

**Committee Report
Planning Committee on 2 November, 2010**

**Item No. 13
Case No. 10/2164**

RECEIVED: 31 August, 2010

WARD: Stonebridge

PLANNING AREA: Harlesden Consultative Forum

LOCATION: Land next to Central Middlesex Hospital, Acton Lane, London, NW10

PROPOSAL: Erection of 3 linked buildings for mixed-use development on land next to Central Middlesex Hospital, to provide 891m² of retail/food & drink (Use Class A1 or A3) and 17,842m² of care & treatment or secure hospital floorspace (Use Class C2/C2A – residential institutions or secure residential institutions), with formation of refuse storage, loading bay, cycle storage, car-parking and associated landscaping

APPLICANT: Montpelier Estates

CONTACT:

PLAN NO'S:
(see condition 2 for details)

RECOMMENDATION

To grant planning permission subject to referral to the Mayor of London under the Town and Country Planning (Mayor of London) Order 2008 and the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

SECTION 106 DETAILS

As this scheme is identical to that previously granted Outline and Reserved Matters approval, the Section 106 Heads of Terms for this application should reflect the original agreement.

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

- a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- b) Prior to occupation, to offer a no cost to the council the land to the south of the development shown on plan X, for adoption by the council as public highway.
- c) A contribution of £50,000 due on Material Start and index-linked from the date of committee for Sustainable Transportation in the Park Royal area.
- d) A contribution of £20,000, due on Material Start and index-linked from the date of committee for Landscaping and tree planting in the Park Royal area.
- e) A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing, at Reserved Matters stage and at least 4 months prior to commencement of works. This shall demonstrate how the development will achieve an BREEAM 'Very Good' rating, and how the indicated Brent Sustainability Checklist measures (Energy, Water, Materials, Demolition/Construction & Pollution) and how the measures to provide energy through onsite renewable sources will be implemented within

- the scheme. Adherence to the approved Strategy.
- f) The applicant shall include/retain appropriate design measures in the development for those energy and water conservation, sustainable drainage, sustainable/recycled materials, pollution control, renewable energy, and demolition/construction commitments made within Brent's Sustainability Checklist and other submitted documentation (or agreed by further negotiation), and adopt adequate procurement mechanisms to deliver these commitments.
 - g) On completion, independent evidence (through a BRE Post-Construction Review) shall be submitted on the scheme as built, to verify the implementation of these sustainability measures on site, and the achievement of at least a BREEAM "Very Good" rating.
 - h) The applicant shall provide evidence that materials reclamation/recycling targets, negotiated using the Demolition Protocol (where relevant), have been implemented.
 - i) If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required
 - j) the submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
 - k) the submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough
 - l) The submission and approval in writing of a Workplace Travel Plan and to implement this plan. The plan shall be in accordance with "Guidance for workplace travel planning for development", TfL Group, 2008, or any later revisions to this guidance.
 - m) To notify Brent In2 Work of all job vacancies within the construction of the proposed development and the approved uses.

And to authorise the Chief Planner, or other duly authorised person, to refuse planning permission by the end of the 13-week application process or by another date if agreed in writing with the Local Planning Authority, if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and LDF Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

And, if the application is refused for the reason above, or withdrawn, to delegate authority to the Chief Planner, or other duly authorised person to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that a satisfactory Section 106 has been entered into.

EXISTING

The subject site fronts Acton Lane and adjoins the car park and bus gyratory of Central Middlesex Hospital. The site is currently cleared and ready for development.

The site is within the Park Royal Strategic Employment Area and is surrounded by a variety of uses, including Industrial/Warehousing uses that are typical of an Employment Area together with retail and food and drink uses.

The site adjoins but is not within the London Borough of Ealing. The site is within Brent, whilst the Acton Lane footway and road are within Ealing.

PROPOSAL

This application is identical to the schemes that have already been granted consent through application references 08/1043 (Outline consent), 09/2415 (Reserved Matters approval) and 10/0947 (non-material amendments). This application was submitted in response to the application for permission to apply for Judicial Review that was lodged by the Central and North West London NHS Foundation Trust (the NHS Foundation Trust) and the Brent Primary Care Trust

(the Brent PCT). This is discussed in more detail below. It should be noted that the application by the NHS Trust and PCT was unsuccessful as the Judge found that the Council's decision making process was lawful (CO reference CO/1144/2010 dated 29/6/2010). However, the NHS Trust then decided to appeal the Judge's decision and the applicant submitted this new full planning application to allow the commencement of works without having to wait for the outcome of the appeal against the judicial review decision.

The maximum levels of floorspace approved within the previous Outline consent were:

- 650m² of creche/primary health-care facility (Use Class D1)
- 2,160m² of retail (Use Class A1)
- 467m² of cafe/restaurant (Use Class A3) floorspace
- 13,480m² of care and treatment facilities (Use Class C2/C2A – Residential Institutions/Secure Residential Institutions)
- 5,370m² of Use Class B1(b) or additional care and treatment (Use Class C2/C2A)

The outline application did not set minimum levels of floorspace for any of the uses.

The Reserved Matters and non-material amendment approvals then set the actual levels of floorspace for each use, and this mix is being proposed within this new full application:

- 891m² of retail/food & drink (Use Class A1 or A3)
- 17,842m² of care & treatment facilities (Use Class C2/C2A – residential institutions or secure residential institutions).

The previous reserved matters approval and this current application accordingly propose

- 1736 sqm less retail and cafe/restaurant floorspace than the maximum approved
- 1,008 sqm less care and treatment floorspace (secured/unsecured Residential Institutions)
- No primary health-care facility or crèche
- No B1(b) floorspace

The other matters relating to the proposal, including the height, massing, design and layout remain unchanged from the previous approvals which proposed three linked buildings ranging in height from 3- to 9-storeys.

HISTORY

Outline planning permission for the redevelopment of the majority of the hospital site was granted in 2003. The hospital building and the associated car park and bus gyratory were completed some time ago leaving two parts of the site (Plot 8 and 9) undeveloped. Plot 8 is situated at the northern end of the site, adjoining Great Central Way whilst Plot 9 is the subject of this current planning application.

The development that was included within the original outline planning consent that was not delivered as part of the 2003 consent includes the 120 units of Key Worker housing, the crèche, the 8,580 m² of office development, and the majority of the 1920 m² of retail and food and drink floorspace.

A new full application for the redevelopment of Plot 8 to provide 145 Key Worker flats was granted in 2009 (our reference 08/3012), and this building is currently under construction. Permission to provide the crèche on Plot 8 was granted in 2005 (ref: 04/0950). However, the Key Worker housing scheme is in the place of this proposal and does not provide the crèche.

An Outline Planning application for the redevelopment of the subject site (Plot 9, reference 08/1043) was received in 2008 and was granted in 2009 following completion of the Section 106 agreement. The Reserved Matters application was submitted in late 2009 and was approved in 2010. Non-material amendments to this were then approved in 2010 (reference 10/0947). An application to vary condition 10 of the Outline Consent to allow some changes to the scale of the building was also approved in 2010 (reference 10/0140).

The applicants have also submitted a new Reserved Matters application (reference 10/2073) which is identical to this proposal and has only been submitted to formalise the approval of Reserved Matters following the approval of the variation of condition application (10/0140). This application has also been recommended for approval and is being considered at this Planning Committee meeting.

The 2003 outline permission for the hospital secured the provision of land along the southern boundary of the subject site to allow the provision of a bus lane along Acton Lane. If required, the bus lane would be provided on the southern side of Acton Lane and the land within the subject site would be used to reposition the road. It is not certain that the bus lane and the associated land take will actually be required. However, the Section 106 agreement for the 2003 permission allowed 15 years from the date of that permission for this to be implemented. Therefore, whilst the need for this lane is not certain at present, one cannot assume that it will not be required in the future and any proposals for this site must take this requirement into account.

Judicial Review

The NHS Foundation Trust and Brent PCT challenged the Council's decision in relation to the 2008 Outline Consent (ref: 08/1043) by submitting an application for permission to apply for Judicial Review on the following grounds:

- The description of development referred to "care and treatment facilities (Use Class C2/C2A)" and did not enable those consulted to be properly informed about the nature of the use which includes secure accommodation.
- The Design and Access Statement and Planning Statement did not make reference to the provision of secure accommodation.
- The Officers report did not refer to secure accommodation, and whilst the Supplementary Report did, it did not assess the associated material planning considerations.
- The Council did not consider the material planning considerations that affect an application for a C2A use, including:
 - Whether the Secure use was in accordance with planning policy and guidance;
 - Whether an outline application was appropriate given that the inclusion of a C2A use may have a considerable effect on external appearance;
 - To what extent external boundaries may be affected by the need to provide secure fencing, which affects the appropriateness of a C2A facility in this location (they cite best practice guidance which specifies that a medium secure facility should have a 5.2 m high security fence);
 - The extent to which public perception of the overall scheme would be affected by the inclusion of a secure element within Use Class C2A.

In determining the application for permission to apply for Judicial Review, the Judge refused permission specifying that "It is not reasonably arguable that the Defendant's decision making process is unlawful".

08/1043, granted 16 November 2009

Outline planning application for the erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital to provide up to 650m² of creche/primary health-care facility (Use Class D1), up to 2,160m² of retail (Use Class A1), up to 467m² of cafe/restaurant (Use Class A3) floorspace, up to 13,480m² of care and treatment facilities (Use Class C2/C2A) and up to 5,370m² of Use Class B1(b)/additional care and treatment (Use Class C2/C2A), formation of refuse storage, loading bay, cycle storage and 32 car-parking spaces, to include 2 disabled parking spaces on ground floor and associated landscaping (matters to be determined: layout), subject to a Deed of Agreement dated 13/11/2009 under Section 106 of the Town and Country Planning Act 1990 (as amended)

09/2415, granted 25 February 2010

Approval of reserved matters relating to appearance, landscaping, scale and access of outline planning permission reference 08/1043.

10/0140, granted 25 February 2010

Variation of condition 10 (scale of the development) of outline planning permission reference 08/1043, granted on 16/11/2009, for the erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital

10/0947, granted 14 May 2010

Proposed non material minor amendments for the following:

- *Wholesale minor internal adjustments to the Plot 2 layout in order to acknowledge current legislative requirements and operational needs of the Care Home on Plot 2.*
- *Plot 2 Bed numbers unamended at 115 beds. Building floor area slightly reduced as a consequence at ground floor. Slight enlargement of building at fourth floor level.*
- *Increases in height of plot 2 buildings of between 200mm and 300mm.*
- *Amendments to cladding and fenestration.*

of Reserved Matters Permission reference 09/2415 dated 25 February 2010, for Approval of reserved matters relating to appearance, landscaping, scale and access of outline planning permission reference 08/1043

10/2073, being considered concurrently and also recommended for approval

Application for the approval of reserved matters relating to appearance, landscaping, scale and access, pursuant to condition 1 of planning permission reference 10/0140, granted 25/02/2010, which varied condition 10 of outline planning consent reference 08/1043, relating to the scale of the development.

POLICY CONSIDERATIONS

This section of the report sets out the planning policies and guidance documents that are relevant to the proposal.

NATIONAL

Planning Policy Statement 1 – Creating Sustainable Communities

Planning Policy Statement 4 – Planning for Sustainable Economic Growth

Planning Policy Statement 12 – Local Spatial Planning

Planning Policy Guidance 13 – Transport

Planning Policy Statement 22 – Renewable Energy

Planning Policy Guidance 24 – Planning and Noise

REGIONAL

The London Plan

The London Plan, which was adopted in February 2004 and revised in 2006 and 2008, sets out an integrated social, economic and environmental framework for the future development of London.

The vision of the Plan is to ensure that London becomes a prosperous city, a city for people, an accessible city, a fair city and a green city. The plan identifies six objectives to ensure that the vision is realised:

Objective 1: To accommodate London's growth within its boundaries without encroaching on open spaces

Objective 2: To make London a healthier and better city for people to live in;

Objective 3: To make London a more prosperous city with strong, and diverse long term economic growth

Objective 4: To promote social inclusion and tackle deprivation and discrimination;

Objective 5: To improve London's accessibility;

Objective 6: To make London an exemplary world city in mitigating and adapting to climate change and a more attractive, well-designed and green city.

Supplementary Planning Guidance

- Sustainable Design and Construction – Supplementary Planning Guidance (2006)
- Accessible London: achieving an inclusive environment – The London Plan Supplementary Planning Guidance (2004)
- Planning for Equality and Diversity in London (2007)
- Park Royal Opportunity Area Planning Framework (2008)

LOCAL

Brent Unitary Development Plan 2004

Strategy

The overall strategy of the UDP has 11 key objectives which are as follows:

1. Prioritising locations and land-uses to achieve sustainable development;
2. Reducing the need to travel;
3. Protecting and enhancing the environment;
4. Meeting housing needs;
5. Meeting employment needs and regenerating industry and business;
6. Regenerating areas important to London as a whole;
7. Supporting town and local centres;
8. Promoting tourism and the arts;
9. Protecting open space and promoting sport;
10. Meeting community needs; and,
11. Treating waste as a resource.

The relevant policies in this respect include Policies STR3 (sustainable development), STR5 and 9 (reducing the need to travel) and STR12 to 15 (protecting and enhancing the environment)

Policies

- BE2 Local Context
- BE3 Urban Structure: Space & Movement
- BE4 Access for disabled people
- BE5 Urban clarity and safety
- BE6 Landscape design
- BE7 Streetscene
- BE8 Lighting and light pollution
- BE9 Architectural Quality
- BE12 Sustainable design principles
- EP2 Noise and Vibration
- EP3 Local air quality management
- EP4 Potentially Polluting Development
- EP6 Contaminated land
- TRN1 Transport assessment
- TRN2 Public transport integration
- TRN3 Environmental Impact of Traffic
- TRN4 Measures to make transport impact acceptable
- TRN9 Bus Priority
- TRN10 Walkable environments
- TRN11 The London Cycle Network
- TRN12 Road safety and traffic management
- TRN13 Traffic calming
- TRN14 Highway design
- TRN15 Forming an access to a road
- TRN16 The London Road Network
- TRN20 London Distributor Roads
- TRN22 Parking Standards – non-residential developments
- TRN34 Servicing in new developments
- TRN35 Transport access for disabled people & others with mobility difficulties

PR1 Major developments in Park Royal
PR3 Public Realm in Park Royal
PR7 Central Middlesex Hospital Zone

Brent Local Development Framework Core Strategy 2010

CP1 Spatial Development Strategy
CP3 Commercial Regeneration
CP5 Placemaking
CP6 Design and density in place shaping
CP12 Park Royal
CP14 Public Transport Improvements
CP15 Infrastructure to Support Development
CP16 Town Centres and the Sequential Approach to Development
CP19 Brent Strategic Climate Mitigation and Adaption Measures
CP20 Strategic and Borough Employment Areas

Brent Council Supplementary Planning Guidance and Documents

SPG3 Forming an access to a road
SPG12 Access for disabled people
SPG13 Layout standards for access roads
SPG17 Design Guide for New Development
SPG19 Sustainable design, construction and pollution control
SPD Section 106 Planning Obligations

SUSTAINABILITY ASSESSMENT

The applicants have submitted both the both the original and revised Energy Policy Statements that were submitted with the original Outline application, together with the TP6 Sustainability Checklist. As this information has not changed, your officers discussion has not changed with the exception of the BREEAM rating. The Core Strategy now requires a BREEAM rating of "Excellent" for non-residential schemes whilst a rating of "Very Good" was previously required and secured through the original outline application. Your officers consider that decision making process associated with the original outline application, which included determination by the Planning Committee and referral to the Mayor of London, was sound and that the outline planning consent (reference 08/1043) is an extant consent that was recently issued (16 November 2009) and could be implemented. As such, your officers consider that this proposal differs from applications that are either significantly different from the previous approval or are submitted close to the date of expiry. It accordingly is not considered reasonable to apply the LDF Core Strategy BREEAM rating of "Excellent".

The discussion of Energy and Sustainability from the original outline consent was as follows:

The previous comments regarding the Energy Policy Statement were as follows:

Policy 4A.1 of the London Plan specifies that the following hierarchy should be used to minimise CO2 emissions associated with new development:

- *using less energy, in particular by adopting sustainable design and construction measures;*
- *supplying energy efficiently, in particular by prioritising decentralised energy generation, and*
- *using renewable energy.*

The Mayor of London accordingly specifies that boroughs should require an assessment of the energy demand and carbon dioxide emissions from proposed major developments which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development, including the feasibility of CHP/CCHP and community heating systems.

The applicants specify that the scheme will achieve a BREEAM rating of "Very good" and that they will achieve a 20 % reduction in CO2 emissions from Building Regulations through the following measures:

The core strategy for the various energy users in the building is as follows:-

- *Heating - ground source heat pumps serving under floor heating*
- *Hot Water - small scale CHP producing domestic hot water with high efficiency gas water heaters for back up and to assist in periods of peak demand*
- *Ventilation - natural ventilation throughout with mechanical extract ventilation to internal WC's and bathrooms only.*
- *Cooling – where ever possible, the requirement for mechanical forms of cooling will be avoided by means of passive measures including external shading and solar performing glass*
- *Grid displaced electricity – by means of the CHP detailed above and roof mounted PV Panels*

The applicants have scored the submitted TP6 Sustainability checklist at 50.5 % ("Very positive"). However, your officers have given the checklist a score of 49 % ("Fairly positive"). This can be improved through the submission of further detail secured within the Section 106 agreement.

CONSULTATION

Statutory (application) consultation process

Consultation letters sent: 9 September 2010

Site notices erected: 22 September 2010

Advertised in local press: 16 September 2010

Neighbouring and nearby Residents, owners or occupiers:

One comment was received on 7 September highlighting the absence of full titles for the drawings and documents on the Council's web site. These titles were added and a response sent on 9 September.

No other third-party comments or objections were received.

Internal Consultees

Transportation

No objections subject to a Section 106 agreement to secure Travel Plan, Section 106 financial contributions, and a Section 38/278 Agreement to widen the footway along the Acton Lane Site Frontage including reinstatement of the existing redundant crossover to the site from Acton Lane to footway.

Landscape Design

Please refer to previous comments.

Environmental Health

Environmental Health are satisfied with the investigation and agree the recommendations therein. In order to ensure that these recommendations are carried out, conditions are recommended regarding evidence of the site soil strip and waste disposal, capping of underlying soils and gas protection measures.

External Consultees

Environment Agency

The EA have no objections nor do they recommend any conditions are imposed. They have, however, provided advice which has been passed to the applicant.

Thames Water

Thames Water have not objected to the proposal, but have recommended that Informatives and a condition are attached.

Brent Primary Care Trust

- Primary Care Facility
 - The Brent PCT Strategic Plan sets out their wish to develop Central Middlesex Hospital as a Polyclinic Plus with the relocation of up to two GP practices on to the site. This would support their network of primary and community services for Harlesden and the whole of Brent south of the North Circular.
 - A primary care facility next to Central Middlesex Hospital would lead to duplication and the PCT could not afford to commission a new practice.
 - [The Primary Care element of the development is no longer proposed]
- Residential Institutions/Secure Residential Institutions
 - The NHS rules about which body is the responsible commissioner means that once residents move to such institutions, the cost of their NHS care becomes an NHS Brent cost.
 - The NHS/PCT would be responsible for commissioning their GP care and any hospital care they receive. This would include Free Nursing Care Contributions, GP and associated cost related to residents, responsibility for Mental Health patients (transferred under CPA arrangements) and care for older people.
 - The proposal is projected to result in costs to the NHS of £1,644,414 in the 2011/12 year, £4,694,480 in 2012/13 and £5,580,606 in 2013/14.

The applicants, Montpelier, provided a response to the PCT comments which discussed the Primary Care floorspace originally proposed together with the costs to the NHS and PCT. With regard to the costs, Montpelier specified:

NHS rules on the responsible commissioner are set out in DoH "Who pays? Establishing the Responsible Commissioner". It is absolutely clear that patients in secure care are paid for by the original commissioning body. The indicated cost of £2,667,169 (2013/14) will not be met by NHS Brent.

FNC costs will not apply to the secure hospital. Older peoples (and all other) costs have been calculated as though every patient will be a new resident of Brent. The proposal responds directly to Brent Council's own policy to address shortfall of local bed-space. These patients are already part of the Brent healthcare economy.

The costs indicated are inaccurate, according to NHS Rules. However NHS Brent provide services to the ever fluctuating size of Brent's population, which will undoubtedly vary by more than 119 people. The NHS provides a truly national service which is without boundaries. Notwithstanding the above, none of the issues raised by NHS Brent are infact planning considerations.

Ealing Council

Confirmed receipt of the consultation letter.

Greater London Authority

Confirmed receipt of the consultation letter.

The Stage 1 response from the mayor has not been received. However, it is not anticipated that this will vary significantly from that received in relation to the previous application, and GLA officers have informally advised that this is the case. The response will be discussed within the Supplementary Report.

REMARKS

As this application is the resubmission of three previous applications, this report will include

elements of text from the previous reports. This will be highlighted through the use of italics whilst new information will be written in bold text.

It should be noted that with the exception of the BREEAM rating discussed previously, there are no changes in policy or guidance that significantly affect the determination of this application. Your officers consider that neither the recently adopted Local Development Framework Core Strategy or PPS 4 affect the acceptability of the proposal.

Principles of use

Retail / food and drink

This application proposes less than half the town centre (Use Class A1 to A5) floorspace approved within the original outline application. The discussion of this “out of centre” floorspace was as follows:

The subject site constitutes the out-of-centre provision of retail and food uses which accordingly must be justified under PPS6 [note: now PPS4]. When considering such provision, the Park Royal Opportunity Area Planning Framework is also applicable. The Framework places the site on the boundary of the “Heart of Park Royal”, an area predominantly to the subject site and within Ealing Council which they have designated a neighbourhood centre. With regard to the subject site, the Framework specifies that “Brent Council recognises that the Central Middlesex Hospital and the frontages bordering Ealing’s designated centre contribute to the Heart of Park Royal.”, thus acknowledging the role of the retail uses that were approved through the previous outline planning consent and the potential of the subject site with regard to town centre uses.

The Framework also specifies the following:

“Increasing the use of the Heart of Park Royal for community, leisure and retail purposes is an essential part of creating a better environment for businesses and enabling the growth of jobs. Some changes involving mixed-use in the centre of Park Royal that aim to complete its development as a neighbourhood centre should be actively encouraged. These will include measures to improve the retail offer, local amenities and the public realm, ensuring that these and the hospital are properly connected and accessible by public transport.”

Policy PR7 of the adopted UDP 2004 specifies that small scale retail/leisure facilities to serve hospital users and workers in the area will normally be acceptable but should generally be less than 200 m2 in size.

The applicants have not submitted documentations demonstrating that a sequential test has been undertaken for the proposed retail uses, have not addressed need and have only specified that they consider that the uses will not affect nearby centres but have not demonstrated why this is the case. However, given the following factors, your officers do not consider that the proposed uses within this out-of-centre location warrants the refusal of planning permission:

- the scale of increase above that previously approved;*
- the location of the site directly adjoining the “Heart of Park Royal” and the Ealing neighbourhood centre;*
- the acknowledged need to improve the retail offer as specified within the Planning Framework;*
- the absence of car parking other than the pay and display hospital car park; and*
- the presence of the large Asda superstore within the Heart of Park Royal.*

The subdivision of the retail units has not been detailed. However, condition 4 of the Outline Consent restricted the maximum size of most retail units to 200 sqm, allowing one unit to be larger (up to 450 sqm). It is accordingly recommended that this condition is also attached to this consent.

Other uses are included within the Care and Treatment floorspace, such as the Café, kitchen

facilities, dining facilities, laundrette, hairdresser's room. However, the layout and scale of these uses is such that they are considered to be ancillary to the main use of the unit.

The retail units are proposed within Plot 1 and are situated on either side of the pedestrian route through the site, providing active frontages in this location. Windows are proposed within the ground floor of Plots 2 and 3. Whilst your officers consider it possible that some of these windows may be obscured due to the nature of the suggested use of the building, natural surveillance will be provided through other windows within the units.

Care and Treatment (Use Class C2 / C2A – Residential Institutions / Secure Residential Institutions)

This application proposes 17,842 sqm of care and treatment floorspace that would fall within Use Classes C2 and C2A. This allows both standard and secure care to occur, but would be restricted to "Care and Treatment" and would not allow other uses that fall within these use classes, such as boarding schools, residential colleges and training centres within Class C2 or prisons, young offenders institutions, detention centres, secure training centres, custody centres or short term holding centres within Use Class C2A. The use was restricted to "Care and Treatment" within condition 6 of the Outline consent and your officers recommend that this condition is attached to this consent.

The previous officers reports included the following text:

The applicants describe this floorspace as private facilities to provide specialised long term care accommodation that will compliment the adjoining hospital use. The applicants have specified that the types of care may include (but would not be limited to):

- *Acquired brain injury;*
- *Huntingdons disease;*
- *Aspergers;*
- *Learning disability;*
- *Mental health;*
- *Alzheimer's;*
- *Dementia; and*
- *Elderly mentally infirm;*

The applicants have requested that the precise type of care is not overly restricted within the consent to ensure sufficient flexibility to respond to market demand. Whilst the provision of specialised care accommodation is considered to be acceptable in policy terms, your officers recommend that a condition is attached to restrict the type of care uses to ensure that the facilities that are provided are indeed specialised and as such, benefits from proximity to the hospital, rather than other forms of accommodation, such as sheltered housing. Such a condition is considered appropriate and necessary given the location of this site within designated Strategic Employment Land.

It should also be noted that the applicant has indicated that the Hospital has put in place a restrictive covenant on the land to ensure that the future uses on the subject site do not compete with and affect the viability of the hospital.

The NHS Trust and PCT questioned whether the applications previously considered whether the secure use was acceptable in terms of planning policy and guidance. With regard to the principle of use, the secure nature of the care and treatment floorspace does not affect the determination of this application and your officers consider the proposed use to be acceptable.

Creche / Surgery

Whilst proposed within the original Outline application, this is no longer proposed. This

accordingly addresses the concerns raised by the Brent PCT in relation to this floorspace.

Research and Development floorspace

Such floorspace was also proposed within the previous Outline application, but is no longer proposed.

Scale

The comments from the previous reports were as follows:

The proposed building reaches a maximum height of 8-storeys within an area within which buildings do not exceed 4-storeys in height. Whilst the proposal constitutes a significant increase in scale, it provides a landmark on an important road junction within the “Heart of Park Royal”. The Planning Area Framework specifies that the “Tall buildings are supported around a new central landscaped square. This would function as a focal point, creating an identity and point of orientation.” And suggests the provision of a public space within the land at the junction of Park Royal and Coronation Roads, land opposite the subject site and currently occupied by part of the Asda car park within the Borough of Ealing. Whilst there is no certainty that this space will be provided, the principles of identity and orientation are applicable, improving the legibility of the area.

Plot 1:

This is the taller of the three linked buildings, reaching a height of 31 m for the majority of the building (excluding plant and lift overrun) with the feature corner reaching 32.2 m. The main element of the building is 65 m wide (maximum) and 16 m deep (typical depth), with architectural features taking the maximum depth to 17.2 m. A lower element, 6.7 m in height, links the 9-storey element with Plot 2.

Plot 2:

The central linked building is proposed to have a maximum height of 17.6 m (again excluding plant and lift overrun), width of 33 m and depth of 48.2 m. This plot continues to provide a stepped approach to height from east to west within the site, emphasising Plot 1 as the landmark adjoining the “Heart of Park Royal” and emphasising the entrance to the Hospital site.

Plot 3:

The western-most and lower of the three proposed linked buildings has a maximum height of 13 m, width of 45.5 m and depth of 51.8 m. This element of the building provides a transition in scale to the surrounding industrial uses and your officers consider that the Scale of the building within Plot 3, as proposed is acceptable.

Scale Summary:

Your officers consider that the proposal provides a landmark building which helps to approve legibility within Park Royal, and that the stepped approach to scale provides a transition to the scale of the surrounding buildings. The proposal achieves an adequate footway and relationship with the street is maintained within the Acton Lane footway, and that the variations in the extent of the Plot 3 building maintain a Scale of building that is appropriate for its location. Your officers consider that the scale of the building, when having regard to the nature of the site which adjoins the area identified as the “Heart of Park Royal”, is acceptable.

Appearance

The comments from the previous reports were as follows:

Your officers considered that the taller element of the building as initially proposed required some further work to introduce additional visual interest in the building. The applicants subsequently submitted drawing sk083 which detailed the revised treatment of the south western corner of the building, providing a feature from first floor to roof level. Your officers consider that this

architectural device results in an interesting feature in the most prominent corner of the building.

Plot 1:

The design approach that has been adopted within this application is geometric in form. A strong vertical emphasis is provided through the inclusion of "columns" of façade, comprising vertically stacked rendered and glazed elements. The rendered vertical "columns" are broken by a horizontal band of contrasting colour (indicated as grey) which varies in height across the building. The regular pattern of "punched hole" windows linked by timber cladding helps to break the visual mass of the building down within the horizontal plane. Large elements of the building project out, and in some cases up from the façade to then deviate from the linear patterns and rhythms in the building.

The south-western corner of the building has been used to provide an architectural feature through the use of a large glazed element that is skewed from the main front wall of the building.

The ground floor is predominantly glazed and reflects the nature of the retail use of the floorspace.

Plot 2:

The design of this 5-storey building has a stronger horizontal emphasis than the much taller, building within Plot 1. This is broken up by the use of a projecting, timber clad vertical features above the main entrance and to the rear of the building. The building is visually linked to plot 1 through the use white horizontal render bands and "punched hole" windows linked by coloured panels.

Plot 3:

The eastern most of the proposed linked buildings continues the horizontal emphasis of Plot 2, but includes panels and screening to provide visual interest and to introduce a vertical element within the Acton Lane elevation and the façade that faces the hospital.

Appearance summary:

Your officers consider that the proposal includes sufficient articulation to break down the visual mass the building whilst the design approach and architectural devices provide interest within the building facades.

Outside of the formal application process, questions were received by the Council seeking clarification on how the C2A Use (Secure Residential Institutions) would affect the external appearance of the building, and whether it is appropriate to deal with such matters within an Outline Application. Whilst no such comments have been received in relation to this application, your officers consider it appropriate to discuss this matter in this report. The Outline consent was accompanied by Indicative drawings and 3D images which demonstrated how the proposed uses could be provided, and the Planning Committee considered that the external appearance as detailed was acceptable. As Appearance was a Reserved Matter, these details were only indicative and the final design has been detailed in the drawings and documents that accompany this application. The C2A Use (Secure Residential Institutions) is specified as being located within the Plot 3 element of the site. This element of the building includes a profiled screen which also incorporating vertically aligned coloured panels. The screening and louvres introduce visual interest in this element of the building, and the design and appearance of this element of the building is considered to make a significant positive contribute to the streetscene.

Layout and access

The comments from the previous reports were as follows:

The proposed building occupies the majority of the site area and provides a pedestrian link between the existing Acton Lane crossing and the crossing over the hospital bus gyratory. The proposal provides active frontages along Acton Lane and also facing the bus gyratory through the siting of retail/food and care and treatment uses. This increases the natural surveillance of these

areas whilst significant improving the public realm.

Pedestrian Access

The building is set sufficiently back from the existing Acton Lane kerb to allow the provision of a footpath that exceeds a width of 3 m, even if the land is required to provide the new bus lane.

Transportation have indicated that it is currently considered unlikely that the land will be required for the bus lane. However, this land has been reserved for such purposes for a period of 15 years and it is possible that this position may change with time.

The proposal significantly increases the size of the footway along Acton Lane, resulting in a set-back of between 4.5 m to 9.7 m from the kerb. The ability of the Council to adopt the additional areas of footway has been secured through the Section 106 agreement. The bus lane, if required, will reduce the width of this footway by approximately 2.8 to 2.9 m, with a smaller reduction at the western element of the site. The 4.5 m set-back would be at the far western end of the site where the likely reduction in the footway associated with the bus lane is much lower (approximately 0.8 m). The other "pinch points" along the length of the building likely to result in a reduction in footway width from 6 m to 3.1 m if the bus lane is required. Your officers accordingly consider that the minimum of width of the footway is appropriate for the approved uses.

The width of the pedestrian access way through the site ranges from 7.4 to 12 m (measured along the face of the building). This has been varied from the drawings submitted with the Outline application which detail an access that ranges in width from 7.4 to 18.5 m. Whilst the maximum width of this access has been reduced, your officers consider that the proposed access way is of a width that will provide a good quality route through the site for which levels of natural surveillance will remain adequate.

The pedestrian entrances to the retail units have not been detailed and would be the subject of future shop front applications. However, the aforementioned width of the footway and access way is suitable to serve these units.

Pedestrian access to the care and treatment facilities within Plots 2 and 3 is also from the Acton Lane footway, which, as discussed previously, is considered to be of an appropriate width to allow such access. Access to the care and treatment facility within Plot 1 is adjacent to the bus gyratory. The entrance is set in from the main building line to allow a 3m width in front of the main access door. The care and treatment facilities are internally accessible by stairs and lift.

Vehicle Access

Vehicle access to the site is from the Central Middlesex Hospital access road, on the northern side of the site. Your officers consider this to be preferable to access from Acton Lane which would be unacceptable due to the impact that would have on the free-flow of traffic.

Two access vehicle access points have been proposed from the access road to the North of the site. These lead to the parking and servicing areas for the building. Transportation have commented that they have no objections to the proposed accesses to the adjoining road.

The plans detail 10 parking spaces within Plot 1 that are accessible through the Plot 2 parking and servicing area. Servicing access for Plot 1 is to be provided via an internal corridor from the Plot 2 servicing area, or by using a trolley route along the footway adjacent to the bus gyratory. 11 Parking spaces are proposed for plot 2 and 11 for plot 3. The applicants have also detailed an ambulance drop off point adjacent to the bus gyratory but outside the subject site.

A total of 32 parking spaces, 50 staff cycle spaces and 26 public cycle spaces have been detailed within the proposal. This represents a reduction by 2 parking spaces from the original Outline application. It should be noted that the overall quantum of floorspace is lower than the maximum levels previously approved and your officers consider that the levels of parking and cycle storage

are acceptable.

Cycle Access

Cycle storage is provided within secure areas adjoining the parking areas for staff, and on the publicly accessible hard landscaped areas for members of the public and other visitors to the site. Should the bus lane be provided, cycle access will be provided within this bus lane. Given that the footway is to be adopted, if the bus lane is not provided then the Council could choose to provide a cycle lane within the footway as widened by this proposal.

Summary

Your officers consider that the proposed layout provides significant improvements to pedestrian safety and flow within the locality and access to the Hospital whilst the siting of the vehicle access is sufficient to limit any impact on the free flow of traffic to the hospital.

Park Royal Partnership consider that additional land should be made available to provide an additional exit lane for the hospital. However, Transportation have indicated that should this be required, it could easily be provided by rearranging the existing vehicle entrance to the hospital from Acton Lane without the need for additional land. There currently are three entrance lanes and one exit lane. This could be altered to provide two entrance and two exit lanes.

Landscaping

The comments from the previous reports were as follows:

The landscaping zones detailed within the subject site reflect the nature of the site and uses. Your officers consider that, given the scale of the proposed use and the limited amount of space that would remain on-site for landscaping, the quality of hard and soft landscaping should be exemplary and shall include a high quality of hard and soft landscaping within the public realm, the planting of large trees within the street, the retention of existing trees along the Acton Lane frontage (unless the removal of any trees can be satisfactorily justified) and a high quality of landscaping provision within the roof terraces. Your officers and the Greater London Authority consider that the roof terraces should be provided as living, green roofs wherever possible, details of which would be provided through the submission of reserved matters.

Ground level landscaping:

The building is set well back from the existing kerb line within Acton lane to ensure that an adequately sized footway may be provided if the bus lane is required in the future. The landscaping proposals accordingly reflect this by detailing hard surfacing adjoining the building within this frontage.

The initial proposals indicated a raised soft landscaped area adjacent between this paved area and the highway. However, Transportation rightfully specified that this land falls within the adopted highway and is outside of the subject site. Any landscaping proposals within this area accordingly could not be given any weight as they would require further approval through a S38/S278 Agreement.

The applicants subsequently revised the proposal by simplifying the landscaping proposals within this area in accordance with suggestions from Transportation. The existing mature trees within this frontage are to be retained unless their loss is unavoidable, whilst the further planning of trees was envisaged within the Outline Application which secured a financial contribution of £20,000 towards the planting of trees in the locality. These trees can be planted within the Acton Lane footway that is widened as part of this proposal, or in the local area if other factors prevent this, such as the presence of services under the footway.

Upper floors:

The stepped nature of the buildings allows significant opportunities to include landscaping at roof level. The applicants proposal a mix of intensive and extensive green roofs and brown roofs.

Plot 1:

The floor of the taller element of the plot 1 is proposed as a brown roof, comprising crushed rubble that over time will be naturally colonised. Such roofs help to limit runoff and provide habitat for birds. Access to this roof will typically be for maintenance purposes only.

The lower roof (Floor 1 level) is to be used as an accessible roof garden for the occupiers of the Care and Treatment floorspace within Plot 1. This includes an area of extensive green roof (i.e. no access to this element of the roof but greater value for biodiversity) and an accessible area comprising colour tarmac and artificial grass bordered by planters an including benches, tables, chairs and parasols.

Plots 2 and 3

Within each of these plots, the roof terraces are arranged over three levels.

The terraces at 5th floor level within Plot 2 and at 3rd floor level within Plot 3 are proposed as extensive green and brown biodiversity roofs, with access only for maintenance purposes. An element of extensive green and brown roof is also proposed within the 4th floor terrace within Plot 2.

The remainder of the roof terrace space comprises coloured tarmac, artificial grass and/or fan cobble pattern imprinted concrete with planters breaking down the spaces in smaller defined spaces. Again, benches, tables, chairs and parasols are proposed within these terraces.

The Landscape Design team have made comments requesting further details relating to tree protection, materials for the car park, roof construction and drainage, boundary treatment and maintenance, and specify that these details should be secured through condition.

Landscape Design have also requested that the artificial grass is replaced with real grass and that the ground floor paving is permeable. Significant amounts of "soft" landscaping are proposed the extensive green roof, brown roof and the planters and the principle of using of artificial grass within roof terraces that experience high intensities of use all year round was also established within the Reserved matters application for student accommodation in Quintain's Wembley Plot W05.

Landscape Summary:

Your officers consider that the landscaping proposals are acceptable. Further details of the landscaping, such as tree protection, the planting plan and hardsurfacing materials, are required through condition.

Costs to Brent PCT and NHS

The Brent PCT have highlighted the potential cost of providing health care services to the future residents of the proposed development.

The Council's Section 106 officer has provided the following comments regarding the matters raised by the PCT:

The first principle that must be met in order to seek Section 106 contributions is that there either is insufficient existing capacity or that the quantum of development is such that it requires its own or additional provision. This has not been made or evidenced. For this reason alone officers do not consider that the Council is currently in a position to seek further S106 obligations or refuse this application on its impact on local NHS provision.

Dealing with the matters in the e-mail particularly, whilst it is not clear what percentage of residents will come from Brent, those that do will have a neutral impact on NHS Brent's costings. Mental Health patients and those needing care will have existing conditions and

their existing provider will continue to pay for these. A & E costs will need to be met by the nearest A & E to where the accident occurs, which may or may not be NHS Brent. Those from outside Brent seeking older people's care may place a greater impact on services, but as mentioned no capacity baseline for services has been established.

Summary

The proposal will provide significant improvement to the public realm and will provide a local landmark adjacent to the hospital and adjoining the "Heart of Park Royal". The proposed mix and quantum of uses is considered acceptable, given the site history and its proximity to the hospital and the Heart of Park Royal. A high standard of design and detailing will be required within the Reserved Matters and the submission of details pursuant to conditions. Approval is recommended, subject to the referral under the Mayor of London Order 2008 and the completion of a satisfactory Section 106 agreement.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

Brent Local Development Framework Core Strategy 2010
Brent Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Employment: in terms of maintaining and sustaining a range of employment opportunities
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
Transport: in terms of sustainability, safety and servicing needs
Park Royal: to promote the opportunities and benefits within Park Royal

CONDITIONS/REASONS:

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s), with the role of each drawing or document clarified by the un-numbered submitted document detailing "submitted document" and "status of document":

2008.04 - Turleys Planning Supporting Statement
2008.12.11 - Turley Associates – Briefing Note
20080627175514517 (Turley Associates Retail Issues)
2008.08 - HLM - Design and Access Statement rev-A
2008.07.10 - SDP - Energy Policy Statement Response to GLA Comments Issue 01
2010.04.02 - Energy Policy Statement Issue 02
2008.01 4590 R1 Noise Intrusion Assessment
2008.02 - Phil Jones Associates – Supporting Transport Statement
09029_050_010_A_Level06-08
09029_050_032_A_Materials
09029_050_040
09029_050_041
09029_050_044
09029_050_045
09029_050_050_A_3D view
09029_050_051_A_3D view
09029_050_052_A_3D view
09029_050_053_3D view
09029_050_054_3D view
09029_S106-plan 1 site location
09029_S106-plan 2 dedication
09029_S106-Plan 3 phasing
DESIGN STATEMENT_Nov09
2008.11 - SBA - Draft Travel Plan
SBA Technical Note - Trip Generation1 2008.10.14
2010.01.14 Preliminary Energy Strategy
2010.01.18 Sustainability Development Checklist v2
2010.01.25 Biofuel CHP Report issue No.2
2010.01.29 BREEAM Pre Assessment v4
2010.03.10 Biofuel CHP & Air Quality Assessment Report
2010.04.06 S106 3.1d Pollution Control Statement
19022010 Acton Lane Materials target
CG5292_DSR_Jan 10 (Mixed Care Facility, Acton Lane, London, Desk study report – 2010.01)
CG5292_GGEIR_Feb 10 (Mixed Care Facility, Acton Lane, London, Geotechnical and Geo-environmental Interpretative Report – 2010.02)
CG5292_Jan 10
Monitoring 9 Feb2010
Monitoring 15 Feb2010
Monitoring 28 Jan2010
TP6 Sustainability Checklist
050_003_revD (Ground Floor)
050_004_revD (Mezzanine Level)
050_005_revD (First Floor)
050_006_revC (Second Floor)
050_007_revC (Third Floor)
050_008_revC (Fourth Floor)
050_009_revB (Roof)
050_011_revB (Overall Roof)
050_020_revC Sections A-A & B-B
050_021_revD Sections C-C, D-D, E-E, F-F
050_030_revD North West and South East Elevation
050_031_revD North East and South West Elevations
050_032_revD Materials Schedule
050_042_revB (Elevation Bay Plot 2 (North))

050_043_revB (Elevation Bay Plot 2 (South))
SKMBT_C25210071408530
0644-F14-A-L1-002
0644-F14-B-L1-002
0644-F14-B-L4-002
0644-F14-C-L1-002
0644-F14-C-L2-002
0644-F14-EX-001
0644-F14-EX-006 - Proposed Cycle Storage
Creative Environmental Networks 2007, Energy and Carbon worksheet, RE
Technologies worksheet and summary worksheet
Table titled "submitted document" and "status of document"

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

- (3) The proposed retail (Use Class A1) units hereby approved shall not exceed 200m² (gross) each, with the exception of one unit which shall not exceed 450m² (gross), without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development is not detrimental to the vitality or viability of nearby shopping centres.

- (4) Notwithstanding the provisions of the Town & Country Planning (Use Classes Order) 1987, as amended, the care and treatment facilities hereby permitted shall only be used for the provision of residential accommodation and care to people in need of care or as a hospital or nursing home and for no other purposes within Class C2 or C2A of the schedule to the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- (5) All parking spaces, turning areas, loading bays, access roads and footways shall be constructed and permanently marked out prior to commencement of use of each phase of the development as approved by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- (6) The loading area(s) indicated on the approved plan(s) shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority. Suitable arrangements shall be made and agreed in writing by the Local Planning Authority for the storage and disposal of rubbish and waste. All loading and unloading of goods and materials, including fuel, shall, unless otherwise agreed by the Local Planning Authority, be carried out entirely within the curtilage of the property.

Reason: To ensure that vehicles waiting or being loaded or unloaded are parked in loading areas so as not to interfere with the free passage of vehicles or pedestrians within the site and along the public highway.

- (7) The reinstatement of the redundant crossover(s) onto Acton Lane shall be undertaken in accordance with details to be submitted to and approved in writing by

the Local Planning Authority and at the applicant's expense, prior to the occupation of any of the units hereby approved and all accesses shall remain thereafter unobstructed and available for access unless the prior written permission of the Local Planning Authority is obtained by way of a formal planning application.

Reason: To provide adequate safe servicing in the interests of the free flow of traffic and conditions of general highway safety on the estate and neighbouring highways.

- (8) No vehicular access to the development hereby approved, shall be provided from the Southern (Acton Lane) or Eastern road frontages of the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development that is not prejudicial to the free and safe flow of traffic, the efficiency of the bus network, or access to the hospital for emergency-services vehicles.

- (9) Each phase of the development, as hereby permitted, shall not commence until further details of the following have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority:

- i) infrastructure, including any roads, parking spaces, servicing areas, footpaths, street furniture, including visitor cycle-parking spaces and planters;
- ii) foul and surface water drainage;
- iii) footpath and cycleway layout, connections and traffic-management measures, including all surface treatments;

The approved details shall be implemented in full.

Reason: In order to ensure a satisfactory development.

- (10) Details of the provision of a minimum of 50 secure staff cycle-parking spaces and 25 publicly accessible cycle-parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle-parking spaces for each phase have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

- (11) For each phase, no development shall take place before a scheme of sound-insulation and ventilation for the building(s) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the building(s) shall not be occupied until the approved scheme has been fully implemented.

Reason: To safeguard the amenities of future occupiers.

- (12) Each phase of the development hereby approved shall not be occupied until a Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Servicing Management Plan shall thereafter be implemented in full.

Reason: To ensure a satisfactory development that does not affect the free and safe flow of traffic.

- (13) For each phase of the development, details of materials for all external surfaces of

the buildings and all other external works, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on site and the works shall be carried out in full accordance with the approved details.

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

- (14) A scheme for the landscape works and treatment of the surroundings of the proposed development and the roof gardens/terraces (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works relating to each phase of the development. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of the associated phase of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;
- (b) proposed walls and fences, indicating materials and heights;
- (c) screen planting along the car-park façade;
- (d) adequate physical separation, such as protective walls and fencing, between landscaped and paved areas;
- (e) existing contours and any proposed alteration to ground levels;
- (f) areas of hard landscape works and proposed materials;
- (g) the detailing and provision of green roofs/amenity roofs;
- (g) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that, within a period of five years after planting, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and to ensure that it enhances the visual amenity of the area.

- (15) A scheme detailing water efficiency and management measures for each phase of development, including measures to limit the use of water, together with rainwater harvesting and grey-water re-use, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the associated phase of development. Should any of these measures not be proposed, the reasons for excluding such measures should be outlined within the scheme. Each phase of the development shall be carried out in full accordance with the approved details.

Reason: To ensure a sustainable development.

- (16) Prior to the commencement of works relating to each phase of the development hereby approved, a construction and freight logistics and management plan shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway free-flow and safety.

- (17) Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any works within the associated phase of development and the approved details shall be implemented in full.

Reason: In the interests of safety, amenity and convenience and in the interests of the amenities of the adjoining residents.

- (18) The development hereby approved shall not be occupied unless further details regarding the contaminated land remediation measures have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:
- a) Evidence of the site soil strip and waste disposal;
 - b) The capping of soft landscaping with a suitable layer of clean topsoil/subsoil on top of a geotextile membrane to prevent mixing with the underlying soils.
 - c) In light of limited ground gas monitoring, gas protection measures must be installed or incorporated into the design of the development.

The approved details shall be implemented in full.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with UDP policy EP6.

- (19) No impact piling shall take place unless a piling method statement (detailing the type of 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 or sewerage infrastructure and the programme for the works) has been submitted to and approved by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must thereafter be undertaken in accordance with the approved details.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

INFORMATIVES:

- (1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface water sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water, Developer Services will be required. They can be contacted on 08454 850 2777. Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- (2) A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes – toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes,

vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London, SE2 9AQ. Telephone 020 8507 4321.

- (3) Thames Water would recommend that petrol/oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local waterways.
- (4) Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. They further recommend, in line with best practice for the disposal of Fats, Oils, Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321.
- (5) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at a point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

REFERENCE DOCUMENTS:

The London Plan Consolidated with Amendments Since 2004
Brent Unitary Development Plan 2004
Brent Local Development Framework Core Strategy

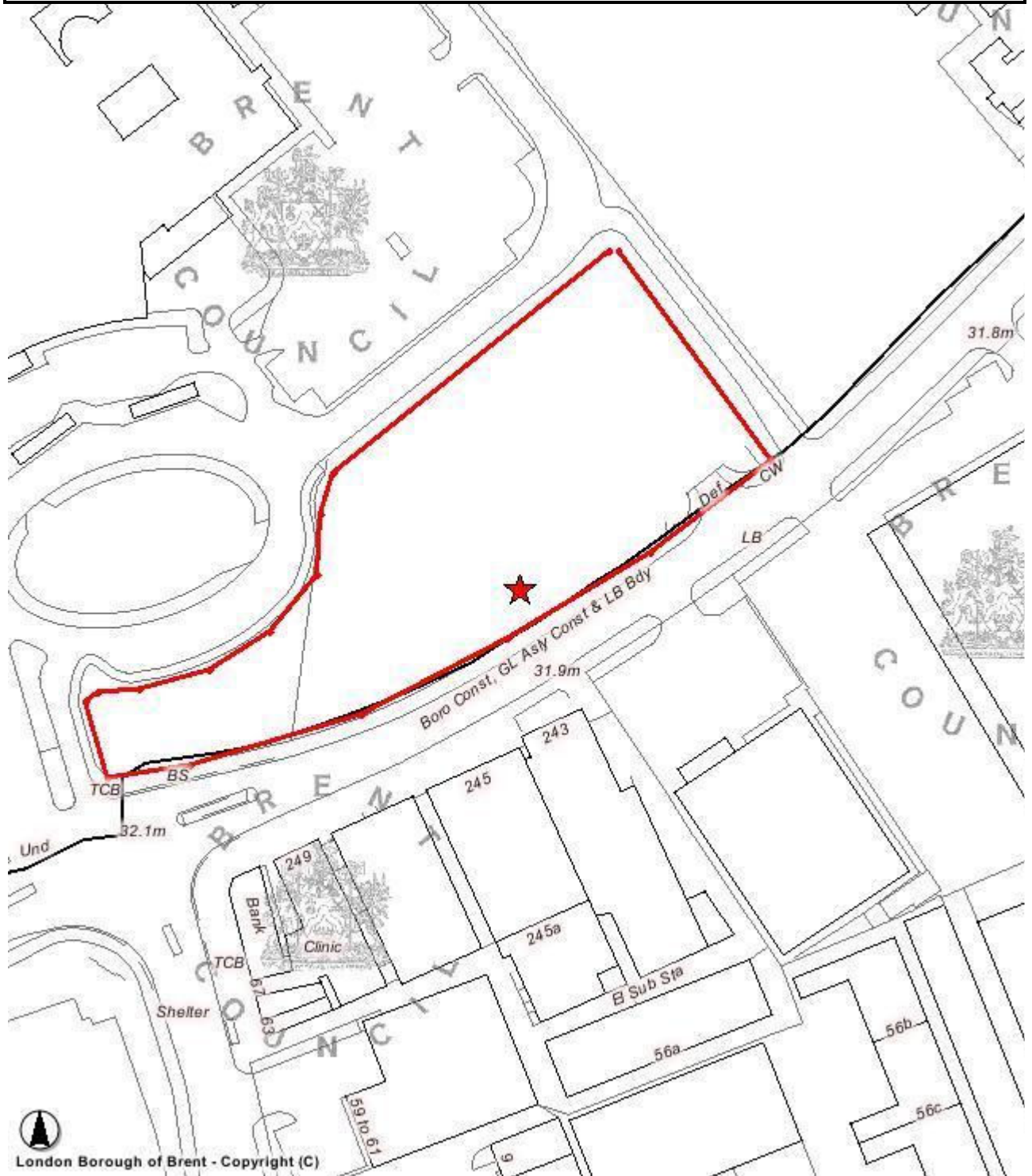
Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5344



Planning Committee Map

Site address: Land next to Central Middlesex Hospital, Acton Lane, London, NW10

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