

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

9 August, 2023  
06  
22/1145

## SITE INFORMATION

RECEIVED	28 March, 2022
WARD	Alperton
PLANNING AREA	Brent Connects Harlesden
LOCATION	Prospect House, North Circular Road, Stonebridge, London, NW10 7GH
PROPOSAL	Demolition of existing building and erection of a 23 storey building to provide 139 units (Use Class C3) and 801sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works (DEPARTURE FROM POLICY: E4 OF THE LONDON PLAN AND BE2 OF BRENT'S LOCAL PLAN)
PLAN NO'S	See Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_159622">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_159622</a></p> <p><b><u>When viewing this as a Hard Copy</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search typing "22/1145" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

1. That the Committee resolve to **GRANT** planning permission subject to:
  - (i) 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 a minimum of 47 affordable housing units, comprised of a minimum of:
      - a) 33 London Affordable Rented dwellings
      - b) 14 units for Shared Ownership
      - c) Together with an early and late-stage review mechanisms in accordance with the Mayor of London SPG to capture any uplift in affordable housing.
    4. Employment and Training obligations, comprised of:
      - a) The submission of an 'Employment and Training Plan' (a document setting out how the obligations in section 106 agreement would be met and which includes information about the provision of training, skills and employment initiatives for Local Residents relating to the construction and operational phase of the development) to the Council for its approval prior to the material start of the development;
      - b) a commitment to meet with Brent Works (the Council's job brokerage agency dedicated to assisting unemployed Residents into sustainable employment), or such relevant equivalent successor body (working with local partners including local colleges, the Job Centre Plus and third sector welfare providers to reduce current levels of unemployment within the borough) to identify the anticipated employment and training opportunities arising during the construction phase;
      - c) a commitment to deliver the adopted employment targets - (7 construction jobs of at least 26 weeks, 7 construction apprenticeships of at least 52 weeks & 3 operational jobs for Brent residents
      - d) a commitment to pay the job support contribution (£15,950) commensurate with those targets, except where construction apprenticeship target is exceeded, with this payment reduced by £1,000 per construction apprenticeship delivered above target;
      - e) a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
      - f) specific commitments in respect of employment opportunities in relation to operational phases;
      - g) where it is not possible to achieve employment targets in line with the approved Employment and Training Plan, and it has not been demonstrated that reasonable endeavours were undertaken to achieve the employment targets, a commitment to pay the additional financial contributions which are calculated as follows:
      - h) Shortfall against target numbers of jobs/apprenticeships lasting a minimum of 26 weeks for an
      - i) unemployed Local Resident x £5,000 (the average cost of supporting an unemployed Local Resident into sustained employment)

5. A financial contribution of £35,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site.
  6. A financial contribution (to be agreed with TfL) towards improvements to Stonebridge Park Station;
  7. A financial contribution (to be agreed with TfL) towards bus service enhancements in the vicinity of the site;
  8. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any CPZ that is introduced in the future;
  9. The stationing of a Car Club vehicle at the site (subject to the agreement of a Car Club operator) and/or the provision of three years' free membership for residents of a Car Club;
  10. The provision of an unobstructed permissive footpath through the site to connect Old North Circular Road to a reopened pedestrian footpath to the Grand Union Canal along with suitable wayfinding signage;
  11. The approval and implementation of a modified Travel Plan incorporating greater support for Car Clubs and further clarity on future monitoring surveys;
  12. To enter into a S278 agreement for any Highways works associated with the development;
  13. Securing affordable workspace provision;
  14. Approval of a detailed design stage energy strategy;
  15. Commitment to net zero carbon with financial contribution towards carbon offsetting with the initial payment calculated to be £184,944 (residential) and £25,392 (non-residential) and the final contribution calculated following the submission and approval of the detailed design stage energy strategy;
  16. Commitment to 'Be Seen' monitoring in respect of carbon emissions;
  17. Canal and River Trust Financial Contribution (TBC); and
  18. Indexation of contributions in line with inflation
  19. Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (ii) That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- (iii) That the Head of Planning is delegated authority to issue the planning permission and impose conditions and Informatives to secure the following matters:

## **CONDITIONS**

### **Compliance**

1. TIME LIMITED
2. APPROVED PLANS
3. INDUSTRIAL FLOORSPACE
4. RESTRICTED USE (LIGHT INDUSTRIAL)
5. PROVISION OF COMMERCIAL PRIOR TO RESIDENTIAL OCCUPATION
6. NUMBER OF AFFORDABLE DWELLINGS

7. NUMBER OF DWELLINGS
8. PARKING / CYCLE PARKING / REFUSE STORAGE
9. EV CHARGING
10. NON ROAD MOBILE MACHINERY
11. FIRST PLANTING AND REPLACEMENT PLANTING
12. DELIVERY AND SERVICING PLAN

Pre-commencement

13. CONSTRUCTION ENVIRONMENTAL PLAN
14. CONSTRUCTION LOGISTICS PLAN
15. CONSIDERATE CONSTRUCTORS SCHEME
16. CIRCULAR ECONOMY STATEMENT

Post-commencement

17. FIRE STRATEGY
18. PILING METHOD STATEMENT
19. CONTAMINATION: SITE INVESTIGATION
20. DRAINAGE STRATEGY
21. DISTRICT HEAT NETWORK CONNECTION
22. WHOLE LIFE CARBON ASSESSMENT
23. FRONTAGE AND SIGNAGE FOR COMMERCIAL UNIT(S)
24. COMMUNAL AERIAL AND SATELLITE DISH SYSTEM
25. DIGITAL CONNECTIVITY
26. ECOLOGICAL ENHANCEMENTS FOR FLOOD RISK
27. LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN
28. GREEN AND BLUE ROOF
29. WIND MITIGATION
30. OVERHEATING MITIGATION STRATEGY
31. SECURE BY DESIGN
32. ACCESSIBLE HOUSING
33. MATERIALS SAMPLES
34. LANDSCAPING
35. ECOLOGICAL LIGHTING STRATEGY

36. FLOOD WARNING AND EVACUATION PLAN

37. SATELLITE DISHES / TV ANTENNA

38. ACTIVE TRAVEL ZONE

Pre-occupation

39. PARKING DESIGN & MANAGEMENT PLAN

40. CIRCULAR ECONOMY: POST COMPLETION

41. WATER INFRASTRUCTURE

42. WATER EFFICIENCY

43. CONTAMINATION: REMEDIATION & VERIFICATION

44. EXTERNAL LIGHTING

45. NOISE ASSESSMENT: MECHANICAL PLANT

46. REVISED TRAVEL PLAN

47. INTERNAL NOISE LEVELS

48. EXTRACT SYSTEMS

49. URBAN GREENING

Post-completion

50. BREEAM CERTIFICATION

**INFORMATIVES**

1. CIL LIABILITY

2. PARTY WALL INFORMATION (STANDARD WORDING)

3. BUILDING NEAR BOUNDARY INFORMATION (STANDARD WORDING)

4. LONDON LIVING WAGE NOTE (STANDARD WORDING)

5. FIRE SAFETY ADVISORY NOTE

6. ASBESTOS

7. FLOOD RISK ACTIVITY PERMIT

8. ANY OTHER INFORMATIVE(S) CONSIDERED NECESSARY BY THE HEAD OF PLANNING

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

# SITE MAP

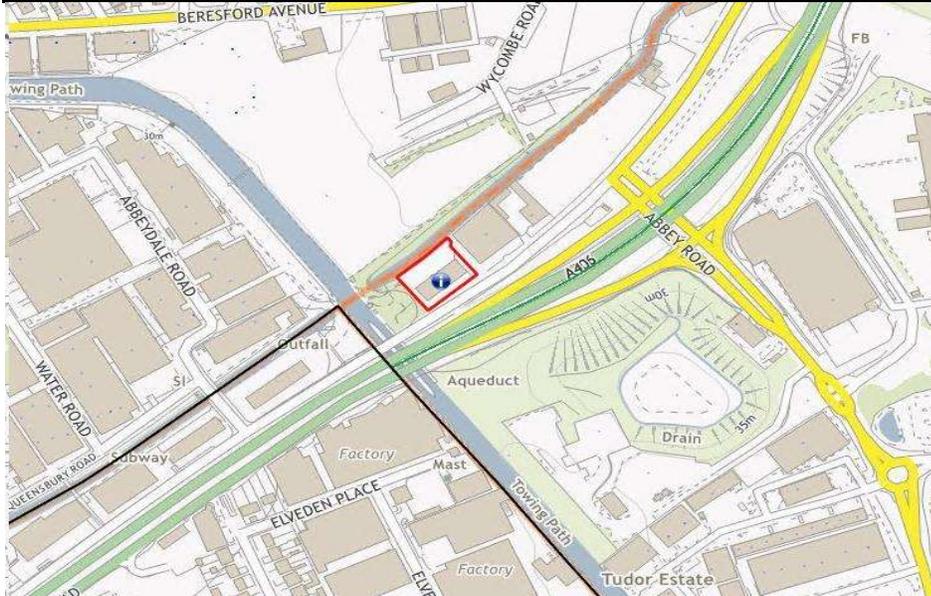


**Brent**

## Planning Committee Map

Site address: Prospect House, North Circular Road, Stonebridge, London, NW10 7GH

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This map is indicative only.

## PROPOSAL IN DETAIL

- Full planning permission is sought for the demolition of existing building and erection of a 23-storey building to provide 139 self-contained residential units (Use Class C3) and 801 sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works at the site currently known as Prospect House, North Circular Road.

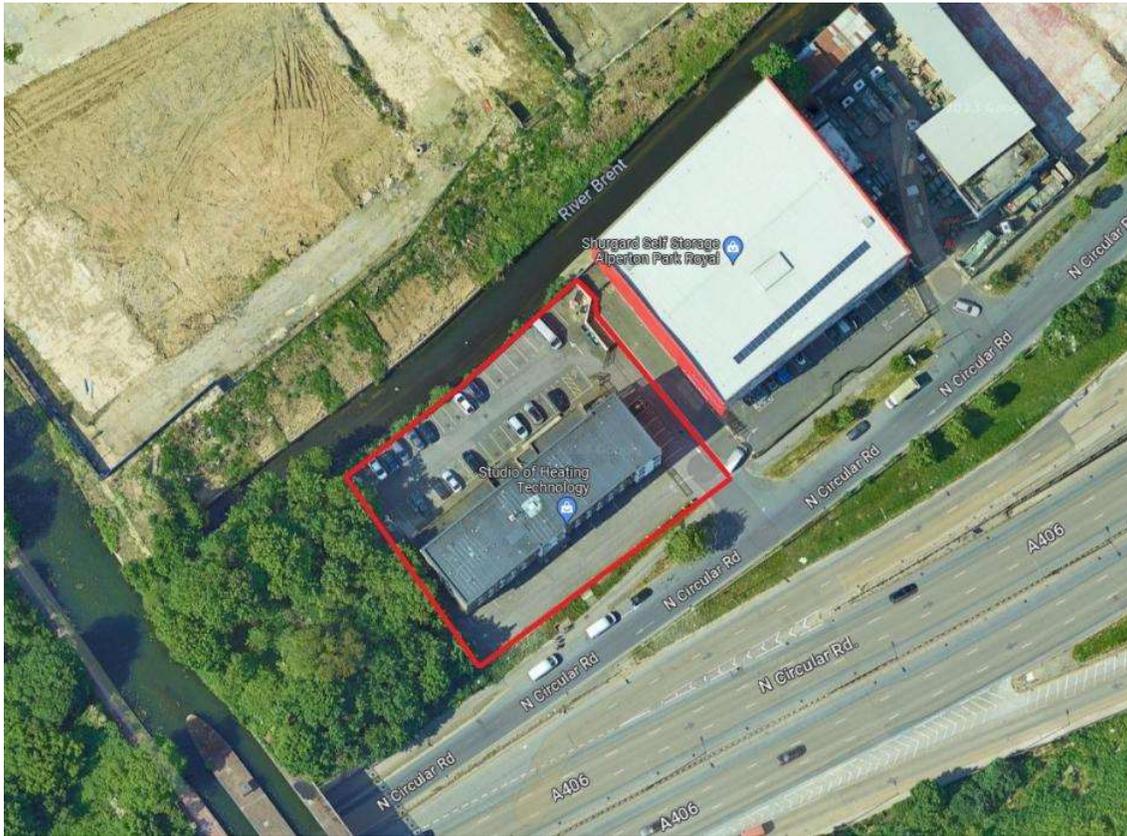
Table 1: Proposed Tenure by Dwelling Size (Source: Design & Access Supplementary)

Tenure	Dwelling size					Total
	Studio	1B2P	2B3P	2B4P	3B5P	
Social (LAR)	4	4	5	5	15	<b>33</b>
Shared Ownership	3	1	2	5	3	<b>14</b>
Market	10	10	10	49	13	<b>92</b>
<b>Total</b>	<b>17</b>	<b>15</b>	<b>17</b>	<b>59</b>	<b>31</b>	<b>139</b>

- The proposed building would have a maximum height of 80.4m to the top of the parapet (78m to roof level), stepping down to a shoulder element approximately 69.4m (20-storeys) in height (70.4 to the top of balustrading). It would have a footprint of approximately 160sqm.
- The ground floor would contain two commercial units, separate residential and commercial entrances and it would house the ancillary accommodation such as refuse stores, a sub-station and one of the cycle stores. The first floor would also contain commercial floorspace, while the second floor would house the majority of the cycle storage and other ancillary accommodation which is required to be above potential flood levels. The residential dwellings are housed from the third floor to the twenty-third floor.
- The development would be car-free, except for the provision of blue-badge parking. Six spaces, located near to the north-east boundary of the site, would be provided from the outset, with 1no. space secured for the commercial elements. There is the potential to provide further on-street spaces, should the need arise. A servicing bay is also provided on-site adjacent to the blue-badge parking.
- A total of 248 cycle spaces (predominantly two-tier stands) is proposed. There would be one cycle store located at ground floor level for the non-standard sized bicycles, and four stores located at second floor level, with access via a dedicated cycle lift. Six short-stay cycle parking spaces are provided at the front of the building.

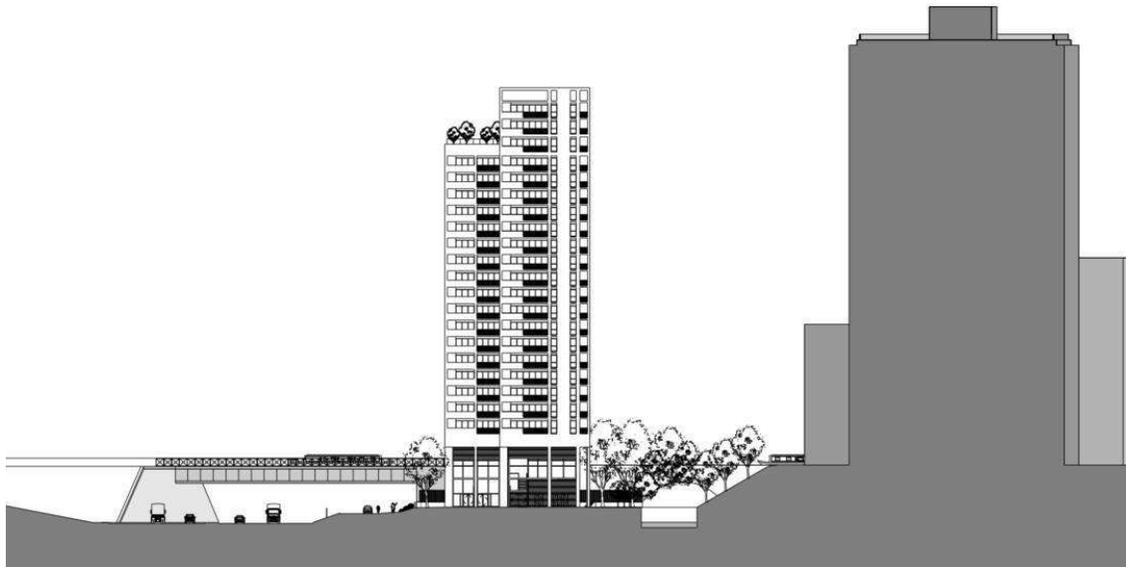
## EXISTING

Figure 1: Aerial image of the site (Source: Google Earth)



8. The site comprises of a three-storey, former office and residential building, bounded by the North Circular on its southern boundary, the River Brent on its northern boundary, with the St George 'Grand Union' Development on the former Northfields Industrial Estate beyond this, an area of woodland to the west (designated as a SINC) with the Grand Union Canal beyond, and the Shurgard Self-Storage building immediately to the north-east, which rises to approximately 7-storeys in height.
9. The first and second floors of Prospect House had been converted to residential accommodation under "permitted development" (Prior Approval application **ref: 15/0752**), comprising 6 x studio flats, 4 x 1-bedroom and 7 x 2-bedroom. The office use (approx. 510sqm) was retained on the ground floor. As the flats were created through "permitted development", there was no requirement in planning for the provision of Affordable Housing. However, they were let to homeless families on a 5-year lease arrangement managed by the Shepherd's Bush Housing Association.
10. The site shares a common vehicular access point with the Shurgard building (approximately 22.5m in height and 12m between facing walls), which is cantilevered at second floor level and above, over the loading bays. The vehicular access leads passed 6 parking spaces along the flank of the building to a further 36 car parking spaces at the rear, accessed through a vehicular gate.
11. The existing building sits back approximately 11m from the front boundary wall of the site. From the boundary wall, at a midway point along that boundary, it is approximately 7m to the Old North Circular Road, 18m to the first of the two lanes serving the east-bound off-ramp for the North Circular, and 25m to the first of the east-bound lanes of the North Circular.
12. Ground level at the nearby Northfields site is approximately 8m higher than that of the application site, which in turns sits approximately 1.3m above street level (North Circular Road) and 3m above the level of the (A406 North Circular Road). The change in levels is illustrated in Figure 2 below:

Figure 2: Extract from Drawing No. 11246/A/E/152 Rev.A showing relative changes in level, north-east elevation.



13. The site is located adjacent to the Old North Circular Road, which in turn lies adjacent to the North Circular which forms part of the Transport for London Road Network (TLRN). Transport for London (TfL) is therefore the highway authority for the TLRN. Stonebridge Park Station is approximately 670 north-east of the site, with Harrow Road, which forms part of the Strategic Road Network (SRN), a further 200m beyond. The Alperton and Hangar Lane Underground Stations are approximately 1200m west and south-west of the site respectively. Bus services are available from the aforementioned stations but also much nearer to the site, along North Circular Road, Heather Park Drive, Beresford Avenue, and Abbey Road.
14. The River Brent and Grand Union Canal are each designated as Sites of Importance for Nature Conservation (SINC). The site also falls within the Alperton Growth Area and the Alperton Tall Building Zone.
15. The site is not located within a Conservation Area and does not comprise of any locally or statutorily listed buildings. A number of designated and non-designated heritage assets are located within walking distance of the application site, as discussed further in the body of this report.

## SUMMARY OF KEY ISSUES

2. The key planning issues are set out below. Officers have made their recommendation after balancing all of the planning issues and objectives.
  - a. **Principle:** The proposal involves the redevelopment of the site for a mixed use commercial and residential development on land within a designated Strategic Industrial Location ('SIL'). The commercial element will comprise of 801sqm of light industrial floor space (Use Class E(g)(iii)) which represents a significant increase over the existing commercial floorspace (510 sqm) whilst falling below 0.65 of the plot area. The principle of this is accepted and considered to be appropriate with light industrial uses being appropriate for designated industrial areas, having regard to the site's designation and adopted spatial policy. The residential element is considered acceptable in principle in this instance due to the two upper floors of the existing building being in lawful use for residential accommodation by virtue of a conversion to residential via a prior approval application under permitted development. Subsequently, planning approval had been granted in 2017 for four additional floors of residential accommodation, although it is noted that this consent was not implemented and has now lapsed. However, due to the existence of residential accommodation on the site the principle of further residential development on this site is therefore accepted subject to the consideration of the remainder of the material planning considerations.

- b. **Housing / Affordable Housing:** The proposed development would deliver 139 dwellings over floors 3 to 23 which represents a net increase of 122 homes. The scheme also proposes 35% affordable housing by habitable room which has been assessed against adopted policy and through a viability assessment as being the maximum quantum of affordable housing possible. This is therefore considered to be policy compliant in relation to the Affordable Housing provision. It is noted that the former housing association tenants of the site have been re-housed elsewhere in Brent and the proposed development would not cause any displacement of vulnerable tenants. The proposal includes 31 family sized homes (3 bedroom). While this falls short of the policy target in terms of the 139 total homes, none of the existing homes have 3 or more bedrooms, and the provision would exceed the 1 in 4 home target in relation to the net increase in homes.
- c. **Heritage:** Although the site does not contain any designated / undesignated heritage assets, there are some within the wider area. The proposed scheme would not harm the significance of any of the identified heritage assets.
- d. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development is considered to be acceptable. The proposed height (23-storeys (80.43m), is considered acceptable having regard to the with the heights of the buildings currently under construction and consented within the Northfields site to the north. The proposed materials are considered to be acceptable and would complement the materials palette of the neighbouring developments both consented and constructed, and the articulation in the façade would create visual interest.
- e. **Quality of accommodation:** Each of the residential dwellings would meet with the relevant space standards, and have acceptable access to outlook, daylight and sunlight. Consideration has been given to how the design of the building and features such as the location of balconies would negate any potential impact from the North Circular both in terms of noise and pollution.
- f. **Amenity Space:** With all residential dwellings located at third floor level and above, there is a requirement to provide 20sqm of private amenity space for each dwelling. Due to space constraints, this is not achievable, therefore in accordance with BH13, each dwelling is provided with a balcony that exceeds the minimum London Plan standard of 5sqm, and the shortfall is almost all made up in terms of communal space (98 % of the target), with a cumulative shortfall of only 53 sqm (averaging approx. 0.4 sqm per flat for the 136 flats that are below 20 sqm of private space. Two main areas of communal space are proposed: at ground floor level toward the rear of the site (c.893sqm), and at rooftop level 20 (c.338sqm). The spaces proposed are considered to be highly functional and will offer residents a good quality environment away from the noise and emissions of the North Circular. Doorstep playspace provision is made for the 0-4yrs age group, with some incidental play to be provided within the main communal areas. Nearby parks are also identified for use by the older age groups.
- g. **Air Quality:** The site is located within an Air Quality Management Area, and being located near to the North Circular Road, air quality is recognised as a key issue to be addressed, given the intensification of residential use of the site. The proposed building is sited approximately 36m from the eastbound lanes of the North Circular and the proposed residential accommodation is located from the third floor and above. Concentration of emissions will be higher at ground floor level and will dissipate at higher levels. In addition, through the provision of mechanical ventilation residents will not have to open windows. Balconies are not located on the façade facing the North Circular. The ground level communal and play space is located away from the North Circular and the rooftop amenity space is located on the 20<sup>th</sup> floor. These design measures serve to ensure that residents are not unduly exposed to pollutants. The scheme is considered air quality neutral rather than air quality positive, but this is considered to be acceptable on balance. This element of the proposal is discussed in detail below, under the Sustainable Design section of the report.
- h. **Neighbour Impact:** The nearest proposed residential building is sited 40m distant within the Northfield site. Having regard to distancing levels, the development should not unduly impact on the amenity of the neighbouring occupiers.
- i. **Highway Impact:** The site has a PTAL rating of 2 over its western half and 3 over its eastern half and is therefore considered to have a low to moderate PTAL score. The development would be car-free except for the provision of 6no. on-site blue-badge spaces, inclusive of 1no. for the commercial use. Additional spaces can potentially be provided on the street. Cycle parking would be provided in accordance with London plan standards. Key linkages to sites north and south-west of

the site are considered essential to improve connectivity and to encourage active travel. This includes reopening the footpath with steps between the site's car park and the adjoining Grand Union Canal, which is currently closed with locked gates and is overgrown. The applicant's site plan shows the reopening of this footpath, which would then provide a connection to the adjoining Northfields development and to the canal-side path proposed within that site. There are also separate proposals to construct a bridge over the canal in the vicinity of this footpath, which would in turn connect the site (and the Northfields development) to the canal towpath opposite for pedestrian and cyclists. A permissive right of way for pedestrians would therefore be required across this development site to connect Old North Circular Road and the footpath.

- j. **Flooding / Waterways:** The site is immediately adjacent to the River Brent and near to the Grand Union Canal. The site falls within flood zone 3a. Protection of and access to the River Brent is a key element of the scheme as is the flood mitigation measures needed to ensure flood resilience. This includes reducing the footprint of the built structures, raising floor levels, locating the more sensitive uses i.e. the residential element, at 3<sup>rd</sup> floor level and above, and the creation of a Flood Warning & Evacuation Plan. A SuDS strategy is proposed to retain and re-use as much rainfall prior to discharge into the public sewer.

## RELEVANT SITE HISTORY

16. An application (**ref: 12/1614**) for the change of use from Office (Use Class B1) to College (Use Class D1) was **refused** on 14 August 2012 due to concerns over: the loss of SIL; the absence of an acceptable FRA; and the site being in an unsustainable location with regards to public transport.
17. An application (**ref: 12/1613**) for the change of use from Office (Use Class B1) to College (Use Class D1) was **refused** on 14 August 2012 due to concerns over: the loss of SIL; the absence of an acceptable FRA; and the site being in an unsustainable location with regards to public transport. A subsequent Appeal was **dismissed** on 17 July 2013, on all three grounds.
18. In November 2014, a prior approval application (**ref: 14/3764**) was **refused** for the change of use from office (use class B1) to residential (use class C3) creating 27 flats (12 x 2 bed, 7 x 1 bed and 8 studios) due to concerns that due to the site being within Flood Zones 3(a) and 3(b), the development had failed to demonstrate the safety of occupants or a safe means of access/egress in the event of flooding.
19. In April 2015, a prior approval application (**ref: 15/0752**) was **granted** for the change of use from offices (Use Class B1) to residential (Use Class C3) involving 17 flats (7 x 2 bed, 4 x 1 bed and 6 x studios) as the applicant had overcome the objections raised with the previous application in relation to flooding.
20. Planning permission (**ref: 17/0637**) was **granted** on 07 August 2019 for the erection of four additional floors over the existing mixed-use building comprising of 28 self-contained flats (8x 1-bed, 16x 2-bed, 4x 3-bed), an internal children's play area at ground level, cycle parking, roof terrace, landscaping, and alterations to the external façade of the building.

## CONSULTATIONS

### Public Consultation

21. Letters were sent to the occupiers of 370 neighbouring and nearby properties, in addition to statutory site and press publicity. No comments were received.

### Statutory / Non-statutory Consultees

#### Canal & River Trust

22. No objections are raised subject to securing to details in relation to the landscaping, lighting, CEMP, waterborne feasibility study, and foundation design.

## Ecology

23. It has been advised that the reports and surveys have been conducted by appropriate professionals and where necessary by a MCIEEM Ecologist. The Preliminary Ecological Appraisal (April 2021) acknowledges the sub-optimal timing limitation of the survey. However, the existing c.0.25ha site was found to have limited habitat and ecological value. No invasive species were found on the development site, other than Buddleia. The development site is adjacent to two SINC, which do have ecological value. The existing building had some potential for bat roosting.
24. A Bat Activity Survey Report dated September 2021 was conducted, including dusk (28<sup>th</sup> July 2021) and dawn (21<sup>st</sup> September 2021) emergence surveys. Both surveys were during the optimal seasons for bats surveys. No emergences from (or to) the building were noted. However, Noctule bats were recording using the adjacent water/side SINC habitats.
25. The Biodiversity Audit (Biodiversity Impact Calculation Report) used the DEFRA Biodiversity Metric 3.0 to access potential Biodiversity Net Gain. The author of that report (Patricia Holden of Syntegra) does note slight limitations of their methodology, in particular as noted at 3.3 and 3.5, in that the Prospect House assessment uses the closest habitat option to that of the Biodiversity Metric 3.0 – and (at 3.5) that ‘the landscape plan has not provided species types or mixes’ to enable a more exact assessment. That is also apparent from the calculation table/s at 4.2.2 which use broad landscaping categories. However, the approach and the calculations appear valid and while the inference from the above is that either the proposed landscaping details were not available at the time of the assessment (or subsequently), the headline of the assessment, if implemented, is that whereas the existing biodiversity value was assessed as practically zero, there would be a net gain of 0.21 biodiversity units. On a baseline of zero, any increase of biodiversity is positive; and would be over the 10% net gain margin.
26. The Ecological Lighting Assessment explains that horizontal illuminance onto the adjacent SINC would average 1 lux and be of a maximum of 3 lux. Lighting strategies are explained, and that the proposal would manage lighting to where it is required and to minimise light spill.
27. The proposals appear designed to create additional habitat and to link with the existing habitat of the adjacent SINC. Access for residents and visitors would also be enhanced. Within the documents there is slight disjoint between the details. However, if the proposals are implemented as in the Design & Access Statement, the Biodiversity Net Gain has the potential to be realised. Note also the comments and recommendation conditions from the Canal & River Trust.

## Environment Agency

28. Following an initial objection in relation to an inadequate flood risk assessment; its proximity to a watercourse; and a detrimental impact on nature conservation, the objections have been removed following the submission of additional information. Conditions are proposed to secure details of ecological enhancements for flood risk; and a landscape and ecological management plan.

## Environmental Health (Air Quality)

29. It has been advised that the Air Quality Neutral Assessment is accepted. It is noted that whilst unusual to not have dispersion modelling, prediction maps have been used and the predicted levels are below air quality objectives. Conditions are proposed in relation to construction noise/dust, and non-road mobile machinery.

## Environmental Health (Contamination)

30. It has been advised that the Preliminary Risk Assessment concludes that a Phase 2 site investigation is required. Conditions are proposed to secure this and a remediation/verification report.

## Environmental Health (Noise)

31. It has been advised that the site location falls under risk category of high noise impact due to higher background ambient noise levels from the proximity to A406 North Circular Road. The design has mitigated the effects of noise as much as possible and compliance with BS8233:2014 criteria is

satisfactory. Conditions are proposed to secure details of any plant to be installed, and for a scheme of sound insulation to mitigate any impact to the residential units above.

## GLA (Stage I Response)

32. Within the Stage 1 response, the GLA noted that the application does not fully comply with the London Plan and further information is needed on the matters set out below. It should be noted that further discussions have taken place and additional information received since the stage 1 response was provided as discussed in the main body of this report.

- **Land use principles:** Whilst it is noted the site is already in residential use, the intensification of this sensitive use within a SIL would not comply with Policy E7. This issue must be considered in the planning balance at the Mayor's decision-making stage. Furthermore, the applicant must clarify matters with respect to re-provision of the existing housing (including affordable or specialist housing) on site.
- **Housing:** The application proposes 35% affordable housing (72/28 London Affordable Rent / shared ownership). The GLA Viability Team is rigorously scrutinising the submitted FVA to advance viability discussions and ensure that the maximum level of affordable housing is secured over the lifetime of the development. Review mechanisms are required, and affordability levels must be secured via S.106. The applicant must clarify the existing housing arrangement on-site.
- **Urban design:** The applicant must address issues in respect of housing quality and height and massing. The Council should secure details of key facing materials as part of any future planning permission.
- **Transport:** Contributions towards bus capacity and station enhancements are sought as well as those required by the Council including towards the consultation and implementation of a CPZ. Appropriate legal agreements comprising a permit-free agreement, Section 278 agreement, parking design and management plan, cycle parking, EVCPs, Travel Plan, DSP and CLP should be secured.
- **Sustainable development:** Further information and clarification is required on the sustainable development strategies before compliance with the London Plan can be confirmed.

## Health & Safety Executive

33. The HSE initially advised that they had "Some Concern" in relation to the proposal. However, following the receipt of revised plans and document, it is advised that they are now 'Content'.

## Heritage

34. No objections are raised due to the proposal not impacting any of the borough's conservation areas. Moreover, it would not be seen in context with Brent Viaduct (list entry: 1078890) as there are more modern bridges in front and the building would only be seen in the distance as part of the modern backdrop.

## Inland Waterways Association

35. Objections are raised for the following reasons:

- The sheer height and bulk of the proposed development would have a harmful visual impact on the adjacent canal as well as frequently causing wind problems for boats and non-boating visitors on the towpath.
- To mitigate, the Council should seek contributions for the provision of community moorings, visitor moorings and/or residential moorings, and the provision of an electrical supply and a water point for servicing the moorings.

## London Fire Brigade

36. Following an initial objection to the proposal, primarily in relation to the lack of a second staircase, a

further consultation was undertaken but no response received. (Please note that the HSE, who are the statutory consultees in relation to fire safety, have responded positively to the amended scheme to introduce a second staircase)

## Local Lead Flood Authority

37. No objections are raised because the Flood Risk Assessment is considered acceptable. A condition is requested for details of: an overall drainage plan to include SudS attenuation such as blue roofs; and an access / egress diagram.

## London Borough of Ealing

38. No objections are raised because it is considered that the proposal would not be likely to represent a direct conflict with Ealing Council's strategic plan for the borough.

## Metropolitan Police

39. The Secure By Design Officer does not support the application for the following reasons:

- The walk from the tube station to the site using the footpath next to the A406. During the day there would be some activity but at night it would be poorly used and observed leading to a risk of robbery and other violent crimes from occurring.
- The plans to make the site more permeable and attractive to acquisitive forms of crime such as burglary.
- On the actual main building there is no active frontage on the first two floors (overnight), light industrial is proposed but this would close after a certain time and possibly weekends also leaving no legitimate activity.

40. Conditions were suggested to secure confirmation that the plans can achieve secured by design accreditation; and for the site to achieve a secured by design accreditation to silver award and to maintain this standard through the life of the development. It should be noted that the rear areas of the site are now intended to be communal rather than public.

## Thames Water

41. It has been advised that with regard to foul water sewerage network capacity and the water network infrastructure capacity, no objections are raised, based on the information provided. Regarding wastewater infrastructure (surface water drainage), additional information is required as network reinforcement works might be required to avoid flooding and/or potential pollution incidents.

## Transportation

42. It has been advised that there are no objections subject to ensuring that:

- A S106 Agreement to secure obligations as set out at the beginning of this report, and conditions to secure electric vehicle charging and a construction logistics plan.

## Transport for London

43. Contributions towards bus capacity and station enhancements are sought as well as those required by the Council including towards the consultation and implementation of a CPZ. Appropriate legal agreements comprising a permit-free agreement, Section 278 agreement, parking design and management plan, cycle parking, Electric Vehicle Charging Points, Travel Plan, Delivery and Servicing Plan and Construction Logistics Plan should be secured.

## Tree Officer

44. An Arboricultural Impact Assessment (AIA) has been provided which has highlighted two trees and a one

tree group adjacent to the site that would be impacted by the proposed construction. Two category C trees and one category U tree. A landscape plan has been provided outlining tree planting on the ground floor, with 47 trees in a range of species. As well as this there is proposed planting of 12 trees of a range of species on the roof terrace. The suggested species are suitable, but no management plan has been provided for the establishment. No objections are raised subject to conditions.

## Urban Design

45. No objections are raised.

## POLICY CONSIDERATIONS

46. 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.

47. The development plan is comprised of the London Plan (2021) and the Brent Local Plan (2022).

48. Key policies include:

### The London Plan

GG1: Building strong and inclusive communities  
GG2: Making the best use of land  
GG3: Creating a healthy city  
GG4: Delivering the homes Londoners need  
GG5: Growing a good economy  
GG6: Increasing efficiency and resilience  
SD1: Opportunity areas  
SD6: Town centres and high streets  
D2: Infrastructure requirements for sustainable densities  
D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D5: Inclusive design  
D6: Housing quality and standards  
D7: Accessible housing  
D8: Public realm  
D9: Tall buildings  
D11: Safety, security and resilience to emergency  
D12: Fire safety  
D13: Agent of Change  
D14: Noise  
H1: Increasing housing supply  
H4: Delivering affordable housing  
H5: Threshold approach to applications  
H6: Affordable housing tenure  
H7: Monitoring of affordable housing  
H10: Housing size mix  
H11: Build to Rent  
S4: Play and informal recreation  
E1: Offices  
E2: Providing suitable business space  
E3: Affordable workspace  
E4: Land for industry, logistics and services to support London's economic growth  
E5: Strategic Industrial Locations (SIL)  
E7: Industrial intensification, co-location and substitution  
E11: Skills and opportunities for all  
HC1: Heritage, conservation and growth  
HC3: Strategic and local views  
G1: Green infrastructure  
G5: Urban greening

G6: Biodiversity and access to nature  
 G7: Trees and woodlands  
 S11: Improving air quality  
 S12: Minimising greenhouse gas emissions  
 S14: Managing heat risk  
 S15: Water infrastructure  
 S16: Digital connectivity infrastructure  
 S17: Reducing waste and supporting the circular economy  
 S112: Flood risk management  
 S113: Sustainable drainage  
 T2: Healthy streets  
 T3: Transport capacity, connectivity and safeguarding  
 T4: Assessing and mitigating transport impacts  
 T5: Cycling  
 T6: Car parking  
 T6.1: Residential parking  
 T6.5: Non-residential disabled persons parking  
 T7: Deliveries, servicing and construction  
 T9: Funding transport infrastructure through planning

### Local Plan

DMP1 Development management general policy  
 BP7 South west  
 BSWGGA1 Alperton Growth Area  
 BD1 Leading the way in good urban design  
 BD2 Tall buildings in Brent  
 BD3 Basement development  
 BH1 Increasing housing supply in Brent  
 BH2 Priority areas for additional housing provision within Brent  
 BH3 Build to rent  
 BH5 Affordable housing  
 BH6 Housing size mix  
 BH13 Residential amenity space  
 BS11 Social infrastructure and community facilities  
 BE1 Economic growth and employment opportunities for all  
 BE2: Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)  
 BHC1 Brent's Heritage Assets  
 BHC3 Supporting Brent's culture and creative industries  
 BHC4 Brent's night time economy  
 BGI1 Green and blue infrastructure in Brent  
 BGI2 Trees and woodlands  
 BSUI1 Creating a resilient and efficient Brent  
 BSUI2 Air quality  
 BSUI3 Managing flood risk  
 BSUI4 On-site water management and surface water attenuation  
 BT1 Sustainable travel choice  
 BT2 Parking and car free development  
 BT3 Freight and servicing, provision and protection of freight facilities

### Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)  
 National Design Guide (2019)  
 Mayor of London - A City for all Londoners  
 LB Brent S106 Planning Obligations Supplementary Planning Document (2022)  
 LB Brent Design Guide for New Development (SPD1)  
 LB Sustainable Environment and Development SPD (2023)  
 LB Brent Affordable Workspace (2022)  
 LB Brent Residential Amenity Space and Place Quality Supplementary Planning Document (2023)  
 LB Brent Waste and Recycling Storage and Collection Guidance for Residential Properties SPG (2013)  
 LB Brent Air Quality Action Plan 2017-2022  
 Community Infrastructure Levy Regulations 2010

## DETAILED CONSIDERATIONS

### Amendments Since Submission

49. The following amendments have been made since the original submission:

- a) Second staircase added to comply with changes to Building Regs.
- b) Internal changes to accommodate the second staircase results in some change to the unit mix as set out in Table 2 below:

Table 2: Revised schedule of units and areas (Source: Design & Access Statement Supplemental)

Submitted			Revised			Change
<b>Units</b>	<b>139</b>		<b>Units</b>	<b>139</b>		
Market	92	66%	Market	92	66%	-
Affordable	47	34%	Affordable	47	34%	-
<b>Habitable rooms</b>	<b>418</b>		<b>Habitable rooms</b>	<b>399</b>		<b>-19%</b>
Market	272	65%	Market	259	65%	<b>-13%</b>
Affordable	146	35%	Affordable	140	35%	<b>-6%</b>
<b>Affordable Units</b>			<b>Affordable Units</b>			
Rented	33	70%	Rented	33	70%	-
Shared Ownership	14	30%	Shared Ownership	14	30%	-
<b>Affordable Hab. Rooms</b>			<b>Affordable Hab. Rooms</b>			
Rented	105	72%	Rented	102	73%	<b>-3</b>
Shared Ownership	41	28%	Shared Ownership	38	27%	<b>-3</b>
<b>Unit Mix</b>			<b>Unit Mix</b>			

			Studio	17	12.2%	<b>+17</b>
1B2P	28	20.1%	1B2P	15	10.8%	<b>-13</b>
2B3P	17	12.2%	2B3P	17	12.2%	-
2B4P	65	46.8%	2B4P	59	42.4%	<b>-6</b>
3B5P	29	20.9%	3B5P	31	22.3%	<b>+2</b>
<b>Areas</b>			<b>Areas</b>			
NIA (sqm)	10,986.5		NIA (sqm)	10,734.4		<b>-234.4</b>
GIA (sqm)	14,784.1		GIA (sqm)	14,784.1		-
Commercial GIA (sqm)	818.6		Commercial GIA (sqm)	800.9		<b>-17.7</b>

- c) Ground floor residential lobbies and workspace raised from 22.71mAOD to 24.055mAOD to comply with Environment Agency (EA) flood risk mitigation requirements.
- d) Coir pallets to improve in-channel biodiversity of the water course replace previously proposed bio-islands because of insufficient depth.
- e) The formal playground moved outside of the required 8m buffer zone of the River Brent to ensure that there is no risk of conflict with any EA maintenance vehicles.
- f) Height of parapet increased by 2.58m to hide rooftop plant, which includes the relocated backup generator.
- g) An increase in the number of Sheffield bike stands from 30 to 66 bringing the total proportion to 25%. The total number of cycle parking spaces remains unchanged at 248.

## Land Use

### Presumption in favour of sustainable development

50. The NPPF sets the presumption in favour of sustainable development, and this is reflected in Brent Local Plan (Local Plan) Policy DMP1 and the other policies of the Local Plan. Policy DMP1 confirms the acceptability of developments subject to it satisfactorily addressing the broad issues identified, in order to secure development that improves the economic, social, and environmental conditions in Brent.

### Making effective use of land

51. Chapter 11 of the NPPF promotes the effective use of land and para. 119 states:

*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.*

52. This is carried forward in various policies in the London Plan. Policy GG2 (Making the best use of land)

seeks to enable development of brownfield land, among other areas, prioritise sites which are well connected by public transport, and explore the potential to intensify its use to support additional homes, workspaces, and higher densities.

53. Policy D2 of the London Plan advises that the density of development proposals should consider and be linked to the provision of future planned levels of infrastructure rather than existing levels. Where there is currently insufficient infrastructure capacity to support proposed developments, boroughs are advised to work with applicants and infrastructure providers to ensure that there would be sufficient capacity at the appropriate time.
54. Policy D3 (Optimising site capacity through the design-led approach) of the London Plan seeks to optimise site capacity by ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.

## Land use principles

### Industrial land

55. Notwithstanding the existence of housing on the site, the site is located on land designated as Strategic Industrial Land ('SIL'). As such, London Plan Policy E5 (Strategic Industrial Locations) confirms that such land should be managed proactively for uses that support London's economy. Policy E7 (Industrial intensification, co-location and substitution) encourages the intensification of business uses in Use Classes B1c, B2 and B8 through the introduction of small units, multi-storey schemes, basements, and the more efficient use of land through higher plot ratios where appropriate.
56. The existing building currently has approximately 510sqm of office space (Use Class E - previously Use Class B1a) located over the ground floor, which has, according to information provided by the applicants, been vacant since January 2019.
57. The proposed development would not contain any office floorspace, instead proposing 801sqm of light industrial floorspace (Use Class E(g)(iii)) which while not achieving the 0.65 plot ratio, represents a significant net increase over the existing commercial floorspace. The proposed loss of existing office floorspace is considered to be acceptable due to the lengthy period of vacancy prior to this application being made along with the re-provision of industrial floorspace which is considered to be a more appropriate use within a Strategic Industrial Land location. London Plan Policy E5 states that development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities. It goes on to state that residential development adjacent to SILs should be designed to ensure that existing or potential activities in SIL are not compromised or curtailed.
58. As discussed above under the Design Considerations section, the layout of the site should not compromise the ability of the neighbouring Shurgard site to re-develop in a similar way. There is a distance of approximately 12m to the common boundary at the upper levels, with that neighbouring site, which is considered more than sufficient to maintain and protect residential amenities in terms of overlooking and loss of privacy. In terms of noise and disturbance from any industrial-type activity, as will be discussed below, the dwellings are designed to mitigate noise and it is anticipated that the constant high ambient noise levels generated by the North Circular would generally mask all but the noisiest of industrial processes.
59. Policy E7 of the London Plan states that mixed-use or residential development proposals on non-designated industrial sites should only be supported where there is no reasonable prospect of the site being used for industrial purposes, it has been allocated in the Local Development Plan for residential development or where industrial floorspace is provided as part of mixed-use intensification.
60. In this instance while the site falls on SIL land and the provision is therefore contrary to this policy, the principle for residential development has previously been established by the existence of residential units on the site and as such Policy E7 of the London Plan and BE2 of the Brent Local Plan are considered to be relevant. This is discussed further in the housing section below.
61. The proposed development has been designed in such a way that the proposed industrial use can be

operated and serviced without causing any conflict with the proposed residential use above.

62. The design and specification have been informed through discussions with Council officers. Moreover, officers are advised that the applicant has also held discussions with specific operators from the Council's preferred Affordable Workspace Provider list. As such, the workspace has the capability to be used for makerspace / artists' studios / workshops, which includes 4m floor to ceiling heights, ensuring sufficient flexibility for their operations. The submitted drawings also show how the space is designed to be flexible and can be used as either larger spaces, or sub-divided into smaller spaces. The location of the proposed creative industry floorspace at ground and first floor levels ensures it can be easily accessed from the street, for deliveries and servicing.
63. To ensure that the industrial uses are provided, in accordance with London Plan Policy E7D2, a condition would be imposed to have the industrial units completed in advance of any residential dwelling being occupied. In addition, a condition would be imposed to ensure that the approved use remains as light industrial and permitted development rights are removed that would allow a change of use to other use classes.
64. Broadly, the principle of the loss of office floorspace but the re-provision of a suitable quantum and quality of industrial floorspace is considered to be acceptable and accords with adopted policy.
65. Policy BE1 of the Brent Local Plan state that an Employment, Apprenticeship and Training Plan will be required for all developments of 5000sqm or more or sites capable of providing 50 or more residential units, to be prepared in partnership with Brent Works. This is being secured as part of the proposed legal agreement with the applicants.
66. Overall, it is considered that the proposed development constitutes a betterment over the existing arrangement with regard to the Strategic Industrial Land location of the proposed development.

## Housing

67. The development would include the loss of the 17 existing dwellings, occupying the two upper floors of the building, and the provision of 139 dwellings (399 habitable rooms), inclusive of 47 affordable dwellings (140 habitable rooms) to be accommodated from 3<sup>rd</sup> floor level and above. The dwellings were used to house homeless families on a 5-year lease arrangement managed by Shepherd's Bush Housing Association. The applicant has advised that all tenants have been offered alternative accommodation in the borough and that 16 are now vacant. These homes were provided under "permitted development" and there is no planning condition or obligation to provide them as Affordable Housing. As such, they could be used as private housing without the need to apply for planning permission. The proposal would result in a net increase in homes, including affordable homes and family-size dwellings (as discussed below) which will meet an identified need in the borough.
68. As the land is designated as a Strategic Industrial Location, housing would not normally be considered appropriate. However, as discussed above, the first and second floor already contain residential dwellings that were converted through prior approval and the residential use of the site has been established. The proposal looks to provide light industrial on the lower floors, which can successfully co-locate with residential dwelling. However, the proposal would result in an intensification of the residential use of the and the proposal must not compromise the ability of adjoining and nearby industrial sites to operate. The quality of accommodation for the homes must also be good, and routes between the homes and services / transport links must also be appropriate.
69. Policy D13 (Agent of change) of the London Plan advises that it is the responsibility of new noise-sensitive developments to mitigate the impacts from existing noise and other nuisance-generating activities. Noise and servicing requirement impacts are considered in the relevant sections below.
70. Notwithstanding co-location considerations, the increase of on-site housing would contribute to meeting the housing targets for the Borough, which is currently set at 2,325 per year for the period to 2029. The proposal represents approximately 6% of the yearly target, therefore in terms of the intensification of housing on site, this would be compatible with London Plan Policy H1 (Increasing housing supply) and Local Plan Policy BH1 (Increasing housing supply in Brent). The proposal is also an opportunity to replace poor quality accommodation with purpose-built, high-quality housing.
71. The level of affordable housing proposed (35% by habitable room) would not meet the threshold for the

fast-track route identified within Policies H4 (Delivering affordable housing) and H5 (Threshold approach to applications) of the London Plan and with Local Plan Policy BH5 (in delivering 50% on land designated as SIL) and therefore must be viability tested in accordance with the aforementioned policies to ensure that the level of Affordable Housing is policy compliant. This element will be discussed further, under the Housing section of this report.

## Land use summary

72. The redevelopment of the site for a mixed use commercial and residential scheme is proposed. Whilst not strictly policy compliant, having regard to the site's SIL designation, this is considered to be acceptable in principle because of the existence of housing on site. Nevertheless, the submission would need to demonstrate that the increase in intensity of residential use would not affect the ability of nearby industrial or warehousing uses to operate, and the quality of the homes would need to be good together with the routes and connections to nearby facilities and public transport links. The proposal would result in benefits to the borough in terms of the re-introduction of industrial uses, an uplift in employment floorspace, an uplift in housing provision, and an uplift in affordable and family housing.
73. Agent of change principles should ensure that any potential impacts from the industrial activity are appropriately mitigated.

## Housing

### Affordable Housing

74. Policies H4 (Delivering affordable housing), H5 (Threshold approach to applications), and H6 (Affordable housing tenure) of the London Plan confirms the approach to be used to maximise the delivery of affordable housing. Policy H4 in particular confirms that the strategic target is for 50% of all new homes delivered across London to be genuinely affordable. Policy H5 confirms that on strategic industrial land, to quality for the "fast-track" approach, developments should be delivering 50% affordable housing by habitable room. If the scheme is unable to deliver 50%, it must follow the viability tested route. Policy H6 confirms that the preferred tenure split is:
- a minimum 30% low-cost rented homes at either London Affordable Rent (LAR) or Social Rent levels;
  - a minimum 30% intermediate products which meet the definition of genuinely affordable housing, including London Living Rent (LLR) and London Shared Ownership; and
  - 40% to be determined by the borough as low-cost rented or intermediate products, based on an identified need.
75. It is set out within Brent Local Plan policy BH5 that 70 percent of homes should be Social Rent or London Affordable Rent whilst 30 percent should be intermediate, thus confirming that the 40 % set by the borough should be one of these low-cost rental products.
76. The proposal includes 35% affordable housing (by habitable room) with a 72:28 split between London Affordable Rent and intermediate (72% LAR and 28% Shared Ownership). The provision is below the 50% affordable housing required for the fast-track approach and as such, a Financial Viability Assessment (FVA) was submitted to support this offer. The FVA was assessed by an independent expert on behalf of the Council.
77. The FVA concluded that with a residual land value of £15.8M against a Benchmark Land Value of £7.04M, the development would result in a deficit of £22.8M taking into account reasonable profit expectations. Despite the large deficit, we are advised that the applicant is a committed stakeholder, and the scheme viability is not a prohibitive factor to deliver a high-quality scheme together with the public benefits of the scheme. Moreover, it is anticipated that growth above market trends due to improvements in the wider area.

78. The Council's independent review of the FVA has agreed that the scheme is in deficit but to the lesser amount of £0.17M. This followed adjustments being made to some of the assumptions within the FVA to "*bring them into line with normal market facing assumptions*" (BNP Paribas). Although it is acknowledged that the applicants position and the Council's advisors have a discrepancy, both confirmed an operational deficit, and on balance it is therefore concluded that the offer of 35% affordable housing does constitute in this instance the maximum reasonable amount of affordable housing that can be provided. However, due to the more limited deficit identified by the Council's advisors, the requirement for a suitably worded upward only review mechanism is considered to be important.
79. The affordable housing will be secured by a S106 Agreement and will be subject to an early-stage review if an agreed level of progress has not been made within 2 years of the granting of planning permission. A late-stage review would be triggered once a certain number of dwellings are sold or let. This would take into account actual values and is considered to be appropriate mechanism to capture additional affordable housing if changes in the market result in improvements to scheme viability.

## Family Housing

80. Local Plan Policy BH6 (Housing size mix) confirms that 1 in 4 (approx. 25%) of new homes should be family-sized dwellings (i.e. 3-bedrooms or greater). Exceptions to the provision of family sized dwelling are allowed where the applicant can show that the location of the development will not be able to provide a high-quality family environment, or its inclusion will fundamentally undermine the development's delivery of other Local Plan policies. The proposal provides 31 three-bed dwellings, whereas 34 family sized homes would be required in order to meet the policy requirement of 1 in 4 homes. Justification for the shortfall has been provided by the applicant. The applicant contends that when calculated by habitable room, 28% of the dwellings provided are family housing. However, the policy refers to 1 in 4 homes being family sized rather than this proportion being calculated by habitable room.
81. The applicant also contends that regard should be given to financial viability, the proposed split of 72:28 between LAR and shared ownership which will result in a higher provision of genuinely affordable dwellings beyond the Local Plan requirement of 70:30 and meeting other plan targets such as increasing industrial capacity and public realm improvements. The provision of private family homes is known to negatively affect scheme viability. This can affect the ability of a scheme to meet other policy objectives and provide scheme benefits, such as the provision of higher proportions of Affordable Housing. Sensitivity testing has not been undertaken in relation to the provision of a policy compliant proportion of family sized homes. However, it has been established through testing that the development provides the maximum viable amount of affordable housing and a negative affect on scheme viability would affect the amount of Affordable Housing that could be provided.
82. It is also noted that while there is a shortfall of 5 family sized homes against the total number of homes (139), none of the 17 existing homes on site are family sized. The proposal results in a net increase of 122 homes (i.e. taking into account the loss of the existing homes), and if the 1 in 4 target is applied to the net increase, a total of 30 family sized homes would be required. The proposal exceeds this by 1 home. The policy does not take into account the net change in homes (just the number of homes within a development). Nevertheless, the net change is considered to be a material consideration.
83. When weighed against all of the benefits that the proposed development would deliver, the degree of shortfall against the total homes, the reduction in scheme benefits that are likely should a higher number of family sized homes be provided, and noting that it would achieve the 1 in 4 target if applied to the net increase in homes, it is considered that on balance, the proposed quantum of family-sized units is justified in this instance and the limited conflict with this policy is considered to be acceptable.

## Accessible and Adaptable Dwellings

84. Policy D7 of the London Plan requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. This would equate to at least 14 wheelchair dwellings from the outset. These would be secured by an appropriately worded condition.

## Heritage Considerations

## Statutory Background and the NPPF

85. The beginning of the Agenda Pack contains a summary of the legislative and national policy context for the assessment of the impact of a development proposal on the historic environment and its heritage assets. This is in addition to Lambeth Local Plan and London Plan policies. The assessment that follows has been made within this context.
86. The first step is for the decision-maker to consider each of the designated heritage assets, which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset.
87. The assessment of the nature and extent of harm to a designated heritage asset is a matter for the planning judgement of the decision-maker, looking at the facts of a particular case and taking into account the importance of the asset in question. Proposals that are in themselves minor could conceivably cause substantial harm, depending on the specific context, or when viewed against the cumulative backdrop of earlier changes affecting the asset or its setting. Even minimal harm to the value of a designated heritage asset should be placed within the category of less than substantial harm.
88. The NPPF (paragraph 200) states that any harm to, or loss of, the significance of a designated heritage asset requires "*clear and convincing justification*". The NPPF expands on this by providing (paragraph 201) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 201 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 202 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
89. In terms of what constitutes a public benefit, this can be anything that delivers economic, social or environmental objectives, which are the three overarching objectives of the planning system according to the NPPF. The Planning Practice Guidance advises that "public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit". The degree of weight to attach to any particular public benefit is a matter for the decision-maker, having regard to factors such as the nature and extent of the benefit and the likelihood of the benefit being enjoyed. Different benefits may attract different amounts of weight.
90. The decision-maker is directed therefore by the NPPF to balance any harm to the significance of a designated heritage asset against the public benefits that flow from the proposal by considering in the case of less than substantial harm whether this harm is outweighed by the public benefits of the proposal, or in the case of substantial harm whether the tests in paragraph 201 of the NPPF are met. Importantly, these balancing exercises are not simple unweighted exercises in which the decision-maker is free to give the harm whatever degree of weight they wish.
91. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to have "special regard" to the desirability of preserving a listed building or its setting. In *Barnwell Manor* the Court of Appeal identified that the decision-maker needed to give "considerable importance and weight" to any finding of likely harm to a listed building or its setting in order properly to perform the section 66 duty. In the case of conservation areas, the parallel duty under section 72 of the same Act is to pay "special attention" to the desirability of preserving or enhancing the character or appearance of the conservation area. The courts have held that 'preserving' in this context means 'doing no harm'.
92. The NPPF at paragraph 199 provides that "great weight" should be given to the "conservation" of a designated heritage asset, and that "the more important the asset, the greater the weight should be".
93. The High Court in *Field Forge* explained that "it does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in *Barnwell*, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is

not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering". In Bramshill, the Court of Appeal (endorsing the Court's earlier decision in Palmer) observed that "the imperative of giving "considerable weight" to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is "uniform". That would depend on the "extent of the assessed harm and the heritage value of the asset in question". These are questions for the decision-maker, heeding the basic principles in the case law."

94. It is important also to note that as the Court of Appeal stated in Bramshill (which concerned a listed building) "one must not forget that the balancing exercise under the policies in [...] the NPPF is not the whole decision-making process on an application for planning permission, only part of it. The whole process must be carried out within the parameters set by the statutory scheme, including those under section 38(6) of the Planning and Compulsory Purchase Act 2004 [...] and section 70(2) of the 1990 Act, as well as the duty under section 66(1) of the Listed Buildings Act. In that broader balancing exercise, every element of harm and benefit must be given due weight by the decision-maker as material considerations, and the decision made in accordance with the development plan unless material considerations indicate otherwise...".
95. Where the significance of more than one designated heritage asset would be harmed by the proposed development, the decision-maker needs to account for the individual harms and to consider the level of harm arising when the assets are considered cumulatively.
96. As regards non-designated heritage assets, these are buildings, monuments, sites, places, areas, or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. For the most part, non-designated heritage assets will have been included on the Council's Local List, but it is not necessary for an asset to be included on the Local List in order for it to be treated as a non-designated heritage asset.
97. If there is harm to the significance of a non-designated heritage asset, paragraph 203 of the NPPF requires the decision-maker to arrive at a balanced judgement, having regard to the scale of any harm or loss and the significance of the asset.
98. What follows is an officer assessment of the extent of harm which would result from the proposed development to any designated and non-designated heritage assets that have been identified as potentially affected by the proposed development.

## Context

99. The site does not contain any designated or undesignated heritage assets. The nearest listed building to the site is the Grade II listed "Brent Viaduct" over the North Circular Road (listing number 1078890)

## Identification of Heritage Assets

100. A Heritage Statement was not submitted with the application however a Townscape and Visual Impact Assessment discusses some heritage impact. Heritage assets were identified using the Council's GIS system, LB Ealing's GiS-Ealing Maps, and Historic England's online tools. The assets identified include:
  - Brent Viaduct, A406 Grade II (434m north-east)

*1838. By Robert Stephenson. West face. Stock brick. Large central arch over North Circular Road (formerly over River Brent). Framed by brick pilasters with modillioned capitals which support a continuous parapet cornice.*  
*Smaller side arches. Widened on east side and the east face hidden by adjoining bridge but has the same treatment. Original and very little altered viaduct from the London and Birmingham Railway, carrying the main line from Euston. As described by J Bourne 'London and Birmingham Railway' 1838.*
  - Twyford Abbey Road Garden wall enclosing former kitchen garden Grade:II (500m south-west)

*TWYFORD ABBEY ROAD 1. 5010 NW 10 Garden wall to north of Twyford Abbey TQ 18 SE 2/14 12.1.77 II GV 2. C18. Red brick wall about 12 ft high enclosing a large area, once a kitchen garden. An important feature of the Twyford Abbey group.*

- Twyford Abbey Road Twyford Abbey (Nursing Home) Grade:II (516m south-west)

*TWYFORD ABBEY ROAD 1. 5010 NW10 Twyford Abbey TQ 18 SE 2/13 30.1.73 II GV 2. 1807-9 by William Atkinson. Enlarged 1904. "Gothic" country house. Brick, cement fronted. Two storeys, casements. Crenellated parapet. Buttresses, turrets.*

- Brentmead Gardens St Mary West Twyford Church Grade:II (600m south-west)

*II Parish church and community centre. 1808 by William Atkinson for Thomas Willan, encasing the previous and probably C17 chapel which replaced or incorporated a medieval church or chapel. Enlarged 1958 by NF Cachemaille-Day, refurbished 2009-10 for use as a church and community centre*

- Hanger Hill (Haymills) Estate Conservation Area (LB Ealing) 1.3km south-west

101. It should be noted that the nearest Conservation Area in Brent (Wembley High Street) is sited approximately 2.1km north of the site and is considered too distant for the proposal to have any material heritage impact on it.

## Assessment of Significance and Contribution

102. Against the identified heritage assets, what must therefore be determined is whether the proposed development would harm their significance, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72). The factors for consideration would be:

- The significance of the asset
- The sensitivity to harm of the asset
- Proximity
- Visibility
- Compatibility of the proposal with the context and setting of the asset

103. The Brent Viaduct is the nearest of the identified heritage assets however there are more modern bridges between it and the development site. The development would be viewed in the context of the emerging skyline and developments. View 13 of the TVIA provides illustrates the potential impact, which is considered to be positive (see Figures 3 and 4 below).

Figure 3: View 13 - PROPOSED: North Circular, north-east of junction with Harrow Road, looking south-west (towards Grade II listed Brent Viaduct)(Source: TVIA)



Figure 4: View 13 - PROPOSED: North Circular, north-east of junction with Harrow Road, looking south-west (towards Grade II listed Brent Viaduct)(Source: TVIA)



104. The potential impact from the three of heritage assets centred around Twyford Abbey can best be seen in View 5 of the TVIA. This illustrates that the proposed development, together with the massing of the Northfields estate would be completely screened by mature vegetation (see Figures 5 and 6 below). The visibility of the Northfield development may increase in the winter when less foliage is on the trees, the cumulative impact would be neutral.

Figure 5: View 5 - PROPOSED: Twyford Abbey grounds, south of Twyford Abbey building (Grade II listed), looking south

north-east (Source: TVIA)



Figure 6: View 5 - CUMULATIVE: Twyford Abbey grounds, south of Twyford Abbey building (Grade II listed), looking north-east (Source: TVIA)



105. The proposed building would be visible from the edge of the Hanger Hill (Haymills) Estate Conservation Area. It would be largely obscured by trees, with only the very top visible. When viewed in the context of the approved massing for Northfield, the cumulative impact of the proposed development is considered to be neutral (see Figures 7 and 8 below).

Figure 7: View 6 - PROPOSED: Brunswick Road, at junction with North Circular, looking north-east (at edge of Brunswick and Hanger Hill (Haymills) Estate Conservation Areas)(Source: TVIA)



Figure 8: View 6 - CUMULATIVE: Brunswick Road, at junction with North Circular, looking north-east (at edge of Brunswick and Hanger Hill (Haymills) Estate Conservation Areas)(Source: TVIA)



### Impact of the Development

106. The proposed development would introduce a building which would represent a significant change to the site. However, it would be viewed within the context of the Northfields development.

## Summary of Heritage Considerations

107. Although there would be some visibility of the proposed development from the Viaduct Bridge and the Conservation Area as illustrated in the images above, visibility of it from the Twyford Abbey-related heritage assets would be limited to the winter months. Notwithstanding, the proposed development must be viewed within the context of the approved Northfield scheme where it would be largely subsumed in view of that neighbouring development. Visibility does not necessarily equate to being harmful. At worst, the impact of the development is considered neutral.
108. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72), the proposal has been assessed against the identified heritage assets as set out above. It is considered that the development proposal would not lead to any harm to the identified heritage assets, having regard to Policy HC1 of the London Plan, and Policy BHC1 of the Local Plan.

## Design Considerations

109. There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.
110. Policies D1-D3 and D8 of the London Plan and the Mayor's Housing SPG apply to the design and layout of development and set out a range of urban design principles relating to the quality of public realm, the provision of convenient, welcoming, and legible movement routes and the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages and minimising inactive frontages. London Plan Policy D8 sets out a range of key design principles relating to the public realm. This requires development proposals to ensure that the public realm is well-designed, welcoming, inclusive, well-landscaped and supports urban greening, active travel, and benefits from natural surveillance.

## Layout and Access

### Layout

111. The existing site is occupied by a single rectangular building, with the long elevation facing the North Circular. Being located within SIL, with former offices located on the ground floor and the top two floors having been converted to residential via the prior approval route, the site is dominated by hardstanding to the front and rear, laid out for parking and vehicle circulation around the building (see Figure 1 above).

Figure 9: Indicative site layout (Source: Design & Access Statement)



112. Externally, the proposed layout significantly reduces the amount of impermeable surfacing and introduces a considerable increase in landscaping, which is considered more appropriate to its siting adjacent to a SINC and the River Brent (see Figure 9 above). In addition, at approximately 11m distance to the edge to the River Brent, the building is sited beyond the 8m buffer normally requested by the Environment Agency.

113. Parking would be aligned with the vehicular entrance along the north-eastern boundary, along the common boundary with the Shurgard Storage site, and would provide 5no. blue-badge spaces for the residential units and 1no. disabled space for the commercial floorspace. A dedicated service bay is provided in this location for deliveries.

114. There is sufficient space around the building to ensure that it does not feel cramped. Distancing of approximately 12m to the common boundary with the Shurgard building is maintained at the upper levels (13.5m at ground floor level) and 17m is maintained to the facing wall of the Shurgard building at the upper levels. There is approximately 11m at ground floor level to the River Brent and a further 30m to the façade of the nearest indicative building at Northfields (Block F). A suitable green buffer would be provided between the proposed building and the River Brent, and trees would be planted along the boundary with the Shurgard site.

115. Internally, the proposal responds to the flood risk constraints of the site by locating the least sensitive uses – the commercial elements and some of the ancillary accommodation, at ground and first floor levels. The second floor, as described earlier, would contain plant and cycle storage, with the residential dwellings located at third floor level and above.

116. Balconies are provided on the facades of the building that do not face the North Circular Road to avoid issues in relation to noise and air quality. The impact of noise and air quality on the development is discussed below.

Access

117. Two level-access residential entrances on the north-east elevation are provided to access the lower and taller towers and also provide a separation of the affordable and non-affordable housing elements. Whilst it is preferable to provide a single residential entrance, it is easier, for management of the affordable core, to provide separate entrances. There are also two entrance points at the rear of the building to provide access to the ground level amenity space.
118. Three commercial entrances are provided at ground floor; a lobby with goods lift serving the first floor located off the main entrance courtyard, an entrance to the roadside which provides access to ground floor commercial space to the south-west of the building and a self-contained commercial unit to the rear of the building to ensure ground floor active frontage.
119. The building has a number of lifts for different residential uses. The separation of the residential uses by tenure results in 2no. lift cores, each with 2no. passenger lifts. One lift to the market core would be a fire-fighting lift and 1no. lift per core would be used as an evacuation lift in line with new fire regulations. Both cores benefit from a 13-person lift which can be used to move furniture in and out of the residential units. To the rear of the building a dedicated cycle lift provides access to the second floor cycle storage, which is also accessed by all 4 lifts mentioned above.
120. The commercial floorspace benefits from a goods lift which would serve the first floor commercial space from the entrance within the courtyard. It would also act as an evacuation lift for disabled egress from the building in the event of fire.

## Height and Massing

121. Policy BD2 of the Local Plan defines a tall building as one over 30m in height. It directs tall buildings to the locations shown on the policies map as being within a Tall Building Zone. The site lies within the Alperton Housing Zone, identified as an area where higher density is considered appropriate due to its sustainable location, and it is also within the Alperton Tall Building Zone. Immediately to the north is Northfields, where buildings up to 28-storeys have been approved as part of the masterplan (see Figure 10 below).

Figure 10: Existing site with heights achieved in the Northfields development outline consent (Source: Townscape and Visual Impact Assessment)

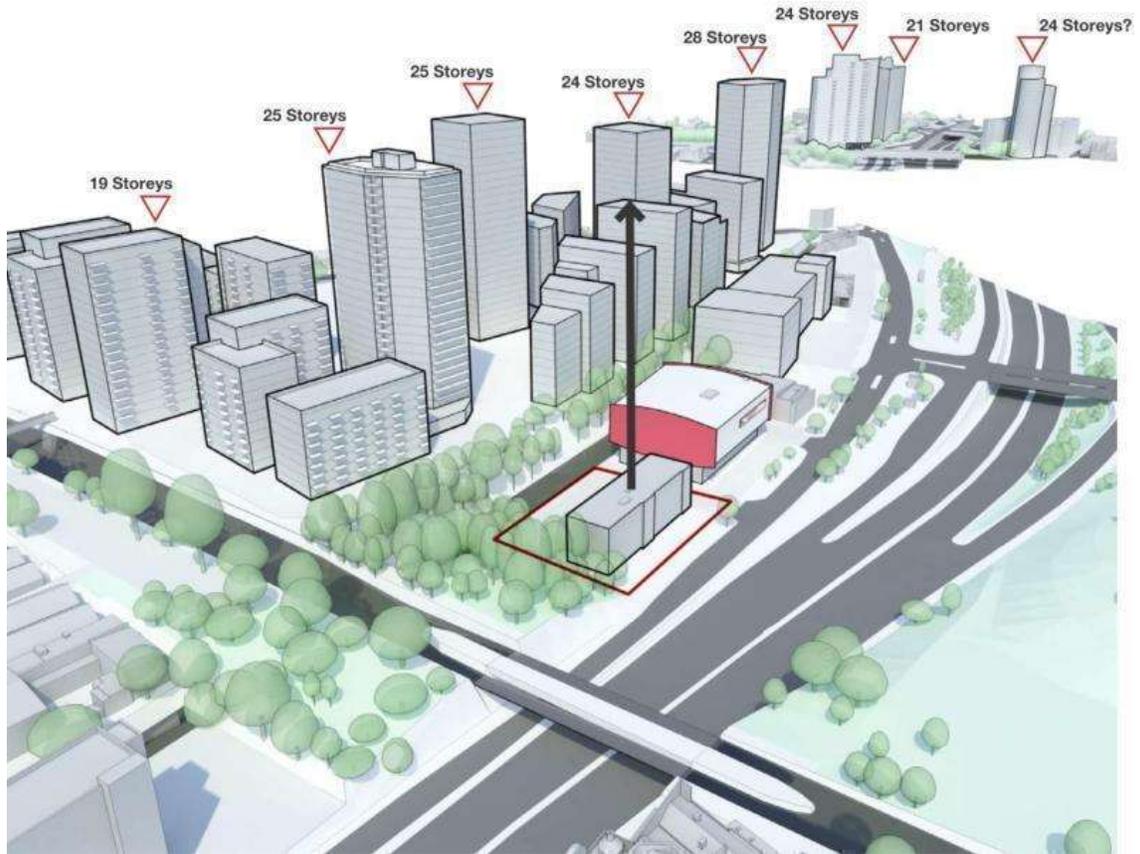


Figure 11: Proposed development viewed in context with Northfields (Source: Townscape and Visual Impact Assessment)

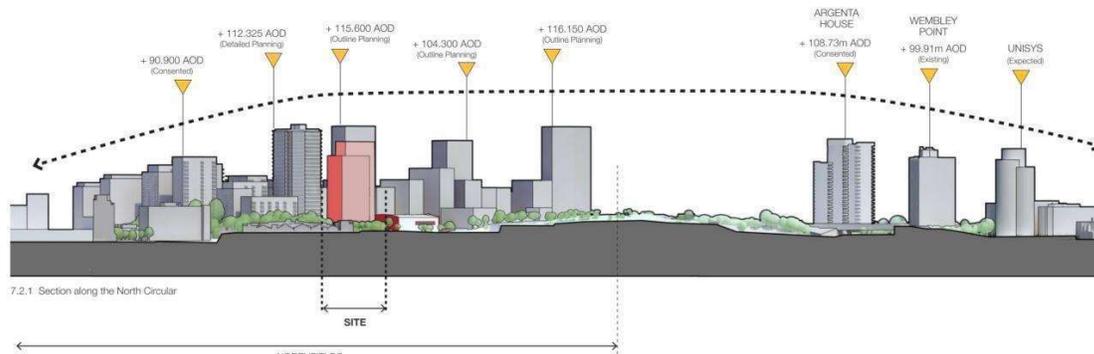


Figure 12: Cumulative Impact with Northfields (wire outline) and Shurgard Storage - View West



122. The proposed building, with a maximum height of 23-storeys (80.4m) would represent a significant change in terms of the existing site. Whilst the proposed building would be considerably taller than its immediate neighbour, the Shurgard building, this is considered acceptable having regard to the commercial nature of that building with its expansive blank south-west elevation, although it should be noted that there would be a separation distance of approximately 17m between facing elevations, so as to not compromise the ability of the Shurgard site to similarly re-develop.

123. Moreover, having regard to Figures 10, 11 and 12 above, the context of the area is undergoing a transformation with the implementation of the Northfields development. The proposed building would therefore be largely seen within the context of the emerging development and would not appear out of scale.

124. Within the wider context, the submitted Townscape and Visual Impact Assessment (TVIA) confirms that from various vantage points that due to its height, the scheme in isolation would be noticeable but with the emerging townscape included (albeit in the form of wire drawings), the height of the proposed development remains acceptable (see Figures 13 to 16 below) from all viewpoints.

Figure 13: Proposed and Cumulative View South-West from Footbridge over North Circular (Source: TVIA)



Figure 14: Proposed and Cumulative View South-West from Junction of North Circular and Harrow Road (Source: TVIA)



Figure 15: Proposed and Cumulative View North from Grand Union Canal Towpath, South of Aqueduct Over North Circular (Source: TVIA)



Figure 16: Proposed and Cumulative View North-east from North Circular at Iveagh Avenue Bus Stop (Source: TVIA)



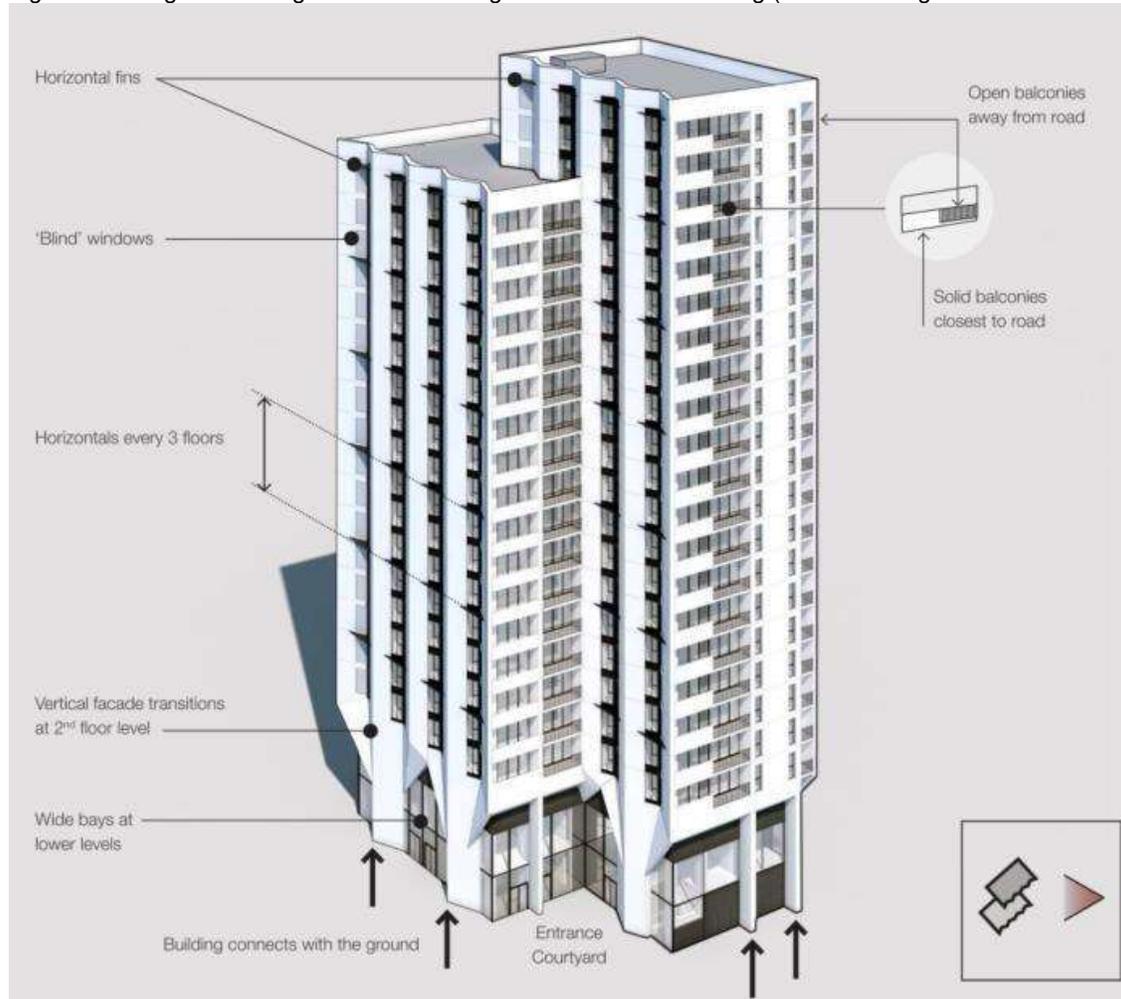
## Elevations and Materials

125. There is a requirement to achieve the highest quality of architectural and urban design (Policy D4 of the London Plan and BD1 of the Local Plan). The front façade of the building is provided with a ‘folded’ façade. This provides some articulation and interest to this elevation and also serves to direct views away from the North Circular Road and towards the canal or the City of London. On the remaining facades, views are more expansive over the canal, the River Brent and Northfields, and the balconies are more open, with metal balustrading because noise and air quality issues are not as critical.
126. The Environment Agency required the building footprint to be smaller than the existing building and combined with the strategy for optimising the site for 8no. residential units per core, results in a larger footprint for the residential floors. This strategy provides a clearly legible ‘Base’ and ‘Middle’ elements to the building (see Figure 17 below).
127. The angled facade opens up on the lower floors to provide a visual base to the building whilst allowing the commercial floors to be visually distinct from the residential. This results in robust vertical elements

which come to ground. The scale and texture of brickwork enhances this strategy by creating heavy masonry columns which connect with the ground.

128. In addition to the living spaces and private balconies facing away from the road, a strategy is employed whereby the balconies are solid to balustrade height closest to the road and are more open away from the road. This further ensures that residents in the units closest to the road are protected against any oblique views overlooking the North Circular.

Figure 17: Image illustrating some of the design features of the building (Source: Design & Access Statement)



129. In terms of materials, whilst the final appearance would be subject to an appropriately worded condition, the scheme would use brick as its primary material. To help reduce massing, the two towers would be of different but complimentary tones and heights. The colour of the brickwork has been informed by the Northfields masterplan and whilst originally proposed in grey tones, the warmer brick tones and clearer distinction between the two towers is considered more acceptable. Metal balustrading be provided on the more open balconies and curtain walling provided at ground floor level (see Figure 18 below).

Figure 18: Proposed materials (Source: Design & Access Statement and DAS Supplemental)



130. The lower floors maximise the active frontages by providing a large quantum of glazing to take advantage of the views towards the River Brent and the SINC.

131. it is considered that the proposal responds positively to the building's location at the juncture of three key pieces of infrastructure (canal, river, road) and would, subject to appropriately worded conditions, result in a high-quality building.

### Quality of Accommodation

#### Internal layout

132. Policy D6 (Housing quality and standards) and Table 3.1 of the London Plan reflect the adoption of nationally prescribed minimum space standards. Local Plan Policies DMP1 and BH13 confirm that

dwellings need to meet the private internal space standards set out in London Plan Policy D6. The proposal should also comply with the guidance contained within Brent Design Guide SPD1.

133. The proposal would achieve comfortable and functional layouts which are fit for purpose and would meet the needs of future occupiers. All homes would meet or exceed the minimum space standards and provide adequate room sizes and storage space. With respect to floor to ceiling heights, the residential minimum standard is 2.5m for at least 75% of the GIA and section drawings provided confirm that the floor to ceiling heights would be 2.5m. Floor to ceiling height for the commercial element is 4m, to enable greater flexibility of use for potential commercial operators. It is noted that some of the internal hallways, in particular for Flat Type 10 (1B2P dwellings) appear narrow, but at 0.93m it would exceed the minimum width of 0.9m. Communal corridors meet the minimum width of 1.2m.
134. Policy D6 of the London Plan and Brent's SPD1 seek to maximise dual aspect dwellings within a development, although recognising that single aspect dwellings may need to be provided when it is considered a more appropriate design response when trying to meet with the requirements for optimising site capacity (London Plan Policy D3) providing that adequate passive ventilation, daylight, privacy, and overheating avoidance can be demonstrated. The staggered footprint enables a greater proportion of dual aspect dwellings to be provided than a conventionally shaped building with dwellings either side of a central corridor. Of the 139 dwellings, approximately 88% (122 dwellings) would be dual aspect. It is noted that the original submission indicated that 100% of the units were dual aspect, however due to the provision of a second staircase to comply with revised fire safety regulations, Flat Type 08 was converted from a 1-bed dwelling to a studio dwelling, with the former bedroom now designed to serve as the staircase. It is also noted that whilst the outlook from within Flat Type 08 is in a north-west direction, the balcony faces south-west.

#### Inclusive access

135. London Plan Policy D5 seeks to ensure developments achieve the highest standards of accessible inclusive design. London Plan Policy D7 requires ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'; ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
136. Fourteen of the 139 dwellings proposed would be designed to M4 (3) 'wheelchair user dwellings' standards, thus satisfying the 10% Policy requirement. It has also been confirmed that the remainder (90%) of the dwellings would be designed to M4 (2) 'accessible and adaptable dwellings' standards, thus ensuring that the development achieves the highest standards of accessible and inclusive design. This element of the scheme would be secured by condition.
137. As stated above, there would be level access into the building, with direct access to lifts from the lobbies and blue-badge parking is provided on site.

#### Privacy and Outlook

138. Policy DMP1 of the Local Plan states that *"For those in the development and neighbours it is important that the development creates a high-quality environment, addressing issues like spaces between buildings, privacy, outlook..."*.
139. As confirmed above, separation distances to the Shurgard site (17m) and to the nearest of the Northfield buildings (approximately 40m) would ensure that the potential occupiers would not be unduly impacted in terms of loss of privacy or outlook.

#### Daylight, Sunlight, Overshadowing

140. During the course of the application, the Daylight, Sunlight and Overshadowing and Internal Daylight Report was updated to reflect the updated BRE guidance that came into effect in June 2022, These changes affect the way in which daylight and sunlight within new development is assessed. To this end, an Internal Daylight and Sunlight Addendum by Syntegra Consulting (June 2023) has been submitted.
141. In terms of internal daylight, the annual daylight method is now used, and this involves using climatic data for the location of the site (via the use of an appropriate, typical or average year, weather file) to calculate the illuminance from daylight at each point on an assessment grid on the reference plane at an at least hourly interval for a typical year.
142. A target illuminance (ET) is the illuminance from daylight that should be achieved for at least half of

annual daylight hours across a specified fraction of the reference plane in a daylit space. Daylight Autonomy (DA) is the percentage of occupied hours that each sensor receives more than the illuminance threshold, and Spatial Daylight Autonomy (sDA) is an annual daylighting metric that quantifies the fraction of the area within a space for which the daylight autonomy exceeds a specified value.

143. The UK National Annex gives specific minimum recommendations for habitable rooms in dwellings in the United Kingdom. These are intended for 'hard to light' dwellings, for example in basements or with significant external obstructions or with tall trees outside, or for existing buildings being refurbished or converted into dwellings. The National Annex, therefore, provides the UK guidance on minimum daylight provision in all UK dwellings.
144. The UK National Annex gives illuminance recommendations of:
- 100 lux in bedrooms,
  - 150 lux in living rooms and
  - 200 lux in kitchens.
145. These are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours.
146. For the study, the accommodation over floors 3 to 7 were assessed because it is these levels that would be the most likely to be impacted, primarily due to the height of the Shurgard building at approximately 7 floors. Being south of the Northfields development, the proposed building would be affected by overshadowing from any of the buildings on that nearby site.
147. The assessment of internal daylight levels reveals that 100% of the rooms assessed over each floor, achieves the DA threshold (lux, 50% of the Daylight Hours for 50% of the Area). The proposed development would therefore provide very good levels of internal daylight for future occupiers.

#### Amenity Space Provision

148. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This would normally be expected to be 50sqm for family housing (homes with 3 or more bedrooms) at ground floor level and 20sqm for all other housing.
149. The requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
150. More recently, on 12<sup>th</sup> June, the Council adopted the Residential Amenity Space & Place Quality SPD. The SPD confirms that where the full area requirement cannot be provided, at least part of each dwelling's required amenity space would be private space and comply with London Plan policy as a minimum.
151. 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 Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
152. Policy D6 of the London Plan specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the policy.
153. As confirmed above, Policy BH13 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. Table 3 below provides the total shortfall in amenity space in

terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used.

Table 3: Amenity space provision

Floor	Flat Type	Policy Requirement (sqm)	Private Balcony (sqm)	Shortfall
3 to 7	04	20	12.57	7.43
	05	20	13.66	6.34
	06	20	12.18	7.82
	07	20	11.5	8.5
	08	20	5.5	14.5
	13	20	15.23	4.77
	14	20	9.63	10.37
<b>Total over 5 floors</b>	<b>35</b>	<b>700</b>		<b>298.65</b>
8	03	20	9.6	10.4
	04	20	12.69	7.31
	05	20	13.72	6.28
	06	20	12.15	7.85
	07	20	11.68	8.32
	08	20	5.47	14.53
	09	20	15.28	4.72
<b>Total</b>	<b>7</b>	<b>140</b>		<b>59.41</b>
9 to 19	03	20	9.71	10.29
	04	20	12.65	7.35
	06	20	12.16	7.84
	07	20	11.73	8.23
	08	20	5.54	14.46
	09	20	15.15	4.85
	10	20	6.85	13.15
	11	20	7.28	12.72
<b>Total over 11 floors</b>	<b>88</b>	<b>1,760</b>		<b>868.23</b>
20	03	20	9.63	10.37
	09	20	20.99	0
	12	20	12.69	7.31

<b>Total</b>	<b>3</b>	<b>60</b>		<b>17.68</b>
21 to 22	03	20	9.53	10.47
	09	20	20.99	0
	12	20	12.67	9.33
<b>Total of 2 floors</b>	<b>6</b>	<b>120</b>		<b>39.6</b>
<b>Cumulative Totals</b>	<b>139</b>	<b>2,780</b>		<b>1,283.57</b>

	<b>Policy Requirement (sqm)</b>	<b>Shortfall (sqm)</b>	<b>Communal Spaces (sqm)</b>	<b>Cumulative shortfall (sqm)</b>	<b>% of Req.</b>
Total dwellings:	2,780	1,283.57	1,230.6	52.97 (average of 0.4 / flat for 136 flats)	98.1

154. In terms of private amenity space provision in the form of balconies, only three dwellings (FT09), located at floor levels 20 to 22, exceed the 20sqm requirement. Although none of the remaining dwellings would be provided with 20sqm as specified by Policy BH13, each would exceed the minimum requirement of 5sqm set out in the London Plan and illustrated by Table 3 above. Total private amenity space provision equates to approximately 60% of the policy requirement.

155. With respect to communal space, this is in the form of rooftop provision (c.337.8sqm) and the landscape around the building but primarily at the rear (892.8sqm). This would make up almost all of the shortfall in the private amenity space provision reaching 98.1 % of the policy target, with a total shortfall of 52.97 sqm (average of 0.4 sqm per home for the 136 homes that have less than 20 sqm of private space).

#### Playspace

156. Play space provision to cater for a range of age groups should be made in accordance with the Mayor's 'Play and Informal Recreation' SPG and Policy S4 of the London Plan and a benchmark of 10sqm per child should be provided. The total expected child yield for the proposed development is 71.6, equating to a total onsite playspace provision of 715.8sqm. The breakdown by age group is shown in Table 4 below.

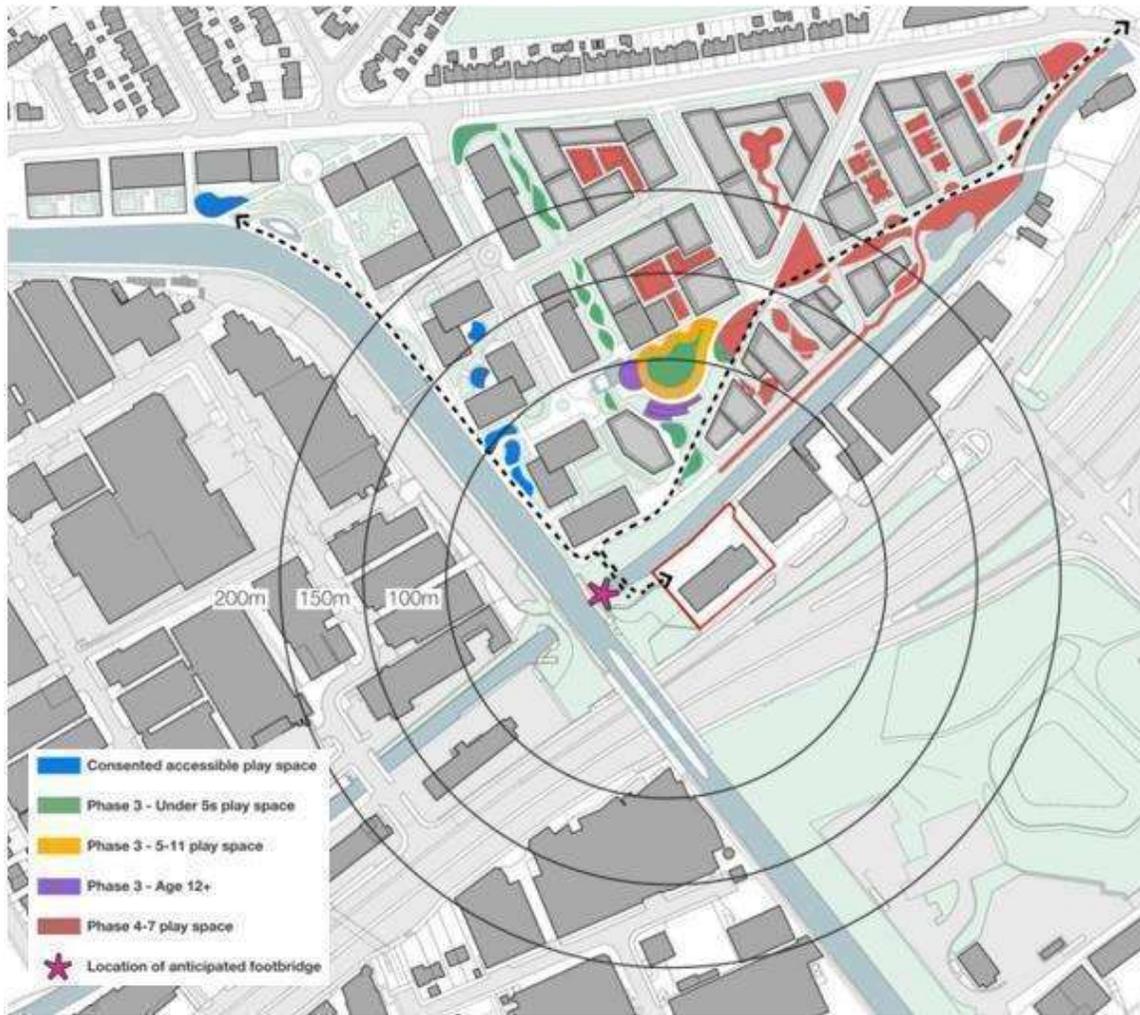
Table 4: Child Yield for the Development (Source: Planning Statement)

<b>Age Group</b>	<b>Child Yield</b>	<b>Playspace required (sqm)</b>
0-4	33.8	338
5-11	24.3	243
12-17	13.5	135

157. The playspace strategy is to provide 338sqm of playspace, located at the rear of the site and this would cater for the 0-5yrs age group. This approach is considered acceptable as doorstep play for the youngest age group should be the priority if there isn't sufficient space to cater for all age groups. It is also appropriate to consider any parks and open space within proximity of the site. Figure 20 below indicates the location of play and open spaces in proximity to the site.

158. It is clear from Figure 19 below that the scheme would be reliant on the Northfields development to the north to cater for the off-site provision, however this would not be delivered for several more years. Given build times, this is not considered unreasonable, however it does highlight that need for good pedestrian links to connect with Northfields and beyond. It should be noted that the Heather Park Drive open space is located approximately 300m (in a straight line) north of the site.

Figure 19: Location of Northfields accessible playspace (Source: Design & Access Statement)



159. Beyond the more immediate provision offered by the emerging Northfields development and Heather Park Drive, the applicant has also included locations that could reasonably cater for the older age groups such as at the Brent River Park, as indicated in Figure 20 below:

Figure 20: Location of neighbouring playspace (Source: Design & Access Statement)



### Playspace summary

160. The focus of on-site provision would be on the youngest users, where the greatest level of supervision can be provided. There are opportunities for older children to use some of the landscaped areas as incidental play, but it would not be unreasonable to utilise off-site space. It is considered that notwithstanding the shortfall of on-site provision, the applicant has advanced a sound playspace strategy.

### Impact on Neighbour Amenity

161. One of the core planning principles in the NPPF is that decisions should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

### Distancing / Loss of Outlook / Overlooking / Loss of Privacy

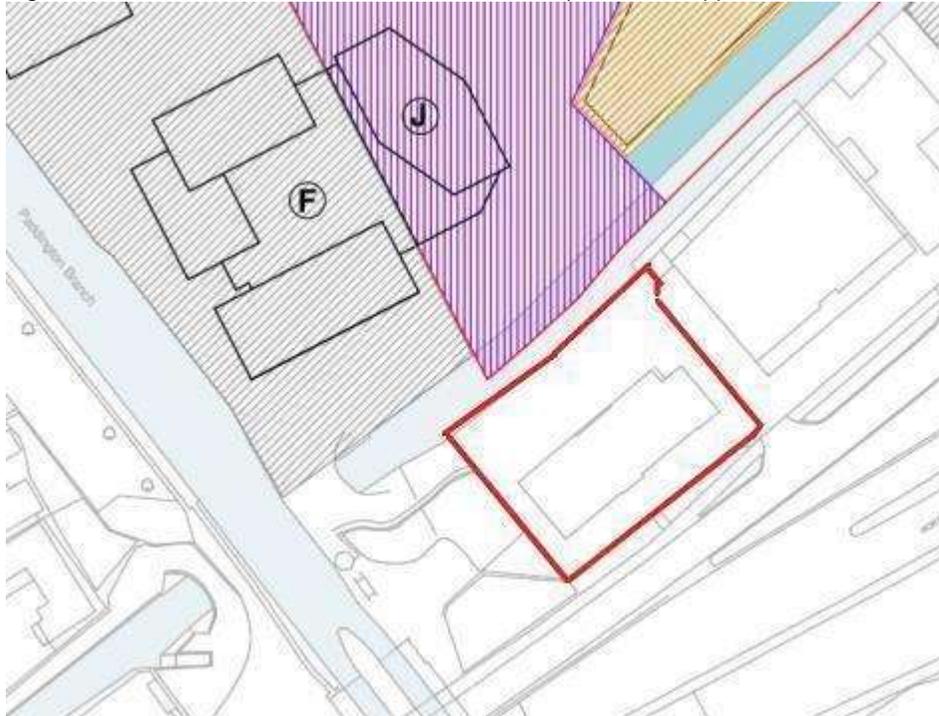
162. Distancing levels to the nearest adjacent developments, existing and emerging was discussed earlier. With regards to the Shurgard site, this is a commercial building therefore these matters need not be discussed further. It is noted above that there would a distance of approximately 12m to the common boundary, therefore should that adjoining site come forward for redevelopment, it would not be prejudiced by the proposal in terms of loss of outlook, outlook, and privacy.

163. In relation to the nearest of the proposed blocks on the Northfield site, distancing of approximately 30m would ensure that the proposed development would not unduly harm the amenities of the future occupiers in terms of loss of outlook, outlook, and privacy.

## Daylight and Sunlight

164. The applicant has submitted a Daylight, Sunlight and Overshadowing and Internal Daylight Report by Syntegra Consulting (February 2022) to demonstrate the impact of the development on surrounding existing properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. As confirmed above, updated guidance came into effect in June 2022, but this relates only to the way in which daylight and sunlight within new development is assessed. The updated BRE guidance leaves in place the previous guidance for assessing daylight and sunlight effects within neighbouring properties and areas of open space. Officers are satisfied that the analysis (plus all additional targeted assessments) identifies the neighbouring properties which could be affected by the proposed development. To this end, the Shurgard site was not included in the assessment because of its commercial nature. However, Blocks F & J of the emerging Northfields development were assessed. Block F is sited approximately 40m distant, with Block J a further 5m beyond i.e., 45m distant. Figure 21 below illustrate the relation of the site to Blocks F & J.

Figure 21: Site in relation to Blocks F & J, Northfield (Source: Sheppard Robson Parameter Plan)



165. A total of 328 eight windows (W1-W328) have been assessed for external levels of daylight VSCs (Vertical Sky Components) and sunlight APSHs (Annual Probable Sunlight Hours). In addition, 3 amenity areas (A1-A3) have been assessed for overshadowing impacts.

166. BRE advice is that an adverse effect would occur if the proposed value was not only less than 27% VSC but also less than 0.8 of the former (existing) value. A total of 47 windows on Blocks F & J would experience only marginally above a 20% loss on proposed VSC, and 8 windows experience marginally more than a 20% loss of APSH values.

167. The windows experiencing a minor impact for VSC are only marginally more than 20% (from 0.79 to 0.74), and 2.5% of windows experience a minor impact for APSH. The majority of the impacted windows have balconies, which obstruct a windows ability to view sky over an adjacent building. On balance, the results are considered to be excellent for its surrounding townscape and location within a designated tall building zone, regeneration area and Housing Zone.

168. On Block F (windows W1-W208), all windows with a minor impact are associated with either bedroom or living/dining areas, where the room has multiple windows, or it has no great depth and therefore would experience good levels of daylight distribution. Furthermore, as the units would have a predominantly southerly outlook, and there would be large separation distances (in excess of 40m) between Block F and the proposed building, neighbouring residential occupiers would continue to be provided with

sufficient levels of amenity and outlook.

169. With regard to Block J (Windows 209-W328) the windows with a minor impact are associated with either bedroom or living/dining areas which are part of dual aspect units. The bedrooms have a single glazing unit but given the shallow size and the large glazing area these areas are expected to receive very good levels of natural daylight. Living/dining areas benefit from dual aspect with additional windows facing away from the proposed development and would therefore achieve excellent levels of daylight.

#### Daylight and Sunlight Summary

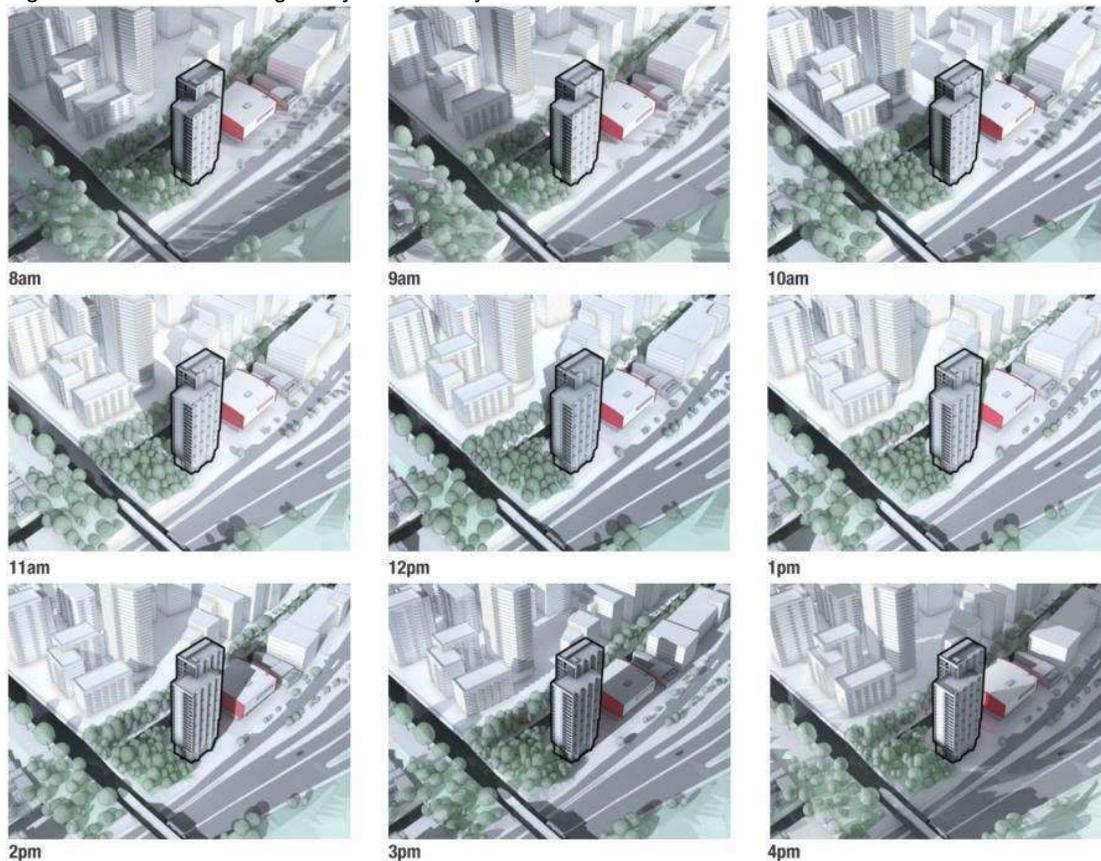
170. Through VSC, APSH, NSL and ADF analysis, the levels of daylight at the nearest Northfield Blocks (Blocks F&J) would not be adversely affected by the proposed development. Although the levels of daylight for some of the surfaces at Blocks F&J would be affected by the proposed development, the impact would be very minor, particularly as all the impacted rooms exceed the No-Sky Line criteria and similarly exceeds Average Daylight Factor (ADF) criteria, both of which would ensure excellent levels of daylight are achieved.

#### Overshadowing

171. A study was undertaken to establish whether the proposed building would unduly impact on external amenity space and the adjacent watercourses as a result of overshadowing. BRE guidance advises that 50% of an amenity space should receive at least two hours of sunlight per day on the 21<sup>st</sup> of March (spring equinox). Overshadowing was assessed from the hours of 7am to 6pm when the sun's altitude is above 10°.

172. The rear amenity space adjacent to the river achieved more than 50% which equates to over 5 hours of sunlight. More than 80% of the roof terrace achieved 2hrs of sunlight. The canal achieved more than 90% of sunlight, which equates to nearly 10 hours per day. Figure 22 below provides a visual representation of the overshadowing study on March 21<sup>st</sup>.

Figure 22: Overshadowing Analysis at Hourly Intervals for March 21<sup>st</sup>



## Summary of Neighbour Impact

173. Given the above considerations, it is considered that the proposal would not unduly impact upon the amenities of the future residential occupiers on the Northfield site. The level of distancing involved would ensure that there is no overlooking, loss of privacy or loss of outlook.
174. In respect of daylight and sunlight, there is limited existing massing on site and although this would significantly change with the provision of a 23-storey building, the impacts on the nearest of the residential blocks on the Northfield site are considered very minor. The proposal would accord with Policy DMP1 of the Local Plan.

## Transport

### Policy and Context

175. London Plan Policy T1 sets a strategic aim for all development to make the most effective use of land reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Local Plan Policy BT1 seeks to promote sustainable pattern of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.
176. The site is in an area with a Public Transport Accessibility Level ('PTAL') of 2 broadly over its western half and 3 over its eastern half. This is categorised as 'Moderate' on a scale where '1b' indicates poor public transport access, to 6b with excellent levels of public transport accessibility. Underscoring the PTAL score, as already mentioned above, there are Underground and bus links within a reasonable walking distance of the site.

### Parking

177. Car parking allowances for the proposed uses within the building are set out in Tables 10.3 and 10.4 of the London Plan. As the site is located in Outer London and has a moderate PTAL value, up to 0.75 spaces would be allowed per 1-/2-bed dwelling, with one space allowed per 3-bed dwelling, and up to one space per 100sqm is allowed for the workspace. Therefore, the building as a whole would be allowed up to 119 car parking spaces. The scheme is car free, in accordance with Policy T6 of the London Plan, with the exception of blue-badge parking, and the proposed six disabled spaces is therefore well within the maximum standard, whilst also exceeding the minimum requirement for disabled parking set out in the London Plan. To further conform with London Plan requirements, at least two of the spaces would require electric vehicle charging points at the outset, with the remainder having passive provision.
178. A Parking Design and Management Plan (PDMP) has been provided, and it identifies where additional disabled person parking spaces can be provided should the need arise. Whilst the PDMP is welcomed and would be secured via an appropriately worded condition, it is noted that the additional spaces would be located on-street and could lead to a pinch-point on the footway leading south to the nearest bus stop. Moreover, the presence of parked cars at this narrow point could disrupt the smooth flow of traffic on the highway, as it would not be wide enough for larger vehicles to safely pass alongside parked cars.
179. Local Plan Policy BT2 also requires that any overspill parking that is generated can be safely accommodated on-street. To estimate likely parking demand, data from the 2011 Census has been considered, which suggests average car ownership of 0.53 cars/flat in this area, equating to 74 cars for the 139 flats. This would lead to an estimated overspill of 68 cars, which far exceeds the on-street parking capacity along the site frontage.
180. With the ongoing redevelopment of the wider, including the approved redevelopment of the Northfields Industrial Estate to the north, funding is being secured to implement Controlled Parking Zones (CPZ) in the area to allow overspill parking to be regulated. It is therefore suggested that, as with other developments in the area, a financial contribution of £70,000 is secured towards the implementation of a CPZ and that a restriction is placed on any new dwellings, withdrawing the right of future residents to on-street parking permits in the event that a CPZ is introduced. This would mitigate the parking concerns that would otherwise arise from the limited off-street parking that is proposed.

## Cycle Parking

181. With regard to bicycle parking Table 10.2 of the London Plan would require 264 secure residential spaces, plus six secure spaces for the workspace. A further six external short-stay spaces for visitors are also required.
182. Four stores providing a total of 248 bike spaces (predominantly two-tier stands) are proposed on the second floor of the building for the dwellings, accessed via an appropriately sized lift. A further 16 spaces for non-standard bikes are shown within a store located on the ground floor. Bicycle storage for eight bikes is also shown within the entrance to the commercial units, whilst three external bicycle stands are shown to the front of the building for visitors. The bicycle parking provision therefore meets standards.

## Access

183. It is proposed to relocate the existing crossover westwards so that the two accesses can be separated to provide a strip of footway area between them, with tactile paving also added. Tracking has been provided to confirm that the two accesses would both be able to still accommodate access by large rigid vehicles. The alteration to the access is considered to be beneficial to pedestrian safety and is welcomed. A previously shown gate across the access to the site has been removed and this is also welcomed.
184. The main pedestrian access to the site would remain from the Old North Circular Road via an existing set of steps within the grass verge fronting the site. Step-free access would be via a separate gate and route across the site forecourt area.

## Trip Generation

185. To provide information on the likely impact of this proposal on the local transport networks, a Transport Statement has been submitted with the application, which has used the national industry standard TRICS database to estimate likely trips to and from the site by all modes of transport, based on comparisons with seven other surveyed sites in Bexley, Brent, Hounslow, Havering, and Richmond.
186. The development is predicted to increase journeys to and from the site by 9 arrivals vs. 74 departures in the morning peak hour (8-9am) and 43 arrivals vs. 22 departures in the evening peak hour (5-6pm). Census data has then been used to estimate future modal splits, with an adjustment made to reflect the low level of car parking proposed (n.b. this is contingent upon a CPZ being introduced in the area to support the 'car-free' development). As a result, just one car journey and up to three delivery vehicle movements in each peak hour are expected to be generated. This would have no noticeable impact on the highway network and would actually have a lesser impact than the existing building with its larger car park.
187. For public transport trips, the development is predicted to generate 4 arrivals vs. 32 departures in the am peak hour and 28 arrivals vs. 9 departures in the pm peak hour by rail and Underground. Census data for journeys to work has been used to establish the likely origins and destinations of these trips, allowing trips to be allocated to particular stations and rail services. The data suggests that the vast majority of trips would use Stonebridge Park station, with the Bakerloo line experiencing the greatest demand (although in reality, trips would probably be more evenly split between Bakerloo and London Overground services than shown). This would equate to approximately 1-2 additional passengers per train, which is not considered significant.
188. These figures have also been added to baseline figures for throughput at the station (including other nearby developments) in order to assess the adequacy of the station. This suggests that the existing number of gates (3) is adequate. However, this differs to the assessment for the Northfields development, which showed that an additional gate would be required to increase capacity, with a significant financial contribution to be provided towards this. Given that the Healthy Streets Assessment has also highlighted the lack of step-free access at the station as an issue, and having regard to TfL comments on this matter, a financial contribution of £194,500 is also sought from this development towards a feasibility study and station improvements. This would be consistent with sums secured by other developments in the area, and in accordance with Policy T4 of the London Plan.

189. For bus trips, an additional 28 trips are expected in each peak hour. Again, these have been allocated to various routes based upon likely destinations, with route 112 expected to carry the most passengers (14 per hour). This equates to approximately one additional passenger per bus. TfL, as operator of these services, has advised that a review of the local bus network has identified a need for capacity improvements. Therefore, in accordance with Policy T4 of the London Plan, a contribution of £182,000 towards bus capacity enhancements is sought by TfL.

## Servicing and Deliveries

190. A 7.5m x 4m loading bay has been indicated alongside the car parking spaces. This would be able to accommodate the requirement for servicing of the offices by 8m long rigid vans. The site frontage and parking area also provides sufficient space to allow access and turning by larger 10m refuse vehicles and fire appliances to the front of the building, with tracking diagrams having been submitted to demonstrate this. As such, servicing requirements are met.

191. Two refuse storage rooms are both shown conveniently located within 10m of the servicing area. However, the quantity of bins shown falls short of standards, with only 20 Eurobins detailed, as opposed to the requirement for 35 such bins (16 general waste, 16 recycling & 3 organic waste). The applicant therefore proposes that refuse is collected twice weekly. This arrangement has been accepted for other developments in the area, subject to a payment being made to Brent's Waste Contractors to cover the increased cost of more frequent collection, as those sites were particularly constrained. In this instance, whilst officers would prefer to see the scheme provide full storage capacity, it is understood that the Environment Agency would object to the siting of any bin store within 8m of the River Brent. The proposal to pay for an additional collection is therefore supported in this instance.

192. The submitted Delivery and Servicing Management Plan sets out arrangements to help to manage the 34 expected daily deliveries to the dwellings. This includes the provision of information to residents to help them reduce the number of deliveries to the site (e.g., use click & collect), to use more sustainable delivery companies and to allow the management team to accept deliveries on behalf of residents when they are not home. A specific Delivery and Servicing Management Plan for the commercial use has also been provided which specifies how the 7 expected daily deliveries will be managed through a booking system and arrangements for future monitoring.

193. The measures set out within the two Delivery and Servicing Management Plans are welcomed, and would be secured by an appropriately worded condition.

## Construction Logistics Plan

194. A framework Construction Logistics Plan (CLP) has been submitted in support of the application, and it indicates a construction programme to last 96 weeks, with standard working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays.

195. The CLP confirms that the site would be fully self-contained behind 2.4m high hoardings and that all delivery vehicles would be able to access and turn within the site with the aid of a banksman. Delivery movements would also be pre-booked to ensure there is always space available within the site to receive deliveries (estimated to peak at 33 per day). As such, with the existing crossover to be used for access and wheel-washing to be provided, the impact on the public highway is considered to be minimal.

196. Away from the site, delivery vehicles would be routed via the North Circular Road, at the Abbey Road junction, ensuring traffic does not use minor roads. Staff would also be encouraged to use public transport to reach the site, with limited parking to be provided on-site. This would also help to keep highway impact to an acceptable level.

197. A full CLP would be secured through condition in line with London Plan Policy T7. This should detail the full measures that would be implemented to minimise the impact on the surrounding transport network and demonstrate how construction would be carried out in accordance with the Mayor's Vision Zero and Healthy Streets principles.

## Healthy Streets

198. Policy T2 of the London Plan seeks to ensure that all developments deliver against the Mayor's Healthy

Streets approach. The Healthy Streets approach seeks to improve air quality, reduce congestion, and make attractive places to live, work and do business. There are ten Healthy Street indicators which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle, and use public transport.

199. A Healthy Streets Assessment has been undertaken to consider the quality of the existing pedestrian and cycling routes in the area. Six routes were studied, linking the site to Stonebridge Park Station, West Twyford Primary School, Brent River Park, Hanger Lane Station, Central Middlesex Hospital/Asda superstore and Alperton Station. Two of these routes lie predominantly within the London Borough of Ealing.
200. Potential improvements have been recommended to the routes. These include increased tree planting, improved pedestrian crossing facilities, increased litter bins, increased seating, wider footways, reduced speed limits, extensions to cycle routes, improved signage etc. These improvements are not generally considered essential to make the scheme acceptable in transport terms but do provide a list of potential improvements that CIL funding could be used for.
201. However, one potential improvement that is mentioned and is considered essential to the acceptability of the scheme is a link between the development site and the Grand Union Canal towpath, as this would provide a traffic-free route over the North Circular Road and onward towards Park Royal, Old Oak Common and Central London.
202. There is an existing footpath with steps between the site's car park and the adjoining Grand Union canal, which is currently closed with locked gates and is overgrown. The applicant's site plan shows the reopening of this footpath, which would then provide a connection to the adjoining Northfields development and to the canal side path proposed within that site.
203. There are also separate proposals to construct a bridge over the canal in the vicinity of this footpath, which would in turn connect the site (and the Northfields development) to the canal towpath opposite for pedestrian and cyclists. The Council is currently leading on developing a preferred design for the bridge, in consultation with the landowners (St. George and the Canal & River Trust), with a view to using CIL funding to construct the bridge. Whilst a preferred option has been arrived at, this still requires the agreement of all parties, so is not yet ready to be taken forward to a detailed design. Nevertheless, there is a reasonable prospect of the bridge being provided in the near future.
204. The key requirement from this development site (aside from providing additional CIL funding that can be put towards the bridge), is therefore to ensure that any reopened footpath link is accessible to the general public, so that they can also access the towpath from the North Circular Road (which is not possible at present). In this respect, it is noted that the path does not provide a step-free route for cyclists and wheelchair users in its existing condition, and it is unlikely that it would be able to accommodate such users in future either, given the 8m difference in level between the car park and the canal. A permissive right of way for pedestrians would therefore be required across a part of this development site to connect Old North Circular Road and the footpath. It could pass along either the front of the building or along the edge of the site but would need to be clearly shown on the site plan and signposted on the ground. It must also not be obstructed by any locked gates. This right of way would be secured through any S106 Agreement for the development.
205. Road accident statistics for the last five years has been examined for the area, with a particular emphasis on fatal and serious accidents and accident clusters. Precise details of accidents have not been provided, but it is noted that there were no accidents on Old North Circular Road in the immediate vicinity of the site. Some of the potential improvements at junctions further from the site (notably the junctions of North Circular Road with Abbey Road and Harrow Road) are in any case subject to further study as a legal obligation placed on the Northfields development, so are to be looked at in greater detail separately to this proposal.

## Active Travel Zone

206. An Active Travel Zone (ATZ) assessment has been included within the Transport Assessment. Additional routes to the site should be identified to include destinations of local cultural significance and educational facilities. Noting the current industrial nature of the site, TfL has requested that the ATZ assessment is also updated to include a night-time assessment of all routes. A revised ATZ would be secured by condition.

## Travel Plan

207. To help to manage travel to and from the site by modes other than the car, the applicant has submitted a Travel Plan. This sets out a range of measures to be managed by a Travel Plan Co-ordinator (probably one of the site management team) to support the use of sustainable transport.
208. In terms of targets, the aim is to keep car trips to no more than 4% of the total, in line with the findings of the Transport Assessment. The emphasis would therefore be on increasing active travel, with the main aim to increase walking and cycling trips from 15% to 25% of the total over five years, with public transport journeys reducing from 78% to 68% of trips. Progress towards these targets would be monitored biennially, following an initial baseline survey undertaken within six months of occupation of the building. However, it is not confirmed that the surveys would be compatible with either TRICS or i-TRACE standards. The need for further measures would then be reviewed if targets are not being met.
209. Proposed measures to achieve these targets include provision of a welcome pack to residents promoting the benefits of walking, promoting cycling through participation in campaigns such as National Bike Week, providing public transport timetable information etc.
210. A development of this size may be capable of supporting a Car Club by itself. If not, other developments in the nearby area (such as Northfields) are required to provide Car Club vehicles. As such, more commitment towards Car Clubs needs to be secured from this development. This needs to include engagement with Car Club operators to establish whether there is an interest in basing a vehicle on the site. If not, then the minimum requirement would be to provide free membership of a local Car Club for residents for a minimum period of three years. It is recommended that this is secured as a separate item through the S106 Agreement.

## Sustainable Design

### Policy and Context

211. Chapter nine of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Local Plan (Chapters 6.7).
212. Major residential and non-residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. Since the submission of the planning application, the Building Regulations have been updated with the 2022 version. Nevertheless, given that the application was submitted prior to the updated regulations coming into effect. A detailed design stage energy assessment will be required through the Section 106 legal agreement to ensure that assessment is undertaken in accordance with the relevant regulations. Policy SI2 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.
213. 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 BSU11 is not triggered insofar as the need for the commercial elements to achieve BREEAM "Excellent" are concerned because the threshold for this is 1,000sqm or more, and 801sqm is proposed.
214. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
215. The applicant has submitted a variety of reports to address this element of the proposal, and these are considered more fully below.

## Carbon Reduction / Energy

216. The submitted Energy and Overheating Strategy outlines the approach to carbon emission savings and renewable energy, as set out in Table 4 below.

### Be Lean

217. Overall heat loss is dependent upon the U-values of various building elements and the properties' air tightness. U-values and air permeability better than Part L (2013) minimum values have been suggested for this development.

218. The low U-values presents a risk for overheating that is alleviated by the presence of some balconies and low g-value glass, hence reducing solar gain. A consistent glazed panel is applied to all elevations ensuring adequate natural daylight to all areas. The internal layout and windows have been designed to improve daylighting in all habitable spaces, as a way of improving the health and wellbeing of occupants.

219. Water efficient fittings including low volume dual flush WCs, and low flow taps/ showers/ bath are proposed. These measures would result in the internal water consumption rate of 105 litres/person/day or less, excluding an allowance 5 litres per person per day for external water consumption.

220. A mechanical ventilation heat recovery (MVHR) ventilation strategy would be adopted in the development with Heat exchanger efficiency 75% or higher, and a specific fan power (SFP) of 1.5W//s or less for commercial units and communal spaces. The specified units for each dwelling, presenting an SFP of 0.48W//s and a heat recovery efficiency of 96%.

221. The proposed light fittings would be low energy efficient fittings. Photoelectric dimming and occupancy sensing controls are suggested for commercial spaces.

222. Employing Be Lean measures is expected to reduce carbon by 13% for residential units and 15% for non-residential units achieved against the Baseline set by Building Regulations Part L 2013.

### Be Clean

223. The feasibility of connecting into an existing heating network or providing the building with its own combined heat and power plant has been assessed alongside the London Heat Map Study for the borough. The study identifies that the site is not located near any existing district heat networks (DHN). Notwithstanding, the development must ensure that it is designed to allow for future connectivity to a heat network should one be delivered in the future, therefore the details of a connection point to be incorporated as a futureproofing measure shall be secured by condition.

224. Although the London Plan's Energy Hierarchy identifies combined heat and power and tri-generation (CHP and CCHP respectively) as a means to produce low-emission heat, electricity and chilled water, encouraging the installation of CHP energy centres where technically feasible, they would not be employed within the proposed development due to: the heating and hot water loads not being consistent enough to justify the installation of a costly CHP system; CHP's dependency on fossil fuel and hence larger carbon footprint; air quality issues.

### Be Green

225. In this stage, the applicant is required to maximise the use of onsite renewable technologies to further reduce carbon emissions. Air Source Heat Pumps (ASHP) are considered to be the most appropriate option for the development because it can meet the space heating demands on site efficiently in comparison with gas boilers. Although ASHPs consume electricity to operate, due to their higher efficiency, the heat output is much greater. Therefore, the technology has been suggested for the space heating, cooling and hot water demand.

226. Photovoltaics (PV) is also considered to be a feasible option due to its high carbon payback, although with the ASHP needing to occupy some roofspace, this amount of PV panels that can be installed on the rooftop would be limited.

227. The design stage specifications used for energy calculations are provided in Table 5 below. However, the ASHP was proposed only for simulation and detailed ASHP specifications would need to be provided by a mechanical engineer during the design development.

Table 5: Regulated Energy Use and Carbon Reduction at Be Green Stage (Source: Noise Impact Assessment)

	Regulated CO2 Emissions (Tonnes CO2/yr)		Carbon Reduction (%)
	BE CLEAN	BE GREEN	
Residential	133.1	64.9	44%
Non-residential	11.8	8.9	21%

Table 6: Carbon dioxide Emissions following each stage of the Energy Hierarchy (Source: Energy and Overheating Strategy)

Energy Hierarchy		Regulated Carbon Emissions (Tonnes CO2/yr)	
		Residential	Non-residential
Baseline	TER set by Building Regs. Part L 2013	153.8	13.8
Be Lean	After energy demand reduction	133.1	11.8
Be Clean	After CHP / Communal Heating	133.1	11.8
Be Green	After renewable energy	64.9	8.9

Energy Hierarchy		Regulated Carbon Emissions Savings %	
		Residential	Non-residential
Be Lean	After energy demand reduction	13%	15%
Be Clean	After CHP / Communal Heating	0%	0%
Be Green	After renewable energy	44%	21%
Total Cumulative Savings		58%	36%
Carbon Offset Fund for residual carbon emissions		£184,944	£25,392

228. Table 6 above confirms that the residential element would achieve a 58% reduction required over Part L of the Building Regulations and the commercial element would exceed the 35% reduction target. However, in accordance with the London Plan, the remaining regulated carbon dioxide emissions, to 100%, are required to be off set through a cash in lieu contribution to secure delivery of carbon dioxide savings elsewhere. The sums identified in the Table above would be secured via a S106 Agreement.

## Whole Life Carbon

229. A Whole Life-Cycle Carbon Assessment prepared by Syntegra Consulting (March 2022) has been submitted in accordance with Policy SI2 of the London Plan to assess the carbon emissions of the development resulting from the materials, construction, and the use of the building over its entire life. Although some basic data is provided, additional information is required in relation to such elements as estimated WLC emissions, material quantity, whole life-cycle emissions. An updated Assessment can be secured by condition.

## Overheating

230. Policy SI4 (Managing heat risk) of the London Plan confirms that major development proposals should demonstrate how they would reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises passive measures above active measures.
231. The criteria for the assessment of overheating risk have been specified by the Chartered Institute of Building Services Engineers ('CIBSE') in the CIBSE TM59: Design methodology for the assessment of overheating risk in homes (2017) and provides a standardised approach to predicting overheating risk for both naturally and mechanically ventilated residential buildings. The following criteria must be met to achieve compliance:
- For living rooms, kitchens, and bedrooms: The indoor operative temperature should not exceed the threshold comfort temperature by 1-degree (K) or more for more than 3% of occupied hours. (CIBSE TM52 Criterion 1: Hours of exceedance);
  - For bedrooms only: to guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10pm to 7am shall not exceed 26°C for more than 1% of the annual hours. (Note: 1% of the annual hours between 10pm and 7am for bedrooms is 32 hours, so 33 or more hours above 26°C would be recorded as a fail); and
  - For communal corridors, the operative temperature should not exceed 28°C for more than 3% of the annual hours.
232. In addition, schemes are required to comply with Part O of the Building Regs.
233. The overheating assessment has been undertaken on the basis of Mechanical Ventilation with Heat Recovery System (MVHR) only, due to the sites location near to the North Circular and associated noise levels. While windows are openable, this cannot be used to mitigate for the risk of overheating and therefore excluded from this analysis. The proposed specification for such system is based upon an MVHR system with the room ventilation rates are set as 13l/s for living rooms and 8l/s for bedrooms for continuous trickle ventilation. It should be noted that windows would be openable but are not depended upon for purge ventilation, hence exclusion from the analysis.
234. The Assessment confirms that all rooms assessed pass the TM59 criteria 01, 02 and 03 but only with the following measures:
- use of an enhanced MVHR unit, the Zehnder Comfo-cool Q600, which is able to lower air temperature by approximately 8-degrees;
  - increased MVHR ventilation rates dependent upon the dwelling type;
  - a reduction in the glazing G-value to 0.26 to minimise low lying solar gain on the evening when living areas and bedrooms witness peak internal gains;
  - applied solar blinds to all windows with a shading coefficient of 0.4 (similar to white roller blinds)
235. Providing that the above measures are utilised overheating should not be an issue for the proposed development. It should be noted that using a standard MVHR unit, the Assessment confirms that in the 56 sample rooms tested, only 2 (both bedrooms) would meet the CIBSE TM59 criterion 01 for overheating. A condition is therefore proposed to secure the above measures.

## Air Quality

236. With the site located in a designated Air Quality Management Area, London Plan Policy SI1 and Local Plan Policy BSUI2 (Air quality) require the submission of an Air Quality Assessment ("AQA") to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development. The North Circular is recognised as having some of the highest concentrations of pollutants within the borough. An AQA has been

submitted in support of the application.

237. There is the potential for air quality impacts as a result of fugitive dust emissions from the site (dust, particulate matter (PM10 and PM2.5)) during the construction phase of the development and their impacts were assessed in accordance with the Institute of Air Quality Management (“IAQM”) methodology. Assuming good practice dust control measures are implemented, as detailed within Table 23 of the AQA, the residual significance of potential air quality impacts from dust generated by earthworks and construction and track out activities is predicted to be negligible. Those mitigation measures would be subject to an appropriately worded condition.
238. An Air Quality Neutral Assessment was included within the AQA. The development is wholly based on the use of air source heat pumps with Photovoltaics (PV). As there won’t any continuous gas systems or systems with a combustion process, they are not considered within the assessment.
239. Total building emissions, should ASHP’s and PV be installed, is estimated to be 0.
240. Throughout the construction phase, mitigation measures to minimise impacts from traffic and plant are proposed, which would be secured by an appropriately worded condition. During the operational phase of the development, Travel Plan measures, including the provision and use of cycle parking spaces and electric vehicle charging would help to keep levels below national Air Quality Objectives.
241. It is expected that the maximum number of trips generated by the development would be 204 in total (168 for the residential element and 36 for the commercial element) and at this level, the scheme would produce 0.297 tonnes of NOx per annum and 0.051 tonnes of PM10 per annum. With respect to NOx emissions, this is below the Transport Emissions Benchmarks (TEB) of 0.298 tonnes per annum and in relation to PM10, this meets the TEB of 0.051 tonnes per annum. The scheme is therefore considered air quality neutral against both measures.
242. In relation to exposure from emissions from vehicular activity on the North Circular, data from the London Atmospheric Emission Inventory (LAEI) has been reviewed. LAEI estimates of annual Mean NO2 and PM10 concentrations at the development are showing to be on a downward trajectory, most likely as a result of the introduction of the Low Emission Zone in London in February 2008. Predicted mean nitrogen dioxide (NO2) levels are shown in Table 7 below and are showing to be below the relevant Air Quality Objective (AQO) at the development site (40 ug/m3).

Table 7: Predicted Annual Mean NO2 Concentrations (Source: Air Quality Assessment)

Pollutant	Predicted Background Concentration (ug/m3)			
	2013	2016	2020	2025
NO2	51.96	47.98	37.74	30.02
PM10	28.47	25.74	26.59	26.10

243. The Council’s Environmental Health Officer are satisfied with the results of the Air Quality Assessment and do not require any additional conditions to be imposed in relation air quality. This is because whilst the predictions at the facades are below air quality objectives, they have considered existing air quality levels. The development would not create any emissions, therefore there would be no increase on air quality and therefore no constraints in terms of this element. Whilst it is set out in policy BSUI2 that Major development within Growth Areas should be Air Quality Positive and the submission only demonstrates that the scheme will be Air Quality Neutral, it is noted that the proposal will not negatively affect air quality and there is no harm associated with this. The amount of car parking provided on site has decreased significantly and Electric Vehicle Charging is being provided. The homes are to be served by Air Source Heat Pumps and PV Panels. On balance this is considered to be acceptable having regard to the benefits of the proposal.
244. While it is noted that the proposed development would be located adjacent to the North Circular Road, it should be noted that the nearest active carriageway that is not either the more lightly trafficked Old North Circular Road, or a slip road, is some 36m from the nearest elevation of the proposed development. There is currently residential accommodation at first floor level of the existing building, while the proposed development would result in residential accommodation being provided from 3<sup>rd</sup> floor level

upwards. The distance from the carriageway when considered against the existing arrangement, the increased height of the proposed residential floorspace and the mechanical ventilation measures proposed in the new development cumulatively would result in an acceptable proposal with regard air quality. It is noted that none of the proposed external amenity space faces directly onto the North Circular Road, instead facing to the east, west and to the north over the River Brent and neighbouring residential development.

#### Air Quality Conclusions

245. Given the location of the site, a key consideration is whether the residents of the proposed building would be exposed to undue levels of emissions. The North Circular is one part of the inner ring road around central London and similar to other A-roads, experiences high levels of vehicular activity and is therefore subject to more elevated levels of vehicle emissions, although NO<sub>2</sub> concentrations have been decreasing as a result of tighter vehicle emission controls in London e.g. the LEZ was introduced in London in February 2008.
246. On the basis of the information provided, the building itself would not produce any emissions because of the decision to use ASHP's and PV's. the building itself is set back some 36m from the eastbound lanes of the North Circular and the dwellings are located at third floor level and above. Concentrations of emissions would be higher at ground floor level, dissipating with increased height. Residents would not be exposed to undue exposure within their dwellings due to the mechanical ventilation that would be provided, and again, emissions dissipate with increasing height. As discussed above, there are no balconies facing the North Circular and the two main communal areas are located on the roof of the 20<sup>th</sup> floor and at the rear of the building, a significant distance from the North Circular Road.
247. Due to the design of the building and measures to be secured by condition, it is considered that the proposed development would not expose potential residents to undue levels of pollution, in compliance with London Plan Policy SI1 and Local Plan Policy BSUI2. The submission demonstrates that the development will be Air Quality Neutral, but has not been accompanied by an Air Quality Positive assessment in line with Local Plan Policy BSUI2. Nevertheless, this is considered to be acceptable on balance having regard to the benefits of the development, noting that the scheme will achieve Air Quality Neutral and there is no harm associated with the proposal in this regard.

#### Contamination

248. The applicant has submitted a Preliminary Risk Assessment, and this has been reviewed by the Council's Environmental Health team. The Assessment confirms that there are no surface water or potable abstractions within 2km of the site. The nearest groundwater abstraction is located 1424m southwest of the site for the use of a heat pump. Consequently, the study site is not within 500m of a source protection zone, therefore abstraction is considered not to be at risk from potential sources from the site.
249. The stretch of the River Brent adjacent to the site flow through a concrete channel, however groundwater beneath the site may be in hydraulic continuity with the River, and therefore, a potential pollutant linkage is considered to exist at this stage.
250. Due to the potential presence of asbestos containing materials within the existing buildings on site, an asbestos survey is recommended and any asbestos containing materials found should be removed under suitably controlled conditions. There should be no risk to end users from asbestos within the fabric of the existing building if the potential asbestos containing materials are removed by suitably qualified and experienced specialists under controlled conditions. The removal of asbestos is controlled by the Control of Asbestos Regulations 2012, therefore an Informative will be added to remind the applicant of their duties under the Regulations in relation to removal and disposal of asbestos.
251. The Assessment recommends that an intrusive investigation is undertaken to clarify potential risks to the identified receptors, assess the extent of made ground soils present at the site and to provide geotechnical recommendations. Conditions are therefore recommended to secure further investigative works, and the submission of a remediation measures and a verification report.

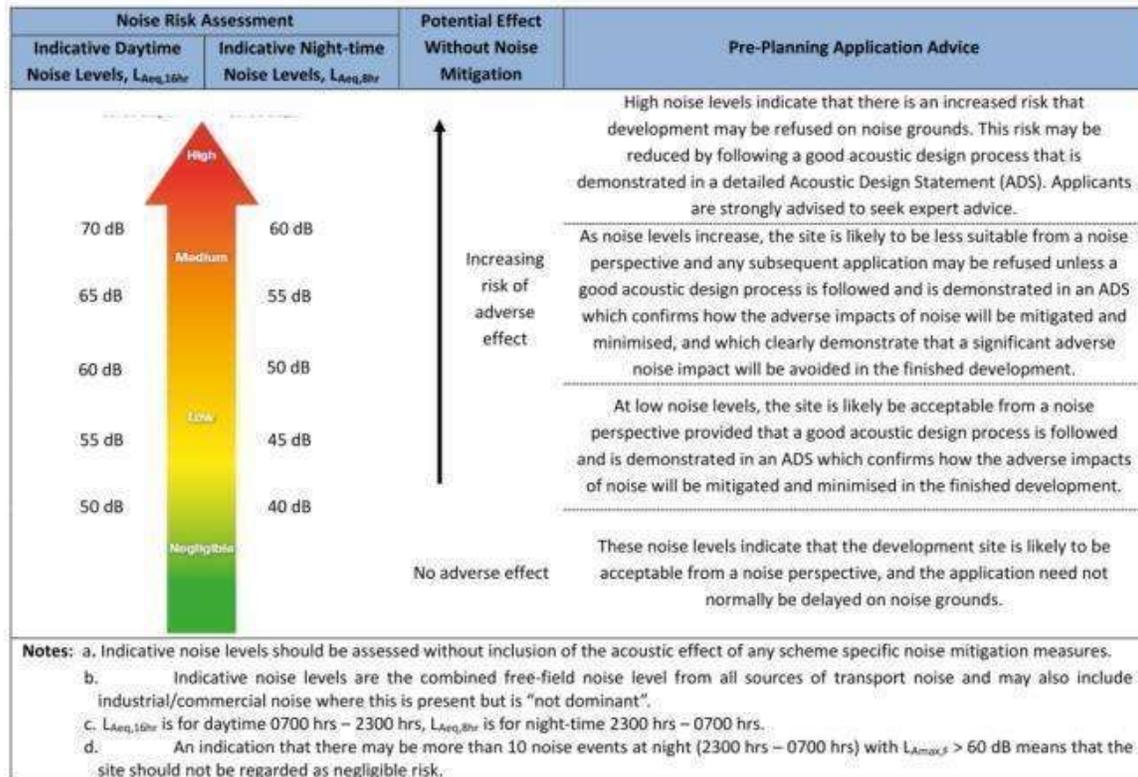
#### Noise

252. Policy D14 (Noise) of the London Plan requires that noise sensitive development should be

separated from major sources of noise wherever practicable. Policy D13 (Agent of change) of the London Plan expects that planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby, with the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

253. Although located within land designated as SIL, the most likely source of noise would be vehicular traffic on the North Circular. The potential impact from noise on existing and future occupiers has been assessed through a Noise Impact Assessment by Syntegra Consulting (ref: 20-7666 Rev.C, February 2022). The Assessment adopts the guidance contained within the Professional Practice Guidance (ProPG) on Planning and Noise for New Residential Development, published in May 2017 by the Association of Noise Consultants (ANC), Institute of Acoustics (IOA) and Chartered Institute of Environmental Health (CIEH). Figure 23 below is a representation from the ProPG, replicated within the Noise Impact Assessment, of an initial noise risk assessment.

Figure 23: Initial Site Noise Risk Assessment (Source: Noise Impact Assessment)



254. The proposed building, having a stepped footprint, would have its front (south) façade between approximately 7.5m and 18m from the front boundary wall, and the rear façade would be between 22m and 31m distant. There is an additional 25m to the first of the east-bound lanes of the North Circular.

255. Table 8 below sets out the predicted noise levels for the four facades, taken at third floor level, and the initial site risk.

Table 8: Predicted Noise Levels and initial Site Risk Assessment (Source: Noise Impact Assessment)

	Daytime Ambient Noise Level $L_{Aeq,16hr}$ (dB) / Risk Assessment		Night-time Ambient Noise Level $L_{Aeq,8hr}$ (dB) / Risk Assessment		Night-time $L_{Amax}$ (dB)
North Façade	63	Medium	61	Medium-High	64
East Façade	74	High	70	High	76

South Façade	77	High	73	High	82
West Facade	77	High	73	High	82

256. The initial site risk assessment confirms that the due to its location, the development is at high risk in terms of noise on most facades and a medium risk on its northern façade.

## Internal Noise Levels

257. In developing a proposal that demonstrates good acoustic design, the site layout and the dwellings should be designed so that the internal target levels can be achieved with open windows in as many dwellings as possible. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g., trickle ventilators) should be assessed in the “open” position and, in this scenario, the internal LAeq target levels should not normally be exceeded. Table 9 below identifies the likely LAeq and L Amax internal noise levels, assuming windows closed, utilising the Simple Calculation Method described in BS 8233:2014.

Table 9: Internal Noise Levels (Source: Noise Impact Assessment)

	Period (hrs)	External Noise Levels (dB)	Sound Insulation of Glazing (dBA)	Internal Noise levels (dB)	Compliance with ProPG Criteria
Ambient Noise Level LAeq (dB)					
North Façade	Daytime (0700-2300)	63	31	32	Yes
	Night time (2300-0700)	61	31	30	Yes
East Façade	Daytime (0700-2300)	74	45	29	Yes
	Night time (2300-0700)	70	45	25	Yes
South Façade	Daytime (0700-2300)	77	45	32	Yes
	Night time (2300-0700)	73	45	28	Yes
West Facade	Daytime (0700-2300)	77	45	32	Yes
	Night time (2300-0700)	73	45	28	Yes

Maximum Noise Level $L_{AFmax}$ (dB)					
North Façade	Night time (2300-0700)	64	31	33	Yes
East Façade	Night time (2300-0700)	76	45	31	Yes
South Façade	Night time (2300-0700)	82	45	37	Yes
West Facade	Night time (2300-0700)	82	45	37	Yes

258. In achieving compliance with the ProPG criteria, as indicated in the Table above, the following assumptions have been made:

- The façade build-up would be a standard brick and block construction (or equivalent) to achieve a weighted sound reduction index ( $R_w$ ) of approximately 55dB.
- For facades on the east, south and west of the building (overlooking the A406):
  - A double glazing system in a 13/12/13 configuration (or equivalent) would be installed to give a Sound Reduction Index (SRI) of 45dB  $R_w$
  - An alternative means of ventilation, such as MVHR, would be installed to allow adequate ventilation without the requirement to open windows
  - Purge ventilation (as defined by ADF) through open windows
  - Open windows would not be suitable for the mitigation of overheating
- For façades facing north:
  - A typical double glazing system in a 6/12/6 configuration (or equivalent) would be installed to give a Sound Reduction Index (SRI) of at least 31dB  $R_w$
  - An alternative means of ventilation, such as acoustic trickle vents with a  $D_{n,e,w}$  of at least 37dB, would be installed to allow adequate ventilation without the requirement to open windows.
  - Purge ventilation (as defined by ADF) through open windows.
  - Open windows would not be suitable for the mitigation of overheating

## Demolition and Construction Noise

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

piling rather than vibratory piling.

## External Amenity Areas

260. External amenity areas should ideally not exceed the design range of 50-55dB  $L_{Aeq,16hr}$ . These values, however, may not be achievable in all circumstances. BS8233:2014 acknowledges this by advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.

261. The development proposes external amenity spaces in the form of a ground level communal amenity space and play areas on the northern side of the plot, rooftop amenity on the 20<sup>th</sup> floor, and individual balconies for dwellings on the northern, eastern and western facades at 3<sup>rd</sup> floor level and above.

Table 10: External Noise Levels for Amenity Areas (Source: Noise Impact Assessment)

	Predicted External Noise levels $L_{Aeq,16hr}$ (dB)	Compliance with Upper Guideline Criteria	Compliance with Lower Guideline Criteria
Rear Amenity Area	53	Yes	No
Rooftop Gardens	49	Yes	Yes
Northern Façade Balconies	58	No	No
Eastern Façade Balconies	69	No	No
Western Façade Balconies	72	No	No

262. Table 10 above displays the predicted noise levels for those external areas, with a screening correction of 10dB applied to the rooftop amenity area. Solid balustrade features for balconies are expected to provide up to 5dB attenuation, and a ground level 1.8m high fence providing 10dB attenuation from noise generated by the North Circular.

263. Whilst the predicted results for the rear amenity area and the rooftop garden is demonstrated to meet with accepted levels, further consideration must be given to the exposure to noise of the proposed balconies. None of the balconies face the road, they do not protrude beyond the building line and are therefore not unduly exposed but would rather sit between solid walls. The balconies would provide much needed external amenity for individual occupiers without direct access to a garden or park and would be supplemented by the rooftop and ground level amenity areas should quieter spaces be needed.

264. On balance, despite the balconies being likely to experience noise levels greater than the upper guideline criteria, due to the benefits they offer to residents, coupled with communal amenity areas that would provide some relief from noise, they are considered acceptable in this instance.

## External Plant Noise

265. In relation to external plant noise, a schedule of plant associated with the industrial units has not yet been established and potential occupiers have not yet been identified. Therefore, once a plant schedule has been chosen by future commercial occupiers, a full BS4142 assessment would need to be undertaken prior to installation to ensure that a satisfactory acoustic environment is achieved. Where a future occupier would like to install different/additional plant, a further noise impact assessment would be required.

## Future Industrial Noise

266. An assessment on the potential noise arising from industrial activity has been undertaken because as stated earlier, the co-location with residential on this SIL site must not compromise the efficient operation of the industrial activity.
267. The level above which such impacts would be expected on this development can be calculated using the existing noise levels at the site and a standard acoustic propagation calculation. Using such means, assuming a point source in the centre of the adjacent plot approximately 75m away, a source level of 83dB LAeq at 5m (or 97dB LAeq at 1m) operating at night with no screening or other attenuation in the path between the source and the receiver would be required to create a level at the proposed residential which might be reliably audible (i.e. above the LA90 background noise level recorded during the noise survey) due to high noise levels generated by nearby major roads.
268. Such a level would generally be considered to be a high level of acoustic output, even for industrial uses, and restricting the level of industrial noise to a high level should not normally be considered to compromise the integrity or effectiveness of locations adjacent to this development in accommodating industrial type activities. The residential element of the scheme should therefore not place any undue constraints on the surrounding industrial land.

## Noise Conclusions

269. As anticipated, noise generated from vehicular traffic would be the source of most of the noise that would be experienced by residents. Noise from traffic bears a different characteristic to industrial noise (a mechanical plant, workshop, factory etc) because it has a relatively constant and stable drone which the majority of occupants are likely able to block out without any adverse short-term effects because it lacks tonal qualities, that is, the intermittent nature or high/low frequency tones that make other type of noise sources more noticeable and subject to complaints.
270. The main area of concern is likely to be amenity space during the daytime because the lower night-time background levels are unlikely to result in major sleep disturbance or short-term health effects. The majority of prospective occupants would already have an idea of local noise conditions when they view the property and therefore expectations would be managed at the outset.
271. Traffic noise would inevitably be a factor in urban developments and can be effectively managed by mitigation measures. However, it is acknowledged that a number of the proposed units would at certain times be exposed to some traffic noise from the nearby road network, however alternative shared areas of amenity space (in the form of the rooftop garden and the garden by the River Brent) could also be used by residents. These spaces are located significantly further from the primary noise source and would offer affected residents' respite.
272. The design of the windows meets with best practicable means criteria but as with all developments close to busy roads, the new residents would be exposed to traffic noise on a daily basis as would existing domestic residences along busy traffic networks and similar 'A' roads. Fully enclosing balconies is not an option to fully mitigate noise impacts because this would completely alter the appearance of the building and as stated earlier, the potential noise exposure of residents using their balconies would not be dissimilar to other residential properties backing onto / facing busy road networks.
273. With regards to residential units attaining an appropriate relationship with future industrial noise, with existing high ambient levels, a future industrial/commercial premises should not have any difficulty in attaining the BS4142 noise criteria of 10db below background. The Environmental Health officer is of the opinion that the proposed development would not place any undue constraints on adjacent land use, with most normal use, mid-range commercial/industrial activity being fine; and a major industrial plant being unlikely to have an acoustic output at such a high level as to exceed the current background levels against the North Circular.
274. Having regard to all of the above, it is considered that through mitigation measures proposed, the development would not result in unacceptable noise levels to future occupiers from vehicular traffic along busy transport corridors. Moreover, with the mitigation measures proposed and having regard to ambient noise levels, the viability of the industrial activity should not be unduly impacted.
275. It should be noted that in relation to the above matters, there is also control through Environmental Health Legislation and planning should not duplicate any controls that are available under other

legislation.

## Wind Microclimate

276. Policy D8 (Public realm) of the London Plan requires the consideration of local microclimate created by buildings, reinforced by Policy D9 (Tall buildings) which requires the environmental impacts to be assessed. Policy DMP1 of the Local Plan also requires this.

277. A Wind Assessment has been provided within the Design & Access Statement and has been undertaken against the industry standard guidance – the Lawson Criteria. The Lawson Criteria sets out five pedestrian activities and are reflective of the fact that less active pursuits require calmer wind conditions, as demonstrated in Figure 24 below:

Figure 24: The Lawson Criteria (Source: Design & Access Statement)

Key	Comfort Category	Threshold	Description
	Sitting	0-4 m/s	Light breezes desired for outdoor restaurants and seating areas where one can read a paper or comfortably sit for long periods
	Standing	4-6 m/s	Gentle breezes acceptable for main building entrances, pick-up/drop-off points and bus stops
	Strolling	6-8 m/s	Moderate breezes that would be appropriate for window shopping and strolling along a city/town centre street, plaza or park
	Walking	8-10 m/s	Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering
	Uncomfortable	>10 m/s	Winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended

278. The meteorological data for the site indicates prevailing winds from the south-west quadrant throughout the year with secondary winds from the north-east direction which are more prevalent during the spring months. With the existing site in situ, wind conditions during the windiest season range from sitting to standing use, with localised strolling conditions to the north of the Site around the Northfields Phase 2 development. During the summer season, wind conditions are generally calmer, which is due to the lower wind speeds and frequency associated with this period of the year, with most locations having sitting use conditions, with localised standing and strolling use conditions.

279. The windiest season saw most areas around the building pass the safety criteria with the exception of one area to the south-west, one area to the car park and two areas to the south-west corner of the Shurgard building. For the amenity areas during summer, the entrance courtyard proved suitable for seating. However, the rear amenity adjacent to the river recorded a 'standing' level of comfort.

280. Most balconies passed the comfort criteria with the exception of one balcony at 19<sup>th</sup> floor level in the lower tower. The roof terrace at 20<sup>th</sup> floor level passed the safety criteria, but wind levels only provided standing or strolling comfort levels.

281. To improve comfort levels, a series of mitigation testing was undertaken and the provision of trees and other plantings, particularly the placement of large trees in entrance courtyard and are strategically positioned to disrupt wind flow around the corners of the building.

282. The Inland Waters Association has sought the provision of community and visitor moorings and/or residential moorings together with an electricity supply to compensate for the perceived wind impact on the canal. As can be seen in Figures 25 and 26 below, the proposed development will not lead to adverse wind conditions on the canal, or along the River Brent, therefore it would therefore be unreasonable to request those suggested obligations.

Figure 25: Pedestrian Wind Comfort, Ground Floor - Windiest Season (Source: Wind Assessment)

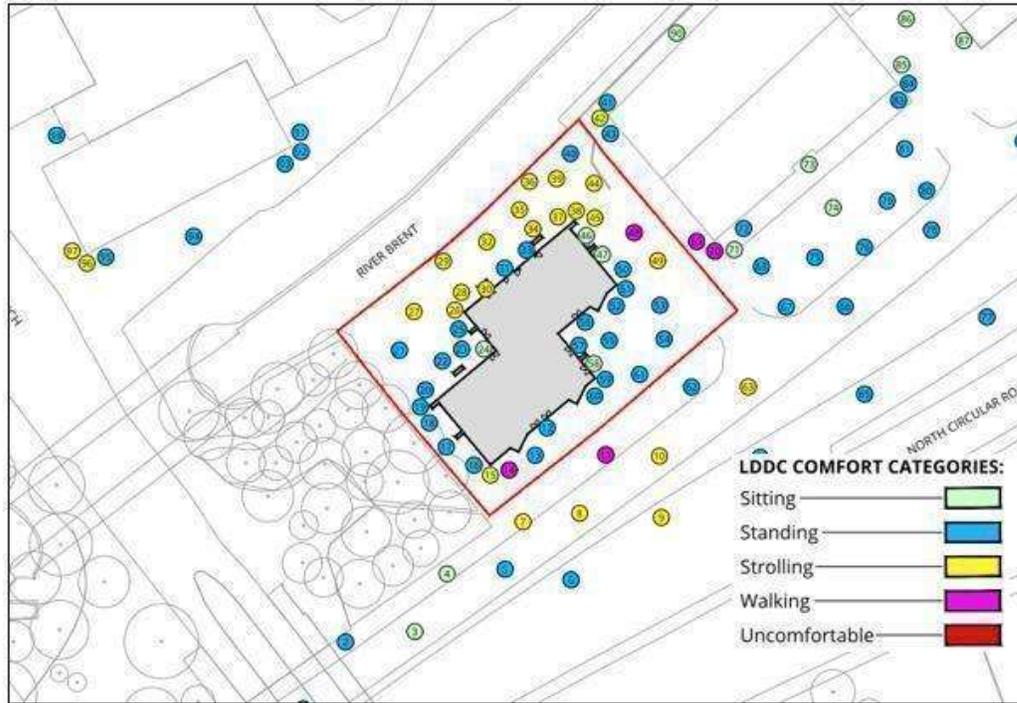
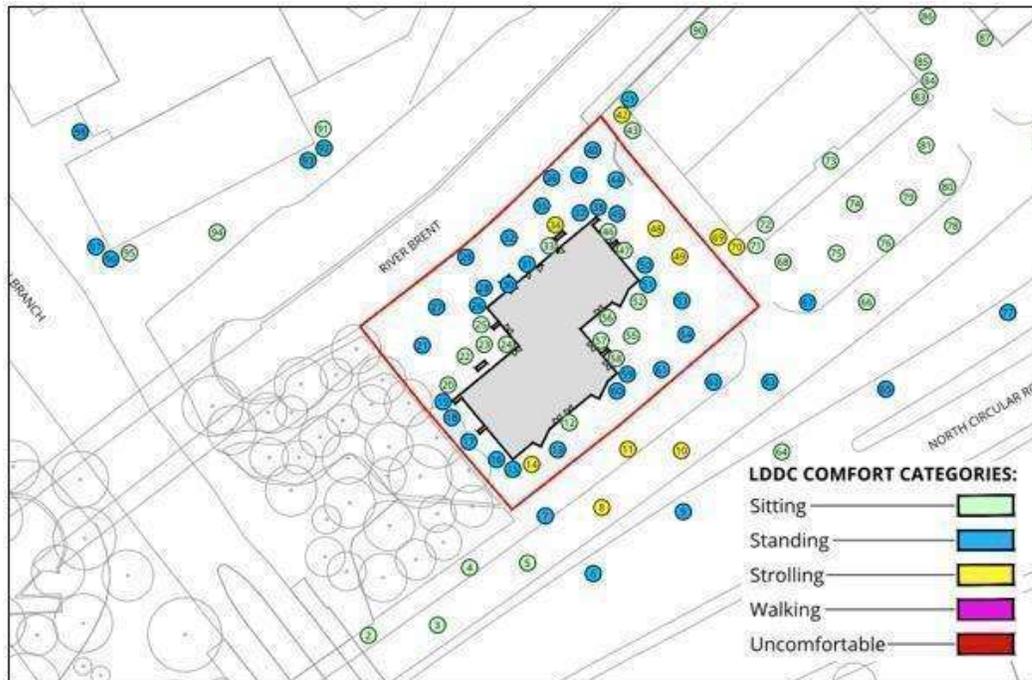


Figure 26: Figure 25: Pedestrian Wind Comfort, Ground Floor - Summer Season (Source: Wind Assessment)



283. It is considered that an appropriately worded condition could be imposed to ensure the amenity spaces are assessed and any necessary mitigation measures are implemented.

## Flood Risk/Drainage/Water Consumption

### Flood Risk

284. London Plan policies S112 and S113 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies BSUI3, and BSUI4 confirms the Councils approach. The submitted Flood Risk Assessment (FRA) has correctly identified that the site is within Flood Zone 3a and is assessed as having a 1 in 100 year or greater annual probability of fluvial flooding. Developments

within flood zones 2 or 3 are required to undertake a sequential test unless one has already been undertaken for a development of the type proposed. Should the sequential test show that it isn't possible to use an alternative site, an exceptions test is required to be undertaken, which demonstrates how flood risk would be managed and that any sustainability benefits arising from the scheme to the wider community outweighs the flood risk. Appendix D of the FRA includes a Sequential Test, with the FRA itself forming the Exceptions Test.

#### Sequential Test

285. Allocated and un-allocated sites have been reviewed to establish whether they could be reasonable considered as a suitable alternative for the development proposed, and the results provided at Table 5.1 of the submitted Flood Risk Sequential Test.

286. The result of this Test demonstrates that none of the sites within the Growth Area are suitable for the proposed development, with consideration of planning policy and planning history status, physical and environmental constraints, risk of flooding, and reasonable availability as an alternative to the application site.

#### Exceptions Test

287. To pass the Exception Test two separate criteria must be met:

- a. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b. the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, would reduce flood risk overall.

#### Wider Sustainability Benefits

288. Some benefits have been identified by the applicant and these include:

- The development is on brownfield land;
- It would deliver 35% affordable housing by habitable room;
- It would increase the amount of commercial floorspace on site from 559sqm to 801sqm;
- It is a car-free development; and
- It incorporates sustainability measures in its design and construction.

289. Officers support the benefits advanced by the applicant. The site is classified as brownfield land and development is directed towards brownfield land in the first instance through policies that encourage the more effective use of land (London Plan Policies GG2 and H1). To this end, the Council is required to maintain a register of brownfield land, and the site is included on the register. Moreover, the site is part of the Alperton Growth Area, and Growth Areas are identified as areas where the Council would maximise opportunities to deliver additional dwellings (Local Plan Policy BH1. The increase in commercial floorspace and housing (including affordable housing) is discussed above, and the sustainable design and construction benefits are discussed throughout the report.

#### Safety over lifetime without increasing flood risk

290. To address the second criterion, a number of amendments have been made and mitigation measures proposed: ground floor level has been raised to 24.55m AOD, meaning that finished floor levels would be 300mm above the 1% + 20% climate change threshold; residential dwellings are located at third floor level and above; louvered doors to allow for the passage of water would be provided for bin store and cycle store entrances, and flood proof doors provided for the substation; a Flood Warning and Evacuation Plan would be produced.

#### Drainage/SuDS

291. London Plan Policy SI13 and Local Plan Policy BSUI4 requires development to utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so. They also require proposals to achieve greenfield run-off rates and adequately manage surface water run-off. London Plan

policy SI13 further sets out a drainage hierarchy to ensure that run-off water is managed as close to its source as possible and gives preference to green over grey features.

292. The development reduces the amount of impermeable surfacing by 26% due to a reduction in the building footprint and the provision of landscaping. Surface water would be attenuated through permeable paving (380sqm) and cellular storage with an indicative capacity of 100cu.m.
293. Blue / green roofing is proposed for the upper roof covering an area of 128sqm, with 272qsm proposed for the lower roof. With a storage depth of 100mm at each roof level, the proposed blue / green roof would deliver a storage volume of 40cu.m. Water collected would then discharge to the ground level drainage network.
294. The GLA advised, in their Stage I response, that further commitment to rainwater harvesting was needed. It is noted that at Table 8.2 of the FRA, we are advised that "*rainwater harvesting may be suitable however the feasibility of this option would need to be investigated at detailed design stage*". Including an integrated rainwater harvesting system for example, with the blue / green roof proposed, could enable the water already attenuated to be used within the building, for example, for toilet flushing. This would further reduce the need to discharge attenuated water to the public sewer and make the development more sustainable. Details of the feasibility of providing further rainwater harvesting would be secured by condition.

## Water Consumption

295. In order to minimise impact on water supply, Policy SI5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.
296. The Sustainability Statement confirms that insofar as the residential elements are concerned, the policy requirement would be met through the use of appropriately rated appliances and fittings which should result in 104.72 litres for internal consumption and 5 litres for external use. This would be secured by condition.

## Conclusion

297. The FRA confirms that there are no sequentially better sites for the development proposal than the current site. In addition, subject to conditions such as securing a Flood Warning & Evacuation Plan, the proposal should provide sufficient safeguards to ensure the safety of occupiers.
298. The proposed drainage strategy, again subject to conditions, is considered acceptable and should sufficiently attenuate water and reduce the risk of flooding.
299. The GLA and the LLFA have reviewed these elements and are generally satisfied that the proposal, subject to the conditions proposed, complies with adopted policy.

## Ecology and Biodiversity

### Protected Habitats and Species

300. London Plan Policy G6 D (Biodiversity and access to nature) seeks to ensure that proposals manage impacts on biodiversity and aim to secure net biodiversity gain. Local Plan Policy BG11 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.
301. A Preliminary Ecological Assessment (PEA), a Further Bat Survey, a Biodiversity Audit, and an Arboricultural Impact Assessment, have all been submitted in support of the application and assessed by the Parks and Open Space Officer.
302. The PEA, and officers, note the sub-optimal timing limitation of the survey but officers are satisfied with the methodology, which has been undertaken to the required standard and includes a robust assessment of the site and any risks to protected species, along with proposed enhancements and

mitigations to benefit birds, bats, and other protected and non-protected species, as set out in Table 11 below:

Table 11: Protected species/features and recommendations (source: PEA)

Protected species/feature	Impact	Avoidance and Mitigation	Compensation and Enhancements
Boundary SINCs	<p>Potential pollution damage during construction works.</p> <p>Operational impacts from new development</p>	<p>Retain boundary vegetation.</p> <p>Use of strong CEMP with use of erosion guards on western and northern boundaries. Adherence of standard pollution prevention measures from GOV.UK; fuel kits to be kept on site and fuelling of all vehicles done off-site.</p> <p>Lighting to ensure no direct spill into northern and western boundaries. Use of suitable landscape plan with buffer in place along N and W boundaries.</p>	<p>Landscape plan that uses native species only with strong buffers in place to act as a corridor and link wider habitats</p>
Nesting Birds	<p>Potential loss of nesting sites within onsite vegetation and building</p>	<p>Retention of trees where possible; works to identified areas of potential and within close proximity to be done outside nesting bird season (March to August inclusive) unless first checked by SQE; Black redstart surveys <b>required</b> due to potential and proximity to River Brent</p>	<p>Installation of nest boxes suitable for black redstart or house sparrow incorporated into new building walls. Foraging enhancement site by new native trees (especially fruit bearing varieties) within site and around boundaries. Use of green roof when possible.</p>
Bats	<p>Potential loss of roosting areas, foraging, and traversing grounds</p>	<p>Retention of boundary trees wherever possible. Further surveys required on buildings in line with BCT survey guidelines to determine mitigation on site. Lighting plan that is low lux, of hooded design, direct. Should any of the trees identified with roosting features have any proposals, further surveys would be required.</p>	<p>Planting of native and wildlife-friendly species throughout the proposed development including green roof, when possible, further survey on building to determine mitigation measures. Incorporation of two bat tubes (Schwegler 2FR) within the western side of the new building</p>
Invasive Species	<p>Spread of buddleia in wider landscape</p>	<p>Control and eradication by best practice</p>	<p>Replace with native species</p>

Invertebrates	Potential loss of shelter, foraging and breeding grounds.	Retention of boundary features wherever possible. Further consultation would be required if dead wood removal is required.	Biodiversity enhancement by planting of native/wildlife species with new hedgerow with hawthorn on western boundary and where possible use of green roof; installation of insect boxes within established garden boundary areas
Hedgehogs	Potential loss of shelter, foraging and traversing grounds.	Retention of boundary vegetation, use of mammal ladders for any holes, ditches and/or trenches. Clearance works under ECoW.	Future fencing to have hedgehog gates, enhance boundaries wherever possible to ensure connectivity across landscape and to maintain foraging grounds.

303. The PEA includes a series of recommendations which must be incorporated into the final development in order to enhance biodiversity. These include bird and bat boxes, bug boxes, wildlife friendly planting, and a lighting to minimise light spillage. It also recommends additional surveys. Appropriately worded conditions to secure the recommendations and mitigation measures are recommended.

## Biodiversity Net Gain

304. Biodiversity net gain (BNG) is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost, notwithstanding that losses should, in the first instance, be avoided. A minimum 10% net gain is required.
305. A Biodiversity Impact Calculation Report, prepared by Syntegra Consulting, has been submitted in support of the application in order to establish whether the scheme would achieve a net gain. This considers factors such as: the area of each habitat and the linear length of features such as hedgerows; the strategic significance of the habitat; and the condition of each habitat parcel (rated as poor, moderate, or good condition).
306. The proposed plans would result in the loss of one habitat on site, Urban: Developed Land and therefore result in a loss of 0 units. However, the loss is compensated by the creation of Urban: Developed Land, Sealed Surface, Urban: Vegetated Garden, Grassland: Modified, and Urban: Sustainable Urban Drainage Feature and Hedgerow: ornamental non-native. The creation of these habitats would provide a gain of 0.21 biodiversity units or 100%.
307. The proposed development is considered to comply with Policy G6 of the London Plan and Local Plan Policy BG11. Conditions would be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, and therefore the BNG calculation is achieved.

## Urban Greening

308. London Plan Policy G5 (Urban greening factor) identifies that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Proposals should include a maintenance plan for the lifetime of the development. Planning obligations may be sought to cover future maintenance of green infrastructure.
309. Table 8.2 of the London Plan introduces an Urban Greening Factor ('UGF') to identify the appropriate amount of urban greening required in new developments. Local Plan Policies BG11 (Green and Blue Infrastructure in Brent) seeks to apply the Urban Greening Factor in London Plan Policy G5 to developments in the borough.

310. The Mayor recommends a target UGF of 0.4 for developments that are predominately residential, and a target UGF of 0.3 for predominately commercial development. The UGF score for this development is 0.73 and this is achieved by a landscape proposal that maximises the amount of soft landscaping across the site, incorporating such measures as: a high level of tree planting as discussed below; extensive green roofs (231sqm); 432sqm of permeable paving for the play space and access road; and 607sqm of groundcover plantings.
311. The proposed development exceeds the Policy requirement for urban greening and would therefore have a positive impact on the environment in accordance with Policy G5 of the London Plan and Policy BG11 of the Local Plan. The measures proposed would be secured by condition to ensure that the anticipated UGF score is achieved or exceeded.

## Trees and Landscaping

312. Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Policy BG12 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable.
313. Although there are no trees on site, the application was supported by an Arboricultural Impact Assessment (AIA) because of the close proximity of 3<sup>rd</sup> party trees (two individual trees and one group). The development would not impact on the off-site trees, but the AIA recommends that the canopies are pruned to avoid conflict during the demolition and construction phases of the development.
314. As part of the landscaping proposals, it is proposed to plant a row of trees (Alder) along the common boundary with the Shurgard site, to provide some 4m tall trees from the outset around the entrance courtyard in order to help mitigate adverse wind conditions, and to plant Willows along the water edge.
315. The planting strategy aims to select trees and hedges that would unite as a group. The planting would be designed and managed to increase biodiversity, attractiveness, and reintroducing habitat restoration to the landscape. Native species would be utilised, and where the species are non-native for amenity and beauty purposes, the species would be non-invasive.
316. These would include tree placements and hedge lines for wind breaks, planting along the SINC edge to absorb run off in this location and increase the area of the SINC, perennials, grasses, turf, and wildflower areas. The planting would also consist of species that can cope with fluctuating wind conditions and periodic flooding situations.
317. All selected species of planting are chosen because they can withstand wind and standing in water for periods of time, should there be a flood situation. This would be coupled with a naturalistic planting style across the site to continue the SINC and enhance the riverside in terms of both visual and environmental amenity.
318. The landscaping strategy would take the SuDS provision from the outset of the project. This marries with the ecological goals of the site and the landscape has been designed to work with SuDS requirements. The design would include a roof garden and permeable paving across the site. The site runoff from the building's surface would be utilised on the site before being redirected to the road, drainage systems or into the river. There would also be a pond which would be able to absorb the runoff from the adjacent SINC.
319. Full details of the landscaping proposals would be sought by condition.

## Site Waste Management

320. Policy SI7 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste by doing the following:
- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible

- 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
- 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026
- 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
- 5) meet or exceed the targets for each of the following waste and material streams:
  - a) construction and demolition – 95 per cent reuse/recycling/recovery
  - b) excavation – 95 per cent beneficial use
- 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

321. The Sustainability Statement has indicated the credits to be targeted in relation to this element of the scheme, however a strategy won't be fully developed until a contractor has been appointed. Having regard to Policy SI7, a Circular Economy Statement has been submitted however, the GLA has requested that additional information and clarification is sought regarding; the strategic approach, pre-demolition audit, operational waste and end of life strategy. This information can be secured by an appropriately worded condition.

## Fire Safety

322. Since the submission of the application, and subsequent to the GLA's Stage 1 response, the Building Regulations have changed and now require buildings over 30m in height to be provided with a second staircase. Revised plans have been submitted showing the second staircase, which has been reviewed by the Health & Safety Executive who have confirmed that they are now satisfied with the proposal.

323. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12 of the London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development would achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape. The Fire Statement, as updated, satisfies the requirements of the Policy and a final strategy would be secured by condition.

## Designing Out Crime

### Crime prevention and counter terrorism

324. London Plan Policy D11 states that development should include measures to design out crime that (in proportion to the risk) deter terrorism, assist in the detection of terrorist activity, and help mitigate its effects. Policy DMP1 f) of the Local Plan seeks to ensure that developments are safe, secure and reduces the potential for crime.

325. The concerns raised by the Secure Design Officer have been reviewed. The concern in relation to the poor-quality environment on the walk to the tube station at night leading to a risk of crime is noted. Significant improvements to this route (between Beresford Avenue and the station) have been made through the Grand Union / Northfields development, and the redevelopment of that site will also introduce more residents and more ongoing activity. Lighting is provided beneath rail bridges and along the route to the station. The route between the site and Beresford Avenue is still not well overlooked at night, but on balance, given the distances involved and the open nature of the route, this is not considered to mean that the site is not suitable for residential intensification.

326. Concern was also raised in relation to the new pathways towards Northfields making the site more permeable, with this not being overlooked and therefore more attractive to burglary. Improving the permeability of developments is a key planning and design concept to encourage activity and therefore improve the safety of residents / users through the passive overlooking that this creates. The route through to the Northfields site is an important route to ensure that the site is not isolated from the social infrastructure facilities that would be coming forward as part of the Northfields redevelopment.

## Equalities

327. The proposal would result in the loss of 17 homes which have been used as Affordable Housing. However, as discussed above, these were provided under "permitted development" and there is no planning condition or obligation to provide them as Affordable Housing. As such, they could be used as private housing without the need to apply for planning permission. The proposal would result in the provision of 47 Affordable homes including 33 at London Affordable Rents and 13 Intermediate affordable homes, including 15 family sized London Affordable Rented homes which meet standards M4(2) or M4(3) in relation to accessibility, which would be secured through the planning consent. The proposal is considered to result in a significant net positive impact in relation to equalities.

328. 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).

## Conclusions

329. Having regard to all of the above, it is considered that on balance, planning permission should be granted for the following reasons:

330. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72), the proposal has been assessed against the identified heritage assets and their significance as set out above. It is considered that the development proposal would not lead to any harm to those heritage assets having regard to Policy HC1 of the London Plan, Policies DMP1 and BHC1 of the Local Plan, and with guidance contained within the National Planning Policy Framework.

331. The proposed development would contribute to increasing London's supply of housing, having regard to Policies GG2, D3, H1, H4 and H6 of The London Plan, Policies BH1 and BH2 of the Local Plan, and with guidance contained within the National Planning Policy Framework.

332. The proposed development would re-introduce SIL compliant uses within this designated SIL site, increasing the boroughs industrial and employment capacity. Moreover, the intensification of housing provision on the site would not compromise the effective and efficient operation of the proposed SIL compliant uses. The proposal is considered to comply with Policies GG5, E2, E3, E4, E5 and E7 of the London Plan, Policies BE1 and BE2 of the Local Plan

333. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies D3, D4, D8, D9 of the London Plan Policy, Policies DMP1, BD1 and BD2 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

334. The proposed development, due to its siting does not unduly impact on the amenities of the future occupiers of nearby properties in terms of loss of light, outlook, privacy, overlooking, and overshadowing. In this respect complies with Policy D6 of the London Plan, Policies DMP1 and BD1 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

335. The proposed development, by virtue of its internal and external design, is considered to provide a

high-quality level of accommodation for future occupiers, having regard to Policies D4, D5, D6, D7 of the London Plan, Policies DMP1 and BH13 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

336. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking, and in this respect complies with Policies T2, T4, T5, T6, T6.1, T6.6, T7 of the London Plan, Policies BT1, BT2 and BT3 of the Local Plan, and with guidance contained within the National Planning Policy Framework and Brent Design Guide SPD1.

337. The proposed development, by virtue of measures proposed and conditions imposed, would contribute to the mitigation of and adaptation to climate change, having regard to Policies GG6, G1, G5, G6, G7, SI1, SI2, S3, SI4, SI5, SI7, SI12 and SI13 of the London Plan, Policies DMP1, BGI1, BGI2, BSUI1, BSUI2, BSUI3, BSUI4, and BT1 of the Local Plan and with guidance contained within the National Planning Policy Framework.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 22/1145

To: Mr Scaggiante  
Savills (UK) Ltd  
Finsbury Circus House  
15 Finsbury Circus  
London  
EC2M 7EB

I refer to your application dated **28/03/2022** proposing the following:

Demolition of existing building and erection of a 23 storey building to provide 139 units (Use Class C3) and 801sqm of creative light industrial floor space (Use Class E(g)(iii)) together with associated wheelchair accessible vehicle parking, cycle parking, landscaping, play areas, public realm improvements and associated works (DEPARTURE FROM POLICY: E4 OF THE LONDON PLAN AND BE2 OF BRENT'S LOCAL PLAN)

and accompanied by plans or documents listed here:  
See Condition 2

at **Prospect House, North Circular Road, Stonebridge, London, NW10 7GH**

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: 01/08/2023

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 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):

411 GA 01 REV.02	PROPOSED LANDSCAPE GROUND FLOOR PLAN
411 GA 02 REV.00	PROPOSED LANDSCAPE GROUND FLOOR PLAN A1
411 GA 03 REV.01	PROPOSED LANDSCAPE GROUND FLOOR TREE PLAN
411 GA 04 REV.00	PROPOSED LANDSCAPE GROUND FLOOR PLAY AREA

11246-A-E-040	EXISTING SOUTH EAST ELEVATION
11246-A-E-041	EXISTING SOUTH WEST ELEVATION
11246-A-E-042	EXISTING NORTH WEST ELEVATION
11246-A-E-043	EXISTING NORTH EAST ELEVATION
11246-A-E-140 REV.A	PROPOSED SOUTH EAST ELEVATION
11246-A-E-140 REV.A	PROPOSED SOUTH WEST ELEVATION
11246-A-E-142 REV.A	PROPOSED NORTH WEST ELEVATION
11246-A-E-143 REV.A	PROPOSED NORTH EAST ELEVATION
11246-A-E-150 REV.A	PROPOSED SOUTH EAST ELEVATION
11246-A-E-151 REV.A	PROPOSED SOUTH WEST ELEVATION
11246-A-E-152 REV.A	PROPOSED NORTH EAST ELEVATION

11247-A-P-001	LOCATION PLAN
11247-A-P-002	BLOCK PLAN
11246-A-P-010	EXISTING GROUND FLOOR PLAN
11246-A-P-011	EXISTING FIRST FLOOR
11246-A-P-012	EXISTING SECOND FLOOR
11246-A-P-013	DEMOLITION PLAN - GROUND FLOOR
11246-A-P-014	DEMOLITION PLAN - FIRST FLOOR
11246-A-P-015	DEMOLITION PLAN - SECOND FLOOR
11246-A-P-101 REV.A	PROPOSED FLOOR PLAN 01
11246-A-P-102 REV.A	PROPOSED FLOOR PLAN 02
11246-A-P-103 REV.A	PROPOSED FLOOR PLAN 03-07
11246-A-P-104 REV.A	PROPOSED FLOOR PLAN 08
11246-A-P-105 REV.A	PROPOSED FLOOR PLAN 09-19
11246-A-P-106 REV.B	PROPOSED FLOOR PLAN 20
11246-A-P-107 REV.B	PROPOSED FLOOR PLAN 21-22
11246-A-P-108 REV.A	PROPOSED ROOF PLAN
11246-A-P-120 REV.A	PROPOSED SECTION A-A
11246-A-P-121 REV.A	PROPOSED SECTION B-B
11246-A-P-122 REV.A	PROPOSED SECTION C-C
11246-A-P-123 REV.A	PROPOSED SECTION D-D
11247-A-P-202	PROPOSED FLAT TYPE 02 - 3B5P
11247-A-P-203	PROPOSED FLAT TYPE 03 - 2B4P
11247-A-P-204	PROPOSED FLAT TYPE 04 - 2B4P
11247-A-P-205	PROPOSED FLAT TYPE 05 - 3B5P
11247-A-P-206	PROPOSED FLAT TYPE 06 - 3B5P
11247-A-P-207	PROPOSED FLAT TYPE 07 - 2B3P (WA)

11246-A-P-208 REV.A PROPOSED FLAT TYPE 08  
 11247-A-P-209 PROPOSED FLAT TYPE 09 - 2B4P  
 11247-A-P-210 PROPOSED FLAT TYPE 10 - 1B2P  
 11247-A-P-211 PROPOSED FLAT TYPE 11- 2B4P  
 11247-A-P-212 PROPOSED FLAT TYPE 12 - 3B5P  
 11246-A-P-213 PROPOSED FLAT TYPE 13  
 11246-A-P-214 PROPOSED FLAT

Air Quality Assessment, prepared by Syntegra, February 2022, Ref: 20-7666;  
 Arboricultural Impact Assessment, prepared by Syntegra, February 2022, Ref: 20-7666;  
 Bat Activity Survey Report, prepared by Syntegra, September 2021, Ref: 20-7666;  
 Biodiversity Impact Calculation Report, prepared by Syntegra, December 2021, Ref: 20-7666;  
 BREEAM New Construction 2018 (UK) Pre-Assessment Report, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.A  
 Circular Economy Statement, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.C;  
 Construction Logistics Plan, prepared by TTP Consulting, February 2022;  
 Covering Letter, 24 March 2022  
 Daylight, Sunlight, Overshadowing and Internal Daylight Report, prepared by Syntegra, February 2022, Ref: 20-7666;  
 Internal Daylight and Sunlight Addendum, prepared by Syntegra, June 2023, Ref: 20-7666 Rev.E;  
 Delivery and Servicing Plan, prepared by TTP Consulting, February 2022;  
 Delivery and Servicing Plan Employment Space, prepared by TTP Consulting, November 2022  
 Design and Access Statement, prepared by FAL, March 2022;  
 Design and Access Statement Supplemental, prepared by FAL, March 2023;  
 Ecological Lighting Assessment, prepared by Strenger, February 2022  
 Electromagnetic Interference Assessment, prepared by GTech Surveys Limited, 21/01/2022  
 Energy Strategy and Overheating Report, prepared by Syntegra, February 2022 Rev.E;  
 Equality Impact Assessment Report, prepared by CBRE, 19 June 2023;  
 Flood Risk Assessment (and Drainage Strategy), prepared by WSP, February 2022, Ref: 70085515;  
 Flood Sequential Test, prepared by Savills Planning, February 2021  
 GLA Worksheet Excel Spreadsheet, prepared by Syntegra;  
 GLA Be Seen Excel Spreadsheet, prepared by Syntegra;  
 GLA Whole Lifecycle Carbon Excel Spreadsheet; prepared by Syntegra;  
 Healthy Streets Transport Assessment, prepared by TTP Consulting, March 2022;  
 Land Contamination Assessment, prepared by Syntegra;  
 London Plan Fire Strategy, prepared by OFR;  
 Noise Impact Assessment, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.C;  
 Pedestrian Level Wind Microclimate Assessment, prepared by Syntegra, February 2022;  
 Planning Statement (Including affordable housing assessment and planning obligations assessment), prepared by Savills Planning, March 2022;  
 Preliminary Ecological Appraisal Report, prepared by Syntegra, April 2021, Ref: 20-7666;  
 Preliminary Risk Assessment Report, prepared by Syntegra, February 2022, Ref: 20-7666 Rev.B  
 Rapid Health Impact Assessment, prepared by Dr Martin Birley, 25/3/22  
 Servicing and Refuse Management Plan, prepared by TTP Consulting;  
 Statement of Community Involvement, prepared by Eversleigh;  
 Sustainability Statement, prepared by Syntegra, March 2022, Ref: 20-7666;  
 Townscape and Visual Impact Assessment, prepared by Savills Townscape and Heritage, February 2022;  
 Transport Assessment Technical Note, prepared by TTP Consulting, 22 November 2022, Ref: 2020-3787/L01/SBD  
 Travel Plan, prepared by TTP Consulting, February 2022;  
 Utilities Appraisal, prepared by Syntegra, March 2022, Ref: 20-7666  
 Viability Report, prepared by Savills Viability;  
 Water Framework Directive Scoping Report  
 Whole Lifecycle Carbon Assessment

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

(Use Class E(g)(iii)) as shown on the consented plans.

Reason: To ensure a level of industrial activity that supports the designation of the site as Strategic industrial Land

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the commercial units within the scheme hereby approved shall not be used other than for purposes within Use Class E(g)(iii), as defined by the Town and Country Planning (Use Classes) Order 1987, or the Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that Class in any statutory instruments revoking and re-enacting those Orders with or without modification.

Reason: To safeguard the amenity of residents and in the interest of ensuring appropriate access and servicing.

- 5 The commercial units hereby approved shall be completed and ready for occupation [excluding fit-out] prior to first occupation of any of the residential dwellings permitted by this permission, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the SIL designation of the site is not compromised by ensuring that the commercial units are ready for occupation, in accordance with Policy E7 of the London Plan.

- 6 The development shall provide a minimum of 14 shared ownership units and 33 London Affordable Rent (LAR) (Use Class C3), as shown on the consented plans, including the following mix:

- (i) Shared Ownership: 3x studio; 1x 1-bed, 7x 2-bed, 3x 3-bed
- (ii) LAR: 4x studio; 4x 1-bed, 10x 2-bed, 15x 3-bed

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

- 7 The development shall provide 139 residential dwellings (Use Class C3), as shown on the consented plans, including 31 x 3-bedroom dwellings.

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

- 8 The car parking, cycle parking and the refuse storage facilities as shown on the approved plans, or as otherwise approved in writing by the Local Planning Authority, shall be installed and available for use prior to occupation of the development and thereafter retained and maintained as approved 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 to encourage sustainable forms of transportation.

- 9 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided to at least 20% of the Blue Badge parking spaces provided whilst the remaining spaces hereby approved shall be provided with passive electric vehicle charging facilities and they shall be maintained for the lifetime of the development.

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

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW

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

Reason: To protect local amenity and air quality in accordance with London Plan Policy SI1 and Local Plan Policies BSUI1 and BSUI2.

- 11 All planting including tree planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out prior to first occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and appropriate landscape scheme is maintained relative to the developments location in order to comply with Local Plan Policies DMP1, BG11 and BG12.

- 12 Unless required by any condition attached to this permission, the Delivery & Servicing Plan (February 2022), prepared by TTP Consulting Ltd, the Technical Note Update (ref: 2020-3787/L01/SBD) dated 22 November 2022, and the Delivery and Servicing Plan Employment Space dated November 2022, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure adequate delivery and servicing arrangements for the development, to avoid conflict with other road users in the interest of highway safety.

- 13 No works at all, including site clearance and demolition, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors and must include the following:
- a. Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
  - b. Access Routes: Routing construction traffic away from noise sensitive receptors (NSRs).
  - c. Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
  - d. Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
  - e. Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
  - f. Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
  - g. Piling: Ensuring that any piling is undertaken using the most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
  - h. BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
  - i. Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.

- j. Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a LEZ as a minimum; minimise movement of construction traffic around site.
- k. Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- l. Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate
- m. How surface waters will be managed during the construction and operational phases of the development
- n. A pollution prevention and response plan

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

Reason: Particular attention must be paid to minimising the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects. In addition, to ensure there are no adverse impacts on the ecology and water quality of River Brent and the Grand Union Canal.

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

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

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

- 15 No works at all, including site clearance and demolition, shall commence until, the developer has joined the Considerate Constructors Scheme. All of the requirements of the Considerate Constructors Scheme shall be adhered to throughout the period of construction.

Reason: To ensure that throughout the construction process, appropriate regard is given to protecting neighbour amenity and the natural environment

- 16 No works at all, including site clearance and demolition, shall commence until a revised Circular Economy Statement, written in accordance with the published London Plan Guidance: Circular Economy Statements (February 2022) has been submitted to the Local Planning Authority and approved in writing in consultation with the GLA. The Circular Economy Statement shall have

particular regard to Appendix 2 of the London Plan Guidance to ensure that the necessary information is submitted.

The development shall be undertaken in accordance with the approved Circular Economy Statement.

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

- 17 Following the demolition of the buildings but prior to the commencement of building works, a final Fire Strategy shall be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with approved Strategy.

Reason: To ensure that the highest standards in Fire Safety are achieved having regard to Policy D12 of the London Plan.

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

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

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

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

- 20 Prior to commencement of development (excluding site clearance and demolition works), and 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 submitted Flood Risk Assessment 70085515 (February 2022) by WSP, but shall also include further proposals for rainwater harvesting, or shall demonstrate that these features cannot be achieved within the approved design.

A whole-life management and maintenance plan for the site shall also be submitted to and approved in writing by the Local Planning Authority. This shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SUDS component), with details of who is responsible for carrying out the maintenance. The approved maintenance plan shall subsequently be implemented in accordance with the approved details for the lifetime of the development.

The development shall thereafter be carried out in full accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

- 21 Prior to commencement of development (excluding site clearance and demolition works), 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 thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

- 22 Notwithstanding the submitted Whole Life Cycle Carbon Assessment by Syntegra Consulting, dated March 2020, a revised Whole Life Cycle Carbon Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding demolition and site clearance). The revised Assessment should comply with the GLA's 'Whole Life-cycle Carbon Assessment - draft for consultation - guidance document' and comply with BS EN15978 and cover all building elements to ensure that results are properly recorded and tracked through to post-construction stages.

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

- 23 Prior to the commencement of above ground superstructure works, details of the exterior of the non-residential ground floor frontages shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- a. windows, doors, shop fronts and glazing systems including colour samples; and
  - b. details of where advertisements would be applied notwithstanding that the advertisements themselves may require separate advertisement consent
- At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows.

The works shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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

- 24 Prior to commencement of development (excluding site clearance, demolition and below ground works), details for the provision of a communal television system/satellite dish shall be submitted to the Local Planning Authority for approval in writing. The development shall only be undertaken in accordance with the approved detail.

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

- 25 Prior to commencement of superstructure works, 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 thereafter and maintained as such in perpetuity.

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

- 26 Prior to commencement of development (excluding site clearance, demolition and below ground works), full details of the proposed ecological enhancements shall be submitted and approved by the Local Planning Authority. This should include cross sectional drawings where appropriate

as well as dimensions and materials to be utilised. The approved details shall be implemented prior to first occupation of the development and thereafter retained and maintained.

Reason: To assess the potential impact to flood risk and ensure capacity is not significantly reduced within the channel in line with National Planning policy Framework paragraph 167 and Local Plan Policy BSUI3 'Managing Flood Risk'.

- 27 Prior to the commencement of development (excluding site clearance, demolition and below ground works) shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved for the life of the development and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The management plan shall include the following elements:

- a. details of maintenance regimes
- b. details of any new habitat created on-site
- c. details of treatment of site boundaries and/or buffers around water bodies
- d. details of management responsibilities

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and adopted local plan.

The works proposed as part of this development could have an unacceptable effect on the ecological value of riverine habitat at this site. Ecological enhancements that have been proposed will require a management plan to be in place. This will ensure the landscape provides a maximum benefit to people and the environment.

This approach is supported by paragraphs 174 and 180 of the National Planning Policy Framework and Local Plan policy BGI1 'Green and Blue Infrastructure in Brent' which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

- 28 Prior to the commencement of development (excluding demolition, site clearance and below ground works), and having regard to Condition 24 above (Drainage Strategy), details of the green / blue roof shall be submitted to the Local Planning Authority and approved in writing. The submitted detail shall also include details of the feasibility of including an integrated rainwater harvesting system, or any such system, that enables rainwater to be harvested for use within the development.

If within 5 years of the installation of a green roof, any planting forming part of the green roof shall die, be removed, or become seriously damaged or diseased, then this planting shall be replaced in the next planting season with planting of a similar size and species.

The green / blue roof shall be implemented in accordance with the approved detail and maintained for the life of the development.

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

- 29 Prior to the commencement of development (excluding demolition, site clearance and below ground works) final details shall be submitted to demonstrate how the recommended wind mitigation measures, as set out in the Pedestrian Level Wind Microclimate Assessment, ref: RWDI #2101788. REV C (8TH NOVEMBER 2022), are to be incorporated in the final building design. These details shall be approved in writing by the Local Planning Authority, and the development shall be built in accordance with these details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure safety and comfort of future users.

- 30 Prior to the commencement of development (excluding demolition, site clearance and below

ground works) a final Overheating Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall confirm the recommended mitigation measures, as set out in the submitted Overheating Analysis (Energy Strategy and Overheating Report (February 2022) ref: 20-0766 Rev.E, and any others considered necessary, will be implemented to minimise overheating risk.

The development shall be carried out in accordance with the approved Strategy, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the potential for overheating to occur and ensure the comfort of future residential occupiers.

- 31 Prior to the commencement of development (excluding demolition, site clearance and below ground works), details of the security measures incorporated into the scheme to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design shall be submitted to and approved in writing by the Local Planning.

The development shall be implemented in accordance with the approved details prior to first occupation.

Reason: To ensure that the development maintains and enhances community safety in accordance with Policy DMP1 of the Local Plan.

- 32 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)). Detailed layout plans, clearly showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing, excluding demolition, site clearance and laying of foundations, and thereafter development shall be implemented in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

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

- 33 Prior to commencement of development (excluding site clearance, demolition and below ground works), further details of all exterior materials including samples to be provided on site for inspection and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:
- a. building envelope materials e.g. bricks, render, cladding;
  - b. windows, doors and glazing systems including colour samples; and
  - c. balconies and screens

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

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

- 34 Prior to the commencement of development (excluding site clearance, demolition and below ground works), full details of the Landscaping Strategy and a Management Plan for all hard and soft landscaped area shall be submitted to the Local Planning Authority and approved in writing. All tree, shrub and hedge planting included within the above scheme shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent) and current Arboricultural best practice. The details shall demonstrate that the UGF score secured by condition attached to this permission, and net biodiversity, has been achieved. The details shall include:

- a. The treatment of all parts of the site not covered by buildings, including walls and boundary features and rooftop terraces
- b. Typical details of all internal and external boundary treatments, including elevations and specifications for all pedestrian gates and their means of opening for all residents, and details of measures to enable small animals to move freely into and around the site;
- c. The quantity, size, species, position, and the proposed time of planting of all trees and shrubs to be planted including details of appropriate infrastructure to support long-term survival;
- d. An indication of how all trees and shrubs will integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection including irrigation systems;
- e. Details of infrastructure to maximise rooting capacity and optimize rooting conditions;
- f. All shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape shall be similarly specified;
- g. All hard landscaping including all ground surfaces, planters, seating, refuse disposal points, cycle parking facilities, bollards, vehicle crossovers/access points;
- h. Biodiversity mitigation and enhancement measures as secured by other conditions attached to the permission.
- i. Full details of the children's play space provisions (layout, equipment specification, and phasing of delivery)
- j. A plan showing the provision of a future unobstructed permissive footpath through the site connecting Old North Circular Road to a reopened pedestrian footpath to the Grand Union Canal

The approved hard and soft landscaping shall be thereafter carried out in accordance with the approved prior to first occupation unless a phasing scheme has otherwise been submitted to and agreed by the Local Planning Authority and shall thereafter be retained and maintained.

Reason: In order to introduce high quality landscaping in and around the site in the interests of the ecological value and biodiversity of the site and to ensure a satisfactory landscaping of the site in the interests of visual amenity and to ensure appropriate provision for children's play on site having regard to Local Plan Policies DMP1, BGI1, BGI2 and BH13 and London Plan policy S4.

- 35 Notwithstanding the submitted Ecological Lighting Assessment by Strenger Ltd (February 2022), prior to the commencement of development (excluding demolition, site clearance and below ground works), an updated Ecological Lighting Assessment shall be submitted to the Local Planning and approved in writing. This shall include, but is not limited to, 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, a lux plan indicating light spill over all ecological sensitive receptors inclusive of the waterspace.  
The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area, and to safeguard ecologically sensitive receptors.

- 36 Prior to the commencement of development (excluding demolition, site clearance and laying of foundations) a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be fully implemented and adhered to in the event of a relevant flood event.

Reason: To ensure the risk to the development and future users/residents from a reservoir flood event is minimised.

- 37 Prior to commencement of development above ground level, details of a communal television aerial and satellite dish system shall be submitted to and approved in writing by the Local Planning Authority, linking to all residential units within that building, and thereafter provided in accordance with the approved details prior to first occupation. No further television aerial or satellite dishes shall be erected on the buildings hereby approved, unless otherwise agreed in

writing by the Local Planning Authority.

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

- 38 Notwithstanding the Active Travel Zone Assessment (ATZ) contained within the submitted Transport Assessment, a revised ATZ shall be submitted to the Local Planning Authority for approval in writing prior to commencement of development above ground level. The revised ATZ shall include a nighttime assessment of all routes and a re-assessment of all routes to cultural and education facilities in the vicinity.

Reason: To promote safe and active travel in accordance with Policy T2 of the London Plan.

- 39 Prior to first occupation or use of the development hereby approved, further details of arrangements for the allocation of on-site parking spaces for Blue Badge holders shall be submitted to and approved in writing by the Local Planning Authority in the form of a detailed Car Parking Design and Management Plan (PDMP) to be written in general accordance with London Plan 2021 Policy T6.1. The PDMP shall also include details of:
- How parking spaces within the site will be managed and allocated;
  - The location of the additional five potential on-street blue-badge parking spaces should the need arise, avoiding the creation of pinch points;
  - electric vehicle charging point provision;
  - how the use of the spaces provided for non-residential use shall be managed so as to minimise opportunities for unauthorised access to residential spaces;
  - the use of any associated signage;
  - how existing or future residents would request a bay, how quickly it would be created and what, if any, provision of visitor parking for disabled residents is available

The submitted PDMP shall clearly stipulate that any non-Blue Badge holding residents of the development are prevented using the car parking area, due to its limited capacity for parking.

The development shall thereafter be constructed and operated in full accordance with the approved PDMP, unless otherwise agreed in writing by the Local Planning Authority.

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

- 40 Prior to first 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](mailto:CircularEconomyLPG@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. 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.

- 41 Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that either:
- all water network upgrades required to accommodate the additional flows from the development have been completed; or
  - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

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

- 42 Prior to first occupation, confirmation from the Building Control body to demonstrate that the relevant building has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day for the residential elements within the relevant Phase and for the non-residential elements, water meters and leak detection systems, shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 44 On commencement of the development hereby approved, further details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- a. highway street lighting;
  - b. other public realm lighting;
  - c. communal amenity space including roof garden lighting;
  - d. lux levels;
  - e. measures to minimise light spillage to sensitive receptors

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

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

- 45 Prior to the installation of any mechanical plant further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve the relevant Block shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- a. detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
  - b. details of any ducting in terms of its appearance and siting;
  - c. demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
  - d. include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (c)
  - e. include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
  - f. include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

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

Reason: To ensure that existing and proposed residential occupiers do not suffer a loss of amenity by reason of noise, vibration or odour nuisance

- 46 Notwithstanding the submitted Travel Plan, a revised Travel Plan shall be submitted to the Local Planning Authority for approval in writing to include but not limited to, the following information:
- a. The Travel Plan Co-ordinator details (it is acceptable to have a named contact to act as the interim Travel Plan Co-ordinator until one is appointed. It is recommended that the Travel Plan Co-ordinator is someone from the community;
  - b. Baseline targets identified through both the Travel Plan and Transport Assessment to include car mode share;
  - c. Confirmation that the Travel Plan and associated measures will be included at the point of sale (or rent)
  - d. Car club membership for residents

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

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

- 47 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:  
Daytime noise (07:00-23:00) - Living rooms and Bedrooms - Max levels: 35 dB LAeq (16hr)  
Night-time noise (23:00-07:00) - Bedrooms - Max levels: 30 dB LAeq (8hr), 45 dB Lmax

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

Reason: To obtain required sound insulation and prevent noise nuisance in the interest of the amenity of future occupants and the viability of the adjoining industrial land.

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

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

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

- 49 Prior to first occupation of the development hereby permitted, evidence shall be submitted to the Local Planning Authority for approval in writing validating the measures at the as-built stage to demonstrate that the stated Urban Greening Factor of at least 0.4 has been achieved.

Reason: To ensure that the urban greening factor has been achieved on site in accordance with London Plan Policies G5 and G6.

- 50 Within six months from practical completion of the non-residential floorspace hereby approved, 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, unless otherwise agreed in writing, shall be submitted to and

approved in writing by the Local Planning Authority.

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

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 3 (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your 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.
- 7 The EA have advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
  - in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the EA's National Customer Contact Centre on 03702 422 549 or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk). The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and you advised to consult with the EA at the earliest opportunity.

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