

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

24 May, 2021  
03  
20/2974

## SITE INFORMATION

RECEIVED	22 September, 2020
WARD	Dollis Hill
PLANNING AREA	
LOCATION	3 Millennium Business Centre & self storage to rear, Humber Road, London, NW2 6DW
PROPOSAL	Outline planning application for proposed new warehouse building located to the rear (matters to be applied: access, appearance, layout and scale)
PLAN NO'S	ee condition 3
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke</a></p> <p><b><u>When viewing this as a Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "20/2974" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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

That the committee resolve to GRANT planning permission subject to:

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

1. Energy Assessment and Carbon Offset payment
2. Training and employment
3. Any other planning obligation(s) considered necessary by the Head of Planning.

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

Resolve to **grant** planning permission subject to conditions.

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

### Conditions

1. Outline Time Limit
2. Reserved matters - landscaping
3. Approved Plans
4. Details of materials
4. Overheating analysis
5. Non road mobile machinery
6. BREEAM Interim Stage Certificate
7. Post construction stage review
10. Surface water
11. Air Quality Neutral Assessment
12. Construction method statement
13. Non road mobile machinery
14. Site Investigation
15. Remediation
16. Construction Logistics Plan
17. Travel Plan
18. Car Park Management Plan
19. PV Panels
20. B8 extension
21. Thames Water
22. Access to upper floor
23. Method statement and protection plan
24. Fire statement

### Informative

1. Party Wall
2. Building near boundary
3. London Living Wage
4. Fire Safety
5. Quality of imported soil

That the Head of Planning and Development Services 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



## PROPOSAL IN DETAIL

The application is an outline planning application for a proposed new warehouse building located to the rear (matters to be applied: access, appearance, layout and scale).

The proposed building would be two storeys with the ground floor dedicated to parking, cycle storage and access and the upper floor providing approximately 1200 sqm of B8 storage space.

## EXISTING

The site comprises a two-storey office building with a flat roof, built onto the front of single-storey warehousing units with gabled roofs, and hard surfaced surrounding areas used for parking, located on the northwestern side of Humber Road. Ground levels fall to the rear, and land to the rear of the warehouse units is partly landscaped and partly used for parking and access to a row of single-storey garage units.

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

## SUMMARY OF KEY ISSUES

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

1. **Representations received:** 18 objections have been received and have been evaluated and discussed in this report. It is considered that the proposal accords with planning policy, having regard to material consideration, and it is recommended that planning permission is granted. .
2. **Principle** The site falls within a Strategic Industrial Location and would be an extension to the existing use providing additional B8 floorspace
3. **Design, layout and height:** The building would have a utilitarian design, which is considered acceptable for a building of this type within an industrial area. The scale is appropriate and in keeping with surrounding industrial buildings.
4. **Neighbouring amenity:** The warehouse is bounded on all sides by industrial units and would be located to the rear of the existing Business Centre. The development would therefore have an acceptable impact on neighbouring amenity.
5. **Highways and transportation:** Whilst car parking would be reduced it would still be in excess of maximum standards and cycle standards have been met. The applicant has also demonstrated that adequate servicing provision for the full sized articulated lorries can be provided on site.
6. **Trees, landscaping and public realm:** The applicant has submitted a tree report to ensure the protection of healthy trees. A tree protection plan is required by condition.
7. **Sustainability:** The development would achieve a 36.2% on site reduction on carbon emissions over Part L of building regulations, with the requirement being 35%. Carbon offsetting contributions would be secured through the legal agreement in line with GLA policy The applicant has also submitted evidence to demonstrate that the building has been designed to meet the requirements of BREEAM excellent.
8. **Flood Risk:** The application has submitted a drainage strategy which is considered acceptable subject to a condition requiring the implementation of an attenuation device to produce a 30% reduction from the current discharge outputs for surface water for the site.

## RELEVANT SITE HISTORY

### 19/0777

Full Planning Permission

Refused

Outline planning application for proposed new warehouse building located to the rear (matters to be applied: access, appearance, layout and scale)

### 19/0778

Full Planning Permission

Granted 24/04/2019

Recladding of the front elevation and repositioning of main entrance including the construction of a fixed canopy and access stairs to the office building

## CONSULTATIONS

196 neighbouring properties were notified. 18 objections were received at the time of writing this report

Objection	Response
Henfield Storage Ltd who currently lease the building were not formally notified of the application prior to submission	The applicant has signed certificate B confirming that all those who have a legal interest in the property have been notified. The legal requirement has been met
Henfield storage has no intention of leasing the additional space	This is private matter between Henfield Storage and the owner and not a planning consideration
Inconsistencies in what is actually being applied for i.e new building or extension to existing building	It is considered that the application submission documents do set out the development that is proposed and include the appropriate supporting information for this type and scale of application. A condition has been applied to ensure the development remains an extension rather than a separate business
Proposed development would result in the loss of a loading area and bays at the rear of the property and cause additional stress on the already stretched loading bay facilities compounded by the additional 1800sqm of additional floorspace	Discussed in main body of report
Car parking on site is already extremely congested and Transport Statement to accompany the planning application fails to recognise and understand the existing parking demands on site or displaced parking as a result	Discussed in main body of report
Existing occupant may have to consider position with respect to continuing operations on site and this raises concerns in relation to viability of companies to operate from site	The proposal has been considered having regard to the material planning implications. The proposed use is appropriate for its location and the proposal makes appropriate provision for parking and servicing.
The warehouse will generate more traffic on surrounding roads particularly when taking into account other development in the area	Please refer to paragraph 32 of the committee report
Loss of 30 parking spaces on site would make more difficult for residents to park	There development would not result in a loss of 30 spaces and existing provision is well in excess of standards. The applicant has provided evidence to demonstrate that the remaining spaces would be adequate and a car park management plan is requested by condition

The area is zoned a and prohibited to vehicles over 7.5 tonnes except for access and Brent council has failed to enforce this	This matter falls outside the remit of planning
Any new building is a change of use on site	The warehouse is proposed to be used for B8 storage and distribution purposes and is considered to be appropriate. It is also proposed to be an extension to the existing use and the use is to be controlled by condition
No consultation with existing occupant or surrounding residents	There is no statutory requirement to carry out pre-submission consultation although it is good practice.
The proposed warehouse would have substantial access issues	The access arrangements have been considered by Transport Officer's who consider them acceptable.
The applicant has no way of controlling the size of vehicles accessing the warehouse	Tracking has been provided to demonstrate access of various size vehicles.
Oxgate Gardens, Dollis Hill Avenue and Gladstone Park Gardens have been closed which means the traffic on Humber Road has increased with the traffic assessment making no mention of this	The application has been assessed by Brent's Transport Officers who have knowledge of the surrounding highway network. The transport assessment provides an estimation of the number of additional trips generated as a result of the development
Increased traffic would have a detrimental impact on Air Quality	The application has been accompanied by an Air Quality Assessment, and an Air Quality Neutral Assessment is required by condition.
Humber Road is already so crowded with cars that it doesn't have a clear route of entry or exit and there is only room for traffic to flow in one direction	The Transport Assessment has provided an estimate on the increased number of trips for the new development which is not considered to be at a level whereby it would have a detrimental impact on the local road network
If numerous delivery lorries arrive at the site at the same time there would be no room for them on Humber Road or within the site	A Delivery and Servicing Management Plan is requested by condition to ensure the management of deliveries
Trip generation has been taken during the pandemic and when the offices are being refurbished and therefore cannot be relied on	The Transport Assessment confirms that the figures are taken from between June to September 2019 Furthermore the TRICS data is before 01/12 - 05/19
The submission has failed to demonstrate that the site could accommodate a full sized artic vehicle and servicing arrangements would be inadequate.	During the course of the application tracking has been provided to show that the rear loading area is large enough to accommodate full sized artic vehicles

## POLICY CONSIDERATIONS

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

The development plan is comprised of the London Plan 2021, Brent Core Strategy 2010, and the Brent Development Management Policies 2016.

Key policies include:

### Brent Core Strategy 2010

CP1	Spatial Development Strategy
CP19	Strategic Climate Change Mitigation and Adaptation Measures
CP20	Strategic Industrial Locations and Locally Significant Industrial Sites

### Brent Development Management Policies 2016

DMP1	Development Management General Policy
DMP9b	On Site Water Management and Surface Water Attenuation
DMP11	Forming an Access on to a Road
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP14	Employment Sites

### London Plan (2021)

GG1	Building strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG5	Growing a good economy
GG6	Increasing efficiency and resilience
SD1	Opportunity Areas
D1	London's form, character and capacity for growth
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D12	Fire safety
E4	Land for industry, logistics and services to support London's economic function
E6	Locally Significant Industrial Sites
E7	Industrial intensification, co-location and substitution
G5	Urban greening
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI5	Water infrastructure
SI13	Sustainable drainage
T1	Strategic approach to transport
T2	Healthy Streets
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car Parking
T7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning

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

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

### Draft Local Plan

DMP1	Development management general policy
BD1	Leading the way in good urban design
BE1	Economic growth and employment opportunities for all
BE2	Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality
BSUI4	On-site water management and surface water attenuation

BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities
BEGA2	Staples Corner Growth Area

The following are also relevant material considerations:

The National Planning Policy Framework 2019  
 Planning Practice Guidance including the National Design Guide  
 SPD1 Brent Design Guide 2018  
 Brent Waste Planning Guide 2013  
 Mayor of London's Sustainable Design and Construction SPG 2014

## DETAILED CONSIDERATIONS

### Principle of development

1. Core Strategy Policy CP20 and DMP 14 protects Strategic Industrial Locations for industrial employment uses. Furthermore, the site forms part of site allocation BEGA2: Staples Corner Growth Area with the draft location plan designating the wider area for co-location and intensification subject to a comprehensive masterplan approach.
2. The site consists of offices to the front of the site and a large warehouse to the rear. A self-storage business occupies the existing warehouse to the rear of the site, and this business has access to two loading bays within the site, at the front and rear of the existing building. The proposed building would be sited immediately to the rear of the existing building, although it is understood that the two would be physically separate. Nevertheless, the submission confirms that the proposal is to provide additional B8 warehousing capacity as an extension to the existing business. Therefore given the existing use of the site, the principle of additional B8 floorspace is acceptable.

### Design and visual impact

3. Policy DMP1 requires the scale, type and design of development to complement the locality and emerging policy BD2 states that all new development must be of the highest architectural and urban design quality. Brent Design Guide SPD1 provides further advice on general design principles.
4. The surrounding area is of a mixed character, with small-scale industrial buildings on the northwest of Humber Road forming the edge of a larger industrial area and traditional two-storey terraced housing on the southeast side and surrounding side streets. Ground levels fall to the northeast, and the existing building on site is partly below street level and partly shielded by mature street trees so that its visual impact within the street scene is not unduly adverse.
5. The proposed building would be rectangular in shape and two stories in height, with a gable roof form. The utilitarian design is considered acceptable for a building of this type within an industrial area. Walls and roof materials are described as aluminium cladding and profiled aluminium cladding respectively, and further details of materials could be required by condition.
6. Due to the changing ground levels on site, the overall height of 12m would be the same as that of the existing building at the rear, whilst the shallower roof form would create sufficient height for two floors with internal heights of 4.85m and 3m respectively. The plans do not show how access to the upper floor would be obtained, and further details of this would be required by condition, to ensure the usability of the space. The building would be to the rear of the existing building, sharing boundaries with other industrial sites, and would not worsen the visual impact from the residential street scene on Humber Road.
7. The ground floor level of the building would be the same as that at the existing rear loading bay. It is noted that the existing ground levels fall further towards the northwest corner of the site. The rear of the building is currently surrounded by a grassed bank and there is dense vegetation on part of the rear boundary, and these landscaping features would be lost as ground levels would need to be raised with retaining walls to create a level surface. However, the landscaping makes no contribution to the residential street scene due to its location at the rear of the site, and its loss can be supported in this



instance.

8. Having regard to its immediate surroundings and location to the rear of the site, the development would have an acceptable visual impact on the wider locality.

### **Impact on neighbouring amenities**

9. DMP 1 seeks to ensure high levels of internal and external amenity. Supplementary Planning Document 1 (SPD 1) states that in order to protect neighbouring amenity, the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing residential property, measured from a height of 2m. Where proposed development adjoins private amenity/garden areas of residential properties then the height of the new development should normally be set below a line of 45 degrees at the garden edge, also from a height of 2m.
10. The proposed building would be located over 60m from the road frontage and would not impact on the privacy of residential properties across Humber Road. The 30 degree line would not be breached in respect of these properties, due to the height of the building being aligned with that of the existing building.
11. SPD1 requires that development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separate distance 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. Separation distances across streets are normally dictated by the form of development in the area.
12. The site is bounded on three sides by other industrial sites within a Strategic Industrial Location and there are no windows proposed to the new warehouse building. Given the size of the building and its relationship to neighbouring residential properties, a daylight/sunlight assessment is not considered necessary.
13. The development would therefore have an acceptable impact on the overall living conditions of the occupants of neighbouring properties

### **Sustainability and environment**

14. The Energy Assessment and Sustainability Strategy submitted sets out how the London Plan energy hierarchy has been applied, using energy efficiency measures and renewable energy. On the basis of the assessment, an on-site reduction in CO2 emissions of 36.2% beyond 2013 Building Regulations. This exceeds the minimum expectations for onsite carbon dioxide savings as set out in Policy SI2 of the London Plan.
15. A BREEAM Pre-assessment has been carried out, indicating a minimum rating of 'Excellent' for the commercial and industrial units, in compliance with Policy CP19 and draft Policy BSUI1.
16. If the application were to be approved Revised Energy Assessments would be secured at detailed design and construction stages, together with a financial contribution to Brent's carbon offsetting scheme to achieve zero carbon development (this has not been calculated at present however it should be noted that an improved on-site carbon performance would result in a lower level of contribution). An Interim and Post-Completion Certificate to evidence the BREEAM Excellent rating would be achieved is to be secured by condition.
17. Environmental Health have been consulted and note that the Air Quality Assessment and the additional vehicle movements to the site which were previously not provided have now been. However as before an Air Quality Neutral Assessment has not been undertaken in accordance with guidance published by the Greater London Authority (GLA). This is required to be submitted by condition and should include mitigation proposals should it be found that the development is not air quality neutral.
18. Policy SI4 of the London Plan states that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy. No overheating assessment has been submitted with the application to demonstrate how this will be properly managed in accordance with the London Plan hierarchy and as such this information is requested by condition.

19. Environmental Health have also requested conditions to require investigation and remediation of contaminated land on site, and a construction method statement to reduce the risk of dust and other environmental impacts of construction.

### **Flood risk and drainage**

20. Brent Policy DMP9b requires sustainable drainage measures for all major developments. Further guidance on flood risk is set out in London Plan Policy SI12 and SI13, draft Policy BSUI3, Brent's Policy DMP9B and draft Policy BSUI4 which set out principles for sustainable drainage strategies to be provided for major developments. The site is within Flood Zone 1 and is not within a surface water flood area, although much of the surrounding area does fall within Flood Zone 3a for Surface Water Flooding.
21. The application has been accompanied by a Drainage Strategy which has been reviewed by the Lead Local Flood Authority. In order to ensure surface water is properly managed, a condition is attached requiring the implementation of an attenuation device to produce a 30% reduction from the current discharge outputs for surface water for the site.
22. Thames Water have also been consulted on the application and have requested a condition to require confirmation and approval of the wastewater infrastructure needs of the development.
23. Subject to conditions, the development would not give rise to any increase flood risk.

### **Impact on trees**

23. The proposed warehouse building would be built close to the boundary with the adjoining premises at 55 Diesel House, Coles Green Road, and the adjoining site includes a row of mature cypress trees along the boundary that could potentially be impacted by the development.
24. An Arboricultural Impact Assessment has been submitted, demonstrating that the proposed building would sit outside the root protection areas of these trees. The Tree Officer has been consulted and has no objections, subject to a tree protection plan and arboricultural method statement being required by condition.
25. The existing building and hardstanding occupies a large proportion of the site. The proposed development would also limit the opportunities for new soft landscaping. Although limited there are some surrounding areas that could be improved and a greater variety of planting could improve the site in terms of its setting and biodiversity. When considering the existing site and the nature of its use the potential for new landscaping is acceptable and can be sufficiently addressed within a reserved matters application.

### **Transport**

26. An application for a similar development was submitted under ref. 19/0777. This was refused for three Transport related reasons which are as follows
  1. *Given the lack of information provided on the existing and forecast traffic movements, including trip generation analysis and modal share, and parking demand on site, including the level of parking use by the general public, the application has failed to demonstrate that the loss of on-site parking would not lead to increased demand for on-street parking in the local area, contrary to Policy DMP12 of Brent's Development Management Policies 2016. Furthermore the application would not make adequate arrangements for the servicing of either the existing or the new building, cycle storage or bin storage on site, contrary to Policy DMP1 and London Plan 2016 Policy 6.9.*
  2. *The application has failed to demonstrate that safe vehicular access into and out of the building and satisfactory use of the existing loading bay and servicing arrangements for the proposed building could be achieved based on the proposed design, contrary to Brent's Development Management Policies Plan 2016 Policies DMP1 and DMP11.*
  3. *As the application has failed to demonstrate that satisfactory access to the existing rear loading*

*bay would be maintained, the proposal would compromise the existing employment use on the site, contrary to Policy CP20 of Brent's Core Strategy 2010 and Policy DMP14 of Brent's Development Management Policies 2016.*

27. The current informal parking spaces (approx. 45 no.) are proposed to be replaced with 45 marked out formal spaces, of which 3 wide spaces at the front of the building would be marked for disabled users in accordance with standards.
28. A further 11 spaces are shown parallel to the access road, with 31 spaces provided within the undercroft of the new building at the rear of the site. Swept path analysis has been submitted for these parking spaces on drawing number 002A01, but a swept path has not been provided for the parallel spaces along the access road. To allow sufficient space to manoeuvre in and out of these spaces, they should be 6m long, so only 10 spaces, rather than the 11 stated, could be accommodated to standard dimensions. 44 parking spaces are therefore to be re-provided on site.
29. As the site is located to the north of the Dudding Hill railway line, the higher car parking allowance of one space per 200m<sup>2</sup> set out in Table 3 at Appendix 1 of the adopted DMP 2016 applies. This would allow 14 spaces for the existing building, increasing to 23 spaces with the proposed extension.
30. The existing overprovision of parking within the site would therefore be reduced by this proposal, which is acceptable, but there would still be approximately twice the number of spaces allowed in the parking standard.
31. Paragraph 3.3.4 of the Transport Statement states that applicant is willing to provide a Travel Plan and Car Parking Management Plan as part of conditions on the planning consent. This is necessary and a condition is attached requesting its submission which focus to be on strategies to reduce the demand for parking spaces within the site to allow some of the spaces to be potentially removed in future.
32. Section 4 uses TRICS data to estimate existing and future vehicular movements at the site. This shows the existing site has a vehicular trip generation of 68 daily arrivals and 68 daily departures. The proposal would result in an increased daily arrival of 95 vehicular trips and 95 daily departures, with peak hour vehicular trips increasing by four vehicles. This level of additional traffic is not considered sufficient to warrant further investigation of its impact on the local road network.
33. A parking assessment was also undertaken, based on this TRICS data (as opposed to carrying out an on-site parking survey (section 5)). The data indicates a predicted demand for 37 parking spaces, with other vehicles only staying for short period. However, aerial photographs of the site for weekdays do indicate that most existing parking spaces are used. However, as above the submission of a Travel Plan and Car Parking Management Plan should help to manage demand in future.
34. The site currently has no cycle spaces. The applicant proposes a total of 31 cycle spaces, with 15 cycle spaces in the new building to the rear, 8 cycle spaces to the front of the site and further 8 spaces north-east of the building. This is more than sufficient to satisfy London Plan standards, so is welcomed, with all spaces being within a secure and covered location to protect against theft and weather.
35. A designated loading bay for a 10m rigid vehicle was initially shown to be provided. However, the servicing standards in Appendix 2 of the DMP require full-size loading bays to accommodate a 16.5m long articulated lorry. In addition, whilst the initial submission included a swept path for a 10m lorry, this was shown to be provided within the undercroft of the new building with insufficient height clearance. Nevertheless, amendments were requested during the application process with a increased height clearance of 4.8m to ensure the undercroft loading bay is useable. Furthermore, during the course of the application, vehicular tracking was also submitted for a large articulated lorry (16.5m) demonstrating that a vehicle of this size could be accommodated within the undercroft servicing bay. When in use by large articulated vehicles the remaining stretch of road would be 2.3m (wide enough to allow a car to pass) and therefore the loading bay would not hugely obstruct access and parking.
36. In addition, given the multiple occupiers of the building, a Delivery and Servicing Plan would be required for the site to ensure delivery vehicle movements are properly managed. This has been requested by condition.
37. The drawing shows a sliding gate at the entrance and it is assumed this is kept open during business hours. Vehicles waiting at the access to gain entry or issues with vehicle access / egress can cause highway safety concerns for pedestrians and road users, however two vehicles would be able to access /

egress the site safely without the need to reverse back on to the highway.

38. Finally, a Construction Logistics Plan for the site has been offered, which is welcome.
39. In conclusion, the overprovision of car parking would not be worsened as a result of this development and cycle parking standards have been met. Furthermore, during the course of the application the applicant has demonstrated that adequate servicing provision for full-size articulated lorries can be provided on site.
40. Subject to conditions the proposal would therefore have an acceptable impact on highway safety in Humber Road, in compliance with Policy DMP13 of the adopted DMP 2016

### **Fire Safety**

41. A fire statement has not been provided to support the proposal. Policy D12 requires the submission of a fire statement for all Major applications, prepared by a suitably qualified professional. This application seeks outline consent for the development, and a Reserved Matters application will be required. As such, it is recommended that a condition is attached requiring the submission and approval of a Fire Statement in line with London Plan policy D12 (B) prior to or concurrently with the approval of the Reserved Matters

### **Equalities**

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

### **Conclusion**

The principle of the development is acceptable, being an extension of an existing use. Furthermore, the development would have an acceptable impact on the occupants of neighbouring properties and would be acceptable in a transport capacity.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 20/2974

To: Mr Eaton  
Tonik Associates  
5 Tanners Yard  
239 Long Lane  
London  
SE1 4PT

I refer to your application dated **21/09/2020** proposing the following:

Outline planning application for proposed new warehouse building located to the rear (matters to be applied: access, appearance, layout and scale)

and accompanied by plans or documents listed here:  
see condition 3

**at 3 Millennium Business Centre & self storage to rear, Humber Road, London, NW2 6DW**

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: 14/05/2021

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

National Planning Policy Framework (2019)  
London Plan (2021)  
Core Strategy (2010)  
Brent Development Management Policies (2016)  
SPD 1 - Brent Design Guide (2018)  
Draft Local Plan

- 1 Details of the reserved matters for the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on the development and the development shall be carried out and completed in all respects in accordance with the details so approved before the building is occupied. Such details shall include:

- i) Landscaping.

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

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

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

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

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

EX00 Site Location Plan  
EX02 Existing Elevations  
PL00 Proposed Site Plan  
PL01 Proposed Floor Plans  
PL02 Rev A Proposed Elevations Rev A  
PL03 Rev A Proposed Roof Plan and Section  
PL05 Parking Provision  
Transport Assessment (ref. WIE17185.100.R.1.1.2.TS) dated August 2020  
Air Quality Assessment dated June 2019  
Design and Access Statement  
Drainage Strategy  
Arboricultural Report

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

- 4 Prior to the commencement of the development details of an attenuation device to produce a 30% reduction from the current discharge outputs for surface water for the site shall be submitted to and approved in writing by the Local Planning Authority. and the approved device

shall be incorporated into the development prior to first occupation of the development.

Reasons: To ensure that the development does not give rise to any increase flood risk.

- 5 The proposed development shall not be used other than for purposes within Use Class B8 notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, or the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, in any provision equivalent to that Class in any statutory instrument revoking and re-enacting those Orders with or without modification) unless otherwise agreed in writing by the Local Planning Authority. Furthermore, the floorspace shall form an extension of the existing use and shall not be occupied as a separate entity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the use remains appropriate for the site location.

- 6 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The work shall be carried out in accordance with the approved details.

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

- 7 Prior to the commencement of the development hereby approved, an overheating analysis shall be submitted to and approved in writing by the local authority. The development shall then be carried out in accordance with the approved details.

Reason: To minimise energy consumption for cooling in accordance with Policy SI2 of the London Plan

- 8 Within 6 months of a material start a BREEAM Interim Stage Certificate shall be submitted to and approved in writing by the local authority to confirm that the development is likely to achieve a BREEAM Excellent Rating.

Reason: To ensure the development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time. .

- 9 Prior to first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority, The Certificate shall demonstrate that the Development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The development shall be maintained so that it continues to comply for the lifetime of the development.

Reason: To ensure the Development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time. .

- 10 Prior to the commencement of the development an Air Quality Neutral Assessment undertaken in accordance with guidance published by the Greater London Authority (GLA) shall be submitted to and approved in writing by the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral and all mitigation measures within the approved assessment shall be carried out in full.

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policy SI1

- 11 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

The applicant shall employ measures to mitigate the impacts of dust and fine particles generated by the operation throughout the construction of the development. This must include:

- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
- (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
- (g) the use of demolition equipment that minimises the creation of dust.

Reasons: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policy S11

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

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

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

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

- 14 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, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 15 Prior to the commencement of development a Construction Logistics Plan, written in accordance with TfL guidance, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.



Reason: To maximise safety and minimise congestion and emissions around the site.

- 16 Prior to the first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be occupied in accordance with the approved details.

Reason: In the interest of highway safety and to demonstrate a commitment to sustainable transport modes.

- 17 Prior to occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved details.

Reasons: To ensure that on site parking is properly managed and to work towards reducing the parking overprovision and promoting sustainable transport modes.

- 18 Where photovoltaic panel arrays are proposed on the roof, detailed drawings showing the photovoltaic panel arrays shall be submitted to and approved in writing by the Local Planning Authority within six months of the commencement of development. The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the relevant phase.

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

- 19 Prior to occupation of the development hereby approved, a delivery and servicing plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

Reason: In the interest of highway safety and to ensure the development provides a safe and efficient environment

- 20 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that either capacity exists off site for the development or that all wastewater network upgrades required to accommodate the additional flows from the development have been completed. Alternatively, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades has been agreed with the Local Planning Authority, in consultation with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

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

- 21 Prior to the occupation of the development hereby approved, details of how access to the upper floor would be achieved, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the usability of the space and that access is suitable for the proposed use.

- 22 Prior to the commencement of the development a tree protection plan and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To protect surrounding trees during the construction process.

- 23 A fire statement which accords with the requirements of London Plan policy D12 shall be

submitted to and approved in writing by the Local Planning Authority prior to the approval of Reserved Matters for the development hereby approved. All measures within the approved Fire Statement shall thereafter be implemented prior to the completion of the development.

Reason: In the interest of fire safety.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 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.
- 3 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
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development
- 5 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395