

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

24 May, 2021
04
21/0686

SITE INFORMATION

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| RECEIVED | 25 February, 2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARD | Kilburn | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PLANNING AREA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LOCATION | 14 Canterbury Road, London, NW6 5ST | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PROPOSAL | Development authorised by the High Speed Rail (London-West Midlands) Act 2017 relating to the Canterbury Works Headhouse and Compound, consisting of: the vent shaft headhouse building comprising three principle connected headhouse elements (mechanical and electrical plant building, fan room and vent stacks); road vehicle parking within the compound with a hardstanding area; earthworks within the compound area for the headhouse building, including retaining walls and associated hardstanding area; an autotransformer station (location only); fencing (location only) encircling the headhouse building to create a secure compound; and artificial lighting equipment affixed to the headhouse building and within the compound. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| PLAN NO'S | <p>As well as the drawings approved under condition 1. The submission included the following documents/drawings for information</p> <table> <tr> <td>1MC03-SCJ_SDH-AR-DGA-SS02_SL01 000001 - CO2.4</td> <td>Schedule 17</td> </tr> <tr> <td>Plans and Specifications Written Statement for Information</td> <td></td> </tr> <tr> <td>1MC03-SCJ-IN-STA-SS02_SL01-000003 C02.4</td> <td>Schedule 17 Plans and Specifications Design and Access Statement - Canterbury Works Vent Shaft</td> </tr> <tr> <td>1MC03-SCJ-IN-STA-SS02_SL01-000004 C02.4</td> <td>Design and Access Statement</td> </tr> <tr> <td>1MC03-SCJ_SDH-AR-DEL-SS02_SL01-490032 P03.1</td> <td>Illustrative Elevations</td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499935 P02</td> <td>Photomontage</td> </tr> <tr> <td>(viewpoint 35)</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499936 P02</td> <td>Photomontage</td> </tr> <tr> <td>(viewpoint 36)</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499944 P02</td> <td>Photomontage</td> </tr> <tr> <td>(viewpoint 44)</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491001 P03</td> <td>Overview General</td> </tr> <tr> <td>Arrangement Plan</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492001 P03</td> <td>Indicative</td> </tr> <tr> <td>Mitigation Sections (1 of 2)</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492002 P03</td> <td>Indicative</td> </tr> <tr> <td>Mitigation Sections (2 of 2)</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491003 P03</td> <td>Landscape</td> </tr> <tr> <td>General Arrangement Plan - Indicative Mitigation</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490451 P03</td> <td>External Lighting</td> </tr> <tr> <td>Zones and Control</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490452 P03</td> <td>External Lighting</td> </tr> <tr> <td>- Lux Levels Under Normal Operation</td> <td></td> </tr> <tr> <td>1MC03-SCJ_SDH-EL-DGA-SS02_SL01- 490453 P03</td> <td>Lux Levels Site</td> </tr> <tr> <td>Unoccupied</td> <td></td> </tr> </table> | 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 000001 - CO2.4 | Schedule 17 | Plans and Specifications Written Statement for Information | | 1MC03-SCJ-IN-STA-SS02_SL01-000003 C02.4 | Schedule 17 Plans and Specifications Design and Access Statement - Canterbury Works Vent Shaft | 1MC03-SCJ-IN-STA-SS02_SL01-000004 C02.4 | Design and Access Statement | 1MC03-SCJ_SDH-AR-DEL-SS02_SL01-490032 P03.1 | Illustrative Elevations | 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499935 P02 | Photomontage | (viewpoint 35) | | 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499936 P02 | Photomontage | (viewpoint 36) | | 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499944 P02 | Photomontage | (viewpoint 44) | | 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491001 P03 | Overview General | Arrangement Plan | | 1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492001 P03 | Indicative | Mitigation Sections (1 of 2) | | 1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492002 P03 | Indicative | Mitigation Sections (2 of 2) | | 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491003 P03 | Landscape | General Arrangement Plan - Indicative Mitigation | | 1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490451 P03 | External Lighting | Zones and Control | | 1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490452 P03 | External Lighting | - Lux Levels Under Normal Operation | | 1MC03-SCJ_SDH-EL-DGA-SS02_SL01- 490453 P03 | Lux Levels Site | Unoccupied | |
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| 1MC03-SCJ-IN-STA-SS02_SL01-000004 C02.4 | Design and Access Statement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1MC03-SCJ_SDH-AR-DEL-SS02_SL01-490032 P03.1 | Illustrative Elevations | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| (viewpoint 35) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Zones and Control | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| - Lux Levels Under Normal Operation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Unoccupied | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

**LINK TO DOCUMENTS
ASSOCIATED WITH
THIS PLANNING
APPLICATION**

When viewing this on an Electronic Device

Please click on the link below to view **ALL** document associated to case

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke

When viewing this as an Hard Copy _

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1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "21/0686" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to **grant** the Schedule 17 application 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. Approved Plan
2. Details of materials
3. Landscaping
4. Details of green roof

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

SITE MAP



Planning Committee Map
Site address: 14 Canterbury Road, London, NW6 5ST
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This map is indicative only.

PROPOSAL IN DETAIL

Development authorised by the High Speed Rail (London-West Midlands) Act 2017 relating to the Canterbury Works Headhouse and Compound, consisting of:

A headhouse building,

The main part of the building approximately (33.2m x 26.10m by 14m high) housing electrical and mechanical plant;

A secondary section of the building (approximately 25.7m x 20m by 9.7m high) housing tunnel ventilation fans;

Two narrow sections of the buildings which will form the ventilation stacks, at the fan rooms eastern end (approximately 5.9m x 5.9m x 14m high);

- Earthworks within the compound area for the headhouse building and associated hardstanding area;
- Fencing (location only) encircling the headhouse building to create a secure compound;
- Pole-mounted artificial lighting equipment within the compound;
- A 1136m² hardstanding compound area, for maintenance vehicles to park and access the site; and
- The location only of an Auto Transformer Station (ATS) and associated fencing (design details of the ATS will be the subject of a future Schedule 17 application)

EXISTING

The subject site is located on land previously occupied as a light industrial / business park which has now been demolished in preparation for construction of the scheme. The site is bounded by: a row of four storey residential blocks to the rear of Canterbury Terrace to the west; Canterbury House, a three storey Victorian apartment building fronting Canterbury Road to the south, St. Mary's Primary School to the east, and National Rail lines to the north.

The site lies approximately 50m south of the Kilburn Conservation Area and 20m North of the South Kilburn Conservation Area. Canterbury House is a locally listed building.

SUMMARY OF KEY ISSUES

The key issues for Members to consider are set out below. As this is not a planning application Members will need to consider as to whether the works ought to, or could reasonably be modified

To preserve the local environment or local amenity

The materials used for the headhouse building ensure texture and interest to the elevations and the use of soft landscaping helps to soften the appearance of the building when viewed from neighbouring properties.

Whilst positioned in close proximity to the Kilburn Conservation Area, the headhouse building would largely be screened by existing built form and views from within the Conservation area itself would be limited. Whilst South Kilburn Conservation Area is located 50m south, there is an intervening railway line and any views obtained from the Conservation Area would be limited as a result of this, and restricted to private views from the rear of Brondesbury Villas.

Whilst the position of the headhouse building is fixed by its relationship to the tunnel shaft, it is positioned as

far to the north as possible and therefore effort has been made to set the building as far back from Canterbury House as possible. The building would also retain a generous set in from the boundary with Carlton House. When considered in relation to SPD 1 guidance, the development would comply with the 30 and 45 degree rules. There are no overlooking/loss of privacy concerns.

The required lighting would be within acceptable limits, even when all lighting would be fully operational in infrequent emergency situations. Neighbouring properties would therefore not suffer excessive levels of disturbance as a result of the proposed lighting scheme.

To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area or

Safe and secure access would be provided to the site. As the site would only be accessed for operational or maintenance purposes, volumes of traffic expected are not likely to be significant.

To preserve a site of archaeological or historic interest or nature conservation

The works would not disturb an archaeological site or that of nature conservation. Although the site does border a green corridor the proposed green roofing and the indicative landscaping scheme ensure ecological enhancements on site.

That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

The position of the headhouse building has been determined by its relationship with the tunnel shaft and has been positioned as far from neighbouring properties as possible. The other works have largely been determined by the position of the main headhouse building and therefore it is not considered that the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

RELEVANT SITE HISTORY

20/1796 - Request for approval of HS2 Lorry routes under the High Speed Rail (London – West Midlands) Act 2017 in respect of the arrangements of large goods vehicles (LGVs) to and from Canterbury Road main compound - Granted

CONSULTATIONS

There is no statutory requirement in the Act to undertake public consultation on Schedule 17 applications.

Notwithstanding these statutory requirements, the following consultation was undertaken on this application

- 216 neighbouring properties were notified
- A site notice was displayed at the entrance on Canterbury Road
- The site was advertised in the local newspaper.

One objection was received from a resident of Canterbury House specifying concern regarding design, height, location of fans, the impact on light and views to Canterbury House properties and that residents of Canterbury House purchased their properties with knowledge of the original plans, but that there are deep concerns that these revised plans may deter potential future buyers.

The design, height, siting and fans and the associated potential impacts are discussed below. The potential impact on future purchasers cannot be considered. However, it is likely that this concern is linked to the concerns about the impacts of the vent shaft which are evaluated.

POLICY CONSIDERATIONS

High Speed Rail (London - West Midlands) Act 2017 - Schedule 17

DETAILED CONSIDERATIONS

HS2

1. Phase One of HS2 will provide dedicated high speed rail services between London, Birmingham and the West Midlands. It will extend for approximately 230km (143 miles). Just north of Lichfield, high speed trains will join the West Coast Main Line for journeys to and from Manchester, the North West and Scotland. Phase One of HS2 is the first phase of a new high speed railway network proposed by the Government to connect major cities in Britain. It is intended to bring significant benefits for inter-urban rail travellers through increased capacity and improved connectivity between London, the Midlands and the North. It will release capacity on the existing rail network between London, Birmingham and the West Midlands and so provide opportunities to improve existing commuter, regional passenger and freight services.
2. The HS2 Euston tunnels will comprise twin bored tunnels (one 'downline' for trains travelling in the direction of Birmingham, and one 'upline' for trains travelling towards Euston) extending from the new portal outside Euston station in the east to the proposed Old Oak Common station in the West. The tunnels will be linked to the surface via two ventilation and intervention shafts. The necessary legislative powers were included within the HS2 Act to construct a ventilation shaft on land adjacent to Canterbury Terrace and Canterbury Road.

Background to legislation

3. Section 20 of the High Speed Rail (London - West Midlands) Act 2017 grants deemed planning permission under Part 3 of the Town and Country Planning Act 1990 for HS2 Phase One and associated works ("the Works") between London and the West Midlands, but some of the detailed design and construction are subject to further approval. Schedule 17 to the Act puts in place a process for the approval of certain matters relating to the design and construction of the railway which requires that the nominated undertaker (the organisation on whom the powers to carry out the works are conferred) must seek approval of these matters from the relevant planning authority. As deemed planning permission has been granted by the Act requests for approval under Schedule 17 are not planning applications.
4. Schedule 17 sets out the approvals required to be obtained by the nominated undertaker. These approvals are:
 - plans and specifications
 - matters ancillary to development
 - road transport
 - bringing into use
 - earthworks
5. Approval of matters ancillary to development, road transport and bringing into use are only required if the planning authority has opted to become a qualifying authority under Part 2 of Schedule 17. Brent Council is a qualifying Authority.
6. The above mentioned approvals have been carefully defined to provide an appropriate level of local planning control over the works while not unduly delaying or adding cost to the project. As such the legislation states that planning authorities should not through the exercise of the Schedule seek to: revisit matters settled through the parliamentary process, seek to extend or alter the scope of the project, modify or replicate controls already in place, either specific to HS2 Phase One such as the Environmental Minimum Requirements, or existing legislation such as the Control of Pollution Act or the regulatory requirements that apply to railways.
7. The below table identifies the matters to be considered by the local authority and outlines the grounds on which the local authority may refuse the Schedule 17 application. These are detailed under paragraphs 2 and 3 of the relevant legislation. The local authority may not refuse applications on considerations not outlined in the below table.

| Schedule 17 consideration | Potential grounds for refusal of submission |
|----------------------------------|--|
| Building works | That the design of external appearance of the |

| | |
|-------------------------------|---|
| | works ought to, and could reasonably, be modified – (i) To preserve the local environment or local amenity (ii) To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area or (iii) To preserve a site of archaeological or historic interest or nature conservation (b) That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits. |
| A road vehicle car park | As above |
| Earthworks | As above |
| Fences | That the development ought to, and could reasonably be carried out on land elsewhere within the developments permitted limits |
| Artificial lighting equipment | That the design of the equipment , with respect to the emission of light, ought to, and could reasonably, be modified to preserve the local environment or local amenity If the development does not form part of a scheduled work , that the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits |

Matters for approval

Vent shaft headhouse building (mechanical and electrical plant building, fan room and vent stacks);

(a) (i) to preserve the local environment or local amenity

8. The building would measure approximately 57m in depth and at its greatest would measure 14m in height. The location of the headhouse building has largely been determined through it's relationship with the tunnel shaft, although it has been positioned as far north of the site as possible having regard to neighbouring properties. The depth of the headhouse has been determined by the HS2 functional requirements for the fan room and ventilation stacks are the minimum size in both area and height.
9. The headhouse does not sit on a street frontage, and is largely screened by surrounding development meaning clear views of the extent of the building from street level would be relatively limited. However, given the height of the development, the fact that there is a trainline to the rear and the proximity of residential properties, it is accepted that views of the development would be obtained.
10. Having regard to the functional use of the building, it is acknowledged that there are more constraints when approaching the design. As a headhouse, the use does not require external features that would typically break up elevations and add visual interest. However, in this case the materials adopted help to ensure some texture and variation to the elevations, to achieve a well integrated building sympathetic to it's surroundings.
11. Whilst a substantial building, the applicant has sought to lessen the dominance of this through the choice of materials. The main 14m high mechanical and electrical building is clad predominantly in a naturally weathered silver grey timber, which would appear as a lightweight element, helping to reduce the visual impact.
12. Brickwork is another key material within the palette and would be used for the lower building elements on the main building but would also be the principal material for the ventilation stacks. The brick is a robust dark engineering brick, used to compliment the silver-grey timber cladding . The lower elements of the building and higher elements of the ventilation stacks (would include areas of patterned brickwork to

break up the expanse of wall that would be visible from Canterbury Road.

13. Whilst the majority of the building would consist of brick and timber cladding, dark metal elements would be used for panels, doors and louvers. The varying textures, the chosen high quality materials and the varying shades of grey, would serve to break up the massing of the structure, resulting in a building of good quality.
14. Given the size of the headhouse building and the need for adequate access, the majority of the site is to be hardsurfaced. At this stage, soft landscaping at ground floor is shown as indicative only, and there are no controls over this under this application. However, in order to help further mitigate the impact of the headhouse building, soft landscaping has been incorporated into the design of the building itself, through a series of green roofs.
15. The main headhouse would have a biodiverse green roof that aims to maximise the diversity of ecological conditions on the roof and provides opportunities for storm water retention. The lower roof area would incorporate a deep substrate green roof providing extended biodiversity value. As well as ecological benefits, the green roofs would also provide visual benefits particularly for neighbouring residential properties which overlook the site. The development is therefore considered acceptable in relation to the local environment
16. In relation to neighbouring properties, the site shares a common boundary with Canterbury Terrace which is a four storey residential building and Carlton House which is also a four storey residential building. The ventilation stacks would sit adjacent the boundary and would be positioned approx. 8m from the boundary with Canterbury Terrace. When the guidance contained within SPD 1 is applied, the development would not breach the 30 or 45 degree rules when considered in relation to this residential building.
17. In relation to Carlton House, at its closest the main headhouse building would be positioned approximately 11m from the boundary with this residential building. When the guidance contained within SPD 1 is applied, the development would not breach the 30 or 45 degree rules when considered in relation to this residential building.
18. Further to an objection being received from an occupant of a Canterbury House on the grounds of loss of light a daylight/sunlight report was submitted by the applicant. This shows that all windows facing the site would retain VSC levels no less than 27% and therefore the light to neighbouring properties would not be adversely affected by the proposed headhouse Building. Whilst the objection was also made on the grounds of a loss of views, this would not equate to a loss of amenity and therefore this is not considered in any greater detail.

(a) (ii) to prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area or

19. The building is an operational building for the railway tunnel and would not in itself generate any vehicular traffic, aside from for operational and maintenance purposes.
20. A vehicular route is to be retained through the site to facilitate vehicular access for operational vehicles, serving a hardstanding area for vehicle parking for operational vehicles.
21. The through route would utilise the existing vehicular accesses to the site, which is acceptable in principle. However, it should be noted that the existing 3m wide crossover from Canterbury Road is not suitable for its intended use and will need to be widened to 6m with kerb radii to match the proposed widened gate to the site. A condition is recommended to this effect.
22. The site accesses are proposed to be gated in two locations to provide security, including gates at the highway boundary at both accesses. As both accesses are onto local access roads, this is acceptable in highway safety terms.
23. The accesses into the site would not provide segregated footways, but the volumes of traffic expected are not likely to be significant enough for this to be a concern. Bicycle parking is also not proposed, but as they only to be accessed for operational or maintenance purposes only, this is acceptable.

(a) (iii) To preserve a site of archaeological or historic interest or nature conservation

24. The site does not form one of archaeological or historic interest or that of nature conservation. Whilst the site would be visible from the South Kilburn Conservation Area it is not within it and whilst some views would be obtained from the designated area these would be limited.
25. The rear of the site forms a green corridor but the site is not a nature conservation area. The proposed green roofs seeks to provide an extension to the green roof and provide ecological opportunities on a site where there are currently none.

(b) That the development ought to, and could reasonably, be carried out elsewhere within the development's permitted limits.

26. The submission identifies that the location of the headhouse has been determined by the relationship with the tunnel shaft. It is therefore accepted that the development could not reasonably be carried out elsewhere within the developments permitted limits.

Autotransformer station (location only)

(a) (i) to preserve the local environment or local amenity

27. At this stage the local planning authority is only required to consider the location of the autotransformer with the design and external appearance coming forwards at a later date under a separate Schedule 17 application..
28. The autotransformer station would be positioned slightly forwards of the proposed ventilation stacks but would still remain set away from the boundary with Canterbury House (5m from boundary and 15m from rear elevation) and Canterbury Terrace (10m from boundary and 21m from rear elevation). Although the precise height is not known at this stage (indicative drawings indicate 6m), the applicant has confirmed that the scale shown on the submitted drawings has been informed by the size of the equipment that it would be required to contain, and therefore is reflective of what would be constructed on site.
29. The autotransformer would be positioned closer to the rear of Canterbury House than the main headhouse building. When considered in relation to SPD 1 guidance, the development would comply with the 30 and 45 degree rules and there would be no loss of privacy concerns.
30. The autotransformer station would be far smaller in scale than the main headhouse building and its chosen location, directly behind the four storey Caterbury House, would mean that it's visual presence would be relatively limited from public viewpoints, unless in close proximity to the site itself. Whilst more clearly visible from surrounding residential properties, given the scale of this element in comparison to the larger headhouse building which it would be positioned in close proximity to, and viewed in the context of, the chosen location is considered acceptable.
31. Having regards to the considerations for refusal, the proposed location of the autotransformer is considered acceptable in relation to (i) and is also considered acceptable in relation a (ii) and a (iii) of the table at paragraph 7 of this report. The location of the autotransformer is also considered acceptable in relation to (b) as there is no reason to require this element of the proposal to be carried out elsewhere within the developments permitted limits.

Earthworks within the compound area for the headhouse building, including retaining walls and associated hardstanding area

(a) (i) to preserve the local environment or local amenity

32. Earth works are required around the vent shaft headhouse building, with proposed ground level changes required to provide a level site for both the building and hard landscaping.
33. In addition to this low level retaining walls, up to 1.2m in height have been incorporated into the site boundaries in the north western corner, northern boundary with Network Rail and partially along the security boundary with the St Marys RC Primary School. The proposed levels within the HS2 site are

lower than existing and external levels to these boundaries. Additionally, a retaining wall is proposed to be introduced by the northern gate, within the HS2 site, to provide appropriate vehicular access and to mitigate the difference between existing and proposed levels. Retaining walls are to be constructed primarily using concrete and would be brick clad to correspond with the boundary walls and the headhouse building facade.

34. Having regards to the other considerations for refusal, the proposed earthworks are considered acceptable in relation to a (i) and are also considered acceptable in relation a (ii) and a (iii) of the table at paragraph 7 of this report. The earthworks are also considered acceptable in relation to (b) as they could not reasonably be carried out elsewhere within the developments permitted limits.

Fencing to create a secure compound (location only)

The development ought to, and could reasonably be carried out on land elsewhere within the developments permitted limits

35. The location of the fencing is only to be considered. This would enclose the site and extend along the boundary with Carlton House, Canterbury House and St Marys RC Primary School. The only aspects of the boundary treatment that would be visible from the street scene would be the entrance gates on Canterbury Road. Whilst no detailed information is required to be submitted in relation to the design of the boundary treatment, the applicant has provided details of the types of materials to be used. The choices have been informed following public consultation with the chosen materials being a combination of brick walls and metal vertical railings, which is considered appropriate having regard to the wider largely residential context of the site and being reflective of that at neighbouring Canterbury House. Although the heights are not required for approval, the drawings demonstrate that these would be higher than a typical 2m high boundary treatment. However, given the nature of the site and the need to provide adequate security this is not unexpected.

36. Having regard to the consideration for refusal, the location of the fencing is considered acceptable.

Road vehicle car park within the compound

a (i) To preserve the local environment or local amenity

37. The proposed materials for the vehicle parking area have been influenced by existing paving materials in the locality. Whilst tarmac and a small area of gravel would be used to the vehicle access point to the rear of the site, the majority of the area for vehicular access and parking is proposed to be block paved.

38. The choice of materials for the paved areas are considered to be appropriate to the locality and would preserve the local environment.

(a) (ii) To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area or

39. The proposed paved area would allow for off street parking within the compound. Whilst the layout of the parking area has not been specified, it is understood it would be for operational vehicles and given that visits to the site would be limited in number and there would be no permanent staff on site, the more informal arrangement is considered acceptable.

40. Having regards to the other considerations for refusal, the proposed car park area is considered acceptable in relation to (ii) and (iii) of the table at paragraph 7 of this report. The car park is also considered acceptable in relation to (b) as it could not reasonably be carried out elsewhere within the developments permitted limits.

Artificial lighting equipment affixed to the headhouse building and within the compound

The design of the equipment, with respect to the emission of light, ought to, and could reasonably, be modified to preserve the local environment or local amenity

41. The building requires the use of external lighting with lighting being affixed to the undercroft and wall surface of the building as well as to mounting poles and boundary walls within the compound. The mounting height of the lighting not fixed to the building would be between 3m and 6m.
42. The design of the lighting is considered acceptable, with the pole mounted lighting being used to the vehicular access points and along the rear boundary with the Network Rail land only. There would be no wall mounted lighting to the boundary with Canterbury Terrace, although there would be wall mounted lighting to the boundary with Carlton House. Given that the majority of the lighting would be wall mounted or building mounted and given the limited use of pole mounted lighting, the proposed lighting equipment is not considered to be visually obtrusive.
43. The applicant has submitted two drawings showing light emissions for information, and it should be noted that the specified Lux levels are not for approval but are to advise the local authority of the level of light spillage and how this might affect neighbouring properties.
44. The first demonstrates the level of light spill where the site is unoccupied and therefore the 'normal' night time lighting scenario, as all proposed lighting would only be in use for maintenance/emergency purposes. During this time, the only parts of the site that would be illuminated would be the compound entry and key access points to the vent shaft headhouse buildings, which is proposed to be permanently lit throughout the night time period to ensure a level of security and efficient operation of CCTV cameras. During these times the lighting levels within the site itself would reach 5 Lux with no light spill outside of the site boundaries and therefore well within acceptable limits.
45. The second drawing demonstrates light spill for emergency/maintenance/intruder scenarios and shows that lighting intensity within the compound itself would reach a maximum of 20 Lux. The Institute of Lighting Professionals states that for an urban environment such as this the pre-curfew light spill (before 23:00) should be no greater than 25 Lux and the post curfew no greater than 5 Lux. The lightspill levels would be acceptable in terms of pre-curfew however it would be close to the maximum of 5 Lux at Carlton House during the post curfew. However as the identified levels of light spill would only be experienced by neighbouring properties in infrequent situations and more even more so when considering the number of visits that would likely happen beyond 11pm, it is not considered that they would be seriously affected as a result of the lighting.
46. Having regard to the consideration for refusal, the design of the lighting equipment is considered acceptable.

Environmental Minimum Requirements

47. Whilst the restrictions to the assessment of the application do not extend to environmental and sustainability matters, this does not mean that there are no controls, these simply sit outside of the Schedule 17 process. SCS (the HS2 contractor) is contractually bound to comply with the controls set out in the Environmental Minimum Requirements (EMRs)
48. The Environmental Minimum Requirements (EMR) are a suite of documents which sets out overarching environmental and sustainability commitments for the HS2 project. The EMRs consist of the following
- Code of Construction Practice (CoCP) - contains detailed control measures and standards to be implemented throughout the construction of Phase 1. This is supported by a Local Environmental Management Plan specific to the London Borough of Brent.
 - Planning Memorandum - sets out obligations on qualifying authorities (such as Brent) including the participation in the national Planning Forum and the expeditious handling of requests for approval and appropriate resourcing. It also places requirements on HS2 Ltd. to engage in pre-application discussions, assist with resource planning and provide indicative mitigation where necessary.
 - Heritage Memorandum - provides the overarching approach to heritage matters. The document details how the investigation, recording and mitigation of impacts on heritage assets will be undertaken.
 - Environmental Memorandum - sets out the overarching requirements in relation to various environmental impacts of the scheme including nature conservation, ecology, water resources, flood risk, geological features, recreation and amenity impacts, landscape and visual, public open space, soils, agriculture and

forestry, excavated material, waste management and climate change.

49. Therefore whilst considerations which typically form part of a planning application are not matters for consideration under Schedule 17, there are already measures in place to control these.

Future schedule 17 applications

50. As identified earlier on this report, there are restrictions to the matters the local planning authority may consider when determining this application and they are far less expansive than those which would be considered under a planning application. However, it should be noted this is an initial application in respect of the site in question, and whilst it deals with the main structures future Schedule 17 applications are required to be submitted to deal with finer detailing.

51. This application has been accompanied by a number of 'For information' drawings which whilst not for approval demonstrates future intentions of HS2 in respect of the site, particularly with respect to mitigation measures. Whilst there may be concerns that there is no requirement to commit to the details shown on the 'For information' drawings, a future application (paragraph 9 of the legislation, '*Conditions on bringing scheduled works and depots into use*') is required which will allow the local planning authority to exercise more influence over the development of the site. The purpose of the 'Bringing into Use' application is to ensure that HS2 takes all reasonable practical measures for the mitigation of the work. This is likely to include noise mitigation and increased landscaping mitigation for the benefit of residential properties and the wider locality.

Equalities

52. 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

It is considered that the proposed works have been designed to preserve the local environment and locality amenity and reduce prejudicial effects on road safety. Furthermore, the works would not disturb a site of archaeological or historic interest of nature conservation. As the location of the works have largely been informed by the relationship with the tunnel shaft, it is not considered that the development could reasonably be carried out in elsewhere within the development's permitted limits.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 21/0686

To: Neal
SCS JV
Black Arrow House
2 Chandos Road
London
NW10 6NF

I refer to your application dated **25/02/2021** proposing the following:

Development authorised by the High Speed Rail (London-West Midlands) Act 2017 relating to the Canterbury Works Headhouse and Compound, consisting of: the vent shaft headhouse building comprising three principle connected headhouse elements (mechanical and electrical plant building, fan room and vent stacks); road vehicle parking within the compound with a hardstanding area; earthworks within the compound area for the headhouse building, including retaining walls and associated hardstanding area; an autotransformer station (location only); fencing (location only) encircling the headhouse building to create a secure compound; and artificial lighting equipment affixed to the headhouse building and within the compound.

and accompanied by plans or documents listed here:

As well as the drawings approved under condition 1. The submission included the following documents/drawings for information

| | |
|---|--|
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 000001 - CO2.4 | Schedule 17 Plans and Specifications |
| Written Statement for Information | |
| 1MC03-SCJ-IN-STA-SS02_SL01-000003 CO2.4 | Schedule 17 Plans and Specifications Design and Access |
| Statement - Canterbury Works Vent Shaft | |
| 1MC03-SCJ-IN-STA-SS02_SL01-000004 CO2.4 | Design and Access Statement |
| 1MC03-SCJ_SDH-AR-DEL-SS02_SL01-490032 P03.1 | Illustrative Elevations |
| 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499935 P02 | Photomontage (viewpoint 35) |
| 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499936 P02 | Photomontage (viewpoint 36) |
| 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-499944 P02 | Photomontage (viewpoint 44) |
| 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491001 P03 | Overview General Arrangement Plan |
| 1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492001 P03 | Indicative Mitigation Sections (1 of 2) |
| 1MC03-SCJ_SDH-LS-DSE-SS02_SL01-492002 P03 | Indicative Mitigation Sections (2 of 2) |
| 1MC03-SCJ_SDH-LS-DGA-SS02_SL01-491003 P03 | Landscape General Arrangement Plan - |
| Indicative Mitigation | |
| 1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490451 P03 | External Lighting Zones and Control |
| 1MC03-SCJ_SDH-EL-DGA-SS02_SL01-490452 P03 | External Lighting - Lux Levels Under Normal |
| Operation | |
| 1MC03-SCJ_SDH-EL-DGA-SS02_SL01- 490453 P03 | Lux Levels Site Unoccupied |

at **14 Canterbury Road, London, NW6 5ST**

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

SCHEDULE "B"

Application No: 21/0686

- 1 The proposed works are acceptable when having regard to the reasons for refusing an approval specified within paragraphs 2 and 3 of Part 1 of Schedule 17 of the High Speed Rail (London - West Midlands) Act 2017.

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

| | |
|---|------------------------------|
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 490011 - P03.2 | Location Plan |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 490012 - P03.2 | General Arrangement Plan |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 490031 - P03.2 | Elevations |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 490021 - P03.2 | Sections |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 490091- P03.1 | Materials Board |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 491002 - P03 | Landscape General |
| Arrangement Plan | |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 492011 - P03 | Earthworks Cross Sections (1 |
| of 2) | |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 492012 - P03 | Earthworks Cross Sections (2 |
| of 2) | |
| 1MC03-SCJ_SDH-AR-DGA-SS02_SL01 494451 - P03 | Lighting Column Detail |

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

- 2 Prior to the first use of the building hereby approved, the existing 3m wide crossover from Canterbury Road shall be widened to 6m with kerb radii to match the proposed widened gate to the site.

Reason: In the interests of preventing prejudicial effects on road safety and the free flow of traffic.

- 3 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any above ground work is commenced. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which preserves the local environment.

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