

# COMMITTEE REPORT

Planning Committee on

23 March, 2022

Item No

05

Case Number

21/2473

## SITE INFORMATION

RECEIVED	29 June, 2021
WARD	Mapesbury
PLANNING AREA	Brent Connects Kilburn
LOCATION	<b>Garages &amp; 1-30 Claire Court, Shoot Up Hill and 1-135 Watling Gardens, London, NW2</b>
PROPOSAL	Demolition of 1-11 Watling Gardens, 1-30 Claire Court and the associated podium car parking and substation and redevelopment to provide 125 flats: 80 for general needs (Use Class: C3) and 45 for extra care (Use Class: C3(b)) in three separate buildings ranging from 3 to 14 storeys, alongside access improvements, car parking, cycle parking, refuse and recycling storage, amenity space, landscaping and other associated works
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u><a href="#">When viewing this on an Electronic Device</a></u></p> <p><b>Please click on the link below to view ALL document associated to case</b> <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_155865">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_155865</a></p> <p><u><a href="#">When viewing this as an Hard Copy</a></u></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "21/2473" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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 informatics to secure the following matters:

### Conditions

1. Time Limit for commencement (3 years)
2. Approved Plan
3. Approved number of residential units
4. Accessible dwellings compliance with Building Regulations M4
5. Adherence to maximum water consumption per dwelling
6. Communal TV aerial and satellite provision
7. Carbon offset contribution to be secured via MoU
8. Training and Employment Plan to be submitted
9. Highways works to be agreed/ s278 agreement
10. Parking permit restriction to be secured
11. Widening of pedestrian access to southern end of site to be secured
12. Car park management plan to be implemented in full
13. Construction logistics plan to be submitted
14. Electric Vehicle Charging Points (active and passive) to be secured
15. Delivery and Servicing Management plan to be fully implemented
16. Measures within approved Habitat Survey Report to be fully implemented
17. Material samples to be submitted
18. Full details of landscaping strategy (including green roofs) to be submitted
19. Tree protection measures to be submitted
20. Details of PV panels to be submitted
21. Land contamination and remediation report to be submitted
22. Soil verification report to be submitted
23. Residential Travel Plan to be submitted
24. Construction method statement to be submitted
25. Plant noise levels to be limited
26. Non-road mobile machinery restriction
27. Nominations Agreement to be submitted
28. Affordable housing monitoring to be submitted to GLA
29. Circular Economy Statement details to be submitted
30. Whole Life Carbon Assessment to be submitted
31. 'Be Seen' energy assessment indicators to be submitted

### Informatics

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

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatics, 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

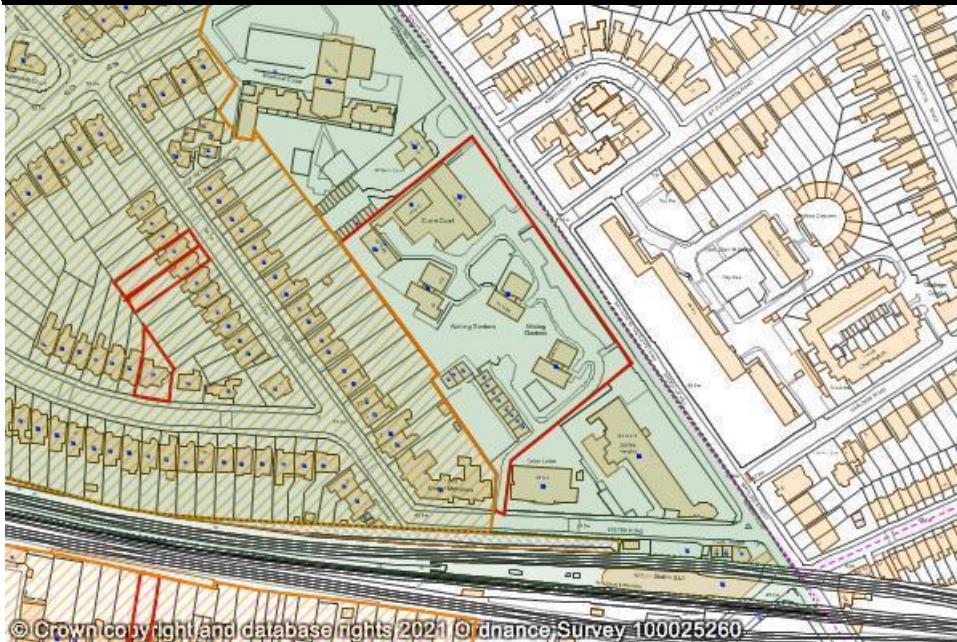


Brent

### Planning Committee Map

Site address: Garages & 1-30 Claire Court, Shoot Up Hill and 1-135 Watling Gardens, London, NW2

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This map is indicative only.

## **PROPOSAL IN DETAIL**

Demolition of 1-11 Watling Gardens, 1-30 Claire Court and the associated podium car parking and substation and redevelopment to provide 125 flats: 80 for general needs (Use Class: C3) and 45 for extra care (Use Class: C3(b)) in three separate buildings ranging from 3 to 14 storeys, alongside access improvements, car parking, cycle parking, refuse and recycling storage, amenity space, landscaping and other associated works

## **EXISTING**

The site is approximately 1.4 Hectares and is bounded by Shoot Up Hill to the east, Wiltshire Court to the north, Exeter Road (forming part of the Mapesbury Conservation Area) to the west and Cedar Lodge and Jubilee Heights to the south. The site currently comprises 164 residential units in a number of buildings varying from 2 to 12 storeys.

In addition to the existing buildings on site, the estate contains a playground, a multi games use area (MUGA) a small community room on the ground floor of 97-135 Watling Gardens and a Housing Management Office.

## **SUMMARY OF KEY ISSUES**

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

**Representations received:** 9 letters of objection were received. Further details of the comments received are discussed within the “consultation section” below.

**Principle:** The principle of the redevelopment of the site for residential purposes is acceptable and the development would contribute an 80 additional Affordable homes to meet borough housing targets.

**Design:** The development proposes a tall building outside of a designated zone, however there are already a number of tall buildings within the existing estate and in the immediate locality and the buildings have been designed to reflect the context within and immediately surrounding the site.

**Heritage Assets:** The site borders Mapesbury Conservation Area. The application has been accompanied by a Heritage Statement which considers a number of views form the Mapesbury Conservation Area. As views of the development it would be viewed in the context of the Tower Block group and therefore would only be seen as a 'backdrop' in oblique views and therefore the development would not result in harm to the offsetting of the Conservation Area.

**Affordable Housing/unit mix:** The development would provide 100% affordable housing and therefore would be in excess of 50% affordable housing required by adopted policy. In terms of unit mix, 33% of the general needs homes are proposed to be family homes. If the NAIL units are included the percentage would fall to 21%, however the application has provided adequate justification of why the NAIL units have been provided as 1 beds only.

**Quality of accommodation:** The proposed dwelling would be of a good quality, meeting minimum space standards and with all units having the benefit of good light, outlook and cross ventilation. All general needs units would have access to private balconies/terraces and the NAIL units would have access to a communal garden and roof terrace. The existing units would also benefit from an improved communal amenity space.

**Impact on neighbouring properties:** The development would have some impact on the neighbouring properties, largely in terms of loss of daylight and there would be some shortfalls against BRE guidelines. This would be particularly true for some of the existing dwellings within existing block 57-96 Watling Gardens. However, the applicant has demonstrated in their submission that existing building features already restrict access to light. It should also be noted that BRE guidelines largely relate to a suburban context and in order to achieve the level of affordable housing proposed, shortfalls against BRE targets are unavoidable.

**Transport:** 59 car parking spaces would be retained on site which would cater for existing residents and provide some disabled parking for the wheelchair units. New dwellings would be subject to a ‘car free

agreement'. The submitted Transport Statement confirms that existing trip generation would be limited and would not have a noticeable impact on the local highway network.

**Environmental and Sustainability:** Consideration has been given to ecology and the sustainable development principles and the proposal is considered to accord with policy.

## RELEVANT SITE HISTORY

21/0927 - Construction of a new substation, alongside a temporary access ramp to Claire Court, temporary car parking spaces, temporary vehicular access route and other associated works – Granted 10/06/2021

## CONSULTATIONS

### Public Consultation

A total of 851 addresses within Watling Gardens, Shoot Up Hill, Petrie Close, Exeter Road, Mapesbury Road, Dartmouth Road, Teignmouth Road, St Cuthberts Road and Kingscroft Road were initially notified of the development on 19/07/2021. The Mapesbury Residents Association were also consulted.

A Site Notice was displayed 20/07/2021

A Press Notice was published 22/07/2021

A total of 8 written objections were received to the proposals at this stage, from adjoining residents and interested parties. The grounds for objection can be summarised as follows:

Objection	Response
Proposals too skewed towards affordable homes, should be a better mix of private which would improve viability	See paragraphs 9-14 for affordable housing considerations.
Loss of daylight and outlook for existing residents	See paragraphs 16-39 for impact on residential amenity considerations.
Proposed poorly designed in terms of reduced play space for children, impacts on well-being	See paragraphs 68-72 for playspace considerations.
Tower block is too tall and will have an undesirable impact on area	See paragraphs 73-83 for design considerations.
Buildings are bulky and lack 'finesse' especially due to the lack of roof detail and skyline interest	See paragraphs 73-83 for design considerations.
Too many non-specimen type trees that do not grow or form a good structured large tree	See paragraphs 92-93
Concerns with surface water flooding and lack of adequate geotechnical investigation, in particular need to mitigate risk of surface water flooding to Exeter Road properties	See paragraphs 97-98 for flood risk and drainage considerations.
Better walking route required from Petrie Close should be included in the proposals	See paragraphs 115-161 for transport and highways considerations.
Increase in traffic on Exeter Road due to new open entrance	See paragraphs 115-161 for transport and highways considerations.
Removal of car park will result in parking on Exeter Road	See paragraphs 115-161 for transport and highways considerations.
Lack of sufficient detail / consideration within Construction Management Plan submitted	See paragraphs 115-161 for transport and highways considerations.
Loss of greenery as a result of the development	See paragraphs 92-93 for consideration of trees and landscaping issues.

Impact on foundations, subsidence etc	This is not considered to be a material planning consideration on which permission could reasonably be refused.
Impact Assessments submitted fail to consider the effects of the pandemic, in particular increase in home working and are therefore inaccurate	There are not considered to be any material planning reasons why the Covid 19 Pandemic could not be managed in a block of this nature in the same way as many other blocks across the borough. The principle of residential development and quality of accommodation is discussed within the main sections of the report.

### **Statutory/ External Consultees**

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

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

**Principle of estate regeneration:** The proposals would re-provide all existing low cost rented units and secure a significant increase in like-for-like affordable housing floorspace, generally according with the Mayor's key principles for estate regeneration schemes, though further clarity is required on consultation, consideration of alternative options, phasing and the decant strategy. The demolition of some existing homes, and the proposed estate infill redevelopment to deliver an increase in affordable housing can be supported (covered in more detail within paragraphs 16 to 38 of GLA's response).

**Land use principle:** The principle of the estate regeneration and uplift to deliver additional housing and affordable housing is supported (paragraphs 41 to 51).

**Affordable housing:** The scheme proposes 72% affordable housing by habitable room across the site, all of which comprises a low-cost rented tenure (Social Rent and London Affordable Rent). The proposed extra care unit units are provided at a local housing allowance, which is not considered to genuinely affordable in compliance with the London Plan. Affordability levels should be secured with a S106 agreement (paragraphs 55 to 67).

**Urban design:** The site is not identified in the development plan as suitable for tall buildings; however, subject to addressing the criteria in Policy D9(C), the proposed tall buildings could be acceptable, on balance. Further information is required to demonstrate that the play space requirements for both future and existing residents are met. The provision of safety features on balconies should be considered to provide private amenity and improve the residential quality for extra-care residents (paragraphs 68 to 106).

**Transport:** The numbers of car parking spaces to be retained for returning residents should be clarified. Further reductions in the level of car parking, through the CPMP, are supported. Highway improvements along the Shoot Up Hill frontage and Exeter Road are supported. Future residents should be prevented from obtaining CPZ permits. EVCPs, Travel Plan, DSP and CLP should be secured (paragraphs 135 to 147).

Strategic planning issues on energy, circular economy, sustainable drainage, air quality, biodiversity and urban greening require resolution prior to the Mayor's decision-making stage.

**Officer comments:** *The issues raised are considered to have been satisfied during the course of the application, following receipt of revised drawings and additional information, or can be dealt with by specific conditions. These are considered in more detail within the relevant sections of the main body of the report. It should be noted that the scheme now comprises 100 % Affordable housing.*

#### **Thames Water**

No objection subject to conditions requiring confirmation that sufficient surface water network upgrades have been implemented before any of the flats are occupied, and that no construction would take place within 5m of the strategic water main. Also recommend informatics relating to the proximity of the development to underground wastewater assets.

#### **LB Camden**

No objections raised.

## **Internal consultation**

### **Environmental Health**

Environmental health raises no objections to the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

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

### **Statement of Community Involvement**

A Statement of Community Involvement has been submitted with the application, sets out the public consultation and level of engagement undertaken before submitting the application, as required through the Localism Act (2011) and also following the advice set out in the Mayor's Good Practice Guide to Estate Regeneration (2018). 6-8 consultation events (a combination of one-to-one meetings, drop in sessions and wider panel events) were carried out between September 2019 and June 2021, as well as meetings and presentations given to the Watling Gardens TMO Board and Residents Panel. Information on the evolving proposals has also been published in newsletters on a regular basis (at least four a year), and details have been provided online (with the opportunity to provide feedback) in light of restrictions during the Pandemic.

Feedback received through the course of this consultation programme has been taken into consideration when finalising the proposals and is evident in the final planning application.

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

## **POLICY CONSIDERATIONS**

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

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041\*

The key policies applicable to this proposal are:

### **London Plan**

GG1 Building Strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering New Homes Londoners need

GG5 Growing a Good Economy

GG6 Increasing Efficiency and Resilience

D1 London's Form and Characteristics

D2 Delivering Good Design

D3 Inclusive Design

D4 Housing Quality and Standards

D5 Accessible Housing

D6 Optimising Housing Density

D12 Fire Safety

D13 Noise

G1 Green Infrastructure

G5 Urban Greening

G7 Trees and Woodlands

H1 Increasing Housing Supply

H12 Housing size mix  
HC1 Heritage Conservation and Growth  
SI1 Improving Air Quality  
SI5 Water Infrastructure  
SI7 Reducing Waste and Supporting the Circular Economy  
SI12 Flood Risk Management  
SI13 Sustainable Drainage  
T4 Assessing and Mitigating Transport Impacts  
T5 Cycling  
T6 Car Parking  
T7 Deliveries, servicing and construction

### Brent Local Plan

DMP1 Development Management General Policy  
BD1: Leading the Way in Good Urban Design  
BH1: Increasing Housing Supply in Brent  
BH5: Affordable Housing  
BH6: Housing Size Mix  
BG12: Trees and Woodlands  
BH13: Residential Amenity Space  
BSUI2: Air Quality  
BSUI4: On Site Water Management and Surface Water Attenuation  
BT1: Sustainable Travel Choice  
BT2: Parking and Car Free Development  
BT4: Forming an Access on to a Road

The following are also material planning considerations:

National Planning Policy Framework

National Planning Policy Guidance

### Supplementary Planning Documents/Guidance (SPD/SPG):

Brent SPD1: Design Guide for New Development (2018)  
Mayor's Housing SPG  
Mayor's Sustainable Design and Construction SPG  
National Design Guide  
Brent Waste Planning Guide

### \* Local Plan 2019-2041

The Council adopted the new Brent Local Plan 2019-2041 at Full Council on 24 February 2022. The following documents have now been revoked:

- The Brent Core Strategy 2010
- Brent Site Allocations Development Plan Document 2011
- The Wembley Area Action Plan 2015
- The Development Management Policies Plan 2016.

These documents are no longer considered Development Plan Documents for the purposes of determining planning applications within the area that the Council remains the Local Planning Authority and also their associated policies map.

## DETAILED CONSIDERATIONS

### Principle

#### *Housing*

1. Policy H1 of the London Plan seeks to increase the supply of housing in the capital and sets Brent an annual housing target of 2,325. The scheme proposed to deliver 125 homes, including 45 for extra care. As the scheme includes 41 replacement homes, there is an uplift of 84 new homes within the site, which would contribute to the above housing targets. The principle of the use of the site for residential land uses

is well established and therefore the principle of additional homes in this location is supported.

#### *Estate Regeneration*

2. The overarching objectives for estate regeneration, as set out in the Mayor's Good Practice Guide to Estate Regeneration are to: deliver safe and better quality homes for local people; increase the supply of new and affordable homes; and to improve the quality of the local environment through public realm improvements and the provision of social infrastructure.
3. Policy H8 ("Loss of existing housing and estate regeneration") together with the Mayor's Estate Regeneration Good Practice Guide confirms that existing affordable housing should be retained where possible and appropriate, except where there are acceptable plans for its replacement. The redevelopment of affordable housing should only be permitted where it is replaced by better quality accommodation, providing at least an equivalent floorspace.
4. The scheme proposes the demolition of 1,469.9sqm of Social Rent floorspace but a provision of 7864sqm of floorspace for Social Rent and LAR resulting in a floorspace uplift of 6394.1sqm. The development therefore complies with Policy H8 of the London Plan in this respect.
5. In relation to units, 34 Social Rent units are proposed to be demolished and 125 units for Social Rent and LAR are to be re provided. This would include an uplift of 91 units which would include a like for like reprovision of Social Rent based on based on households returning. In terms of habitable rooms, the proposal would result in the demolition of 57 social rent habitable rooms but facilitating the provision of 326 Social Rent and LAR rooms and therefore an uplift of 269.
6. The development would therefore deliver an uplift of genuinely affordable general needs housing in terms of floorspace, habitable rooms and units.

#### *Principle of NAIL (New Accommodation for Independent Living) units*

7. The proposed development would provide 45 extra care units. The London Plan sets Brent an annual benchmark for specialist older persons housing for 2017 to 2029 of 230 units per annum. Whilst Local Plan policy BH8 sets criteria where specialist older person housing will be required in growth areas and on developments over 500 units, this does not preclude the provision of specialist older persons housing elsewhere in the borough. London Plan Policy H13 and Local Plan Policy BH7 supports such developments in locations that are well served by public transport and other amenities. The site has a PTAL of 5/6 and is less than 100m from Kilburn Town Centre.
8. In light of Brent's identified need and the site characteristics, the principal of NAIL on the site is supported.

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

##### *Affordable housing*

9. Brent's adopted local Policy BH5 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). It does not require all schemes to deliver 50% Affordable Housing.
10. London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.

11. Brent's Local Plan policy BH5 sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. This is with the exception of Estate Regeneration schemes which are required to comply with the Mayors Affordable Housing and Viability SPG and Policy H8 of the London Plan which set out that all development proposals that includes the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement of affordable housing floorspace.
  
12. Brent Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both policies as 70% for low cost rented homes (social rent or London Affordable Rent) and 30% for intermediate products.

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

In terms of affordable housing, the following is proposed

	Affordable Housing		Total Units	% by unit	%by habitable room
	Social Rent	London Affordable Rent			
1 Bed	11 (22)	64 (128)	75	60	46
2 Bed	1 (3)	23 (69)	24	19	22
3 Bed	1 (4)	25 (100)	26	21	32
Subtotal	13 (29)	112 (297)	125 (326)	100%	100%
Affordable Percentage (by habitable room)	8.9%	90.1%			
Affordable Percentage (by unit)	10.4%	89.6%			

13. The proposed development provides an overall level of 100% affordable housing, therefore significantly exceeding the London Plan and Local Plan target. In accordance with London Plan policy, the priority is to re-provide existing affordable housing and deliver an uplift. Discounting the 34 existing social rent units (57 habitable rooms) that must be provided in accordance with Policy H8 of the Mayors London Plan, the housing proposals demonstrate an uplift of 91 (269 habitable rooms). This equates to 82% affordable housing by habitable room on the uplift.

14. Whilst the proposal does not include intermediate homes, the focus on social and affordable rented

homes reflects the fact that the site already contains this form of affordable housing. Given that this is a council-led scheme it is a good opportunity to provide affordable housing for which there is a significant need in Brent, as identified by the Brent Strategic Housing Market Assessment. The proposal would make a significant contribution to meeting Brent's identified need for social and affordable rented homes, which would assist in better achieving the 70% social/LAR target of all affordable homes across the borough, which more recent monitoring indicates has been skewed more towards intermediate products as a result of viability constraints on other sites.

#### *Mix*

15. Policy BH6 of the Local Plan outline that at least 25% of new homes within the borough should be family sized (3 bedrooms or more). In terms of family sized dwellings, 33% of the general needs homes are larger family sized homes. With the NAIL homes included, the total percentage of family sized homes proposed across the development is 21%. The supporting text to Local Plan Policy BH6 clarifies that where there is a compelling case that family housing is incompatible with the development proposed, such as specialist older person housing, an exception may be allowed to the 25% rule. It is accepted in this circumstance that it is not suitable for the NAIL homes to incorporate family housing, given these units are to provide specialist older persons housing. In addition, it is likely that the provision of NAIL dwellings would allow for some of its occupants to be moved out of affordable family dwellings that they currently occupy, thus making them available to be allocated to families.

#### **Impact on neighbouring properties**

##### *Impact of the development within the site*

###### *97-135 Watling Gardens*

16. Given the positioning of Block B within the site, its impact would be most greatly experienced by existing buildings within the Watling Gardens Estate. As the area at ground level forms communal space it is not considered appropriate to apply the 45 degree rule, however, it is noted that there would be a mutual breach of the 30 degree rule between Block B and two of the existing tower blocks (97 -135 Watling Gardens and 57-96 Watling Gardens). Nevertheless, the extent of the breach would be minimised through the positioning of the building relative to the existing tower blocks. In order to demonstrate that the development would not have an adverse impact on the existing residents of Watling Gardens, a daylight/sunlight report.
17. 97 -135 Watling Gardens sits to the rear of Block B. Both the VSC and NSC have been used to assess the retained levels of daylight with the new block in place. The results show that losses of light would be experienced most acutely from ground to first floor. There would then be isolated losses from ground to tenth floor to the kitchen windows, whereby the retained levels of VSC would be in the region of 0.4 and therefore well below the target 0.8. However, it should be noted that the windows serve functional kitchens (with flats having separate living/dining areas) and in all cases the windows are set below the balconies which restricts their access to daylight, which is evidenced by the existing low VSC levels. A further assessment has been carried out with the balconies and overhangs removed, and this results reveal that the windows would be above or close to the BRE target.
18. In terms of NSC assessment reveal that in all locations, the habitable rooms of this building would retain good levels of daylight entirely consistent with BRE target values.
19. Block B would be positioned at its closest point, 15m from the 97-135 Watling Gardens. SPD 1 states that in order to ensure good levels of privacy directly facing habitable rooms will normally require a separation distance of 18m. Whilst there would be a shortfall on the required distance, the windows to Block B have been sensitively placed in order to avoid any direct overlooking. The privacy of the existing units would therefore not be affected as a result of the development. Whilst outlook would undoubtedly be affected by the proposed development, as the building has particularly good outlook due to the openness of the site, retained outlook would still be to a good standard given the landscaping proposed and the distance between neighbouring buildings.

###### *57-96 Watling Gardens*

20. In terms of daylight/sunlight impacts, the development would most severely impact the residential units contained within 57-96 Watling Gardens. Each floor contained 4 units, all units within this building are

dual aspect. The units to the windows to the south and western elevations are of primary concern given their views and proximity to the proposed new buildings.

21. It should be noted that at ground floor, all windows are recessed under the façade of the building and kitchen windows at all floors are recessed under balconies. Two assessments have been carried out in relation to the impact of the development on this building. The first with the windows as they are and a second assessment excluding the balconies and overhangs, to better understand the extent to which loss of light can be attributed to the development itself, rather than the restrictive design features of the existing building.
22. The first assessment shows acute loss of light to the assessed windows at ground floor with the vast majority of assessed windows falling below BRE targets. The affected windows would fall retained levels of between 0.2-1.0 of their former value. In terms of NSC the proportion retained would be better although there would be two windows than would retain levels below the 0.8 target. The results of the further assessment (which considers the windows without balconies and overhangs) the VSC results would be far improved, with all windows retaining no less than 0.6 times their former value. Whilst this would still be below BRE targets, the losses would be far less acute and this demonstrates that the impact to light can be partially attributed to the design of the existing building, rather than solely to the proposed development.
23. In terms of loss of light, the most concerning results would be to the ground to third floor. It should be noted that there is one unit on all floors that has both primary windows serving both bedrooms and the living room facing the 14 storey tower block which are most severely affected by the development. However, the bedrooms would generally retain VSC of 0.6 times its former value and also affected living rooms would be served by secondary openings that would retain full value. The kitchens would retain VSC of 0.5 times the former value, but when considered the very low VSC that already exists for these windows (due to the recessed position of the windows and the location under an overhang) the results are considered acceptable.
24. When the windows from first to fourth floor are considered the vast majority of windows the retained levels of daylight would be far closer to BRE targets. At first floor the windows would almost consistently be 0.6 times their former value. The only case where the figure would be lower, would again relate to a kitchen whereby the windows are recessed below balcony and overhangs. As you go up the building, the values would get closer to BRE targets with the majority of assessed windows at second floor achieving 0.7 times the former value and the majority of windows at third floor achieving the BRE target of 0.8 times the former value. Whilst not all windows would meet the 0.8 target value even at the upper levels, the losses would largely be experienced to the recessed kitchen windows and bedrooms and the shortfall over the targets would be limited. It is important to note that, where shortfalls do occur these are to individual rooms rather than units as a whole and a large proportion of the assessed rooms are dual aspect.
25. Therefore whilst noting that there would be quite significant losses of light to the lower floors of this neighbouring building (four units at ground to third floor), the applicant has demonstrated that some of the impact can be attributed to the design features of the existing building which are self-inhibiting and restrictive and places constraint on the windows behind and beneath them. Whilst there are still shortfalls on BRE targets at the upper floor levels, these are far less acute and generally to individual rooms which ensures that the overall standard of accommodation with the units is not adversely affected.
26. In terms of privacy, Block B would sit forwards of this neighbouring residential building. At its closest point the buildings a distance of 15m would be retained. However, given the orientation of the building and the positioning of the balconies/windows, there would be no direct overlooking and the privacy of the existing residents of 57-96 Watling Gardens would be safeguarded.
27. Block C would sit to the rear of the building and would achieve the full 18m separation distance from 57-96 Watling Gardens.

#### *13-56 Watling Gardens*

28. In respect of this building, the daylight sunlight/sunlight assessment shows much positive results for this building. Again the ground floor would experience the greatest losses, although the retained levels of VSC at this level would be greater than elsewhere on the site, with the majority of windows assessed at

this level falling just below BRE targets at 0.7 times the form value. At the upper floor levels, the result would generally show compliance with BRE targets, the windows that would fall well below targets would again be the recessed kitchen windows which would retain values slightly below, however this can again be attributed to their design resulting in already low levels of VSC, which would mean that any obstruction would have a more severe impact. Nevertheless, whilst there may be isolated losses to individual rooms in individual flats, the good levels of light would be retained to this block.

29. In terms of privacy, Block C has been positioned so that there would be no direct overlooking.

### **Impact on neighbouring properties outside of the site**

#### *Daylight/Sunlight*

30. The Daylight/Sunlight Report prepared by EB7 has assessed the impacts of the proposal on neighbouring properties.
31. Block A is located directly along the boundary with Wiltren Court. The results show that the majority of windows to this neighbouring building would retain VSC levels no less than 0.8. Whilst two windows show levels retained as 0.7, these are not the sole windows serving habitable rooms and therefore any losses would be unnoticeable.
32. Exeter Road borders the rear of the site (1-19. odds). The daylight/sunlight results show that all windows assessed to these properties would retain no less than 0.9 their original value and therefore the results would be fully compliant with BRE guidance. This would be the same with all assessed windows at Exeter Mansions.
33. Jubilee Heights is an eight storey residential block located to the south east of the site. Windows to the flank northwest elevation and windows to the rear southwest elevation have been assessed. The results confirm that in all locations, the VSC, NSC and APSH would retain levels of daylight and sunlight above the standard BRE targets.
34. Cedar Lodge is a five storey residential block located to the south of the site. It has a number of windows within its rear, north facing elevation which have a direct view of the development site. The results confirm that in all locations, the VSC, NSC and APSH would retain levels of daylight and sunlight above the standard BRE targets.
35. A number of properties on the adjacent side of Shoot Up Hill in the London Borough of Camden have also been assessed. This includes the Red House, 2 St Cuthberts Road, 32 and 34 Shoot Up Hill, and Templar House. The results confirm that in all locations the VSC, NSC and APSH would retain levels of daylight and sunlight above the standard BRE targets.

### Block A

#### *30 and 45 Degree Rules*

36. This building would be located directly along the boundary with Wiltren Court. The existing lower rise buildings which are proposed to be demolished are clustered towards the boundary with this property, although they are not located directly along the boundary. The rear of the site forms communal amenity space, however there is an access road running parallel to the subject site which leads to a rear carparking area.
37. The proposed building would sit on a similar front building line to the existing. It has a C shape form meaning it would extend to five storeys to the same depth as the neighbouring building and then would be set in from the boundary by approximately 10m at the upper floors and then extend directly along the boundary at 5 storeys again.
38. SPD1 states that where the proposed development adjoins private amenity/garden areas then the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m. The neighbouring space forms communal space and as the area immediately adjacent the boundary forms a vehicular access, it is reasonable to take the 45 degree rule from the useable garden space. When the 45 degree rule is applied from the useable amenity space, the building would be compliant. Whilst there is a small area of grass to the rear of the site directly adjacent the proposed building where the 45 degree would be breached, as this is severed from the main communal

space and appears to currently contain a shed, the breach which would occur here is considered acceptable and would not affect the quality of the existing communal space to the rear of Wilttern Court.

39. In terms of the 30 degree rule, Wilttern Court has a T shaped form and therefore there are windows to the side of the rear projection which serve habitable rooms. The windows contained within the rear projection and facing the subject site are a secondary window to a living room and primary window to the bedroom. Given that the 5 storey element would be well set back from the boundary adjacent these windows, there would be a separation distance of approximately 20m between the window and the new building . There would be a slight breach of the 30 degree rule when considered from the ground floor windows only. However, given the separation distance of approximately 20m and the fact it would be just one primary window affected which would retain good levels of daylight, the impact is considered acceptable when considering the wider benefits of the scheme,

#### *Privacy*

40. Building A has been designed so that main habitable room windows are located to the flank elevations so that main views are within the site itself. The rear elevation allows for deck access to the flats, and openings to the rear are predominantly entrance doors and windows serving non habitable rooms which are located at high level. One unit from first to fifth floor has primary windows facing the site serving a kitchen/dining area and one units at first to fifth floor has a secondary window serving a living/kitchen/dining area. The deck access would be located approximately 9m from the boundary with Wilttern Court and the habitable room windows would be located 11m from the boundary. There would be total separation distance of approximately 20m between directly overlooking rear windows and therefore the development would be fully compliant with SPD 1 guidance in this respect.

#### Block C

##### *30 and 45 degree rules*

41. Block C is positioned to the rear of the site and is located adjacent the rear boundaries of 1-9 Exeter Road which form private dwellinghouses and Exeter Mansions which is an apartment block with a rear communal amenity space. Block C is 5 storeys but reduces to the 3 to the rear of the site in order to comply with the 45 degree rules from the rear boundary of the adjoining residential gardens.
42. There would be a separation distance of approximately 35m between the rear elevations of the properties on Exeter Road and Block C and the development would also comply with the 30 degree rule.

#### *Privacy*

43. At its closest the development would be positioned 9m from the rear boundaries of the properties on Exeter Road and the overall separation distance would be well in excess of the 18m between overlooking rear facing windows given the generous rear gardens to the properties on Exeter Road.

#### 44. Block B

45. Given the positioning of Block B, the impacts of the development would largely be experienced by existing blocks within the Watling Gardens development, rather than residential premises outside of the red line boundary, with the exception of daylight/sunlight which has already been assessed above.

#### **Quality of accommodation**

##### *Internal*

46. London Plan Policy D6 now sets out minimum standards for new dwellings. All of the units proposed either meet or exceed minimum internal space standards.
47. The Mayors Design Guide states that in order developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing or which contain three bedrooms or more should be avoided.
48. The following table provides the proportion of dual aspect units per block

	Single Aspect	Dual Aspect	Percentage Dual Aspect
Block A	2	28	93%
Block B	0	50	100%
Block C	20	25	55%

49. The number of dual aspect units have therefore been maximised across the development and where single aspect units exist, these are 1 bedroom units.
50. A daylight/sunlight assessment has been submitted to demonstrate that the proposed units would receive adequate daylight. The ADF method has been used to assess daylight, the BRE sets a target ADF value of 1% for bedrooms, 1.5% for living/dining rooms and 2% for kitchens. For sunlight, the APSH test calculates the percentage of probably hours of sunlight, received by a window or room over the course of a year. The guidelines suggest that the main living rooms within new buildings should achieve at least 25% of annual sunlight hours, with 5% during the winter period.
51. When using the ADF method, the results show that out of the 354 windows assessed 287 (81%) surpass the BRE guidance criteria. There are however, 1 living room, 9 open plan living/kitchen/dining areas, 16 bedrooms and 20 kitchens that fall below the target levels. The majority of rooms that fall below the target values are located within Block A and the values can largely be attributed to their location below overhanging walkways/balconies. It is therefore accepted that there would need to be some trade-off between the provision of external space and the receipt of light to all habitable rooms. Nevertheless, the majority of habitable rooms would receive good levels of light within individual apartments and the daylight results therefore show that the development would the daylight would contribute towards achieving good quality accommodation internally.
52. In terms of sunlight, the results are also positive and the focus is mainly on the receipt of sunlight to living rooms (it is viewed as less important in bedrooms and kitchens). The results of the sunlight assessment have shown that 72 (91%) of main living rooms and living/kitchen/dining rooms achieve the recommended levels of 25% APSH and 5% WPSH. Those rooms that do not meet the targets are again found in Block A and are located beneath an overhang serving an external walkway.
53. All of the units would benefit from good outlook. Generous separation distances would be retained between proposed and existing buildings and residents would have the benefit of views over a well landscaped and active communal gardens.
54. Future occupants would also enjoy good levels of privacy. There are slight pinch points, particularly between Block A and Block B. However, where overlooking distances are less than 18m, care has been taken to stagger opposing windows with the contrasting orientation ensuring views are directly obliquely. For the units located at ground floor level, privacy is secured through the use of soft landscaping around the perimeter of the building, thereby ensuring an area of defensible space.
55. The proposed units would therefore be afforded good levels of light, outlook and ventilation and overall a very high standard of accommodation would be provided internally.

#### *External amenity*

56. Policy BH13 establishes that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.
57. The BH13 requirement for external private amenity space is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". It goes on to state that where there is not strict compliance with these requirements, factors such as accessibility of dwellings to their own amenity space and its quality, the amount and quality of communal space, proximity to other areas of open space nearby and internal

amenity spaces.

58. With regard to quality of the space, Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
59. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and width of 1.5 m is set out in London Plan policy.
60. Private amenity space would be provided in the form of terraces and balconies. In relation to Block A, all units would have access to private terrace/balconies. In all cases the private amenity space would fall below BH13 requirements but would be in excess of London Plan D6 requirements.
61. All of the units within B would also have access to their own private terrace/balcony. All of which would again meet or exceed the London Plan D6 requirements for amenity space, but would fall below the requirements of BH13.
62. In relation to Block C (NAIL building) no private amenity space would be provided for the upper floor units. The applicant has justified this on the basis of balconies being considered inappropriate for the potentially vulnerable resident group, particularly those suffering from dementia. The proposed dwellings are therefore 6-7sqm larger than minimum space standards, with private amenity space instead provided as additional internal living space within each dwelling. This is with the exception 3 ground floor homes, which have private amenity space in the form of a ground floor terrace. Communal space, accessible only to the residents of the NAIL units, is found in the form of a communal garden, internal courtyard garden and sheltered roof terrace totalling 667sqm.
63. Overall a total of 951sqm of private amenity space has been provided for the new homes in the new blocks. As the scheme would provide 99 x 1 and 2 bed dwelling and 26 x 3 bed dwellings, the development would be required to deliver 3280sqm of private amenity space, which the development would fall significantly below at 925.7sqm. However, as above, the supporting text to the policy clarifies that where “sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space”.

<b>Private space</b>	BH13	Provision	Shortfall
<b>Existing Blocks</b>			
A	900	90.72	809.28
B	820	82.08	737.08
C	800	79.92	547.28
Total	2520	252.72	2093.64
<b>Proposed Blocks</b>			
Block A	980	447.4	532.6
Block B	1400	468.9	931.1
Block C	900	34.8	865.2
Total	3280	951	2329
<b>Total private space shortfall existing and proposed</b>			<b>4422.64</b>
<b>Communal space</b>			
Less proposed communal space (all existing and proposed blocks )		3196	1226.64
Less communal space accessible for Block C only		667	559.64
<b>Cumulative shortfall</b>			<b>559.64</b>

64. Therefore when taking into account all amenity space and all existing and proposed units, there would be a shortfall against Local Plan policy BH13 policy standards of 559sqm. However, it should be noted that it would be unreasonable to require the new development to make up the existing shortfall on site and therefore this should be borne in mind when considering the shortfall figure.
65. Whilst Policy BH13 provides target figures in terms of area, the quality of external amenity space should also be carefully considered when considering whether the provision is sufficient. The existing communal space is predominantly lawn and the MUGA and playground require updating.
66. The proposed communal area seeks to provide various different functions catering to all residents of Watling Gardens. A new MUGA is proposed and a new playground for younger children (discussed in greater detail below). There is also an adult exercise area, picnic terrace/lawn areas, BBQ area and planted courtyard and an extended Chelsea Garden. Therefore whilst there is only a modest uplift on communal space (6.5sqm) and the space is proposed to be shared by all existing and future residents, the space can be considered to be more useable, functional and inclusive than the existing arrangement.
67. Given that the wording of Local Plan Policy BH13 requires the amenity space to be of a sufficient "size and type", it is considered that the proposed private and communal space would satisfy proposed and existing resident's needs.

#### *Playspace*

68. Policy S4 of the London Plan states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate good quality, accessible play provision for all ages and specifies that at least 10sqm of playspace should be provided per child.
69. The existing site currently benefits from two designated play spaces that are sited at opposite ends of the site. The applicant's statement suggests that the play areas are poor quality and in need of upgrading and this was confirmed during the site visit.
70. The proposal seeks to re-locate and upgrade site play facilities. Using the GLA child yield calculator, the required playspace for the proposed and existing dwellings would be 1888sqm based on the requirement of 10sqm per child. The proposed MUGA has a total area of 315.5 sqm and is larger than the existing fenced pitch which is 142.4sqm. There is also another designated play area for younger children totalling 288.5sqm. The total area of the spaces that specifically target children therefore totals 603sqm.
71. However, although the development would provide targeted playspace of 603sqm, a number of other areas across the site also allow for incidental play areas including grassed areas to the south of Block C and 13-56 (385sqm) and between Block C and 57-96 Watling Gardens (656sqm) for incidental play, as well as between Blocks A and B for informal doorstop play.
72. Overall a total of 1948sqm of formal and informal play space is proposed on site exceeding play requirement by 60sqm.

#### **Design, siting and massing**

##### *Block A*

73. Block A is located close to the boundary with Wiltern Court and replaces the low rise garages and maisonettes.
74. The proposed building is five storeys with deck access to the rear. The rear central area of the block has been cut away in order to preserve the amenity of Wiltern Court. The building is of a simple design and of modest scale when considering the others that exist within the wider estate.
75. In terms of appearance, the elevations of Block A take their cue from surrounding architecture of red brick, and cream and white banding/details. All elevations benefit from large openings and large spacious balconies are orientated towards the communal garden area. Coloured screen detailing adds interest to the front elevation and the break in the screening ensures the communal entrance is clearly legible.

### *Block B*

76. Block B is a general needs block extending to 14 storeys with a total height of 45m. London Plan Policy D9 (b) states that tall building should be directed to areas identified as tall buildings zones in the Development Plans. Whilst the emerging Local Plan does not identify the site as a tall building zone, it is acknowledged that the wider estate already includes three tall buildings rising to 12 storeys. Equally, Windmill Court to the north standards at 17 storeys. The presence of these blocks is material when considering the principle of a tall building outside of a designated zone.
77. All tall buildings are subject to the criteria set out in Policy D9(c) of the London Plan relating to the visual, environmental, functional and cumulative impacts of tall buildings. These matters will be discussed throughout the report, however in terms of its visual impact, the 14 storey development is considered to sit comfortably within a cluster of tall buildings. The application has been accompanied by a Townscape and Visual Impact Assessment which confirms that the proposed tall building would not be an obtrusive additional given the immediate context in which it sits.
78. Block B has also been designed to reference the existing tall buildings on site and has been orientated in the same way. The elevations are proposed to be predominantly white brick referencing the light render used on the existing tower blocks with darker grey brick proposed to form the horizontal bands between the windows. The windows themselves are more modestly sized than those found on Block A and C again more closely referencing the proportions of the existing tower block. The entrance is well defined due to the use of the grey brick at ground and first floor, recessed under the upper floors.
79. Therefore, although there is a conflict with the policies relating to tall buildings, when considered overall the design and siting of the proposed tall building would be acceptable and not harm the character and context of the site.

### *Block C*

80. Block C is a part 5, part 3 storey building which is arranged around a central courtyard and located to the rear of the estate adjacent the rear gardens of the properties on Exeter Road.
81. As with Block A, the elevations take their cue from the surrounding architecture of red brick and white details. A simple grid of repeating, generously proportioned windows are proposed with an inset brick solider course detail at the window heads to add interest to the elevations.
82. The ground floor utilises a different brick tone to create a defined base with the main entrance inset from the building line above to create a clearly legible entrance which is particularly important given the nature of the building.
83. Attached to the main building is a resident's lounge which has been designed to be a different, albeit complementary addition which has a curved form and is tile clad.

### **Heritage**

84. Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 (as amended) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Furthermore, paragraph 189 recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate significance. It is appropriate to consider the desirability of new development making a positive contribution to the local character and distinctiveness. This is reflected in Local Plan Policy BHC1.
85. The site is situated on the boundary of the Mapesbury Conservation Area, the considerations therefore relate to the size, height and bulk of the development and its impact on the views into and out of the Mapesbury Conservation Area.
86. The application has been accompanied by a Heritage Statement which considers a number of views from the Mapesbury Conservation Area and also from the Brondesbury Conservation Area. Most views of the site would be long views which would be obstructed by existing housing or would be very limited given the height of the proposed development. In most far views the existing tower blocks would be the dominating feature, particularly Windmill Court. Whilst Block B is a 14 storey building, it would be viewed in the context of the Tower Block group and therefore would only be seen as a 'backdrop' in oblique views. In

this respect there would limited impact and no harm to the conservation area.

87. The most prominent view of the development would be through some gaps between the properties on Exeter Road, for example between Exeter Mansions and Cedar Lodge to Block C. However, views of the development will only be glimpsed from these viewpoints and given the relative length of the gardens to the properties on Exeter Road, existing and proposed planting and tree screening and the overall design quality of the proposed buildings, there is not considered to be any harm to the Conservation Area in this respect.
88. Whilst views of the development would be more apparent from the rear of the properties on Exeter Road, the development has been sensitively designed in order to comply with SPD 1 guidance and any perceived harm could be mitigated against with additional tree screening and the public benefits resulting from the scheme.

### **Ecology**

89. An Extended Phase 1 Habitat Survey Report has been submitted with the application. The report confirms that there was little evidence of protected specifics on site or the site forming a suitable habitat for most protect species.
90. Whilst the report notes that the buildings proposed to be demolished (Clare Court and the terraced bungalows in the southwest corner) held some potential roosting features suitable for bats, they offered low roosting potential. Most trees were also found to have low negligible potential, although the report notes that the mature London Plane and horse chestnut trees adjacent to Shoot up Hill did hold some feature of low bat potential but are to be retained.

The report also indicates that the trees groups on site and the ornamental vegetation provided suitable habitat for a range of common nesting birds during breeding season, although no nesting birds were observed during the time the survey was undertaken.

91. The report makes a number of recommendations in relation to further surveys and timings and the recommendations in the report will be subject to a condition.

### **Trees and Landscaping**

92. There are 45 existing trees on site. There are 9 Grade B trees and 4 Grade C semi mature trees that are proposed for removal, and there are 75 trees proposed to be planted, resulting in a net increase in trees on site. Apart from a single tree to be removed from the northern boundary, the trees proposed for removal are predominantly located within the central areas of the site. The landscape plan submitted showing the replacement provision has incorporated a diverse range of species around the existing and new buildings, which will replace the loss of trees in the long term.
93. As well as new tree planting, soft landscaping across the site has also been enhanced. The existing site consists predominantly of lawn and the submission includes a detailed planting schedule. Not only is the planting intended to improve visual amenity and provide more colour and seasonal interest (as requested by existing residents) but the location and types of planting proposed is also sought to provide shading, screening and wind mitigation as well as to enhance biodiversity and to establish a sequence of easily accessible and functional character areas.

### **Air Quality**

94. The site is located within an Air Quality Management Area (AQMA) and in accordance with London Plan Policy SI1 and Local Plan Policy BSU12, an Air Quality Assessment and Air Quality Neutral Assessment has been submitted with the application.
95. The application has been accompanied by an Air Quality Impact Assessment that considers the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The submitted Air Quality Assessment is considered suitable however, the air quality neutral assessment identifies that the development would not be air quality neutral in terms of transport emissions and no specific mitigation measures were proposed.
96. A revised Air Quality Neutral Assessment was subsequently submitted demonstrating that the development would be Air Quality Neutral in terms of transport emissions and therefore no specific

mitigation measures are necessary.

## Flood Risk

97. The site is in Flood Zone 1 and is greater than 1 hectare in area. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF. The FRA has been submitted as required under the NPPF. The FRA adequately assesses the risk of flooding from fluvial/tidal, pluvial, sewer, ground water, and reservoir flooding, which is considered to be low. The FRA for the proposed development complies with Policy SI12 of the London Plan.

## Sustainable drainage

98. The proposal includes the implementation of an attenuating tank and additional green rooms with permeable paving which equates to a volume size of 278.5m<sup>3</sup>. Through this avenue of grey and green SuDs the proposal has demonstrated a significantly reduced discharge rate from the current site which will offer an improvement to flood risk locally. The SuDs measures includes attenuation tanks, extensive use of green roof (totalling 1779m<sup>2</sup>), permeable surfacing, new planting and the use of rainwater butts.

## Energy

99. Major residential developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. An Energy Assessment is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

100. An Energy Assessment has been submitted and the development has been designed to achieve a 42.9% improvement through the 'Be Lean, Be Clean and Be Green' measures set out in the London Plan.

101. The reduction has been achieved through the use of the energy efficient design measures. The proposal also makes provision for a site wide heat network supplied by a centralised energy centre located in Block A, to include air source heat pumps to serve Block A as well as Blocks B & C. Furthermore extensive provision of PV on the roofs of the new buildings totalling 327m<sup>2</sup>is proposed to help achieve the carbon reduction.

## Overheating

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

103. The application has been accompanied by an overheating assessment which outlines the measures to be taken to meet the requirements of the policy.

## Urban Greening

104. Policy G5 of the London Plan requires that major development proposals contribute towards the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high quality landscaping (including trees) green roofs, green walls and nature based sustainable drainage. It goes on to recommend that a target score of 0.4m for predominantly residential developments.

105. The applicant has provided an Urban Greening Factor calculation which demonstrates a score of 0.4 and therefore meeting the London Plan target. The score has been achieved through green roofs, species-rich grassland, over-sowing, hedgerows, flower-rich perennial planting, bulbs and trees which will result in a biodiversity net gain

## Fire Safety

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

as fire appliance access and features which reduce the risk to life.

107. A Fire Statement prepared by FCS Live has been submitted with the application which demonstrates how the criteria of D12 have been considered.

108. Due regard has therefore been given to fire safety and the development complies with D12 of the London Plan.

## Wind and Microclimate

109. A Pedestrian Wind Environment Study has been submitted with the application which measures the wind conditions of 58 selected critical outdoor trafficable areas in respect of pedestrian safety and pedestrian comfort. The critical areas include points at ground level including along pedestrian footpaths, entrances and play areas, the terrace of Block A and private balconies on Block B.

110. A number of tested areas were found to not satisfy the comfort/safety conditions with the proposed development in place (although reported failings were also found with the existing situations) and as such mitigation measures are proposed. The mitigation measures include hard and soft landscaping measures, 1.7m balustrades on balconies and evergreen hedges of 1.8m to the south of Block B

111. A further test was carried out with the proposed mitigation measures in place. The test revealed that with the inclusion of these treatments to the final design, it is expected that wind conditions for all outdoor trafficable areas within and around the development would be safe and comfortable through the year.

112. A condition ensuring the mitigation measures are carried out in full prior to the occupation will be attached to the permission.

## Flood Risk

113. A Flood Risk Assessment (FRA) has been submitted in support of the application. This report confirms that the site is at low risk of tidal or fluvial flooding however flood risk from surface water has historically been a problem in the area and there are also historical problems with waste water. The existing site has previously been confirmed as being 100% impermeable due to the presence of large amounts of concrete.

114. London Plan Policy SI13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible

## Transport

### *Car Parking*

115. As the site has very good access to public transport services, the lower residential car parking allowances set out in Table 6.1 of the London Plan apply.

116. The 164 existing homes on the site would therefore be allowed up to 131 off-street parking spaces under current standards and the existing provision of about 70 spaces would therefore accord with maximum allowances.

117. The proposed increase to 203 dwellings (55 x 1-bed, 104 x 2-bed & 44 x 3-bed) would raise the parking allowance to 172 spaces under current standards, with a further four spaces allowed for the 45 assisted-living units (one space per 10 units). The proposed reduction in parking provision to 59 spaces and an ambulance bay within the site would therefore still accord with maximum allowances.

118. However, consideration also needs to be given to the potential impact of any overspill parking on-street in the area, particularly as the site fronts a major distributor road that cannot accommodate on-street parking without disrupting traffic flow.

119. To help to better understand existing car parking demand, an overnight survey of existing parking within the estate was undertaken by the applicant on a weekday night in December 2020. This identified 69 cars parking within the estate, of which two vehicles were abandoned. It was also known that two of the garages were used for parking (the majority being used for storage). These results correspond with the number of permits issued to residents of Watling Gardens (68 no.).

120. The survey results therefore suggest average car ownership of about 0.43 cars/flat in the estate. To verify the accuracy of the surveys, car ownership data held on the 2011 Census has been examined. This also suggests that car ownership for flats in the estate averages about 0.4 cars/ flat.

121. If these figures are applied to the 123 flats that are to be retained within the site, then about 50-53 cars could expect to be owned by the residents that would remain on-site. The proposed provision of 59 spaces within the estate would therefore be sufficient to cater for existing residents, leaving some surplus for disabled parking for the wheelchair units in the new flats.

122. In this respect, at least seven spaces will need to be widened and reserved for disabled Blue Badge holders (potentially increasing to 20 in future if demand rises) and these should be distributed evenly around the site. The submitted site layout plan shows a total of eight wide disabled spaces; all at the northern end of the site adjoining the new blocks. Some provision at the southern end, particularly in the vicinity of the extra care units, should therefore also be made, although the Transport Assessment does note that there is no demand amongst existing residents for Blue Badge spaces in this area.

123. At least 20% of spaces (12 no.) must also have active electric vehicle charging points, with all remaining spaces having passive provision. This has been confirmed within the Car Park Management Plan.

124. With all of the proposed spaces being required to meet existing parking demand and disabled parking requirements, there would be no surplus space available for the 125 new flats that do not have disabled Blue Badges. To ensure that residents of these new flats do not cause on-street parking problems in the wider area, a 'car-free' agreement will need to be secured for all new flats, withdrawing the right of future residents to both on-street and off-street parking permits (the latter being to ensure they do not occupy off-street parking spaces and displace existing residents onto surrounding roads).

125. The above arrangements have been set out in a Car Park Management Plan for the estate, which confirms that existing residents will retain a right to park within the estate and that additional disabled parking will be provided as required by Blue Badge holding residents. Incoming residents of the new dwellings will not be entitled to parking permits either within the estate or on the surrounding public highway and neither will staff working at the extra care facility. Details of enforcement have also been provided to ensure that the car parking arrangements are not abused.

126. Please note that whilst the applicant's Transport Note suggests that there is spare on-street parking capacity in the wider area, the nearest streets to the site are too far away to be considered convenient.

127. The London Plan requires at least 379 secure bicycle parking spaces for the 203 total flats, plus about five spaces for the assisted-living units. A further six spaces are required for visitors.

128. The submitted plans show internal storerooms in the two new housing blocks to provide 150 spaces for the new flats, with four spaces (plus 12 mobility scooter spaces) shown in a storeroom for the assisted-living building. A suitable mixture of two-tier stands, 'Sheffield' stands and large adapted spaces are shown to ensure all types of bicycle are catered for. Subject to the access doors to the stores being widened to at least 1.2m, this would meet the required standard for the new dwellings.

129. A further external stand is shown in front of the new housing Block A for visitors, which is fine.

130. For the existing flats, two existing bicycle hangers offering 12 spaces are to be retained on site, whilst four new 'Sheffield' stands (8 spaces) are to be provided adjacent to 97-135 Watling Gardens for visitors, which is welcomed.

131. With regard to servicing, tracking diagrams have been provided to show that refuse vehicles are able to access and turn within the site at various locations, including for the assisted-living access from Exeter Road. As such, they will be able to access within 10m of the bin stores for each block.

132. It is also confirmed that each of the refuse stores has adequate storage capacity to meet Brent's standards. Fire appliances will also be able to access each of the new blocks.

133. A Delivery and Servicing Plan has been submitted with the application to manage deliveries. This will include attempts to co-ordinate a delivery schedule which will minimise deliveries during peak

hours and to direct deliveries towards four marked drop-off bays, with use of these bays limited to 20 minute intervals. This will help to ensure the proposal does not lead to any servicing issues on the adjoining highways.

134. The two vehicular accesses to the site currently comprise simple crossovers with no tactile paving, which is substandard for the number of units served. In addition, the access from Shoot-Up Hill is excessively wide, which presents a further hazard for pedestrians.

135. Despite pre-application advice stating that improvements would be required to the accesses, the application still suggests that only minor amendments are proposed and this is not considered to be sufficient. The two accesses therefore need to be upgraded to include the provision of suitable radius kerbs (~4m), raised entry tables and tactile paving, along with a significant reduction in the width of the main access to Shoot-Up Hill to 5.5m through the widening of the footways on either side. The improvements to the Exeter Road entrance were also suggested within a Road Safety Audit for the site. The works can be secured as a condition of any approval.

136. The tracking diagrams for refuse vehicles also show a need to remove parking bays to either side of the Exeter Road access to facilitate the swept path of such vehicles and this is confirmed as being acceptable in principle. Otherwise, the proposed relocation of the access gates at the Exeter Road access 50m into the site is welcomed.

137. The proposals will sever the existing vehicular link through the site, particularly for emergency vehicles. This is acceptable in principle, as long as an unobstructed pedestrian access between the Exeter Road entrance and the general needs housing blocks is retained, which is the case.

138. Otherwise, the proposed enhancement of the landscaping within the site will generally improve pedestrian permeability across the site, which is welcomed.

139. However, the access roads have been designed as a shared surface in 80mm thick coloured block paving, with the pedestrian 'footways' defined through the use of contrasting colours. The kerblines between the 'carriageway' and the 'footway' are therefore shown as flush. This is a concern, as it gives no guidance to partially sighted pedestrians, who rely on a kerb upstand for orientation. In particular, the layout in the vicinity of the main site entrance, with the wide expanse of hard paving and lack of continuous footways to guide people towards the new housing blocks, appears particularly difficult to navigate for a partially sighted person.

140. To address this, more clearly defined pedestrian routes are required with upstand kerbs, particularly between new Blocks A and B and the main site entrance, which follows on from comments above about the need to amend the site access anyway to reduce its width. The kerb upstands need not be substantial (50-60mm or chamfered kerbs) and can still allow occasional over-running by vehicles, if necessary. However, caution is raised over the encouragement of driving over 'pedestrian' areas to access the drop-off bay between Blocks A and B, as this may encourage unauthorised and obstructive parking in this area.

141. As advised during the pre-application process, pedestrian accesses onto Shoot-Up Hill should be widened to at least 3m to allow shared use by cyclists, whilst the gates at both pedestrian accesses must open into the site, rather than out over the footway of Shoot-Up Hill as shown.

142. Otherwise, the use of 80mm block paving for all roads, parking spaces and footways is considered appropriate.

#### 143. *Transport Impact*

144. The submitted Transport Statement has considered the likely trip generation from the additional accommodation, based upon survey data from four other housing developments and four other care homes in London.

145. Surveys of existing trips to and from the estate were also carried out in December 2020, although the on-going Covid-19 pandemic restrictions in place at the time meant that peak hour trips were much lower than might ordinarily be expected, so these results have not been used in the analysis.

146. The development will result in a net increase of 39 general needs housing units and these are estimated to generate 5 arrivals/21 departures in the am peak hour (8-9am) and 13 arrivals/9 departures

in the pm peak hour (5-6pm) by all modes of transport. No “all modes” trip generation figures have been presented for the 45 extra care units, but Brent’s officers have estimated that these would generate between 10-20 peak hour trips by all modes.

147. The Transport Statement then considers the increase in vehicular trips alone and using the survey data, has estimated that the new housing and extra care units would between them generate 4 arrivals/5 departures in the am peak hour and 2 arrivals/2 departures in the pm peak hour by vehicles (these are net increases to existing trips to and from the estate). These totals are not significant enough to have a noticeable impact on the local highway network and given that overall on-site parking is to be reduced in total by the proposal and largely restricted to use by existing residents only, even these modest predicted increases in traffic flow may not materialise in practice.

148. For other modes, the number of additional passengers on public transport services is also not considered to be significant enough to have any noticeable impact on capacity, with less than one additional passenger per bus and train passing the site.

149. To assess the impact of walking and cycling trips, a Healthy Streets Assessment has been conducted for the area. This examined the quality of the pedestrian routes to six key destinations in the area.

150. For four of the key destinations, a common problem that was identified is the poor quality of the pedestrian facilities at the junction of Shoot-Up Hill and Exeter Road, where ponding of rainwater is a regular occurrence alongside the central pedestrian island. Whilst a gully could be installed to address this, the junction itself is overdesigned and would actually benefit from the removal of the island altogether and the building out of the kerbs in front of Kilburn station instead to provide a wider footway, with a raised entry table provided across the bellmouth of the junction to retain a safe pedestrian crossing and deal with any ponding issues. It is therefore recommended that funding to undertake these works (or a S278 agreement for the developer to undertake them directly) is secured through the S106 Agreement.

151. The Healthy Streets Assessment also examined the road accident record in the vicinity of the site over the five year period ending November 2019. This did reveal a large number of personal injury accidents along this stretch of road, commensurate with the high volume of traffic carried. Of some concern is the high number of accidents involving motorcycles, and to a lesser extent, bicycles.

152. However, none of the recorded accidents involved vehicles turning into or out of the Watling Gardens estate and there are no elements of the development proposals that would be likely to worsen the accident record in the area.

#### *Travel Plan*

153. To help support the ‘car-free’ nature of the development, a Framework Residential Travel Plan has been submitted with the application. This proposes series of measures to promote non-car use through the provision of information and incentives, managed by a Travel Plan Co-ordinator.

154. The principle aim of the Travel Plan will be to reduce the proportion of trips made by car drivers from an estimated 18% of trips at the outset down to 8% after five years. This will be monitored through biennial surveys using the i-TRACE or TRICS survey methodology, with the first survey to establish the baseline modal share to be undertaken within six months of the development reaching 75% occupation. One measure proposed is the provision of free Car Club membership for incoming residents and this should be secured for a minimum period of three years for each new resident through the S106 Agreement.

#### *Construction*

155. Finally, a draft Construction Management Plan has been submitted with the application setting out provisional arrangements for the construction works, which are programmed to take place between 8am-6pm on weekdays and 8am-1pm on Saturdays between autumn 2021 and early 2024.

156. The plan confirms that a detailed Construction Logistics Plan will be submitted prior to works commencing. This is welcomed and a condition should be applied to ensure this is done.

157. In the meantime, the buildings are all well set back from the highway and there is plenty of space around the site to ensure the construction works can be contained clear of the public highway. The only direct impact on the public highway would therefore be the need to temporarily suspend some parking

bays in Exeter Road to facilitate HGV's turning into the site during the building of the extra care units. This will need to be agreed through Brent Council's Parking Services.

158. The other major impact will be on parking for existing residents during the construction works and every attempt will be made to retain as much residents' parking within the site as possible throughout the contract. It is therefore important that contractors staff are not offered parking at residents' expense and a Staff Travel Plan will be expected to encourage staff to use public transport or walking/cycling.
159. An initial assessment of vehicle numbers suggests that up to three deliveries per day can be expected during the peak construction period and these will be scheduled to avoid peak hours and school opening/closing times. The location of the site adjoining the A5 means direct access from the strategic road network is available (other than along Exeter Road).
160. The broad parameters set out for the Construction Logistics Plan are therefore acceptable and there are no particular concerns at this stage with the proposals for construction works.

## Equalities

161. 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

162. The development would provide substantial benefits in terms of the provision of 125 good quality residential units all for social rent/LAR. The proposed landscaping would visually enhance the estate and there would be benefits for existing residents in terms of more improved and functional external amenity space. The development would result in a tall building outside of a designated zone and therefore is contrary to Part B of Policy D9. Whilst the height of the building would result in some light impacts to existing homes on the estate, the existing character of the area, which consists of a number of taller building is considered suitable justification for a larger building in this location and the proposed tall building is considered to be acceptable having regard to the considerations set out within Part C of Policy D9. Furthermore, any impact on light to neighbouring properties is considered acceptable when considering the wider benefits of the scheme.

## CIL DETAILS

This application is liable to pay **£2,993,157.11** \* under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\* floorspace which on completion is to be demolished (E): 3362.57 sq. m.

Total amount of floorspace on completion (G): 11721 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	11721		8358.43	£200.00	£0.00	£2,477,677.46	£0.00
(Mayoral) Dwelling houses	11721		8358.43	£0.00	£60.00	£0.00	£515,479.65

BCIS figure for year in which the charging schedule took effect (Ic) 224 323

BCIS figure for year in which the planning permission was granted (Ip) 332

**TOTAL CHARGEABLE AMOUNT** £2,477,677.46 £515,479.65

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

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

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

## DRAFT DECISION NOTICE



### DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – APPROVAL

Application No: 21/2473

To: Royston  
JLL  
30 Warwick Street  
London  
W1B 5NH

I refer to your application dated **29/06/2021** proposing the following:

Demolition of 1-11 Watling Gardens, 1-30 Claire Court and the associated podium car parking and substation and redevelopment to provide 125 flats: 80 for general needs (Use Class: C3) and 45 for extra care (Use Class: C3(b)) in three separate buildings ranging from 3 to 14 storeys, alongside access improvements, car parking, cycle parking, refuse and recycling storage, amenity space, landscaping and other associated works

and accompanied by plans or documents listed here:

See condition 2

at **Garages & 1-30 Claire Court, Shoot Up Hill and 1-135 Watling Gardens, London, NW2**

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: 15/03/2022

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: 21/2473

**SUMMARY OF REASONS FOR APPROVAL**

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

National Planning Policy Framework (2021)  
London Plan (2021)  
Brent Local Plan (2022)  
SPD 1-Brent Design Guide

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

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

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

Existing Site Location Plan	WGK-PTE-XX-XX-DR-A-10100 P2
Existing Site Plan	WGK-PTE-XX-XX-DR-A-10101 P2
Demolition Plan	WGK-PTE-XX-XX-DR-A-10102 P2
Existing Site Sections 01	WGK-PTE-XX-ZZ-DR-A-10200 P3
Existing Site Sections 02	WGK- PTE-XX-ZZ-DR-A-10201 P3
Existing Building Elevations 01	WGK- PTE-XX-ZZ-DR-A-10300 P3
Existing Building Elevations 02	WGK- PTE-XX-ZZ-DR-A-10301 P2
Indicative Levels Plan	GW-BR030-WG-P-500 Rev B
Indicative Levels Plan	GW-BR030-WG-P-506 Rev B
Site Plan – Ground Floor	WGK-PTE-ZZ-XX-DR-A-10100 P3
Site Plan – 1 <sup>st</sup> to 2 <sup>nd</sup> Floor	WGK-PTE-ZZ-XX-DR-A-10101 P2
Site Plan – 3 <sup>rd</sup> Floor	WGK-PTE-ZZ-XX-DR-A-10102 P2
Site Plan – 4 <sup>th</sup> Floor	WGK-PTE-ZZ-XX-DR-A-10103 P2
Site Plan – 5 <sup>th</sup> to 8 <sup>th</sup> Floor	WGK-PTE-ZZ-XX-DR-A-10104 P2
Site Plan – 9 <sup>th</sup> to 12 <sup>th</sup> Floor	WGK-PTE-ZZ-XX-DR-A-10105 P2
Site Plan -13 <sup>th</sup> Floor	WGK-PTE-ZZ-XX-A-10106 Rev P2
Site Plan – Roof	WGK-PTE-ZZ-XX-DR-A-10107 P2
Site Sections/Elevations 01	WGK-PTE-ZZ-ZZ-DR-A-10300 P3
Site Sections/Elevations 02	WGK-PTE-ZZ-ZZ-DR-A-10301 P3
Block A – GA Plan – Ground to 3 <sup>rd</sup> Floor	WGK-PTE-VA-ZZ-DR-A-10100 P3

Block A – GA Plan –4 <sup>th</sup> Floor and Roof Plan	WGK-PTE-VA-ZZ-DR-A-10101 P2
Block A – Sections 01	WGK-PTE-VA-ZZ-DR-A-10200 P2
Block A – Sections 02	WGK-PTE-VA-ZZ-DR-A-10201 P2
Block A – Elevations 01	WGK-PTE-VA-ZZ-DR-A-10300 P3
Block A – Elevations 02	WGK-PTE-VA-ZZ-DR-A-10301 P3
Block B – GA Plan – Ground to 11 <sup>th</sup> Floor	WGK-PTE-VB-ZZ-DR-A-10100 P2
Block B – GA Plan – 12 <sup>th</sup> Floor to Roof Plan	WGK- PTE- VB-ZZ-DR-A-10101 P2
Block B – Sections - 01	WGK-PTE-VB-ZZ-DR-A-10200 P2
Block B – Elevations – 01	WGK-PTE-VB-ZZ-DR-A-10300 P3
Block B – Elevations – 02	WGK-PTE-VB-ZZ-DR-A-10301 - P3
Block C – GA Plan – Ground Floor	WGK- PTE- VC-00-DR-A-10100 - P3
Block C – GA Plan – 1 <sup>st</sup> to 2 <sup>nd</sup> Floor	WGK-PTE-VC-ZZ-DR-A-10100 - P2
Block C – GA Plan – 3 <sup>rd</sup> Floor	WGK-PTE-VC-03-DR-A-10100 - P2
Block C – GA Plan – 4 <sup>th</sup> Floor	WGK-PTE-VC-04-DR-A-10100 - P2
Block C - GA Plan - Roof Plan	WGK-PTE-VC-RF-DR-A-10100 - P2
Block C – Sections – 01	WGK-PTE-VC-ZZ-DR-A-10200 - P2
Block C – Sections – 02	WGK-PTE-VC-ZZ-DR-A-10201 - P3
Block C – Sections – 03	WGK-PTE-VC-ZZ-DR-A-10202 - P3
Block C – Elevations – 01	WGK-PTE-VC-ZZ-DR-A-10300 - P3
Block C – Elevations – 02	WGK-PTE-VC-ZZ-DR-A-10301 - P3
Hard Landscape	GW - BR030- WG - P - 402- REV B
Hard Landscape	GW - BR030- WG - P - 403- REV B
Hard Landscape	GW - BR030- WG - P - 404 - REV B
Hard Landscape	GW - BR030- WG - P - 405 - REV B
Hard Landscape	GW - BR030- WG - P - 406 - REV B
Tree Planting Plan	GW - BR030- WG - P - 600 - REV E
Planting Plan	GW - BR030- WG - P - 604 - REV E
Planting Plan 5	GW - BR030- WG - P - 605 -REV B
Planting Plan 6	GW - BR030- WG - P - 606 - REV B
Affordable Housing Statement prepared by JLL	
Planning Statement prepared by JLL	
Statement of Community Involvement prepared by JLL dated June 2021	
Equalities Impact Assessment prepared by JLL dated June 2021	
Design and Access Statement prepared by PTE dated June 2021	
Design and Access Statement Addendum by PTE dated January 2022	

Urban Greening Assessment Strategy prepared by Ecology Link  
Arboricultural Survey and Impact Assessment prepared by Ecology Link dated 12 April 2021  
Extended Phase 1 Habitat Survey Report prepared Ecology Link dated January 2021  
Heritage Statement prepared by Cogent Heritage dated March 2021  
Desk Study and Preliminary Risk Assessment Report prepared by Southern Testing dated 1st June 2021  
Energy Assessment prepared by Norman Bromley dated October 2021  
Overheating Assessment prepared by Norman Bromley dated April 2021  
Sustainability Statement prepared by Norman Bromley dated February 2021  
Foul Drainage and Utilities Assessment prepared by Norman Bromley dated January 2021  
Circular Economy Statement prepare by Hodkinson (Version 5 dated 23rd Feb 2022)  
Whole Life Cycle Carbon Emissions Assessment prepared by Hodkinson dated December 2021  
Daylight and Sunlight Report prepared by EB7 dated 12th Feb 2021  
Noise Assessment prepared by Hawkins Environmental dated 31st March 2021  
Air Quality Assessment prepare by Hawkins Environmental dated 3rd December 2021  
Transport Assessment prepared by RGP dated June 2021  
Travel Plan prepared by RGP dated June 2021  
Car Park Management Plan prepared by RGP dated March 2021  
Delivery and Servicing Management Plan, prepared by RGP dated June 2021  
Draft Construction Management Plan, United Living dated 18th June 2021  
Flood Risk Assessment and Drainage Strategy, Tully De'Ath dated 5th December 2021  
Townscape and Visual Impact Assessment, Neaves Urbanism dated 21st June 2021  
Pedestrian Wind Environment Study, Windtech dated 25th March 2021  
Television and Radio Impact Assessment, GTech Surveys Limited dated 18th May 2021  
Fire Strategy, FCS dated 26th May 2021  
Bat Emergence Surveys by Arbtech dated 18th August 2021  
Preliminary Site Investigation and Risk Assessment Report (Interim) by Southern Testing dated 19th August 2021  
Proposed External Lighting by Norman Bromley dated December 2021

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

- 3 The development hereby approved shall contain 125 residential units and shall comprise the following, unless otherwise agreed in writing by the Local Planning Authority
  - 80 x C3 units
  - 13 units (29 habitable rooms) for Social Rent (11 x 1 bed, 1 x 2 bed and 1 x 3 bed)
  - 67 units (207 habitable rooms) for London Affordable Rent (19 x 1 bed, 23 x 2 bed, 25 x 3 bed)

45 x C3b units

45 units (90 habitable rooms) for London Affordable Rent (45 x 1 bed)

For the purposes of this condition, the following definitions are stipulated:

- Social Rent means rented housing owned and managed by [local authorities or] Affordable Housing Providers and let at Target Rents.
- London Affordable Rent means rented housing provided by an Affordable Housing Provider that has the same characteristics as Social Rented Housing except that it is not required to be let at Target Rents but is subject to other rent controls that require it to be offered to eligible households in accordance with Part VI of the Housing Act 1996 at a rent that is:
  - (a) including Service Charges, up to 80 per cent of local market rents; and
  - (b) excluding Service Charges, no higher than the benchmark rents published by the GLA annually in accordance with the Mayor's Funding Guidance.'

Reason: In the interests of proper planning.

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

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

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

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

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

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

- 7 Prior to the commencement of works the applicant shall enter into a Memorandum of Understanding (MOU) with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the Energy Assessment

No later than two months after practical completion of the development an Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of the energy assessment commissioned at the applicant's expense and prepared by an independent assessor to demonstrate as built construction is in accordance with the approved Energy Assessment.

The applicant shall enter into a Memorandum of Understanding with the Local Planning Authority in order to provide appropriate offsetting measures for the development's carbon emissions as approved within the review of the Energy Assessment.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI 2

- 8 No development shall commence on site until a Training & Employment Plan has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

- (i) the details of the Training & Employment Co-ordinator;
- (ii) a methodology for meeting the Training & Employment Targets and the Training & Employment Reporting Schedule;
- (iii) a commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

Reason: In the interest of providing local employment opportunities. Pre-commencement reason: the condition seeks to exercise control over training and employment of Brent residents throughout the construction phase of the development and therefore needs to be discharged prior to construction.

- 9 No development above ground level shall commence until the developer has entered into an agreement with the Local Highways Authority to carry out the following works under S278 of the Highways Act 1989

- (i) narrow the site access from Shoot Up Hill to 5.5m in width and 4m-6m radius kerbs, a raised entry table and tactile paving
- (ii) provide 2m-4m radius kerbs with a raised entry table and tactile paving at the site access from Exeter Road

The development shall not be occupied until evidence that the above mentioned highway works have been implemented in full and certified as completed to an acceptable standard by the Local Highways Authority has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development provides a safe and functional highway environment and creates an accessible development.

- 10 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby of each building, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 11 Prior to the occupation of the development hereby approved, the pedestrian accesses from the site to Shoot Up Hill (to the southern access only) shall be widened to 3m to allow for to allow

shared use by cyclists and amendments to the gates to ensure they do not open outwards over the Shoot-Up Hill footway.

Reason: In the interests of highway safety.

- 12 The proposed development shall be occupied in full accordance with the submitted Car Parking Management Plan unless otherwise agreed in writing by the Local Planning Authority.

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

- 13 Prior to the commencement of the development hereby approved, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

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

- 14 No less than 20% of the proposed car parking spaces shall be provided with electric vehicle charging points (ECVPs) with passive EVCPs provided for all remaining parking spaces.

Reason: In the interests of sustainable transport and to comply with Policy T6 of the London Plan

- 15 The proposed development shall be occupied in full accordance with the submitted Delivery and Servicing Plan

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

- 16 Unless alternative measures are agreed in writing by the Local Planning Authority the mitigation measures outlined in section 5 of the submitted 'Extended Phase 1 Habitat Survey Report' shall be implemented in full during the site clearance process.

Reason: In the interest of safeguarding wildlife habitats

- 17 Details of materials for all external work, including samples which shall be made available for viewing, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant part of the development, excluding demolition, site clearance, laying of foundations or any other below ground work. 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

- 18 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall identify:

- a) All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
- b) Details of any new habitat created.
- c) Detailed plans of the child play spaces.
- d) Details of green roofs

The approved landscaping shall be completed prior to first occupation of the development unless alternative details are first agreed in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 19 Prior to the commencement of development an arboricultural method statement and tree protection plan 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 all trees shown for retention throughout the duration of works

- 20 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 SI1?

- 21 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. 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 is subject to the approval in writing of the Local Planning Authority.

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

- 22 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

- 23 Prior to the occupation of the development hereby approved, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The proposed Travel Plan shall include a measure to provide three years' free membership to a local Car Club for all new residents. Once approved the travel plan shall be implemented in full for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable transport measures

- 24 Notwithstanding the submitted details, prior to the commencement of the development a

Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation. 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.

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

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

Reason: To protect acceptable local noise levels

- 26 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 Policy SI1 of the London Plan

- 27 Prior to the occupation of the development a Nominations Agreement to define nominations criteria and arrangements shall be entered into with the Council, and submitted to and approved in writing by the Local Planning Authority. The Nominations Agreement will set out the policies and procedures for the nomination by the Council of prospective tenants to the development and shall be implemented on occupation and shall remain in effect for the lifetime of the development.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to the Affordable housing when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 28 As soon as reasonably practicable following completion of the development, the Council shall report to the GLA through the London Development Database the number and tenure of the Affordable Housing Units by units and Habitable Room.
- The Council shall report the following information to the GLA through the London Development Database as soon as reasonably practicable:
- (a) the number and tenure of the Additional Affordable Housing Units by unit numbers and Habitable Room (if any);
  - (b) any changes in the tenure or affordability of the Affordable Housing Units by unit numbers and Habitable Room; and
  - (c) the amount of any financial contribution payable towards offsite Affordable Housing.'

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to the Affordable housing when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 29 Apart from the details set out below in parts a-e, the development shall be completed and subsequently maintained in accordance with the recommendations, proposals and specifications of the Circular Economy Statement prepare by Hodkinson (Version 5 dated 23rd Feb 2022)
- a) Prior to any works commencing on site, a pre-demolition audit to manage demolition waste from a development shall be submitted and approved by the Local Planning Authority in writing.
  - b) Prior to any works commencing on site, Notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) and a written confirmation that the destination landfill(s) has/have the capacity to receive waste shall be submitted and approved by the Local Planning Authority in writing.
  - c) Prior to any works commencing on site, Scenario Modelling demonstrating adaptability shall be submitted and approved by the Local Planning Authority in writing.
  - d) Prior to any works commencing on site, Lean Design Options Appraisal shall be submitted and approved by the Local Planning Authority in writing.
  - e) Prior to the occupation [of any phase / building/ development], a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: [CircularEconomyLPG@london.gov.uk](mailto:CircularEconomyLPG@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials, in accordance with Policy SI 7 of the London Plan (2021).

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

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

- 31 a) Within 8 weeks of the grant of planning permission, the applicant shall submit to the GLA accurate and verified estimates of the 'Be Seen' energy performance indicators, as outlined in the 'Planning stage' section / chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it), for the consented development. This should be submitted to the GLA in accordance with the 'Be Seen' energy monitoring guidance using the 'Be Seen' planning stage reporting webform (<https://www.london.gov.uk/whatwe-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/beseen-energy-monitoring-guidance>).
- b) Prior to occupation of any of the units hereby approved, the applicant shall provide updated accurate and verified 'as-built' design estimates of the 'Be Seen' energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/whatwe-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/beseen-energy-monitoring-guidance>). The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it).
- c) Upon completion of the first year of occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the applicant is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology outlined in the 'In-use stage' chapter / section of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/whatwe-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/beseen-energy-monitoring-guidance>). This obligation will be satisfied after the applicant has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be Seen' energy monitoring guidance document (or any document that may replace it) for at least five years. Timings may need to be adjusted to account for the large phased developments, particularly for energy centre reporting, as per the relevant section of the 'Be Seen' energy monitoring guidance document.
- d) In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) have not been or are not being met, the applicant should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be Seen' in-use stage reporting webform. An action plan comprising measures identified in Clause c) shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an

existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)

- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

- 5 The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include:
  - (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways;
  - (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips);
  - (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order;
  - (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway;
  - (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site;
  - (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

[www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations](http://www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations)

- 6 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.  
[https://urldefense.com/v3/\\_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes](https://urldefense.com/v3/_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes) . Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

[https://urldefense.com/v3/\\_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes\\_?!CVb4j\\_0G!EoEwXguj6KVX1uGjO\\_inOM3Jeb\\_rwYFpo4I2FgNFHo2i9ALcVo1bKyxf8AIYyhQuchNyMo\\$](https://urldefense.com/v3/_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes_?!CVb4j_0G!EoEwXguj6KVX1uGjO_inOM3Jeb_rwYFpo4I2FgNFHo2i9ALcVo1bKyxf8AIYyhQuchNyMo$)

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development" The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

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

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