# COMMITTEE REPORT

**Planning Committee on** 16 October, 2024
**Item No** 04
**Case Number** **23/3440**

## SITE INFORMATION

| | |
|---|---|
| **RECEIVED** | **30 October, 2023** |
| **WARD** | **Preston** |
| **PLANNING AREA** | **Brent Connects Wembley** |
| **LOCATION** | **1-22 Brook Avenue, Wembley, HA9 8PH** |
| **PROPOSAL** | Demolition of all buildings and structures and comprehensive redevelopment of the site to provide two linked blocks of between 6 and 15 storeys (including mezzanine storey) comprising large scale purpose built shared living (LGPBSL) units (sui generis) and two linked blocks of between 4 and 9 storeys comprising residential units (Use class C3), ground floor commercial/community use units (Use class E/F), ancillary facilities and shared internal and external amenity space, associated highway works, blue badge parking, cycle parking, refuse stores, landscaping and access arrangements. |
| **PLAN NO'S** | see condition 2 |
| **LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION** | **When viewing this on an Electronic Device**<br><br>**Please click on the link below to view ALL document associated to case**<br>https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_166755<br><br>**When viewing this as an Hard Copy**<br><br>**Please use the following steps**<br><br>1. Please go to pa.brent.gov.uk<br>2. Select Planning and conduct a search tying "23/3440" (i.e. Case Reference) into the search Box<br>3. Click on "View Documents" tab |

## RECOMMENDATIONS

### S106 and Conditions

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. Secure provision of 100no. affordable housing units, comprised of:

- 70no. (70%) Social Rented units;
- 30no. (30%) Shared Ownership units;
- 100% nomination rights for the Council in relation to the social rented homes; and
- Early stage review mechanism;

4. Secure provision of 517no. large-scale purpose-built shared living (co-living) units

- The submission and approval of a Management Plan prior to first occupation of the development, meeting all requirements of Policy H16 of the London Plan 2021

5. Training and employment of Brent residents - Prior to a material start:

- to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
- to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development with a financial contribution towards any shortfalls in targets as set out within Brent's Planning Obligations SPD

6. Financial contribution of £109,450 to Brent Works for job brokerage services

7. Financial contribution of £100,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site for non-event days;

8. Financial contribution (TfL) of £130,000 towards bus service enhancements in the vicinity of the site;

9. Financial contribution of £100,000 towards Healthy Streets improvements in the vicinity of the site;

10. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any existing or future CPZ that is introduced in the future;

11. The approval and implementation of a modified Travel Plan incorporating:

- Contact details for an Interim Travel Plan Co-ordinator if a full-time Co-ordinator has not yet been appointed;

- Greater support for Car Club membership; and

- The creation of, and funding for, a bicycle user group;

12. To enter into a Section 38/278 Agreement for:

    - Widening of highway along site frontage to provide disabled parking bays and 3m wide loading bays;

    - Construction of 2m (minimum) wide footway to the rear of parking and loading bays; and

    - New soft landscaping and all associated ancillary works to lighting, drainage, lining, signing, statutory undertakers' equipment and any other accommodation works;

13. Detailed design stage energy assessment.

    - Initial carbon offset payment (estimated to be around £xx) to be paid prior to material start if zero-carbon target not achieved on site.

    - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.

    - 'Be seen' energy performance monitoring and reporting

14. Surveys of television and radio reception in surrounding area, submission of a TV and Radio Reception Impact Assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed;

15. Submission, approval and implementation of a Waste Management Plan including commitment to fund and arrange independent collections from the site in relation to the co-living units.

16. Indexation of contributions in line with inflation from the date of committee resolution

17. Any other planning obligation(s) considered necessary by Committee and the Head of Planning

(ii) That the Head of Planning, or other duly authorised person, 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. NUMBER OF AFFORDABLE DWELLINGS

4. NUMBER OF CO-LIVING

5. COMMERCIAL FLOORSPACE?

6. PARKING / CYCLE PARKING / REFUSE STORAGE

7. NON ROAD MOBILE MACHINERY

8. FIRST PLANTING AND REPLACEMENT PLANTING

9. DELIVERY AND SERVICING PLAN

10. FLOOD RISK ASSESSMENT

11. SURFACE WATER FLOODING

12. NOISE IMPACT ASSESSMENT

*Pre-commencement*

*13.* CONSTRUCTION ENVIRONMENTAL PLAN

14. CONSTRUCTION LOGISTICS PLAN

15. CIRCULAR ECONOMY STATEMENT

16. SPOT HEIGHTS

*Post-commencement*

17. PILING METHOD STATEMENT

18. CONTAMINATION: SITE INVESTIGATION

19. DRAINAGE STRATEGY

20. DISTRICT HEAT NETWORK CONNECTION

21. WHOLE LIFE CARBON ASSESSMENT

22. FRONTAGE AND SIGNAGE FOR COMMERCIAL UNIT(S)

23. COMMUNAL AERIAL AND SATELLITE DISH SYSTEM

24. DIGITAL CONNECTIVITY

25. ECOLOGICAL ENHANCEMENTS FOR FLOOD RISK

26. LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

27. GREEN AND BLUE ROOF

28. WIND MITIGATION

29. OVERHEATING MITIGATION STRATEGY

30. SECURE BY DESIGN

31. ACCESSIBLE HOUSING

32. MATERIALS SAMPLES

33. LANDSCAPING

34. ECOLOGICAL LIGHTING STRATEGY

35. FLOOD WARNING AND EVACUATION PLAN

36. SATELLITE DISHES / TV ANTENNA

*Pre-occupation*

37. OBSCURE GLAZING (BLOCKS A & D)

38. CIRCULAR ECONOMY: POST COMPLETION

39. WATER INFRASTRUCTURE

40. WATER EFFICENCY

41. CONTAMINATION: REMEDIATION & VERIFICATION

42. EXTERNAL LIGHTING

43. NOISE ASSESSMENT: MECHANICAL PLANT

44. INTERNAL NOISE LEVELS

45. EXTRACT SYSTEMS

46. URBAN GREENING

**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. FLOOD RISK ACTIVITY PERMIT

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

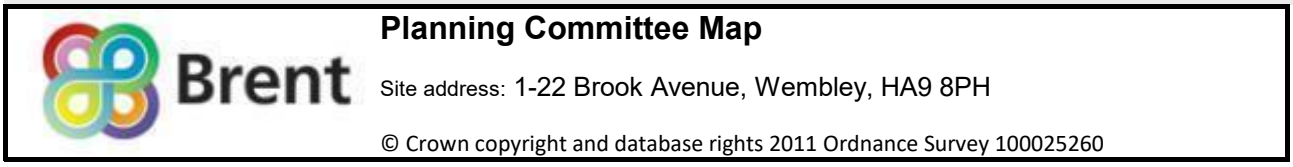
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior

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.

That, if by the “expiry date” of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP



This map is indicative only.

## PROPOSAL IN DETAIL

### Site Designations

| Relevant site designations: |
|---|
| Site allocation BCSA3: Brook Avenue |
| Wembley Opportunity Area |
| Wembley Growth Area |
| Air Quality Focus Area: Wembley Park/Ark Academy |
| Air Quality Action Area: Wembley and Tokyngton |
| Floodzone 3a Fluvial and Tidal |
| Floodzone 3a Surface Water Flooding |
| Air Quality Management Area |
| **Adjacent to:** |
| Wealdstone Brook (SINC Grade II) |
| Wildlife Corridor |

### Land Use Details

| **Site area (ha):** | 1.4ha | | | | |
|---|---|---|---|---|---|
| **Use Classes** | | | | | |
| | **Use Description** | **Use Class** | **Unit Nos.** | **Family Dwellings** | **Floorspace ($m^2$) (Gross Internal Area)** |
| **Existing** | Residential | C3 | 24 | | 4,145$m^2$ |
| | | | | | |
| **Proposed** | Residential | C3 | 100 | 26 | 9,628$m^2$ |
| | Co-Living | Suis generis | 517 | n/a | 11,912$m^2$ |
| | Commercial | E/F | 3 | | 198$m^2$ |
| **Total Proposed** | | | | | 21,738$m^2$ |

### Parking

| | Car Parking Spaces (General) | Car Parking Spaces (Disabled) | % EVCP | Cycle Parking | | | |
|---|---|---|---|---|---|---|---|
| | | | | Co-living (Blocks A&B) | | C3 (Blocks C&D) | |
| | | | | Long Stay | Short Stay | Long Stay | Short Stay |
| **Existing** | | | | - | - | - | - |
| **Proposed** | 0 | | | 348 | 40 | 152 | 36 |

### Environmental performance

| | Policy target | Proposed | |
|---|---|---|---|
| **Energy** | | | |
| Percentage of on-site carbon savings beyond Part L of Building Regulations (2021) | 35% | 61% | Residential |
| | | 30% | Commercial |
| | | | |
| Off-site reduction (%) and/or carbon offset contribution | Shortfall to net-zero (Residential) | £125,932 | |
| | | | |
| **Sustainability** | | | |
| | | | |
| Urban Greening Factor (UGF) | 0.4 | 0.73 | |
| Biodiversity Net Gain (BNG) | Positive | Positive | |

1. Full planning permission is sought for the demolition of all existing buildings and the erection of two pairs of linked blocks (Blocks A and B) of between 6 and 15 storeys (including mezzanine storey) comprising large scale purpose built shared living (LSPBSL) units (sui generis) and Blocks C and D of between 4 and 9 storeys comprising residential units (Use class C3), ground floor commercial/community use units (Use class E/F), ancillary facilities and shared internal and external amenity space, associated highway works, blue badge parking, cycle parking, refuse stores, landscaping and access arrangements.

## Blocks A and B

2. Block A would contain 213no. co-living units. It would be between 6-storeys and 9-storeys in height (c.20m and 30m, 33.7m to the top of the lift overrun) and would be sited approximately 5m from the common boundary with No.23 Brook Avenue, with approximately a further 1.4m to the flank wall of that adjacent dwelling. At lower ground floor, located on the western side of the Block, would house a sprinkler tank room. The ground floor contains 10no. studios within the eastern end of the building with the remainder of the ground floor occupied by communal facilities, management facilities, servicing/plant rooms, inclusive of a refuse store and substation.

3. Block B would contain the remaining 304no. co-living units and would be between 36m to 48m in height (10 and 15-storeys), and c.49.6m to the top of the lift overrun (note that all figures are from ground level). At ground floor level, Block B would contain refuse storage facilities, a small cycle store with repair station (both sited adjacent to the main cycle store), and communal facilities that include a laundry, screening room, games room, bar, approximately 187sqm of co-working space, and a café. A mezzanine level is proposed that would contain some communal facilities, a switch room, plant room, telecom room, and a server room.

4. The two Blocks would be linked via a single storey block, approximately 5.75m in height to the top of a flat roof (9.6m to the top of the generator enclosure), that would house the main cycle stores for the two Blocks.

5. Together, the two Blocks would have a footprint of approximately 2,450sqm and a GIA of approximately 2,286sqm.

## Blocks C and D

6. Block C would be between 6-storeys and 9-storeys in height (c.22m to 31.3m, and 32.8m to the top of a lift overrun) and would contain 70no. affordable (low cost rent) dwellings. The ground floor would contain 5no.homes, 3no. workspaces, and ancillary accommodation, such as a refuse store, server room and switch room.

7. Block D would be between 4-storeys in height (14.9m, 16.8 to the top of a lift overrun) and would contain 30no. affordable (intermediate) dwellings. At ground floor level, it would comprise of 6no. homes and ancillary accommodation such as a refuse store and plant rooms

8. The two Blocks would be linked via a single storey block approximately 5.5m in height to the top of a flat

roof (7.5m to the top of the generator enclosure), that would house the cycle stores.

9. Together, the two Blocks would have a footprint of approximately 2,017sqm and a GIA of approximately 1,886sqm.

## External spaces

10. The site would be comprehensively landscaped throughout, providing both communal areas for residents as well as a central square open to the public. The ground floor landscaping includes an 8m planted ecological buffer along the Brook with native planting, an informal footpath, a raised lookout platform, wildflower grassland, nature trails, rain gardens, planted streetscapes, and mixed species planting. In addition to the ground floor landscaping, the one storey podium levels and the rooftops would provide green roofs, enhancing and maximising biodiversity.

11. A total of 2,060sqm of amenity space is proposed and 750sqm playspace would be provided for all age groups. Along the Brook Avenue frontage, parking provision made for 6no. blue-badge spaces and 3no. loading bays. The existing dropped kerbs would be reinstated, soft landscaping provided, including some additional trees.

## EXISTING

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


12. The site extends approximately 213m along the Brook Avenue frontage and comprises of 24no. dwellings, flats and maisonettes on the southern side of Brook Avenue. Number 1 Brook Avenue is approximately 30m south-east of the junction with Forty Avenue, and No.22. Brook Avenue is approximately 230m north-west of the stairs to Wembley Park Station.

13. The majority of homes within the site boundary are 2-storey, inter-war dwellings with deep front gardens (approx. 20m) and generous rear gardens (up to 20m). Numbers.1, 2 and 22 Brook Avenue are sited nearer to the street frontage (approx.9m), resulting in deeper rear gardens of up to 30m. All gardens extend towards the Wealdstone Brook, designated as a Site of Importance for Nature Conservation (SINC) and a wildlife corridor.

14. On the northern side of Brook Avenue are the 4no. residential blocks that comprise the Matthews Close development (ref: 12/3499), which consists of 3no. blocks at 8-storeys and 1no. block at 5-storeys. These buildings sit at an elevated ground level, with the railway line beyond.

15. With Wealdstone Brook flowing from west to east along the southern boundary, the majority of the development site falls within Flood Zone 3B and is at risk from surface, fluvial and tidal flooding. The southern side of the brook is part of a wildlife corridor.

16. Located near to Wembley Park Station, the PTAL score is 4. The site falls within the Wembley Growth Area but outside of a Tall Building Zone. It is not located within a Conservation Area and does not contain any designated or undesignated heritage assets.

### AMENDMENTS SINCE SUBMISSION

17. The following amendments, which have been made in response to Environment Agency (EA) and Transport feedback, and also in response to the adoption of the Mayor's London Plan Guidance (LPG) on LSPBSL:

    a. 29no. additional studio bedrooms as a result of reduced communal/amenity requirement, increasing the overall provision of co-living units to 517.

    b. 100no. less cycle parking spaces as a result of a reduction in the overall provision requirement

    c. Enlargement of cycle store to allow for the conversion of 16no. two-tier stands to Sheffield stands

    d. Additional refuse storage provision for the co-living element

    e. Amendments to co-living elevations to reflect the changes described above

    f. Removal of low level façade openings across all buildings in response to EA concerns

## SUMMARY OF KEY ISSUES

**18.** The key planning issues for Members to consider are set out below. Members would have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

    a. **Principle:** The application site is currently in use for residential purposes, with 24no. properties in use as either single family dwelling houses, flats, or HMO's. The site forms part of site allocation BCSA3: Brook Avenue, which extends to No.28 Brook Avenue and also includes the Premier Inn. The site allocation would permit hotel and other main town centre uses, and residential, with an indicative residential capacity of 450no. dwellings. The redevelopment for residential led purposes, as either conventional C3 dwellings or large-scale purpose-built shared living (LSPBSL)/co-living is therefore acceptable in principle.

    b. **Housing / Affordable Housing:** The proposal would deliver 100no. C3 dwellings and 517no. co-living units. The C3 dwellings are all affordable with 70% of the proposed dwellings being low-cost rent (Block C) and 30% being intermediate (Block D). Moreover, 70no. would be low-cost rent and 30no. would be intermediate, thus satisfying the adopted tenure split. Co-living is a recognised housing choice, and they are counted towards housing supply on a ratio of 1.8:1 basis as per London Plan Policy H1. The co-living units are considered to comply with the requirements of London Plan Policy H16 and also with the Mayors London Plan Guidance on co-living schemes.

    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 or setting of any of the identified heritage assets.

    d. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development represents a significant change from the existing but is considered acceptable. The maximum proposed height of 48m (14-storeys) is acceptable having regard to the heights of the buildings to the north (Matthews Close) and having regard to the level of distancing to neighbouring residential developments. The proposed materials are mindful of the neighbouring developments, 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. The co-living element is demonstrated to meet the guidance for such development within the Mayors LPG: Large-scale Purpose-built Shared Living (February 2024).

f. **Neighbour Impact:** From the site boundary, the nearest residential buildings are those immediately adjacent to the site at its south-east and north-west boundaries: No.23 Brook Avenue (1.3m) to the south-east, 1&2 Richmond Court (5.7m) to the north-west. Other nearby developments include Pargraves Court on the northern side of Brook Avenue (16m), the four residential blocks on Matthews Close (Moss House, Yasmin House, Best House, Smith House) are between 45m and 25m distant, the developments on Crown Walk (c.38m), and Elliot Close (c.41m). The proposed development is considered to not have an unacceptable impact on the existing amenity of neighbouring occupiers.

g. **Highway Impact:** The site is approximately 230m distant from the bottom of the stairs at Wembley Park Station. The PTAL (public transport accessibility level) score ranges from 3 to 4. The development would be car-free except for the provision of 6no. on-street blue-badge spaces: 3no. for the residential units, 2no. for the co-living, and 1no. for the commercial units. Cycle parking would be provided in accordance with London Plan standards.

h. **Flooding / Waterways:** The site is immediately adjacent to Wealdstone Brook, which runs along the south-west boundary of the site, therefore the site falls within flood zone 3b both in terms of fluvial and surface water flooding. Protection of and access to the Brook 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 3rd 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

19. There is a limited planning history associated with the site, with a few applications for minor household additions and alterations.

## CONSULTATIONS

### Statutory / Non-statutory Consultees

| Consultee | Comments | Officer Response |
|---|---|---|
| HSE (Gateway One) | It has been advised that HSE is 'content'. | Noted. |
| Environment Agency (EA) | An objection is raised because it is considered that the proposal has not demonstrated that adequate flood storage compensation will be provided. The proposed development is therefore expected to impede flood flow and reduce flood storage capacity, thus causing a net loss in floodplain storage and increasing the risk of flooding elsewhere. | Following the receipt of additional information, the EA has withdrawn their objection and have suggested a condition to secure the implementation of the flood Risk Assessment (see Condition 10 |
| Local Lead Flood Authority (LLFA) | • The surface water flood map shows a lot of flood risk on and around the site. The design does not appear to illustrate how it will | • The comments are noted. While the profile of the detention basin has not been provided, the |

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| | address additional flow on to the site from Brook Avenue.<br><br>• No information on the profile of the detention basins what are their sizes and estimated volumes? This needs to be labelled in the drainage plan.<br><br>• Spot heights pre and post construction are required.<br><br>• Clarification regarding the design of the basins, blue roofs and permeable paving.<br><br>• Confirmation is required from Thames Water to discharge into the surface water sewer | proposed capacity is greater than the existing.<br><br>• Spot heights will be secured by condition, as will the design of all of the SuDS measures. It is also confirmed that the greenfield runoff rate has been correctly calculated.<br><br>• Thames Water has advised that advise that if the sequential approach is followed, they would have no objection. Disposal to a public sewer would still require Thames Water approval. |
| Thames Water | It has been advised that the site is within 15m of a strategic sewer, therefore a Piling Method Statement is required.<br>The developer is advised to follow the sequential approach to the disposal of surface water and that there is no objection with regard to the foul water sewerage network infrastructure capacity. | Noted. Should permission be granted, an Informative would be added to the Decision Notice. |
| Affinity Water | It is advised that water efficient fixtures/fittings are expected. The developer is advised to contact Affinity Water's Developer Services Team. | Noted. Should permission be granted, an Informative would be added to the Decision Notice. |
| Greater London Authority (GLA) Stage I Response | The following has been advised:<br>• The principle of development is accepted, including the non-residential uses.<br>• The affordable housing offer is acceptable subject to securing an early-stage implementation review, suitable affordability, and eligibility criteria for affordable housing products in a S106 Agreement.<br>• There is little connection to the street, between Brook Avenue and Wealdstone Brook. Public accessibility should be clarified.<br>• One of the proposed buildings exceeds the 10-storey threshold for the site, in the Local Plan. Although this does not raise strategic heritage, architecture or materials concerns, a local context consideration would be welcomed to justify this.<br>• Wind conditions within higher-level balconies of Block C appear to be less than optimal, therefore mitigation | All outstanding matters raised will need to be resolved for the Stage II referral. Notwithstanding, conditions and S.106 obligations will be appropriately secured.<br>It should be noted that the application was submitted prior to a 10% BNG coming into force, therefore the scheme only needs to demonstrate a net gain, which it does. |

measures should be secured.

- The Planning Statement advises that 12% of the affordable units and 9.8% of the co-living units comply with Building Regulation M4(3) for wheelchair user dwellings. The co-living component should meet the minimum 10% standard and all the remaining units complying with Building Regulation M4(2) for accessible and adaptable dwellings.
- There are concerns regarding the car-dominated landscape, in relation to on-street access, blue badge parking, servicing and deliveries. Trip generation assessment requires further consideration and contributions will be required. Cycle and car parking should be addressed and secured. CLP and Travel Plan should be secured.
- The energy strategy does not fully comply with London Plan Policies SI2, SI3, SI4.
- The proposed Finished Floor Levels (FFLs) 300mm above the 100-year event plus 20% climate change is welcomed and should be appropriately secured.
- The Urban Greening Factor (UGF) score of the proposed development is given as 0.57, which meets the target set by Policy G5 of the London Plan.
- The proposed development seeks to secure a net biodiversity net gain (BNG) of 1.73%, which falls below the 10% outlined in London Plan Policy G6. The existing site has a high biodiversity score. Although the design approach seeks to maximise BNG, given the low figure, there should be consideration of further on-site opportunities and the Council could secure payment to overcome the shortfall to enhance the adjacent Brook.
- The drainage strategy is welcomed, in the form of green roofs, detention basins and permeable paving. However, it is unclear how the below ground attenuation tanks will drain. An option of pumping should be avoided where possible, or robust justification as to why. The applicant is also

| | | |
|---|---|---|
| | encouraged to incorporate rainwater harvesting.<br>• An Air Quality Assessment was submitted with the planning application, however further information is required to determine compliance with London Plan Policy SI1, including construction traffic models, discussion in the baseline section, model parameters, traffic flows and emergency generators. | |
| Transport for London (TfL) | • Access for pedestrians and cyclists will be via Brook Avenue. However, disabled car parking spaces, and delivery and servicing are proposed on street. These together would create a car-dominated landscape contrary to Policy T2 and nor complying with Policy T7.<br>• A Healthy Streets Transport Assessment (TA) and an Active Travel Zone Assessment (ATZ) have been undertaken. However, the ATZ assessment should include consideration of night-time conditions such as personal security, lighting, and natural surveillance. Deficiencies identified in the ATZ report will need to be remedied through a financial contribution and/or physical works secured in any permission to provide active travel improvements.<br>• The Travel Plan includes objectives such as use of active travel modes and minimise the development effects on the environment but the car parking and delivery/servicing along the front would not be conducive to walking or cycling and would hinder permeability within and to and from the site by sustainable methods of transport.<br>• Whilst the principle of the proposed landscaping is welcomed, it is considered that the applicant could do more to create an enhanced connection between Brook Avenue and Wealdstone Brook. This could include the creation of a 'leisure loop' with a continuous path to enable access around the entire site.<br>• A new one-way cycle lane along | Noted. Please see the remarks section. |

| | | |
|---|---|---|
| | the entire frontage of the site, connecting to an existing cycle lane on Forty Avenue, is proposed. Whilst the principle of improving the active travel environment is strongly supported, it is questioned how effective the proposals would be and considered that other measures may be more effective in supporting a strategic modal shift and enabling safe and convenient cycling. Further thought on this matter is required.<br>• Plans should detail, how the scheme aligns with Healthy Streets principles, and how much space is available for pedestrians and cyclists.<br>• A contribution towards wayfinding would be appropriate from this development.<br>• There is a concern that the assessment is under-estimating the impact that the proposed development would have on the surrounding transport network. the trip generation assessment should clearly define trips made by each public transport mode i.e., bus, rail, London Underground, rather than combine them all in one category.<br>• The proposed development will generate a total of 20 additional bus passengers during the AM and PM peak. As such, in line with Policy T4, a minimum contribution of £130,000 should be secured from this development. This figure will be revised accordingly upon the submission and agreement of an updated trip generation assessment.<br>• | |
| Met Police – Design Out Crime Office | Objections are raised for the following reasons:<br>• The proposed public realm access to the brook running between the separation of communal living and affordable residential. This space has food and beverage and office/commercial space on ground floor. Residential units do not start until between 3.5 to 4.5m in height. Overnight the area will not benefit from higher levels of natural surveillance. | Noted. Please see the remarks section |

There will be little legitimate activity. This can introduce antisocial behaviour into an area if not managed.

- The landscaping and lighting need to be on point ensuring there are excellent sight lines with no concealment opportunities. There is a shaded structure proposed for the public realm as well as trees (both existing and proposed). These canopies will again hide individuals and groups loitering in this area providing shelter and offering them some anonymity.
- The proposed cycle stores appear to have a semi visually permeable mesh which indicates that opportunistic thieves would be able to tell that bicycles are kept in this location (whether there is a sign on the door or not). There is only a single door leading into these stores and so a potential thief could tailgate a resident into the store and then prop open the door to remove numerous bicycles out at a time.
- One of the ground floor flats appears to have a balcony in very close proximity to that of the bin store door. Another unit has a bench next to a window. It is felt that there are other areas that the bench could be placed to avoid potential noise and privacy issues with this potential resident.
- With a mixed use development, it must be ensured that there are no areas of crossover. This can lead to potential conflict. This can be achieved through compartmentation and a robust access control system.
- Within the proposal was also a youth space and WI-FI hub. Having WI-FI in the area can attract more than just youths and should be carefully considered. Establishments such as McDonald's restaurants have resorted to turning off the free WI-FI to combat increased levels of antisocial behaviour.
- Opened access to the canal at the rear could lead to an increase in crime and antisocial behaviour.

| | | |
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| | • The development should achieve a secured by design accreditation to silver award and this standard should be maintained for the life of the development. | |
| Environmental Health | In addition to recommended conditions, the following comments have been made:<br>• The Air Quality Statement demonstrates that air quality levels will not be affected.<br>• The development will be air quality neutral.<br>• In terms of land contamination, a further site investigation will be required. Conditions are proposed for the investigation, and for remediation/verification.<br>• There should not be any impact in relation to noise provided that the proposed mitigation measures are put in place.<br>• A sound insulation condition is recommended between the ground floor and the flats above.<br>• A construction method statement should be secured by condition.<br>• The standard All Non-Road Mobile Machinery (NRMM) condition should be imposed. | Noted. The recommended conditions are imposed. |
| Resident Services | It has been advised that the proposed co-living refuse storage areas are unacceptable, do not meet LBB standards, and have insufficient space for the correct number of refuse and recycling containers.<br>Twice weekly private collections would be insufficient and LBB would receive complaints to our call centre regarding alleged missed collections and waste accumulation | Amended plans have been received showing an increase in storage capacity. The proposed capacity is now sufficient for a twice-weekly collection as per similar schemes. |

## Public Consultation

21. Letters were sent to the occupiers of 481 neighbouring and nearby properties, in addition to statutory site and press publicity. Thirty nine (39) comments were received.

| Comment | Officer Response |
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| Design | |
| The proposed design is much higher than the surrounding buildings and does not align with the architectural aesthetics of the area, leading to visual discord. This inconsistency with the local borough plan and the London Plan's D9 policies further emphasises the | Please see the Design Considerations section of this report. |

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| unsuitability of the proposed development in its current form | |
| In the THVIA, Section 6.14 concedes that the proposed site falls outside the ambit designated for tall building developments in the Local Borough Plan. Despite this acknowledgment, the accompanying documentation, notably the DAYLIGHT_AND_SUNLIGHT_REPORT-9426940.pdf, distinctly showcases the intention to erect the tallest building on Brooke Avenue. This patent contradiction contravenes stipulations set forth in the London Plan's D9 C1 a.ii-iii and D9 C1 b | Please see the Design Considerations section of this report. |
| The proposed development is inconsistent with the original vision outlined in the master plan. When we purchased our flats, the area was not designated as a demolition and regeneration zone. The deviation from the established master plan is disconcerting and raises concerns about adherence to the original vision for the area. | The application has been considered in line with current planning policies. The policy context has evolved since the construction of Matthew Close with a significant number of homes being required within the London Plan and Brent's Local Plan. |
| Layout and density of buildings | |
| Block B, situated directly in front of Best House, exceeds the legal height limit for the area. Local regulations prohibit buildings taller than 10 storeys, yet Block B is 15 storeys. This is not in keeping and will dominate the skyline, affecting the visual amenity of the area. | There is no such concept as to a legal height limit. Through the Local Plan and planning guidance documents, the borough can direct taller buildings to particular parts of the borough and also recommend appropriate heights in the site allocations. However, this does not preclude proposals outside of those areas or to the heights suggested. Each proposal must be assessed on its own merits. Please see the Design Considerations section of this report. |
| Amenity | |
| Overbearing impact if built around me, depriving me of light, air and privacy | The proposed development is considered to be acceptable when considering its impact on residential amenity of neighbouring properties. This is discussed further in the body of this report. |
| Overcrowding should this development proceed. There are already an extra 1000 housing units due to the site next to the railway track being developed with high rise housing. The population on this road alone would increase from circa 120 to possibly 6000 people in a small area. This development alone would be adding possibly 1000 extra people, not to mention visitors to these housing units. | Brook Avenue is within the Wembley Growth Area and the site forms part of Site Allocation BCSA3 Brook Avenue, where more dense developments are directed. The adopted Local Plan and the polices therein have been through public consultation. |
| Increased population density | See above. |
| Loss of light to the lower floors of the blocks | The impact on neighbouring amenity in terms of daylight and sunlight has been discussed |

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| on Matthews Close. | within the remarks section below. |
| Noise and vibration from construction activity | While some disruption from construction activity is to be expected, this would be minimised through measures to be secured via a Construction Logistics/Management Plan. |
| Loss of sunlight for existing properties on Brook Avenue | The impact on neighbouring amenity in terms of sunlight has been discussed within the remarks section below |
| Loss of privacy | The impact on neighbouring amenity in terms of loss of privacy has been discussed in the remarks section below. |
| Loss of privacy during construction works | This is not a material planning consideration |
| Increased air pollution from stop and go traffic | The development is car free. |
| Obstructed views (from Matthews Close development) | The impact of the development in terms of outlook has been considered within the remarks section below. A loss of a view is not a material planning consideration. |
| More light pollution | A condition is recommended to be secured in relation to external lighting that would cover overspill into neighbouring properties. |
| Residents of Elliott Close and Crown Walk estates have not been taken into consideration in the "Townscape, Heritage and Visual Impact Appraisal" document. However, they are the ones who will be the most negatively affected by the development. The development will rise above the tree line and will be overlooking them. The closest view appraisal is made from Oakington Avenue, which is not representative of the impact for those residents | Although there is no representative provided view from Elliott Close or Crown Walk officers have considered the impact of the development on those residents. Please see the remarks section below. |
| The new building will block all natural light to Best House (Matthews Close), leaving it completely in shadow | The impact on neighbouring amenity in terms of daylight and sunlight has been discussed within the remarks section below. |
| Trees / Biodiversity / Ecology | |
| Destruction of existing habitat for a wide range of wildlife. | Whilst the implementation of the development would result in the loss of some vegetation, this has been kept to a minimum. The proposal would result in a net gain of biodiversity in excess of the default 10% target. |
| The development will encroach upon existing green spaces, specifically by concreting over the gardens of the houses, reducing the overall greenery available for natural habitat. The plans suggest more concrete areas compared to the existing green spaces, contrary to what is proposed | See above. |

| Highways Matters | |
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| Already an insufficient level of parking capacity along Brook Avenue. | The development is car-free except for 6no. blue badge parking spaces provided from the outset. Brook Avenue is within walking distance of Wembley Park Station and bus routes, reducing the reliance on cars. |
| Safety of school children during construction activity. | An agreed Construction Logistics Plan, to be secured by condition, would ensure that construction delivery times do not conflict with school drop-off/pick-up times. This is standard practice for developments. |
| Increased pollution of Wealdstone Brook | The submitted River Condition Assessment confirms that there would be no change in river condition as a result of the proposed development. |
| Preposterous proposal. With the upcoming flats being built let alone this suggested development the road will be unusable at any time let alone during the school rush or events | The development is car free except for 6no. blue badge parking spaces provided from the outset. An agreed Construction Logistics Plan, to be secured by condition, would ensure that construction delivery times do not conflict with school drop-off/pick-up times. This is standard practice for developments. |
| The proposal plans for limited parking in an already strained parking zone, with no improvements on the existing infrastructure, although the proposal mentions the existing car club bay for 2 vehicles, that is not operational, and one additional spot exclusive for the new development sounds insufficient. The proposal also mentions 3 Zip clubs operated within 1km radius, but the one on Gold Car Park, Lakeside Way seems to only exist on paper, and as a user for more than 5 years, I've never seen a single car available there | Existing bays were removed during the Covid pandemic and are meant to be reinstated. The development on the former TfL carpark |
| Is there any consideration to offer paid parking for visitors for people residing on Brooke Avenue? | No. The site is in a highly sustainable location. |
| Over 700 new units have the potential to add at least 200 to 350 new vehicles to the streets and create congestion which will affect the quality of air, create noise pollution and risk the health of not only the residents but also the pupils who use the road to go to the school around the corner | The development is car free except for 6no. blue badge parking spaces provided from the outset. |
| Other Matters Raised | |
| Brent has made concerted efforts to reduce high rise housing over the years with the demolition of Chalkhill and Stonebridge estates, why is it now just re-building the same thing, clustered on Brook Avenue | There is a shortage of housing in Brent. The council has an annual housing target of 2,325 dwellings for the period 2019/20 – 2028/29. These new homes are primarily located in growth areas, site allocations and windfall sites throughout the borough. |

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| Influx of new residents will put a strain on infrastructure and services. | The development would be CIL liable, with money collected used to support the delivery of strategic infrastructure as identified on the Council's Regulation 123 list. In addition, through a S106 Agreement, certain obligations would be secured that would help to make the development more acceptable in planning terms. |
| A large devaluation on all property prices in Matthews Close | This is not a material planning consideration |
| Given the guidelines delineated by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), it is my belief that the proposed development will not comply with several key aspects of the Order. | The DMPO sets out how developers and local authorities would engage with each other, and the public throughout the planning process. It sets out procedures for the determination of applications including the imposition and discharge of planning conditions.<br><br>The proposal, and the application as a whole, has been undertaken in full accordance with the DMPO. |
| It is concerning that there was a lack of consultation with neighbouring residents before submitting the planning application. Meaningful engagement with the local community is essential to gather feedback and address concerns, and the absence of such consultation is a fundamental flaw in the planning process | The submitted Statement of Community Involvement details the consultation undertaken by the applicant:<br><br>500 newsletters delivered<br><br>Engagement with councillors<br><br>Social media<br><br>Website implemented<br><br>Virtual exhibition<br><br>12 residents completed the feedback form. |
| Possible structural damage to our property (Richmond Court), as a result of this bulldog work | This is a civil matter. Adjoining occupiers have rights under The Party Wall Act. |
| Create opportunities for crime | It is not clear how the development would do this. |
| In the TRAVEL_PLAN-9426923.pdf, a disconcerting inconsistency arises between the indicated PTAL levels. Notably, while the document asserts a PTAL of 5, the attached PTAL report (Appendix C) unequivocally illustrates a PTAL range of 3-4 for the proposed building locale. This misalignment is not inconsequential, as it directly impacts the recommended housing density in contravention of the TFL Connectivity Assessment Guide. The resultant disparity, encompassing a housing density well beyond the prescribed limits, constitutes a significant procedural flaw necessitating rigorous reassessment | The PTAL for the majority of the site is 4, with some parts of it given a PTAL of 3. This is not fatal to the application as density is just one measure of acceptability of a scheme, particularly with policies that seek to optimise the use of sites. The site allocation suggests an indicative capacity of 450 dwellings, and with the London Plan advising that co-living counts towards housing on the basis of a 1.8:1 ratio (i.e. every 1.8no. bedrooms/units is the equivalent of 1no. home) the proposed level of housing (co-living + C3 dwellings) equates to 487 dwellings, marginally above the indicative capacity. The development as a whole is considered acceptable, as discussed within |

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| | the remarks section below |
| This will adversely affect financially, physically and mentally the health of the residents in the area | The financial impact on neighbouring occupiers is not a material planning consideration.<br><br>The proposed development is considered to comply with adopted policies and guidance. Moreover, adopted policies and guidance have been through public consultation and considered against the Public Sector Equality Duty of the Equalities Act. 2010 |
| Transport for London (TFL) has raised concerns, stating that the current transport infrastructure cannot support the increased number of residents the development would bring. This issue has not been adequately addressed in the new application. | To address this, TfL are seeking financial contributions to improve existing infrastructure. |
| In relation to 14 Brook Avenue, the land is not in the ownership of the developer and there is no agreement, understanding or contract to sell 14 Brook Avenue to the applicant developers. The developers have no right to seek planning permission or to build on land not legally owned by them. | This is a civil matter. Any person/entity can apply for planning permission on land not in their ownership but must first serve notice on the land owner that planning permission has been applied for. Notice (Certificate B) was served on all affected property owners on<br><br>Should planning permission be granted, the permission cannot be implemented unless the developer has acquired all of the individual plots that form the application site. |
| The developer has not got any agreement on purchasing my home, and I have no intention of moving, but the plans show my house being demolished and built over. | See above. |
| We are the current owners of 02, Brook Avenue, Wembley, HA9 8PH. We have noticed that our property was used as a part of the planning application ref. 23/3440 without terms and agreements. | See above. |
| My property (No.22) is not within the developer's ownership. My property should not be included in the plans because I have not given consent. | See above |

## POLICY CONSIDERATIONS

22. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise. The development plan is comprised of the London Plan (2021) and the Brent Local Plan (2019-2041). Key policies include:

    <u>The London Plan</u>

    GG1: Building strong and inclusive communities
    GG2: Making the best use of land
    GG3: Creating a healthy city
    GG4: Delivering the homes Londoners need

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| 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 |
| 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 |
| H16: | Large-scale purpose-built shared living |
| S4: | Play and informal recreation |
| 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 |
| SI1: | Improving air quality |
| SI2 | Minimising greenhouse gas emissions |
| SI4: | Managing heat risk |
| SI5: | Water infrastructure |
| SI6: | Digital connectivity infrastructure |
| SI7: | Reducing waste and supporting the circular economy |
| SI12: | Flood risk management |
| SI13: | Sustainable drainage |
| 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

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| DMP1 | Development management general policy |
| BP1 | Central |
| BCGA1 | Wembley Growth Area |
| BCSA3 | Brook Avenue |
| BD1 | Leading the way in good urban design |
| BD2 | Tall buildings in Brent |
| 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 |
| BSI1 | Social infrastructure and community facilities |

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| BHC1 | Brent's Heritage Assets |
| 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
Mayor of London – Circular Economy Statements LPG (Mar 2022)
Mayor of London – Large-scale purpose-built shared living LPG (Feb 2024)
Mayor of London – Whole Life-Cycle Carbon Assessments LPG (Mar 2022)
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 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
London Cycling Design Standards

## DETAILED CONSIDERATIONS

# Land Use

## Presumption in favour of sustainable development

23. 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

24. Chapter 11 of the NPPF promotes the effective use of land and para. 123 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.*

*25.* 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.

26. Policy D2 of the London Plan advises that the density of development proposals should consider and be linked to the provision of future panned levels of infrastructure rather than existing levels. Where the 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.

27. London Plan Policy D3 (Optimising site capacity through the design-led approach) 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

28. The application results in a change of use from HMOs (Sui Generis) and residential houses (Use Class C3) to a co-living scheme (Use Class Sui Generis non-self-contained housing), C3 housing and community/commercial space. Whilst Local Plan Policy BH7 (Accommodation with shared facilities or additional support) requires justification for the loss of HMOs, arguably LSPBSL targets the same market (non-self-contained dwellings for general occupation) and as such the HMO loss is considered to be acceptable in principle.

29. The proposal would result in the demolition of 19 three+ bed family sized dwellings for which there is an identified significant unmet need in the borough. However, it would reprovide 100no. C3 dwellings, which would therefore be in accordance with Local Plan Policy BH10 (Resisting housing loss) which seeks to resist the net loss of residential dwellings. Furthermore, it would include the provision of 26no. three bed family sized dwellings which exceeds the number that would be lost by the demolition of the existing dwellings.

30. Co-living is a recognised housing product primarily aimed at single person households that choose to not live in self-contained houses/flat shares, or HMO's. The London Plan advises that in terms of meeting housing targets, such housing should count towards this on the basis of a 1.8:1 ratio, i.e. every 1.8no. bedrooms/units is the equivalent of 1no. home. For the proposed development, this would equate to 271no. dwellings. As a recognised housing product, this element of the scheme would also contribute towards meeting the council's housing target.

31. The proposed community/commercial spaces are considered acceptable as modest sized units which would potentially serve ancillary or complementary roles, animating the façade of Block C from the road frontage to the public open space.

### Site allocation

32. The site falls within Brent's Local Plan site allocation BCSA3: Brook Avenue, which also includes Nos.24-28 Brook Avenue, and the Premier Inn. The allocated use(s) is for a hotel / other main town centre use / residential on the Premier Inn site, and with residential on the remainder of Brook Avenue. The proposed use would therefore accord with the site allocation.

### Land use summary

33. The proposal involves the loss of 19no. existing 3-bed+ family dwellings and 3no. registered HMOs, however the redevelopment of the site for a mixed use residential scheme with some commercial/community space is supported at a local and regional level through the site allocation in the Local Plan.

34. There is a housing need for all sizes and tenures of accommodation but more so for affordable and family-sized dwellings. The proposal would represent a significant uplift in the delivery of housing, including affordable housing and family housing, in a highly sustainable location.

## Heritage Considerations

### Statutory Background and the NPPF

35. 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. 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.

*36.* The NPPF (paragraph 206) 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 207) 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 207 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 208 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.

37. 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.

38. 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 206 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.

39. 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'.

40. At paragraph 205, the NPPF 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".

41. 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 will 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."

42. 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…".

43. 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.

44. 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.

45. If there is harm to the significance of a non-designated heritage asset, paragraph 209 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.

46. 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 and Identification of Heritage Assets

47. The site does not contain any designated or undesignated heritage assets. A Heritage Statement was not submitted with the application however a Townscape and Visual Impact Assessment (TVIA) includes a Built Heritage section that discusses the heritage context and the potential impact of the development on the identified assets. Heritage assets were also identified using the Council's GIS system, and Historic England's online tools. The assets identified include:

- Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed (625m north-east) Date first listed: 23 Sep 1990

  *Municipal offices, library and assembly hall. Built 1935-40 as Wembley Town Hall by Clifford Strange. Brick - clad steel frame; flat roof. Multi-function and sloping site expressed in T- shaped plan set around central entrance hall with council chamber above and assembly hall to rear, and library to left. Severe Scandinavian style 3-storey front. Tall central staircase tower, slightly recessed behind flanking wings, has tall window set above entrance with flat canopy and steps; 15-bay wing to right has upper windows set in tall recessed bays above continuous ground-floor windows with glazed tile piers to drip mould; bay of some height to left of tower, with similar ground-floor fenestration and large first-floor window; lower 2-storey, 4-bay range to left has similar ground-floor fenestration and tall first-floor windows. Other elevations are similar, with stepped blocks making use of sloping site: entrance with canopy to library on left; assembly hall to rear has continuous strip of low-level fenestration. Interior: marble walls and floors to entrance hall and foyer with Art Deco railings to staircase. Council Suite has 3 committee rooms separated by sliding partitions. Panelled dado to assembly hall. Circular light walls to library. Recommended as a town hall in the Scandinavian style which is an example of simple but effective 1930s municipal, planning, the interiors making much use of borrowed light and internal glazing. Pevsner called Wembley "the best of the modern town halls around London, neither fanciful nor drab".*

- Wembley Hill Lodge, 114 Wembley Hill Road, Grade II (640m south-west), Date first listed: 31 May 1973

  *Early 19th century cottage orné style. One storey and attic colour washed brick with gable to front. One 2 light leaded casement in gable; one 3 light leaded casement oriel window on ground floor with thatched roof. Part set back to right of one storey with continuous lean to roof in front, serving as a canopy to porch. Thatched roof. Left hand part has colour washed brick lower part; 20th century tile hanging to upper floor and tile roof. Formerly a lodge to Wembley Park.*

- Wembley Arena (formerly the Empire Pool), Grade II (574m south), Date first listed: 31 Oct 1976

  *Designed by Sir E Owen Williams and built in 1934 for The Empire Games. It has a reinforced concrete frame of 3 hinged arches spanning 240 feet which was the largest concrete span in the*

*world at that time. The pool was 200 feet long and 60 feet wide with a deck for ice skating. The end of the building opens and used to lead to sunbathing terraces and lawns. The sides have 15 massive concrete buttresses. The ends are galed with 20 narrow lights of increasing height from the edges to the centre. Used for 1948 Olympic Games*

- Three K6 telephone kiosks, Engineers Way, Grade II (576m south), Date first listed: 28 Jun 1987

  *Three telephone kiosks. Type K6. Designed 1935 by Sir Giles Gilbert Scott. Made by various contractors. Cast iron. Square kiosks with domed roofs. Unperforated crowns to top panels and margin glazing to windows and doors.*

- Barn Hill Conservation Area 300m north (designated March 1990)

  The special character of the Barn Hill Conservation Area is derived from its hillside setting and layout as much as from a wide variety of designs which have a distinctive Mock-Tudor character. The 85m high hill dominates the estate. The design of the houses and their mature landscape setting are particularly attractive and the dips in the road, the inclines, the views between houses and glimpses over Wembley and across to Harrow gives the estate a special charm which is worthy of protection. The Character of the Conservation Area is defined by Barn Hill Open Space, just outside the boundary at the top of Barn hill. The roads either are directed towards the peak, or along the contours of the hill.

- Lawns Court Conservation Area 245m north (designated June 1995)

  The special character of the Lawns Court Conservation Area derives from the design of its buildings, the open space but also on their street setting and the street scenes. Lawns Court Conservation Area is a planned development built along a main road, The Avenue. It comprises of as a string of six linear apartment blocks of varying lengths set out in a doglegged pattern so as to accommodate a small communal triangular green between the central four blocks and the main road. The blocks are up to three storeys high and are the depth of a typical suburban house.

## Assessment of Significance and Contribution

48. 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

## Impact of the Development

49. The proposed development would represent a significant change to the site. However, it would be viewed within the context of the context of the 4no. blocks on Matthews Close to the north and the emerging context of the high rise development on the former TfL carpark on Brook Avenue.

    Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed

    Figure 2: View towards the site from the former Brent Town Hall (source: Google Earth Pro)


50. There is no view within the TVHIA to or from the development site from the former Town Hall, however the image above provides a view towards the site from approximate roof level of the former Town Hall, although it should be noted that since the above imagery was recorded, the development of the former TfL car park at Wembley Park has commenced and sits in front of the Premier Inn. As confirmed within the TVHIA, the proposed development would be seen to the south-west of it, beyond existing large scale development and towers and would be in keeping with the townscape character of Wembley today. The magnitude of change would be low, and the effect would be minor and neutral. Officers agree that there would be no effect on any element of setting that contributes to its heritage significance.

Wembley Hill Lodge, Grade II Listed

Figure 3: View towards Brook Avenue from in front of Wembley Hill Lodge (source: google Streetview)

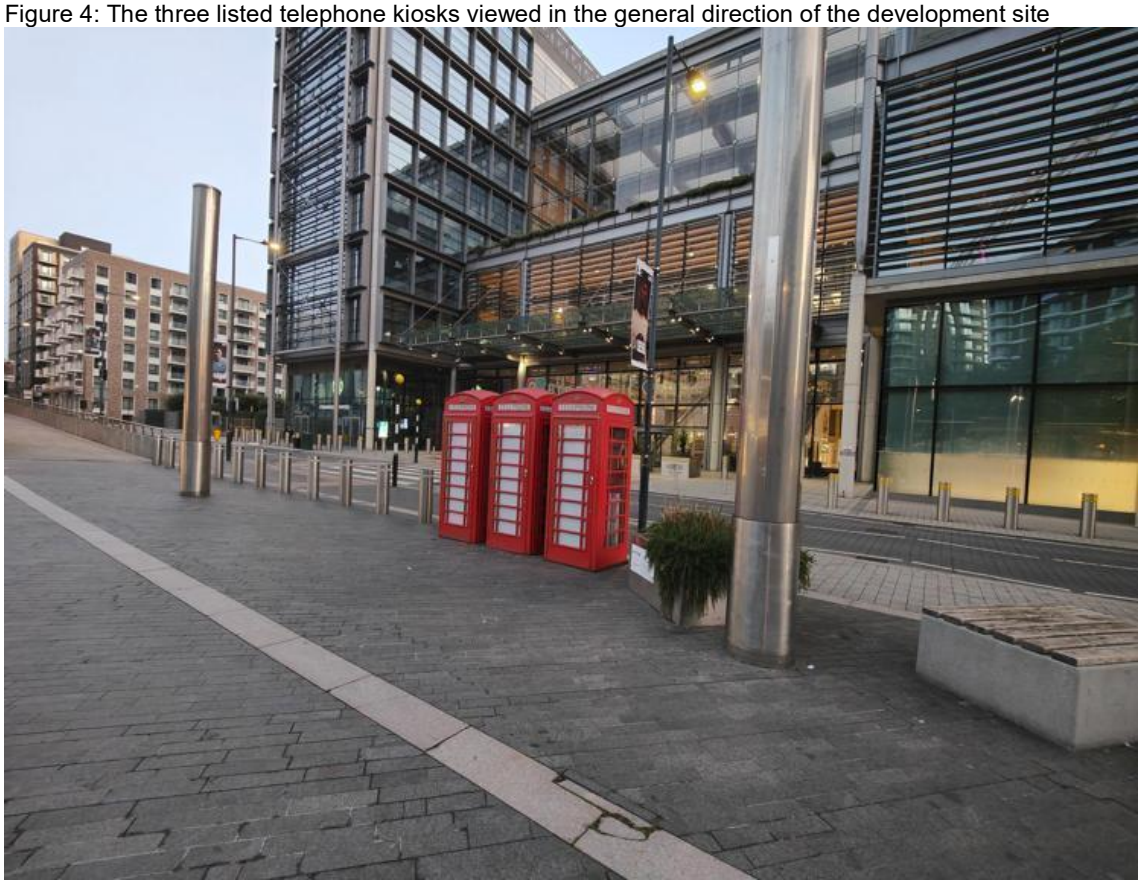

51. There is no view within the TVHIA towards the development site from Wembley Hill Lodge. Notwithstanding, due to the intervening buildings, distance and vegetation it is considered that the proposal, even if visible on completion, would not unduly harm the setting or special interest of the building.

K6 telephone kiosks, Engineers Way, Grade II

52. There is no view within the TVHIA towards the development site from within proximity of the three listed telephone kiosks. Notwithstanding, the Brent Civic Centre would block any view of the site (see Figure 4) and therefore, it is considered that the proposal would not lead to any harm to the special historic

interest and setting of the Grade II listed telephone kiosks.

Figure 4: The three listed telephone kiosks viewed in the general direction of the development site



Barn Hill Conservation Area

53. Views 7-10 of the TVHIA offer views towards the development site from Basing Hill (View 7), Corringham Rd (View 8), Barn Way (View 9), and Barn Hill Open Space (View 10):

*Corringham Rd*

Figure 5: View from Corringham Rd towards the development proposal (green) and the emerging, consented skyline (pink) (source: THVIA)

54. The upper floors of Block B would be visible in front of the Wembley Central tall buildings. A glimpsed view would also be gained to the top floor of Block C. The development proposal would not have any greater impact on views from this part of the Barn Hill Conservation Area.

*Corringham Road*

Figure 6: View from Barn Way towards the development proposal (green) (source: THVIA)

55. The above representative view from Corringham Road (Figure 6 above) clearly demonstrates that the upper floor of Block B would be visible above the Matthews Close developments. Whilst there would be visibility when there currently isn't any, is not necessarily harmful but it is acknowledged the level of change would be low to moderate. It should be noted that there would be no visibility of the emerging

consented developments.

*Barn Way*

Figure 7: View from Barn Way towards the development proposal (green) and the emerging, consented skyline (pink) (source: THVIA)

56. The proposed development would not be visible from the above viewpoint due to the intervening buildings along Basing Hill, as can be seen in Figure 7 above, although there would be views of the consented, emerging developments.

*Barn Hill Open Space*

Figure 8: View from Barn Hill Open Space towards the development proposal (green) and the emerging, consented skyline (pink) (source: THVIA)

57. The above representative view has a high value as it is taken looking out from the Barn Hill Conservation Area and is recognised as creating a strong visual connection between Fryent Country Park and Wembley Stadium. As can be seen in Figure 8 above, the proposed development would not be visible from the protected viewing corridor from Barn Hill Open Space, resulting in no magnitude of change and no effect on the representative view. Other consented developments would, however, be visible.

## Assessment of Harm vs Benefits

58. The THVIA and the Conservation Officer both conclude that the development proposal would not lead to any harm to the identified heritage assets primarily due to the intervening built form. Indirect effects of the proposed development would be minor and neutral for the former Brent Town Hall, Barn Hill and Lawn Court Conservation Areas, which all lie on higher ground to the north-west or north of the site. The effects on all other heritage assets would be negligible and neutral or none.

59. As no harm has been identified, it is not necessary to consider any public benefits that would arise from the scheme to weigh against that harm. Notwithstanding, officers do consider that the proposed development would deliver the following benefits:

    Economic

60. Benefits to local economy associated with new residents and workers supporting local businesses

- Would support employment in some form on site:
- Direct construction jobs over the construction period
- Indirect construction jobs over the construction period
- Employment within the café and in managing the development

Social

- The provision of 100 affordable homes and 517 co-living units

Environmental

- The scheme would increase the biodiversity and urban greening on the site
- Improvements to the edge of the Brook and access to the Brook
- Optimising and delivering sustainable development of brownfield land

Public Realm

- Enhancements to the public realm

## Summary of Heritage Considerations

61. 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.

## Housing

62. The proposed development would provide 100no. conventional C3 dwellings and 517no. large-scale purpose-built shared living (LSPBSL or 'co-living'). LSPBSL units are a type of non-self-contained housing that is generally made up of at least 50 private individual rooms and communal spaces, and facilities. They differ from other housing types, including the following:

    - Self-contained housing (use class C3) because there is an emphasis on communal living. Large-scale shared dining, recreation and (sometimes) workspaces are provided to offset private individual units that are smaller than the minimum internal space standards set out in table 3.1 of the London Plan.
    - HMOs, due to the size of the developments and the extent of communal spaces and facilities.
    - Hotels (use class C1) and hostels (sui generis), due to the requirement for minimum tenancies of no less than three months.
    - Residential institutions (use class C2), as there is no significant element of care or training provided.
    - Student accommodation, as this has a focus on student needs, links with universities and the provision of specific 'affordable student accommodation' as required by the London Plan. Notwithstanding paragraph 4.15.5 of the London Plan, any product designed and marketed for students should be prepared in line with Policy H15.

63. LSPBSL generally provides accommodation for single-person households who cannot, or choose not to, live in self-contained homes or HMOs. This accommodation type may be used on a transitional basis until residents find suitable longer-term housing. Whilst LSPBSL provides an additional housing option for some people, due to the unique offer of this accommodation type it does not meet minimum housing standards and is therefore not considered to meet the ongoing needs of households in London. It is therefore not recognised as an affordable housing product because it does not provide accommodation suitable for households in need of genuinely affordable housing, including families.

64. It should however be noted that as a recognised housing choice, they are counted towards housing supply on a ratio of 1.8:1 basis as per London Plan Policy H1.

## Needs Assessment – Co-living

65. Although the co-living units would satisfy a specific housing option for many people, the applicant has submitted a Needs Assessment to confirm whether there is a demand for the co-living units, undertaken by a Chartered Surveyor.

66. The Assessment confirms that 27% of a total of 118,602 households in Brent are 1-person households, or a total of 31,985 people. There are 17,000 HMOs in Brent, which compete with 3-bedroom family housing, therefore at least 51,000 residents are living in HMOs and most likely the estimate is higher. Co-living would not only meet the needs of a significant population of single renters, but also potentially free up family housing currently in use as HMO.

67. Brent has 38% of residents aged between 20 and 44, and Wembley 39%, which are both above the UK population average of 32%. Nationally, 66.9% of market renters are in this age range. In Brent, 32% of people live in the private rented sector, compared to 18% nationally. The proportion is 34% in Wembley area in isolation. Brent therefore has above national average proportions of people in the ideal age range and who are renting.

68. In terms of other streams of demand, Brent has a significant student population, with Middlesex University, University of Westminster, and Northwick Park University Hospital and Regent College London are based in/near Wembley. There are 28,600 students aged 16 or over living in Brent, a proportion of whom would have accommodation requirements. There are 3.88 students to every PBSA bed in London, due to supply constraints.

69. Fifty five percent of the population, are not married (i.e. are single, divorced, separated, or widowed) and may be renting alone. Brent also has 106,000 people with a non-UK identity, in other words are from overseas; 43,500 Brent residents have lived in the UK for less than 5 years. A proportion of all of these groups would potentially have needs for small private units of accommodation, which are reasonably easy to book/access especially if they are not in a position to share or are choosing not to.

70. Having regard to the population profile of Brent and to the local housing market in terms of affordability, average incomes, household sizes/tenure, it is considered that co-living would be affordable based on the average salary in Brent of £43,215 (ONS/2022), the depth of the market is estimated between 20,697 and 28,741 people in Brent who could both have a requirement and be able to afford a co-living unit. This represents between 8% and 11% of the adult population aged 20 or over in the borough.

## Affordable Housing

71. Policies H4 (Delivering affordable housing), H5 (Threshold approach to applications), and H6 (Affordable housing tenure) of the London Plan confirm the approach to be used to maximise the delivery of affordable housing. Policy H5 confirms that to satisfy the fast-track route, the development should be delivering a minimum of 35% affordable housing on-site and should be consistent with the relevant tenure split. 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.

72. Brent Local Plan policy BH5 (Affordable housing) confirms that 70% of homes should be Social Rent or London Affordable Rent whilst 30% should be intermediate, thus confirming that the 40 % set by the borough should be one of these low-cost rental products.

73. With specific reference to LSPBSL schemes, the Mayor's draft Affordable Housing LPG confirms that to calculate the proportion of onsite affordable housing, the relevant threshold level (i.e., 35%) should be applied as a proportion of total internal floorspace, including shared and communal facilities within the scheme.

74. The total net internal floorspace (NIA) of the development is 19,549sqm, comprising of 12,665sqm for the co-living element and 6,884sqm for the C3 dwellings. The proportion of C3 floorspace therefore equates to 35.2% of the total provision thereby satisfying the minimum threshold of 35%. Moreover, the tenure mix proposed is a policy compliant 70% low-cost social rent and 30% intermediate rent. The proposal, with regard to affordable housing, satisfies the requirements of the London Plan and the Local Plan, subject to an early stage review mechanism.

### Family Housing

75. Local Plan Policy BH6 (Housing size mix) confirms that 1 in 4 new homes should be family-sized dwellings (i.e., 3-beds or greater). Exceptions to the provision of family sized dwelling are allowed where the applicant can show that the location of the development would not be able to provide a high-quality family environment, or its inclusion would fundamentally undermine the development's delivery of other Local Plan policies.

76. The existing site currently has 19no. single family dwellings and the proposal would deliver 26no. 3-bed dwellings (26%), thereby satisfying the policy. It should be noted that 70% (19no.) of the proposed dwellings would be at low-cost rent levels and 30% (7no.) at intermediate level rent.

Table 1: Housing mix summary (source: Planning Statement)

| Size | Total | % | Affordable Low-cost rent (Block C) | % | Affordable Low-cost rent (Block D) | % |
|---|---|---|---|---|---|---|
| 1B2p | 18 | 26 | 11 | 27.1 | 7 | 23.3 |
| 1B2P WC | 8 | | 8 | | 0 | |
| 2B3P | 7 | 48 | 6 | 45.7 | 1 | 53.3 |
| 2B3P WC | 4 | | 0 | | 4 | |
| 2B4P | 37 | | 26 | | 11 | |
| 3B5P | 26 | 26 | 19 | 27.1 | 7 | 23.3 |
| TOTAL | 100 | 100 | 70 | 100 | 30 | 100 |

## Design Considerations

77. 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.

78. 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

79. As described above, the development comprises two pairs of two linked blocks, with a single storey cycle store connecting each pair. As illustrated in Figure 9 below, the majority of the buildings are aligned on a north-south axis, although the ends are turned towards the street, to align with the public highway, and present more of a frontage to the street. This is mirrored at the opposite end, where the blocks are turned to run parallel with Wealdstone Brook. The exception to this general arrangement is the eastern element of Block A, which is on an east-west axis, and designed to avoid impacting on the retained Oak tree, currently within the curtilage of No.22 Brook Avenue. The general layout contrasts with the prevailing pattern of regimented dwellings and regular-shaped blocks fronting the highway, as

can also be seen in Figure 9 below. Whilst different, the proposed layout is considered acceptable, because it provides some visual interest to the streetscene, it provides a general improvement to the amenities for future residents (discussed further below), and also pulls the greater bulk of Blocks A and D away from their respective flanking boundaries.

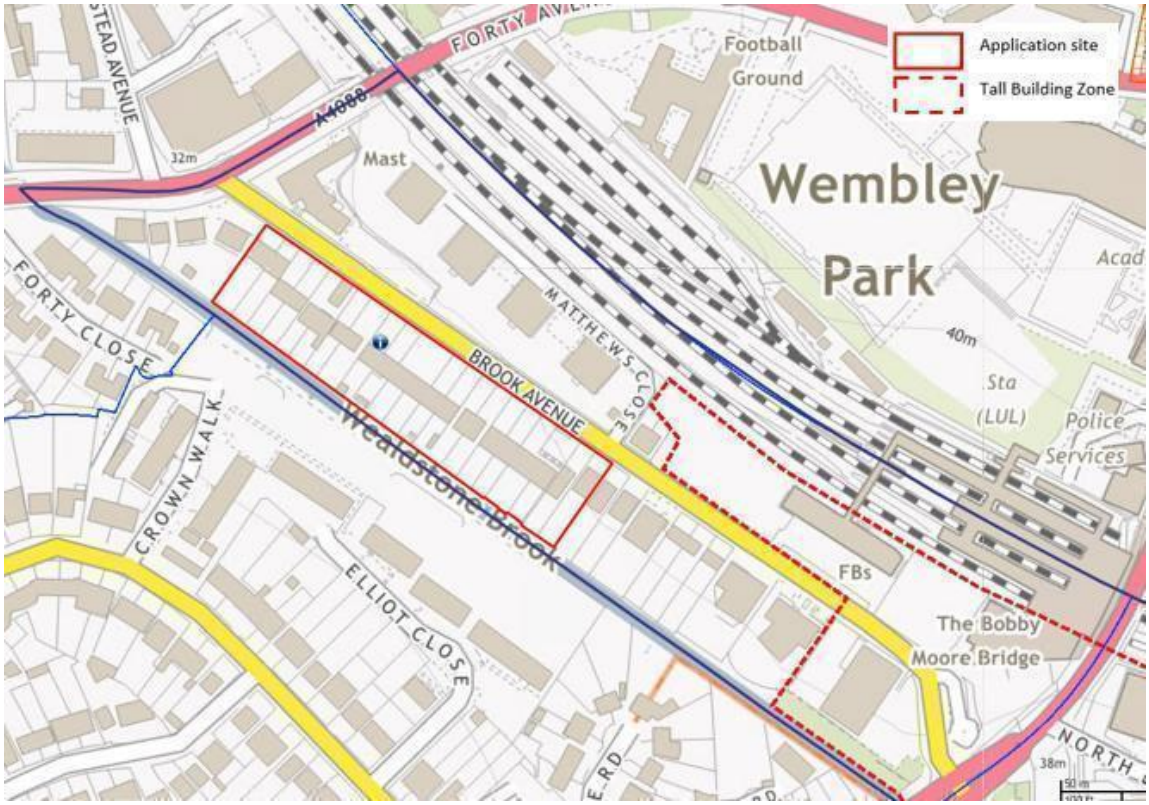
Figure 9: Proposed Layout


80. The angled arrangement of the blocks, supported by subtle shifts and inflections in the massing, adds visual interest, creates a sense of openness from both within and in between the blocks, and allows daylight and sunlight penetration to the public realm, communal amenity and surrounding area.

81. The principally east-west orientation of the blocks is also welcomed from an environmental perspective and, together with the glazing strategy, gives confidence issues of overheating are addressed inherently as part of the design.

## Height and Massing

Figure 10: Proposed site in relation to the Tall Building Zone (source: Brent Policies Map)




82. London Plan Policy D9 (Tall Buildings) confirms that Boroughs should establish locations appropriate for tall buildings. 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, and as can be seen in Figure 10 above, the site lies outside of the tall buildings zone. It is noted that only part of the proposed development would constitute a tall building as defined in policy, with heights rising from 4 storeys at the periphery of the site to a 15 storey building located more centrally.

83. While the Forty Lane Intensification Corridor envisages a change of character to allow buildings of around 15m in height, the proposed development has been designed to step up its height gradually from 4 storeys at the edge of the site to a maximum height of 15 storeys. When considered against the emerging character of Brook Avenue including the 8 storey (but on higher ground level) development on Matthews Close, and the 21-storey TfL led development adjacent to Wembley Park Station the proposed development would not appear out of context. The context of the proposed development is considered further in the design section of this report.

84. London Plan Policy D9C provides the criteria against which development proposals should be assessed when looking at potential impacts from a tall building:

    1) Visual impact

    2) Functional impact

    3) Environmental impact;

    4) Cumulative impact.

84. The applicant has provided an assessment against the above criteria, which should also be read in conjunction with the THVIA.

    1) <u>Visual impact</u>

<u>85.</u> With the implementation of the proposed development, it is considered that the site's zone of theoretical visibility (ZTV) would increase. Views would be gained to varying extents to the proposed development's buildings from roads orientated towards the site. This visibility would vary subject to the position of the viewer, the season and whether the road's street trees are in leaf or intervening built form. The site is ion

the periphery of the Wembley Tall Building Zone and the proposed heights are considered to form a transition from the tall buildings currently being erected on the former TfL car park site, to the lower rise developments at the western end of Brook Avenue / junction with Forty Lane, and also to the developments fronting Elliot Close on the southern side of the Wealdstone Brook.

86. The location of the viewpoints in the THVIA includes long distance views, where the top of the development's taller buildings providing a positive contribution of the existing and emerging skyline of Wembley, and from mid-range views, where the buildings aid with legibility and orientation around the townscape. The immediate views shown in the DAS illustrate how the base of the building has a direct relationship to Brook Avenue (see 'Elevations and Materials' section below).

87. Overall, the THVIA concludes that the proposed development would lead to the following residual, direct, permanent, effects on the identified visual receptor's representative views.

- Moderate and beneficial: RV2. Oakington Avenue (east), RV3. Oakington Avenue (west) and RV4. Carlton Avenue East As can be seen in Figure 4 above, the site sits outside of a Tall Buildings Zone.
- Moderate to minor and beneficial: RV5. The Avenue (west), RV6. The Avenue (east) and RV8. Corringham Road
- Minor and beneficial: RV1. Olympic Square, RV7. Basing Hill and RV11. Wembley Hill Road
- No effect: RV9. Barn Way, RV10. Barn Hill, RV12. Green Man Public House, and RV13 Olympic Way

88. The THVIA also notes that the proposed development has no effect on the representative views from RV9. Barn Way, RV10. Barn Hill, RV12. Green Man Public House, and RV13 Olympic Way. The overall conclusion of the THVIA is that the proposal would make a positive contribution to the local and wider townscape and importantly, would not have any adverse effect on any strategic or local views.

89. In terms of the building appearance, high quality finishes are proposed and the use of tonal brick with the metal detailing are considered to be appropriate to the surrounding context. The entrances to the ground floor cycle stores are proposed to be glazed at both the front and rear to create public sight lines through the site to the Brook and beyond. The massing transitions east to west from the urban to the suburban context rising to 15-storeys and reaching four to six-storeys at its boundaries with residential terraces. Despite there being an intensification of the site, the visual impacts of the proposed development are not considered to adversely impact on nearby residents or the wider context.

2) Functional impact

90. The design of the co-living blocks has been developed in collaboration with the co-living provider to ensure that the internal layouts are as functional and efficient as possible, with amenities and kitchen diners in appropriate locations throughout the building. Similarly, the affordable blocks are efficient and designed to optimise building capacity and maximise unit numbers whilst still delivering high quality accommodation.

91. Entrances and access routes/points are clear and legible, and the development would assist in improving the function of the public realm and help to create a safer environment through the use of lighting and CCTV and the buildings are safe and secure in terms of their health and safety strategies.

3) Environmental impact

92. The submitted environmental reports (energy, daylight, air quality, ecology, flooding, wind, and noise) confirm that the environmental impacts from the proposed development are all compliant with local and national guidance and so the development is overall acceptable with regards to its environmental impact.

4) Cumulative impact

93. The cumulative impacts of the development as a whole are considered to be acceptable, taking into consideration the adopted site allocation with a planned housing provision of 450 units as well as the site being located within the Wembley Opportunity Area, where higher density development is directed and supported.

94. The design has been developed to mitigate any adverse impacts resulting from the proposed increase in heights. These include variants to the massing along the site to mitigate neighbouring overbearing impacts, design features to prevent overlooking, an off-site commuted sum to deliver a zero-carbon development, and wildlife friendly landscapes to enhance local biodiversity. Although not within the designated Tall Buildings Zone, the proposed heights and form of the massing is visually interesting, creating an attractive development and an appropriate transition from urban to suburban context.

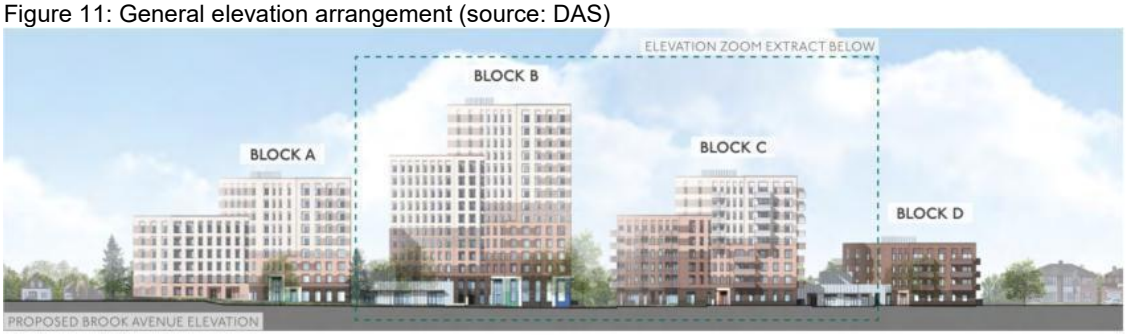
## Elevations and Materials

95. There is a requirement to achieve the highest quality of architectural and urban design (London Plan Policy D4 and Policy BD1 of the Local Plan).

96. In terms of materials, brick would be the primary material for all facades. A materiality transition has been applied across the 4no. blocks, where the base material would be derived from the red brick and terracotta tones prevalent in the Wembley Hill & Preston areas, and the upper levels would respond to the Wembley Park developments. The transition would trend towards a greater proportion of the base material being applied to Blocks C and D to the north-west, with lighter tones proposed to Blocks A and B that naturally have a more direct relationship and proximity to Wembley Park.

97. The datum at which the materiality changes from the base to the upper condition would be stepped to reference the stepping roof-line already established by the massing of the blocks. This midscale datum would tie into and reinforce the cutback corners that occur on the upper levels of the buildings along the street and the brookside. An additional darker tone is introduced to the base material.

Figure 11: General elevation arrangement (source: DAS)





98. Feature brick detailing is proposed to the corners of the buildings, to express and differentiate the Co-living communal uses from the private studio bedrooms. The entrances have been located in the same position on each block, to aid with legibility and way-finding along the street. These would be expressed through a contrasting materiality and detailing to allow them to be clearly visible on approach to the site.

Figure 12: Co-living entrances (source: DAS)

Co-living Block A Entrance

Brick E - White Glazed

White smooth glazed brick with white mortar

Brick F - Green Glazed

Green smooth glazed brick with dark mortar

Metal Green

Green metal to compliment the green glazed brick. Metal used for the canopies and curtain wall framing

Co-living Block B Entrance

Figure 13: C3 entrances (source: DAS)

Affordable Block C Entrance

Brick E - White Glazed

White smooth glazed brick with white mortar

Brick H - Terracotta Brown

Terracotta brown smooth glazed brick with dark mortar

Metal in Terracotta Brown

Red-brown metal to compliment the red-brown glazed brick. Metal used for the canopies and curtain wall framing

Affordable Block D Entrance

99. Similar considerations have been given to the design for the café entrance and the workspace entrances. The café entrance would employ blue a white glazed brick frame, with alternating white and featured coloured brick connecting the window openings and wrapping the corner. In this case, it is blue

to reflect the separate use. The window and door frames and canopies are in a matching darker blue metal (see Figure 14). The workspace entrances are kept simple and understated for future versatility for the different tenants, as separate signage would likely form their arrival markers. An anthracite grey metal is used for the canopies and glazing frames, to complement the darkest brick band which continues to wrap the building base (see Figure 14).

Figure 14: Cafe and Workspaces entrances (source: DAS)


100. Blocks A and B feature a strong window grid that reflects the regularity of the typical floor plan. Blocks C and D are clearly distinguishable by the greater variety of window opening sizes and the provision of balconies. Given that rooms stack perfectly, it was felt that an expression of internal programme was the most honest elevation approach. The Co-living, residential and café entrances are clearly expressed with a contrasting façade treatment and the use of different colour tones to correspond to each use. The linking podiums would have a different material treatment to reinforce the sense of the 4no. separate blocks that are connected by more transparent, lightweight elements.

101. As stated above, brick would be the primary material. In total 4no. colour tones of brickwork have been selected, that respond to the varied material palette that exists along Brook Avenue and the local area. The richest brick tones would apply at ground level, with the use of textured brick coursing to create the sense of rusticated base that is strongly rooted into ground and landscape. The lightest brick tone would apply to the upper levels, that while still featuring some areas of the articulation on the key corners, would provide a sense of a more smooth and polished form that responds to the visibility of the tops of the buildings in urban contextual views.

## Quality of Accommodation

C3 dwellings

102. Policy D6 (Housing quality and standards) and Table 3.1 of the London Plan reflect the 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.

103. All homes would meet the minimum space standards and provide adequate room sizes, storage space, and access to private balconies/external space that comply with minimum standards. 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 satisfy this requirement.

104. Adopted policies and guidance 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 100no. dwellings, approximately 70% (70no. dwellings) would be dual aspect, and none are north facing.

105. Of the remaining dwellings that are single aspect, Table 2 below sets out the number of single aspect dwellings by Block:

Table 2: Single aspect dwellings by Block and size of dwelling

| | 1B2P | 1B2PW | 2B3P | 2B3PW | 2B4P | 3B5P | Total |
|---|---|---|---|---|---|---|---|
| Block C | 7 | 6 | 0 | 1 | 5 | 0 | **19** |
| Block D | 7 | 0 | 1 | 3 | 0 | 0 | **11** |
| **Total** | **14** | **6** | **1** | **4** | **5** | **0** | **30** |

**106.** Overall, the proposed C3 dwellings would achieve comfortable and functional layouts which are fit for purpose and would meet the needs of future occupiers.

Co-living units

107. A total of 517no. co-living units are proposed, and these are assessed primarily against the nine criteria in Policy H16 of the London Plan (as set out below), and also against the design quality criteria within the Mayor's LSPBSL LPG.

1) *Be of a good quality and design*

*108.* Whilst this will primarily be discussed below, the design of the buildings has evolved through a collaborative process with officers. The co-living accommodation is designed to make a more efficient use of the site and provide a range of facilities within the two blocks. It is considered that the overall design of the building (together with the C3 blocks) would be a positive addition to the streetscene.

1) *It will contribute towards mixed and inclusive communities*

109. This type of accommodation is intended for those who cannot or prefer to not live in self-contained homes or HMOs or those households who are above the threshold for traditional social housing but are unable to afford properties on the open market or are attracted by the range and convenience of facilities provided. The facilities provided are also designed to encourage social interaction whilst also providing private space.

1) *Well-connected to services/employment through non-car modes*

*110.* The site is within the Wembley Growth Area/Opportunity Area and all the services and facilities therein. As confirmed above, the site is located within an area with a PTAL score of 4, with Wembley Park Station 230m away and numerous bus routes in the vicinity. The scheme is car free, although provision for 5no. on-street blue-badge parking would be made from the outset and additional spaces to be provided when required.

1) *Under single management*

*111.* The co-living units would be under single management, Beyoo, a co-living brand for CRM students. This would be secured through a legal agreement.

1) *All units are for rent, with a minimum tenancy period of 3 months*

*112.* All units would be rented, with a minimum tenancy period of 3 months. This would be secured through a legal agreement.

1) *Communal facilities / services provided*

Communal facilities and services would be provided in accordance with the criteria (see also Figure 11 below). These include:

a. 21no. communal kitchens/diners would be provided in total, with 1no. per block on the upper floors. These provide 1.8 sqm space per resident on average, exceeding the 0.5 sqm requirement in the LPG Guidance (Table 3.2).

b. External communal amenity space (1,458sqm) would be provided at the rear. This equates to 2.8sqm per resident, exceeding the LPG guidance (Table 3.4) of 1sqm for up to 400no. residents and 0.5sqm for each additional resident from 401.

c. Each floor would have internal communal amenity space in the form of a kitchen/diner. The ground floor across the two Blocks would contain: a cinema; games room; bar; lounge/library; and wellness hub. Block B also contains a gym (and changing rooms) at mezzanine level. The indoor communal spaces equate to 1,756sqm, which exceeds LPG guidance.

d. A laundry and drying facility is located on the ground floor of each block. Block A would have 6no. washing machines and 6no. dryers. Block B would have 9no. of each. This level of provision equates to 1no. of each per 35no. residents per Block.

e. A concierge would be located off the entrance lobby of each block. Each would be staffed 24hrs per day.

f. Bedding / linen changing, and room cleaning services would be provided.

2) *Private units provided with adequate functional living space/layout and not self-contained*

113. The individual units are considered to provide adequate functional living space and layouts (see Table 3 below), In addition, none are self-contained or capable of being used as self-contained accommodation in line with the Mayor's LPG.

1) *A management plan is provided*.

114. A draft Operational Management Plan has been provided, setting out how the co-living element would be managed, and the services/facilities offered such as details of the concierge, laundry and drying facilities and bedding and linen changing/room cleaning services.

1) *It delivers a cash in lieu contribution towards conventional C3 affordable housing*.

115. A cash in lieu payment is required if the co-living units are the only form of housing proposed. The development also includes 100no. C3 dwellings within Blocks C and D to be delivered as affordable housing, therefore this requirement is satisfied.

Table 3: Co-living communal spaces as assessed against the LPG (source: DAS Addendum)

| Communal facility | Required? | Included in 5sqm essential communal requirement? | Other standards | Comment |
|---|---|---|---|---|
| Kitchen | Yes | Yes | 1 cooking station per 15 residents /0.5 sqm per resident | Provided per floor at c.1.8 sqm per resident for kitchen and dining combined |
| Dining space | Yes | Yes | Dining spaces = 15% total residents | As above |
| Laundry rooms | Yes | Yes | 1 washer and 1 dryer for every 35 residents | Block A: 6 washing machines, 6 dryers provided Block B: 9 washing machines, 9 dryers provided |
| Internal communal space | Yes | Yes | | Provided as part of the overall ground floor communal allowance, |

| | | | | |
|---|---|---|---|---|
| | | | | with detailed fit-out layouts to be developed at the next stage |
| Living rooms, lounges | Yes | Yes | | As above |
| Other recreation or entertainment spaces | Optional | Yes | | As above |
| Workspace for residents | Optional | Yes | | A dedicated co-working hub is provided for exclusive access by the residents only |
| Toilets | Yes | No | | Toilet facilities have been provided at ground level to support the communal spaces within each of Block A and B |
| Personal storage | Optional | No | | Personal storage to be provided within the private units |
| External communal space - terrace / garden | Yes | No | 1 sqm per resident up to 400 residents. 0.5sqm every resident over 401 | 1,458 sqm of outdoor external communal amenity space has been provided |
| Circulation space | Yes | No | | Stairs, corridors, lifts and lobbies have been provided in accordance with Part M Vol. 2 |
| Cafes, bars and restaurants or other Spaces that are open to the public to use | Optional | Conditionally yes | | A cafe unit is proposed that is open to the public. It has been agreed with GLA that this cafe space will contribute towards the essential communal measure for the scheme. The latest guidance explains that this should be managed integrally and accessible to residents at least 12 hours a day, 6 days a week |
| Storage used by management | Optional | No | | Storage areas have been allowed for within the facilities and management spaces |
| Cycle storage | Yes - as per London Plan | No | 0.75 spaces per person | 388no. Co-living spaces provided in secure internal stores, in line with London Plan policy T5 |
| Car parking | Car-free as per London Plan | No | | No parking provided with the exception of 3no. disabled parking spaces to be allocated on an as-needed basis |

Inclusive access

116. 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’; 10% 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.

C3 Dwellings

117. In relation to the C3 dwellings, it is proposed that 1no. home per floor per block would be designed to be an M4(3) compliant wheelchair user dwelling. In total there are: 8no. M4(3) homes within Block C, and 4no. M4(3) homes within Block D. Therefore 12no. of the 100no. C3 dwellings proposed would be designed to M4(3) 'wheelchair user dwellings' standards, thus satisfying the 10% 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.

118. Wheelchair user dwellings make allowances for a level external landing in front of each entrance door at 1500mm in length and width, with clear 1500mm turning circle inside the entrance hall. A wheelchair storage and transfer space is provided within the entrance hall where possible, where it can be converted to additional storage space if not required by the resident. Other design considerations include adequate clear access zones in front of all kitchen counters and additional area, width and manoeuvring space within the main bedroom. An M4 (3) compliant bathroom type is proposed to all wheelchair accessible dwellings.

Co-living units

119. The accessible units have an increased internal area of 28sqm. The room layouts comply with the principles set out in Part M Vol.2 4.17-24 which refers to sleeping accommodation provided in buildings other than dwellings. A larger bathroom type has been provided which complies with the requirements of a wheelchair-accessible shower room as described in Part M Vol.2.

120. The accessible studios are distributed evenly throughout the buildings, with variations allowing for users with preferred left / right handing. Many of the units are located on dual aspect corners and benefit from excellent daylight and natural ventilation. Further, the landscape design has been coordinated to allow for level access. Accessible WC facilities are provided at ground floor next to communal spaces. While the proposed development falls marginally below the 10% requirement (at 9.5%), this minor shortfall is on balance considered to be acceptable when considered against the benefits of the overall proposed development on housing delivery, and a compliance condition would be attached to any consent to ensure that an acceptable quantum of the co-living units are delivered at M4(3) standard.

Privacy and Outlook

121. 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…".

122. Separation distances to the common boundary with No.23 Brook Avenue at the south-east end of the site, and to 1&2 Richmond Court at the north-west end of the site, are increased, as a result of the proposed development as the proposed buildings will be set further away from their common boundary and the potential impact of the development on neighbours is discussed more fully below.

123. Within the development itself, the shape and location of the site and the angled building form creates minimal direct overlooking between the co-living units in Block A and B across the podium level. On each floor, approximately six units directly face each other and the remaining units along these facing elevations are at oblique angles to each other, making overlooking more challenging. Notwithstanding this, the facing Blocks A and B are a minimum of 17m away from each other, which is considered to be a sufficient distance to ensure that privacy of residents will be maintained. The residential and co-living blocks are minimum of 18.2m away from one another and in any event, there are limited instances where there are directly facing windows with most relationships at acute angles. It is therefore considered that there are limited impacts to neighbouring amenity within the co-living element of the scheme.

124. Similar to the co-living blocks, the proposed affordable blocks (C and D) are also angled in such as way so as to mitigate overlooking opportunities across the podium level. Due to the shape of Block C, just two units directly face each other, with the remaining obliquely facing. The positioning of the core in Block D along its eastern elevation also assists in preventing overlooking of residential units into Block C. Notwithstanding this, and as explained above, the Blocks are a total of 18.2m from each other, which is sufficient to prevent any harm to amenity. As with the co-living blocks, there are limited instances where there are directly facing windows with most relationships at acute angles Balconies will also have metal mesh inserts to further protect residential privacy.

125. Daylight, Sunlight, Overshadowing

126. The submitted Daylight and Sunlight Report (October 2023) by eb7 has assessed the daylight and sunlight within the proposed development and overshadowing and sunlight within the proposed amenity spaces.

127. In terms of internal daylight, the annual daylight method is 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.

128. 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.

129. 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.

130. The UK National Annex gives illuminance recommendations of:

- 100 lux in bedrooms,
- 150 lux in living rooms and
- 200 lux in kitchens.

131. The above 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.

Internal Daylight and Sunlight

132. The assessment of amenity within the proposed residential units has shown that the vast majority of rooms throughout the development receive good levels in excess of the relevant 2022 BRE targets. The Daylight Illuminance assessments have indicated that 90% of the proposed habitable rooms would meet or exceed the 2022 BRE targets. These assessments confirm very high levels of compliance and reflect the high quality of the design.

133. Where marginal shifts to deep-plan LKDs are noted, the main living areas closest to the windows of these spaces would enjoy higher daylight levels whilst the kitchen spaces would benefit from additional task lighting. Whilst there are also some deviations to studios, these have been assessed at the higher 150-lux target level rather than 100-lux normally reserved for bedrooms. Again, these are deep-plan spaces with the living areas closest to the windows enjoying higher levels of daylight. Furthermore, the majority of these rooms only experience minor deviations from the targets.

134. Whilst direct sunlight levels are more orientation specific, 75% of the studio units meet the 2022 BBE targets which is considered to be a very good level of compliance. For the residential accommodation, 77% of units would meet the target, which considering the sunlight assessment is orientation specific is considered to be a very good level of compliance.

135. Overall, the daylight and sunlight results within the proposed residential units indicate an excellent level of compliance.

Overshadowing

136. The assessment of sunlight (overshadowing) within the proposed areas of shared amenity space have shown that 96% of the amenity space would receive more than two hours of sunlight on 21st March. The scheme provides a mixture of well-sunlit amenity space which fully exceeds the BRE targets and would

provide pleasant and well-designed landscaped spaces for future occupiers.

137. Overall, the proposal has been designed to specifically respond to its context as well as maximising amenity for future occupies. Effects to neighbouring properties are entirely consistent with local precedent and fall within the flexibility set in the BRE guidance and relevant planning policy in.

138. In terms of the proposals, the design input has informed the façade design and refinement of unit layouts in order to achieve a high level of daylight and sunlight compliance. The scheme responds appropriately to the site context and would provide a high-quality environment for future occupiers. The daylight / sunlight effects of the proposals are therefore considered to be acceptable.

Amenity Space Provision

139. 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.

140. 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.

141. The Councils adopted Residential Amenity Space & Place Quality 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.

142. 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.

143. 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.

144. As advised above, Policy BH13 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. Table 4 below provides the total shortfall in amenity space for the C3 dwellings. With regard to the co-living units, the proposed development accords with amenity space requirements of the Large-scale Purpose-built Shared Living LPG and policy H16.

145. In terms of the private amenity space provision, the shortfall for traditional C3 dwellings is acknowledged but the quality of the space provided is considered to be acceptable in that they meet or exceed London Plan standards and are of a size, shape and depth which would encourage them to be used.

Table 4: Amenity space shortfall

| Floor | Flat Type | Number of dwellings by Type | Policy Requirement per dwelling (sqm) | Total Policy Requirement (sqm) | Total Provision (sqm) | Shortfall / Surplus |
|---|---|---|---|---|---|---|
| **Ground** | 1B2P | 2 | 20 | 40 | 23.36 | -16.64 |
| | 1B2P W | 0 | 0 | 0 | 0 | 0 |
| | 2B3P | 1 | 20 | 20 | 7.8 | -12.2 |
| | 2B3P W | 1 | 20 | 20 | 10.1 | -10 |
| | 2B4P | 5 | 20 | 100 | 85.61 | -14.39 |
| | 3B5P | 2 | 50 | 100 | 17.7 | -82.3 |
| **Total** | | **11** | | **280** | **141.57** | **-138.53** |

| | | | | | | |
|---|---|---|---|---|---|---|
| **1 to 8** | 1B2P | 18 | 20 | 360 | 101.69 | -258.31 |
| | 1B2P W | 6 | 20 | 120 | 33.84 | -86.16 |
| | 2B3P | 5 | 20 | 100 | 33.15 | -66.85 |
| | 2B3P W | 3 | 20 | 60 | 21.75 | -38.25 |
| | 2B4P | 33 | 20 | 660 | 243.84 | -416.16 |
| | 3B5P | 24 | 20 | 480 | 214.87 | -265.13 |
| **Total** | | **89** | | **1,780** | **649.14** | **1,130.86** |
| **Cumulative Total** | | **100** | | **2,060** | **790.71** | **-1269.39** |

**146.** In terms of private amenity space provision in the form of balconies or terraces, one of the dwellings (ground floor 2B4P) would be provided with 20sqm as specified by Policy BH13. However, each of the remaining 99no. dwellings would be provided with balconies or terraces that would either meet or exceed the minimum the London Plan requirement of 5sqm for 1-2 person dwellings with an additional 1sqm for each additional occupant. Total private amenity space provision equates to approximately 38% of the policy requirement.

147. With respect to communal space, approximately 1,237sqm is provided, primarily at the rear. This more than makes up for the shortfall in the private amenity space provision and is welcomed.

Table 5: Amenity space provision (source: DAS)

| | Policy Requirement | Private Balcony | Shortfall | Communal Spaces | Cumulative shortfall |
|---|---|---|---|---|---|
| Total dwellings: | 2,060 | 790.71 | 1,269.39 | 1,237 | 32.39 |

Playspace

148. 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 C3 element is 77.9 children, equating to a total onsite playspace requirement of 779sqm. The breakdown by age group is as follows:

Table 6: Playspace provision (source: DAS)

| Age Group | Play space requirement (sqm) | Play in communal gardens (sqm) | Play in the POPS (sqm) | **Total** |
|---|---|---|---|---|
| 0-4 | 341 | 392 | 29 | **421** |
| 5-11 | 260 | 230 | 30 | **260** |
| 12+ | 179 | 128 | 50 | **178** |
| **Total** | **780** | **750** | **81** | **831** |

**149.** The playspace strategy is to provide 750sqm of the required playspace, within the communal gardens at the rear of the site and as the Table above indicates, would cater for all age groups. The shortfall of 30sqm is made up within the privately owned open space (POPS) in the public square, which would also cater for the wider community. In total, the development would exceed the minimum requirement. The location of the playspaces is indicated in Figure 15 below and the type of play proposed in Figure 16. These are located behind Blocks C and D as these Blocks will contain family-sized dwellings.

Figure 15: Playspace location (source: DAS)

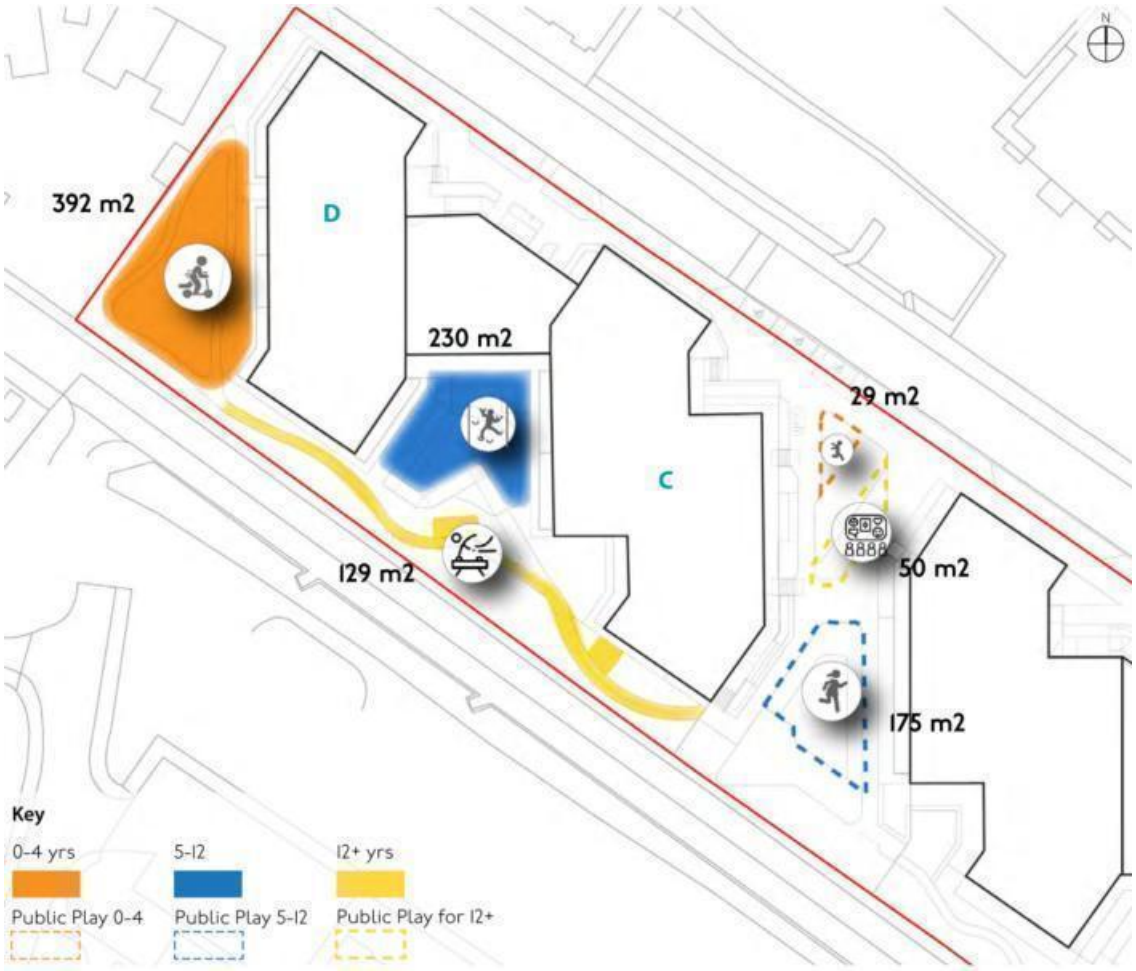
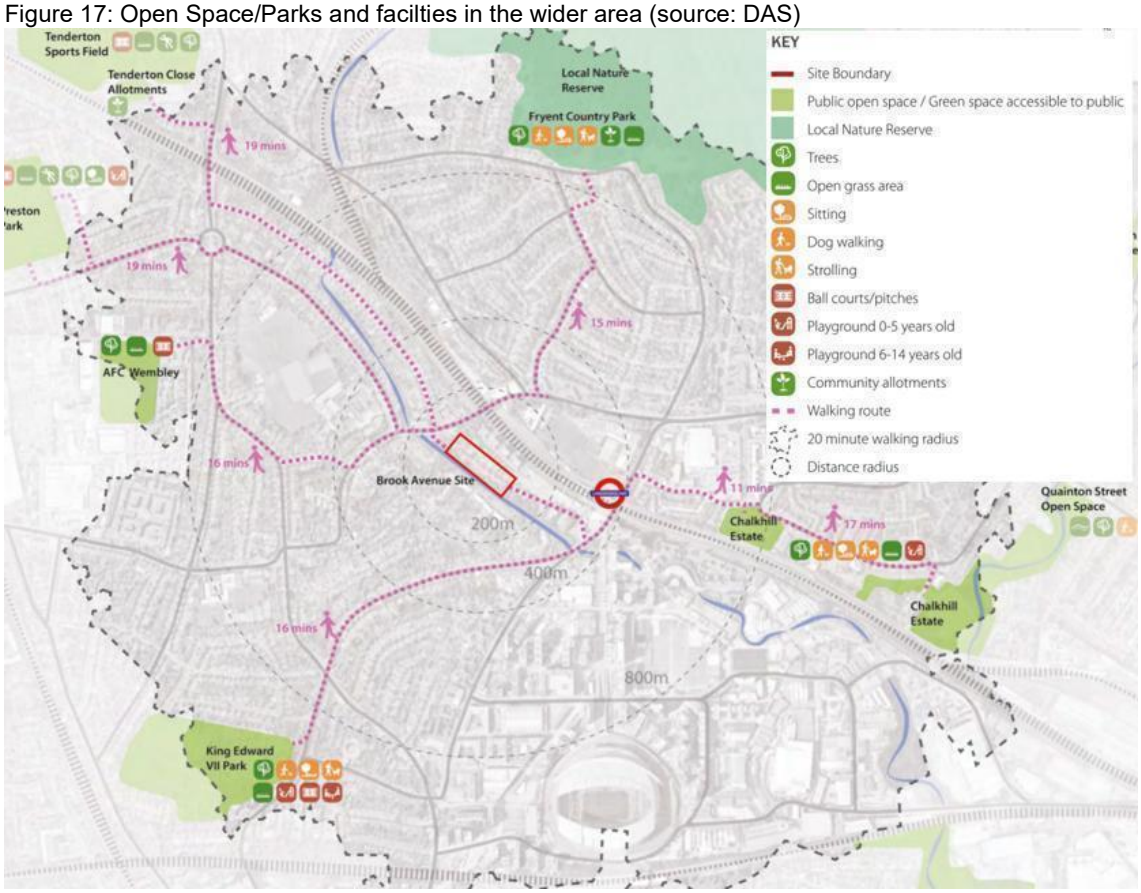



*Figure 16: Type of play and location (source: DAS)*

150. It is also appropriate to consider parks and open spaces in the wider area and Figure 17 below indicates the location of parks and open spaces in proximity to the site and the facilities provided.

Figure 17: Open Space/Parks and facilties in the wider area (source: DAS)




Playspace Summary

151. The development is able to provide the full provision of playspace, within the site. The majority of this would be in the private communal areas for the residents, whilst some provision is made for the wider community within the public square. The scheme is considered to be acceptable in this regard.

## Impact on Neighbour Amenity

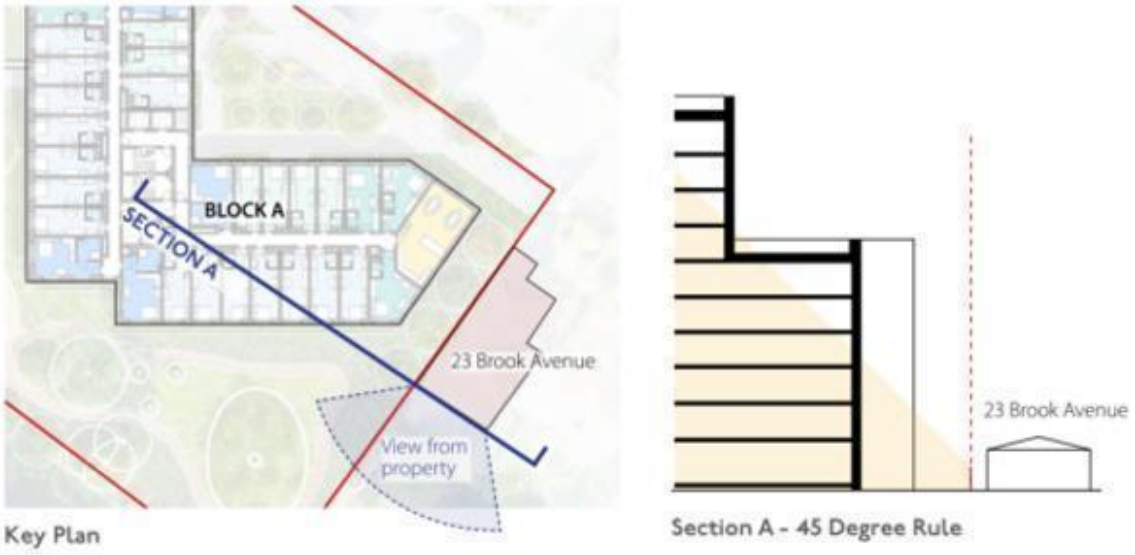
152. One of the core planning principles in the NPPF is that decisions should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". London Plan Policy D6 states that the design of development should provide sufficient daylight 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

153. The Council's Design Guide SPD1 provides guidance for designing buildings that would respect the existing amenity of neighbouring occupiers. For example, the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45-degrees at the garden edge, measured from a height of two metres.

154. At the south-eastern end of the site, the flank wall of Block A would be approximately 5m from the common boundary with No.23 Brook Avenue, a 2-storey dwelling, with a further 1.4m to the flank wall of that neighbouring dwelling. The existing dwelling at No.23 Brook Avenue is a bungalow with rooms within the roofspace, built to approximately 1.3m of the common boundary with No.22 Brook Avenue (see Figure 19 below).

Figure 18: No.23 Brook Avenue and the 45-degree relationship to Block A (source: DAS)




155. Although Block A would represent a significant change in terms of height and massing, it would be set further away from the common boundary than the existing dwelling. Moreover, the flank wall does not extend the full depth of the flank wall of No.23 Brook Avenue but instead, angles away from that boundary, creating a greater sense of openness at the rear of both sites. Block A would therefore not compromise the 45-degree line as described above. To soften the impact of the proposed building, trees are proposed along the common boundary. From the most recent planning application associated with No.23 Brook Avenue (23/2181), it can be confirmed that the windows on the flank elevation primarily serve non-habitable rooms. Towards the rear are two windows serving a dining room but this room is also served by two small windows and a patio door. The flank wall of Block A does not project as far as No.23 Brook Avenue but noting that No.23 Brook Avenue still falls within the site allocation and could possibly be brought forward for redevelopment. Given that the distancing is less than 9m, it is considered appropriate to secure the flank windows as obscure glazed, as these are also secondary windows.

Figure 19: Existing relationship between Nos.22 & 23 Brook Avenue (source: Bing Maps)


*Figure 20: Proposed relationship between Block A and No.23 Brook Avenue*


156. At the north-west end of the site, Block D would be sited approximately 5.75m from the common boundary with Nos.1&2 Richmond Court, a maisonette with side access stairs to the first floor, with a further 4m to the flank wall of that adjacent development. This compares to a current separation of approximately 0.7m for No.1 Brook Avenue, to the common boundary (see Figure 23 below). Block D therefore does not breach the 45 degree line.

Figure 21: Nos.1&2 Richmond Court and the 45-degree line to Block 2 (source: DAS)

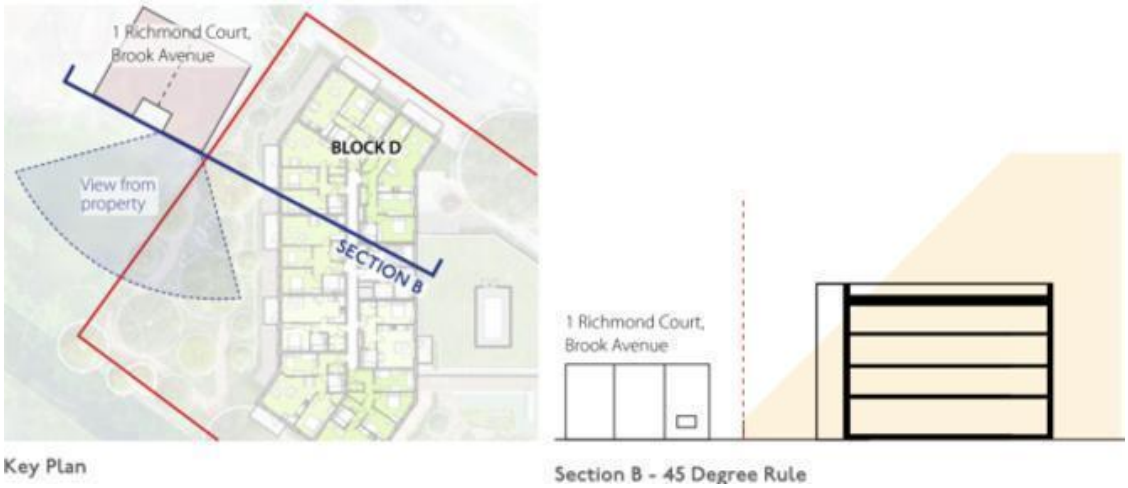



Figure 22: Existing relationship between Nos.1&2 Richmond Court (source: Google Maps)


157. Block D would also not compromise the 45-degree line as described above (see Figure 22). As with Block A above, the proposed flank wall does not extend the full depth of the flank wall of Richmond Court, and it also angles away from the common boundary (see Figure 8 below), again creating a greater sense of openness. In addition, there would be boundary tree planting to help soften the views towards the proposed 4-storey Block.

158. As also indicated in Figure 22, there would be 2no. windows (on each of the upper floors) that would face the flank elevation of 1&2 Richmond Court. In this instance, this is considered acceptable because of the provision of the proposed trees and also due to the primary windows serving habitable rooms being located on the front and rear elevations. Moreover, whilst distancing levels are improved, it is still less than 9m, therefore to ensure the privacy of those adjoining occupiers, it is considered appropriate to secure the two aforementioned windows as obscured glazing because the respective rooms that the serve are also served by other fenestration that do not directly face Richmond Court and can therefore remain clear-glazed.

Figure 23: Proposed relationship between Block D (typical upper floor) and Nos.1&2 Richmond Court


159. The relationship to other neighbouring properties is such that good levels of distancing are maintained, for example, to the properties on Elliot Close there is approximately a 45m separation between facing walls, and with existing trees along the brook in between. To the north, levels of distancing between facing walls range from approximately 48m (Moss House) to 28m (Smith House), well in excess of guidance. The proposed development would therefore not lead to any overlooking and loss of privacy to the occupiers of these surrounding developments.

## Daylight and Sunlight

160. The applicant has submitted a Daylight and Sunlight Report (October 2023) by eb7, 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 (2022)' document. A 3D computer model (Test Environment) of the existing site, the key surrounding properties and the proposed scheme was generated to assist in the analysis (see Figures 9 and 10 below). In addition, supplementary assessments were undertaken to quantify the impact that the balconies and access decks have on retained amenity levels to Moss, Yasmin, Best and Smith House to the north, 23 Brook Avenue to the east and Richmond Court to the west.

161. In relation to daylight assessments of neighbouring properties, the guidance outlines detailed methods for calculating the Vertical Sky Component (VSC) and the No-Skyline (NSL). The VSC test measures the amount of sky that is visible to a specific point on the outside of a property, which is directly related to the amount of daylight that can be received. It is measured on the outside face of the external walls, usually at the centre point of a window.

162. The NSL test calculates the distribution of daylight within rooms by determining the area of the room at desk / work surface height (the ‘working plane’) which can and cannot receive a direct view of the sky and hence ‘sky light’. The working plane height is set at 850mm above floor level within residential property.

163. For the above methods, the guidance suggests that existing daylight may be noticeably affected by new

development if: -

164. Windows achieve a VSC below 27% and are reduced to less than 0.8 times their former value; and

165. Levels of NSL within rooms are reduced to less than 0.8 times their former values.

- Where rooms are greater than 5m in depth and lit from only one side, the guidance recognises that "a greater movement of the no skyline may be unavoidable" (page 16, paragraph 2.2.12).

- In relation to sunlight assessments of neighbouring properties, the Annual Probable Sunlight Hours (APSH) test calculates the percentage of probable hours of sunlight received by a window or room over the course of a year.

166. In assessing sunlight effects to existing properties surrounding a new development, only those windows orientated within 90-degrees of due south, and which overlook the site require assessment. The main focus is on living rooms, with bedrooms and kitchens deemed less important.

167. The guidelines suggest that the main living rooms within new buildings should achieve at least 25% of annual sunlight hours, with 5% during the winter period. For neighbouring buildings, the guide suggests that occupiers would notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.8 times its former value.

Figure 24: Neighbouring properties assessed (source: Daylight & Sunlight Report)

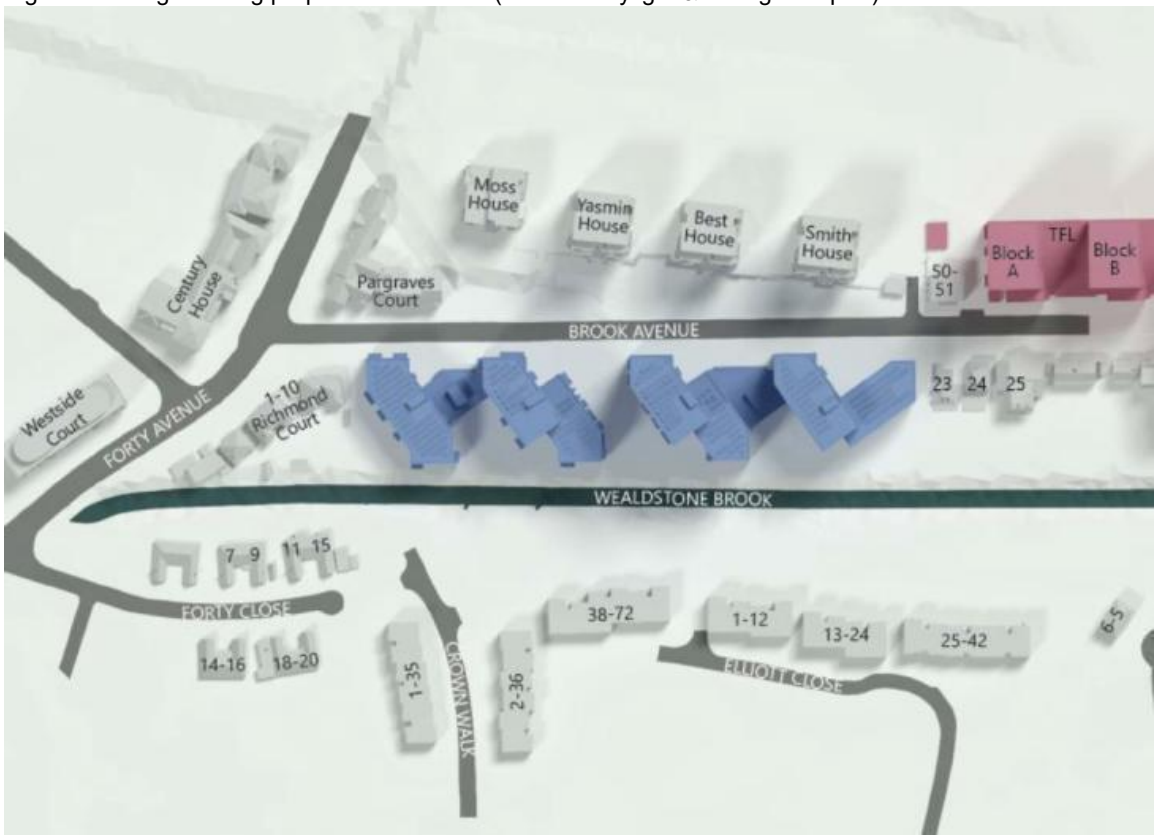
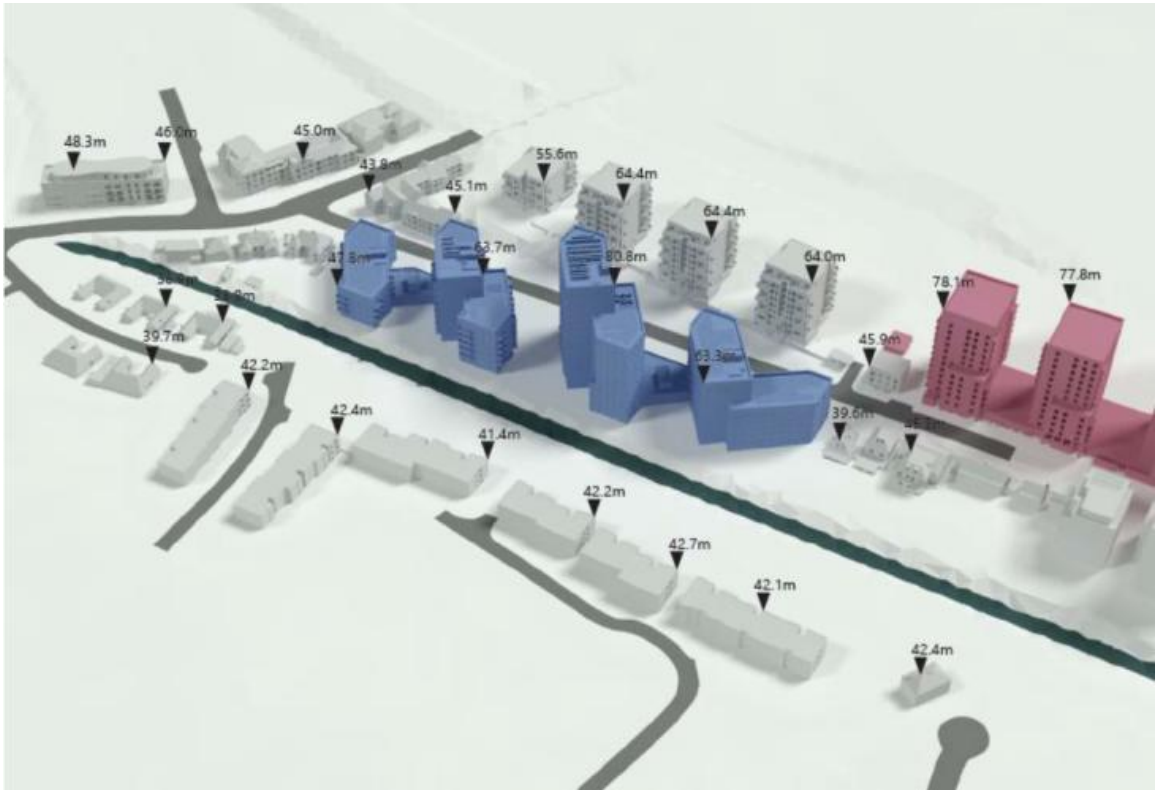



Figure 25: Existing and proposed heights (note that these are AoD)(source: Daylight & Sunlight Report)




Former TfL Car Park

168. This site is located to the north-east of the proposed development and is illustrated in red in Figures 9 and 10. Whilst it is considered appropriate to include this consented scheme as context, it is offset to the northeast of the proposal such that there would be no obstruction to light. It is therefore considered that the proposed Brook Avenue scheme would not have any material impact on retained light levels to residential accommodation within the TfL scheme.

Moss House

169. Located to the north of the application site, on Matthews Close, this is the first of four residential blocks when approaching the site from the north-west. The building (together with the other three buildings on Matthews Close) was modelled using drawings submitted as part of a planning application (Ref: 15/3998).

*Daylight*

*170.* Moss House has a number of windows which face south directly towards the scheme, and these serve a combination of dual-aspect LKDs, kitchens and stairwells. The results of the VSC analysis indicates that, whilst there would be minor reductions in retained VSC levels to the windows serving a number of spaces facing the site, each of these rooms has at least one secondary window facing away from the proposals which would remain unaffected.

171. BRE guidance advises that where a room benefits from more than one window, the mean VSC can be applied, therefore when assessing the mean VSC reduction in line with the guidance all of the habitable rooms within Moss House, they would retain values equal to, or in excess of the BRE targets.

172. The limited impact on VSC is further confirmed by the results of the NSL assessments which confirm little to no change in retained levels thus fully satisfying the BRE criteria.

*Sunlight*

*173.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested. The results of these assessments confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Yasmin House

174. This is the second of the four blocks on Matthews Close, when approaching from the north-west.

*Daylight*

*175.* Similar to Moss House, there are a combination of dual-aspect LKDs, kitchens and stairwells. The LKDs benefit from additional windows facing both east and west and are served by balconies which wrap around the façade.

176. The results of the VSC analysis indicates that a number of the windows that serve the living spaces would experience modest reductions beyond the BRE targets as a result of the proposals.

177. BRE guidance acknowledges that windows with balconies above them typically receive less daylight. As the balcony cuts out light from the top part of the sky, even a modest obstruction opposite may result in a larger relative impact. One way to demonstrate this is to carry out an additional VSC assessment for both the existing and proposed situations, without the balcony in place. Under this alternative assessment the results confirm that all of the habitable rooms would meet or exceed the BRE targets which indicates that it is the presence of the balconies, rather than the design of the proposals, which is the key contributing factor to these deviations from the BRE targets.

178. The limited impact on amenity is further confirmed by the results of the NSL assessments which, even with the balconies considered in situ, confirm little or no change in retained levels and fully satisfy the BRE criteria.

*Sunlight*

179. APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Best House

180. This is the third of the four blocks on Matthews Close, when approaching from the north-west.

*Daylight*

*181.* Best House has a number of windows which face south directly towards the scheme. There are also a combination of dual-aspect LKDs, kitchens and stairwells. The LKDs benefit from additional windows facing both east and west and are served by balconies which wrap around the façade.

182. The results of the VSC analysis indicates that a number of the windows that serve the living spaces would experience modest reductions beyond the BRE targets as a result of the proposals.

183. The alternative ‘balconies off’ assessment has been undertaken to quantify the effect of the balconies and this confirms that all of the habitable rooms would retain proportional mean values of at least 0.71. This is only marginally below the 0.80 target and the Daylight and Sunlight Report, and officers consider this to be a limited deviation. Additionally, even at the lowest level, absolute retained VSC levels would be at least c.20+%. This significantly exceeds the mid-teens level considered to be broadly typical of urban development and these effects are considered to be acceptable.

184. The limited impact is further confirmed by the results of the NSL assessments which show little or no change in retained levels. The NSL levels fully meet the BRE criteria with good daylight penetration retained to all habitable rooms.

*Sunlight*

185. APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Smith House

186. This is the fourth of the four blocks on Matthews Close, when approaching from the north-west.

*Daylight*

*187.* The windows that face south directly towards the proposal serve a combination of dual-aspect LKDs, kitchens and stairwells. The LKDs benefit from additional windows facing both east and west and are served by balconies which wrap around the façade.

188. The results of the VSC analysis indicate that a number of the windows that serve the living spaces would experience material reductions below the BRE targets particularly to the lowest floors. When the mean VSC to the rooms as whole is considered, of the 19no. habitable rooms analysed, 6no do not meet the target and these are all located at second floor level and below

189. The presence of balconies exacerbates the reductions to these units but provides private amenity space for these neighbours. The alternative 'balconies off' assessment has been undertaken to quantify the effect of the balconies and confirms that all of the habitable rooms would retain proportional mean VSC values of at least 0.65 their former level. This is a moderate effect which is not significantly below the 0.80 target. Even at the lowest level absolute retained VSC levels are at least 20% which is materially above the 'mid-teens' level which is broadly considered typical in an urban location. The effects are therefore considered to be acceptable given the retained amenity levels and shift in context of the proposals.

190. The limited impact on amenity is further confirmed by the results of the NSL assessments which show little or no change in retained levels, even with the balconies in situ. A single isolated deviation is noted to affect a single first-floor living room which would retain a proportional value of 0.71 which is only a minor deviation from the BRE target.

*Sunlight*

191. APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

5-6 Elmside Road

192. These properties are situated to the southeast of the development proposal and comprise of two semi-detached houses. Their rear windows face towards the site but the view is obstructed by a bank of large trees and are separated from the site by approximately 100m.

*Daylight*

193. The results of the VSC assessments for these two properties demonstrate full compliance with the BRE guidance, with all the windows serving residential rooms remaining well within 0.80 times their former value.

194. The NSL assessments confirm no material change in daylight distribution with retained values to all the rooms remaining above the BRE target.

*Sunlight*

*195.* The windows of this property facing the site are not within 90° of due south and are therefore not further considered.

23 Brook Avenue

196. Located immediately to the south-east of the application site, the property was modelled using planning drawings submitted as part of a previous application (Ref: 23/0282). There are a number of windows on its western flank which look directly towards the scheme.

*Daylight*

197. The results of the VSC assessments indicate impacts to the ground floor open plan LKD. The rear-facing glazed doors which facing the site are situated beneath a large canopy which extends over

the doors. The space is multiple aspect and benefits from windows which face to the south, away from the site.

198. Again, where a room benefits from more than one window, the mean VSC can be applied and under this assessment the room would retain a proportional mean VSC of 0.62 which is considered a moderate effect.

199. The BRE guidance again acknowledges the effect that overhanging obstructions may have in cutting out light from the upper part of the sky such that even a modest obstruction may result in a greater relative impact. The guide suggests carrying out an additional calculation for both the existing and proposed situations without the canopy in place. This supplementary assessment confirms the presence of the canopy as the primary contributing factor to the effects on these windows. When the presence of the canopy is taken into account the effects fully meet the BRE guidelines and are considered to be wholly acceptable.

200. The NSL assessments confirm no material change in daylight distribution, with retained proportional values to all the rooms within these properties remaining above the BRE target

*Sunlight*

*201.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

24 Brook Avenue

202. This is a detached 2-storey dwelling located the south-east of the application site and was modelled using planning drawings submitted as part of a previous application (Ref: 22/3549). There are a number of windows on its north-east flank which look towards the proposed scheme.

*Daylight*

203. The results of the VSC assessments for this property demonstrate full compliance with the BRE guidance, save for a single window at the ground floor level (W5) which would experience a marginal VSC reduction below the 0.80 target, with a retained proportional value of 0.73. The window appears to serve a dual-aspect studio at the back of the property which also benefits from windows facing rearwards into the garden which are entirely unaffected. As such, this property would fully comply with the BRE guidelines.

204. The NSL assessments confirm no material change in daylight distribution, with retained proportional values to all the rooms within this property remaining above the BRE target.

*Sunlight*

*205.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

25 Brook Avenue

206. This is a detached 2-storey dwelling located the south-east of the application site, with some windows on its north-east flank which face towards the proposed scheme. As no floorplans were available, assumed layouts were modelled.

*Daylight*

207. The results of the VSC assessments for this property demonstrate full compliance with the BRE guidance with retained proportional levels well within 0.80 times the former value.

208. The NSL assessments confirm no material change in daylight distribution to 18 of the 19 rooms assessed. There is a single room (R3) at the ground floor level that experiences a minor reduction to 0.72 times its former value, but it is understood that this space serves a secondary bedroom, and this reduction is unlikely to negatively impact the use of the space.

*Sunlight*

*209.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

50 and 51 Brook Avenue

210. These semi-detached 3-storey dwellings are located the north-east of the application site and was modelled using planning drawings submitted as part of application Ref: 22/3549.

*Daylight*

211. The results of the VSC assessments for these two properties demonstrate full compliance with the BRE guidance to all but one window. W1, serving a ground floor bedroom in No. 50, would experience a minor reduction in VSC retaining a proportional value of 0.78 times the former. Value. This is a non-material shift from the 0.80 target which would be an unnoticeable deviation from the guidance. The window would retain an absolute VSC of just under 26% which is a high level of amenity only marginally below the 27% target.

212. The NSL assessments confirm no material change in daylight distribution, with retained proportional values to all the rooms within these properties remaining above the BRE target.

*Sunlight*

*213.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Pargraves Court

214. This is a 3-storey residential block located the north-west of the application site. As no floorplans were available, assumed layouts were modelled.

*Daylight*

215. Of the 87no. windows assessed, 62no. would retain VSC values in excess of the BRE targets. Six of the windows falling below the targets form part of bay windows. In such scenarios, paragraph 2.2.6 of the BRE guidelines state that the centre window may be taken as the main window. Under this assessment, five of the six rooms meet or exceed the BRE target with only R3 (W3, W4 & W5) at ground floor level experiencing a marginal deviation from the target. This bay retains an absolute VSC of 24.1% which is a high level of amenity for an urban location.

216. Three further windows falling below the target (W19 at ground & first floor, and W11 at second floor) serve dual aspect spaces served by more than one window. In accordance with the BRE guidelines the mean weighted reduction may be considered and all three of these spaces are found to fully meet the BRE targets.

217. The remaining 16no. windows serve a combination of bedrooms and living room spaces and experience minor reductions below the targets. Each of these windows retains a proportional value of at least 0.69 times the existing figure, which is a minor deviation from the 0.80 times target. The majority of these windows also retain an absolute VSC of at least 22% which is considered to be a high level of amenity.

218. For comparison, local consents such as Amex House and Albion Way lead to retained VSC values of under 15% to a number of neighbours which were considered acceptable in the site context. The retained VSC values to Pargraves Court are materially higher than those accepted elsewhere in the borough and exceed the levels considered broadly typical in urban development across London.

219. The NSL assessments confirm that of the 63no. rooms assessed, five would experience reductions in daylight distribution to below the BRE targets. All five of these rooms are understood to be bedrooms and considered by the BRE to be less reliant on daylight than a primary living space. Notwithstanding, all five of these rooms retain a proportional NSL value of at least 0.61 times the former which is a limited shift below the 0.80 target considered as only a moderate effect. Overall retained amenity is considered

to be appropriate particularly when considered alongside the retained VSC levels described above.

*Sunlight*

*220.* In the absence of detailed floor plans, APSH sunlight levels to all rooms orientated within 90° of due south were tested. The results of these assessments confirm that all of the spaces fully meet the BRE targets for sunlight.

7-15 & 14-20 Forty Close

221. This group of 8no. semi-detached properties are located to the southwest of the site on the opposite side of Wealdstone Brook and have an oblique view of the scheme obstructed by a belt of mature trees. Models of the properties were made using planning drawings and estate agency information obtained from properties of a similar typology in the area.

*Daylight*

222. The results of the VSC and NSL assessments for this property demonstrate full compliance with the BRE guidance. The retained VSC levels shown are well in excess of the relevant targets and we record little or no change in retained NSL values.

*Sunlight*

*223.* In the absence of detailed floor plans, APSH sunlight levels to all rooms orientated within 90° of due south were tested. The results of these assessments confirm that all of the spaces fully meet the BRE targets for sunlight.

13-24 & 25-42 Elliott Close

224. These are 3-storey residential blocks located to the south of the site on the opposite side of Wealdstone Brook and would have views of the scheme above the existing treeline. Models of the properties were made using planning drawings (Ref: 11/2366) and estate agency information.

*Daylight*

225. The results of the VSC and NSL assessments demonstrate full compliance with the BRE guidance. All of the windows retain VSC levels in excess of the BRE targets and we are recording little or no alteration in NSL.

*Sunlight*

*226.* The windows of these building facing the site are not within 90° of due south and are therefore not further considered.

1-12 Elliott Close

227. These are 3-storey residential blocks located to the south of the site on the opposite side of Wealdstone Brook and would have views of the scheme above the existing treeline. Models of the properties were made using planning drawings (Ref: 11/2366) and estate agency information.

*Daylight*

228. The results of the VSC analysis indicate that, of the 43 windows assessed which serve habitable spaces the vast majority would meet the BRE guidance with 37 fully achieving the targets.

229. The three affected windows serve dual-aspect living spaces which each benefit from an additional window which would remain unaffected by the proposals. Where a room benefits from more than one window, the mean VSC can be applied. When assessing VSC under this metric all of the habitable rooms within 1-12 Elliott Close fully meet the BRE targets.

230. The NSL assessments confirm no material change in daylight distribution, with retained proportional values to all the rooms remaining above the BRE target.

*Sunlight*

*231.* The windows of these building facing the site are not within 90° of due south and are therefore not further considered.

38-72 Crown Walk

232. This is a 3-storey residential block located to the south of the site on the opposite side of Wealdstone Brook and would have views of the scheme above the existing treeline. Models of the properties were made using planning drawings (Ref: 11/2366) and estate agency information.

*Daylight*

233. The results of the VSC analysis indicate that of the 62no. windows serving habitable spaces assessed the majority would retain values in excess of the BRE targets.

234. Of the 16no. windows falling below the targets seven serve kitchens which are single aspect 'galley-style' areas and are too small (under c.13-15sqm) to be considered 'habitable rooms' under the Mayor of London's Housing Supplementary Planning Guidance.

235. Whilst the effect to such non-habitable areas is not considered to be significant, the retained amenity to these kitchens remains high. Each of the spaces would retain an absolute VSC of at least 25.4% which is only very marginally below the 27% absolute VSC target and well above the 'mid-teens' figure considered to be broadly typical of development across London.

236. The remaining nine affected windows serve dual aspect living spaces which each benefit from an additional window. Where a room benefits from more than one window, the mean VSC can be applied. When assessing VSC under this metric all but three spaces meet the BRE target. The remaining living spaces but all retain absolute VSCs of at least 21.9% which is considered to be a good level for an urban location when compared to schemes across London and the direct precedent in close proximity to the scheme noted.

237. The NSL assessments confirm the vast majority of spaces fully meet the BRE targets with limited change in daylight penetration to the space. Only two habitable rooms fall below the 0.80 target retaining a proportional NSL of 0.79 and 0.76 respectively. These are living rooms located at ground floor level and given the very modest deviations from the 0.80 target, the use of the space would not be adversely affected.

1-35 & 2-36 Crown Walk

238. These are 3-storey residential blocks located to the south of the site on the opposite side of Wealdstone Brook and would have views of the scheme above the existing treeline. Models of the properties were made using assumed layouts and estate agency information.

*Daylight*

239. The results of the VSC and NSL assessments for this property demonstrate full compliance with the BRE guidance. The results of the VSC for these blocks of flats indicate that the windows would retain proportional values of at least 0.80 times their former values and there are no material shifts in NSL levels.

*Sunlight*

*240.* The windows of these building facing the site are not within 90° of due south and are therefore not further considered.

1-10 Richmond Court, Block A

241. These are 2-storey maisonettes located to the north-west of the site on Brook Avenue, with windows having oblique views of the proposed development that are partly obstructed by Richmond Court Block B. Models of the properties were made using assumed layouts/room depths and estate agency information from No. 9 Richmond Court.

*Daylight*

242. The results of the VSC assessments indicate a marginal reduction to W2 at GF level which is likely to serve a habitable room. This room is however dual aspect and when the mean reduction is considered the room would exceed the BRE target.

243. The remaining affected windows all serve what we understand to be non-habitable spaces and are therefore not relevant for assessment.

244. The NSL assessments confirm no material change in daylight distribution, with retained proportional values to all the rooms within this property remaining above the BRE target.

*Sunlight*

*245.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight. The south facing living spaces do not face the site and would therefore not be materially affected.

1-10 Richmond Court, Block B

246. These are 2-storey maisonettes located to the north-west of the site on Brook Avenue. Models of the properties were made using assumed layouts/room depth and estate agency information.

*Daylight*

247. The results of the VSC assessments for this property indicate that, of the 64no. windows assessed, 53no. would fully meet the BRE targets.

248. W18 at ground floor, retains a proportional value of 0.70 times its former value. This window is part of a bay window and accordance with the BRE guidelines, the central window facing directly outwards can be taken as the main window. This space, identified as room R8, therefore remains fully compliant with the BRE targets.

249. All of the remaining affected windows serve areas we understand to be bathrooms or circulation spaces and are therefore not relevant for assessment. The results of the analysis therefore confirm that the impacts to this property remain in line with the BRE guidelines.

250. The results of the NSL analysis also confirms the limited impact to this property with little to no change in retained levels.

*Sunlight*

*251.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all of the living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Century House

252. This is part three, part four storey block of flats located to the northwest of the site, on Forty Avenue and has a number of windows in its front elevation which have view towards the proposal. Models of the properties were made using estate agency information.

*Daylight*

253. The results of the VSC assessments for this property demonstrate full compliance with the BRE guidance. The retained VSC levels are well in excess of the BRE target being well within 0.80 times their former value.

254. The results of the NSL assessment indicate that, of the 83no. rooms assessed, 82no. would fully meet the daylight distribution guidance. A single room (R6 at ground floor level), thought to be a bedroom, which experience a marginal reduction but retain a proportional value of 0.76 times the former figure. This is a non-material shift from the 0.80 target and would not materially affect the use of the space.

*Sunlight*

*255.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all relevant living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

Westside Court

256. This is a five- storey block of flats located to the west of the site, on Forty Avenue and has a number of windows in its front elevation with limited towards the proposal. Models of the properties were made using planning drawings submitted as part of an application for the redevelopment of the site (Ref:11/2976).

*Daylight*

257. The results of the VSC assessments for this property demonstrate full compliance with the BRE guidance. The retained VSC levels are well in excess of the BRE target being well within 0.80 times their former value. All shifts in VSC are exceptionally minor and would be unnoticeable.

258. The results of the NSL analysis confirms the limited impact to this property with little or no change in retained levels. Again, the effects are unnoticeable and fully compliant with the BRE guide.

*Sunlight*

*259.* APSH sunlight levels to main living spaces orientated within 90° of due south have been tested and the results confirm that all relevant living spaces would continue to exceed the BRE targets for sunlight, therefore, the effects to this neighbour are therefore fully compliant with the BRE guidance.

## Summary of Neighbour Impact

260. Although the majority of neighbouring properties would not experience significantly adverse (moderate and major) impacts to daylight, it is clear that some properties would experience some reductions in daylight. However, when considered against retained values, the deviation from guidance is not excessive and would still afford occupiers a reasonable level of amenity. The identified impact to the properties should therefore be balanced against the benefits of the scheme, and Members should therefore consider whether those benefits do outweigh the harm.

261. The applicant has taken care to design a scheme that on the whole maintains reasonable separation distances and steps down to its neighbours in height to minimise any significant adverse effects whilst looking to optimise use of the site for housing, which is appropriate given it is brownfield land with very good accessibility. Given these considerations, and the planning benefits of the scheme, especially the delivery of new homes (and affordable housing), on balance the proposal is considered acceptable in this respect.

# Transport

## Policy and Context

262. 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 patterns of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.

263. Policy T6.1 of the London Plan confirms at Part E that LSPBSL schemes should be car-free, and for the 100no. C3 dwellings, Table 10.3 of the London Plan confirms that given that the site is located within the Wembley Opportunity Area, up to 0.5 spaces per dwelling would be permitted, equating to 50no. parking spaces for this element of the scheme. Table 10.4 of the London Plan advises that in relation to the proposed workspace, up to 1no. space would be permitted per 600sqm.

264. The development site is predominantly in an area with a Public Transport Accessibility Level ('PTAL') of

4. 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. Each of the existing dwellings has multiple off-street parking facilities and there is an existing blue badge space opposite No.4 Brook Avenue. A single yellow line runs along the length of the road on its southern side, and Event Day parking restrictions apply between 10am and midnight.

## Parking and Access

265. The development would be car-free, except for the provision of a total of 6no. blue-badge spaces which are proposed to be allocate thus: 2no. blue-badge spaces for the co-living element; 3no. blue-badge spaces for the C3 dwellings; and 1no. blue-badge space for the workspace. It is proposed to site these within lay-bys constructed within the footway with the 3no. C3 spaces located in front of Block C, 2no. located in front of the cycle store of Blocks A and B, and the remaining space located in front of Block A. The provision of disabled parking would meet with the minimum requirement, and it should be noted that should there be additional demand in the future, these spaces could be provided for, on-street. It should also be noted that all of the existing crossovers would need to be reinstated to help facilitate the proposed development.

266. Due to no off-street parking being permitted (aside from disabled parking), and as no car parking is proposed on site, adopted standards would be complied with. However, consideration needs to be given to the potential parking problems arising from any overspill car parking that could take place. The site does not currently lie within a year-round controlled parking zone (CPZ), although as stated above, residents’ permits are required to park on Wembley Stadium event days.

267. To gauge existing conditions, the applicant has undertaken car parking surveys in the vicinity of the site, with surveys undertaken over two consecutive days at 12.30am and 11am, providing 4no. surveys in total. The surveys indicated that the levels of car parking occupancy on Brook Avenue vary between 73% and 85%. Due to the lack of a CPZ along the street, residents of nearby developments that are subject to ‘car-free’ agreements are able to circumvent this by using the street to park at present (other than on Wembley Stadium event days). It is therefore considered important for a CPZ to be put in place and for any Travel Plan/ marketing of the site to make it clear to all potential residents that their ability to park on-street is likely to be restricted in the future. It is therefore recommended that such measures are secured via a S106 Agreement.

268. The implementation of CPZ’s generally produces a knock-on effect with residents and/or commuters looking to park in the nearest available street. Therefore, to help protect nearby streets from potential overspill parking, a wider CPZ would be required in the area to apply on non-event days, with a financial contribution of £100,000 sought towards introducing this. A ‘car-free’ agreement (except blue badge holders) that is currently enforceable on Wembley Stadium event days, would also be required to mitigate against parking problems.

269. In relation to the proposed blue-badge parking, the level of provision for the C3 dwellings would satisfy the minimum 3% requirement, however the provision of 2no. spaces for the co-living units falls considerably short (i.e., 0.4%). The Transport Assessment (TA) indicates that this is in line with other consented developments for co-living schemes. However, the consented schemes referred to have a higher ratio of blue badge parking than the current proposal:

- 208 Western Avenue, Acton (LB Ealing planning reference 193574FUL) – 264no. co-living units with 2no. B/B parking spaces (0.8%);
- Garratt Mills, Trewint Street, Wandsworth (LB Wandsworth planning reference 2019/1083) – 292no. co-living units with 2no. B/B parking spaces (0.7%); and
- Land adjoining Croydon College, College Road, Croydon (LB Croydon planning reference 19/04987/FUL) – 817no. co-living units with 11no. B/B parking spaces (1.3%).

270. Notwithstanding, it is accepted that the generally younger age profile of residents within a co-living scheme would most likely correspond to a lower proportion of blue-badge holders than for a standard housing development. In addition, disabled spaces would only be marked on the public highway for residential schemes upon the request of a resident with a blue badge. Any future introduction of a CPZ within the street is also likely to free up spare capacity for further blue badge parking to be dedicated to

residents should demand arises.

271. The proposed widening of the street to accommodate the blue-badge parking would need to be undertaken through a S38/S278 Agreement. This would increase the space available along the street for other active travel measures, such as potential staggering of parking provision, cycle lanes, additional traffic-calming, additional tree planting and street furniture. To this end, the new tree planting and grass verges that are proposed along the site frontage is welcomed in principle, subject to consultation with Brent's Highways Service regarding future maintenance.

## Cycle Parking

- With regard to bicycle parking, Table 10.2 of the London Plan provides the relevant standard for the C3 dwellings while Table 3.2 of the Mayor's co-living LPG requires 0.75 spaces per person. Applying the adopted standards, 187no. long-stay cycle parking spaces is required for the C3 dwellings and 388no. long-stay spaces for the co-living element of the proposal. A further a further 16no. short-stay spaces would be required for visitors for the co-living and C3 dwellings. Five long-stay spaces and a short-stay space would be required, giving an overall requirement for 597no. spaces.

- The proposal includes two large cycle stores at ground floor level, one positioned between the two co-living blocks (A and B) and the other between the two C3 residential blocks (C and D). The co-living proposals provide 348no. spaces on two-tier stands and a further 40no. spaces on 20no. Sheffield stands. This meets requirements, with a suitable proportion of stands accommodating non-standard bikes. Similarly, the store for Blocks C and D are shown with 188no. spaces, using 76no. two-tier stands and 18no. Sheffield stands.

- The proposal also includes 22no. short-stay bike spaces, which meets visitor cycle parking requirements for both the residential and commercial units.

## Trip Generation

272. The submitted TA provides predicted future trip rates for the development, ascertained through reference to the industry standard TRICS database. It is noted that the comparison sites used are all within walking distance of Central London, which may have an impact on the public transport capacity assessments, as trips by public transport to work for those sites may be lower than in this case. Journey to work data from the latest Census has enabled a more refined assessment to be made. The data reveals the following:

273. 172 trips by tube

274. 41 trips by train

275. 62 trips by bus

276. 28 by taxi

277. 7 by car

- These results show low car use, commensurate with the 'car-free' nature of the scheme, so the development would be unlikely to have a significant impact on the operation of Brent's highways. TfL have assessed the impacts on public transport capacity and have estimated that the scheme would generate 20no. additional bus passenger movements during the morning and afternoon peaks. They are therefore seeking a financial contribution of £130,000 towards enhanced bus services.

## Servicing and Deliveries

- Aside from refuse collection, the proposed commercial units would require servicing by 8m rigid vehicles, whilst the residential and co-living units would also have further delivery requirements.

- The layout of the frontage shows three delivery bays within the existing footway, in addition to the proposed disabled bays. However, kerbside loading bays need to be at least 3m in width to provide safe working space around the vehicle and some of the bays as shown measure only 2.6m in width. The bays therefore need to be widened, but as a minimum 2m footway width must be retained, this may result in

the loss of any proposed buffer zones in front of Blocks A and B. It is also noted that the red line does not include the inset bays, which are critical to the ability to implement the scheme, however these would be secured through S278 works.

- The applicants have submitted a Delivery and Servicing Plan, and this predicts that there would be a demand of 48no. two-way delivery vehicles for the development. Of these, 27no. deliveries would be related to the 99no. flats, with the estimated based upon a review of TRICS data. The estimated 19no. delivery trips for the co-living units are based upon the results of a survey of a 544-bed co-living scheme called the Collective Old Oak, which observed 17no. vans and 10no. lorries servicing the site on the survey day (i.e. 54no. two-way trips). Applying these movements on a pro-rata basis to this development would suggest that 15no. vans and 9no. lorries per day would service the building, leading to 48no. two-way trips. Added to the 27no. predicted deliveries for the residential flats gives a total of 75no. two-way delivery and servicing movements per day (or 38no. deliveries), rather than the stated 48no. movements (i.e., 24no. deliveries).

- Notwithstanding this, the increased total would still average less than two vehicles per hour for each bay, therefore the loading bay provision is considered to be sufficient.

278. The Delivery & Servicing Plan includes details of a residents' moving in procedure, which would allocate one hour unloading slots for the co-living units, with a concierge on hand to help manage the process and thereby reduce the number of repeat trips.

Refuse

279. In accordance with Brent's standards, a minimum provision of 82,680l of refuse storage capacity would be required, with 24,120 litres for the flats and 62,040 litres for the co-living units.

280. Two bin stores with 22 x 1,100 litre Eurobins are indicated for the C3 dwellings, located at the front of the building, to allow easy access for collection from Brook Avenue. Officers note that while this is a reduction from the previously proposed 27 bins, the level of provision proposed would still satisfy requirements.

281. In relation to the co-living blocks, and in response to officer feedback, the refuse stores within Blocks A and B have been revised. The applicant has applied an approximate provision of 125 litres per resident per week as a baseline for their calculation, which is supported by studies into local precedents of similar schemes. Based on the above, provision is therefore made for 32no. 1100 litre Eurobins (35,200 litres in total). While this level of provision represents an increase over the originally proposed 85 litres per resident per week, it would still fall short of the total level of provision required. However, the applicant contends that based on other examples, such as at Felda House (purpose-built student accommodation), the proposed provision, despite being for a different demographic, would be sufficient, particularly as twice weekly collections via a private contractor is proposed. Officers agree that this arrangement is acceptable and would be in accordance with similar schemes such as Felda House and Fairgate House.

Construction Logistics Plan

282. Located within a residential area, it is imperative that the impacts of demolition and construction activity is minimised as far as possible. To this end, an Outline Construction Logistics Plan (CLP) has been submitted in support of the application detailing the following:

283. The site would be registered with the Considerate Constructors Scheme.

284. Deliveries would be scheduled to avoid peak traffic times (i.e. only between 9.30am-2.30pm). Please note that deliveries must also not be scheduled on Wembley Stadium event days within four hours of an event.

285. A construction programme to last c.4 years, with standard working hours of 8am-6pm on weekdays and 8am-1pm on Saturdays (no working on Sundays and Bank Holidays). When work outside these hours may be necessary (not including the restrictions relating to the school). In the event of this, work would only be carried out following consultation and agreement with the Council.

286. The peak period of construction would attract 35 vehicles per day (see Table 7 below).

287. Noise control would primarily be dealt with at source.

- Equipment would not be left running when not in use.

- The Site Manager would notify neighbours in advance of any upcoming activities that may generate noise. An “open door” policy at the site offices would be implemented to encourage neighbours to communicate directly with the site.

Table 7: Construction vehicle numbers per phase (source: Outline Construction , creating ogistics Plan)

| Construction phase | Period of stage | No. of trips (monthly) | Peak no. of trips (daily) |
|---|---|---|---|
| Site setup and demolition | Q2 2024 - Q2 2024 | 522 | 24 |
| Basement excavation and piling | Q2 2024 - Q2 2024 | 535 | 24 |
| Sub-structure | Q3 2024 - Q3 2026 | 538 | 24 |
| Super-structure | Q3 2024 - Q1 2028 | 689 | 31 |
| Cladding | Q3 2024 - Q4 2027 | 78 | 4 |
| Fit out, testing and commissioning | Q1 2025 - Q1 2028 | 120 | 5 |
| Peak period of construction | Q3 2024 - Q4 2024 | 767 | 35 |

- With regard to vehicle routeing, the proposed routing from the wider area is reasonable via the A406 and A4088. It is preferred that the routing in the vicinity of the site would access Brook Avenue from Forty Avenue and depart via Bridge Road, as per the arrangement for the Wembley Park Station car park development currently being implemented and this would need to be secured by condition through a revised CLP.

- 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 Street / Active Travel Zone

- An Active Travel Zone assessment, which is part of TfL’s Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres.

- Brook Avenue is on the route of a proposed new cycle quietway, as part of the strategic cycle network but this has yet to be fully funded and a contribution towards this would go some way to making this a reality, providing direct benefits to residents of the scheme.

- The site frontage extends approximately 212m along Brook Avenue, with each property having a dropped kerb. The proposed development will reinstate the footway as the crossovers would become redundant creating the opportunity to improve the street for active travel. The long straight nature of the road is considered to not currently be conducive to this. Any new street layout would be expected to closely follow Healthy Streets principles, with improvements to traffic calming, surfacing, pedestrian amenity, provision of a cycleway, planting and street furniture, all of which would benefit this ‘car-free’ development.

288. The applicant’s Healthy Streets Assessment therefore includes a proposal for a 1.5m wide cycle lane along the southwestern side of Brook Avenue within the existing 7.3m wide carriageway. However, with car parking remaining in place on the opposite side of the street, only a 3.7m traffic lane remains, which is considered insufficient to allow two cars to pass each other. Cars would therefore find themselves encroaching into the cycle lane, to the detriment of the safety of cyclists.

289. A more comprehensive review of Brook Avenue should therefore be undertaken, with proposals for a cycle route integrated into a redesign of the traffic-calming measures and on-street parking. It may be that a series of road narrowing measures for general traffic with passing places between parking bays would provide a solution that improves cycling provision, calms traffic and retains some limited on-street parking. Nevertheless, it is accepted that this proposal to widen the highway fronting the site does improve the scope for enhancing the street. A financial contribution of £100,000 from the scheme, for Healthy Streets improvements, which should be related to the scale of the development, is sought, and would need to be secured via the S106 Agreement.

290. The quality of cycle infrastructure has not been assessed within the Active Travel Zone survey, so the above concerns have not been picked up within that assessment. Furthermore, the 'easy to cross' criteria for pedestrians simply indicates that there are some pedestrian crossings present but does not indicate if they are in the most appropriate locations, have acceptable dwell times or prioritise pedestrian movements. Moreover, the accident analysis identified a number of collisions involving pedestrians crossing roads in the area, which is an indication that improvements to pedestrian crossing facilities are required.

### Travel Plan

291. 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 (appointed by the Beyoo co-living management group) to support the use of sustainable transport.

292. Targets are considered reasonable, but measures focus on providing information, which has only limited effect on behaviour change. Measures which are recommended to be included are:

293. The creation of a bicycle user group (this only works if the group has access to a budget which they can use to implement changes the group identifies);

294. Car Club membership. A car club is available for use on the same street and so the development should fund residents' membership of this for at least two years.

295. A revised Travel Plan, to be secured via an appropriately worded condition, would therefore need to be submitted to address these shortfalls.

## Sustainable Design

### Policy and Context

296. 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). The application is supported by a suite of documents to address the various adopted policies and guidance.

### Carbon Reduction / Energy

297. Major residential and non-residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2021 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. 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.

i) 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.

ii) 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.

298. The Council also adopted the Sustainable Environment and Development Supplementary Planning Document on 12 of June 2023 which provides guidance on range of sustainable development issues.

299. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings

and renewable energy and follows the energy hierarchy of the London Plan.

Be Lean

300. This looks at the building design and fabric in order to use less energy. Be Lean encourages developers to use high levels of insulation, environmentally sensible designs, and high efficiency lighting and ventilation systems. As stated above, new developments must show a 10% improvement over the current SAP Target Emission Rate (15% for non-residential).

301. As part of a 'fabric first' approach, the building fabric has been considered and specified to meet or exceed current Building Regulations minimum requirements, such as, but not limited to: energy efficient lighting and controls, ventilation would be provided through the use of MVHR's with an 89% efficiency rate for the residential element and 80% for the non-residential elements, and high performance glazing to limit overheating without compromising light transmittance.

302. It is estimated that for the 'Be Lean' stage, the communal parts of the development demonstrate a 30% reduction and the residential parts achieve a 25.4% reduction in CO2 emissions over the Part L notional baseline, which would be higher than the 15% reduction set by the London Plan. Table 8 below demonstrates the 'Be Lean' improvement over the Part L notional baseline:

Table 8: Improvements above the baseline with 'Be Lean' measures (source: Energy and Sustainability Statement)

| | Residential | | | Communal Spaces | | | Commercial | | |
|---|---|---|---|---|---|---|---|---|---|
| | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings |
| Baseline | 41.5 | | | 2.06 | | | | | |
| Be Lean | 16.3 | 25.2 | 61 | 1.45 | 0.62 | 30 | | | |

Be Clean

303. The thrust of 'Be Clean' is to supply energy efficiently. As part of the 'Be Clean' approach, the use of energy efficient equipment, heat networks and community heating have been considered. As there are no heat network close to the site, the development would use a communal heating system, future proofing the development for possible future connection to a district heat network.

Be Green

304. For the 'Be Green' stage, the applicant is required to maximise the use of onsite renewable technologies to further reduce carbon emissions. Various low and zero carbon technologies (LZC) have been considered through a feasibility study, which has identified ASHP and Solar PV as the most appropriate technologies for the development. Technologies considered but discounted include:

305. Biomass heating – due to issues with fuel storage, access for delivery vehicles, and NOx emissions;

306. Wind turbines – due to the site being within a suburban area; and

307. Ground source heat pumps (GSHPs) – due to there being limited external space for installations of boreholes

308. With 'Be Green' measures incorporated, the residential dwellings and the commercial element of the development score a total of 35.2% and 36% respectively (see Table 9 below).

Table 9: Improvements above the baseline with 'Be Green measures' (source: Energy and Sustainability Statement)

| | Residential | | | Communal Spaces | | | Commercial | | |
|---|---|---|---|---|---|---|---|---|---|
| | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings | CO2 Emissions (tonnes / year) | CO2 Savings (tonnes / year) | % Savings |
| Baseline | 41.5 | | | 2.06 | | | 70.21 | | |
| Be Lean | 16.3 | 25.2 | 61 | 1.45 | 0.62 | 30 | 52.29 | 17.92 | 25.5 |
| Be | 16.3 | 0.00 | 0.0 | 1.45 | 0.00 | 0.0 | 52.29 | 0.00 | 0.0 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Clean | | | | | | | | | |
| Be Green | 13.9 | 2.5 | 6 | 1.33 | 0.12 | 6 | 45.51 | 6.79 | 9.7 |
| Total | | 27.7 | 67 | | 0.74 | 36 | | 24.69 | 35.2 |

Net Zero

309. Whilst the scheme satisfies the minimum policy reduction targets, all developments should be net zero. To this end, a carbon offset payment would be required and secured via the S106 legal agreement.

310. The offset payment has been calculated at £125, 932, in accordance with Table 10 below.

Table 10: Carbon offset payment (source: Energy and Sustainability)

| Carbon emissions (tonnes / year) | 30-year carbon emissions | Offset payment (£95 / tonne) |
|---|---|---|
| 44.19 | 1,325.3 | £125,932 |

## Whole Life-cycle Carbon

311. Whole Life-cycle Carbon (WLC) emissions are the carbon emissions resulting from materials, construction and use over a building's entire life, including demolition and disposal. A WLC assessment provides a true picture of a building's carbon impact on the environment. London Plan Policy SI 2F confirms that a WLC Assessment is required for referrable applications, and these should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

312. A Whole Life-Cycle Carbon Assessment has been submitted outlining the measures that would be considered or employed to reduce the carbon emissions arising from the development. Measures such as, but not limited to:

- Reducing the volume of concrete used and employing the use of recycled concrete;
- The sourcing of materials as near to the site as possible;
- The use of products that have low embodied carbon;
- The use of brick for the façade, a material that requires minimal maintenance over its lifetime;
- The use of materials that can be separated from each other to allow for more effective recycling at the end of life.
- The above measures are welcomed and would be reviewed further by the GLA as part of the Stage 2 referral. Appropriately worded conditions would be imposed following GLA input at Stage 2.

## Circular Economy

313. 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:

6) construction and demolition – 95 per cent reuse/recycling/recovery

a) excavation – 95 per cent beneficial use

b) 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.

314 A Circular Economy Statement (CES) prepared by JAW Sustainability has been submitted. Although the application was submitted in October 2023, it refers to the Pre-Consultation Draft version of the LPG and not the adopted version of the guidance (March 2022). Notwithstanding, the CES provides an outline of the circular economy commitments of the development.

315 A CES comprises of a written report and a spreadsheet with various tables. Any changes to the design of a scheme following submission are to be accounted for in a post-construction CES.

316 The proposed strategy for the existing buildings is to deconstruct / demolish and recycle the materials wherever possible. A pre-demolition audit was conducted to identify the primary materials on the site, However, as the buildings on site are currently occupied it was not possible to perform an in-depth audit. Materials have therefore been assumed based on an exterior investigation and standard assumptions for the building type and age of the existing building. The pre-demolition audit identified a number of possible opportunities to re-use estimated materials elsewhere or recycle the primary materials currently on the site.

317 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; operational waste and demolition waste. In addition, it is requested that a post-construction report is secured by condition. Members are advised that conditions are recommended to secure this information.

## Overheating

318 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 over active measures.

319 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:

1. 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);

2. 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

3. For communal corridors, the operative temperature should not exceed 28°C for more than 3% of the annual hours.

320. In addition, schemes are required to comply with Part O of the Building Regs.

321. The overheating assessment has been undertaken on the basis that the scheme would use Mechanical Ventilation with Heat Recovery System (MVHR). The lower floors would be naturally shaded by other buildings, and it is proposed to use glazing with a reduced g-value, to reduce solar gains, and highly insulated external walls, which minimise any heat gain through conduction. Internal heat generation

would be minimised through the use of LED lighting and the pipes for the proposed communal heating system would ned to be fully insulated to minimise heat loss and prevent heat build-up in corridors & risers. All occupied rooms are expected to have operable windows. However, some windows need to remain closed during the night because the levels of internal noise exceed the limits that are mentioned in Part O.

322. A representative sample of units considered more likely to overheat were selected e.g., top floor, single aspect, south facing, three bedroom units and units that fail to comply with the noise criteria set by Part O. In addition, three scenarios are used (Design Summer Year (DSY)), representing different types of hot summers

    1. DSY1 – moderately warm summer, with a return period of seven years.

    2. DSY2 – short, intense warm spell, about the same length as the moderate summer year but with a higher intensity.

    3. DSY3 – long, less intense warm spell, which is less intense than the high-intensity year, but longer and more intense than the moderate summer year.

323. To examine the efficiency of both the passive and active measures that have been incorporated in the development to comply with the criteria set by Part O and TM 59, two different sets of results have been produced. A hypothetical scenario based on only passive measures, where all windows remain open and no active measures are included, has been modelled in order to show the effectiveness of the passive measures discussed in the cooling hierarchy above. In this scenario, the units are assessed against the criteria for predominantly naturally ventilated buildings.

324. The second set of results represent that actual strategy, incorporating both the passive and active measures. In this scenario, the rooms that don't meet the noise limits set out in Part O are modelled with the windows closed at night. As the strategy relies on the active measures described in the cooling hierarch above, the rooms are assessed against the criteria for predominantly mechanically ventilated buildings.

325. The results provide a hypothetical scenario where all windows can be used during sleeping hours and no active system has been provided. The passive measures installed can help the development achieve 91% compliance with Criterion 1 and 54% compliance with Criterion 2. This shows that a significant impact on overheating has been achieved through passive measures, with a very high pass rate on the first criteria. The second criteria is particularly difficult to achieve, especially in a studio units where the bedrooms are subject to higher internal gains. As active measures are to be installed in the development, this is considered acceptable.

326. In the second scenario when active mechanical measures have been used the development achieves 100% compliance in all units for the required DSY1 weather file conditions. This is compliant with Part O. For DSY2 and DSY3 files the pass rate is slightly lower, although still considered to be well within acceptable limits.

327. The Assessment confirms that the passive measures would significantly reduce the overheating potential of the units. The assessment also concludes that the requirements of Part O have been met, through the incorporation of increased ventilation rates and a tempered air system in the MVHR system. In addition to this, the proposed measures also result in high pass rates against DSY 2 and DSY3, showing that in more extreme conditions, overheating would be limited (see Tables 11-13 below).

Table 11: Overheating results - hypothetical scenario (source: Overheating Assessment)

| | DSY1 | |
|---|---|---|
| | >=3 | >=32 |
| Rooms tested | 557 | 472 |
| Rooms passing criteria | 509 | 256 |
| % Pass rate | 91 | 54 |

Table 12: Overheating results - actual scenario, rooms failing noise criteria (source: Overheating Assessment)

| | DSY1 | DSY2 | DSY3 |
|---|---|---|---|
| | >=3 | >=3 | >=3 |
| Rooms tested | 173 | 173 | 173 |

| | | | |
|---|---|---|---|
| Rooms passing criteria | 173 | 159 | 130 |
| % Pass rate | 100 | 92 | 75 |

Table 13:Overheating results - actual scenario, rooms complying with noise criteria (source: Overheating Assessment)

| | DSY1 | DSY2 | DSY3 |
|---|---|---|---|
| | >=3 | >=3 | >=3 |
| Rooms tested | 384 | 384 | 384 |
| Rooms passing criteria | 384 | 367 | 288 |
| % Pass rate | 100 | 96 | 75 |

328. Providing that the identified passive and active measures are utilised, overheating should not be an issue for the proposed development. A condition is therefore proposed to secure the above measures.

## Air Quality

329. With the site located in a designated Air Quality Management Area (AQMA), and an Air Quality Focus 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. In addition, being within a Growth Area, the scheme is required to be Air Quality Positive.

330. Local Air Quality Management Technical Guidance (LAQM.TG22) recommends that modelled concentrations should be within 25% of monitored concentrations, ideally within 10%. Where there is a large discrepancy between modelled and measured concentrations, it is considered necessary to adjust the model results to more accurately reflect local air quality.

331. With 4no. automatic roadside monitoring sites within the Borough, the nearest is located near Ikea (site BT4 Ikea) approximately 2.6km to the east. However, being near to the North Circular (A406), results, while improving each year, indicate poor levels of air quality. The AQA posits that the results from this monitoring station have limited relevance to Brook Avenue, and officers would agree with this. There are, however, a series of non-automatic monitoring stations around the Borough, and the nearest one is located approximately 550m away at the junction of East Lane and Wembley Hill Road, and a background monitoring station located at Fryent Country Park (see Table 14 below).

Table 14: NO2 concentrations measured at passive monitoring sites (source: Air Quality Assessment)

| Station | 2018 | 2019 | 2020 | 2021 | 2022 |
|---|---|---|---|---|---|
| Junc. East Lane/Wembley Hill Rd | LD | 32.8 | 35.1 | 28.7 | 27.7 |
| Fryent Country Park | LD | 24.3 | 26.0 | 29.1 | 27.9 |

332. 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 8 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.

333. An Air Quality Neutral Assessment (AQN) was included within the AQA. It confirms that AQN is a term for developments that do not contribute to air pollution beyond allowable benchmarks. Developments, including major developments which do not include additional emissions sources are assumed to be Air Quality Neutral and do not need an Air Quality Neutral assessment. This would include, for example, developments that have no additional motor vehicle parking, do not lead to an increase in motor vehicle movements, and do not include new combustion plant such as gas-fired boilers.

334. The proposed scheme would be car free with the exception of blue badge parking bays marked out within the on-street/ within new laybys at the front of the Site as and when demand occurs. The development is proposed to use electrical HVAC systems only.

335. The development is therefore considered to be air quality neutral. The building-related emissions has also been assessed as air quality neutral by default. This assessment methodology is accepted along with the conclusions and therefore no mitigation measures are required for the development to achieve air quality neutral criteria. It should be noted that this submission has not demonstrated that the

development would achieve Air Quality Positive in line with currently policy. However, the scheme has been designed to utility Air Source Heat Pumps and includes minimal levels of car parking and it is therefore considered that reasonable measures have been taken to minimise air quality impacts associated with the development that would normally be included to ensure that a scheme is air quality positive. The scheme is considered to be acceptable in relation to air quality despite the absence of the Air Quality Positive Assessment because the proposed Construction Environmental Management Plan will include dust mitigation and the control of NRMM. In addition, it will be car-free. Moreover, the predicted morning and evening peak hour trips (arrivals/departures) will see a significant reduction.

336. Environmental Health colleagues are satisfied with the results of the Air Quality Assessment.

## Contamination

337. The applicant has submitted a Preliminary Risk Assessment (PRA), and this has been reviewed by the Council's Environmental Health team.

338. The PRA confirms that in relation to controlled water, there are no groundwater abstractions within 1.5km of the site, surface water or potable abstractions within 2km of the site, and the site is not within a Source Protection Zone. The site has a medium groundwater vulnerability and is classified as having a low leaching potential.

339. With regard to geological hazards, the site is classified as being at very low risk of landslides and collapsible rock, a low risk from running sand, and moderate risk of shrink swell and compressible ground. There are no records of natural cavities within 500m of the site and the site is in a lower probability radon area.

340. The site is not within a nitrate vulnerable zone and there are no sensitive land uses recorded within 250m of the site.

341. Potential areas of concern have been identified within the site boundaries from the historic maps. These include the potential for imported made ground from the main properties and out-buildings and the potential for infilling of the historic meandering stream channel. There is also the potential for heavy metals and possible aluminium composite material (ACM) in the building fabric of main properties.

342. Due to the age of the residential buildings and out-buildings, an asbestos survey is recommended prior to demolition works commencing. Any asbestos containing materials found should then 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. As this is dealt with under separate legislation, an Informative will be added to advise the applicant of this.

343. The Assessment recommends that an intrusive investigation is undertaken to clarify potential risks to the identified receptors, and to determine geotechnical properties of the soil on site. Conditions are therefore recommended to secure further investigative works, and the submission of a remediation measures and a verification report.

344. It should also be noted that the quality of any imported soil must be verified by means of in-situ soil sampling and analysis. An informative would be attached to any decision notice to remind the applicant of this.

## Noise

345. 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.

346. The application has been accompanied by a Noise & Vibration Impact Assessment. This includes details of the assessment methodology; the baseline conditions at the site and surroundings; the likely

environmental noise and vibration effects; and the mitigation measures required to reduce and minimise any adverse effects.

## Internal Noise Levels

347. In developing a proposal that demonstrates good acoustic design, the site layout and the dwellings should designed be 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 $L_{Aeq}$ target levels should not normally be exceeded. Table 13 below provide the ambient noise levels from steady external noise sources. It should also be noted that World Health Organisation (WHO) guidance recommends that internal noise levels for individual events should not normally exceed 45dB $_{LAFmax}$ more than 10-15 times per night in order to avoid sleep disturbance.

Table 15: BS8233 Indoor ambient noise levels (source: Noise Impact Assessment)

| Location | Day (07:00-23:00) | Night (23:00-07:00) |
|---|---|---|
| Living room | 35 dB $L_{Aeq,16hr}$ | - |
| Dining room / area | 40 dB $L_{Aeq,16hr}$ | - |
| Bedrooms | 35 dB $L_{Aeq,16hr}$ | 30 dB $L_{Aeq,8hr}$ |

348. An attended noise survey was carried out on the 24th of March 2023 over a period of 1.5 hours in the front garden of No.15 Brook Avenue (position MP1). Noise levels were measured during 64no. local road traffic and train movements past the measurement position. Noise levels at other times were not measured so as to minimise the contribution of intermittent local construction noise. An unattended noise level survey was carried out over the 3-day period between the 11th -14th April 2023. Noise levels were measured approximately 1m in front of a 1st floor window of No.21 Brook Avenue in a position affected by façade reflections (position MP2).

349. The results of the attended survey measurements, the typical noise maxima at MP1 from passing cars on Brook Avenue were typically in the range 64-67dB $L_{AFmax}$ which normally occurred 2 or 3 times each minute. Noise maxima from trains were in the range 60-72dB $L_{AFmax}$, occurring once every few minutes. There were two trucks passing the measurement position during the survey period which resulted in noise maxima of 72dB $L_{AFmax}$ and 67dB $L_{AFmax}$.

350. The highest levels of train noise were from Chiltern Railways trains which do not stop at Wembley Park station and are therefore travelling at higher speeds than other lines. All other trains, including London Underground services gave rise to much lower noise levels.

351. Analysis of audio recordings made during the unattended survey indicates that many of the night-time L max noise events were caused by birdsong near the measurement position in the early morning and activity from local construction activity between 06:00-07:00. As these are not permanent features of the local noise environment, it was considered appropriate to exclude them from the assessment. The assumed night-time noise maxima are therefore based on the attended daytime measurements of road vehicle and train passes (it is considered reasonable to assume that at least 10no. of these events occurred in the night-time period).

352. Incident noise levels are calculated to be up to 61dB $L_{Aeq,day}$ and 54dB $L_{Aeq,night}$. The Professional Practice Guidance on Planning and Noise (ProPG) assessment scale indicates that there will be at worst, a low to medium risk of an adverse effect without mitigation at the Brook Avenue elevations. The majority of the development will be located at a greater distance and/or oriented away from Brook Avenue and the train lines and will experience lower noise levels. The risk of adverse effect for the majority of the development is considered to be low.

353. A detailed assessment of sound breakout from the Wembley Stadium was included within the environmental impact assessment submitted with the 2020 application (reference 20/4197) to allow additional non-sporting events at Wembley Stadium. This included contour plots of noise levels in the area around the stadium at various heights from music events. The worst-case sound level at Brook Avenue was found to be approximately 50-55dB(A). This is lower than the levels of transportation noise at the proposed development and will occur only for limited periods, relatively infrequently. Furthermore,

it is within the BS8233 upper guideline level for external amenity areas. Noise from Wembley Stadium is therefore unlikely to have a significant impact at the proposed development.

354. Calculations have been carried out to derive a suitable sound insulation performance specification for windows and balcony doors to achieve internal noise levels in accordance with BS8233:2014 and WHO guidance.

355. When windows are opened (e.g. for purge ventilation), higher internal noise levels will inevitably occur. Guidance on the impact of road traffic noise under difference ventilation conditions is provided by the Association of Noise Consultant's 'Acoustics, Ventilation and Overheating Residential Design' (AVO) guide which states that "…it is considered reasonable to allow higher levels of internal ambient noise from transport sources when higher rates of ventilation are required in relation to the overheating condition". The AVO guide advises that the level of impact in the overheating condition will depend on the absolute noise level as well as the frequency and duration for which the condition occurs.

356. Building Regulations Approved Document Part O (2021) states that windows are likely to be closed during sleeping hours if noise within bedrooms exceeds the following limits:

357. 40dB $L_{Aeq,T}$ averaged over 8 hours (between 11pm and 7am)

358. 55dB $L_{AFmax}$, more than 10 times a night (between 11pm and 7am)

359. When the bedroom windows are open, external noise is unlikely to be attenuated by more than 15dB. External noise maxima are up to 73dB $L_{AFmax}$, therefore internal noise levels will be at least 58dB $L_{AFmax}$ in some of the bedrooms overlooking Brook Avenue. This exceeds the threshold at which Approved Document O indicates that occupants are likely to keep their windows closed. It may therefore be necessary to provide alternative means of controlling overheating in these bedrooms that doesn't rely on windows being left open at night (subject to the findings of the overheating assessment), e.g. active cooling integrated into the mechanical ventilation systems.

360. Away from Brook Avenue, where noise levels are lower, it will be acceptable for the overheating strategy to rely on bedroom windows being left open at night without causing a significant adverse impact.

## Demolition and Construction Noise / Vibration

361. 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.

362. BS6472-1:2008 provides guidance on evaluating human exposure to vibration in buildings. The standard also provides a method for categorising the 'vibration dose value' (VDV) in terms of probability that adverse comment is low, possible, or probable. The VDV assessment criteria are presented in Table 16 below:

Table 16: Vibration Dose Value assessment criteria (source: Noise Impact Assessment)

| Place / Time | Low Probability of Adverse Comment $m/s^{1.75}$ | Adverse Comment Possible $m/s^{1.75}$ | Adverse Comment Probable $m/s^{1.75}$ |
|---|---|---|---|
| Residential Buildings 16h day | 0.2 to 0.4 | 0.4 to 0.8 | 0.8 to 1.6 |
| Residential Buildings 8h night | 0.1 to 0.2 | 0.2 to 0.4 | 0.4 to 0.8 |

363. The VDV for the 16h daytime (07:00 hours to 23:00 hours) and 8h night-time (23:00 hours to 07:00 hours) periods have been estimated by assuming that the measured vibration levels would occur throughout these periods. In practice, it is likely that vibration levels at night would be much lower as there are far fewer trains running during part of that period. This is therefore likely to overestimate the night-time VDV. A standard condition in relation to

364. 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

- 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:

  '*For traditional external areas that are used for amenity space, such as gardens and patios, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces but should not be prohibited*.'

- Blocks C and D both have balconies on the Brook Avenue elevation at which noise levels of up to 61dB L Aeq,16hr are expected in the daytime, i.e., higher than the BS8233 guideline level. The noise levels at these balconies are typical of many built-up areas and are unlikely to be considered excessive in an urban context. It is considered that any negative impacts due to noise levels in the external amenity areas would be outweighed by the benefits of having access to outside space.

## Plant Noise

365. Mechanical plant, primarily air-conditioning condenser units and air-source heat pumps equipment, is proposed to be sited on the roofs of Blocks A, B and C. The air-conditioning equipment serving the communal areas is assumed to run primarily in the daytime and evening hours when these areas are occupied. The air-source heat pumps serving the living spaces may need to be operational outside of daytime hours, therefore some night-time usage is assumed. There will also be smoke extract fans on the roofs and emergency generators located housed in acoustic enclosures on the podiums. As this equipment would only be operational in exceptional emergency circumstances and for short periods for occasional maintenance, they were not considered further.

366. There are also a number of mechanical plant rooms containing items such as buffer vessels, expansion vessels, pumps etc. These rooms may need acoustically rated louvres and have acoustic internal linings, and particular items of equipment supported on vibration-isolation mounts to prevent noise breakout to the outside and to nearby flats. These will need to be assessed on a case-by-case basis during the detailed design stage.

367. The majority of the nearby residential buildings are much lower in height, with no direct line-of-sight to the proposed roof-top plant areas and will therefore benefit from significant screening. This generally gives rise to plant noise levels of around 30dB(A) or lower, i.e., significantly lower than background noise levels.

368. In the worst-case scenario in which all of the rooftop equipment is operational simultaneously, plant noise levels of up to 42dB(A) are calculated at the top floors of the Matthews Close apartments (which are on higher ground and much taller than the surrounding buildings) which would exceed the proposed noise limits.

369. It is proposed to provide acoustic screening around these areas to enclose the equipment, e.g. acoustically rated louvres. These would need to have a height not less than that of the tallest item of equipment in each area (generally up to 1.6m). This would reduce the plant noise level at all receptors to be within the proposed limit such that it would have minimal impact on the nearby receptors.

370. Once a plant schedule has been chosen, a full BS4142 assessment will need to be undertaken prior to completion/occupation 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 will be required.

## Noise Conclusions

371. The submitted assessment demonstrates that internal noise levels of habitable rooms can be achieved

using a combination of acoustic glazing and mechanical ventilation. Some of the mechanical ventilation will be required to have active cooling integrated to the system. Provided these measures are put in place there should not be an unacceptable impact on the proposed residents.

372. In relation to potential impacts from plant, as advised above, plant noise levels should be reduced to acceptable levels with appropriate screening but these won't be determined until the plant has been finalised.

373. Noise consideration have been considered by Environmental Health, who have recommended conditions in relation to preventing the transmission of noise and vibration in to neighbouring premises, a scheme of sound insulation measures to be submitted for approval, and also in relation to all non-road machinery (NRMM).

374. 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

375. 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.

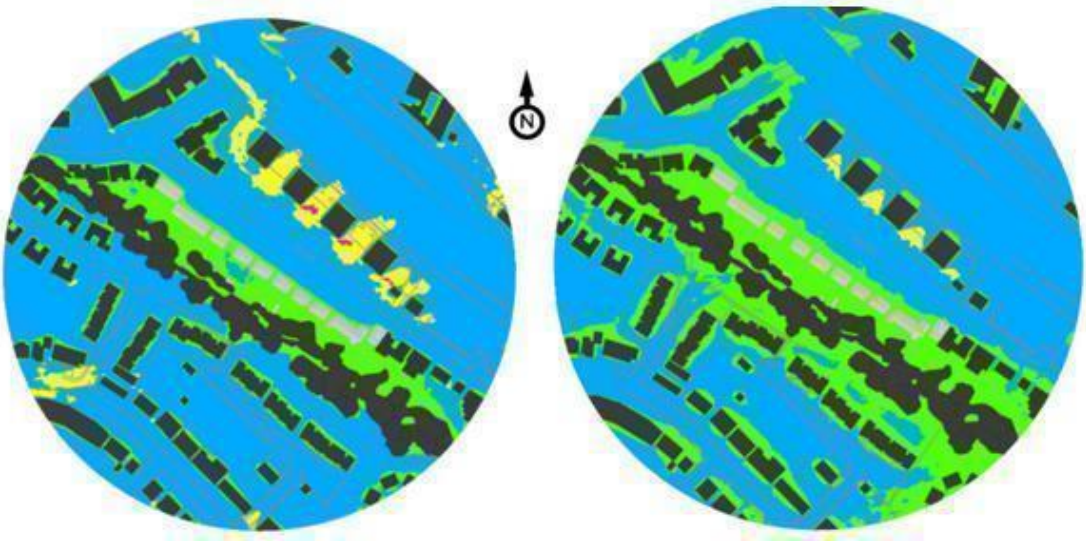
376. A Pedestrian Level Wind Microclimate Assessment has been prepared by J Group Limited and submitted in support of the application. Modelling was undertaken using computational fluid dynamics (CFD) and results presented against the industry standard guidance – the Lawson Comfort Criteria (see Figure 26 below), which sets out five pedestrian activities, and are reflective of the fact that less active pursuits require calmer wind conditions. The meteorological data for the site indicates prevailing winds from the south-west quadrant throughout the year with secondary winds from the north-west direction which are more prevalent during the spring months.

Figure 26: The Lawson Comfort Criteria (source: Pedestrian Level Wind Microclimate Assessment)

| 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 strolling along a city/town 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 |

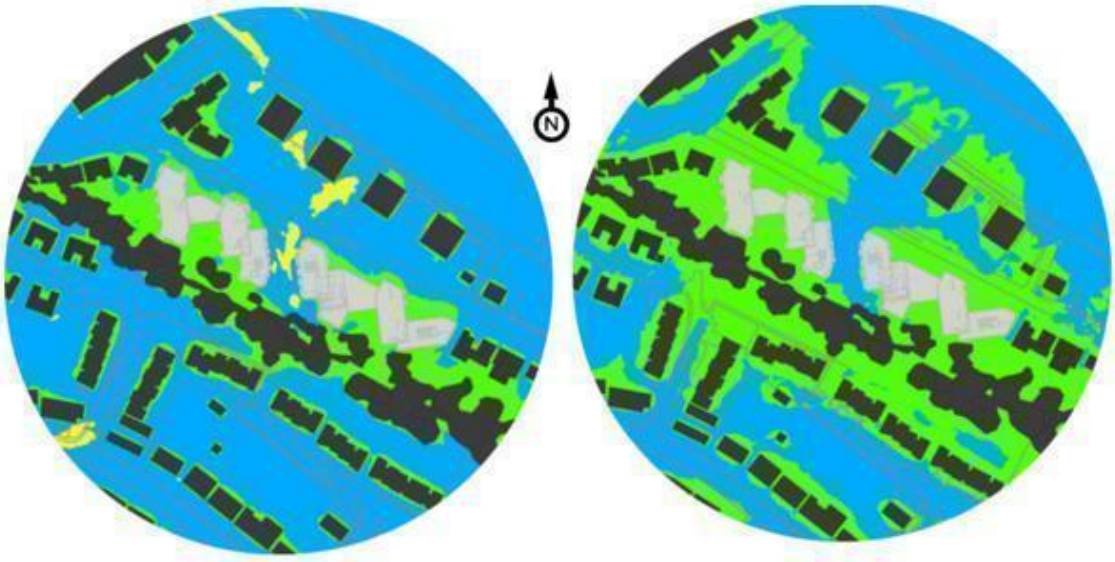
377. With the existing site, wind conditions during the windiest season indicate that at the rear of the site, the majority of the site is suitable for sitting, with some pockets suitable for standing. The immediate front of the existing dwellings is suitable for sitting, with the majority of the front gardens only suitable for standing (see Figure 27). During the summer season, the extent of the area at the rear and front of the existing dwellings suitable for sitting, increases (see Figure 27).

Figure 27: Existing scenario: Windiest season (L), Summer season (R) (source: Pedestrian Level Wind Microclimate Assessment)



With the proposed development in situ, conditions in the windiest season indicate a similar level of area at the rear suitable for sitting whilst the front of the blocks, particularly within the elbows of the blocks, an increase in area suitable for sitting. The public space between the two pairs of blocks, however, appear to be only suitable for standing, with pockets of areas only suitable for strolling (see Figure 28). During the summer season, the public space between the two pairs of blocks shows an improvement so that all of this is space is suitable for standing. It is also noticeable that at the front of the blocks, the area suitable for sitting extends cross the street (see Figure 28).

Figure 28: Proposed scenario: Windiest season (L), Summer season (R) (source: Pedestrian Level Wind Microclimate Assessment)



378. The majority of proposed balconies at the lower levels are suitable for sitting or standing during the windiest season while those at the upper levels would experience higher wind conditions (see Figure 29). During the summer season, a greater proportion of balconies are suitable for sitting or standing (see Figure 30).

Figure 29: Proposed balconies: Windiest season (source: Pedestrian Level Wind Microclimate Assessment)

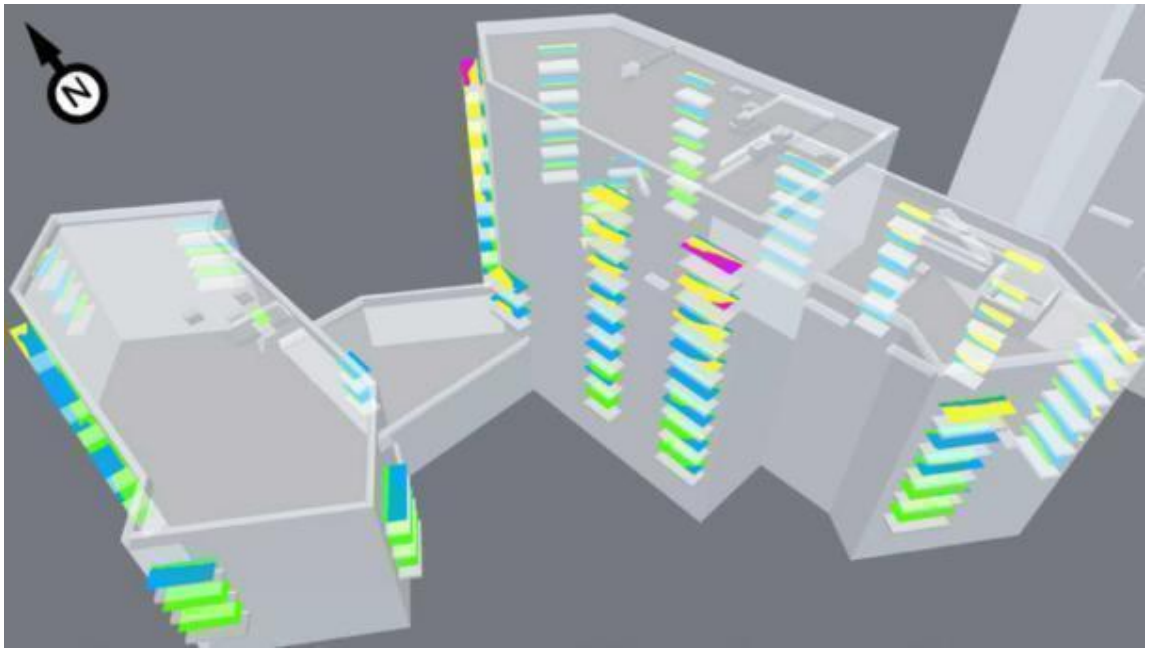


Figure 30: Proposed balconies: Summer season (source: Pedestrian Level Wind Microclimate Assessment)

379. To improve comfort levels for the upper level balconies of Block C, full-height side screens are recommended. It is considered that an appropriately worded condition could be imposed to ensure that any necessary mitigation measures are implemented.

## Flood Risk/Drainage/Water Consumption

### Flood Risk

Policy background

380. Paragraph 167 of the NPPF sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

381. within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

382. the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

383. it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

384. any residual risk can be safely managed; and

385. safe access and escape routes are included where appropriate, as part of an agreed emergency plan

386. The above position is reinforced within policy BSUI3 of Brent's Local Plan which highlights that proposals that require a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:

387. minimise the risk of flooding on site and not increase the risk of flooding elsewhere;

388. wherever possible, reduce flood risk overall;

a) ensure a dry means of escape;

b) achieve appropriate finished floor levels which should be at least 300 mm above the modelled 1 in 100 year plus climate change flood level; and

c) not create new basement dwellings in areas of high flood risk.

d) The policy goes onto say that proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

e) The majority of the site is within functional floodplain zone 3a and 3b (surface water and fluvial and tidal) and is at risk of flooding. The redevelopment of the existing dwellings provides the opportunity to reduce the real risk of flooding to property by bringing development closer to Brook Avenue away from the watercourse. Applications are required to undertake a detailed Flood Risk Assessment (FRA). Development must be consistent with the recommendations of the Brent Strategic Flood Risk Assessment Level 2.

Flood risk assessment

389. A Flood Risk Assessment (FRA) was submitted in support of the application and has been reviewed and amended post submission to address the concerns of the Environment Agency (EA) in relation to being able to demonstrate adequate flood storage compensation. Related to this were concerns over the provision of voids and how these would not allow water to flow freely through them. Although voids may be used as a form of mitigation, they are not considered flood plain compensation.

a) As the majority of the site lies within Flood Zone 3a, only certain types of development are acceptable, as set out within the Flood Risk Vulnerability Classification table set out within the NPPF. Residential uses are classed as 'More Vulnerable' whereby such uses would not be supported in Flood Zone 3a where the sequential and exception test has not been met. In this case, as noted above the site does form part of a site allocation within the Local Plan. As part of the evidence base to support the Local Plan, the site was included as part of the Brent Flood Risk Sequential and Exception Test documentation. The document set out that the Sequential Test had been passed as "It is necessary to identify the site to address longer term housing needs as there are insufficient alternative sites in fluvial zones 1 or 2". The document also set out that the site would pass the exception test concluding the following: " development can be made safe throughout its lifetime without increasing flood risk elsewhere and passes the exceptions test in principle. In the case of an application, a site specific flood risk assessment should demonstrate that the development meets the requirements of the SFRA Level 2".

b) Sources of potential flooding for the site include:

c) Fluvial and Tidal

d) Surface Water

e) Groundwater

390. Sewer Flooding

391. Artificial sources

392. The EAs Flood Risk Data shows that the majority of the site is situated in Flood Zone 3. There is however a small region on the northern side of the site that is situated in Flood Zone 2, and in the eastern corner of the site, there is a small area which is located in Flood Zone 1. As the majority of the site is within a functional floodplain, water must flow or be stored in times of flooding. Analysis shows that 13,811m3 of flood water must be allowed to flood the site in the proposed scenario to retain a neutral compensation volume and not cause an increase in flood waters elsewhere. It is therefore proposed to regrade ground levels to provide the required flood compensation and by doing this, there is a net gain in storage capacity for the site, increasing to 13,823m3.

393. There would be no cutting away of the embankment within the first 1.2m of the watercourse, as has been agreed with the EA because the embankment is considered to form part of the natural flood defences, and was previously raised as a concern by the EA. The rise in levels from the watercourse to the existing fence line of the private properties along the Wealdstone Brook is therefore retained, with all regrading of levels occurring beyond this point. The regrading of the site would allow for water to freely drain from the site back into the Brook in flood events, ensuring the existing hydraulic connectivity of the site is maintained while safe access and egress to the development is provided.

394. There may be some localised levels changes that occur during detailed design to ensure all root protection areas for tree's are maintained, but these would be minor in nature and flood compensation volumes retained as per the submitted drawings.

- With regard to finished floor levels, these will be 300mm above the modelled 1 in 100-year plus a 20% allowance for climate change. Blocks A and B, the entirety of the ground floor has been lifted above the flood plain and the design flood level, with the lowest floor level set at 32.900mAOD. Residential areas have been raised even further to 34.550mAOD. As a result, flood water would not be able to enter the building under the 1 in 100year + 20% climate change event. Block C and D are more constrained given the need to tie into Brook Avenue at a lower existing level. With the exception of the cycle storage and refuse areas, the entirety of the ground floor is set to a minimum level of 32.900mAOD, 300mm above the design flood level. The cycle storage and refuse areas are set at 32.650mAOD. Whilst this doesn't have any freeboard allowance, they still sit above the design flood level, and moreover, are less vulnerable uses.

Surface water flood risk

- The risk of surface water flooding for the majority of the site is categorised as being 'Medium', that is, in each year, there is 1% to 3.3% chance of flooding. As predicted rainfall location and volume are more difficult to forecast, exceedance routes and overland flow paths will be considered more fully as the sitewide masterplan is developed. The SFRA Level 2 identifies a number of mitigation / FRA requirements to ensure that development can be made safe throughout its lifetime across the site without increasing flood risk elsewhere. This includes; developments within the 1 in 1000 year surface water extent require finished floor levels of at least 0.3m above the predicted flood level at that point, floor levels should be set to flood zone 3a+ climate change extent flood levels if predicted fluvial depths are higher, flood plain compensation being provided for events up to a 1 in 100 year event, and site development introducing SUDS to manage surface water runoff.

Groundwater flood risk

- In relation to groundwater flooding, the site falls within an area that is classified as having <25% susceptibility to groundwater flooding and therefore considered at low risk. Groundwater flood risk will be reviewed further once intrusive site investigations can be carried out because due to the dwellings being currently occupied, only a review of available desk study data was possible.

Sewer flood risk

- As part of the Strategic Flood Risk Assessment (SRFA), Thames Water provided data to show historical incidents of sewer flooding relating to the surface, foul and combined water systems, and this showed no historical sewer flooding within close proximity of the site. The area is served by separate surface water and foul sewer networks and also falls within a post code district where there are no reported flood incidents from sewer flooding. The risk from sewer flooding is considered low. Additionally, any reduction in surface water discharge rates achieved through the proposed drainage strategy and carrying out a capacity check with Thames Water is also considered to help mitigate the risk of sewer flooding.

Artificial sources

- The Brent Reservoir (Welsh Harp) is approximately 1.8kkm to the east and has an estimated volume of 1,600,000m3. The Level 2 SFRA suggests that flood depths may reach over 2m in depth in result of reservoir failure for most of the site, some locations are predicted to flood between 0.3 and 2m depth. Flood waters may also reach speeds between 0.5-2 m/s in the event of reservoir failure.

395. Reservoirs across England are regulated by the Reservoirs Act 1975 which set stringent conditions for the operation of reservoirs to ensure high levels of safety. They are designed to operate in a way which ensures the likelihood of failure is incredibly low and therefore the risk of the site flooding from a reservoir is still considered to be extremely low.

396. Notwithstanding, prior to occupation of any part of the development, the applicant would need to engage with the Council's Emergency Planning Officers, and this would be secured by condition.

Summary

397. Overall, the site has a range of risks for consideration from low to high depending on the source and the level of risk is summarised in the Table below:

Table 17: Flood risk summary (source: Flood Risk Assessment)

| Flood Type | Risk | | |
|---|---|---|---|
| | Low | Medium | High |
| Fluvial & Tidal | - | - | ✓ |
| Pluvial | - | - | ✓ |
| Groundwater | ✓ | - | - |
| Sewer | ✓ | - | - |
| Artificial | ✓ | - | - |

## Flood Warnings / Flood Risk Evacuation Plan

398. Given the location of the site and the high probability of flooding, a Flood Warning and Evacuation Plan (FWEP) has been submitted. The purpose of the FWEP, which should be reviewed on an annual basis, is to:

399. Raise awareness of the risk of flooding at the application site and the mitigation measures put into place to manage those risks;

400. Define the people with responsibilities for activating the FWEP;

401. Detail the procedures required to implement the FWEP including flood warnings; and

402. Detail what actions are required by site occupants before, during and after a flood.

403. A Flood Evacuation Manager for the development would need to be appointed but it is not expected that this role is carried out by an individual but is incorporated into the wider site management role. The main role of the Flood Evacuation manager is to review and update the FWEP, monitor the EAs Early Flood Warning System, ensure the site users are aware of the flood, and to execute the FWEP in times of flooding.

404. In addition, the development will need to be registered with the EAs Early Flood Warning Systems and Floodline Warnings Direct services. It is the responsibility of the Flood Evacuation Manager to act upon the receipt of the EA Flood Warnings and in the event of flooding to implement the FWEP ensuring that all people on site are made aware of the emergency and to coordinate the evacuation procedure.

405. The flood evacuation manager would be responsible for monitoring the evacuation process prior to the involvement of staff from the emergency services, the EA or the Council. The flood evacuation manager would need to ascertain that people who refuse to evacuate will reach the safe refuge area before the site begins to be inundated by flood water. The flood kit should be prepared and kept in an identified location within the building that will be accessible before seeking safe refuge or evacuating.

406. Blocks A and B where safe access and egress is available at all times, a route through the building to an external area outside of the twin substation is provided. For Blocks C and D, it is not physically possible to provide a safe access and egress route to a zone designated as flood zone 1, as Brook Avenue itself is classified as Flood Zone 2 in this area. As such, a dry frontage external to the building entrances has been provided at 32.9mAOD, which is above the 1 in 100year plus 20% climate change level, plus 300mm freeboard. This is to allow an external refuge point should it be required. Residents and users of the workspace can also remain in place during a flood event, as they are also set to the 32.9mAOD level.

Flood risk summary

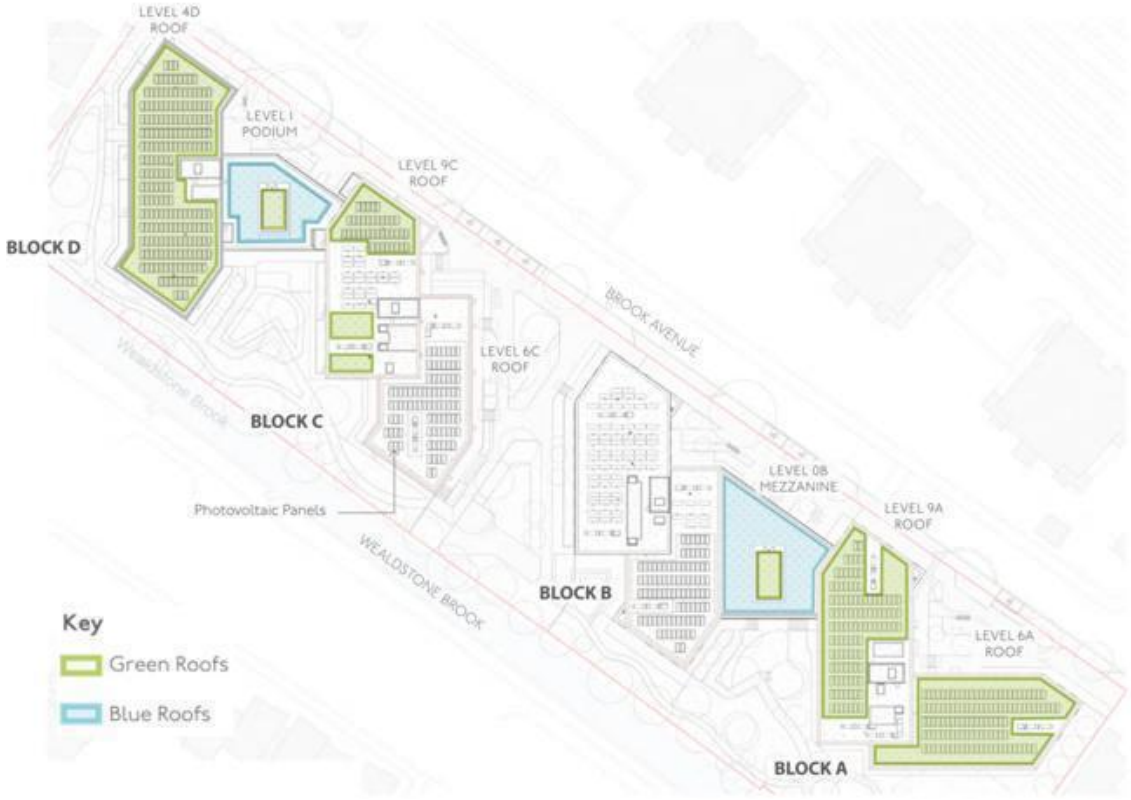
407. Having regard to all of the above, it is considered that the proposed development is unlikely to increase the risk of flooding and provides sufficient measures to ensure the safety of future residents.

## Drainage/SuDS

- LP 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.

- To achieve the greenfield runoff rate of 4.61 litres per second (l/s), the maximum attenuation required for this site is 670m3 based on the quick storage calculation and current impermeable areas. The scheme includes the introduction of 1,085sqm of permeable paving across the site to provide 260m3 of attenuation. At podium level, two separate blue roofs are proposed with crate depths of 150mm. One is located between Blocks C and D with a surface area of 190sqm providing 27m3 of attenuation and the second blue roof located between Blocks A and B with a surface area 250sqm providing 35.5m3 of attenuation. Where possible, the blue roof would include an integrated green roof to provide water treatment of surface water. The blue roof systems would need to include parapet outlets as a precautionary measure. These outlets would act as an overflow in the unlikely event of a blockage to ensure a category 1 storm event can always be discharged from the roof when the tank is full. A cascading system would be introduced to drain as much of the roof area of each block through the blue roof.

  Figure 31: Location of Green and Blue roofs (source: DAS)




- To make up the remaining attenuation required, it is proposed to use a mix of buried geo-cellular attenuation tanks and detention basins. Detention basins, which are higher on the SuDS hierarchy, are also included. Buried geo-cellular tanks should only be used as the last resort to make up the differential storage once the other three SuDS measures have been maximised, to ensure amenity and biodiversity benefits are maximised.

- The Drainage Strategy advises that rainwater harvesting through the use of rainwater butts would be explored and a condition would be imposed to ensure that this is properly investigated and implemented.

408. The proposed measures, including the introduction of water butts, should therefore provide sufficient attenuation to manage storm water for all storm events up to and including the 1 in100 year storm event + 40% climate change. The recommended measures will be secured by condition.

## Water Consumption

409. 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).

410. The Sustainability Statement confirms that water fittings would be specified with the following or similar flow rates to help meet the target water consumption:

411. Wash basin taps – 6.5 l/min

412. Showers – 7.5 l/min

413. Bath – 120l to overflow

414. Dishwasher - 1.2 l/place setting

415. Washing machine - 9 l/kg load

416. WC – 6/4 litre dual flush

417. Kitchen taps – 6.5 l/min

418. A condition is recommended to ensure that the development achieves or exceeds the water consumption targets.

### Summary

419. From the FRA we can establish that there are no sequentially better sites for the development proposal than the current site. In addition, subject to conditions such as securing the Flood Warning & Evacuation Plan, finished floor levels, engagement with Emergency Planning Officers, along with other measures, the proposal should provide sufficient safeguards to ensure the safety of occupiers.

- The proposed drainage strategy, again subject to conditions, is considered acceptable and should sufficiently attenuate water and reduce the risk of flooding.

## Ecology and Biodiversity

- 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. Policy BGI1 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.

- Wealdstone Brook runs along the south-east boundary of the site and it is recognised for its contribution to the ecological network through its designated as a site of importance for nature conservation (SINC Grade II) and also as a wildlife corridor.

### Protected Habitats and Species

- 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 has been assessed by the Ecology Officer.

- Table 7 of the PEA provides an evaluation of the site surveys. With particular regard to roosting bats, each building has been assessed for their potential to have bat roosts. Some of the existing dwellings, due to containing suitable features would require additional surveys. The majority of the trees surveyed had negligible roosting potential. Potential roost features identified on 5no. trees included splits in limbs, knot holes, pruning wounds, peeling bark, as well as the possibility of hidden features behind dense ivy coverage.

- In relation to amphibians, reptiles, badgers, and hazel dormice, there is a lack of suitable habitat.

- Being adjacent to Wealdstone Brook, the potential for otters and water voles has been assessed. The Brook is considered to be not large enough to support a viable otter population, although a precautionary is proposed during construction. In relation to water voles, the Brook is an unsuitable habitat because its banks are supported by bricks and there is a lack of suitable vegetation and terrestrial habitats.

420. Nesting birds may be present, due to the suitable nesting, foraging and commuting opportunities present, therefore the removal of vegetation should be undertaken outside the period 1st March to 31st August, otherwise under supervision of a qualified ecologist. All active nests would need to be retained until the young have fledged.

421. 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 the recommendation for 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

422. 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. As the application was submitted prior to the mandatory 10% net gain in biodiversity coming into force from February 2024, policy BGI1 requires a net gain in biodiversity.

423. A Biodiversity Impact Calculation Report, prepared by Arbtech, 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).

424. The Biodiversity Impact Calculation Report notes that the existing site has 11.29 habitat units and post development this would increase to 12.78 habitat units (resulting in an uplift of 1.49 habitat units or a 13.15% net gain in biodiversity). proposed plans would result in the loss of Urban trees and vegetated gardens. However, the loss is compensated by the creation of Urban: Biodiverse green roof, Urban: Vegetated garden, Urban: Rain garden, Grassland: Modified grassland, Grassland: Other neutral grassland, and 42 new urban trees.

425. The proposed development is considered to comply with Policy G6 of the London Plan and Local Plan Policy BGI1. Conditions would be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, and therefore a net gain BNG is achieved.

## Urban Greening

426. 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.

427. 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 BGI1 (Green and Blue Infrastructure in Brent) seeks to apply the Urban Greening Factor in London Plan Policy G5 to developments in the borough.

428. The Mayor recommends a target UGF of 0.4 for developments that are predominately residential. 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.

429. 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 BGI1 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

430. 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 BGI2 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable. It is noted that there would be canopy loss (1,082.6sqm) as a result of the proposed development, however it is considered that the proposed development would deliver a suitable amount of re-provision for lost canopy through the delivery of new and replacement trees (1,1074sqm).

431. An Arboricultural Method Statement (AMS) has been provided in support of the application, together with Tree Protection Plans. In addition, Section 6 of the Design and Access Statement (DAS) describes the landscape strategy.

432. A number of trees are proposed to be removed to accommodate the development and these comprise

7no. category U trees, which would need to be removed in any event for health and safety reasons; 2no. category B trees (T18 an Oak which is proposed to be removed due to future conflict and T21 an Ash tree currently growing adjacent to the highway in front of Block C); 36no. category C trees (including Ash, Sycamore, Cherry and other smaller species) and 5no. category C groups of trees (see Figure 32).

433. Of the trees proposed to be retained (see Figure 32), a number would be affected by works within their root protection areas (RPA's) including 1no. category A tree, 7no. category B trees and 13no. category C trees. Of these the most significant works are:

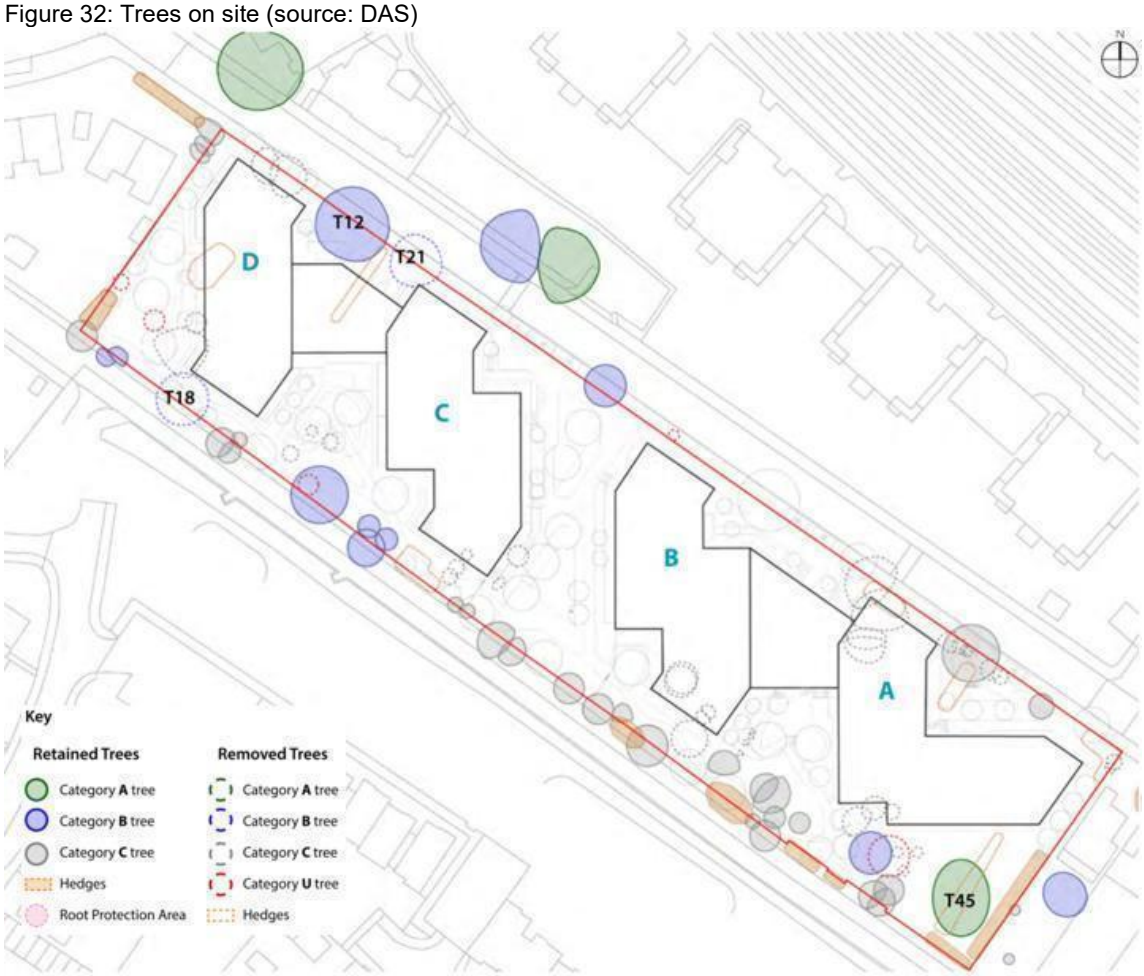
434. T45 Oak where slight encroachment into RPA by the building, however this is only slight and works can be undertaken to minimise any impact and this should be detailed in the Arboricultural Method Statement and Tree Protection Plan, however these appear not to have been submitted to support the application to date.

435. T12 Lime and T30 Sycamore: there are some quite extensive works to be undertaken within the RPA of both of these trees with regards to hard surfacing. The works to T45, T12 and T30 should be undertaken with supervision by the Arboricultural Consultant together with works more generally affecting the other trees.

436. The Tree Officer has reviewed the proposals and subject to conditions to secure suitable tree protection measures and arboricultural site supervision, is satisfied with the proposals. Full details of the landscaping proposals would be sought by condition.

437. The landscaping strategy at the rear of the site is strongly influenced by the proximity of Wealdstone Brook and the need to ensure that sufficient flood storage is retained.

Figure 32: Trees on site (source: DAS)




## Wealdstone Brook

438. A River Condition Assessment (RCA) by Arbtech was submitted in support of the scheme, to ascertain the pre-development condition score of the watercourse and estimate the post-development condition

score using proposed site plans to inform a Biodiversity Net Gain (BNG) metric for the site, using Modular River Physical (MoRPh) surveys alongside a desk-based assessment. The site survey was conducted on 19th June 2024, by Modular River Survey Team RCA accredited ecological surveyor, in accordance with the guidance (The MoRPh Survey Technical Reference Manual, 2022). The weather conditions were suitable, and the water level was not abnormally high.

439. The RCA confirms that the proposals would result in no overall change to the rivers calculated condition. A number of potential enhancements were investigated as part of the RCA, which included the removal of the reinforced bank adjacent to the site, as well as waterbody provisions within 10m of the watercourse and extensive tree and scrub planting along its banks. Even with these measures proposed, this would still not be enough to increase the condition category from fairly poor condition.

440. There would be no change in river condition as a result of the proposed development and as such, the river should be entered as 'retained' in poor condition within the BNG assessment (subject to any changes in riparian or watercourse encroachment).

## Fire Safety

441. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12(B) 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.

442. In addition to the above, Policy D5 of the London Plan at Part B5 requires the developments to be designed to incorporate safe and dignified emergency evacuation for all users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

443. A Fire Statement prepared by BB7 Consulting Ltd was submitted in support of the application. This Fire Statement addresses Policy D12(B) of the London Plan insofar as it demonstrates how the proposed development would responds to parts A and B of D12, an defines the fire safety objectives and performance of the proposed development. The Fire Statement has been reviewed and considered acceptable by the Health and Safety Executive, who have raised no objection to the proposed development.

## Designing Out Crime

### Crime prevention and counter terrorism

- 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 of the Local Plan seeks to ensure that developments are safe, secure and reduces the potential for crime.

- The concerns raised by the Secure Design Officer have been reviewed and noted. The proposal would intensify the residential nature of the area and would create a more active frontage to the street and better natural surveillance of all areas.

444. The nature of the uses and the proposed Wi-Fi Hub is different to a McDonald's restaurant. The internal spaces are predominately for the residents of the scheme and while there is an element of public access (internal and external), Wi-Fi passwords for residents and customers of the café/workspace should ensure that the development does not generate antisocial behaviour around Wi-Fi access.

445. The landscaping proposed has been through extensive discussion with officers and given the site context and the requirements for BNG and UGF, is considered acceptable. An appropriate lighting scheme would be secured by condition because although the applicant understands that one will be required, this element has not yet been finalised.

446. While the comments made in relation to the cycle store are noted, the proposed design, with a metal mesh façade, canopy over the entrances, and obscured glazing is considered an acceptable design

response to ensure that there are no blank frontages and there is an element of activity seen within the stores. Blank facades would be detrimental to the overall appearance of the development.

447. Access to the brook by the general public is considered to be an important objective of the development in order for it to satisfy Policy BGI1 of the Local Plan. Access will be limited to a defined area of the brook frontage as the communal amenity spaces at the rear of the proposed Blocks will be restricted.

448. A condition is recommended to secure design accreditation to silver award standard as requested.

## Television and Radio Impact Assessment

449. London Plan Policy D9 (Tall buildings) confirms that buildings should not, amongst other things, interfere with telecommunication, while Policy SI6 (Digital connectivity infrastructure) advises that developments should take appropriate measures to avoid reducing digital connectivity. These are reflected in Local Plan Policy BD2 (Tall Buildings).

450. A Television and Radio Signal Survey and Reception Impact Assessment has been prepared in support of the application to assess whether the proposed development would lead to any unwanted television and radio interference and to provide the baseline reception data to assist with any further studies, if required. The Assessment has looked at the impacts to the reception of VHF (FM) radio, digital terrestrial television (DTT) i.e. 'Freeview', and digital satellite television services such as Freesat and Sky.

### DTT Services

451. In relation to DTT, there is currently good service coverage from the Crystal Palace transmitter throughout the study area. Widespread interference is not expected to occur due to the existing good coverage in the study area. However, the proposed development and the use of tower cranes is likely to cause signal disruption for properties adjacent to the site, located to the immediate north and northwest, where signal levels from the Crystal Palace transmitter, located to the south-east of the site, could be reduced by the proposed structures.

### Digital Satellite TV

452. With respect to digital satellite tv, a high number of satellite dishes were noted to be installed on properties around the Site. Additional dishes may be mounted on rooftops or at the rear of buildings, not visible from street level or public roads. No existing interference has been identified for any satellite television platform. A number of satellite dishes were noted on Pargraves Court and other residential properties on Brook Avenue

453. Tall structures, tower cranes and buildings can disrupt digital satellite television reception by causing unwanted obstructions on the line-of-sight to the signal receiving dish from the serving satellite. Adverse weather can also influence reception. In the United Kingdom, Freesat and Sky services come from the 28.2 degrees east ASTRA satellite cluster.

### VHM (FM) Radio

454. VHF (FM) radio services are broadcast from similar structures as terrestrial television services. Many things can cause radio interference, however simple remedies exist that can quickly reduce the effects. Most reception problems on FM radio are caused either by a weak signal or by some kind of interference.

455. Buildings rarely cause radio interference but there is little that can be done during the design stage to reduce any adverse effects. Due to the lower frequencies in use for radio transmission (with respect to television services) and the methods by which the radio signals are encoded, it is very unlikely that a new structure in an already cluttered urban environment will disrupt the reception of radio services. The proposed development is therefore not expected to affect VHF(FM) radio reception.

### Summary

456. The proposed development and the use of tower cranes is likely to cause reception issues for the

reception of digital satellite television services in areas to the immediate northwest of the site, up to 57m from Block A, 92m from Block B, 61m from Block C and 29m from Block D. The use of tower cranes could also cause signal disruption in similar areas. Should satellite dishes be located in these area (especially Pargraves Court and existing residential properties on Brook Avenue), repositioning satellite dishes to new locations where views of the south-eastern skies are no longer obscured should restore the reception of services for any affected user. If satellite dishes cannot be relocated out of any signal shadow zone, the use of DTT receiving equipment or TV via cable / fibre could also offer viewers alternative sources of broadcasts.

457. The Assessment recommends some mitigation measures for affected residents, but it also recommends that to reduce crane interference, crane jibs / arms are positioned in a north-westerly to south-easterly facing orientation at the end of crane lifting operations, hence reducing the overall cross-sectional area presented to the incoming satellite signals. This action reduces disruption because the signals come in at a bearing of 145-degrees with respect to true north (for Freesat and Sky digital satellite television services), and so encounter less of the crane's structure if parallel to the direction of the incoming satellite signals.

458. To minimise crane interference during construction, it is therefore recommended to include measures within the Construction Environmental Management Plan.

# Equalities

459. 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).

## S106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

(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. Secure provision of 100no. affordable housing units, comprised of:

   - 70no. (70%) Social Rented units;
   - 30no. (30%) Shared Ownership units;
   - 100% nomination rights for the Council; and
   - Early and late-stage review mechanisms;

4. Secure provision of 488no. large-scale purpose-built shared living (co-living) units

   - Secure the agreed Operational Management Plan prior to first occupation

5. Employment and Training to secure the local people employment requirement;

6. Financial contribution of £100,000 towards the implementation of a Controlled Parking Zone in

the vicinity of the site for non-event days;

7. Financial contribution (TfL) of £130,000 towards bus service enhancements in the vicinity of the site;

8. Financial contribution of £100,000 towards Healthy Streets improvements in the vicinity of the site;

9. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any CPZ that is introduced in the future;

10. The approval and implementation of a modified Travel Plan incorporating:

    - Contact details for an Interim Travel Plan Co-ordinator if a full-time Co-ordinator has not yet been appointed;

    - Greater support for Car Club membership; and

    - The creation of, and funding for, a bicycle user group;

11. To enter into a Section 38/278 Agreement for:

    - Widening of highway along site frontage to provide disabled parking bays and 3m wide loading bays;

    - Construction of 2m (minimum) wide footway to the rear of parking and loading bays; and

    - New soft landscaping and all associated ancillary works to lighting, drainage, lining, signing, statutory undertakers' equipment and any other accommodation works;

12. Carbon off-set payment to achieve net-zero;

13. Indexation of contributions in line with inflation

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

(ii) That the Head of Planning, or other duly authorised person, is delegated authority to negotiate the legal agreement indicated above or to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Local Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement within 6 months of the resolution to grant permission.

# DRAFT DECISION NOTICE

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

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Application No: 23/3440

To: Mr Plotnek
MJP Planning Limited
Market Peckham
133a Rye Lane
London
SE15 4BQ

I refer to your application dated **30/10/2023** proposing the following:

Demolition of all buildings and structures and comprehensive redevelopment of the site to provide two linked blocks of between 6 and 15 storeys (including mezzanine storey) comprising large scale purpose built shared living (LGPBSL) units (sui generis) and two linked blocks of between 4 and 9 storeys comprising residential units (Use class C3), ground floor commercial/community use units (Use class E/F), ancillary facilities and shared internal and external amenity space, associated highway works, blue badge parking, cycle parking, refuse stores, landscaping and access arrangements.

and accompanied by plans or documents listed here:
see condition 2

at **1-22 Brook Avenue, Wembley, HA9 8PH**

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: 08/10/2024

Signature:

**David Glover**
Head of Planning and Development Services

**Notes**

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

DnStdG

**SCHEDULE "B"**

Application No: 23/3440

SUMMARY OF REASONS FOR APPROVAL

1 The developmetn is in general accordance with:
The London Plan
Brent Local Plan

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.

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

| **Existing Drawings** | **Rev.** | **Name** |
|---|---|---|
| BAW-PRP-ZZ-ZZ-DR-A-00001 | P01 | Site Location Plan |
| BAW-PRP-ZZ-00-DR-A-10002 | P02 | Existing Site Ground Floor Plan |
| BAW-PRP-ZZ-ZZ-DR-A-10020 | P02 | Existing Site Elevation |
| BAW-PRP-ZZ-ZZ-DR-A-10030 | P02 | Existing Site Sections |

| **Proposed Drawings** | **Rev.** | **Name** |
|---|---|---|
| BAW-PRP-ZZ-B1-DR-A-20099 | P03 | Site Lower Ground Floor GA |
| BAW-PRP-ZZ-00-DR-A-20100 | P03 | Site Ground Floor GA |
| BAW-PRP-ZZ-01-DR-A-20101 | P03 | Site Level 01 GA |
| BAW-PRP-ZZ-01-DR-A-20102 | P03 | Site Level 02 GA |
| BAW-PRP-ZZ-01-DR-A-20103 | P03 | Site Level 03 GA |
| BAW-PRP-ZZ-01-DR-A-20104 | P03 | Site Level 04 GA |
| BAW-PRP-ZZ-01-DR-A-20105 | P03 | Site Level 05 GA |
| BAW-PRP-ZZ-01-DR-A-20106 | P03 | Site Level 06 GA |
| BAW-PRP-ZZ-01-DR-A-20107 | P03 | Site Level 07 GA |
| BAW-PRP-ZZ-01-DR-A-20108 | P03 | Site Level 08 GA |
| BAW-PRP-ZZ-01-DR-A-20109 | P03 | Site Level 09 GA |
| BAW-PRP-ZZ-01-DR-A-20110 | P03 | Site Level 10 GA |
| BAW-PRP-ZZ-01-DR-A-20111 | P03 | Site Level 11 GA |
| BAW-PRP-ZZ-01-DR-A-20112 | P03 | Site Level 12 GA |
| BAW-PRP-ZZ-01-DR-A-20113 | P03 | Site Level 13 GA |
| BAW-PRP-ZZ-01-DR-A-20114 | P03 | Site Level 14 Roof GA |
| BAW-PRP-ZZ-01-DR-A-20115 | P03 | Site Ground Floor Mezzanine GA |
| | | |
| BAW-PRP-AB-B1-DR-A-20119 | P03 | Block A and B Lower Ground GA |
| BAW-PRP-AB-B1-DR-A-20120 | P03 | Block A and B Ground GA |
| BAW-PRP-AB-B1-DR-A-20121 | P03 | Block A and B Level 01 GA |
| BAW-PRP-AB-B1-DR-A-20122 | P03 | Block A and B Level 02 GA |
| BAW-PRP-AB-B1-DR-A-20123 | P03 | Block A and B Level03 GA |
| BAW-PRP-AB-B1-DR-A-20124 | P03 | Block A and B Level 04 GA |
| BAW-PRP-AB-B1-DR-A-20125 | P03 | Block A and B Level 05 GA |

| | | |
|---|---|---|
| BAW-PRP-AB-B1-DR-A-20126 | P03 | Block A and B Level 06 GA |
| BAW-PRP-AB-B1-DR-A-20127 | P03 | Block A and B Level 07 GA |
| BAW-PRP-AB-B1-DR-A-20128 | P03 | Block A and B Level 08 GA |
| BAW-PRP-AB-B1-DR-A-20129 | P03 | Block A and B Level 09 GA |
| BAW-PRP-AB-B1-DR-A-20130 | P03 | Block A and B Level 10 GA |
| BAW-PRP-AB-B1-DR-A-20131 | P03 | Block A and B Level 11 GA |
| BAW-PRP-AB-B1-DR-A-20132 | P03 | Block A and B Level 12 GA |
| BAW-PRP-AB-B1-DR-A-20133 | P03 | Block A and B Level 13 GA |
| BAW-PRP-AB-B1-DR-A-20134 | P03 | Block A and B Level 14 Roof GA |
| BAW-PRP-AB-B1-DR-A-20135 | P03 | Block A and B Ground Floor Mezzanine GA |
| | | |
| BAW-PRP-AB-B1-DR-A-20140 | P03 | Block C and D Lower Ground GA |
| BAW-PRP-AB-B1-DR-A-20141 | P03 | Block C and D Ground GA |
| BAW-PRP-AB-B1-DR-A-20142 | P03 | Block C and D Level 01 GA |
| BAW-PRP-AB-B1-DR-A-20143 | P03 | Block C and D Level 02 GA |
| BAW-PRP-AB-B1-DR-A-20144 | P03 | Block C and D Level03 GA |
| BAW-PRP-AB-B1-DR-A-20145 | P03 | Block C and D Level 04 GA |
| BAW-PRP-AB-B1-DR-A-20146 | P03 | Block C and D Level 05 GA |
| BAW-PRP-AB-B1-DR-A-20147 | P03 | Block C and D Level 06 GA |
| BAW-PRP-AB-B1-DR-A-20148 | P03 | Block C and D Level 07 GA |
| BAW-PRP-AB-B1-DR-A-20149 | P03 | Block C and D Level 08 GA |
| | P03 | Block C and D Level 09 Roof GA |
| | | |
| BAW-PRP-AB-B1-DR-A-20200 | | Site Elevations |
| | | |
| BAW-PRP-AB-B1-DR-A-20250 | P03 | Elevations Block A 1 of 2 |
| BAW-PRP-AB-B1-DR-A-20251 | P03 | Elevations Block A 2 of 2 |
| BAW-PRP-AB-B1-DR-A-20255 | P03 | Elevations Block B1 of 2 |
| BAW-PRP-AB-B1-DR-A-20256 | P03 | Elevations Block B 2 of 2 |
| BAW-PRP-AB-B1-DR-A-20260 | P03 | Elevations Block C 1 of 2 |
| BAW-PRP-AB-B1-DR-A-20261 | P03 | Elevations Block C 2 of 2 |
| BAW-PRP-AB-B1-DR-A-20265 | P03 | Elevations Block D 1 of 2 |
| BAW-PRP-AB-B1-DR-A-20266 | P03 | Elevations Block D 2 of 2 |
| | | |
| BAW-PRP-AB-B1-DR-A-20300 | P01 | Block A and B Sections |
| BAW-PRP-AB-B1-DR-A-20301 | P01 | Block Cand D Sections |
| BAW-PRP-AB-B1-DR-A-20302 | P01 | All Blocks Podium Sections |
| BAW-PRP-ZZ-XX-RP-A-00001 | P01 | Design & Access Statement |
| BAW-PRP-ZZ-ZZ-SA-A-00002 | P03 | Proposed Schedule of Accommodation |

Reason: For the avoidance of doubt and in the interests of proper planning.
2

3 The development shall provide a minimum of 100no. affordable dwellings (Use Class C3), as shown on the consented plans, including the following mix:
(i) 70% at Low-cost rent levels
(ii) 30% at Intermediate rent levels

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

4 The development shall provide 517 co-living units (Use Class suis generis), as shown on the consented plans.

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

5 The development shall provide 198sqm of commercial/community floorspace as indicated on the approved plans.

Reason: To provide an active frontage in order to attract people to the site

6 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.

7 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's 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.

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 Unless required by any condition attached to this permission, the Delivery & Servicing Plan October (2022), prepared by Yes Engineering Group Limited 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.

10 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 nosier 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. Pilling: 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
o. Measures to minimise crane interference to satellite tv reception during construction

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.

11 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

12 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

13 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.

14 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.

15 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.

16 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.

17 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.

18 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.

19 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.

20 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.

21 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.

22 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.

23 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'.

24 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.

25 Prior to the commencement of development (excluding demolition, site clearance and below ground works), details of the proposed green / blue roof(s) 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.

26 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 prepared by J Group Limited , 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.

27 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.

28 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, to enable design accreditation to silver award 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 and maintained for the life of the development.

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

29 Not less than 9.5% of the residential (C3) units and 10% of the co-living 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.

30 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.

31 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.

32 Prior to the commencement of development (excluding demolition, site clearance and below ground works), a lighting scheme shall be submitted to the Local Planning for approval 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.

33 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.

34 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.

35 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 an assessment of night-time conditions such as personal security, lighting, and natural surveillance.

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

36 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, 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.

37 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 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 SI5 of the London Plan.

38 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

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

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

40 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

41 A scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation of the separating floor between the commercial use and the flats on the first floor shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

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

42 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

43 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.

44 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, BGI1 and BGI2.

45 The development shall be carried out in accordance with the submitted flood risk assessment, dated [16 October 2023] referenced: P451180-WW-XX-XX-RP-C-0001) and the following mitigation measures it details:

- • Finished Floor Levels set at 300mm above the 1 in 100year plus 20% climate change allowance as detailed in Section 5.1.2 of the FRA; and
- • Flood Plain Compensation provided as detailed in section 5.1.3 of the FRA.

These mitigation measures shall by fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

46 The flank windows of Blocks A and D, directly facing the flank walls of the adjoinng developments at No.23 Brook Avenue and 1&2 Richmond Court shall be obscure glazed and where openable, fixed shut up to a minimumheight of 1.75m above finished floor level.

The windows shall be maintained as such for teh lifetime of the development.

Reason: To protect the amenity of adjoining occupiers due to these window being within 9m of the boundary of the adjoining properties The rooms that will contain obscure glazing are served by other windows that will provide the necessary daylight and sunlight for occupiers.

47 Prior to the commencement of development, detailed plans showing the existing and proposed ground levels (spot heights) shall be sumbitted to the Local Planning Authority for approval in writing.

The development shall be undertaken in accordance with the approved plans.

Reason: to illustrate overland flow and support the information supplied for the exceedance flow routes in relation to flood risks.

48 The development shall be implemented in strict accordance with the Tree Protection Plan and Arboricultural Method Statement (June 2024) or subsequent approved revisions.

Rason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

49 The Arboricultural Method Statement (June 2024) and Tree Protection Plan (June 2024) submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision scheme, detailed at (insert section) of the AMS report by a suitably qualified tree specialist. This will include details of how and when the submission of written evidence of compliance with the AMS from site supervision visits is

provided to the LPA.

Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with policies DMP1 and BGI 2.

INFORMATIVES

1 The aopplicant is reminded of the recommendations contained within the UXO Assessment provided by Safelane Glocal Limited

2 Delete this and enter unique informative here

3 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.

4 (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

5 (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.

6 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.

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

8 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.

9 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. 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.

10 The applicant is advised that if the development is carried out it will be necessary for the existing vehicle access points to be altered by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for such works should be made to the Council's Highways Team by applying online at: https://www.brent.gov.uk/parking-roads-and-travel/roads-and-streets/vehicle-crossings-and-dropped-kerb. Please note that the grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

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