap limit is set, the registered provider is allowed the flexibility of setting a lower rent. For example, the most recent LLR maximum rent levels for Mapesbury Ward are approximately £847 pcm for a 1-bedroom home, £941 for 2-bedroom home and £1,035 for a three-bedroom home. By comparison, London Affordable Rent Levels for 2020/21 are around £690, £731 and £771 respectively.

Affordable Housing Offer

32. The applicant is proposing 50 (21%) affordable dwellings at London Living Rent levels (21% by habitable room), as shown in the table below:

Proposed Housing Tenure/Mix								
	LLR Dwellings	LLR Hab Rooms	Private Dwellings	Private Hab Rooms	Total Dwellings	%	Total hab Rooms	%
Studio	0	0	1	2	1	0.42	2	0.23
1b2p	21	42	79	158	100	41.84	200	28.90
2b3p	5	15	17	50	22	27.21	65	28.18
2b4p	11	33	32	97	43		130	
3b5p	8	32	41	166	49	30.54	198	42.63
3b6p	5	20	18	72	23		92	
4b7p	0	0	1	5	1		5	
Total	50	142	189	550	239		692	

33. The above represents a revised offer, following a rejection of the initial offer of x12 affordable rented units (5%). The current offer, which was again tested by the Council’s independent consultant (BNP Paribas) and also by the GLA’s viability team, is considered to be the maximum reasonable amount which can be delivered. The appraisal establishes a benchmark land value (“BLV”) of £10.155M against a residual value of £9.621M, resulting in a deficit of £533,734.
34. Having regard to the scale of the development and to adopted and emerging policy, it is recommended that mid and late-stage reviews are secured through a S106 Agreement to capture any uplift. With BTR schemes it is normally expected that any uplift in affordable accommodation will be on-site.

Family Housing

35. Policy CP2 of the Core Strategy confirms that 25% of new housing should be family-sized units (3-beds or greater) and this would equate to 21no. dwellings in the current scheme. As shown in the table above, there would be an overall provision of 30.5% (73no.) family-sized dwellings which includes 1no. 4-bed dwelling. Whilst there is no specific policy requirement to include family dwellings within the affordable tenure, 13no. (26%) of the Affordable homes will be family-sized units. Having regard to this element of the scheme, the development exceeds the policy requirement and with a high proportion of family dwellings within the affordable tenure, is considered acceptable.

Accessible and Adaptable Dwellings

36. The London Plan (Policy 3.8) requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 24 wheelchair units. These would again be secured by an appropriately worded condition.

Design Considerations

37. There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the

Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.

38. London Plan policy 7.1 ("Lifetime neighbourhoods") advises that the design of new buildings and the spaces created by them should "help to reinforce or enhance the character, permeability, and accessibility of the neighbourhood" while policies 7.4, 7.5 and 7.6 confirm the requirement for achieving the highest architectural quality, taking into consideration the local context and its contribution to that context.

Layout and Access

39. The development will comprise of three blocks (A, B, C) with Block A sited along the Cricklewood Broadway frontage between Temple Road in the south and Longley Way in the north and the proposed Park Street to the west. This block is in the form of a perimeter block, around a central landscaped courtyard and with the commercial element located on the ground floor, fronting Cricklewood Broadway. The 11 ground floor residential dwellings will each have direct access onto Temple Road, Park Street or Longley Way, thereby ensuring, together with the commercial element, that there is activity around the base of the entire building. The remaining 130 dwellings will be accessed via one of four cores. A basement beneath the block will provide the accommodation for all of the refuse and bike stores, plant room, water tank room and store rooms. It should also be noted that the footprint of Block A will extend onto the public highway in its north-eastern corner, which will require a stopping up order to be made. This will result in the need to alter the geometry of the southern part of the junction of Longley Way/Cricklewood Broadway by removing the left-turn filter from Cricklewood Broadway. Whilst the highways implications of this element of the proposal will be discussed below, there are no objections in terms of the layout because it enables a more regular building design to be brought forward.
40. Block B, also designed as a perimeter block, will front Park Street and Temple Road to the east and south respectively and the new park and Block C to the north. To the west, separated by the proposed rear gardens for some of the proposed ground floor dwellings is the common boundary shared with 1 Oswald Terrace on Temple Road and one of the car parks at the rear of Williams House, Stoll Close. Eleven of the 18 ground floor dwellings will have direct access to the street with the remainder of the 76 dwellings being accessed via one of three cores. A basement is provided which will accommodate similar ancillary accommodation to that within the basement of Block A. This basement will also be linked to that of Block C.
41. Block C will open out onto the new park, with Block B to the south, Longley Way to the north and similar to Block B, the rear gardens for the three ground floor dwellings will share a common boundary with another car park to the rear Williams House, Stoll Close. All 13 dwellings within the Block will be accessed via a single core. The basement will house the ancillary accommodation similar to that within the other two blocks.
42. The overall layout is considered to successfully address the three roads that bound the site. Moreover, whilst the layout is considered to work successfully in its own right, it must also be remembered that the current scheme is anticipated to be the first of two phases, with the adjacent Wickes site potentially coming forward as Phase 2, therefore as shown in the proposed masterplan, will also integrate successfully with Phase 2.

Height, Scale and Massing

43. It is acknowledged that that any form of development on a currently open car park will effect a change on how this site relates to the street scene on both Temple Road and Cricklewood Broadway. As described above, Block A will occupy all of the Cricklewood frontage between Temple Road and Longley Way and will be the largest of the three blocks, rising up to seven stories in terms of the residential accommodation but with the cores rising up an additional level to provide access to the rooftop amenity area, plant and PV arrays. Opposite to the commercial developments on Temple Road, the height and scale of Block A remains at seven storeys (except for the core as discussed above) but stepping down to 4-stories and 3-stories opposite the residential dwellings on the Temple Road frontage (with recessed 5-storey and 4-storey elements). Along the Longley Way frontage, Block A varies between 6-stories and 7-stories, and also with the two cores on this frontage rising to 8-stories providing access to the roof

terraces.

44. Block B varies in height from 3-stories and 4-stories on the Temple Road frontage, 4-stories and 5-stories on the Park Street and Longley Way elevations (with the cores rising up to 7-stories to enable access to the rooftop amenity space and PV array). At the rear, facing Stoll Close, the block will be between 3-stories and 4-stories with a recessed fifth storey.
45. Block C, the smallest of the three buildings, will vary in height between 3-storeys and 4-stories, with the core rising above to grant access to the rooftop to enable maintenance of the proposed green roof and PV array.
46. The site is within an “intensification corridor” as designated within the emerging Local Plan which suggests that heights of up to 5-storeys may be acceptable. The proposal reaches 7-storeys (with cores to the top roof terraces projecting above this). However, the proposed height, scale and massing of each of the three blocks is considered to respond well to the surrounding developments and with each other. The overall scale and massing of Block A on the Cricklewood Broadway frontage is considered appropriate, particularly given that the level of distancing to the dwellings opposite is in excess of 40m. In relation to the commercial buildings on Temple Road, Block A is no more than 2-stories taller and appropriately steps down where it fronts the lower-rise residential dwellings. The conflict with the emerging policy relating to height is considered to be outweighed by the benefits of the proposal, including the provision of new homes (including Affordable homes) and significant improvements to the streetscene.

Elevations and Materials

47. The overall design of the three blocks adheres to the basic principle of ensuring there is a clear base, middle and top sections with a variation in roof heights adding to the visual interest. In addition, the façade of each block (in particular Blocks A and B) has been designed to reduce the massing through the introduction of projecting balconies, setbacks and a regular rhythm to the positioning of fenestration which also introduces some verticality.
48. The commercial units are provided with higher floor to ceiling heights and large glazed panels, to help differentiate the commercial element from the residential above and also to more closely relate to the ground floor commercial units to the south.
49. The simplicity in the overall design is matched by the material palette, which uses only three materials: red brick as the main material; GRC (glass reinforced concrete) around entrance cores and the winter gardens; and aluminium window framing.

Quality of Accommodation

50. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), Policy D6 of the Publication Version London Plan, and the nationally described space standards (“Technical Standards”). Other policies must also be considered, such as minimising or managing overheating (Policy SI 4 “Managing heat risk” of the Publication Version London Plan). The LB Brent Design Guide SPD1 also provide guidance on what new developments should be considering.
51. All dwellings will either meet with or exceed the relevant minimum standard, with 25% of these significantly exceeding their relevant standard, by between 10sqm and 22sqm. Larger internal areas are particularly welcomed where it is more difficult to meet with the council’s amenity space standards.

Dual Aspect

52. Policy D6 of the Publication Version London Plan and LB Brent SPD1 confirm that dual aspect dwellings should be maximised in order to improve the living conditions of occupiers through better daylight, natural cross-ventilation to avoid overheating and dampness, and a choice of views. Policy and guidance also recognise that it is not always possible to provide dual aspect dwellings and where single aspect dwellings cannot be avoided, they should avoid being north and south facing to avoid overheating.
53. For the proposed scheme, all 2-bed units and larger (116no. dwellings), together with 48no. 1-bed

dwellings, are dual aspect. The remaining dwellings (75no. 1-bed) are single aspect dwellings but none face directly north or south, although this is a consequence of the sites orientation – dwellings face north-east/west and south east/west. It should be noted that design measures, discussed in the Overheating section below, will ensure that all dwellings do not overheat.

Daylight, Sunlight, Overshadowing

54. In terms of internal daylight, the Average Daylight Factor (ADF) is used. The ADF is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. BRE guidelines confirm that the acceptable minimum ADF target value depends on the room use. That is 1% for a bedroom, 1.5% for a living room and 2% for a family kitchen. In cases where one room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Notwithstanding this, the independent daylight and sunlight review states that, in practice, the principal use of rooms designed as a 'living room/kitchen/dining room' is as a living room. Accordingly, it would be reasonable to apply a target of 1.5% to such rooms.
55. The ADF analysis confirms that 639 out of 690 (90.6%) rooms would receive daylight above, or equivalent to, the BRE recommended value. When consideration is given to the negligibly affected locations, the pass rate would increase to 94.8%. Rooms that are affected are either located within the corner area of the site or have balconies positioned above the respective windows.
56. In terms of overshadowing, the private amenity spaces on the western side of the development serving Blocks B and C, and the rooftop communal areas of Block A (5th and 7th floors) and Block B (4th and 6th floors) will receive the BRE recommended 2 hours of sunlight on March 21st over 50% of their area. With regard to the two internal courtyards and the proposed Park, these fall short of the BRE recommended guidance but when the test was undertaken one month later, these areas do receive sunlight in accordance with the recommended guidance.

Amenity Space Provision

57. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm studio, one or two-bedroom home and 50sqm for family housing (homes with 3 or more bedrooms).
58. The requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
59. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
60. Emerging London Plan policy D6 ("Housing quality and standards") specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the emerging policy.
61. All proposed dwellings will have access to a mixture of private balconies, terraces, gardens and communal space by way of internal courtyards for Blocks A and B, and a new park. Of the 239no. proposed dwellings, a total of 14no. (13no. at ground floor level, 1no. at 5th floor level), exceed the relevant minimum standard of 20sqm or 50sqm. Of the 73no. family-sized dwellings proposed, 5no. exceed the minimum private amenity space requirement of 50sqm, with the remainder falling short between 1.6sqm and 42sqm.

62. As advised above, Policy DMP19 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. The table below provides the total shortfall in amenity space by Block and the amount of proposed communal space, where it is again noted that there will be a shortfall of 2368.65sqm (inclusive of the proposed Park). In terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used. With regard to the shortfall in the communal space provision, regard is given to the proximity of Gladstone Park (see table below) and the quantum (37.4ha) of space and facilities therein.

Amenity space provision

Block:	A	B	C
Minimum private external amenity (sqm)	5	5	5
Maximum private external amenity (sqm)	63.4	115	123.4
Maximum shortfall of private external amenity (sqm)	42	42	42
Total shortfall of private amenity external amenity space (sqm)	2825.2	1574.4	209.6
Communal amenity space (sqm)	1013.85	548.4	0
Overall shortfall in amenity space (less Communal Space)(sqm)	1811.35	1026	209.6
Total No. Homes	141	87	11
Pro-rata communal external space	7.20	6.03	0
Proposed Park	648		
Pro-rata public space (Park) (sqm)	2.7		
Approx. distance to Gladstone Park (m)	719 - 810	647 - 790	799
Approx. distance to proposed Park (m)	17 – 105.89	4.5 - 103	4.5
Child Yield	57.4	34	11.3
Playspace Requirement (sqm)	573.6	340.3	113.1

Children’s Playspace

63. Play space provision to cater for a range of age groups should be made in accordance with the Mayor’s ‘Play and Informal Recreation’ SPG, Policy 3.6 of the London Plan and draft Local Plan Policy S4. Applying the Mayor’s playspace calculator, the estimated child yield for the scheme is provided by Block in the table above. A total of 1359sqm of playspace is proposed, within the proposed Park, within the courtyards of Blocks A and B and at fifth floor roof level of Block A. It is noted that the aforementioned figure also includes the majority of the proposed Park Street (c.255sqm). Notwithstanding that this street will only be used by emergency vehicles, it should be excluded from the overall provision. This would therefore result in approximately 1104sqm of playspace being provided, exceeding what is required.

64. The amount of external amenity space for some homes falls below the targets expressed within policy DMP19 and emerging London Plan Policy D6. However, having regard to the proximity to nearby open spaces and the quality and quantity of on-site provision, the new homes would nonetheless have access to external space that is sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development, including the provision of new homes in the borough.

Density

65. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity. Table 3.1 of the current London Plan gives Brent an annual housing target of 1,525 new dwellings while the Publication Version London Plan (Table 4.1) increases this to 2,325 per year.

66. The site (approximately 0.9ha) is located within an area with a public transport accessibility level (“PTAL”)

of 3 and 4, suggesting that an appropriate level of density for this urban location is in the range of 200-700hr/ha or 70-260u/ha. The proposed scheme will achieve density levels of 768hr/ha and 265u/ha.

67. Whilst the above indicates that the scheme marginally exceeds the suggested density range, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and the satisfactory resolution of any highways matters. Some of these matters have been discussed above, and the remainder will be discussed below.

Fire Safety

68. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the Publication Version London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development will achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape.
69. Notwithstanding, in accordance with the above policy, a Fire Strategy has been produced by a suitably qualified person. The overall fire strategy has been designed to:
70. Provide an early warning and appropriate means of escape
- Inhibit the spread of fire through the use of appropriate materials or products
 - provide structural stability for a reasonable period by appropriate construction, separation, compartmentation and the prevention of fire spread in concealed spaces
 - adequately resist the spread of fire over the roof or from one building to another
 - provide reasonable facilities to assist firefighters in the protection of life and to enable fire appliances to gain access to the building
- It is important to note, as the Strategy advises, that the Building Regulations should be satisfied by following the relevant guidance in Approved Document B (Fire Safety). The Approved Document recognises that there may be alternative ways to comply with the guidance but this would need to be agreed with the relevant building control body.

Non-residential Uses

71. The proposed development proposes some commercial space (B1) in addition to the residential offer. As discussed above, the loss of retail on the site is acceptable because of the aim of the council to direct retail units towards town centres. It should be noted that although the 2020 Use Classes Order created a new Class E under which B1 uses would now fall within, due to the application having been submitted prior to the introduction of the Use Classes Order taking effect on September 1st 2020, the former use classes still apply. A condition would be imposed to restrict any changes of use without the prior written approval of the LPA to ensure that any proposed use can be properly assessed in terms of any amenity or highways impacts.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

72. The proposed scheme has been laid out so that the habitable room window to window distances between the residential units within the development and between them and adjoining residential properties on Temple Road, Gratton Terrace and Stoll Close exceed 18m so there will be no overlooking or privacy issues within or outside of the site.
73. Private balconies on Block A which face Temple Road are set 18m away from the houses opposite and the winter gardens which face Cricklewood Broadway are 37m away from the houses along Gratton Terrace. Although these distances far exceed the 18m requirement, the balustrade to the roof amenity space on top of Block A is set 4m back from the parapet at the request of the residents of Gratton Terrace to further minimise overlooking. The bank of mature trees in front of these houses will also provide a dense screen of leaves during the spring and summer months.
74. There are no balconies on Block B which face Temple Road. Those which face Stoll Close at the rear are

set 18.5m away. The balconies which face the rear gardens of the Oswald terrace properties are set 6.5m and 13m away from the boundary of No.1 and No.2 respectively however this is not unusual in dense urban areas such as this.

Loss of Light / Overshadowing

75. To ensure light and outlook to existing properties is not affected, proposed buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries. From the sectional drawings provided, the buildings would appear to respect the 30-degree and 45-degree lines from neighbouring properties, thus broadly indicating that the scheme should not unduly impact neighbouring residential occupiers in terms of loss of light and outlook.
76. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment (BRE) considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. The BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The above tests are discussed below:

Daylight

77. The properties to the north-west, north and north-east of the site (31-42 Rusper Close, Wickes and Sindhi Community House) were not been analysed as they are either non-residential or too distant to be affected.
78. Numbers 31-40 Gratton Terrace, located to the east, currently have VSC results above BRE's 27% threshold as direct result of the open car park. BRE advice, as stated above, is that an adverse effect would occur if the proposed value is not only less than 27% VSC but also less than 0.8 of the former (existing) value. Some locations at ground floor level show the proposed VSC readings fractionally below 0.8 times the former value, ranging between 0.77 and 0.79. However, these same locations would all achieve VSC above 25% which is considered to be a very good value in the urban environment. The Daylight Distribution results confirm that in all locations the values would be in accordance with the BRE criterion, with proposed readings at or above 0.89 the former value. No adverse effect would therefore occur.
79. To the south, only the residential properties, Nos.1-27 Temple Road, were tested. The VSC results confirmed that some locations between nos.1-23 would fall below the BRE recommended value. Many of these affected windows are the side panels of the bay windows and the view of the skydome is already partially obstructed by the neighbouring building itself. Similarly to the properties along Gratton Terrace, the existing readings are higher than typically expected in an urban context as the development site is partially used as car park. The proposed readings confirm that the VSC would remain above 22.24% to the main windows looking toward the proposal. The daylight distribution results confirm that in all but 5 locations values would remain above 0.8 the former value. The exceptions would all be bedrooms where the proposed value would range between 0.67 and 0.75 the former value. The BRE guidance states that daylight distribution is less important to bedrooms than to living rooms and the results ought to be considered adequate, even more so when considering that the well-lit area would remain at or above 67% of the room area.
80. To the west lies 1-8 Oswald Terrace and William House. Due to lack of information on the internal arrangements of these dwellings, an assumed reasonable room size and use was employed. In relation to Oswald Terrace properties, the results confirm that the proposed value would be retained above 27% VSC in the great majority of locations. Where this does not occur, the proposed readings would be at or above 0.90 the former value which is well above the BRE recommendation of 0.8. Moreover, the daylight distribution results confirm that the proposed scheme would not have any adverse effect on these residences, as the value would remain unchanged.
81. In relation to William House, which directly faces Blocks B and C, the VSC results in Appendix 2 confirm some locations within nos.1-8 and 9-16 would fall below the BRE recommended value. The great majority of them are located on the first floor and sit beneath the roof overhang. Where this occurs, BRE recommends an additional calculation that defines the VSC without the overhang in place. When this

additional test is carried out, the results confirm the VSC readings for 21 windows would improve to above, or equivalent to, the required value of 0.8. This confirms, as per the BRE advice, that the major obstruction to daylight is the presence of the existing overhang rather than the proposed development. The windows within Nos.17-32 William House would all remain BRE compliant. The daylight distribution results would remain above 0.8 the former value in all but four locations. These are rooms R1, R3 and R4 within nos.1-8 where the proposed readings would range between 0.69 and 0.78; the latter can be considered equivalent to the BRE recommended value of 0.8. The fourth exception would be room R11 within Nos.9-16 where the proposed reading would be 0.72 the former figure. The retained well-lit area would be above 63% of the room area and the daylight level within the rooms would remain good.

Sunlight

82. In terms of sunlight, windows that do not face within 90° degrees of south are classified as 'north facing'. In these circumstances there is no criteria to meet. In all but one location the windows that face within 90° degrees of south would retain annual sunlight availability in accordance with the BRE recommendation. The exception would be W8 at ground floor level within Nos.1-8 William House where the proposed reading would be 0.78 the existing value. This can be considered equivalent to the BRE recommendation of 0.8.
83. The winter sunlight availability would remain BRE compliant in all but one location. This would be window W22 on the ground floor within Nos.17-31 William House where the reading would reduce from 2% to 1%. The existing reading is already very low, and the difference should be unnoticeable to the occupants.

Overshadowing

84. In terms of overshadowing, the closest neighbouring amenity areas would not be subject to a perceptible difference in permanent overshadowing from the proposed development. The BRE criteria would be fully satisfied. Three of the 16 amenity areas would fall below the BRE recommendation for 21st March but would be significantly better one month later. On balance, and having regard to the wider benefits if the scheme, this is considered acceptable.
85. In terms of the neighbouring residential windows tested, 84.2% would satisfy the BRE criteria and advice with reference to the VSC. When consideration is given to the daylight distribution results, the pass rate would be 96.1%. Sunlight availability would remain BRE compliant with only two minor exceptions which should be unnoticeable to the occupants.

Summary of Neighbour Impact

86. It is acknowledged that the increased height bulk will result in some additional impact on neighbouring occupiers and amenity space. However, the tests and criteria outlined in the BRE guide have been written with a suburban environment in mind, therefore the recommendations should be interpreted with flexibility.

Highway Safety

87. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

88. Having regard to the good PTAL level and with an aim to encourage non-vehicular modes of transport (walking, cycling, public transport), no car parking will be provided for residents, employees or visitors of the development. Given that the site is within an existing CPZ ((GM) which is in operation Monday to Saturday from 10am to 9pm), the applicant has indicated a willingness to enter into a permit free agreement to restrict future residents from obtaining a parking permit.
89. Residents with a need for disabled parking however, will be able to request the creation of a disabled on-street bay. Parking surveys indicate that immediately surrounding the site, there is spare capacity in on-street parking to enable this conversion, with only 77% usage (5no. empty) for the bays on Temple Road (along the site frontage) and 46% (20no. empty spaces) on Longley Way both overnight and at 10am.

Cycle Parking

90. Each Block, inclusive of the commercial units, will be provided with cycle storage capacity which exceeds the minimum standard within the Publication Version London Plan, as set out in the following table:

	Requirement		Proposed	
	Long Stay	Short Stay	Long Stay	Short Stay
Block A: 141 Units	249	6	268	52
Block B: 87 Units	158		178	
Block C: 11 Units	20		30	
Commercial (B1): 803sqm	6	2	8	
Total	433	9	494	52

91. Cycle stores for the residential elements will be provided within the basement of each block, via a lift. Block A will have 4no stores, each accessed via one of the cores and Blocks B and C will each have 3no stores and 1no store respectively. In addition, 28no Sheffield stands (56no spaces) will be provided across the site for visitors. The level of cycle parking provision far exceeds the minimum requirement, which is welcomed. However, given that there is a concern over the spacing of the racks, there is the potential for the number to be reduced but this would not result in numbers falling below the minimum requirement. Further details of the cycle parking and their spacing will be secured by condition.

Servicing and Deliveries

92. Waste storage will be provided within the basement of each residential block, which similar to the cycle storage, will be located near to the lift cores. For the commercial units, a store is provided adjacent to Unit 2, accessed off Temple Road. Residential refuse collections will take place on-street from Longley Way, at the designated waste collection point located adjacent to Block C at the western end of the street. As refuse will be stored at basement level, site management personnel will transport waste from the Block A basement. Waste stored within the Block B and C basements will be transported to the collection point using a shared service lift. The minimum waste storage requirements would be approximately 54,000l which need to be evenly split between recyclable waste and residual waste, 45 x 1,100 euro bins and 31 standard 240l bins which results in a total storage capacity of 56,900l which accords with minimum requirements.
93. In relation to deliveries, three loading bays are proposed: two on Longley Way; and one on Temple Road, in order to service both the commercial units and residential units. It is expected that the commercial units will have a demand for 2no deliveries per day whilst the residential units will have a demand of 29no vehicles per day. A concierge service is proposed for residential delivery collection which means residents won't have to be home for the delivery to be collected, which in itself is likely to reduce the number of trips because repeat attempts will not be required. The 29no vehicles also include fast food deliveries which invariably use smaller vehicles such as mopeds or bicycles. The amount of servicing for the proposal is therefore considered to be adequate. Tracking diagrams have been included which demonstrate the ability for service vehicles to turn around on Longley Way.

Layout

94. Alterations to the highway will include:
- Removal of the ingress filter lane from the northbound lane of Cricklewood Broadway, which would result in an improved pedestrian environment and streetscape. However, the entire junction needs to be addressed and the removal of the egress filter lane from Longley Way should also be included within the scope of the works at this stage, rather than being left for a later phase that may not come to fruition.
 - An increase in the width of Temple Road which would allow for car parking bays to be contained fully on the carriageway, eliminating the existing authorised footway parking situation on the north side of Temple Road and maintaining a 2m wide footway.
95. The removal of the filter lane would need to be undertaken prior to the implementation of Block A, as this would result in surplus highway land that is no longer required for the junction. The surplus highway land would need to be stopped up under S247 of the Town & Country Planning Act 1990 in order to allow

Block A to be constructed in its proposed form. The applicant will need to meet all costs for diverting statutory undertakers' equipment before the land is stopped up.

96. The proposed new street ("Park Street") would be located between blocks A and B. Whilst it is acknowledged that the submitted Landscape Design Statement does include some details of this, further details of the access (restricted to emergency and service vehicle access only) will be required through a suitably worded condition.

Trip Generation

97. The submitted Transport Assessment includes trip generation figures taken for the industry standard TRICS database. This indicates that the residential aspect will result in 15 trips into the site, 96 trips out of the site and 111 in total within the AM peak and 54 trips into the site, 36 trips out of the site and 97 trips in total during the PM peak. Due to the proposed car free nature of the development the majority of these trips would be undertaken by none car modes and the proposal would result in a significant reduction in car trips compared to the existing retail unit. Which is welcomed.

Travel Plan

98. A Travel Plan has been submitted which primarily covers the residential element because TfL Travel Plan guidance only requires a Travel Plan to be submitted for B1 (Business) uses equal to or greater than 2,500sqm. However, as advised within the Scope of the Travel Plan, the commercial floorspace will be car-free and it is considered that employees will benefit from several of the measures within this Travel Plan, including use of the car club and visitor cycle parking. As such, a number of measures to promote sustainable transport amongst employees have also been included within the submitted Travel Plan. Notwithstanding, some alterations will be required, to be secured by condition:

- (a) The Travel Plan Co-ordinators details need to be identified, it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community.
- (a) Baseline Targets have already been identified through both the Travel Plan and Transport Assessment Targets the first surveys will assess the need to address any discrepancies between the two. Furthermore targets need to include car mode share
- (a) The Travel Plan and associated measures need to be included at the point of sale (or rent)
- (a) Limited measures have been included which mainly consist of information providing whilst incentives are normally a more effective behaviour change tool. One idea that was mentioned in pre-application queries was the provision of car club whether it be a vehicle or membership incentives. It is noted that there is a car club available on Ashford Road approximately 400m from the site which would approximately be a 5 minute work, which should make it viable for residents to use. It is recommended that free membership to all households is offered.

Sustainable Design

Carbon Reduction / Energy

- i) Chapter five of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The commercial elements will be "expected" to achieve a BREEAM 'Excellent' rating and the residential element, being a major development, should be achieving carbon emissions reduction targets leading to zero carbon, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund.
99. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The proposed design approach is to minimise energy consumption through passive design, fabric performance, energy efficiency measures and the incorporation of Air Source Heat Pumps and photovoltaics. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
100. The Statement confirms that the residential element should achieve a 36.12% saving, thus exceeding the minimum on site 35% reduction required over Part L of the Building Regulations. However, in accordance with the London Plan (policy 5.2E *Minimising carbon dioxide emissions*) the remaining

regulated carbon dioxide emissions, to 100%, are required to be off-set through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere. Whilst the Statement discusses this policy position, it does not confirm that the payment would be made, which would be contrary to the aforementioned policy. Such a payment could only be secured through a S106 Agreement while the targeted reduction can be conditioned.

101. It is noted that in relation to the non-residential elements, those units are predicted to achieve BREEAM 'Very Good'.

Overheating

102. An Overheating Analysis has been provided to demonstrate whether the proposed dwellings are at risk of overheating. To demonstrate this, two criteria must be met:

Criterion A: Kitchens, living rooms and bedrooms:	The number of hours (He) that delta T is greater than or equal to one degree (K) during the period between May and September shall not be more than 3% of occupied hours.
Criterion B: Bedrooms only	To guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10pm to 7am shall not exceed 26 °C for more than 1% of annual hours (Note: 1% of the annual hours between 22:00 and 07:00 for bedrooms is 32 hours, so 33 or more hours above 26 °C will be recorded as a fail).

103. The Analysis looked at the solar internal gains of representative residential units from all three Blocks, implementing 2020s climate scenario projected weather data, with the analysis based on the use of a dynamic thermal modelling to assess the thermal comfort levels in occupied spaces based on a number of assumptions and guidelines defined under Chartered Institution of Building Services Engineers ("CIBSE") TM59: 2017 "Design Methodology for the Assessment of Overheating Risk in Homes". The Analysis established that to help prevent overheating, a "G-value" (the coefficient commonly used to measure the solar energy transmittance of windows, where a g-value of 1.0 represents full transmittance of all solar radiation while 0.0 represents a window with no solar energy transmittance) of 0.4 (40%), together with mechanical ventilation with heat recovery, purge ventilation through opening windows up to 30-degrees is required to comply with CIBSE overheating criteria.

Air Quality

104. With the site located in a designated Air Quality Management Area, London Plan Policy 7.14 and CP19 of the Core Strategy requires the submission of an Air Quality Assessment ("AQA") to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development.

There is the potential for air quality impacts as a result of fugitive dust emissions from the site (dust, particulate matter (PM10 and PM2.5)) during the construction phase of the development and their impacts were assessed in accordance with the Institute of Air Quality Management ("IAQM") methodology. Assuming good practice dust control measures are implemented, as detailed within Table 5.6 of the AQA, the residual significance of potential air quality impacts from dust generated by earthworks and construction, and track out activities is predicted to be negligible. Those mitigation measures would be subject to an appropriately worded condition.

105. The development will include 5no. Air Source Heat Pumps (ASHP) located on the roof of Block A. Communal gas fired boilers to top up the system when the demand exceeds the capacity of the ASHP have also been proposed and the flue will terminate to the roof through the flue rise on Block C. Dispersion modelling was therefore undertaken to quantify pollutant concentrations at the site and assess potential exposure of future users. Concentrations of nitrogen dioxide ("NO2") and particulate matter ("PM10") were predicted across the ground floor and first floor were subsequently verified using local monitoring results obtained from Brent and Barnet Councils.

106. In terms of NO2 concentrations, the annual mean concentrations should not exceed the national air quality objective ("NQO") of 40µg/m3. For the development, these are predicted to be between

27.10-41.05µg/m³ at ground level and 27.14-35.70µg/m³ at first floor level. These predicted annual mean concentrations therefore do not exceed the relevant air quality objectives (“AQO”) across the residential floors. With regard to PM₁₀ concentrations, estimated to be between 17.24 and 19.45µg/m³, there are no predicted exceedences at ground floor level. We are also advised that predicted concentrations are likely to be lower above ground level due to increasing distancing from the emission sources such as the local road network. PM₁₀ concentrations are not viewed as a constraint to development. With regard to PM_{2.5}, where the concentration levels of PM₁₀ is below 25µg/m³, it is unlikely to give rise to PM_{2.5}. It has been noted that the ground floor level of the proposed development does not include any proposed sensitive use to long term pollutant concentrations, therefore exposure to annual mean NO₂ concentrations is not applicable across the ground floor as in accordance with LAQM (TG16) and has not been considered further in the context of pollutant exposure.

107. Annual mean concentrations of NO₂, PM₁₀ and PM_{2.5} were predicted across the proposed development with no predicted exceedences of the relevant AQOs for the residential units. Based on the assessment results, the site is considered suitable for a mixed use development subject to the implementation of suitable mitigation measures as detailed within Table 5.6 of the AQA to minimise construction phase impacts, the impact is predicted to be negligible.

Flood Risk/Drainage/Water Consumption

Flood Risk

108. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The submitted *Flood Risk Assessment and Drainage Strategy* (“FRA&DS”) has the risk of flooding from all sources and it is considered to be low. However, some mitigation measures are identified and these should be secured by an appropriately worded condition.

Drainage/SuDS

109. Adopted policies confirm that all new development should be achieving greenfield run-off rates, and if not, this should be fully justified with the runoff rates reduced as low as possible. Building Regulations Part H states that no soakage device can be placed within 5.0 m of a building or adoptable road. Soakaways will not be utilised due to underlying London Clay and the compact nature of the site. The following SuDS measures are proposed, with any surface water not retained on site draining via the existing connection to the public sewer within Longley Way (with Thames Water confirming that the proposed flows to the public sewer are acceptable):

110. Two geo-cellular storage tanks (equating to 743.6m³) will be incorporated in the residential square and along Park Road;

111. Grassed areas have been introduced throughout the scheme including within the rear garden areas, the residential square, and external courtyards totalling 2158sqm; and

- 2184sqm of green roofs will be incorporated on the roofs of all three blocks;
- All external hard surfacing will be formed of tanked permeable surfacing where possible to provide treatment of runoff prior to discharge to the Thames Water sewer network.

- It is noted that in Table 6.2 of the FRA&DS, rainwater harvesting, whilst identified as being “*possibly suitable for use*”, has not been included in the current design proposals. Details of the feasibility or otherwise, of implementing this additional measure could be secured by condition.

- Overall there will be a significant reduction in peak runoff rates achieved compared to the existing scenario given that the Site will be approximately 60% permeable post development. For the remaining impermeable areas of the site, it is proposed to restrict the runoff rate to the greenfield equivalent rate for the impermeable area of the site (2.5 l/s) through the introduction of an appropriate flow control device (a Hydro brake or similar).

112. Due to the existence of a strategic water main in close proximity to the site, the method of piling will need to be agreed in advance in conjunction with Thames Water, in order to ensure that the below-ground infrastructure is not damaged.

113. The proposed SuDS measures, together with the proposed maintenance scheduled as detailed within Table 6.6 of the FRA&DS, will be secured by appropriately worded conditions, as will a Piling

Method Statement.

Water Consumption

114. In order to minimise impact on water supply, Policy 5.15 of the London Plan (policy SI5 of the draft Plan) confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.
115. The *Energy and Sustainability Statement* confirms that insofar as the residential elements are concerned, the policy requirement will be met through the use of appropriately rated appliances and fittings which should result in 104.3 litres for internal consumption and 5 litres for external use. This will be secured by condition.

Ecology and Biodiversity

116. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy ("Protection and Enhancement of Open Space, Sports and Biodiversity") confirms the Borough's commitment to promote and enhance biodiversity.
117. Policy G5 ("Urban Greening") of the Publication Version London Plan seeks to improve the "green cover" in new development through the implementation of such measures as high quality landscaping, green roofs, green walls, street trees and rain gardens. A target score of 0.4 is sought for largely residential developments (0.3 for predominantly commercial developments - excluding B2 and B8 uses) with the higher target for residential schemes justified by the greater demands such schemes have on existing green infrastructure. The scheme is anticipated to achieve 0.4.

Trees and Landscaping

118. London Plan Policy 5.10 ('Urban Greening') and DMP Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Core Policy 18 ('Protection and Enhancement of Open Space, Sports and Biodiversity') of the Core Strategy confirms that support will be given to the improvement of the built environment.
119. The existing site, as described above, is dominated by the large retail store site with the remainder paved over to form the parking and loading areas. As a result, vegetation is limited to mostly periphery plantings in the way of soft landscaping, shrubs and trees, with a small number of trees (5no.) within the car park. The *Tree Survey Report* confirms that of the 22no trees surveyed, 16no are classified as category C trees, meaning that they are either of low quality with a life expectancy of 10 years or young trees with a stem diameter of less than 150mm. The remaining 6no trees are classed as Category U, which are trees of a poor condition that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years.
120. All trees within the site boundary will be removed, however the quality and quantum of the replacement planting (approximately 57no. at ground level and proposals for some to be provided at the upper levels) is considered to be a significant improvement

Contamination

121. Policy 5.21 of the London Plan ("Contaminated Land") encourages the recycling of brownfield sites, inclusive of those affected by contamination, through remediation. A *Phase 1 Contaminated Land Assessment* has been provided. It concludes that the environmental sensitivity of the site is very low with respect to groundwater and low in relation to surface water. Due to the industrial history of the site and neighbouring sites, the potential for contamination or ground gas to present a direct risk to future occupiers is considered to be moderate to moderate/low risk with the creation of private gardens, soft landscaped areas, and installation of water supply pipes. Any exposure risk to construction workers is considered to be moderate but can be mitigated through the use of PPE. It is also considered that the risk posed by unexploded ordnance ("UXO") during below ground works is high.

122. The Phase 1 report recommends that a detailed UXO risk assessment should be undertaken prior to any site investigations and below ground works commencing. It also recommends that further site investigations are required and any remediation agreed with the LPA. Environmental Health supports this recommendation and conditions are proposed to secure them.

Noise and Vibration

123. The potential impact from noise on existing and future occupiers has been assessed through a *Noise & Vibration Impact Assessment*. Existing ambient noise levels and the likely significant effects have been assessed in terms of: construction noise; existing baseline conditions and potential noise sources that may impact the proposed development; changes in road traffic as a result of the development; and noise from plant associated with the proposed development. These are all assessed against the relevant British Standard: BS5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites'; and BS6472-1:2008 'Guide to Evaluation of Human Exposure to Vibration in Buildings'. Monitoring points were set up in three locations: opposite to the site on Cricklewood Broadway (MP1); on the western edge of the site (to the rear of 1-32 Williams House (MP2); and outside of Allenby House (No.1A Temple Road)(ST1).

Demolition and Construction Noise

124. In assessing potential noise and vibration from demolition activity, although proposed work processes or method statements haven't been scrutinised, it is acknowledged that without mitigation, some neighbouring properties will notice noise levels above the defined threshold of 65dB LAeq,10hr. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location will exceed the 65dB LAeq,10hr threshold but with mitigation, all but one location will exceed (66.2dB LAeq,10hr) the threshold. Mitigation for both of these activities could take the form of but not limited to: hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive piling rather than vibratory piling.

Internal Noise Levels

125. Predicted internal noise levels from external sources will vary between the three blocks due to their siting in relation to one of the main sources of noise, traffic along Cricklewood Broadway, with the eastern facade of Block A likely to experience the most. Having regard to the proposed room finishes, dimensions, façade composition inclusive of the proposed glazing, it is considered that the development will better BS8233:2014 and WHO guidelines.

External Amenity Areas

126. External amenity areas should ideally not exceed the design range of 50-55dB LAeq,16hr, however these values may not be achievable in all circumstances. BS8233:2014 acknowledges this by advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.
127. Of the six measured sound levels at locations MP1 and MP2, the design range was exceeded on four occasions. To mitigate against this, winter gardens are proposed for the east elevation of Block A and for the nearest external space to Cricklewood Broadway on the northern elevation. Communal rooftop spaces would appear to meet the above design range but will be improved further through the provision of 1.1m high glass balustrading. It should be noted that in relation to the rooftop amenity areas, the values provided are prior to the installation of any rooftop plant, which would need to be rated below 50dB LAeq,T at the closest amenity space.
128. 3D noise modelling demonstrates that neighbouring residential occupiers will also benefit from the development through improved noise levels within their own gardens and amenity areas as a result of the proposed Blocks shielding them from existing sources of noise.

External Plant Noise

	on completion (Gr)	retained floorspace (Kr)	chargeable at rate R (A)	Brent multiplier used	Mayoral multiplier used	sub-total	sub-total
(Brent) Dwelling houses	25727		23014.6	£200.00	£0.00	£6,863,281.50	£0.00
(Brent) General business use	736		658.4	£40.00	£0.00	£39,269.06	£0.00
(Mayoral) Dwelling houses	25727		23014.6	£0.00	£60.00	£0.00	£1,427,902.5
(Mayoral) General business use	736		658.4	£0.00	£60.00	£0.00	£40,849.55

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£6,902,550.56	£1,468,752.08

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/0115

To: Mr Mark Pender
PPM Planning Limited
185 Casewick Road
West Norwood
London
Greater London
SE27 0TA

I refer to your application dated **13/01/2020** proposing the following:

Demolition of existing building; erection of 3 buildings ranging from 3 to 7 storeys with basement, comprising 238 self contained residential units with commercial space at ground floor level (Use Class B1, Block A only); creation of new street, associated landscaping, car and cycle parking, private and communal amenity space

and accompanied by plans or documents listed here:
see Condition2

at **Matalan Discount Club, Cricklewood Broadway, London, NW2 6PH**

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

Date: 02/02/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 Notwithstanding the submitted refuse storage details, on commencement of the development, further details shall be provided to the Local Planning Authority for approval in writing demonstrating that the proposed waste storage capacity does meet with the adopted minimum requirements for recyclable and residual waste arising from the development approved. The development shall only be undertaken in accordance with the approved details.

Reason: To ensure an appropriate level of provision.

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

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

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

\$

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

- 4 The development shall provide the 50 London Living Rent dwellings (Class C3), as shown on the consented plans, in the following mix: 21x 1-bed 2-person; 5x 2-bed 3-person; 11x 2-bed 4-person; 8x 3-bed 5-person; 5x 3-bed 6-person.

Reason: To ensure an appropriate mix of units having regard to the identified affordable housing needs of the Borough

- 5 The development shall provide 189 private rent dwellings (Class C3), as shown on the consented plans, in the following mix: 1 x studio; 79x 1-bed 2-person; 17x 2-bed 3-person; 32x 2-bed 4-person; 41x 3-bed 5-person; 18x 3-bed 6-person; 1x 4-bed 7-person.

Reason: To ensure an appropriate mix of units having regard to the identified housing needs of the Borough.

- 6 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the units identified on Drawing No.FRD-PA-1101 rev.L shall only be used for purposes within Use Class B1 as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenity of residents, to ensure an appropriate array of uses, and in the interest of ensuring appropriate access and servicing.

- 8 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target

of 105 litres or less per person per day for the residential elements within the relevant Phase and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies

- 9 Prior to the commencement of above ground superstructure works, details for the provision of a communal television system/satellite dish for each Block shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

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

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

- 11 Having regard to Condition 22 (Rainwater Harvesting) below and unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the approved Drainage Strategy and Maintenance Statement (Campbell Reith, Ref 13223, February 2020) shall be fully implemented.

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

- 12 Unless otherwise agreed in writing or required by any other condition attached to this permission, the development shall be undertaken in accordance with the landscaping proposals as detailed within the Landscape Design Statement Rev.A (The Landscape Partnership, May 2020)

Reason: To ensure that the ecological value of the site is enhanced post development and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity and to enhance the character and appearance of the area in accordance with adopted Policy

- 13 Unless otherwise required by any other condition attached to this permission, sound insulation measures contained within the submitted Noise & Vibration Impact Assessment – Revision B (Create Consulting Engineers, October 2019) shall be implemented in full.

Reason: to ensure an effective management of noise in the interest of future occupiers

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

Time	Area	Max. Noise Level
Daytime Noise	Living Rooms/Bedrooms	35 dB LAeq (16hr)
07:00 – 23:00		

Night time noise	Bedrooms	30 dB LAeq (8hr)
23:00 – 07:00		45 dB Lmax

Prior to first occupation of any of the approved Blocks, tests shall be carried out within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results for the relevant Block shall be submitted to the Local Planning Authority for approval in writing.

Reason: To obtain required sound insulation and prevent noise nuisance

14

15 No works at all, including site clearance and demolition, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (a) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (b) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (c) Access Routes: Routing construction traffic away from noise sensitive receptors (NSRs).
- (d) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (e) Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
- (f) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (g) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (h) Piling: Ensuring that piling is undertaken using the most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
- (i) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (j) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (k) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
- (l) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (m) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

The development shall be carried out strictly in accordance with the agreed details.

Reason: particular attention must be paid to minimising the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

- 16 Development shall not commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:
- (a) a photographic condition survey of the roads, footways and verges immediately adjacent to the site;
 - (b) details of construction access (avoiding Temple Road), including any temporary heavy duty access, and associated traffic management to the site;
 - (c) arrangements for the loading, unloading and turning of delivery, construction and service vehicles clear of the highway;
 - (d) arrangements for the parking of contractors vehicles;
 - (e) arrangements for wheel cleaning;
 - (f) a scheme of road-cleaning along construction routes;
 - (g) arrangements for the storage of materials;
 - (h) timing of deliveries (to avoid peak hours, school drop off/pick up times and to comply with local road restrictions);
 - (i) number and type of vehicle movements;
 - (j) A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition';
 - (k) size and siting of any ancillary buildings.

The development shall only be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment

- 17 A Circular Economy Statement shall be submitted to the Local Planning Authority demonstrating the following:
- (a) how all materials arising from demolition and remediation works will be re-used and/or recycled
 - (b) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
 - (c) opportunities for managing as much waste as possible on site
 - (d) adequate and easily accessible storage space and collection systems to support recycling and re-use
 - (e) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy 6) how performance will be monitored and reported.

The development shall be undertaken in accordance with the approved Circular economy Statement and adhered to for the life of the development approved.

Reason: to assist in the reduction of waste generated by the development.

- 18 (a) Prior to the commencement of development, a detailed Unexploded Ordnance (UXO) Risk Assessment, written by an appropriately qualified person shall be submitted to the Local Planning Authority, assessing the potential risk of encountering UXO during any site investigations or below ground works during construction. The findings and recommendations of the UXO Assessment shall be implemented in full as to the removal of any identified UXO or implemented in full as to other necessary mitigation and a mitigation completion verification report has been submitted to and approved in writing by the Local Planning Authority, confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.
- (b) If at any time during development of the site, high risk UXO not previously identified is encountered, no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted detailing how the high risk UXO not previously

identified shall be dealt with and is approved in writing by the Local Planning Authority. The revised and/or additional UXO risk management and mitigation programme / plan shall be implemented as approved and following completion of mitigation a completion verification report shall be prepared and submitted in writing to the Local Planning Authority for approval confirming that that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks from unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers, residents and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

- 19 Following the demolition of the buildings but prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to the Local Planning Authority for approval in writing, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

- 20 Prior to the commencement of above ground works to Block A, further details of the exterior of the non-residential ground floor frontages shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- (a) windows, doors, shop fronts and glazing systems including colour samples; and
 - (b) details of where advertisements would be applied notwithstanding that the advertisements themselves may require separate advertisement consent
 - (c) size and siting of any projecting box signs
 - (d) design, siting of any roller shutter (inclusive of the shutter box and guide rails)

At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows..

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and to ensure the non-residential elements provide an active frontage in the interests of natural surveillance and the viability and vitality of the area.

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

Reason: The proposed works will be in close proximity to underground water utility infrastructure and piling has the potential to detrimentally impact local underground water utility infrastructure

- 22 Prior to commencement of above ground superstructure works, further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such

details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

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

- 23 Prior to the implementation of the Drainage Strategy measures outlined within the Flood Risk Assessment and Drainage Strategy (Create Consulting Engineers Ltd, ref: JJ/JEB/P19-1852/03 Revision A, November 2019) as required by Condition 11 of this permission, details for the feasibility or otherwise of providing a rainwater harvesting system shall be provided to the Local Planning Authority for approval in writing.
Should it be demonstrated that rainwater harvesting is feasible, a revised Drainage Strategy and Maintenance Statement shall be submitted to the Local Planning Authority for approval in writing, with the development implemented in accordance with the revised details.

Reason: To maximise sustainable urban drainage measures and minimise flood risk.

- 24 Prior to first occupation, an Air Quality Neutral Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval in writing. The assessment shall include mitigation measures should it be found that the development is not air quality neutral.

Should the Local Planning Authority consider it necessary to implement any identified mitigation measures, they shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved.

Reason: To protect local air quality, in accordance with London Plan Policy 7.14

- 25 Notwithstanding the submitted cycle parking details, prior to installation of any two tier stands, confirmation shall first be submitted to the Local Planning Authority that the proposed basement cycle parking will be spaced at a minimum of 450mm for the two tier stands. Should it be demonstrated that the spacing proposed is not a minimum of 450mm, revised cycle storage details shall be submitted for approval in writing for an overall minimum provision of 427 long-term residential cycle parking spaces.

Cycle parking shall be provided in accordance with the approved details prior to first occupation.

Reason: To ensure that all cycle parking is accessible and an adequate level of provision is achieved.

- 26 Details of methods to restrict vehicular access onto Park Street, except for emergency and service vehicles, shall be submitted to the Local Planning Authority for approval in writing.

The development shall only be undertaken in accordance with the approved details and maintained for the lifetime of the development.

Reason: To create a safe environment for pedestrians whilst still ensuring appropriate access for emergency and service vehicles.

- 27 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that either:

- (a) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- (b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development

- 28 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority prior to first occupation of the development approved, confirming that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 29 On commencement of the development hereby approved, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) highway street lighting;
- (b) other public realm lighting;
- (c) communal amenity space including roof garden lighting;
- (d) lux levels;
- (e) measures to minimise light spillage to sensitive receptors

The works shall be carried out in accordance with the approved plans prior to first occupation and shall be retained for the lifetime of the Development.

Reason: These details are required to ensure that public and private spaces are adequately lit for pedestrian and highway safety and to prevent light pollution

- 30 Prior to the installation of any mechanical plant further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve the relevant Block shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (b) details of any ducting in terms of its appearance and siting;
- (c) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (d) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (c)
- (e) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (f) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The approved mechanical plant shall be installed in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure that existing and proposed residential occupiers do not suffer a loss of

amenity by reason of noise, vibration or odour nuisance

- 31 A Delivery & Servicing Plan (DSP), written in accordance with best practice guidance shall be submitted to the Local Planning Authority for approval in writing. The DSP shall detail how all aspects of the development will demonstrate adequate servicing, delivery and collections for the commercial and residential units within the scheme.

Reason: To ensure adequate delivery and servicing arrangements for the development and to avoid conflict with other road users

- 32 A Parking Design and Management Plan (PDMP), written in accordance with the relevant Transport for London guidance, shall be submitted to the Local Planning Authority for approval in writing. The PDMP shall provide details of:

- (a) how initial and future provision of disabled persons parking spaces will be made, managed and enforced against unauthorised parking;
- (b) a plan indicating the location of the spaces;
- (c) demonstrate how their availability will be made clear to residents prior to their first occupation
- (d) how existing or future residents would request a bay, how quickly it would be created and what, if any, provision of visitor parking for disabled residents is available.

Reason: to ensure that appropriate provision is made for Blue-badge holders

- 33 Notwithstanding the submitted Travel Plan, a revised Travel Plan shall be submitted to the Local Planning Authority for approval in writing to include but not limited to, the following information:

- (a) The Travel Plan Co-ordinator details (it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community;
- (b) Baseline targets identified through both the travel plan and Transport Assessment to include car mode share;
- (c) Confirmation that the Travel Plan and associated measures will be included at the point of sale (or rent)
- (d) Feasibility of car club membership for residents

The development shall only be implemented in accordance with the approved Travel Plan.

Reason: in the interest of promoting sustainable travel, having regard to the car-free nature of the scheme

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

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen and the development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: In the interest of neighbour amenity and to ensure an acceptable appearance of the development is maintained in the interest of visual amenity

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Local Planning Authority will not accept soil quality certificates from the soil supplier as proof of soil quality

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166