

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 December, 2022
04
22/1065

SITE INFORMATION

RECEIVED	21 March, 2022
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Symal House and 421 Edgware Road, London, NW9
PROPOSAL	Demolition of No. 421 and 423 (Symal House) Edgware Road and erection of a building of up to 20 storeys (plus basement) to provide residential dwellings, with convenience foodstore and flexible commercial units at ground floor, together with associated car / cycle parking (basement and ground floor); vehicular access (Carlisle Road / Holmstall Avenue) and highways works (including provision of delivery bay to Carlisle Road / Holmstall Avenue); private amenity space; public realm and landscaping
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_159536</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "22/1065" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement
3. Provision of 51 homes [13 one bed, 23 two bed and 15 three bed] as London Affordable Rent, disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council on initial lets and 75% nomination rights for the Council on subsequent lets.
4. Early stage viability review (drafted in line with standard GLA review clause wording) to be submitted where material start does not commence within 2 years of planning permission being granted. Viability review to set out details of additional on-site affordable housing where uplift in profit is identified. Viability review to be based on an agreed nil deficit and the following profit % levels:-
 - 18% for private residential;
 - 6% for affordable housing;
 - 15% for commercial.
 -
5. Late stage viability review (drafted in line with standard GLA review clause wording) to be submitted at or after 75% occupation of the private residential development. An offsite affordable housing payment to be made where an uplift in profit is identified. Not more than 90% of the private dwellings to be occupied until viability review approved in writing by the LPA. Viability review to be based on an agreed nil deficit and the following profit % levels:-
 - 18% for private residential;
 - 6% for affordable housing;
 - 15% for commercial.
 -
6. *Training and employment of Brent residents* - Prior to a material start:
 - a) to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
 - b) to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development;
 - c) financial contribution (estimated to be £79,750 for construction fee and £55,090 for operational fee) to Brent Works for job brokerage services., any additional charge against the shortfall in provision of jobs as identified within the employment and training plan.
7. Sustainability and energy
 - a) Detailed design stage energy assessment. Initial carbon offset payment if zero-carbon target not achieved on site.
 - b) Post-construction energy assessment. Final carbon offset payment if zero-carbon target not achieved on site.
 - c) 'Be seen' energy monitoring requirements
8. Financial contributions (indexed from the date of committee resolution)
 - a) To TfL for public transport (£475,000 currently requested by TfL, but final amount being discussed between applicant and TfL)
 - b) To Brent Council for enhancement of off-site play provision in Roe Green Park (£30,000).
9. Submission and approval of Residential and Commercial Travel Plans prior to occupation of the development to achieve target of 80% of trips by non-car modes of transport, engagement with car club operator to secure provision of car club on site where feasible and the provision of three years' free

membership of a Car Club for the first resident of each residential unit.

10. A 'car-free' agreement to withdraw the right of future residents to on-street parking permits in relation to existing Controlled Parking Zones operating within the locality and any future Controlled Parking Zone operating within the locality.

11. Television and Radio Reception Impact Assessment to be submitted, together with undertaking of any mitigation measures identified within the Television and Radio Reception Impact Assessment.

12. A section 38/278 Agreement to secure highway works to provide:

(i) a 3m wide, 13m long loading bay on Carlisle Road fronting the site, either wholly or partly within the existing footway of Carlisle Road with associated adjustments to the kerblines;

(ii) widening of the adopted footway into the site to the rear of the Carlisle Road loading bay to retain a minimum 2m wide footway;

(iii) widening of the carriageway of Holmstall Avenue by 1m to accommodate space for a 16m long on-street loading bay;

(iv) widening of the Edgware Road footway fronting the site by a minimum of 5m and re-landscaping to provide soft landscaping, tree planting, bicycle stands and seating;

(v) resurfacing of all footways along the property frontages; (vi) removal of any existing crossovers rendered redundant;

(vi) pedestrian crossing facilities on Edgware Road close to the southern end of the site (in accordance with a scheme to be agreed following further study);

(vii) all associated changes to line marking with associated TRO costs, traffic signs, street lighting, drainage and any other ancillary or accommodation works including any changes to statutory undertakers' equipment.

13. Indexation of contributions in line with inflation

14. Any other planning obligation(s) considered necessary by the Head of Planning.

SITE MAP



Brent

Planning Committee Map

Site address: Symal House and 421 Edgware Road, London, NW9

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This map is indicative only.



PROPOSAL IN DETAIL

The application proposes the mixed use re-development of the site, to allow for three new blocks (A-C), ranging from 3 storeys to 20 storeys in height. The proposal includes the demolition of Symal House (a locally listed building) and 421 Edgware Road, a petrol filling station with an attached two-storey tyre, exhaust and brake centre.

The three blocks would be physically connected by a podium level which would create a continuous frontage around the edges of the site. Two of the blocks fronting Edgware Road and Holmstall Avenue (A & B) would be connected at upper floor levels to floor 9.

A breakdown of existing and proposed floorspace (GIA) across the scheme is provided in the table below:

Floorspace (GIA) by use	Existing (sq.m)	Proposed (sq.m)	Change (sq.m)
Residential (Class C3)		24,955	+24,995
Retail (Class E(a))		1,675	+1,675
Workspace / Light Industrial (Class E(g)(ii) / E(g)(iii))	1,761	215	-1,546
Office (Class E(g)(i))	2,044		-2,044
Parking and Plant	2,451		+2,451
Total	6,256	26,845	+25,531

A total of 252 residential flats would be provided within all three blocks, with a proposed mix of 8 studio, 81 x 1-bed, 111 x 2-bed, 51 x 3-bed. 52 affordable homes would be made available within the scheme, with 100% of those being at a London Affordable Rent, and all of these being located within Block C. All dwellings would meet internal space standards as set out in policy D6 of the London Plan, and would have access to both private and communal amenity space. The homes to be delivered are summarised in the table below:

	London Affordable Rent	Market	Total
Studio	0	8	8 (3.17%)
1-bed	13	69	82 (32.54%)
2-bed	23	88	111 (76.59%)
3-bed	15	36	51 (20.24%)
Total	51	201	252

A total of 215sqm of replacement light industrial floorspace (Class E(g)(ii)(iii)), in the form of industrial workspaces, would be provided across 5 small units, at the base of blocks A and B fronting Edgware Road. The units can be altered to be combined to create larger internal units. The remaining commercial floorspace comprises 1,675sqm at the base of the building, connecting blocks A, B and C. Access to the retail unit can be achieved from a separate entrance on Edgware Road, and also from both Carlisle Road and Holmstall Avenue to the rear.

The proposals would also involve the provision of cycle and refuse parking, with improved public realm. The scheme would involve the creation of a new landscaped podium between Blocks A, B and C, with further

communal terraces for residents' use created at the roof level of all blocks. A total of 53 spaces are proposed at ground floor level and basement for Blue Badge parking spaces, customers and staff of the retail unit. Access to the basement staff and Blue Badge parking is via a ramp accessed from Carlisle Road and the retail unit customer parking is accessed from Holmstall Avenue.

EXISTING

The application site is around 0.5 hectares in size, and fronts onto Holmstall Avenue, Edgware Road and Carlisle Road. It contains Symal House on its northern side which is a three storey office building. This is a locally listed building (non-designated heritage asset). The southern end of the site contains 421 Edgware Road, an existing petrol filling station and two-storey tyre, exhaust and brake centre.

The site is located within the Burnt Oak and Colindale Growth Area. It is located adjacent to a Locally Significant Industrial Site and close to the edge of the boundary of Burnt Oak Town Centre. The combined sites have a PTAL of between 3 and 4, with Burnt Oak Station to the north (approx. 600m away) and Colindale Station to the east (approx. 800m away) both on the Northern Line, and number of bus routes along Edgware Road serving Central London, as well as Edgware, Borehamwood and Watford.

The surrounding character of the area is mixed. The immediate context includes low rise buildings to the north and west and on the opposite side of Edgware Road within LB Barnet. Further to the north and south along Edgware Road are more recent larger scale development. These are discussed in more detail within the remarks section below.

SUMMARY OF KEY ISSUES

Summary of Key Issues

The key planning issues for Members to consider are set out below. Whilst 14 objections have been received, a number of consultees have commented on the proposal and such matters are discussed within the remarks section. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Consultation:** 107 properties were consulted on the proposal. In response, 14 objections were received, raising concerns in relation to design, highway impact, impact on neighbouring amenity, quality of proposed accommodation, impact to heritage assets, and other matters. A number of consultees also responded. Further details are addressed within the consultation section of the report.
2. **Loss of the locally listed building and heritage impacts:** The council's heritage officer acknowledges that the demolition of the building would result in the loss of a non-designated heritage asset. However, officers consider that the replacement building delivers substantial social and economic benefits, most notably the provision of a significant number of new homes, including 51 affordable homes at London Affordable Rent. The proposal will also secure the re-use of the tiles from the Symal House building. In addition the GLA have advised that they would be a slight level of harm to the setting of the nearby form Mecca Bingo Hall (Grade II listed building). The benefits are considered to significantly outweigh the harm caused by the loss of the locally listed building and the limited harm to the setting of the nearby listed building, and therefore meets the relevant tests of the NPPF in this regard.
3. **Affordable Housing and housing mix:** The scheme would provide a total of 51 affordable units (20.2% by units and 24% by habitable room). As the site as proposed has a net-loss of industrial capacity the proposal would need to provide a 41% Affordable Housing by habitable room (taking a blended approach given the different designations for parts of the site) to qualify for the London Plan fast track threshold approach. It has been demonstrated through the submission of a financial viability appraisal that the proposal will deliver the maximum amount of affordable housing that can viably be provided on site, and the proposal therefore is policy compliant. The proposal includes 20.24% three bedroom units, which is below the policy target of 1 in 4 homes (25%). However, this is considered acceptable when weighing the benefit associated with the provision of Affordable Homes,

given the negative effect on the scheme viability associated with the provision of a higher proportions of family sized homes.

4. **The loss of Symal House Office:** The Symal House existing building currently provides 2,044sqm of Use Class E(g)(i) of Office space. Whilst Prior Approval has been granted for the conversion of the building to residential uses exists, this has not yet been implemented and the current use is as offices. However, this does represent a fall-back position (as the prior approval can be delivered) and the loss of office space is considered acceptable.
5. **The provision of retail not in a Town Centre:** The proposal includes 1,675sqm of retail floor space and ancillary parking at the ground floor of the development, the site is not located within a town centre but is on the edge of the town centre boundary. The scheme has been developed with 'LIDL' supermarket as a future operator, however, a Retail Impact Assessment has been provided which demonstrates accordance with Brent policy SD7 and the London Plan.
6. **Design of replacement building:** The proposed Block B of the building would be a maximum of 20 storeys high, which is considered to be appropriate for the context of the BNSA1 site allocation within the Tall Building Zone (TBZ). Block A would sit within the Symal House element of the site which carries no designation for height, but is located between the tall building zone to the south and the designated town centre to the north where it is set out within policy that buildings up to 5-storeys may be acceptable. The building including Blocks A,B and C is considered to be of good design quality, which would enhance the character and appearance of the surrounding area. The proposed building would strongly define the corner of the site at a prominent junction, improving on the existing relationship which pulls away from the street edge. It would result in stronger presence closer to the main frontage. The proposed replacement building is considered to improve the townscape and streetscape at a prominent junction, and in doing so provides a further environmental public benefit which weighs against the loss of the non-designated heritage asset.
7. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light. The amount of external private/communal space does not meet Brent's standards, however, the provision of amenity on site is of a very high quality and provides a variety of external communal space for future occupiers. In addition, an off site contribution has been secured towards improvements to play facilities within Roe Green Park
8. **Neighbouring amenity:** Although there would be some impacts to neighbouring residential properties in terms of loss of light and outlook, a BRE daylight and sunlight study confirms these would be minor in the majority of instances. The proposal would have a higher level of impact on some windows of properties to the immediate north (3-7 Holmstall Avenue) and Montrose and Southbourne Court. However, the level of impact is not considered to be unduly detrimental given the separation distances maintained and general high level of compliance given the urban nature of the scheme. The overall impact of the development is considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.
9. **Highways and transportation:** The scheme is to provide suitable provision of car and cycle parking and will encourage sustainable travel patterns, with an undertaking to secure a parking permit restricted scheme for future occupiers. A number of highway works and public realm improvements would be secured as summarised within the Section 106 Heads of Terms above and detailed within the remarks section below.
10. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers from the neighbouring main roads, as well as between the differing uses of the building.

RELEVANT SITE HISTORY

Symal House

21/0132: Prior approval for the erection of two additional storeys to accommodate 20 residential units on a

detached commercial / mixed use building – Prior Approval Required and granted 05/08/2021*

20/1311: Prior approval for change of use from offices (Use class B1) into 45 self contained studio flats (Use class C3) including the provision for car and cycle parking and refuse storage, Prior approval required and granted, 04/06/2020*

**A S106 agreement was created to amalgamate the car park management plans approved within both 21/0132 and 20/1311, thus ensuring that the proposal's would not result in an increased level of overspill car parking and to ensure that the site could accommodate for the 26 car parking spaces proposed and approved. In addition to the above, a car-free agreement and a contribution to a CPZ were also secured as part of the legal agreement, thus alleviating any concerns that would be to the detriment of the public highway. For the legal agreement, it was secured that any new occupants of the new dwellings approved would not be able to apply for permit parking within this area. At this time works seeking the implantation of either 21/0132 or 20/1311 have not begun on site. As a Article 4 has been adopted within the Borough of Brent restricting Office to Residential uses, the consent relating to the change of use to be lawful would need to be completed by 04/06/2023.*

421 Edgware Road

No relevant planning history.

CONSULTATIONS

Public Consultation

222 neighbouring properties (including those in proximity to the site that are sited within the London Borough of Barnet) were consulted on 25th and 29th March 2022 for a 21 day consultation period. A site notice was also displayed on 26th April 2022 and the application was advertised in the local press on 31st March 2022.

A subsequent round of public consultation was carried out on 16th November 2022 due to updated daylight and sunlight assessment being received and a new site notice was displayed on 18th November 2022.

In response to the consultation 14 objections have been received which have raised the following concerns:

Objection	Officer Response
Design	
Proposal would represent an over development of the site due to its excessive heights, layout, siting and massing	This issue is discussed under 'Design, scale and appearance in relation to the surrounding area' and 'Bulk Height and Massing'
Proposal fails to represents an appropriate transition to nearby lower rise housing and would appear overbearing when viewed from Holmstall Avenue	This issue is discussed under 'Design, scale and appearance in relation to the surrounding area' and 'Principle of Development'.
Development would be better suited to the middle of Capitol Way Industrial area away from existing residential properties.	This issue is discussed under 'Principle of Development'.
Proposal failed to provide an appropriate relationship at street level	This issue is discussed under 'Design, scale and appearance in relation to the surrounding area.
Proposal has failed to address impacts from wind	This issue is discussed under 'Environmental Health Considerations'
This area should not be designated as a tall building zone.	This issue is discussed under 'Principle of Development'.
Highway impact	
Any CPZ imposed in the future would be of little benefit with the additional homes that are proposed	This issue is discussed under 'Transportation Considerations'.
Increased traffic congestion	This issue is discussed under 'Transportation Considerations'.
Insufficient parking for the proposed number of homes resulting in detrimental levels of overspill parking onto the surrounding road network	This issue is discussed under 'Transportation Considerations'.
Construction works will impact on neighbouring	This issue is discussed under 'Environmental Health

residents/businesses due to construction traffic routes and noise pollution	Considerations' and Transportation Considerations'.
Impact on neighbouring properties	
Adversely impact on neighbouring residential properties through loss of light and sunlight, loss of outlook and increased overlooking	This issue is discussed under 'Design, scale and appearance in relation to the surrounding area and 'Relationship with neighbouring properties'.
Daylight and sunlight report has failed to consider the immediate adjacent property which will be impacted by the proposal	This issue is discussed under 'Design, scale and appearance in relation to the surrounding area.
Proposal would result in residential properties next to existing industrial businesses that could result in increased noise complaints that would have a negative impact on the businesses	This issue is discussed under 'Environmental Health Considerations' and Transportation Considerations'.
Quality of proposed accommodation	
Poor level of amenity for future residential occupiers of the development due to lack of private external amenity space, and sense of enclosure	This issue is discussed under 'Residential Living Standards'
Layout of homes do not comply with lifetime home standards	This issue is discussed under 'Residential Living Standards'
Other matters	
Increased pressure on local services	Infrastructure requirements are identified through the preparation of local plan documents and through consultation with statutory consultees on individual schemes. New development also provides funding towards infrastructure improvements through the Community Infrastructure Levy and s106 planning obligations.
Proposal fails to comply with policy CP17 of Brent's Core Strategy 2010	Brent's Core Strategy 2010 was revoked earlier this year following the adoption of Brent's Local Plan in February 2022. The remarks section has discussed how the proposal complies with adopted policy.
Proposal fails to comply with Burnt Oak-Colindale Placemaking Plan	The Burnt Oak-Colindale Placemaking Plan was a strategy drawn up between Brent, Barnet and Harrow to look at public realm improvements back in 2013. This is not adopted policy or a supplementary planning guidance. The scheme has been assessed in line with current planning policies in relation to public realm.
Proposal has failed to provide any affordable housing on site and notes that this is to be agreed by the Council at a later stage	This issue is discussed under 'Affordable Housing'
Proposal should comply with London Plan policies for sustainability	This issue is discussed under 'Environmental Health Considerations'.
Loss of heritage building	This issue is discussed under 'Heritage Considerations'.
Too many supermarkets in the area	This issue is discussed under 'Principle of Development'.
Loss of petrol station should be resisted as it meets a local need.	This issue is discussed under 'Principle of Development'.
Scheme design does not appear to have addressed fire safety	This issue is discussed under 'Fire Safety'.
A number of documents are not available to view on the website	These documents are been publically available and have been since they were received.

Shell UK Limited have also commented on the proposal and note that the loss of the site would result in the scope for the introduction of a dedicated electric vehicle charging facility in this location being lost, and asked whether it would be possible to explore options to allow either the retention of the existing facility or the creation of a dedicated EV facility within the wider scheme, .

Statutory/ External Consultees

Greater London Authority and Transport for London (Stage 1 response):

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

Land Use Principles: The residential-led mixed use redevelopment on this brownfield site involving the loss of office floorspace, and the loss of industrial uses on non-designated industrial land could be supported, subject to the Council confirming the proposed uses would meet local need and not jeopardise the land use ambitions of the wider local site allocation.

Housing: The proposed mix of dwelling sizes could be acceptable subject to the Council confirming it meets local need and demand in accordance with Policy H10.

Affordable Housing: No affordable housing offer without the use of grant is wholly unacceptable. GLA officers have rigorously scrutinised the submitted FVA to advance viability discussions and ensure that the maximum level of affordable housing is secured over the lifetime of the development. Accordingly, viability information will be scrutinised by GLA officers to ensure the maximum reasonable is provided. The agreed affordable housing provision should be secured in the s106 along with Early and Late Stage Reviews.

Urban Design and Heritage: The applicant must address issues in respect of housing quality, tall building impacts, playspace, and fire strategy. Although part of the site is not in a location identified as suitable for the tall building proposed, the proposed tall building could be acceptable on balance, subject to addressing the visual, functional, environmental, and cumulative impacts. Rendered townscape images should be provided. The Council must make a balanced judgement on the total loss of the non-designated heritage asset, Symal House.

Other issues on transport, sustainable development and the environment also require resolution prior to the Mayor's decision making stage.

Transport for London additional comments: There were concerns raised over the delivery and servicing of the retail units. While the overall quantum of parking provision was supported, there were concerns relating to the number of trips to the site in evening. Given the increased number of trips expected TfL have requested a £475,000 contribution towards bus service enhancements. Concerns still remain within the siting of the zebra crossing proposed to the south of the site along the Edgware Road.

These issues are all set out in more detail and addressed within relevant sections of the main report below.

Thames Water – no objections raised in relation to either the surface water or foul water sewerage network infrastructure capacity or waste water network and sewage treatment works infrastructure capacity. Informative are recommended in relation to ground water discharge.

Designing out Crime – recommend that measures are put in place in relation to control the access to the podium gardens from the three blocks such as access controls or CCTV.

Barnet Council - Objection: (1) detrimental impact on the streetscene and the wider local area, by virtue of its height, massing and the imbalanced nature of the proposed development when viewed in context with the existing buildings on the opposing side of Edgware Road; (2) detrimental to residential amenities of the nearby residents within the Borough, with particular reference to those residing within Southbourne Court.

Health and Safety Executive - No objections but comments made in order to improve the fire safety of the design.

Internal Consultation

Environmental Health – no objections subject to conditions being secured in relation to a construction method statement, non-road mobile machinery, verification report of the mitigation measures set out within the Air Quality Impact Assessment to be provided, and land contamination conditions.

Environmental Health Noise Team: No objections subject to conditions being secured in relation to plant noise and scheme of sound insulation measures.

Parks Service – conditions recommended to secure the mitigation measures as set out within the ecology assessment. A financial contribution to compensate any shortfall in external amenity space on site could be used to make improvements to the playground and equipment within Roe Green Park.

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

Key policies include:

London Plan 2021

SD1: Opportunity Areas
SD6: Town Centres and High Streets
SD7: Town centres: development principles and Development Plan Documents
SD8: Town centre network
D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D5: Inclusive Design
D6: Housing quality and standards
D7: Accessible Housing
D8: Public realm
D9: Tall buildings
D10: Basement development
D11: Safety, security and resilience to emergency
D12: Fire safety
D13: Agent of Change
D14: Noise
E1: Offices
E2: Providing Suitable Business Space
E3: Affordable Workspace
E4: Land for industry, logistics and services to support London's economic function
E7: Industrial intensification, co-location and substitution
E9: Retail. Markets and hot food takeaways
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H6: Affordable housing tenure
H7: Monitoring of affordable housing
HC1: Heritage conservation and growth
G1: Green infrastructure
G5: Urban greening
G6: Biodiversity and access to nature
G7: Trees and Woodlands
S4: Play and informal recreation
SI1: Improving air quality
SI2: Minimising greenhouse gas emissions
SI3: Energy infrastructure
SI4: Managing heat risk
SI5: Water infrastructure
SI6: Digital Connectivity Infrastructure
SI7: Reducing waste and supporting the circular economy.
SI12: Flood Risk Management
SI13: Sustainable drainage
T1: Strategic approach to transport

T2: Healthy Streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car Parking
T6.1 Residential parking
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

Local

Brent Local Plan 2019-2041

General:

DMP1 – Development Management General Policy

Place:

BP3: North

BNGA1: Burnt Oak/Colindale Growth Area

BNSA1 – Capitol Way Valley

Design:

BD1 – Leading the way in good design

BD2 – Tall buildings in Brent

BD3 – Basement Development

Housing:

BH1 – Increasing Housing Supply

BH2 – Priority Areas for Additional Housing Provision within Brent

BH5 – Affordable Housing

BH6 – Housing Size Mix

BH13 – Residential Amenity Space

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All

BE3 – Local Employment Sites and Work-Live

BE4: Supporting Town Centres

Heritage and Culture:

BHC1 – Brent's Heritage Assets

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent

BSUI2 – Air Quality

BSUI3 – Managing Flood Risk

BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2021)

National Planning Guidance

Brent guidance documents

Greater London Authority guidance documents

Housing SPG
Affordable Housing and Viability SPG
Optimising Site Capacity: A Design-Led Approach draft LPG
Urban Greening Factor draft LPG
Sustainable Transport, Walking and Cycle draft LPG
Air Quality Positive draft LPG
Circular Economy Statements LPG
Whole-life Carbon Assessment LPG
'Be Seen' Energy Monitoring Guidance LPG
Fire Safety draft LPG

DETAILED CONSIDERATIONS

Principle of Development – land use considerations

1. The application comprises two sites, 421 Edgware Road and Symal House. Different policy designations are applicable to each part.

421 Edgware Road - Loss of non-designated industrial floorspace/Local Employment Site

2. The site forms part of the BNSA1: Capitol Way Valley. One of the key aspects of the site allocation is to identify how the site can increase useable industrial floorspace in line with policy E7 of London Plan, given that a large part of the site allocation is within a Locally Significant Industrial Site (LSIS), whilst contributing to the council's vision for the Burnt Oak and Colindale area of creating 'a mixed, vital, accessible and pleasant district'.
3. 421 Edgware Road includes a petrol filling station and car repair and tyre fitting centre. There is existing industrial floorspace within the site (relating to the car repair and tyre fitting centre). Whilst the site does not lie within LSIS, it is considered to be a local employment site. In line with policy BE3, the Council will only allow the release development of Local Employment Sites for non-employment uses falling outside research and development, light industrial, general industrial or storage and distribution where the following criteria is met:
 - a) continued wholly employment use is unviable; or
 - b) development increases the amount of workspace as well as retaining the existing employment use or provides that additional workspace as affordable studio, research and development, light industrial or general industrial workspace, with maker space in light industrial use prioritised to meet demand; or
 - c) the site is allocated for development.
4. Where criterion a) or c) is being used to justify the release, the maximum viable replacement of the existing employment floorspace will be sought.
5. The wider site allocation also seeks to increase the amount of industrial floorspace through the site allocation in line with policy E7 of London Plan.
6. The applicants are proposing a total provision of 215sqm of flexible employment floor space within the Use Classes E(g)(ii) & E(g)(iii) (research and development and light industry) on the ground floor of Block's A and B fronting onto Edgware Road. This would result in a net loss of industrial floorspace by (from 1,276qm to 215sqm). As the site does form part of a site allocation, policy BE3 requires the maximum viable replacement of the existing employment floorspace to be sought. The application has been supported by a viability assessment to support the quantum of affordable housing that is proposed. This concludes that the scheme is break even based on this quantum of affordable housing. As such any increase in the amount of industrial floorspace within the site, is likely to result in a deficiency that could result in less affordable housing being delivered on site. Furthermore, the GLA have requested for the industrial floorspace to be secured as affordable workspace in line with policy E2. However, this is also

likely to result in a deficiency in viability terms, and therefore could also impact on the level of affordable housing that is proposed. It should also be noted that the quantum of workspace in the scheme may not be viable for an Affordable Workspace Provider.

7. While the proposal would result in a net loss of industrial floorspace within the site, based on the viability assessment, any increase in industrial floorspace is likely to result in a reduction in affordable housing within the development. The delivery of affordable housing would be a significant material consideration and in this instance would be considered to outweigh the harm identified by the shortfall in industrial floorspace, as required by policy BE3. The flexible commercial floorspace would be restricted by condition to be used within use classes E(g)(ii) and (iii) only, in line with the requirements of policy BE3.

Symal House – loss of office accommodation

8. Symal House is not located within the site allocation that 421 Edgware Road is within (BNSA1). Symal House is specified as currently providing 2,044 sqm of Use Class E(g)(i) Office space. It is occupied by a number of small and medium sized businesses. It is however noted that Symal House has prior approval consent to convert the building into 45 homes (the conversion needs to be completed by June 2023). This is a legitimate fall-back position, and both the GLA and Brent's policy officers have raised no concerns with the loss of the offices due to the fall-back position. It should also be noted that a more comprehensive scheme across both sites, would deliver more homes than the prior approval fall-back, together with a number of planning benefits such as affordable housing that could not be secured through a prior approval consent, and therefore better meet development plan policy outcomes.

Residential-led development

9. London Plan Policy H1 establishes new housing targets, with the target for Brent being 23,250 new homes over the ten-year plan period. Brent's Local Plan Policy BH1 responds to the strategic policy position by also setting out the requirement to deliver a minimum of 23,250 homes in the period 2019/20 to 2028/29. Policy BH2 sets out priority area for the delivery of additional housing provision within Brent which includes growth Areas and site allocations.
10. At a more local level, Policy BNGA1 sets out a requirement to deliver over 2,100 new homes within the Burnt Oak and Colindale Growth Area. In addition, part of the site lies within site allocation BNSA1 which sets out an indicative capacity of 599 homes to be delivered within the site allocation throughout the plan period. The provision of 252 new homes will assist in delivering the indicative capacity of the site allocation and contribute towards the wider housing targets within the Burnt Oak and Colindale Growth Area as set out within policy BH1 and BNGA1.

Retail floorspace in an out of town location

11. The proposal would provide 1,675sqm of commercial floorspace in Use Class E, in a large single unit on ground floor. The site is not located within the boundaries of a designated town centre but Burnt Oak Town Centre is located just to the north on the opposite side of Holmstall Avenue. In line with policy BE4, a Retail Impact Assessment has been provided to support the provision of the retail unit as it involves floorspace of more than 499sqm outside a designated town centre. This policy position is also set out within the national policy and the London Plan that seeks to locate retail uses within town centres as a first approach, and only look at out of town locations as part of a sequential test and impact assessment. The assessment concludes that there are no other suitable or available sites within nearby town centres to accommodate the retail unit proposed and the provision of a retail unit at ground floor with the application site would not divert a significant amount of trade from any defined centre (i.e. Burnt Oak Town Centre).
12. As such, the proposals would not result in a significant adverse impact on the town centre or any other centre, and is therefore considered to accord with the relevant impact tests as set out within the NPPF, policy SD7 of London Plan 2021 and policy BE4 of Brent's Local Plan in Paragraph 91 of the NPPF and London Plan Policy SD7.
13. The supermarket unit would therefore be considered to continue to support successful trading in the wider masterplan area and given the unit provides a level of active frontage to both Edgware Road and to the rear of the site, supporting passive surveillance, the introduction of a retail supermarket in this location would continue to support the wider site allocation in this respect.

Relationship with wider site allocation

14. The BNSA1: Capitol Way Valley site allocation highlights the need for the whole site to be subject to a masterplan process to comprehensively identify how it can increase useable industrial floorspace (resulting in a minimum 0.65 plot ratio or the existing industrial floorspace total, whichever is the greater), whilst contributing to the Council's vision for the Burnt Oak and Colindale area of creating 'a mixed, vital, accessible and pleasant district'. Developments of non-industrial uses will not be permitted on LSIS until the council has approved a masterplan, which shows how intensification / co-location will achieve an increase in industrial floorspace. Piecemeal development which would prejudice the delivery of a comprehensive masterplan will not be permitted.
15. In this instance, the application site does not lie within the boundaries of LSIS and therefore the amount of industrial floorspace to be re-provided is set out within policy BE3 (as discussed above) rather than the 0.65 plot ratio or the existing industrial floorspace total, which is applicable for LSIS sites. It is also located on the edge of the site allocation fronting the junction of Edgware Road and Carlisle Road.
16. The layout and design of the proposal has been considered in line with the wider site allocation. The scheme is considered to be an appropriate response to the design principles that are set out in the adopted site allocation (BNSA1), providing an active frontage and improved public realm and utilising the site's Tall Building Zone designation. The tallest element of the building would provide a focal point at the road junction, and the building mass would reduce towards the boundaries with the adjoining junctions. This issue is discussed in more detail under 'Design, scale and appearance in relation to surrounding area' and 'Relationship with neighbouring properties'.
17. Given the layouts, outlook, privacy and overall design, it is not considered to be necessary to require a whole masterplan approach in this instance, given 421 Edgware Road is within the wider BNSA1 allocation and the proposal has successfully demonstrated that the comprehensive development of both 421 Edgware Road and Symal House would not impede further development in the surrounding sites and this is therefore considered acceptable. While there are windows situated on the western elevation within Block C, these will be conditioned to be obscure glazed and non-opening to a height of 1.7m to not prejudice the future delivery of the adjoining site, and as discussed within the "noise" section below, agent of change principles have been considered.
18. The provision of new homes, retail units (use class E) and the 215 sqm of flexible employment and industrial units (use class E(g)(ii) & E(g)(iii)) are supported, and would contribute the wider aspirations of the site allocation and growth area policy objectives.

Heritage considerations – loss of Symal House

19. Symal House is a Locally Listed Building which is defined as a non-designated heritage asset. Furthermore, the Heritage Statement submitted with application identifies that the Mecca Bingo, former Savoy Cinema, is a grade II listed building (a designated heritage asset) on Burnt Oak Broadway could also be affected by the development in terms of its setting.
20. Paragraph 194 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Paragraph 197 goes on to highlight that local planning authorities should take account of:
 - (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness.
21. Paragraph 203 relates to non-designated heritage assets and requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the

application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

22. Paragraphs 204 and 205 go onto say that Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
23. Finally, paragraph 208 states that Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
24. The above policy position is also reinforced within Policy BHC1 of Brent's Local Plan which highlights that proposals for or affecting heritage assets should:
 - (a) demonstrate a clear understanding of the archaeological, architectural or historic significance and its wider context;
 - (b) provide a detailed analysis and justification of the potential impact (including incremental and cumulative) of the development on the heritage asset and its context as well as any public benefit;
 - (c) sustain or enhance the significance of the heritage asset, its curtilage and setting, respecting and reinforcing the streetscene, frontages, views, vistas, street patterns, building line, siting, design, height, plot and planform and ensure that extensions are not overly dominating;
 - (d) contribute to local distinctiveness, built form, character and scale of heritage assets by good quality, contextual, subordinate design, and the use of appropriate materials and expertise, and improving public understanding and appreciation;
 - (e) seek to avoid harm in the first instance. Substantial harm or loss should be exceptional, especially where the asset is of high significance. Any proposed harm to or loss of a heritage asset (including to its setting) should require clear and convincing justification and can be outweighed by material planning considerations in the form of public benefits but only if these are sufficiently powerful.
 - (f) where demolition is proposed detailed plans for any replacement building will be required to allow consideration of whether the replacement would contribute positively to the character or will be applied to ensure construction of the approved scheme is implemented together with agreed mitigation measures appearance of the area. In cases where demolition is permitted conditions and/or legal agreements will be applied to ensure construction of the approved scheme is implemented together with agreed mitigation measures.
25. The application seeks to demolish Symal House and therefore would result in the loss of the locally listed building resulting in substantial harm. The policy highlights that such harm should be exceptional, especially where the asset is of high significant, and such loss would require clear and convincing justification and can be outweighed by material planning considerations in the form of public benefits but only if these are sufficiently powerful.
26. As a non-designated heritage asset, the building's significance has been assessed and is included within the Council's 'Locally Listed Heritage Assets in Brent' document, published in January 2020. The building dates from 1955, originally built for office use. The full description of the building is set out as follows:

"Architectural Significance: *Four storeys to Edgware Road with 2 lower three storey blocks in 'L' shape behind forming courtyard parking. Flat roof and taller projecting corner blocks. The main entrance to Holmstall Avenue is accessed under two piloti with a full width compound door and Juliette balcony above. Both elevations have set-back top floor, oversailing roof and balcony. Brick and applied metal bands with windows and decorative panels between. Decorative tiled panels a special feature enlivening the façades. Original boundary wall and landscaping.*

Historic Significance: *The offices were constructed for Tretol which handled the marketing of waterproofing systems and specialist additives for the building industry. Walter Segal (1907 – 1985) would have been the obvious choice as he was an architect that developed a system of self-build housing - the Segal self-build method. Based on traditional timber frame methods modified to use standard modern materials, his method eliminates the need for wet trades such as bricklaying and plastering, resulting in a light-weight method which can be built with minimal experience and is ecologically sound. The roofs tend to be flat with many layers of roofing felt, which allows the creation of grass-covered roofs. Foundations are minimal, often just paving slabs, the strength coming from the geometry of their construction. He came to London in 1936, teamed up with Eva Bradt, a student from the Architectural Association School. Symal House is one of his few remaining offices.*

The Walter Segal Self Build Trust was set up to promote changing assessments of environmentally-friendly materials and standards of construction.

Townscape Significance: *It is an attractive local landmark within the street.*

Authenticity: *Virtually intact. Although the original windows have been replaced, these are sympathetic."*

27. The document concludes that the building would have a 'significance' score of 8 out of 12, which considers factors of authenticity, architecture, historical/ archaeological significance, and townscape. A score of 8 out of 12 indicates the building is of 'medium' significance.
28. The planning application has been supported by a Heritage Statement which provides an analysis of the affected asset relating to evidential, historic, aesthetic and communal values. The heritage statement identifies the following:
29. The architectural value is only identified in the original wings and fabric of the building. Whilst the windows are stated to have been a sensitive replacement, they are not considered to hold any architectural interest in their own right. However, the ceramic tiling, remaining brickwork and features such as the entrance under pilotis, are all considered to embody the architectural interest of the building. The attractive tiling, in particular, was designed specifically for this building and there are no other known examples from Segal elsewhere. Therefore, it is one of the most significant elements of the building with artistic value.
30. With regard to the historic value, as mentioned in the Local List entry, Segal was known for a different type of building and construction method, notably timber-framed, self-build housing. This office was constructed differently, and was for office use, rather than residential. Whilst this construction method is not particularly rare, it has some significance in that Segal himself tested the structure and did the calculations himself, which reinforces his notoriety for self-build methods. Nonetheless, it is not an example of the timber-framed, self-build housing he is most known for and thus has lesser significance in that respect.
31. Symal House has evidential value in that it was purpose-designed as an office in 1955 and reflected the ways in which the working environment was arranged and used at the time. However, the building has been altered over the years, diminishing the evidential value and ability to appreciate how the building was originally intended to function. Therefore, it is considered the evidential value is medium.
32. The aesthetic value of Symal House is mainly attributed to elements which reflect its mid-Century origins, such as the regular fenestration pattern along both principal elevations, the brickwork bonding and pattern, the ceramic tiles and the prominent entrance under the pilotis. These elements all remain intact and appreciable, although the lesser quality rear extension and other alterations detract from the overall design intent of the building. Nonetheless, the aesthetic value is high.
33. With regards to communal value, the building's original intended use as an office gives it some communal value in that it was designed to accommodate a large number of people in a methodically-arranged setting. The continued use as an office contributes to this value.
34. The Heritage Statement has considered the heritage significance of Symal House on Historic England listing criteria relating to evidential, historic, aesthetic and communal values. The Heritage Statement summarises the significance as 'deriving from both its architectural and historic interest, and elements of its design, including the tiling and prominent entrance under the pilotis, which give it prominence in the immediate streetscape.' The heritage officer supports this view. The aesthetic interest of the building is

derived in the main from the main frontage, particularly in terms of its ceramic tiles and workmanship represented.

35. Furthermore, the heritage officer is of the view that Symal House has 'medium' significance with a score of 8 out of 12, as asserted within the Council's Local List description and that none of the architectural or historical evidence submitted with the Heritage Statement presents anything particularly new to change the score upwards or downwards.
36. The scheme would result in the total loss of this non-designated heritage asset. In considering whether the justification provided would be at least commensurate with this harm, it is relevant to review the options for the reuse and retention of the locally listed building.
37. The Heritage Statement has looked at options to retain Symal House and noted that extensions and conversion of the building have been considered but given Symal House's original construction method and intended use as an office, this was not a viable option. Nevertheless, prior approval was granted for the conversion of the building to studio flats and an additional prior approval application for an upward extension to create additional flats was also approved. However, the quality and quantity of homes within the granted prior approval schemes was limited and would have yielded a much smaller number of homes. The scheme is however seeking to incorporate the tiling into the new development by re-using the tiling on the Holmstall Avenue elevation. In addition, a record of the building as it currently stands will be carried out prior to it being demolished. This will record its significant features, such as the entrance under pilotis, brickwork and arrangement of the tiled panels.
38. Finally, the heritage officer has considered whether the building is likely to be of sufficient merit to be worthy of a statutory listing. However, the building has undergone considerable alteration and extension. Most of its decorative internal fixtures and fittings have been removed. Therefore, it is unlikely to merit the high standard required. Historic England is very selective in which office buildings it recommends to the Department for Digital, Culture, Media & Sport (DCMS) for statutory listing. This is mainly because of the large numbers that survive and because the threshold for special architectural or historic interest in post-war buildings is particularly high.
39. As discussed above, the proposal would result in the demolition of Symal House. Policy BHC1 highlights that Substantial harm or loss should be exceptional, especially where the asset is of high significance. Any proposed harm to or loss of a heritage asset (including to its setting) should require clear and convincing justification and can be outweighed by material planning considerations in the form of public benefits but only if these are sufficiently powerful. The heritage officer has advised that they are satisfied that options for re-using the building have been sufficiently explored. The proposal when combined with the southern end of the application site, would result in a significant number of homes compared to the prior approval consents, including the provision of affordable homes at London Affordable Rent levels. In addition a number of other wider public benefits are proposed including public realm and highway improvements and employment opportunities for Brent residents during construction and operational phases. The scheme would also secure a community infrastructure levy contribution to be used to support infrastructure needs arising from new developments within the Borough. Therefore whilst the proposal would result in the loss of a non-designated heritage asset and be contrary to policy BHC1, the public benefits in this instance are considered to be significant and outweigh the harm resulting from the loss of the non-designated heritage asset.

Affordable housing and housing mix

Policy background

40. London Plan affordable housing Policies H4, H5 and H6 set 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.
41. 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. Brent's 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 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.

42. In this case, the GLA have advised that as only part of the site includes a non-designated industrial site, that a composed blended affordable housing threshold of 41% by habitable room would be required in order to qualify for the fast track route rather than 35% or 50% as noted above.
43. Brent's Policy BH6 requires one in every four new homes to be family sized, unless it can be demonstrated that the location and characteristics of the development would not provide a high quality environment for families or that meeting this target would fundamentally undermine the delivery of other Local Plan policies.
44. The application proposes the following mix of units:

	Studio	1-bed	2-bed	3-bed	Total	% by habitable room
Private	8	69	88	36	201	76
London Affordable Rent	45	13	23	15	51	24
Total	8	82	111	51	252	780
% of total units	3.17	32.54	76.59	20.24	100	100

46. The scheme has been accompanied by a financial viability appraisal proposing 24% affordable housing when measured by habitable room (20.2% by unit) within the London Affordable Rented tenure. Block C would provide the London Affordable Rent.
47. The applicant's supporting financial viability assessment indicated that based on the provision of 24% affordable housing by habitable room (with all of the affordable homes at LAR levels), the scheme would generate a residual value of £11,054,339 which is marginally higher than the benchmark land value of £11,038,000.
48. The applicants' FVA has been reviewed independently by the Council by BNP Paribas, and the conclusions made are generally supported. BNP Paribas appraisal generated a marginally higher residual land value of £11,076,575. However, they concluded that that the maximum viable proportion of affordable housing equates to 21%, assuming 100% of these affordable units are provided as rented affordable at London Affordable Rents.
49. It is noted that whilst the headline percentage of affordable housing could be increased above 21% if a proportion of units were provided as shared ownership, this in turn would result in less London Affordable Rent homes despite the overall number of affordable homes being higher. In this instance, officers consider that the provision of London Affordable Rent is a significant benefit of the scheme, that would meet the identified need of the Borough. It is also noted that having a mixed tenure block may cause management issues for the acquiring Registered Provider (as the Affordable Housing is all contained within a single block at present).
50. The scheme will be subject to both an early stage review mechanism if the scheme is not implemented within two years of planning permission being granted to provide scope to increase affordable housing provision on site (in the event that the review concludes that the scheme is more viable than based on the current agreed FVA), and a late stage review to secure an off site affordable housing contribution within the Borough (once again in the event that the review concludes that the scheme is more viable than based on the current agreed FVA). In both cases, this would be capped at 50% affordable housing by habitable room as required by the GLA guidance. The affordable housing and review mechanisms will be secured within the section 106 agreement.

51. The scheme will deliver 51 family sized homes. Whilst this is less than 1 in 4 homes (62 would be required to meet the requirements of policy BH6), increasing the provision of family sized homes within the scheme would result in an overall reduction in homes, and thus likely to result in less affordable housing being delivered due to reduced residual land value. The provision of 51 London affordable rented homes would be a significant planning benefit that outweighs the conflict with policy BH6 in this instance. It should be noted that the scheme was initially proposed to meet the 1 in 4 target. However, this was amended in order to increase the amount of Affordable Housing. The proportion of London Affordable Rented family homes is 29.4 %, exceeding the 1 in 4 target.

Design, scale and appearance in relation to surrounding area

Policy context and background

52. The NPPF seeks developments of high quality design that will function well and add to the overall quality of the area, responding to local character and history, reflecting the identity of local surroundings while not discouraging appropriate innovation, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Policy D9 sets out a framework for assessing proposals involving tall buildings including their visual impact, functional impact and environmental impact. The policy requires proposals to be justified with reference to existing and proposed long range, mid-range and immediate views, to demonstrate the impact of the proposal upon the surrounding streetscape.
53. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards designated Tall Building Zones and expects these to be of the highest architectural quality.
54. Paragraph 199 to 202 of the NPPF relate to designated heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting), should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
55. The NPPF also states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Locally listed buildings are considered non-designated assets.
56. London Plan Policies D3 and D9 provide more detailed guidance relevant to the design of high-density developments including tall buildings, whilst Brent's Policy DMP1 and the Brent Design Guide SPD1 provide further guidance on principles of good design, and Local Plan Policy BD1 seeks the highest quality of architectural and urban design. Policy BD2 defines tall buildings as those of over 30m in height, and directs these towards designated Tall Building Zones. Brent's Policy BHC1 requires a heritage statement to assess any impact on heritage assets.
57. Tall buildings are directed to locations shown on the proposal map in tall building zones, intensification corridors, town centres and site allocations. The policy highlights in tall building zones for heights to be consistent with the general building heights shown on the proposal map, stepping down towards the Zone's edge. In intensification corridors and town centres outside conservation areas developments of a general building height of 15m above ground level could be acceptable, with opportunities to go higher at strategic points in town centres.

The proposal

58. The proposal at its base is one connected block that at ground level predominantly comprises a 1,675sqm retail unit, 5 inclusive 215sqm employment/light industrial flexible units at ground and from the podium level the massing separates into two blocks (Block C and Block A and B). Block A and B separate at Level 9 resulting in two blocks from the upper levels, with Block A proposing no further height increase from level 10. The maximum height of the tallest of the three buildings is 20 storeys with this block located on junction of Edgware Road and Carlisle Road, which is situated on the site of 421 Edgware Road. The height reduces to 13 storeys as it abuts the north (Carlisle Road) with a further reduction in height to 7 storeys at its closest point to the residential gardens of Holmstall Avenue, within Block A, the height to the west (Holmstall Avenue) where it is set down to 6 then 4 storeys as it adjoins the two-storey residential dwellings.
59. Block A is not located within the tall building zone or an intensification corridor, but is situated between the tall building zone (where heights of more than 30 m may be acceptable) and a designated town centre where the policy stipulates that the general height of buildings can be up to 15m high. While this site does not carry any designations for height, it provides opportunity to step in height from the tall building zone to the south to the designated town centre to the north.
60. The BNSA1 site allocation identifies Blocks B and C as being located within the edge of a tall building zone (TBZ). In line with the Local Plan policy, there is an expectation for building heights to step down toward the edge of the tall building zone, to provide a sympathetic transition that respects the existing character of the remaining adjacent areas. It also seeks tree planting on Edgware Road and enhanced public realm, in addition to active ground floor frontages.
61. The surrounding area is mixed in character but typically comprises large-scale buildings set back from the road frontage, with the A5 Edgware Road creating a traffic-dominated intensely urban area. The extensive setbacks create a weakly contained street scene of buildings that relate poorly to the street, however to the north and south are examples of traditional retail frontages that provide more activation. The emerging context is of high density mixed use development including a number of tall buildings which have little or no set back from the road frontage and have active frontages.
62. To the north of the site (105m away) is the three storey Mecca Bingo Hall, which is a Grade II locally listed building and so classified as a heritage asset. The building has consent for an additional (granted permission under ref: 20/1163) which is considered to retain the architectural and historic significance of the original building. The additional extensions to the heritage asset allow for a buffer connecting the BNSA1 site allocation and Burnt Oak Town Centre.
63. To the south of the site, on the junction with Capitol Way and Edgware Road is the 19 storey The Northern Quarter (TNQ) development, 18 storey 381-397 Edgware Road and further along Edgware Road with the junction of Grove Park is the former Sarena House site, which has been redeveloped under ref: 14/2930 to provide eight buildings of two to six storeys.

Bulk, height and massing

64. The proposal would consist of three residential cores, linked together into a single building, also providing industrial units to activate the frontages on Edgware Road at ground floor level. A larger commercial unit would be situated at ground floor, accessible from both Edgware Road and the rear car park. The building would continue in an L-shape arranged around a first floor podium garden, with varying building heights along the perimeter.
65. The corner junction of block B which would be the most prominent visual component of the development and would be formed of a 20 storey tower, with a reduced secondary shoulder of between 7-13 storeys for block b and 4-10 storeys for block a. The tower and its shouldered perimeter which presents further broken-up massing through its expression of two separate shoulders. Although the development would appear taller than blocks in the immediate surrounding context, it is still considered to strike the right balance between the taller blocks to the south (TNQ and Zenith House) and the lower industrial buildings to the immediate east south within the BNSA1 site allocation. This maximum height would therefore reflect the principles of the intensification corridor, site allocation, as well as policy BD2 and the Tall Building Strategy. From afar, the proposed development would be viewed in a context of similarly scaled developments and would deliver improvements in terms of the quality of the townscape and public realm,

and this view is shared by the GLA.

66. A Townscape and Visual Impact Assessment was submitted and considers the visual impact of the completed development on townscape character areas within a 1km radius of the site, existing and potential views within a 2km radius, and some longer distance views from points where the development was likely to be visible.
67. A heritage statement has been included, in which heritage assets within the study area have been identified and their significance considered, including locally listed Symal House (to be demolished as part of the proposal), Grade II listed Mecca Bingo Hall approx. 105m to the northeast and Roe Green Conservation Area approx. 700m to the southwest. Twelve representative views were identified for further analysis, and these are discussed within the following paragraphs.
68. RV1: Edgware Road near The Greenway, looking north west. This view would be of medium value, experienced by road users and pedestrians in the area, and shows the relationship between the proposed development and the remainder of Edgware Road with TNQ development in the foreground and Grade II Listed Mecca Bingo Hall in the background. The building would be visible in the middle ground, replacing the existing petrol filling station and Locally Listed Symal House. The increased scale of the built form would be a noticeable change in the view. However, the stepped heights of the building would mitigate the transition from TNQ to Holmstall Parade, on the edge of Burnt Oak Town Centre.
69. RV2: Edgware Road near Greenway Gardens and Carlisle Road, looking northwest: This view is of medium value and shows views in close proximity to the site and the relationship with the local street scene along Carlisle Road. The building would form a prominent new feature in the centre of the view, being the tallest building on the skyline and marking the edge of the Tall Building Zone and site allocation BNSA1.
70. RV3: Edgware Road near Stag Lane (Burnt Oak Town Centre), looking southeast: This view is of medium value and demonstrates the arrival to the area from Burnt Oak Town Centre. The ground level is falling away from view, allowing the skyline of the building to be observed in relation to the medium rise development in the background, the impact being similar to that of TNQ, albeit slightly taller.
71. RV4: Edgware Road opposite No. 3 Burnt Oak (Burnt Oak Town Centre), looking southeast: This view would be of medium value, experienced by road users and pedestrians in the area, and shows the relationship between the proposed development, Grade II Locally Listed Mecca Bingo, Holmstall Parade and the low rise residential Montrose Court to the east. The building would be visible in the background, following the replacement of the existing Locally Listed Symal House and Petrol Filling Station. The building would be a prominent new feature in this view, but would highlight the buildings stepping up, integrating existing features of the view without appearing overly dominant or overbearing.
72. RV5: Montrose Park, eastern side, looking southwest: This medium value view shows the views experienced by the users of the public open space. The building would appear on the skyline next to TNQ, integrating with existing features of the view without detracting from the quality of the open space in the foreground.
73. RV6: Buck Lane, upper section (Buck Lane Conservation Area, upper section (Buck Lane Conservation Area), looking north: This high value view shows the impact on the Buck Lane designated heritage asset. The building would be visible on the skyline, however, the building would be completely obscured by tree cover during the summer. During the winter, while visible, it would be seen within the context of the townscape in the foreground, but not to the extent that it detracts from the local character of the view.
74. RV7: Stag Lane near Grove Park (edge of Roe Green Conservation Area), looking northeast: This is a low-rise residential area to the south west, a view of medium value. The building would appear in the background on the skyline, however, just slightly taller than the two-storey roofline and would therefore not appear dominant or overbearing.
75. RV8: Stag Lane, near Carlisle Road (edge of Locally Significant Industrial Site), looking east: This is a low-rise residential area to the west, with a view down the low-rise warehouses on Carlisle Road. This is a view of medium value, showing the relationship with the wider site allocation. The upper floors of the building would be seen in the background of this view, but the main bulk of the building would be obscured by existing built form within the townscape. While the building would be of a noticeably larger

scale than existing buildings in this view, it would not appear dominant or overbearing.

76. RV9: Tewkesbury Gardens, looking east: Low-rise residential area to the west, a view of medium value. The uppermost floors of the building would appear on the background of the skyline, and would be read in conjunction with TNQ but would not appear dominant or overbearing. Additionally, the building would likely be obscured by tree cover in the summer.
77. RV10: Beverley Drive, approach to Stag Lane and Holmstall Avenue, looking east: This view is of medium value and shows views on the approach to the site from the west, along Holmstall Avenue. The upper floors of the building would be seen in the background of this view, but the main bulk of the building would be obscured by existing built form within the townscape. The building would be a prominent new feature in this view, however, would form part of a complementary group of tall buildings emerging within the site allocation (TNQ), and 29 storey building at Colindale Tube Station within the Colindale growth area to the east in Barnet.
78. RV11: Shorts Croft / Goldsmith Lane (Roe Green Conservation Area), looking northeast: This view is of high value and is observed from Roe Green Village Conservation Area, given the high level of Tree Cover on Roe Lane the development would not be visible in the summer or the winter months. The development would therefore not detract from any key characteristics of the view relating to the conservation area.
79. RV12: Roe Green Park, northern part, looking northeast: Similarly, this view from Roe Green Park is of medium value and given the high level of Tree Cover on Roe Lane the development would not be visible in the summer or the winter months. The development would therefore not detract from any key characteristics of the view relating to the open space or adjoining conservation area.
80. The assessment has demonstrated that there would be only minimal impacts on views of medium and high value within the surrounding area, including the conservation areas and other heritage assets identified. While the building would be more noticeable in some views of lower value and would be a prominent feature in short-distance views, it would be seen within the context of other existing and emerging buildings within the Growth Area.
81. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have “special regard” to the desirability of preserving a listed building or its setting, and pay “special attention” to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The application site is not within a Conservation Area. The closest Conservation Areas are situated more than 500m from the Site; these include Roe Green Village Conservation Area to the west and Barn Hill Conservation Area to the south. The nearest Grade II listed building is Mecca Bingo Hall situated 105m to the north of the site.
82. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 201 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.
83. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy HC1 of the London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
84. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings along Edgware Road from the Listed buildings and CAs, and it is therefore considered there would be no harm to the setting of designated heritage assets.
85. The GLA have supported the above assessment as they have identified within the Stage 1 that while the proposed development would be visible from the Grade II listed Mecca Bingo Club, in the context of other recent and emerging tall building developments in the area, the proposed development is not considered to significantly detract from one’s appreciation of the Mecca Bingo Club. However, owing to the proposed

materials which are similar in tone to the Mecca Bingo Hall, GLA officers consider there to be some lower-level less than substantial harm, as the proposed development would compete with the Mecca Bingo Hall in immediate to mid-range views, and detract from its ability to retain its dominant presence. In line with the NPPF, this low level of harm must be weighed against the public benefits secured by the proposal which has been addressed in the principle section of this report.

86. A Townscape and Visual Impact Assessment (TVIA) has been submitted to assess the potential impact on selected views. The Heritage Statement makes the point that the proposed development will be visible in conjunction with the listed building. However, it goes on to point out that it will not have any direct impact on the listed building. That 'The proposed development has been designed so that the taller element on the site is further south, with height decreasing towards the north. The proposed development will not detract from the listed building's prominence, which is limited to its more immediate surroundings.' The heritage officer supports this opinion. The proposed scheme is not in the immediate curtilage of the listed building. It will be seen in the context with other taller development and will merge with the existing townscape. Brent officers continue to consider that the proposal will not harm the setting of the listed building. However, if one was to take the position set out by GLA officers that less than substantial harm would occur, the level of harm would be very limited and considerably outweighed by the benefits of the scheme.
87. The front elevation would feature a staggered building line, and the building would be broken down into elements of varying height and bulk, which would help to articulate the bulk and mass successfully and to prevent the appearance of an overly bulky building. The building would be based around a simple rectangular grid providing a vertical emphasis to further modulate the bulk of the building.

Layout and relationship with street

88. The front building line would be set back by approx. 8.15m to 9.8m from the site boundary, which is the Edgware Road highway, the building being staggered to follow the orientation of the road. This would reinforce the traditional building line seen to the north and south.
89. At the corner, with the junction of Carlisle Road the upper levels project closer roadwards than the ground floor double height frontage. Block B's overhang is between 0.7m and 1.25m closer to both Edgware Road and Carlisle Road. The corner would take a chamfered design to provide a focal point for the building and enhanced legibility and sense of arrival for the residential entrance on the corner. Block B's residential entrance has two doors, one on the chamfered corner and one adjacent to Edgware Road. The refuse store for Block B can be accessed from Carlisle Road and from within the residential Block B entrance, the activated frontage of the refuse store extends beyond the edge of the entrance and the commercial back of house. On the Edgware Road elevation, a fire exit door is situated on the edge of the residential entrance, in addition to the access for the commercial plant. There are then four active frontage flexible use class E(g)(ii) & E(g)(iii) units which allow for natural surveillance and continued activity at ground level.
90. With regard to the Carlisle Road elevation adjoining Block B, there are areas of less active frontage, serving the commercial ground floor units back of house, the area of inactive frontage has been effectively minimised. There are two windows in addition to externally opening doors which are for emergency use only as the loading for the unit takes place in the adjoining designated commercial service yard. The basement is also accessible from the downward ramp on Carlisle Road which adjoins with Block C.
91. Block C's residential entrance is also chamfered allowing the building line to successfully turn the corner, enhancing legibility and a sense of arrival for residents. Alongside the residential core entrance, there is a pedestrian link for both residents and pedestrians to the car park of the ground floor retail unit and Holmstall Avenue beyond. There are some areas of soft landscaping to the glazed edge of the entrance, allowing for areas of public realm and active frontage. The entrance to the Block would be from Carlisle Road, with additional entrances for the lift core and stairwell to the basement and upper levels from an additional door along the pedestrian link route. The substation is also accessible from this rear elevation at the closest point to the car park. The requirement for separate core access for service charge and maintenance purposes is often required by Registered Providers. Whilst the residential entrance would be on a slightly smaller scale than the two on Edgware Road, this would be catering for fewer residents and is considered to be acceptable given that consistent architectural detailing and materiality would be

maintained throughout.

92. Block A's primary residential entrance and access door is situated on Holmstall Avenue, with a secondary access on the corner of the building within the car park area allowing for access to the basement and lift cores. Block A's refuse can be accessed through double doors on Holmstall Avenue, with a descending stairwell towards the basement and cycle stores located beside the store. An additional unit allocated for light industrial/employment uses is situated on the corner with Edgware Road, with its sole access achieved from Edgware Road, activating this corner unit allowing for a continuation of the building line.
93. The ground floor retail unit has dual access, one from Edgware Road and one from the rear (accessible both via Holmstall Avenue and Carlisle Road). Both accesses have active frontages on the entrance zones, with the additional rearward access from the car park at the rear of the building. Adjoining the retail access from Edgware Road is a secondary access for Block A, including a lift core and stairwell access, in addition to a fire exit and access to the basement down a separate stairwell.
94. The ground floor retail unit surrounds the car park in an 'L shape'. There are five windows serving the unit, in addition to the forward motion servicing exit door present. Other secondary doors which would not be for the use of pedestrians are present on these elevations.
95. The collection day bin stores are situated within block A and B, these stores are within easy collection reach of refuse vehicles, given the siting of the loading bays on both Carlisle Road and Holmstall Avenue.
96. Proposed landscaping would include low level planting proposed along the three open frontages. A range of shade-tolerant and sun-tolerant species have been proposed. This is considered to provide high quality public realm in accordance with the requirements of the proposed site allocation. Further details of landscaping would be required by condition.

Architectural detailing and materiality

97. The building would be composed of brick structure, which has varying levels of hierarchy presented within both the taller elements Block B and C where a more horizontal grid-like language is expressed, while within Block A, a more vertical language is expressed which is considered acceptable in terms of facade composition.
98. The design includes recessed balconies and windows set in from the facades seeking to create depth, with smaller areas having projecting balconies to provide further contrast and variation in the façade. The regular and well-proportioned fenestration arrangements would provide further vertical articulation and emphasis.
99. The primary material would be a corium red buff brick with mixed tones picking out the brick colours of other buildings in the area. This would be complemented by terracotta off-white banding, red pigment concrete cladding panels, aluminium window frames and balconies, as well as glazed inset balconies, decorative perforated metal panels and the re-use of the existing Symal House tiles to provide visual interest.
100. The residential and commercial entrances would be expressed through fully glazed door sets and copper colour screens set within brick facades to contribute to the active frontage.
101. The public realm of the site and its footways are proposed to include surface treatments that discourage loitering, and further details of these would be secured under the landscaping condition.
102. Further advice has been provided by Secure by Design officers and it is considered that their recommendations could be addressed by minor internal alterations and management arrangements.

Conclusion

103. The overall height and massing of the building are considered to be appropriate within the surrounding area and in the BNSA1 site allocation and Tall Building Zone, in addition to the edge of the Burnt Oak Town Centre context. Whilst there would be some very limited harm to the setting of the nearby Grade II locally listed Mecca Bingo Hall, the benefits are considered to significantly outweigh the harm, as discussed above.
104. Officers have had regard to the design principles set out in the adopted site allocations, and consider

that the proposal responds to these effectively. It would maximise the extent of active ground floor frontages around the site, establish continuity with traditional building lines, and provide tree planting and improved public realm.

Fire safety

105. Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Further to the above, Policy D5(B5) of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.

A fire statement prepared by BB7, a suitably qualified third-party assessor has been submitted in support of the application. This statement addresses the requirements of Policy D12 including the features to reduce the risk to life and of serious injury, features to minimise the risk of fire spread, an evacuation strategy and suitable means of escape for all building users, access and equipment for firefighting personnel. Officers have confirmed that the submitted fire statement is suitable to meet the requirements of D12.

Relationship with neighbouring properties

Policy background

106. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Separation distances of 18m between directly facing habitable room windows is sought, except where the existing character of the area varies from this. A distance of 9m should be kept from gardens to habitable rooms and balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy, in addition to high quality design solutions that mitigate impacts and allow for efficient use of land. These standards are also applied to ensure that the development does not compromise the redevelopment of adjoining sites, and to individual buildings within large developments.

107. To ensure development has an appropriate relationship with existing properties, it is set out in SPD1 that new buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries. It is also set out that to ensure good levels of daylight and sunlight, the use of the BRE's "Site Layout Planning for Daylight and Sunlight : a guide to good practice (BR209)" is supported.

108. The guidance set out that where buildings would be within a 25-degree line of existing windows, the Building Research Establishment considered that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. When the 25-degree test is not met in relation to neighbouring properties, the BRE Guidelines recommended two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. If this remains at least 0.8 times its former value, the room will appear to be adequately lit.

109. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.

110. However, the BRE guidance also recognised that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas. Where existing high density developments are potentially affected, the BRE suggests that impact of an imaginary new building of similar height and proportions as the existing building could be modelled in order to derive 'mirror image' target values for VSC. The NPPF recognises that a flexible approach should be taken when applying policies or guidance relating to daylight and

sunlight, where they would otherwise inhibit making efficient use of a site, and the resulting scheme would provide acceptable living standards.

Assessment of proposal – privacy and overlooking

3 and 3A Holmstall Avenue

111. The nearest residential property to the application site is 3 and 3A Holmstall Avenue. Block A is sited alongside No. 3 and 3A Holmstall Avenue, with a separation distance of 3m to 4.75m retained from the edge of the balconies on the western elevation of Block A to the boundary with No. 3 and 3A Holmstall Avenue. Whilst these balconies do not directly overlook the rear garden (as they face onto the flank wall of No. 3 and 3A Holmstall Avenue), given that a distance of less than 9m would be provided, there is potential for the homes to rely on outlook over the neighbouring site. To overcome this problem, the living/kitchen/dining rooms are dual aspect with outlook also provided to the north or south, and the balconies are proposed with high level screening to restrict overlooking onto No. 3 and 3A Holmstall Avenue.

112. Block C is sited to the south of No 3 and 3A Holmstall Avenue. A distance of at least 10m is maintained to the boundary with the rear garden of the neighbouring property, and over 26m between directly facing windows. These distance exceed the minimum requirements set out within SPD1. The podium garden maintains a distance of at least 17.9m to the boundary with the rear garden of No. 3 and 3A Holmstall Avenue, and therefore significantly exceeds the 9m requirement set out within SPD1.

19 Carlisle Road

113. Whilst the above premises is not in residential use, as noted under the “principle section” above, any piece meal development should not compromise the wider site allocation. Block C is located around 4.8m from the boundary with No. 19 Carlisle Road. Flank wall windows are proposed. The windows to the rear side of block C are obscured glazed and can conditioned to be high opening only to prevent overlooking onto the adjoining site. This would be acceptable as the room in question (a living/kitchen/dining room) is also served by a window to the northern side of the room. The western elevation of the balcony for these flats are also recommended to contain high level screens to prevent overlooking onto the adjoining site. The flank wall window towards the front of Block C (closer to the Carlisle Road frontage) would include the sole window to bedrooms but these are angled to face towards the site frontage, and therefore would not be considered to unduly compromise the wider delivery of the site allocation.

Overbearing appearance

114. Whilst no sections have been provided to clarify whether the scheme would breach 30 and 45-degree lines in relation to No. 3 and 3A Holmstall Avenue, given the scale of development such breaches are likely to occur. Nevertheless, the site is within a growth area together with a tall building zone or intensification corridor. Therefore, it is reasonable to assume that the scale of development within the site would respond to these designations to deliver a scheme that makes efficient use of a site within a sustainable location. An assessment of daylight and sunlight in relation to No. 3 and 3A Holmstall Avenue has been carried out and discussed below, but this concludes that the impact would be limited. Therefore, whilst there may be a breach of 30 and 45-degree lines, the occupiers of No. 3 and 3A Holmstall Avenue would continue to receive a good level of amenity in terms of daylight and sunlight.

115. There are 4 instances within units A5.6, A6.6, A7.6, A8.6 of habitable bedroom windows within Block A having direct overlooking of adjacent balconies within Block B units B5.1, B6.1, B7.1, B8.1, offering a 4.5m separation distance. Given the few instances of overlooking in this regard, it is considered that as the overlooking is within the site only and would be acknowledged upon the completion of the build, as such. The minimal separation distance can on balance be accepted given the overall benefits of the scheme.

116. On balance, and notwithstanding the concerns raised, it is considered that the proposal maintains adequate separation distances without prejudicing the redevelopment of the adjoining site, and is acceptable on this basis.

Assessment of proposal – impact on daylight and daylight distribution

117. A Daylight Sunlight and Overshadowing Assessment was submitted in accordance with the 2022 BRE

guidance.

118. The assessment concluded that the following properties meet BRE guidelines in their entirety and therefore the level of daylight and sunlight to these properties would not be detrimentally impacted upon as a result of the proposed development.

2, 4, 6, 8, 10, 12, 14 & 16 Montrose Avenue;

1, 3, 5, 6, 7, 8, 9, 11, 13, 14, 15 & 16 Southbourne Avenue;

4, 8, 10, 12, 14 & 16 Greenway Gardens;

1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 19, 21, 23, 25 & 26 Greenway Close;

6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 27, 29 & 31 Holmstall Avenue;

1, 2, 4, 5, 6, 8, 9, 10, 12, 14 & 16 Limesdale Gardens; and

2 & 3, 4, 5 & 6 Holmstall Parade.

119. An assessment of the properties that are affected by the proposal are discussed in further below:

Montrose Court

120. Of the 88 windows tested for VSC, 79 would continue to receive adequate daylight in compliance with the traditional BRE target values, whilst the remaining 9 would fall short of these values. Of the 9 windows only 4 require further consideration, as the remaining 5 of these windows are either secondary habitable room windows or they are windows that serve non-habitable rooms. Of these 9 windows, only 4 would experience a low impact (VSC of 0.60-0.79 times their former value). These windows all experience relatively high existing VSC values for the urban context.

121. In this case, all of the 52 rooms assessed would pass the NSL test, meaning all of the rooms would comply and not experience a noticeable different to daylight distribution.

122. All rooms would pass the APSH result for sunlight and overshadowing to gardens and open space would also continue to all within BRE guidelines.

2, 4, 10 and 12 Southbourne Avenue

123. Of the 62 windows tested for VSC, 56 would continue to receive adequate daylight in compliance with the traditional BRE target values. Of the 6 windows that require further consideration, these are not the sole windows to the rooms in question and the reduction in VSC is no more than 0.72 times its former value. As such, these windows fall within marginal ranges all remaining windows experience high existing VSC for the urban context.

124. All of the 52 rooms assessed would pass the NSL test, meaning all of the rooms would comply and not experience a noticeable different to daylight distribution.

125. All rooms would pass the APSH result for sunlight and overshadowing to gardens and open space would also continue to all within BRE guidelines.

Southbourne Court

126. The VSC results for Southbourne Court demonstrate that a large proportion of the windows (92 out of 106) would fall short of the BRE guidance levels. However, a number of the windows assessed are have been identified as having mitigating arguments. 4 of the windows serve entrances (non-habitable rooms), and 6 of the bedrooms to which the non-BRE compliance windows served, also contain windows that continue to meet BRE guidelines. The remaining windows would experience a reduction in VSC levels from 0.22 times their former values to 0.72 their former value (some windows would therefore see a significant reduction in VSC). Out of 58 rooms tested, 35 would fail BRE guidelines for daylight distribution. The reduction in daylight distribution varies from 0.33 times the former value to 0.79 times the former value). A number of rooms (40 of 57 rooms would also see a reduction in ASPH levels to as low as 0.22 times their former value. As such, the proposal would result in a noticeable impact on the level of daylight and sunlight to a number of windows and habitable rooms within Southbourne Court.

127. The overshadowing assessment concludes that garden space would continue to meet BRE guidelines.

128. Whilst the impact to these properties as existing is a material planning consideration, the application site is located within a tall building zone and intensification corridor where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.

4 and 9 Greenway Close

129. Of the 18 windows tested for VSC, 3 would fall below BRE guidelines in relation to VSC. The reduction in VSC is marginal in all cases at no more than 0.76 times the former value. In all cases the rooms that the windows relate to are also served by other windows that continue to meet VSC guidelines. Furthermore, all of the in the rooms that were tested in relation to daylight distribution continue to meet BRE guidelines, and therefore it is considered that good levels of daylight would still be retained for these properties.

130. All rooms would pass the APSH result for sunlight and overshadowing to gardens and open space would also continue to all within BRE guidelines.

3 and 3A Holmstall Avenue, 5 and 5A Holmstall Avenue, 7 and 7A Holmstall Avenue

131. Of the 64 windows tested for VSC, 26 would fall below BRE guidelines in relation to VSC. The reduction in VSC ranges from 0.28 times the former value in the worst case to 0.74 times the former value. However, it should be noted that the worse reduction relates to hallway at No. 3a Holmstall Avenue, and a number of the rooms are also served by alternative windows that continue to meet VSC guidelines. In relation to daylight distribution, a number of rooms do not pass BRE guidelines at No. 3 and 3A Holmstall Avenue (4 of 12 rooms) with reductions of up to 0.32 times their former value. However, these relate to non-habitable rooms i.e. bathrooms and hallways. Daylight distribution for Nos. 5 and 5A, 7 and 7A Holmstall Avenue would continue to comply with BRE guidance. Therefore, it is considered that good levels of daylight would still be retained for these properties.

132. All rooms would pass the APSH result for sunlight and overshadowing to gardens and open space would also continue to all within BRE guidelines.

3, 7 and 11 Limesdale Gardens

133. The VSC results for each of these properties shows shortfalls in each of the porch areas. As they are not habitable, they have not been tested further. All of the rooms assessed would pass the NSL test, meaning all of the rooms would comply and not experience a noticeable different to daylight distribution.

134. All rooms would pass the APSH result for sunlight. overshadowing to gardens and open space was not tested due to the orientation of the gardens in relation to the development.

2, 4 and 8 Holmstall Avenue

135. Of the 38 windows tested for VSC, 33 would continue to receive adequate daylight in compliance with the BRE target values, whilst the remaining 5 would fall short of these values. It is noted that the affected windows are not the sole windows to the rooms in question with the other windows passing VSC target levels or the window serving a porch.

136. In this case, all of the rooms assessed would pass the NSL test, meaning all of the rooms would comply and not experience a noticeable different to daylight distribution.

137. All rooms would pass the APSH result for sunlight and overshadowing to gardens and open space would also continue to all within BRE guidelines.

1 Holmstall Parade

138. The VSC results for this property show that 11 of 14 windows meet or surpass the BRE recommendations. Nevertheless, the assessment concludes that the rooms would provide satisfactory levels of daylight distribution, meeting BRE guidelines.

139. One window would fail APSH result for sunlight but this appears to be a secondary window to a room.

There is no rear garden or open space at this property, and therefore considering of overshadowing has not been undertaken.

Conclusion

140. Given the scale of the development and the number of windows potentially affected, it is considered that the impacts on existing windows are commensurate with the high density urban context. Although a limited amount of harm to neighbouring amenity would be likely to occur, on balance it is considered that these would be outweighed by the planning benefits of achieving high density redevelopment in a Growth Area, and that the proposal is acceptable on this basis.

Residential living standards

Policy background

141. Minimum space standards for new homes are set out in London Plan Policy D6, and this policy also provides qualitative criteria for assessing the quality of residential accommodation, including appropriate levels of light, outlook and privacy for residents. Policy D7 requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards. A daylight and sunlight report in relation to the proposed homes has been carried out in accordance with the updated version of the BRE guidance from June 2022.
142. Brent's Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy proposed residents' needs. This will normally be expected to be 50sqm for family housing (homes with 3 or more bedrooms) at ground floor level and 20sqm for all other homes.
143. This requirement may be achieved even when the "normal expectation" of 20sqm or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluating whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
144. With regard to quality of the space, the supporting text to Policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst the Brent Design Guide SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
145. London Plan Policy D6 specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth of 1.5 m is reconfirmed in this policy. Policy S4 requires play and recreation facilities to be provided based on the expected child yield.

Assessment of proposal

146. All 252 units would comply with or exceed minimum space standards, including internal storage requirements and 2.5m floor-to-ceiling heights. Layouts would be generally well-considered and efficient, with access to private balconies or terraces provided directly from living areas.
147. Block A contains 63 homes of all of which are private. The mix of homes within Block A comprises 17 x 1 bed, 28 x 2 bed and 18 x three bed homes. There are up to 10 homes per core on each floor, and 46% of the homes within the block are truly dual aspect with the remaining homes having aspect in an east or west direction with some doors opening onto the balconies in a north or south direction to allow some cross ventilation.
148. Block B contains 138 homes all of which are private. The mix of homes within Block B comprises 60 x 1 bed, 60 x 2bed, 18 x 3 homes. There are up to 8 homes per core on each floor, and 47% of the homes within the block are truly dual aspect with the remaining homes having aspect in an east or west direction with some doors opening onto the balconies in a north or south direction to allow some cross ventilation.
149. Block C contains 51 homes all of which are affordable. The mix of homes within Block C comprises 13 x 1 bed, 22 x 2bed, 13 x 3 homes. There are up to 5 homes per core on each floor, and 76% of the

homes within the block are truly dual aspect with the remaining homes having aspect in an east or west direction with doors opening onto the balconies in a north or south direction to allow some cross ventilation.

Overlooking between the blocks

150. There would be a 18.7m separation distance between block b and c to ensure that any harmful level of overlooking would not occur between the homes that face onto one another. There would be a level of overlooking between habitable room windows on the southern side of block A and the balcony/northern habitable room windows of Block B on 5th to 8th floors only. A distance of 4.3m would be maintained between the windows and the edge of the balcony and a distance of 5.95m would be maintained between the habitable room windows. The windows that serve living/kitchen/dining areas would be obscured glazed on the southern side of block B as these rooms are also served by larger windows on the eastern/western elevations. However, there are 4 bedrooms where overlooking could occur. Given that this is a minor number of bedrooms across the scheme as a whole, the harm identified by this shortfall is outweighed by the wider benefits of the scheme in this instance.
151. A condition is recommended for the relevant windows to be obscured and high opening, and for details of high screening to the sides of the balcony across the scheme to be conditioned to prevent overlooking between the balconies of different homes.

Internal Daylight and Sunlight

152. An internal daylight and sunlight report has been submitted with the application, testing the levels of daylight and sunlight reaching habitable rooms of the development. The assessment has prepared in accordance with the methodology set out in the new BRE regulations: BR 209 V3 (2022). From June 2022, this methodology has replaced previous BRE guidance, which sought assessment of developments in line with Average Daylight Factor (ADF) and No-Sky Line (NSL) for daylight testing, assuming fixed, overcast weather conditions. The previous sunlighting criteria was based on probable sunlight hours (APSH/WPSH) testing.
153. The new BRE criteria testing that has been undertaken, in line with the new methodologies, is the Illuminance criteria or the Target Daylight Factor (TDF) criteria. Illuminance criteria testing assigns a target illuminance level for proposed rooms within a development based on their use (100 lux for a bedroom, 150 lux for a living room and 200 lux for a kitchen or a combined kitchen and living room) and tests the rooms within a model to ascertain if, for at least 50% of the daylight hours experienced within that room, the target illuminance level would be achieved; this is considered to be the 'pass mark' for a good standard of daylight. In this case the scheme has carried out the illuminance criteria.
154. These new methods use the concept of Climate-Based Daylight Modelling (CBDM) to calculate the illuminance (or daylight factor) at each point on an assessment plane for a typical year using realistic sun and sky conditions derived from standardised climate data. Therefore, the calculations are more realistic and account for daily and seasonal variations as well as orientation. The assessments are, as a result, far more complex and potentially more accurate than the testing methodologies of the previous guidance. In addition, these methods of assessment takes into account a number of factors, including the reflectance of the room surfaces and the impact on light to a room as a result window types (e.g. light transmittance, framing and maintenance).
155. In relation to sunlight, a simple test is applied, which requires at least one room per home to receive at least 1.5 hours of sunlight on any day between the 1st February and the 21st March in order for it to be considered that a good level of sunlight is achieved by that home. Generally, this test is undertaken for the 21st March, as it experiences more daylight than the other days within the test range.
156. The assessment in relation to the illumination criteria notes that in the case of Blocks A and B, 161 of the 564 rooms tested would fall short of BRE recommendations. Of these 161 rooms, 109 are living/kitchen/dining rooms where the consultant has advised that it is often the case that these rooms are larger than average in order to accommodate their purpose and that the kitchen element will be lit with artificial task lighting. As such, they consider that a more appropriate target for this room type would be 150 lux rather than 200 lux, and when applying 150 lux target a further 35 rooms will meet BRE guidelines.

157. In relation to sunlight exposure, the results show that 62 of the 257 living rooms tested would fail the BRE recommendations. However, the homes that these living rooms serve, would receive compliance levels of sunlight to the bedrooms. The consultant has advised that a number of living rooms do not have south facing windows and as such would not have an expectation for sunlight.
158. The assessment in relation to the illumination criteria notes that in the case of Block C 66 of 156 rooms tested would fall short of BRE recommendations. Of these 66 rooms, 29 are living/kitchen/dining rooms where the consultant has advised that it is often the case that these rooms are larger than average in order to accommodate their purpose and that the kitchen element will be lit with artificial task lighting. As such, they consider that a more appropriate target for this room type would be 150 lux rather than 200 lux, and when applying 150 lux target a further 7 rooms will meet BRE guidelines.
159. In relation to sunlight exposure, the results show that 14 of the 52 living rooms tested would fail the BRE recommendations. However, the homes that these living rooms serve, would receive compliance levels of sunlight to the bedrooms. The consultant has advised that a number of living rooms do not have south facing windows and as such would not have an expectation for sunlight.
160. Overall, whilst there are some shortfalls in the new homes achieving full compliance with BRE recommendations, the new standards are much higher than the 2011 version and it is recognised that these are unlikely to be achieved to dwellings in urban areas within the UK. Single aspect homes in particular are difficult to achieve the targets. In this case, the number of dual aspect homes has been maximised whilst making efficient use of the site and designing well laid out homes. Overall, the shortfall in achieving the target levels are considered acceptable in this urban context, with the scheme providing a good quality of accommodation in line with policy D6 of London Plan and policy DMP1 of Brent's Local Plan 2019-2041.

Accessible homes

161. A total of 30 units (11.9%) are indicated as being wheelchair accessible, which exceeds the 10% policy requirement. Delivery of an appropriate number of units to Building Regulations M4(3) standards would be secured by condition.
162. The applicants' design and access statement demonstrates how the proposed development would meet the above requirements. The document shows how wheelchair users and wheelchair adaptable units have been incorporated into the scheme, with indicative layouts for each type of flat shown.
163. Below is a schedule of proposed apartments complying with M4(3) within each block:

Block Name	Quantity M4(3)
Block A	8
Block B	16
Block C	6

164. Step-free access would be provided to all parts of the site including the landscaped areas along with lifts and proposed paths which have been designed to be legible and appropriately lit. A fire evacuation lift in each core would provide a safe means of escape in the event of an emergency.

External amenity space

165. As the proposal does not contain any ground floor family sized homes, the 20sqm standard for amenity space would be applied to each of the 252 homes, giving a total requirement of 5,040sqm amenity space to fully comply with Policy BH13.
166. All units would have access to private balconies in accordance with London Plan standards, and these would be supplemented by communal spaces comprising the first floor podium garden and additional roof terraces. A schedule of amenity space provision per unit and the shortfalls against the policy standards has been provided. This demonstrates that there would be a shortfall of 1,959sqm based on the individual balcony space alone.

167. The shortfall would be mitigated by the provision of communal amenity spaces as follows:

- First Floor Podium Garden of 1,150sqm;
- Roof Terrace at Level 9 for Core A, of 340sqm;
- Roof Terrace at Level 20 for Core B, of 325sqm;
- Roof Terrace at Level 13 for Core C, of 315sqm.

168. The resultant shortfall has been assessed as follows:

	Block A (63 units)	Block B (138 units)	Block C (51 units)
Cumulative shortfall against BH13	771sqm	1,758sqm	552sqm
Pro-rata share of podium	287.5sqm	629sqm	232.2sqm
Share of Level 9 terrace	340sqm	N/A	N/A
Share of Level 13 terrace	N/A	N/A	315sqm
Share of Level 20 terrace	N/A	325sqm	N/A
Total share of communal space	627.5sqm	954sqm	547.2sqm
Residual shortfall against BH13	143.5sqm	804sqm	4.8sqm

169. The above table demonstrates that Block's A, B and C would be affected by a residual shortfall against Policy BH13 standards, and it is considered that this would be acceptable in an urban context if mitigated by a financial contribution to enhancing local play provision in Roe Green Park. A contribution of £30,000 is sought and would be secured through the s106 agreement.

170. London Plan Policy S4 requires development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme, which should not be segregated by tenure. Further detail is provided in the Mayor's 'Shaping Neighbourhoods: Play and Information Recreation' Supplementary Planning Guidance (SPG), which sets a benchmark of 10 sq.m of usable child place space to be provided per child and makes clear that playspace must not be segregated by tenure.

171. Based on the expected child yield, the development would generate a requirement of 960.8sqm of on-site play space, broken down to 436.6sqm for 0-4 years, 323.1sqm for 5-11 years and 201sqm for 12+ years. The proposal includes 509sqm of play space on site for 0-4 years (exceeding the GLA requirement) and 386sqm for 5-11 years (also exceeding the GLA requirement) located on the podium gardens and roof tops of the three blocks. Whilst the total onsite playspace of 895sqm does not fully meet 960.8sqm as required by the London Plan, the shortfall relates to 12+ years provision, where it is proposed that this would be provided off site. As noted above an off site contribution towards improvements within Roe Green Park has been requested by Parks Service to address this shortfall.

172. Detailed plans of the play spaces and their individual features will be secured through a landscaping condition.

173. Qualitatively, the communal spaces would include a variety of grassed and landscaped areas with bench seating and a range of play elements to suit all age groups, and would allow for passive surveillance. The podium would be available to all units regardless of tenure, and the roof terraces would provide more intimate spaces for specific cores. Further details would be secured through the landscaping condition.

Transportation considerations

Policy background

174. London Plan Policy T6 seeks to restrict car parking in line with existing and future public transport accessibility and connectivity, and maximum parking allowances for residential development are set out in Policy T6.1. Brent's Policy BT2 sets out parking allowances to align with those of the London Plan.
175. Cycle parking spaces must be provided in compliance with London Plan Policy T5 in a secure weatherproof location and in accordance with design guidance set out in the London Cycling Design Standards. Bin storage should allow for collection within a 20m carrying distance (or 10m for larger Eurobins), and more detailed guidance on bin storage requirements is given in the Waste Planning Guide.
176. London Plan Policy T2 expects new development proposals to follow a Healthy Streets Approach and include an Active Travel Zone (ATZ) assessment, and Policy T4 requires Transport Assessments to be submitted.

Existing Provision

177. The site fronts Edgware Road, a London Distributor Road and part of the Strategic Road Network. The building line is built up to the junctions with Holmstall Avenue, a traffic-calmed local residential access road and Controlled Parking Zone and Carlisle Road a local industrial access road.
178. The PTAL rating is PTAL 4 (good).
179. Symal House has an existing car park which provides car parking spaces ancillary to the office space and the petrol filling station has areas for short stay parking only.

Parking Provision

180. Parking standards are set out in appendix 4 of the adopted Local Plan and for residential and retail uses, these require London Plan standards to be followed. With the site being located in Outer London, this permits up to 0.5-0.75 spaces for each of the new residential units, totalling 126-189 spaces. The application proposes for the residential element of the scheme to be "car free" with the exception of 16 disabled bays located within the basement. The amount of residential parking proposed is acceptable, given that the site has good access to public transport and is within a Controlled Parking Zone. There are nearby streets that are not covered by the Controlled Parking Zone, such as Carlisle Road, but these are not residential roads, so overspill parking from the development along those roads would not be a huge concern. Nevertheless, the residential homes would be required through the section 106 agreement to remove the right for residents to be entitled to parking permits that would cover existing and any future CPZs operating within the locality, to minimise the impact of any overspill parking.
181. As noted above, the proposal will provide 16 disabled bays within a basement for the residential units (accounting for 6% from the outset) and this more than meets the London Plan requirement to provide disabled parking for 3% of units at the outset. The applicant has advised that the shortfall in passive blue badge parking of 4% could be provided on-street if the need arises. However, the GLA have queried whether this could be provided within the application site by allocating some of the retail parking spaces into disabled parking bays. This would be secured through a car park management plan.
182. The retail units will be provided with 32 car parking spaces on the ground floor, with a further four staff parking spaces in the basement. Two of the parking spaces will be wide disabled spaces. The proposed 36 spaces comply with parking standards set out in Table 10.5 of the London Plan. The parking for the ground floor retail units will be accessed/egressed from Holmstall Avenue only and this is acceptable. Once again, staff of the retail and commercial units would not be entitled to parking permits within any existing or proposed CPZ operating within the locality.

183. The basement car park will be accessed via a 6m wide ramp from Carlisle Road which allows two-way vehicular movement. Margins of at least 300mm will be required on either side of the ramp to protect the building structure from vehicles. The entrance gates to the basement are set back 5.5m from the highway to allow cars to wait off the highway when gaining access, which is welcomed. The gradient of the ramp has not been specified, but its length suggests that a 10% gradient will be provided, which is fine. Transition lengths (3m) to a 5% gradient will be required at either end of the ramp.
184. The submission has confirmed within the Transport assessment (Paragraph 5.5.5) that 20% of the residential parking spaces will have active electric vehicle charging points, with the rest having passive provision, which is acceptable. Such details will be conditioned to any forthcoming consent.
185. The car park should be lit in accordance with British Lighting Standards with such details conditioned to any forthcoming consent.

Cycle Parking

186. 504 cycle spaces will be provided for the site as whole, which is welcomed and compliant with the London Plan. 124 cycle parking spaces will be provided on the ground floor for Block A with direct access onto Holmstall Avenue. The remaining 308 cycle spaces for Blocks B and C, split into 3 stores, will be provided within the basement. A suitably sized lift to the basement is proposed from the entrance to Block B.
187. Twenty short-stay Sheffield cycle stands will be provided around the building on the footway, which complies with short-term parking requirements for the flats and foodstore. Some of the short stay cycle spaces are proposed on the future public footway along Edgware Road as part of the landscaping scheme.
188. Details of cycle parking are recommended to be secured by condition, which should demonstrate compliance with London Cycle Design Standards in terms of access and layout, and include appropriate provision of larger bicycles and adapted cycles for disabled people.

Travel Plan

189. To help to support non-car travel to and from the site, a Framework Travel Plan has been prepared, to be managed by a Travel Plan Co-ordinator for both the residential flats and the commercial units.
190. Paragraph 2.8.1 identifies the nearest car club bays to the site, which are located in L.B. of Barnet. Consideration does not appear to have been given for a Car Club bay within or adjacent to this site. Given the size of the development, this is disappointing and the applicant should engage with Car Club operators to establish whether they'd be interested in basing a vehicle at the development. Even if not, the developer should be funding free membership for incoming residents for a minimum of three years and publicising local Car Clubs to them. Paragraph 4.5.3 only states that the possibility of this will be explored, which provides no binding commitment. Free Car Club membership therefore needs to be secured within the S106 Agreement, together with the option of securing a car club within the development.
191. Of the other measures, Travel Packs will be issued out to residents and employees and noticeboards will be provided with travel information. Schemes such as Bike2Work and season ticket loans will be suggested to employers in the commercial units. A baseline survey will be carried within six months of occupation (or upon 75% occupation of the flats), after which surveys will be on years 1, 3 and 5.
192. Paragraph 7.1.4 sets the residential targets with an increase of 5% in residents walking over 5 years and a 5% increase in residents cycling over 5 years. Whilst the increase is welcomed, with no off-street parking available, the targets could be set much higher to achieve 80% of travel by non-car modes inline with policy of London Plan.
193. Paragraph 7.1.5 sets the workplace targets, with a 5% reduction in employees travelling by car, a 5% increase in employees walking and a further 5% increase in employees cycling. Again, whilst this welcomed, the low provision of employee parking would require alternative travel modes to be used and targets should be enhanced. Table 9.1 sets out an Action Plan.
194. The travel plan should be secured in the Section 106 Agreement and improved targets are sought for

both the residential and workplace travel plans.

Active Travel and Pedestrian Permeability

195. The proposed public realm enhancements on Edgware Road including wider footways, planting, seating and short-stay cycle parking are supported in line with the Mayor's Healthy Streets approach as outlined by London Plan Policy T2.
196. The proposed widened public realm is located along the frontages of Edgware Road, Carlisle Road and Holmstall Avenue, with resurfacing of the footways in block paving. The proposed public realm along Edgware Road will include new planting within the existing footway, along with street furniture including seating, bicycle stands and street trees. Following discussions with officers in highways and the tree officer, amendments are proposed to the layout of the public realm on Edgware Road to provide a 3.5m wide unobstructed pavement next to the road, with a smaller pathway alongside the building and the central element providing landscaping and tree planting. This will also require the adoption of the widened footway frontage as public highway through S38 of the Highways Act. Please note that any street furniture and materials used will also need to be standard products that are easy to replace (not bespoke items) and a commuted sum will be required through the S38 Agreement to cover future maintenance.
197. All redundant crossovers, around the site, will be reinstated back to footway which is welcomed. A Road Safety Audit for the works has been provided and this is considered acceptable at this stage of the proposals. The detailed highway works submission will need to be backed by a Stage 2 Safety Audit.
198. A Healthy Streets Assessment has been provided of routes from the site to the nearest train station, a park, a primary school, local shops and a doctor's surgery, in order to assess the quality of pedestrian and cyclist links to the site. The assessment finds damaged footway and tactile paving, with several of the worst problems occurring within Barnet (to the east of Edgware Road).
199. As a new footway surface is proposed along the entire site frontage (Edgware Road, Holmstall Avenue and Carlisle Road) through the S278 works, issues in the immediate vicinity of the site arising from the existing uses will be addressed, such as obstructive footway parking from the tyre shop. The new footway relay works will also resolve any existing or new damage to the highway that may occur from demolition / construction works.
200. However, the Healthy Streets Assessment has overlooked the adequacy of pedestrian crossing facilities around the site. In particular, no comment is made on the fact that Route B involves walking north of the site to the nearest pedestrian crossing, then walking south past the site on the opposite side of Edgware Road, crossing side roads at Holmstall Avenue and Southbourne Avenue in the process. For a resident of Block B or C, this would lengthen the walking distance to the southbound bus stop in Edgware Road by 225m (~ 3 minutes' walk), which is significant and would encourage unsafe crossing of a busy major road away from any formal crossing facility.
201. Given that the foodstore will be a significant trip attractor, the shortage of pedestrian crossing facilities at the southern end of the site is a significant shortcoming of the scheme.
202. Transportation therefore request that the developer also funds the provision of an additional pedestrian crossing on Edgware Road in the vicinity of the Carlisle Road/Greenway Gardens junction. The exact form and layout of the crossing will need to be agreed and further work on this is requested from the applicant. However, a zebra crossing with a central island (similar to the crossing near Montrose Avenue) is suggested as being appropriate. As the borough boundary runs along Edgware Road, Barnet Council must also be involved in this work. Such details are recommended to be secured within the s.106 agreement.

Transport Assessment and Trip Generation

203. TRICS survey data has been provided to produce estimates of future movement to and from the development. This concludes that the existing offices, tyre depot and petrol filling station generate an overall total of 162 person trips in the morning peak hour (8-9am) and 152 person trips in the pm peak hour (5-6pm). Vehicular trips are estimated at 80 vehicular movements in the AM peak hour and 69 in the PM peak hour.
204. The proposed site will have a significantly higher person trip generation, estimated at 385 trips in the

AM peak hour and 565 trips in the PM peak hour. The number of vehicular trips will fall though, to an estimated 35 movements in the AM peak and 46 movements in the PM peak. The predicted reduction in vehicular trips for the overall site is welcomed, helping to reduce the impact of the site on the local highway network.

205. Nevertheless, the location of the foodstore's car park on Holmstall Avenue means there would be a net increase in traffic movement on Holmstall Avenue, predicted at an additional 33 vehicular trips in the am peak hour and 55 in the PM peak hour. To assess the impact of these trips, the transport assessment includes a PICADY assessment of the operation of the Holmstall Avenue, Edgware Road and Southbourne Avenue junction. With no proposed improvements to the junction, the assessment shows that with the development, the maximum ratio of flow to capacity (rfc) value will be 0.52 in the morning peak hour and 0.6 in the evening peak hour for traffic turning right into Holmstall Avenue, which is well below the maximum recommended rfc value of 0.85. The maximum queue length for this movement would increase from two cars to three cars in the evening peak hour. As such, the assessment shows that the junction would continue to operate satisfactorily with traffic from the new car park.
206. The proposal will result in a significant increase in demand for other modes of travel though, particularly as it will be a 'car-free' development. The development is predicted to generate an additional 102-107 rail/Underground trips in the morning and evening peak hours and 39-42 additional bus trips in each peak hour solely from the flats. It has been estimated that the proposed development will generate 34 and 56 net bus trips during the AM and PM peaks respectively. TfL has requested a contribution towards bus services of £474,000. The applicant is currently in discussions with TfL to review the detailed calculations in relation to number of additional passengers per bus and the impact that this could have upon bus service capacity. . The final level of contribution will be agreed prior to the Stage 2 referral to the Mayor of London.

Delivery and servicing

207. The large food store will have its own off-street covered service yard, accessed from Carlisle Road and egressed through the store's car park onto Holmstall Avenue. The yard is shown to the rear of the store to allow straightforward unloading within the site. Vehicular tracking is shown on drawing number 31242/AC/007 within the Transport Assessment for a 16.5m articulated lorry travelling through the site in forward gear and this has been confirmed as acceptable by transportation officers. The width of the car park egress onto Holmstall Avenue has been designed at 6.5m to allow an articulated lorry to turn right out of the site (note the left turn is not available to delivery vehicles due to the existing width restriction in Holmstall Avenue).
208. The headroom has been confirmed at 4.5m, although 4.8m is the usual design standard to cater for all vehicles, 4.5m would cater for the majority of vehicles and as there is a prospective operator of the store (Lidl) who have confirmed that 4.5m will meet their delivery vehicle requirements. Appropriate restricted headroom signage must be placed above the delivery bay entrance though.
209. Drawing number 100/00 proposes two on-street loading bays within the existing footways: one on Carlisle Road (2.4m x 13m) and one along Holmstall Avenue (1m x 16m). The loading bays will be used for refuse collection and unloading / loading for deliveries to the flats, as well unloading for the five proposed commercial units along the Edgware Road frontage.
210. The proposed use of the on-street loading areas for the small retail units arises through the lack of direct access to any servicing facilities from the rear. It would nevertheless be preferable to allow these units to instead utilise the main foodstore's service yard in order to reduce demands on the on-street facilities, with goods trolleyed around to the units, although it is recognised that the main loading bay would be managed by the retail operator. The Delivery & Servicing Management Plan would need to setting out booking arrangements for the service yard to ensure the area is managed to retain adequate space for each delivery as it arrives.
211. The loading bay on Carlisle Road should be widened to 3m with 3.6m long tapers at either end to comply with TfL's guidelines on kerbside loading. This can be done by either reducing the footway width to 2m or, preferably, narrowing the carriageway of Carlisle Road from its currently excessive 10m width. This loading bay will be constructed as a loading pad on the footway, not as a lay-by, so that pedestrians can easily walk along its length when it is not being used for loading.
212. The loading pad and widened area of highway to incorporate the clear footway behind will need to be

constructed and adopted as public highway through an agreement under S38/S278 of the Highways Act 1980.

213. It is also noted that the doors to the bin store adjacent to the on-street loading bay on Carlisle Road are shown opening outwards over the Public Highway, contrary to Section 153 of the Highways Act, so these must be amended to open into the store only. Such details will be secured through condition.
214. Doors are also shown opening out over the Edgware Road footway from fire escapes, but as these are onto private forecourt and would be infrequently used, so can be accepted although they could occasionally obstruct pedestrian movement.
215. The proposed loading bay on Holmstall Avenue would be on the carriageway, with the footway of the street narrowed by 1m to ensure there is still space for two-way traffic along the street without the need to remove parking from the northern side of the street. This is fine and the retained footway width of 2m+ is acceptable. Again, the widening of the carriageway by 1m will need to be undertaken through the S278 Agreement.
216. Block A has a refuse area which can accommodate 7 residual waste euro bins, 7 recyclable waste euro bins and 7 x 240l food waste bins. This provides sufficient capacity for this block based on the number of homes proposed and the bin store is within 30m of each of the homes (excluding vertical distances). Block B has a refuse area which can accommodate 13 residual waste euro bins, 13 recyclable waste euro bins and 12 x 240l food waste bins. This provides sufficient capacity for this block based on the number of homes proposed and the bin store is within 30m of each of the homes (excluding vertical distances). Block C has a refuse area which can accommodate 6 residual waste euro bins, 6 recyclable waste euro bins and 6 x 240l food waste bins. This provides sufficient capacity for this block based on the number of homes proposed and the bin store is also within 30m of each of the homes (excluding vertical distances).
217. On collect days, refuse storage for the flats is shown alongside the loading bays to allow easy access for collection.. Management arrangements will ensure that the refuse is moved to the two stores located on the Holmstall Avenue and Carlisle Road frontages in time for collections and this can be firmed up through a refuse management plan. As the bin stores at ground floor level do not currently have sufficiently capacity to accommodate a weekly collection of all waste, a condition is recommended to requiring further details of how the bins will be collected in consultation with Veolia, and in the event that there is insufficient capacity, the use of private refuse collection arrangements or the private homes will be secured through a section 106 agreement. The bin store facing Holmstall Avenue would be sufficient to accommodate the waste for the affordable homes in Block C for collection by Veolia in the event that the waste in blocks A and B would be collected by a private operator, on a more regular basis.

Demolition and Construction Management and Logistics Plan:

218. Although the development is some way from being started, a Demolition and Construction Managements and Logistics Plan has been submitted. Construction vehicles will access from Carlisle Road and egress Holmstall Avenue. A few banksmen will be provided to control access/egress. Delivery times will be kept between 9.30am-4.30pm to avoid peak travel hours, which is welcomed. Pedestrian crossing facilities will be provided to keep pedestrian movement to the south side of Carlisle Road.
219. Page 7 confirms wheel washing equipment will be provided to prevent mud and debris being carried out on to the Public Highway. A local drainage system should be provided within the site to ensure that the settling of silt is not discharged onto the Public Highway and regular sweeping and cleaning of the highway should be carried out also. Any damage to the highway should be reinstated back. Details of where operatives will park have not been provided at this stage, but a staff Travel Plan will be expected.

Sustainability and Energy

Policy background

220. Major planning applications should be supported by a Sustainability Statement in accordance with Brent's Policy BSUI1, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day.
221. All major developments are expected to achieve zero carbon standards including a minimum 35%

reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. Since the submission of the planning application, the Building Regulations have been updated with 2022 version. Nevertheless, given that the application was designed in accordance with 2013 regulations, it is considered appropriate to consider the carbon reductions in accordance with the Building Regulations 2013 Target Emission Rates. This policy also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

222. Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council. Policy BSUI1 also requires any proposal for commercial floorspace of over 1,000sqm to demonstrate that it achieves BREEAM Excellent standards.

Assessment of proposal

Carbon emissions

223. The energy assessment submitted sets how the London Plan energy hierarchy has been applied. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive energy saving measures. For this proposal, the applicants have used high specification fabric, energy efficient light fittings to minimise energy demand, the use of mechanical ventilation with heat recovery (MVHR).
224. For the 'be clean' stage, the applicants are required to explore the potential to connect to a district heat network (DHN), and on going discussions are taking place with the Council's energy officer to see if there are any potential nearby communal DHNs for the scheme to connect to. Regardless of the outcome of these discussions, the development should ensure that it is designed to allow future connection to a heat network and the details of a connection point to be incorporated into the development as a futureproofing measure will be secured by condition. Nonetheless, in the absence of a connection to a DHN, the development will not achieve any carbon savings through the 'be clean' stage of the hierarchy.
225. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to incorporate air source heat pumps located on the roofs of blocks A and B.
226. The GLA have confirmed that the development's energy strategy is in general compliance with the London Plan policies, although have sought some further information and clarification in relation to some matters, in particular, seeking confirmation that the PV array has been reasonably maximised. These matters will be resolved as part of the Stage 2 referral of the application to the GLA but the applicant has advised that the inclusions of pv panels would be limited given the lack of space within the roof tops when also needing to provide the ASHPs, other plant and external amenity spaces. Nonetheless, in light of these comments, a condition is to be applied requiring the submission and approval of a detailed roof plan showing a reasonably maximised coverage of PV panels. If this condition secures additional PV (and associated carbon savings), then this will be able to be secured by way of the final energy report submission made through the s106 mechanism.
227. The assessment demonstrates that the scheme as a whole (including residential and non-domestic) would deliver a 59% reduction in carbon emissions below the 2013 Building Regulations baseline, which is broken down into the following site-wide elements below:

<u>Total CO2 emissions – whole site</u>	Total Regulated emissions CO2 (kgCO2/year)	CO2 savings over baseline (kgCO2/year)	% reduction
Baseline Building Emissions based on Part L 2013	271.8	n/a	n/a
Building Emissions following 'Be Lean' measures	237.5	343	13%
Building Emissions following 'Be	0	0	0%

Clean' measures			
Building Emissions following 'Be Green' measures	111.2	160.6	59%

228. This above reduction in carbon emissions significantly exceeds the overall energy performance targets in SI2 for both residential and non-residential carbon savings. A carbon offsetting payment of £95 per year for 30 years for each tonne of emitted regulated carbon is to be secured from the developer in line with London Plan policy. This would be estimated to be around £320,000, although a detailed energy strategy would be secured within the s106 agreement with the need to pay any contribution should the scheme not achieve zero carbon.

229. A commitment has been provided that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages. This will be secured through the s106 Agreement.

Sustainable Design

230. The submitted Sustainability Statement outlined a number of sustainable design measures which would be incorporated into both the residential and non-residential elements of the scheme. These include measures (including the use of individual water meters and flow restrictors) to ensure the residential dwellings would be limited to water consumption of less than 105 litres per person per day. Officers recommend a condition to ensure that water consumption is restricted to less than 105 litres per person per day as identified above, as is required by London Plan policy SI5.

231. The sustainability statement proposes that the non-residential components of the development will target a minimum BREEAM rating of 'Excellent'. The BREEAM pre-assessments for these components identifies scores of 6 credits on water measures. This is in accordance with Policy SI.5 of the Intend to Publish London Plan and is strongly supported.

232. With regard to overheating, the applicants have submitted an overheating report setting out a number of measures being used to achieve the requirements of London Plan Policy SI4.

233. A Whole Life Cycle Carbon Assessment has been provided, as required by London Plan policy SI2, demonstrating whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrating actions taken to reduce life-cycle carbon emissions. The GLA requested further information and set out the requirement for the applicant to submit a post construction assessment to report on the developments' actual WLC emissions.

234. A Circular Economy statement has been submitted, as required by London Plan policy SI7, demonstrating:

- How all materials arising from demolition and remediation works will be re-used and /or recycled;
- How the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life;
- Opportunities for managing as much waste as possible on site;
- Adequate and easily accessible storage space to support recycling and re-use;
- How much waste the proposal is expected to generate, and how and where the waste will be handled.

235. The GLA is reviewing this statement and will provide comments in due course. Any concerns raised by the GLA can be addressed as part of a Stage 2 referral.

236. The submitted statement includes commitments to a pre-demolition audit and the potential to minimise waste through recovery of materials. A resource management plan will outline the strategy to reduce waste on the construction site and monthly monitoring will ensure that subcontractors engage in

the process.

Trees, biodiversity and urban greening

237. The potential effect of development on trees in and surrounding the site, whether statutorily protected or not, is a material consideration in the determination of planning applications, and Brent's Policy BG12 requires major developments to make provision for the planting and retention of trees on site. London Plan Policy G6 and Brent's Policy BG11 encourage development proposals to secure a net gain in biodiversity.

238. London Plan Policy G5 expects major developments to incorporate urban greening measures as a fundamental element of the design and recommends a target Urban Greening Factor of 0.4 for predominantly residential developments.

Biodiversity

239. An ecology assessment was submitted. It noted that in terms of existing habitats on site the site has negligible ecological importance. A preliminary bat roost assessment was also carried out and that noted that buildings B1 (Symal House) and B3 (car repair garage) have potential roost features for bats such as panel gaps, gaps in brickwork, lifted roofing felt and a gap in the soffit box. The tree on site and building B2 were not considered to have potential for roosting bats. As such it is recommended that an emergence/re-entry bat survey is completed, and in the event that the survey concludes that bats are present, a licence from Natural England would be required prior to demolishing the relevant buildings. The survey should take place between May-August. As bird nests could be present on site, vegetation clearance is recommended to take place outside of the bird nesting season. Such details are recommended to be conditioned within a CEMP.

240. As part of the new development a number of ecological enhancements are proposed within the scheme to achieve a biodiversity net gain of +307.1%. This would be achieved through the following measures:

- Provision of two bat boxes within the new development
- House sparrow and starling nest boxes
- Lighting to be designed to minimise disturbance to bats
- Biodiversity planting including evergreen, native and nectar-rich species
- Species-rich flowering lawn
- Biodiverse roof with meadow including evergreen, native wildflowers and nectar-rich, species
- Deciduous and evergreen trees including native species
- Stag beetle loggers, logs and rubble
- Shallow water depression for bird wash
- Invertebrate box

241. It is recommended that the above measures are secured as conditions to any forthcoming consent.

Urban Greening Factor

242. The submission achieves a score of UGF rating of 0.38, which is a shortfall on the London Plan requirement of 0.4. The GLA have advised that the application should seek to improve the quality or quantity to increase the UGF where possible, and remove the proposed green walls. The GLA have suggested features for consideration may include improving the quality of the proposed green roof, introduce further planting and consider permeable paving. However, soft landscaping is shown in the adopted highway which Highways do not consider to be acceptable. A revised UGF calculation is due to be submitted which will further reduce this score. However, it is considered that the level of urban greening has been optimised and will be lower than the target due to the constrained nature of the site.

Trees

243. The application site currently contains few trees and as part of the proposal all of these trees are proposed to be removed (6 trees in total). The scheme includes replacement tree planting. The landscape plans show 109 new trees which is a significant uplift in the number of trees on site. The tree officer has not raised objections to the loss of the existing trees (but notes in their opinion that the Silver Birch on the highway verge on Holmstall Avenue should be classified at category B rather than C). They also note that only 31 trees are proposed at ground floor level in natural soil. They have requested that options are explored to plant as many significantly sized trees as possible at ground floor level, set back as far as is possible from the proposed building, and options to be explored for increased tree planting in the car park where possible. They have no raised objections to small and multi stemmed trees to be planted at podium level, levels 9 and 13.
244. The GLA have also requested that where trees are proposed to be removed the application should provide an assessment of the value of the trees to be lost using 'i-tree' or 'CAVAT'. Such information has been provided by the applicant that advises that the value of the existing trees would be around £9,345.97 and the value of the replacement trees to be planted (at 25 years) would be £193,365.00. Although the number of trees may change at ground floor level to take on board the tree officer comments, this would still result in a significant uplift both in number and value. Further details will be provided within a supplementary report.

Environmental Health Considerations

Air quality

245. Like many areas in Brent, the site is within an air quality management area, and London Plan Policy SI1 requires major developments to be supported by an air quality assessment and to demonstrate 'air quality neutral' impacts. The assessment should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development.
246. In addition, policy BSUI2 of Brent's Local Plan 2019-2041 sets out the requirements for Major developments within Growth Areas and Air Quality Focus Areas to be required to be Air Quality Positive and elsewhere Air Quality Neutral. Where on site delivery of these standards cannot be met, off-site mitigation measures will be required.
247. The applicant has submitted an air quality assessment, which includes an air quality positive assessment prepared by Create Consulting, which provides an assessment of the impacts on air quality.
248. The assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. This concluded that future occupiers of the development would not be exposed to harmful levels of pollutant concentrations, and therefore no mitigation measures were required. A condition to manage dust is recommended during construction and this would be covered through the construction management plan.
249. The air quality assessment has considered both building and transport emissions. In relation to building emissions, the proposed development is wholly based on air source heat pumps. There are no gas systems, or systems with combustion processes being proposed. Therefore, development will not include any NO_x emissions. In addition, the development will contain a diesel back-up generator in case of any power shortages; to provide emergency and life safety power supply, alongside operational testing. The generator will comply with Stage V emission standards, in line with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards and will be operational for less than 50 hours per year. As the generator will be operational for emergencies and testing for less than 50 hours per year, it has been excluded from this assessment, in line with the Draft AQN LPG,
250. With regards to transport emissions, based on benchmark trip rates for the development as proposed, the results show that the development should not produce more than 477884 trips per year to be air quality neutral. The actual scheme will involve 167900 development trips per year. This figure would be 309984 trips below the TEB provided by the Draft AQN LPG Guidance, and therefore air quality neutral, with no mitigation measures required.
251. To achieve air quality positive, a number of measures have been proposed including the need for residents to be able to access outdoor balconies and communal gardens, the use of mechanical

ventilation heat recovery system to all residential homes. Use of PV panels on empty roof spaces, position air inlets away from Edgware Road and introduce trees and greenery on site. Electric vehicle charging points and cycle parking that exceeds London Plan standards are also proposed. It is recommended that such measures are conditioned to any forthcoming consent.

Construction Noise and Nuisance

252. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

253. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Environmental Method Statement to be submitted for approval before works start. This report will need to include management of dust through wheel washing and other mitigation measures.

254. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

Contaminated land

255. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The site to be redeveloped and the surrounding area has been identified as previously contaminated. This assessment does indicate remediation works are required in relation to soils and also gas protection measures. The report also advises that further investigative works should be undertaken when the site is vacated. Officers are satisfied that the proposals are acceptable, subject to conditions requiring further site investigation works following demolition of the existing building, and any remediation works arising from this to be completed before first occupation or use.

Noise

256. Policy D13 of the London Plan places the responsibility for mitigation impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. The development would sit adjacent to a locally significant industrial site which contains an industrial unit at No. 19 Carlisle Road. The occupier of No. 19 Carlisle Road has raised concerns with the proximity of a new residential development next to their business and the increased risk of noise complaints once new residents move in. The applicant has submitted a Noise Assessment prepared by KPA Acoustics has been submitted which considers both the impact of the prevailing noise climate on the proposed noise sensitive receptors associated with the development and the impact of noise generating elements of the development on existing and proposed residential receptors. The Noise Assessment concludes that, subject to providing for robust glazing, the internal noise levels for the residential units would be acceptable. No further mitigation measures should be required to protect the proposed habitable spaces from external noise intrusion.

257. The Noise Assessment states that noise levels at balconies will remain above 55dB LAeq,T (the target from BS8233). It states that the noise levels at balconies have been mitigated as best as possible and that the proposal should be considered in the context of the area, which is a high noise, urban area. In this urban context, and given the limited space for external amenity, it is considered that the amenity benefits of providing balconies recognised over the noise levels experienced by the occupiers of these units.

258. The Council's Regulatory Services have reviewed this assessment and deem it suitable and therefore provided the mitigation measures are installed the scheme is acceptable in terms of noise considerations. The Noise Impact Assessment is to be conditioned.

259. To ensure that any plant machinery on the building does not incur unacceptable noise pollution to surrounding properties, a condition limiting plant noise will be applied to the consent.

Lighting

260. The submitted Lighting Strategy, prepared by Create Consulting includes measures to reduce light

pollution, through the selection of low mounted luminaries motion sensor activation. The assessment also includes an external lighting design and calculations. This demonstrates that the mitigation measures will reduce the impact of the proposed development. As such the proposed development will not unacceptably increase exposure to light in accordance with Policy DMP1 and will reduce light pollution in accordance with Policies D8 and D9 of the London Plan.

261. A condition is to be attached requiring that a lighting strategy inclusive of details of luminance levels at the nearest residential windows are submitted and approved by the Local Planning Authority before any of the residential units are occupied, and for the lighting to be designed to be sensitive to bats.

Impacts on microclimate and reception of TV and radio services

262. London Plan Policies D3, D8 and D9 emphasise the importance of the local microclimate created by new development involving tall buildings, in particular the need to ensure comfortable wind conditions. In accordance with these policies, a Wind Microclimate Assessment is required. A survey of the predicted impacts of the development on the TV and radio reception of neighbouring properties is also required, due to the height and scale of the development, including FM radio and digital terrestrial and satellite television, together with any mitigation measures recommended. This will be secured within the Section 106 Agreement.

263. The Wind Microclimate Assessment submitted uses the Lawson Comfort Criteria, which is the industry standard defining how an average pedestrian would react to different wind levels. Wind speeds are categorised as being suitable for either sitting, standing, strolling or walking, or as uncomfortable for most activities. Developments should aim to provide at least strolling conditions along pedestrian thoroughfares, standing conditions at main entrances, drop off areas, taxi ranks and bus stops, sitting conditions at outdoor seating areas in the summer, and standing conditions in large public amenity spaces in the summer, with sitting conditions at designated seating locations. Finally, sitting or standing conditions should be achieved in summer on balconies and private amenity spaces – providing sitting conditions in summer would generally ensure that standing conditions could be maintained in winter. Strong wind thresholds requiring mitigation measures are also defined.

264. The scheme has been designed with consideration to the existing (and proposed) microclimate, particularly with regards to wind. The submitted Wind Assessment states that the proposed development is not expected to change conditions on site significantly. It demonstrates that the external areas of the proposed development are suitable for their intended uses. It states that the proposed development is likely to be partially protected by the surrounding buildings and wind effects in general are likely to be negligible, with the exception of the roof terraces on blocks B and C that may result in a minor to moderate impact, making the area only suitable for walking on highly windy days. 2.1m high screening would be proposed to the roof terraces. No specific mitigation measures are proposed.

Flood risk and drainage

265. Policy SI12 of London Plan relates to flood risk. Policy BSUI3 of Brent's Local Plan relates to managing flood risk and sets out that proposals requiring a Flood Risk Assessment to demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:

- (a) minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
- (b) wherever possible, reduce flood risk overall; ensure a dry means of escape;
- (c) achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and
- (d) not create new basement dwellings in areas of high flood risk

266. The site is in Flood Zone 1 (low risk) but is within a Critical Drainage Area (CDA). Environment Agency mapping shows a pluvial flood flow route encroaching within the western and southern parts of the site. The flow route generally flows from north-west to south-east and shows flood depths up to 600 millimetres in the design medium risk scenario. The FRA states that no residential uses are proposed at

basement or ground floor level and proposes flood resilient and resistant design; this is supported. However, the FRA should provide an assessment of existing and proposed levels to demonstrate that the existing flow route is retained post-development to demonstrate that floodwater is not displaced off site. The FRA adequately assesses the risk of flooding from fluvial/tidal, sewer, and reservoir sources, which is considered to be low. When mitigation measures are considered, the flood risk from groundwater is low. However, it does not give appropriate regard to the risk of displacing pluvial floodwater off-site.

Sustainable drainage

267. Brent Policy BSUI4 requires sustainable drainage measures, and a drainage strategy is required, in accordance with the sustainable drainage hierarchy set out in London Plan Policy SI13. The site location is within a surface water flood zone 3a and a critical drainage area.
268. The submitted Sustainable Drainage Statement, states that surface water will be attenuated through the use of green roofs, tanked permeable paving and a below ground attenuation tank. The drainage strategy proposes to restrict runoff to 2.3 l/s (equivalent to the calculated 1-year greenfield runoff rate) for the 100-year event plus 40% climate change, which is supported. The GLA have advised that pumping is not a sustainable solution to surface water discharge and should be avoided. The drainage strategy should be re-visited to incorporate the attenuation volume above ground or robust justification should be provided as to why pumping is included. In response, the applicant has advised that due to space constraints within the site, it is not possible to site a suitably sized above ground attenuation feature such as a pond. The attenuation feature proposed is a 3.89m deep tank, sized as such to fit beneath the basement access ramp. Due to the depth of tank required it was deemed necessary to install a pump to allow connection to the public surface water sewer within Holmstall Avenue. It is noted that the invert levels on the surface water sewers surrounding the site are quite shallow with Holmstall Avenue being the deepest viable connection point at 2.34m deep. Given the length of internal pipe network required within the site a manhole with this invert level would still require a pumped connection from the site as the attenuation feature being either above or below ground, would need to be below this m AOD level to receive incoming building drainage pipework.
269. The GLA have also requested that rainwater harvesting is included, and the updated drainage strategy notes that rainwater harvesting in the form of lower roof mounted water butts will be included in the scheme for use in irrigating the upper level open space/green roof areas. These will be connected and fed via down pipes from upper rooftop areas and as such will not be included on the highest roof area. The above matters will need to be reviewed in further detail by the GLA ahead of the stage 2 referral.
270. The Council's Local Lead Flood Officer has also assessed the flood risk assessment and advised that the site proposes a significant improvement in surface water discharge to greenfield runoff rates, additionally the site will include permeable paving, green roofs and underground storage attenuation and demonstrated sufficient mitigation measures within the assessment.

Socio-Economics

271. The Environment Statement includes an analysis of the development's impact on local socio-economic conditions. It is considered that the development will largely have beneficial effects on local socio-economic conditions with respect to areas such as housing targets, multiple deprivation, crime, population and the labour market, increased local expenditure, increased Gross Value Added and increased business rates revenue. Officers would note that employment and training obligations as well as the new employment generating floor space proposed are two parts of the proposal that would have a direct effect in terms of local socio-economic improvements.

Utilities

272. The applicants have submitted a report setting out the existing and required utilities / statutory services for the scheme, including clean water supply, sewer connection, gas, electric and internet. The details of the report are not considered to contravene any relevant planning policies.
273. The statutory services report indicates that fibre internet is proposed to be made available to all apartments, which would accord with the aims of London Plan policy SI6.

Equalities

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

Conclusion

275. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions.

276. The level of affordable housing provision been demonstrated to be the maximum reasonable amount that can be viably delivered in this case. There is an impact on light and outlook to some habitable rooms within Holmstall Avenue, which would be noticeable but commensurate with development within the high density urban environment expected within this Growth Area. The proposal would also result in the loss of Symal House, a locally listed building. Overall, the harm associated with the development would be outweighed in this case by the benefits of redeveloping the site, including the provision of a significant number of new homes and public realm improvements.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 22/1065

To: Mr Courtier
Pegasus Group
21 Ganton Street
London
W1F 9BN

I refer to your application dated **21/03/2022** proposing the following:

Demolition of No. 421 and 423 (Symal House) Edgware Road and erection of a building of up to 20 storeys (plus basement) to provide residential dwellings, with convenience foodstore and flexible commercial units at ground floor, together with associated car / cycle parking (basement and ground floor); vehicular access (Carlisle Road / Holmstall Avenue) and highways works (including provision of delivery bay to Carlisle Road / Holmstall Avenue); private amenity space; public realm and landscaping

and accompanied by plans or documents listed here:
See condition 2.

at **Symal House and 421 Edgware Road, London, NW9**

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: 06/12/2022

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

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 2019-2041

- 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 accordance with the following approved drawing(s) and/or document(s):

D208 - 0531 - REV02, D204 - 0531 - REV02, D202 - 0531 - REV02, D119 - 0531 - REV02, D118 - 0531 - REV02, D117 - 0531 - REV02, D116 - 0531 - REV02, D116 - 0531 - REV02, D114 - 0531 - REV02, D113 - 0531 - REV02, D112 - 0531 - REV02, D111 - 0531 - REV02, D110 - 0531 - REV02, D109 - 0531 - REV02, D108 - 0531 - REV02, D107 - 0531 - REV02, D106 - 0531 - REV02, D105 - 0531 - REV02, D104 - 0531 - REV02, D103 - 0531 - REV02, D102 - 0531 - REV02, D101 - 0531 - REV02, D100M - 0531 - REV01, D100 - 0531 - REV02, D300 - 0531 - REV01 – 22101, D207 - 0531 - REV01, D206 - 0531 - REV01, D205 - 0531 - REV01, D204 - 0531 - REV01, D201 - 0531 - REV01, D200 - 0531 - REV01, D121 - 0531 - REV01, D120 - 0531 - REV01, D099 - 0531 - REV01, 2158-EXA-00-ZZ-DR-L-113, 2158-EXA-00-ZZ-DR-L-112, 2158-EXA-00-ZZ-DR-L-111, 2158-EXA-00-ZZ-DR-L-110, 2158-EXA-00-ZZ-DR-L-100, 2158-EXA-00-ZZ-DR-L-100, D600 - 0531 - REV00, F099 – 0531, F100 – 0531, F101 – 0531, F102 – 0531, F103 – 0531, F200 – 0531, F201 – 0531, D500 – 0531, D501 – 0531, D502 – 0531, D503 – 0531, D504 – 0531, D505 – 053, WBR-CM-SFS-65-S10

Supporting Documents

Exterior Architecture Landscape Statement - 220201_EXA_2158, Create Consulting Engineers Ltd Whole Life Carbon Assessment (February 2022), Create Consulting Engineers Ltd Circular Economy Statement (February 2022), Pegasus Group Heritage Statement V3 (January 2022), Overheating Assessment Rev A, Create Consulting Engineers Ltd Wind Assessment Rev A (December 2021), Create Consulting Engineers Ltd Air Quality Neutral Assessment Rev A, Create Consulting Engineers Ltd Air Quality Assessment Rev A, Planning Cover Letter (Dated: October 2022), Pegasus Group Townscape and Visual Impact Analysis Pt 1-4 (February 2022), Pegasus Group Townscape and Visual Impact Analysis Addendum Pt 1-4 (13th October 2022), Transport Planning Practice Transport Assessment (February 2022), Transport Planning Practice Transport Assessment (October 2022), Create Consulting Engineers Ltd Sustainability Statement Rev A (February 2022), Pegasus Group Planning Statement (February 2022), Pegasus Group Planning Statement Addendum (October 2022), Create Consulting Engineers Ltd Flood Risk Assessment and Drainage Strategy Pt 1 – 2 (February 2022), BB7 Fire Statement (14th October 2022), BB7 Fire Strategy (14th October 2022), Create Consulting Engineers Ltd Energy Statement (February 2022), Rapleys Daylight and Sunlight Study (Within) (October 2022), Rapleys Daylight and Sunlight Study (Neighbouring) (October 2022), Barrett Mahony Basement Impact Assessment, Barrett Mahony Basement Impact Assessment Cover Letter (Dated 4th October 2022), Arboricultural Statement, Accommodation Schedule, Create Consulting Engineers Ltd Utilities Assessment Pt 1 – 4 (December 2021), Tyler Grange

Preliminary Ecology Assessment (9th February 2022), Pegasus Group Retail Impact Assessment (February 2022), Eversleigh Statement of Community Involvement, Planning Statement, KP Acoustics Noise Impact Assessment Rev A (10/12/2021), Pegasus Group Health Impact Assessment (February 2022), Create Consulting Engineers Ltd Overheating Assessment (February 2022), Transport Planning Practice Framework Travel Plan (February 2022), Create Consulting Engineers Ltd Energy Statement Rev B (February 2022), Transport Planning Practice Delivery and Servicing Management Plan, GTech Surveys Limited Electromagnetic interference assessment Issue 02, Create Consulting Engineers Contamination Phase 1 Assessment, Create Consulting Engineers Ltd BREEAM Impact Assessment, Sheen Lane Demolition and Construction Management and Logistics Plan (23rd February 2022), Pegasus Group Economic Statement (February 2022), Create Consulting Engineers Ltd Lighting Impact Assessment Rev A (December 2021), Create Consulting Engineers Ltds Phase 2 Geo-environmental Assessment (December 2021), Sheen Lane Developments Financial Viability Assessment (March 2022), Tyler Grange Bat Survey report (31st May 2022), LandArb Solutions Arboricultural Statement (19.10.2022), Pegasus Group Planning Cover Letter (dated 21st October 2022), Base Associates DAS Addendum (October 2022).

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

- 3 The scheme hereby approved shall contain 252 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the commercial floorspace shall be used only for purposes in Use Class E(a) and E(g)(ii) and (iii) as set out below, unless otherwise agreed in writing by the Local Planning Authority. The commercial floorspace shall include not less than 215sqm of floorspace in Use Class E(g)(ii) and (iii) and not more than of 1,675sqm of floorspace in Use Class E(a).

Reason: To allow the impact on nearby town centres of providing a larger retail unit in this location to be assessed in accordance with Brent Policy BE4 and to maintain industrial floorspace in accordance with policy BE3.

- 5 The car parking and the bin storage facilities as shown on the approved plans or as otherwise approved in writing by the local planning authority shall be installed prior to occupation of the development and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose.

- 6 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.

- 7 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 Control of Dust and Emissions During onstruction and Demolition SPG (July 2014), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan Policy SI1.

- 8 A communal television aerial and satellite dish system 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

- 9 The podium external amenity space shall be provided for the use of all residents for the lifetime of the development.

Reason: To ensure a tenure-blind development providing adequate external amenity space for all residents.

- 10 Prior to occupation of the development hereby approved, electric vehicle charging points shall be provided to at least 20% of the Blue Badge spaces provided, whilst the remaining spaces shall be provided with passive electric vehicle charging facilities.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy T6.1

- 11 The development hereby approved shall be built so that no fewer than 30 of the residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings, and the remaining homes achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

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

- 12 The windows on the western face of the building within Block C shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s) and not restrict development within adjoining site allocation BNSA1 - Capitol Way Valley.

- 13 Between the second and fourteenth floors of the development (inclusive), the windows to the south facing elevation of block A that serve the kitchen spaces of combined living, kitchen and dining rooms (as shown on the approved plans) and the windows to the north facing elevation of block B that immediately front bedspaces within bedrooms (as shown on the approved plans) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition from first occupation thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- 14 Prior to commencement of the development hereby approved, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plan shall include:

- i. Forecast construction trip generation and mitigation proposed;
- ii. Site access arrangements and booking systems;
- iii. Construction phasing;
- iv. Vehicular routes to the site;

The development shall thereafter operate in accordance with the approved Construction Logistics Plan.

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

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

- 15 Prior to the commencement of the development a Construction Method Statement (CMS) 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 CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works.

All agreed actions shall be carried out in full.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Reason for pre-commencement condition: Construction nuisance can occur at any time during the construction process, and adequate controls need to be in place prior to works starting on site.

- 16 Prior to the commencement of the development a Construction Ecological Management Plan shall be submitted to and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. The development shall thereafter operate in accordance with the approved document.

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

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

- 17 Prior to commencement of development (excluding demolition, site clearance and below ground works), a scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority. The insulation shall be designed so that noise from any proposed commercial units does not adversely impact the residential units. The commercial units shall not result in an exceedance of the indoor ambient noise levels specified within BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in the flats adjacent to the uses. The approved insulation measures shall thereafter be implemented in full accordance with the approved measures.

Reason: To protect acceptable local noise levels

- 18 Prior to commencement of development (excluding site preparation and demolition), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3 and Brent's Local Plan Policy BSUI1.

- 19 Prior to commencement of development (excluding site preparation and demolition), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating

the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

- 20 Prior to the commencement of works (excluding demolition, site clearance and below ground works) detailed studies shall be submitted to and approved in writing by the Local Planning Authority which shall include detailed sections, elevations and where relevant, technically specifications illustrating how specific elements of the façades will be constructed, to include typical windows, parapets, balconies, soffits and the junctions between key materials. The development shall be carried out in full accordance with the approved details.

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

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

- 21 Prior to commencement of development (excluding site preparation and demolition), a detailed drainage strategy including drainage layout plan shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the approved Sustainable Drainage Statement but shall also include proposals for rainwater harvesting and blue roofs, or shall demonstrate that these features cannot be achieved within the approved design.

The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure adequate sustainable drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policy BSUI4.

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

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

- 23 Within 18 months of works commencing on the development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, and further details of:

- Proposed materials for all hard surfaces;
- Precise locations of 10 Sheffield stands to be provided within the public realm;
- Species, locations and densities for all trees, grass and shrubs
- Play spaces including proposed equipment,
- Biodiversity enhancement measures as recommended in the approved Preliminary Ecological Appraisal;
- Proposed walls, fencing and gates, indicating materials and heights.
- Details of defensible space of 1.5m depth to all habitable room windows facing onto communal amenity spaces;
- Details of any signs and signboards within the site;
- Details of proposed fixed planters and bench seating;
- Tree pits for all new tree planting;
- Soil depth and composition on roof terraces;

- Details of high levels screens between balconies;
- Details of the proposed arrangements for maintenance of the landscaping.

The approved landscaping scheme shall be completed:

(a) prior to first occupation or use of the building, in respect of hard landscaping components and wind mitigation measures;

(b) during the first available planting season following completion of the development hereby approved, in respect of all other soft landscaping components.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 24 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 when measured at the nearest noise sensitive premises.

Prior to installation of any plant, 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 details of any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority.

The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

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

Time	Area	Maximum noise level
Daytime noise 07:00 - 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 - 07:00	Bedrooms	30 dB LAeq (8hr)

Prior to first occupation or use of the development, the results of a test carried out to demonstrate that the required internal noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To obtain required sound insulation and prevent noise nuisance

- 26 Prior to first occupation or use of the site, any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full, and a verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Local Planning Authority has previously confirmed that no remediation measures are required).

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

- 27 Prior to first occupation or use of the development, further details of arrangements for the allocation of on-site parking spaces including for Blue Badge holders shall be submitted to and

approved in writing by the Local Planning Authority in the form of a Car Park Management Plan in general accordance with London Plan 2021 Policy T6.1. The Plan shall include details of how the use of the spaces provided for non-residential use shall be managed so as to minimise opportunities for unauthorised access to residential cores and additional signage indicating restricted headroom signage must be placed above the delivery bay entrance.

The development shall thereafter be constructed and operated in full accordance with the approved details.

Reason: To ensure on-site parking is managed in an acceptable manner for the benefit of residents.

- 28 Prior to first occupation or use of the development, a Building Management and Maintenance Plan incorporating a Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority. This document shall set out, inter alia, a long-term maintenance strategy for the development, measures to ensure the long-term affordability of running costs and service charges for all types of occupiers, and measures to ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

All delivery and servicing activity shall thereafter be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a high standard of design is maintained, in accordance with London Plan 2021 Policy D4, and to ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

- 29 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority (through the submission of an application for approval of details reserved by condition) prior to the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 30 Prior to first occupation or use of the 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, 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 building.

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

- 31 Prior to the occupation of the 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, 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.

Reason for pre-commencement condition: All stages of the construction process create waste arisings, and appropriate controls need to be in place before work commences.

- 32 Prior to first occupation of the development hereby approved, a site wide refuse management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of alternative arrangements setting out more frequency collection times of the residential waste from the collection stores than a once a week collection in the event that the collection stores are not of sufficient size for the number of bins required to be collected.

The approved details shall be implemented accordingly following first occupation of the development.

Reason: To ensure that the development is fit for purpose and will establish a suitable living environment for residents.

- 33 Prior to first occupation or use of the non-domestic floorspace hereby approved, and notwithstanding Condition 2, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSUI1.

- 34 Within six months of commencement of works above ground level, a plan showing the arrangement of cycle storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out the following cycle storage provision:

- 504 cycle parking spaces to be provided;
- 20 short-stay cycle parking spaces surrounding the perimeter of the building;
- A suitably sized lift to allow cycle access to the basement and cycle stores for the residential cores.

The cycle parking submissions shall be compliant with London Plan standards.

The approved details shall be implemented prior to the first occupation of the development hereby approved.

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users.

INFORMATIVES

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

- 2 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 3 The following British Standards should be referred to:
- a) BS: 3882:2015 Specification for topsoil
 - b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
 - c) BS: 3998:2010 Tree work – Recommendations
 - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
 - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
 - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
 - g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
 - h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
 - i) BS: 8601:2013 Specification for subsoil and requirements for use
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via [https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j_0G!VHHbU28dB6ye3Emfrs3_4pkdobbZqvsIkq0vJjsUF2Ft2VM78-CK-wADc3KIlg2z6oq04azy2SncSGkRbCTM8tQZv5a9tU\\$](https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j_0G!VHHbU28dB6ye3Emfrs3_4pkdobbZqvsIkq0vJjsUF2Ft2VM78-CK-wADc3KIlg2z6oq04azy2SncSGkRbCTM8tQZv5a9tU$)
- 5 As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via [https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j_0G!VHHbU28dB6ye3Emfrs3_4pkdobbZqvsIkq0vJjsUF2Ft2VM78-CK-wADc3KIlg2z6oq04azy2SncSGkRbCTM8tQZv5a9tU\\$](https://urldefense.com/v3/http://www.thameswater.co.uk/!!CVb4j_0G!VHHbU28dB6ye3Emfrs3_4pkdobbZqvsIkq0vJjsUF2Ft2VM78-CK-wADc3KIlg2z6oq04azy2SncSGkRbCTM8tQZv5a9tU$) .

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149