

PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on 16 November 2016

Item No

Case Number 16/0213/PRE

SITE INFORMATION

RECEIVED: 2016

WARD: Dollis Hill

LOCATION: 403-405 Edgware Road, NW2 6LN

SCHEME: Demolition of the existing three storey building (plus two basements) and replacement with mixed use development (including tall building up to 27 storeys), comprising:

- Flexible Class B1/B2/B8 employment space (approx. 1,375 sq. m), predominantly located on ground floor, with some also on first floor;
- Banqueting and conference centre, comprising one large hall, two smaller halls, (located on the first floor, with ground floor lobby/reception area);
- Fitness centre and health spa (including a swimming pool);
- Residential accommodation (providing approx. 150 apartments);
- Roof garden and outdoor terrace;
- Dedicated service yard within the building to service the employment floorspace, accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking, providing space for approximately 166 spaces, together with cycle storage.

APPLICANT: Amafh Investments Ltd

CONTACT: Contour Planning

PLAN NO'S: n/a

**LINK TO DOCUMENTS
ASSOCIATED TO
THIS APPLICATION**

No plans as this is a pre-application item. Members will view a presentation at Committee.

SITE MAP
This map is indicative only



DEVELOPMENT DETAILS

Ref: **16/0213/PRE**

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Ward: Dollis Hill

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- Fitness centre and health spa (including a swimming pool);
- Residential accommodation (providing approx. 150 apartments);
- Roof garden and outdoor terrace;
- Dedicated service yard within the building to service the employment floorspace, accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking, providing space for approximately 166 spaces, together with cycle storage.

Applicant: Amafh Investments Ltd

Agent: Contour Planning

Case Officer: Gary Murphy (South Area Team)

BACKGROUND

1. This pre-application submission is being presented to enable Members of the committee to view it before any subsequent planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent revised application and the comments received as a result of consultation, publicity and notification.
2. This is the first time the proposed development is being presented to Members. Prior to this the applicants have been engaged in pre-application discussion with Council Officers and the Greater London Authority (GLA), including Transport for London (TfL).

PROPOSAL and LOCATION

Proposal

3. The scheme involves the demolition of the existing building and its redevelopment for a mixed use building comprising of:
 - Flexible Class B1/B2/B8 employment space (approx. 1,375 sq. m), predominantly located on ground floor, with some also at first floor;
 - Banqueting and conference centre, comprising one large hall ('Grand' hall at first floor), two smaller halls, (located on the first floor), with ground floor lobby/reception area. Overall these halls have combined capacity for up to 2230 persons;
 - Fitness centre and health spa (including a swimming pool) for use by the general public, (Use Class D2) at basement level -03;
 - Residential accommodation (providing approx. 150 apartments) over floors 3-27. Two separate tower elements are proposed, one up to 27 storeys and a lower tower up to

8 storeys. It is the lower element where it is proposed to provide the affordable housing units.

Proposed residential mix

- 150 units are proposed: It is indicated at this stage that 120 would be as private and 30 as affordable units, which equates to 25% affordable housing.

The proposed dwelling mix is:

35 x 1-bedroom (23%)

62 x 2-bedroom (41%)

53 x 3-bedroom (35%)

- Roof garden on top of podium and outdoor amenity terraces;
- Dedicated service yard within the building accessed from Oxgate Lane, with turning table to service the employment floorspace, and accommodate other delivery vehicles and for refuse/waste collection;
- Three levels of basement car parking with access gained from Oxgate Lane, providing space for approximately 166 spaces (including 17 disabled spaces), together with associated cycle storage.

Site and Surroundings

4. The site is located at the junction of Oxgate Lane and Edgware Road (A5), the existing three storey (above ground) building has a frontage onto both roads. The site is 0.3ha in area and accommodates a three storey 1940s brick building, with two levels of basement below and parking provided in a central courtyard area. Including basement level accommodation the existing floorspace is approximately 8427sqm.
5. The site is situated within the Staples Corner Industrial Estate, a designated Strategic Industrial Location (SIL). Surrounding uses are of an employment/industrial nature. Wing Yip is to the south-east and south-west and this site accommodates an oriental cash and carry use as well as China House business centre. Wing Yip has also acquired the site immediately to the west of the application site and has been granted planning permission for redevelopment and a change in the use of the site from B1 to B2/B8 use. North-west of the site and north towards the Staples Corner gyratory junction are industrial/warehouses uses. East of the site on the opposite side of the A5, located within the London Borough of Barnet is a retail park with multi-screen cinema. Beyond that is the location of the planned new Cricklewood Thameslink station.
6. Surrounding building heights within the borough are typically 3 to 4 storey's high.

Relevant Planning History

7. A Lawful Development Certificate (92/1425) was granted which established the use of building above basement floors for offices and research purposes (B1 use). A separate Certificate (92/1762) established the use of basement floors for B1 use.
8. In 1993 permission was granted (93/0696) for roof extensions, a change of use to B8 (storage and distribution), with restrictive conditions attached. Sometime after this being granted the building (in part) was used as a carpet showroom(s) though the roof extensions were never implemented. It is understood that the B8 use was not implemented.
9. There is a current enforcement investigation into the unauthorised use of the building for religious purposes.

CONSULTATION

10. The following will be consulted regarding any subsequent planning application:

Consultee:

(Internal)

- Ward Councillors for Dollis Hill (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Heritage & Conservation officer (Brent)
- Tree Officer (Brent)
- Sustainability Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Planning Policy (Brent)
- Flood/drainage engineer (Brent)
- Streetcare/waste/refuse (Brent)

(External)

- Greater London Authority (GLA)
 - Transport for London (TfL)
 - London Borough of Barnet (LBB)
 - Secure by Design Officer (Met Police)
 - Thames Water
 - Environment Agency - tbc
-
- All existing properties and addresses within at least 100m of the application site.

(N.B. This is not a final list and is subject to further review/change should any formal planning application be submitted)

COMMUNITY ENGAGEMENT

11. In accordance with the National Planning Policy Framework and Brent's Statement of Community Involvement the developer is required to engage with the local community whilst developing their proposals for the site, as part of the pre-application process. No details of any pre-application consultation have been provided to date. Full details should be submitted as part of a Statement of Community Involvement document in support of any future planning application.

POLICY CONTEXT

12. The National Planning Policy Framework (NPPF) 2012. At the heart of the NPPF is a presumption in favour of sustainable development. Building a strong, competitive economy is of the core principles of the NPPF and paragraph's 21 and 22 are of relevance.

13. The site is designated as a SIL in the London Plan. London Plan Policy 2.17 seeks to protect SIL, as these locations are London's main reservoirs of industrial and related capacity, including general and light industrial use, logistics, waste management and other uses.

14. Brent Core Strategy policy CP20 seeks to protect designated SIL for B1, B2 and B8, Sui Generis and/or other uses that are closely related. B1 office space is considered to be acceptable in SIL where it is ancillary to other industrial and warehouse uses and where any necessary transport infrastructure required to support the development is properly assessed and provided for in time for occupation. The

regeneration of SIL is supported where proposals will not undermine the employment land hierarchy.

15. The Development Management Policies will be considered for formal adoption at the Full Council meeting on 21 November 2016. In the meantime, in accordance with paragraph 216 of the National Planning Policy Framework, the council will take the Development Management Policies into account as a material consideration with significant weight in determining planning applications. The following policies are considered to be relevant: DMP1, DMP7, DMP11, DMP12, DMP13, DMP14, DMP15, DMP18 and DMP19.

APPLICANTS OBJECTIVES

To quote the applicant, their objectives are:

- I. To create a dynamic development in this key London gateway;
- II. To provide a catalyst for the regeneration of the Staples Corner area and the Edgware Road corridor;
- III. To help counter-balance the effects of Brent Cross Cricklewood scheme, providing a development that is accessible to Brent residents and workers;
- IV. To create a vibrant mixed use development, which would bring jobs and new homes to the Borough, together with leisure and community facilities.

MATERIAL PLANNING CONSIDERATIONS

The main issues relate to:

- Loss of Strategic Industrial Land and the introduction on non-policy compliant uses.
- Affordable housing
- Placemaking, scale and massing
- Design and layout
- Transport: parking, servicing and access
- Density
- Heritage Asset
- Quality of residential accommodation:

Issue 1

Loss of Strategic Industrial Land (SIL) and the introduction of non-policy compliant uses

16. The impact on the SIL, which has been designated due to its significance not only to Brent's economy but the London economy as a whole, is a material consideration for any proposed redevelopment.
17. As set out in the National Planning Policy Framework (NPPF) the planning system is to contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support economic growth. Paragraph 21 of the NPPF outlines that local planning authorities should *'meet the anticipated needs (of businesses) over the planning period'*. 'Anticipated needs' can be assumed to be the range of demand scenarios as described in the demand forecasting exercise in Brent's Employment Land Demand Study (2015). The recently completed ELDS scores the Edgware Road site highly, (within which this site sits, forming part of Staples Corner south SIL, cluster 4.2) and recommends it is retained in employment use in order to help meet forecast demand for employment land for development in the B use classes and closely related sui generis uses. This managed approach to retaining employment land to meet business need, whilst releasing those sites which score poorly, is an approach to industrial land management which is consistent with the NPPF and London Plan policy 4.4 (Managing Industrial Land and Premises).

18. This is also consistent with London Plan policy 2.17 (Strategic Industrial Locations) and Core Strategy policy CP 20, which protects SIL for industrial employment uses characterised by use classes B1, B2 and B8, or closely related Sui Generis uses.
19. Draft Development Management Policy DMP14 supports the continued provision of employment sites and will seek to limit their loss to approximately 11.5ha in the period to 2029. Weight should be attached to protect land that is designated SIL, and SIL will only be released where
 - (a) it has been identified for release in the Employment Land Study;
 - (b) it can be shown to be integral to and delivered as part of a wider comprehensive housing-led regeneration scheme with substantial benefits to Brent, providing at least 50% affordable housing, and consistent with the wider objectives of the Development Plan and/or is of strategic significance to London; or
 - (c) where it delivers social and physical infrastructure of a substantial scale.

None criteria (a-c) would be satisfied by the current proposal.

There is currently no plan-led approach being pursued within Brent along the A5 corridor that would involve comprehensive redevelopment and release of SIL.

20. The introduction of non-employment uses including a large banqueting and conference use, and this level of residential use on the site would be a departure from policy. As well as the loss of employment land required to meet anticipated need it will threaten the character, function and long-term viability of the wider SIL which, at 40ha of employment land accounts for over 10% of Brent's employment land.
21. The applicant considers that the NPPF overrides the Brent core strategy (2010) as it is more recent and Brent's plan was adopted pre NPPF. The applicant notes that although the London Plan SIL policies have not been updated since the plan was prepared in 2011, so, it is said these too pre-date the introduction of the NPPF. For these reasons the applicant considers that neither London Plan policies that relate to SIL, nor Brent's policies are fully compliant with the NPPF, which advises that greater flexibility is required regarding the release of designated employment land if alternative beneficial development can be brought forward, or if there is clear evidence that demonstrates employment uses are no longer viable.

Issue 2

Affordable Housing

22. London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
23. Emerging policy DMP15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
24. London Plan policy 3.12 says that the maximum reasonable amount of affordable housing should be sought when negotiating on schemes and that negotiation on sites should take account of their individual circumstances including development viability.
25. The current proposal shows 30 affordable units, which would be less than the required 50%. Should any future application be submitted proposing less than 50%

then this would be robustly tested at application stage. The applicant would need to submit a financial appraisal in order to determine what the maximum reasonable proportion of affordable housing is that the scheme can viably deliver.

26. Policy CP21 of Brent's Core Strategy 2010 seeks for 25% of units to be family sized (three bedrooms or more). The proposal achieves 35% family sized units, so is policy compliant.

Issue 3

Placemaking, scale, massing and height

27. London Plan policy 3.5 promotes quality in the design of housing developments.
28. London Plan Policy 7.6 on 'Architecture' states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is regarded as being particularly important for tall buildings.
29. London Plan policy 7.7 on tall and large buildings states that the location of these should be part of a plan-led approach to change or develop an area. At this time there is no such plan-led approach being pursued in this location. It is noted in the GLA's pre-application response (dated 23 July 2015) they comment that, in the absence of a programme for redevelopment of the area (whilst noting the proximity to Brent Cross Opportunity Area), and an overall tall building strategy for the area, justification for the proposed density and scale would be challenging.
30. At its tallest the proposed building would be 27 storeys above ground level, stepping down to an 8 storey element further west along Oxgate Lane. The surrounding context in Brent is predominantly 3/4 storey buildings. As such a building of the scale proposed would be significantly taller than its surroundings, incongruous with its context and would have a significant visual impact on the townscape from close and long distance viewpoints. The dramatic increase in scale that is proposed would fail to pay appropriate regard to the existing Brent context.
31. To the east of the site on the opposite of the A5 is land within Barnet, including the Brent Cross Regeneration Area, which has outline consent for comprehensive redevelopment including 7,500 homes, 370,000sqm of offices, open space, transport improvements, and an extension to Brent Cross Shopping Centre. This 151ha site, at its western most end is located approximately 150m from the application site. This outline consent allows for a cluster of tall buildings up to 25 storeys within approximately 300m of the application, as well as a new rail station within approximately 250m.

Issue 4

Design and layout

32. Detailed designs for the proposed development have not yet been advanced, though it is envisaged from the limited material presented that the design of the tower will be curvilinear in form, with the lower element being rectilinear in form, with a podium over two levels forming the relationship at street level. In the absence of any further information on massing and architectural approach (including materials) no further comments can be given on the design, appearance or architecture.
33. The site occupies a prominent position on the A5 so must respond appropriately at street level. The proposed ground floor uses will provide a level of activity, however opportunities to further maximise this along the A5 frontage should be explored, with consideration for re-location/re-arrangement of the gym entrance to assist with this.
34. The footprint of the proposed building provides little opportunity for public realm improvements. Existing street trees along the A5 and Oxgate Lane are to be retained,

so this welcomed, subject to this being confirmed. However given the scale of development proposed, and the prominence of the site more significant public realm benefits should be proposed. It may be possible to achieve this by setting back the building further at ground floor; this would improve how the building relates at ground floor and would increase opportunities for additional planting and wider public realm enhancements.

Issue 5

Transport – access, parking and servicing

35. The location of the site along the A5, and its proximity to the Staples Corner junction (where the M1, A406 and A5 converge) means the site has good access to the strategic road network. Public transport connectivity is however a constraint, accessibility is limited reflected by a PTAL rating at the low end, currently the site is partly PTAL 2 and 3. The closest rail or London Underground stations are located at Cricklewood, Brent Cross and Hendon. Of these, Cricklewood station is closest, being approximately 1.2 miles (24 minute walk) away)
36. The future rail station that will come forward as part of the Brent Cross Regeneration Area will be approximately 250m from the proposal site (within the London Borough of Barnet) and will improve the public transport accessibility of the site from 2. Funding of this station is committed; however this new major piece of infrastructure is a number of years down the line in terms of delivery.
37. There are two bus stops within 50m of the site and a number of bus routes are accessible, it is suggested by the applicants that up to 30 buses per hour pass within an acceptable walking distance of the site.
38. There is a shared use bus and cycle lane approximately 120m to the south-east of the site on the A5 heading northbound. There is also a shared use pedestrian and cycle lane which runs from Oxgate Lane to the Staples Corner roundabout. A number of new cycle routes have been proposed as part of the Brent Cross regeneration which will connect the A5 with this redevelopment to the north-east.
39. There have been initial discussions between the applicant and Transport for London (TfL), and TfL advises that due to the scale of development a robust transport assessment be prepared in accordance with TfL's best practice guidance. This should consider the impact of the development both as a whole and its constituent proposed land uses, on all modes of transport at both the occupation and construction phases. This will enable TfL and the Council's Transport officers to determine the likely level of impact and what measures may be required to mitigate the impact of this sizeable development on the transport network. No such assessment has been submitted at this stage for consideration.

Access:

40. The proposal seeks to provide vehicle access to the basement car park via a 5.5m wide ramp, and dedicated servicing/loading area from Oxgate Lane.
41. A vehicle drop-off point is envisaged along the Oxgate Lane frontage, though not clearly demonstrated on plans. Whilst this would need to be fully demonstrated any on-street servicing/drop-off area along the frontage may be resisted by Transportation given its proximity to the busy A5 junction.
42. Pedestrian accesses to residential and commercial are proposed along the Oxgate Lane frontage. In support of any subsequent application TfL have advised that a peak hour's pedestrian review system (PERS) audit and cycling environment study be undertaken within a 150m radius of the site. TfL expects that a scheme of this size contributes to the delivery of improved and safe routes. Cycling access would also need to be segregated from vehicles accessing the basement car park levels.

Parking:

43. Parking for 166 cars (including 17 disabled bays) is proposed within three basement levels, with a ramped access which allows entry/exit from Oxgate Lane. 59 spaces will be provided at basement level -01, for the commercial uses and the gym. The two levels of basement parking below will provide a further 107 residential parking spaces, resulting in a provision of 0.7 spaces per unit. Given the low PTAL of the site currently (partly PTAL 2 and 3) such reduced standards would not normally be supported and the appropriate level of parking to support residential development of the scale and mix proposed would be 194 spaces to accord with adopted standards in PS14 of the adopted UDP (2004). Even applying the approach to seek 75% of the maximum standard on-site for all private units, and a reduced standard of 50% of any affordable units there is still an under provision of on-site residential parking. As part of any justification to support a lower parking level consideration must be given to the impacts of any overspill parking. In this case, there is concern that the scale of overspill parking occurring on surrounding roads would be problematic due to the absence of any on-street parking restrictions, and potentially harmful to the day-to-day functioning of the surrounding industrial estate and the local road network. Emerging Development Management policy DMP12 should also be afforded weight in determining the level of on-site parking required to support the different uses proposed. By applying these standards a maximum standard of 176.5 spaces would be required, resulting in provision of 0.84 spaces per unit, meaning standards would not be met.
44. Visitor and staff parking for the various uses should be provided in accordance with adopted standards, as set out in the UDP (2004). Proposed B class uses attract a standard of 1 space per 150sqm. The banqueting/conferencing element, as too the proposed gym use would attract a standard of 1 space per 60 visitors, equivalent to 37 spaces, and on space for every five employees. The applicant would need to demonstrate further how/if their proposal is in accordance with these standards. As above emerging Development Management policy DMP12 should also be afforded weight in determining the level of on-site parking required to support the different uses proposed, and where venues provide a capacity over 500 persons proposed parking levels will be subject to a detailed transport assessment.
45. 20% of the spaces should be installed with electric vehicle charging points, with a further 20% with passive provision. Such details should be confirmed to ensure London Plan compliance.
46. It is submitted that cycle parking will be provided at a level that meets Brent and London Plan policy requirements, though no figure has been specified. Whilst this commitment is welcomed, further details would be needed to ensure this is proposed in a secure, convenient and accessible location to serve the range of uses on site. Both short and long-term parking provision would be required.
47. One of the considerations is to robustly assess what level of impact the proposed range of uses will have on traffic and parking conditions locally. A banqueting/conference facility with the ability to cater to up to 2230 persons at any one time would be a significant trip generating use, and in the absence of a detailed Transport Assessment officers, at this stage have concerns with the scale of this use, given its location and low PTAL, the nature of the use (i.e. people attending weddings and private functions) and the appropriateness of the location for such a use. Even with a Travel Plan in place to encourage a modal shift the likelihood is that this type of use, due to its location with good access to the strategic road network and the level of public transport accessibility currently available, will attract large numbers of visitors by car or coaches. Due to the level of parking provision on-site then this has the potential to result in overspill parking and associated with this increased congestion at peak times to the detriment of the surrounding road network.
48. The applicant has indicated that any formal proposal would fully assess the site's accessibility as well as the transport impacts associated. It is said this would be

supported by a Travel Plan to help manage travel for large events held in the banqueting/conference halls, whilst also noting that there is un-restricted on-street parking currently. It is also mentioned that locations for strategic coach drop-off and pick-up will need to be identified, and further information in respect of this would be welcomed. Officers are of the view at this time that given the scale of the proposed uses, whilst a Travel Plan would deliver some benefits in terms of modal shift and encouraging non-car access that this mechanism alone would not provide sufficient mitigation for the scale and types of uses proposed in this location.

49. A large visitor attracting use and large trip generator such as the conference/banqueting use that will be used for leisure, commercial, cultural and community purposes is considered to be a main town centre use in terms of the NPPF . Proposals for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should be subject to a sequential test (paragraph 24 of the NPPF). Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to a town centre. Such a use would be subject to a sequential test.

Servicing:

50. A 232sqm internal service yard is proposed, it is understood this will have shared use for refuse vehicle and all necessary loading/servicing required for the range of on-site uses proposed. This has been designed to have a turntable so that vehicles can enter and leave in forward gear. A mixed use scheme such as this would need to be supported by a Servicing and Delivery Plan in order to demonstrate how the competing daily servicing demands can be effectively managed on this site. There are concerns that on a practical day-to-day level a single shared loading bay such as this may result in high levels of demand for its use during peak times, with the result being unacceptable servicing being carried out from the adjoining highways. Until it has been demonstrated to officer satisfaction that competing demands can be accommodated and managed appropriately then the servicing strategy proposed remains of concern.
51. Emergency vehicle access can be gained from both Oxgate Lane and the A5.
52. It is envisaged that a Car Parking Management Plan would be required, and this be secured by condition, and also a Construction Logistics Plan would need to be submitted in support of any future application.
53. TfL have advised that they are in the process of developing a bus priority strategy for the wider area to account of the planned growth in the London Borough of Barnet. According to specific impacts, development will need to contribute funding to enable the growth in bus services. The applicants transport assessment will need to include an analysis of trip generation in order for TfL to determine if any level of contribution would be required from this development.
54. The Councils Transportation officers will provide formal comment on the proposed parking strategy, transport impacts and servicing proposals should any future application be submitted.

**Issue 6
Density**

55. Residential density should be calculated in accordance with guidance in London Plan paragraphs 3.30 and 3.31 in support of London Plan Policy 3.4, and the Mayor's Housing SPG. The London Plan density matrix should be the applicant's guide, for a site like this with a PTAL 2 to 3 in an 'urban' setting, taking into account local context and character, design principles and transport capacity. It is recognised that the site does not display all the characteristics of an 'urban' setting, as such we would expect

density to be at the lower end of the appropriate range (200-450 hr/ha or 45 – 120 u/ha).

56. Net residential density of the scheme has not been provided to date, however it is anticipated that a scheme of this size would be above the parameters of the density matrix which supports London Plan policy 3.4. The density matrix alone is not a single tool to be used to assess the suitability of a scheme in density terms, but it is a determining factor. High density development must be assessed in terms of its bearing on the capacity of existing local amenities, infrastructure and services to support the development, and tested with regards to its contribution to local place shaping. It was recognised by the GLA in their July 2015 pre-application response though that justification for the proposed density and scale, in this location will be challenging.

Issue 7

Heritage Asset

57. The existing building is a non-designated heritage asset. It is of local architectural and historic significance as it was originally designed as a War Office citadel in the 1930's to provide protected accommodation for central government in the event of an attack on central London. The GLA, in their July 2015 pre-app response advised that consideration be given to the building's retention, assessment for its potential for alternate uses and the applicant should provide robust justification for its loss.
58. Non-designated heritage assets (locally listed buildings) are protected through Brent's Unitary Development Plan (UDP) 2004 Saved Policy BE24 and emerging Local Plan DMP7. The National Planning Policy Framework (NPPF) advocates that heritage significance is a material consideration in the planning process. Demolition would cause substantial harm as set out in the Planning Practice Guidance. Appropriate marketing is required to demonstrate the redundancy of the heritage asset in the circumstances set out in paragraph 133, of the National Planning Policy Framework.
59. Furthermore, the building and structure which is locally listed has not been assessed for statutory designation (listing). A threat of demolition is likely to mean an application and consideration for 'spot listing'. A heritage statement will therefore be required assessing the architectural and historic significance and justification for the proposals that would result in its demolition. An archaeological assessment will also be necessary given the proximity to the old Roman road.
60. The applicant has sought to present a robust justification for the building's demolition citing the poor state of repair of the building currently, the fact that basement level 2 is flooded, and has it is claimed been the case for approximately 10 years. It is also suggested that multiple building ownership over the years has resulted in the building being stripped of any original features that would point to the use for which the building was originally intended.
61. Any subsequent application will need to be supported by a detailed Heritage Statement, justification for demolition showing that it cannot be retained and proof of marketing. It is noted that the applicant has appointed a historic building's advisor on the matter. Consultation with the Council's Heritage and Conservation Officer will be required.

Issue 8

Quality of proposed residential accommodation

62. Core principles of the NPPF seek to secure high quality design and a good standard of amenity for all existing and future occupiers, and also to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. To achieve this development should:

- Establish a strong sense of place that is an attractive and comfortable place to live, work and visit;
 - Promote opportunities for meetings between members of the community who might not otherwise come into contact with each other;
 - Promote developments containing clear and legible pedestrian routes, and high quality public space.
63. Access to high quality open spaces and opportunities for sport and recreation make an important contribution to the health and well-being of communities.
64. All of the above are important in helping to create a sense of place, and provide a good quality of life for future occupiers, including their health and wellbeing. Access to local amenities and social infrastructure are material considerations for a proposal of this scale. Any subsequent application would need to demonstrate what local provision there is, and the level of accessibility to local amenities and social infrastructure in order for this to be assessed.
65. Within the development site a separation distance of 20m between facing habitable room windows is required, this would also include balconies, unless it can be demonstrated through innovative design that a reduced separation is acceptable. The relationship between the two residential cores fails to meet this, contrary to SPG17 and is likely to result in unacceptable levels of overlooking and a subsequent lack of privacy for future occupiers. The scheme design and internal layout of residential units would need to be re-considered in view of this unless it can be clearly demonstrated that the privacy of the units in question will not be compromised.
66. The siting of habitable windows in relation to site boundaries would be less than the required 10m, as set out in SPG17. The scheme is therefore very reliant on adjoining sites in order to maintain future outlook and amenity for residents, and this represents an unacceptable arrangement.
67. The quantum of amenity space on-site should be in accordance with SPG17 standards, which seek 50sqm per family unit (3+ bedrooms) and 20sqm for one and two bedroom units. In applying these standards there would appear to be a significant shortfall in on-site amenity space, which may not be justifiable in policy terms. The applicant should provide a detailed breakdown of the quantum and types of amenity space in support of any future planning application. This shall also demonstrate compliance with the Mayor's Housing SPG in respect of the levels of on-site playspace for children of a range of ages. The quality of any outside amenity space is also likely to be harmfully impacted upon by the site's proximity to surrounding SIL and the busy A5 road.
68. The internal floor area of all residential units should comply with the details set out within the Mayor's Housing Standards SPG and Minor Alterations to the London Plan (March 2016). Likewise, 10% of units should be wheelchair accessible (part M4(3)) and the remainder designed to comply with part M4(2). It will need to be demonstrated in support of any planning application that this is the case and this information will need to be set out as part of the planning application.
69. The Mayor's Housing SPG advises that developments should minimise the number of single aspect dwellings. Single aspect units that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. It is noted that the scheme involves a number of single aspect units, with some facing onto the front tower element, as such the number of dual aspect units should be maximised further. Information should also be provided to demonstrate that all units receive good levels of daylight and ventilation given the relationship between the two tower elements, and this should also apply to the areas of outside amenity space.

70. Details of access arrangements to the residential entrances, the podium garden and other outside amenity spaces is required to demonstrate these are fully inclusive
71. A noise assessment will need to be undertaken to demonstrate that the residential units and amenity spaces are not adversely impacted by the adjoining industrial operations and vehicle noise from the adjacent A5, which is affected by heavy traffic.
72. The site is within an Air Quality Management Area, and given its proximity to the Edgware Road and surrounding SIL is also subject to pollution levels as well as noise. As such a detailed air quality assessment would also be needed to demonstrate an acceptable residential environment can be provided.
73. All residential entrances should be clearly legible, which does not appear to be the case along the Oxgate Lane frontage. This should be looked at again to improve the situation.

OTHER CONSIDERATIONS

74. Due to the scale and massing of the building proposed detailed studies/assessment of the impacts of this on wind conditions, daylight, sunlight and overshadowing would be needed in support of any application.
75. A detailed energy/sustainability strategy would need to be submitted to demonstrate compliance with the Mayor's strategy of Be Lean, Be Clean, Be Green, as well as London plan policies relating to reduction carbon emissions and renewable energy. Major residential developments are required to demonstrate they meet the targets for zero carbon emissions, in accordance with London Plan policy 5.2. Opportunities for connection to any nearby district heating network shall be considered and presented. This shall also demonstrate what the on-site drainage strategy is proposed to be and any on-site improvement, including Sustainable Urban Drainage measured detailed in full to demonstrate if it meets the requirements set out in the Mayor's Sustainable Drainage Hierarchy. Brent Core Strategy also seeks that commercial development achieves a BREEAM 'Excellent' rating, and this would need to be demonstrated. In addition to the above, the scheme is required to meet water efficiency targets set out in the London Plan, for 105 litres of usage per person per day.
76. A land contamination/site investigation report will be required.

Applicant position:

77. In support of the proposal the applicant considers the following to be of relevance:
 - The loss of such a small amount of SIL land (0.1% of Brent's allocated SIL) would not be harmful to the supply of employment land. Particularly as the proposed use would yield at least as many jobs on-site as SIL compliant uses could. It is estimated the proposed range uses could generate circa 192 jobs versus the 92 jobs that would be associated with the reuse of the existing building for B8 use and the 179 jobs if reused for B2 (general industrial) use.
 - There is a lack of demand for B uses on site, as demonstrated by previous owner's attempts to market the building for such purposes.
 - Building does not lend itself to occupation and re-use by Class B2 or B8 operators due to current day requirements.
 - The current rental values for a B2/B8 use are inadequate to fund the necessary repair and maintenance costs (n.b no evidence has been submitted at this time to substantiate this). It would not be viable to redevelop the site for modern industrial/warehouse use.
 - The site is on the periphery of designated SIL and is located at a key 'gateway' location. Surrounding uses are non SIL uses, such as the Wing Yip cash and carry business. Other non SIL uses are referred to along the A5.
 - There is evidence of the changing character along the A5 corridor, including the former Oriental City site in Colindale, including a 22-storey building. A number of

other large developments, with tall buildings are referred to in the London Borough of Barnet. Within this changing context the applicant submits the site is suitable for the proposed scheme.

- The proposals incorporate circa 1375sqm of policy compliant B1(b)/B2/B8 floorspace.
- The banqueting/conference centre offer will meet a need due to the lack of existing facilities in the wider area. The nearest similar facility is said to be 3km away, in Colindale. This will provide flexible space available for private rent, with the suggestion that some of the floorspace/halls be made available for use by local community groups (n.b. Whilst this is welcomed no further details have been provided in terms of how this would be provided and whether there is recognised demand for such community facilities in this location).
- Will help address housing need.
- The gym facility will be open to the general public, delivering a benefit to the local community.
- Presents an opportunity for mixed-use development that will maximise the use of previously developed land, consistent with NPPF objectives.

PLANNING OBLIGATIONS

78. In accordance with the Council's Planning Obligations SPD, the proposal would be likely to attract the following obligations to mitigate the impact of the development, if it is acceptable in policy terms:

- Affordable Housing - Final proportion to be subject of a detailed financial viability assessment if less than 50% proposed, and a post implementation/occupation review.
- Employment and training opportunities during construction.
- Car-Parking Permit Free development to remove the rights of future residents to apply for parking permits in the surrounding roads in the vicinity of the site in the event a Controlled Parking Zone is introduced, and a contribution towards CPZ consultation and/or extension and implementation
- Join and adhere to Considerate Constructors scheme
- Energy – For residential buildings achieve Zero carbon in terms of improvement over the Target Emission Rate (TER) 2010 Building Regulations on CO2 emissions and to provide a carbon off-set contribution of (amount to be agreed) to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target level. For non-domestic buildings achieve a BREEAM 'Excellent' rating and achieve a reduction in CO2 emissions in line with London Plan (2016) policy 5.2.
- Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTruTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
- Undertaking of any highway works through an agreement under S38/S278 of the Highways Act 1980 (N.B. the precise nature of highway works necessary to be confirmed at application stage).
- Community Access Plan in relation to the on-site banqueting/conferences floorspace.
- Contribution towards bus capacity enhancement, subject to this being confirmed as necessary by TfL, and an amount to be agreed with TfL
- Contributions to enhance/upgrade existing open space

(N.B this is not a definitive list of required obligations and maybe subject to further changes)

Community Infrastructure Levy (CIL)

79. This would be development that is liable for Mayoral and Brent CIL. The level of liability that this would attract will be confirmed at a later stage when the precise quantum and form of proposed development is known.

CONCLUSIONS

80. Members should note the above development is still in the pre-application stage and that additional work remains to be carried out prior to the submission of any subsequent planning application. Any such formal application would be referable to the Mayor London.