

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 February, 2019
03
15/5564

SITE INFORMATION

RECEIVED	22 December, 2015
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	Trinity House, Heather Park Drive, Wembley, HA0 1SU
PROPOSAL	Demolition of the existing office building Trinity House and to construct 50 residential units (11x 1-bed , 25 x 2-bed 14 x 3-bed), together with 16 onsite car parking spaces, landscaping and amenity space (amended description)
PLAN NO'S	see Conditon 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_125738</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "15/5564" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

INTRODUCTION

Members will be aware that the application was first reported to Committee at your meeting on 10 October 2018 where the application was deferred because Members were minded to refuse the application due to concerns over the lack of any affordable housing in particular, with Members suggesting that additional housing units could be provided in place of the offices and basement parking area. Some concern was also raised in relation to refuse waste arrangements and the potential for obstruction. The applicant has reviewed and amended the scheme and is now proposing some affordable units, the removal of any office re-provision, and the parking provision has also been reconsidered. These are discussed below.

Affordable Housing and mix of units

The key factors of the original scheme that negatively affected viability and resulted in the development not being able to provide affordable housing was the inclusion of a large basement car park and the re-provision of some office units. These two elements resulted in a considerable deficit to the scheme (£2.03M) prior to any affordable housing being considered. Officers were advised by our own viability consultants that the office units alone had worsened viability by 57.97%.

Since members considered the scheme, the basement has been removed and the previously proposed x6 office units have been replaced with x3 residential units, increasing the total housing from x47 units to x50 units. An initial offer of 10 affordable homes (5 x 1-bed, 5 x 2-bed) was made. Officers have had the financial position reviewed because the offer of 20% affordable still falls short of the policy requirement of 50%. In addition, it was requested that sensitivity testing also be undertaken by our consultants to establish whether 3 of the proposed affordable units could be provided as 3-bed homes.

In terms of the initial offer of 10 homes, it has been established that this is the maximum that can be viably offered but would still result in the scheme being in deficit by approximately £0.51M (assuming target profits are achieved) although considerably better than the previous position. Again noting that this is still below the policy target of 50%, a post implementation review is recommended (and agreed to by the applicant) to enable the Council to capture any uplift in value. The impact of switching some of the affordable homes to 3-bedrooms is minor (£85K) and having regard to this, the applicant has agreed to amend the affordable offer to 4x 1-bed, 3x 2-bed, and 3x 3-bed. It should also be noted that the tenure split for the affordable units is a policy compliant 70/30 split, broken down thus:

- Affordable rented units: 2 x 1-bed, 2 x 2-bed, and 3 x 3-bed
- Intermediate units: 2 x 1-bed and 1 x 2-bed

This is represented as a scheme deficit of £595,000. However, this is based on target profits of 20 % for private dwellings and 6 % for Affordable. While these are standard assumptions for profit, it should be noted that the scheme is would still return a profit between 15 % to 20 % in line with national Planning Practice Guidance.

This is considered to represent the maximum reasonable proportion of Affordable Housing in line with adopted policy. However, if, bearing in mind the discussion above, the Planning Committee are still minded to refuse consent, then the following reason for refusal could be considered:

The proposal would fail to provide the maximum reasonable amount of affordable housing which meets an identified need within the Borough, which would be contrary to Core Strategy (2010) policy CP2 and Development Management Policy (2016) DMP15, policy 3.12 of the London Plan consolidated with alterations since 2011 (March 2016) and policies H5 and H6 of the draft London Plan (2017).

Loss of office floorspace

As discussed within the main committee report, the site currently contains offices. These are of poor quality and the current building is largely unoccupied. It should be noted that as the site is not within Local Significant Industrial Site or Strategic Industrial Site, the offices could potentially be converted to residential under permitted development rights through the prior approval process. This gives the applicant a Legitimate fall back position. In general officers consider that these can result in poor developments in terms of the efficient use of land, compliance with residential living standards and the overall quality of individual units and the residential environment provided. It is considered that the proposed development is likely to provide a significantly larger number of dwellings of higher quality than could be achieved through conversion of the existing building, and that this is consistent with development plan objectives. Furthermore, the inclusion of office accommodation had a significant affect on the viability of the scheme as discussed above, and the

benefit of providing 10 affordable units is considered to outweigh the loss of office accommodation at the site.

Quality of the additional residential units

The three additional units are located at ground level (annotated on the plans as Numbers 48, 49 and 50). Units 48 and 50 are both 1 bed 2 person flats measuring 55.7sqm each. Unit 49 is a 2 bed 4 person flat measuring 86sqm. All three of the units are single aspect facing onto Heather Park Drive. They all have a front garden to act as a sufficient buffer to the road. Whilst none of them have access to private external amenity space, they are all oversized (by 5m sqm for units 48 and 50, and by 13sqm for unit 49), and they all have access to the communal garden at roof level.

The resulting amount of amenity space per flat taking into account the three additional units has been reduced from 23.5sqm to 22sqm. This still exceeds the target of 20sqm per flat as set out in DMP19.

On balance, it is considered that the standard of accommodation for the three additional units is of good quality, and that sufficient levels of external amenity space will be provided for the proposed flats.

Parking

The basement car park has now been removed and 16 car parking spaces (incl. five disabled), all of which will have electric vehicle charging points, are now proposed at the eastern end of the site. Access is proposed via a 4.5m drive with 2m kerb radii onto Heather Park Drive. Bicycle parking for 120 bikes is proposed in a ground floor storage room, with three further storage rooms shown for waste storage.

The existing office building would be permitted up to 13 off-street car parking spaces (one per 200m²), although this again could be increased to 50 if each suite is treated as a separate business. As previously noted, there are 31 spaces marked within the site at present. The proposed 50 units would be allowed up to a maximum of 57 parking spaces, therefore the proposed 16 spaces accords with maximum standards.

Policy DMP12 also requires that any overspill parking generated can be safely accommodated on-street. As previously noted, car ownership for flats in the area averaged 0.65 cars/flat in the 2011 Census. On this basis, the development could be expected to generate demand for 33 car parking spaces, which would leave 17 cars looking for on-street parking space.

The lightly parked section of Heather Park Drive has sufficient width and frontage length to accommodate about 20 parked cars, thus taking total on- and off-site provision within and alongside the site to 36 spaces. It is therefore considered that there would be adequate space within and adjoining the site to safely accommodate future parking demand, particularly as 10 of the flats are to be for affordable housing.

The layout of the car park provides suitable turning space and the proposed access allows sufficient width for cars to pass one another. Suitable kerb radii are indicated for car access and as Heather Park Drive is a straight road, visibility splays meet standards. There are existing speed cushions in Heather Park Drive at the location of the proposed access point that will need to be repositioned westwards to accommodate the amended site access arrangements though. In addition, the two existing crossovers that will become redundant will also need to be reinstated to footway with full height kerbs at the developer's expense. These highway works are recommended to be secured as a condition to any forthcoming consent.

The London Plan requires the provision of a secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement for 89 bikes. The proposed 120 bicycle spaces exceed standards with the bike store accessed from Heather Park Drive.

Servicing

Three separate bin stores are proposed, with total storage for up to 21 Eurobins, which exceeds storage requirements, as only 13 Eurobins are required. The bin stores are all within 10m of Heather Park Drive to allow easy access for refuse crews and are considered acceptable.

In relation to the concern raised that the development will cause obstruction to vehicular traffic by refuse lorries blocking the road, Heather Park Drive is a single carriageway, local access road with speed cushions along its length. With on-street parking on either side, the effective width is approximately 3.4m. Where vehicles approach from either end, either vehicle gives way by pulling into an available space. With refuse lorries, the existing situation is one where it will already block or slow traffic as it collects refuse, for the

existing dwellings and businesses along the street. Moreover, refuse collections occur at a similar time each week and residents would generally avoid travelling along the road at those times, although there are opportunities, as described above, for drivers to pull over into unoccupied spaces or if wanting to connect to Beresford Avenue to the south, the connecting Kenmere Gardens could be used.

Officers consider that a refusal for this reason would be considered unreasonable and not sustainable at Appeal, however, should Members still be minded to refuse the scheme on this element, a possible reason for refusal is outlined below:

In the absence of being unable to adequately service the development site clear of the main carriageway, the proposal is likely to result in conditions prejudicial to the free and safe flow of traffic on the adjoining highway. This is contrary to Development Management Policy (2016) DMP13, policies 6.11 and 6.12 of the London Plan consolidated with alterations since 2011 (March 2016) and policy T4 of the draft London Plan (2017).

Additional Re-consultation Response

One additional letter of objection has been received following the re-notification of the amended scheme to neighbours, raising objections to the impact on parking and effect on the character of the road in regards to multiple flats being built in the area.

In relation to parking, this is addressed above, where it is again confirmed that the development is providing parking in accordance with adopted maximum standards and there is sufficient on-street capacity.

With regard to the character of the road being affected, there is a pressing strategic need to increase the supply of housing throughout London and the borough and this can only be achieved through higher density schemes. Notwithstanding, development proposals must also have regard to the character of the area in terms of design and scale (the proposed development is not dissimilar to the existing in terms of the building footprint) and the provision of family size units will help to maintain the character of the street as being family friendly as well as creating a balanced community through a range of unit sizes.

Update to Section 106 Heads of Terms and draft planning conditions

It is recommended that point 2 of the Section 106 Agreement is updated to include the following wording:

The provision of 10 units of Affordable Housing comprising:

- Affordable rented units: 2 x 1-bed, 2 x 2-bed, and 3 x 3-bed
- Intermediate units: 2 x 1-bed and 1 x 2-bed

It is recommended that condition 2 is updated to include the revised plan numbers and updated Transport Assessment to take into account the changes described above, and for the summary for granting consent is updated to replace SPG17 "Design Guide for New Development" with SPD1 "Brent Design Guide".

It is also recommended that condition 3 is updated to read as follows:

No less than nine of the units hereby approved shall be constructed as wheelchair user dwellings (Requirement M4(3) of the Building Regulations) as indicated on the submitted plans, and the remainder (x41 units) shall be built in accordance with Requirement M4(2) of Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

Finally it is recommended that condition 15 is updated to reflect the removal of the basement and resulting changes to the highway in relation to the car park access. The recommended wording is as follows:

Prior to development commencing, excluding demolition, the following details shall be submitted to and

approved in writing by the Local Planning Authority:

- (i) -removal of all existing redundant crossovers to the site and reinstatement to footway,*
- (ii) construction of the proposed new car park access and relocation of existing speed cushions in Heather Park Drive away from the proposed access*

The works shall be carried out at the applicants expense in accordance with the approved details before the development is occupied.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity, and to reduce the risk of vehicle grounding at the highway threshold.

Equalities

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

Recommendation: Officers continue to recommend that permission is granted subject to the completion of a legal agreement and conditions set out above and within the original report, which is set out below:

RECOMMENDATIONS

To resolve to grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

A. That the Committee resolve the GRANT of planning permission subject to:

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. s106 post-implementation viability review
3. Training and employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.
 - b. Prior to a material start, to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. To use reasonable endeavours to achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide training for a previously unemployed Brent resident/school leave for at least 6 months
4. Carbon offsetting
 - a. Contribution of £18,302.40 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated 23rd January 2017.
5. Considerate Constructors Scheme

B. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

C. That the Head of Planning is delegated authority to issue the planning permission and impose conditions to secure the following matters:

- 1 Time Limited Permission
- 2 Approved Plans
- 3 Wheelchair accessible units
4. Restriction of Change of Use to C4
5. Non-Road Mobile Machinery (pre-commencement)
6. Construction Methodology / Traffic Management Plan (pre-commencement)
7. Construction Waste Management Plan (pre-commencement)
8. Details of Materials
9. Noise
10. Plant
11. Air Quality
12. Low emission boilers
13. Contaminated Land
14. Details of External Lighting
15. Details of Access and Junction
16. Parking Layout
17. Electric Vehicle Charging Points
18. Travel Plan
19. Details of Zero / Low Carbon Technologies
20. Water Efficiency
21. Details of SUDS
22. Soft and Hard Landscaping
23. Means of Enclosure
24. Bird Boxes
25. Satellite dish / TV Antenna

D. Informatives as detailed at the end of this of this report.

E. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee not that such change(s) could reasonably have led to a different decision having been reached by the committee.

F. That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

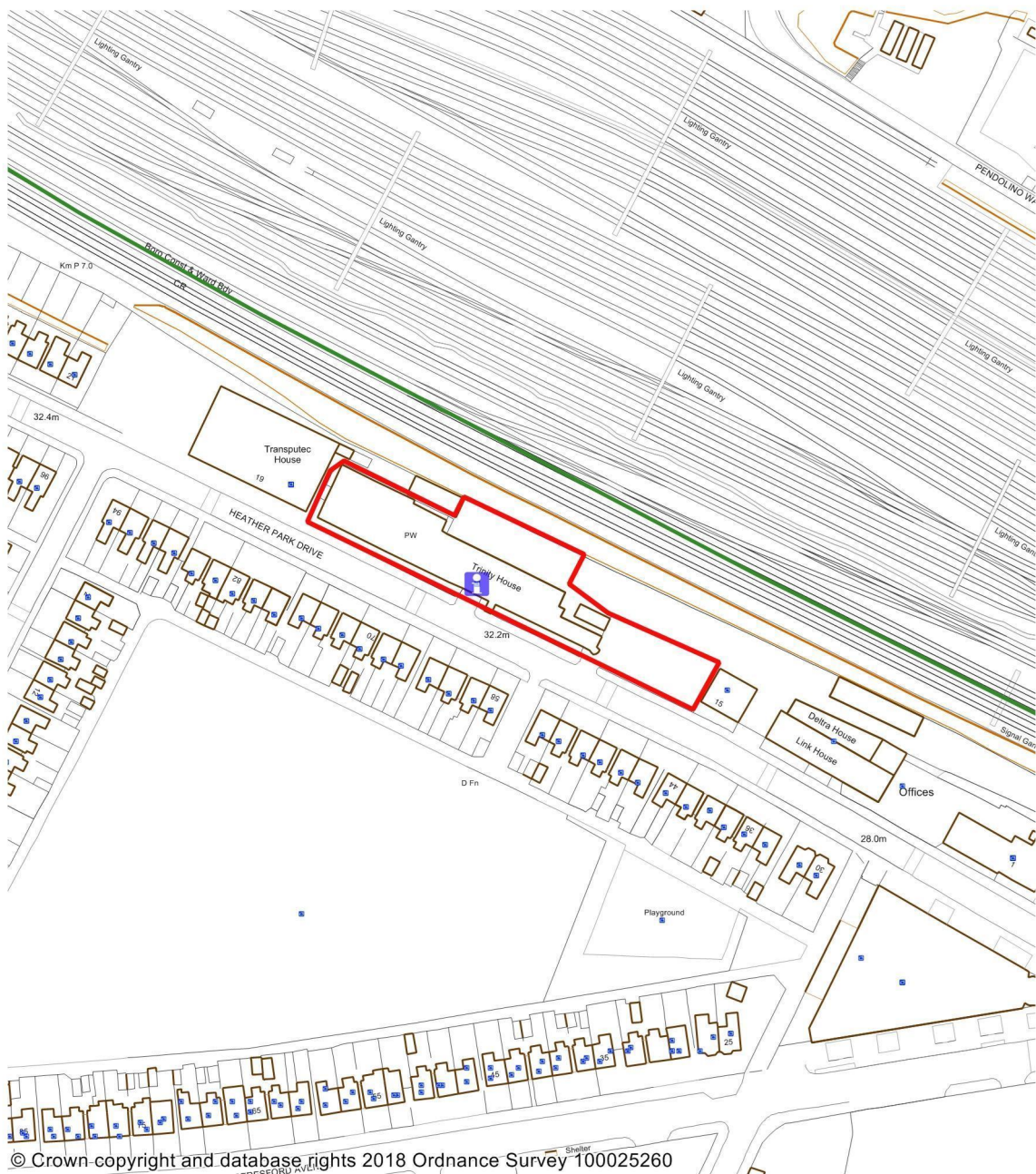
SITE MAP



Planning Committee Map

Site address: Trinity House, Heather Park Drive, Wembley, HA0 1SU

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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing building known as Trinity House and erection of a four-storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping.

The proposed building will have a maximum height of approximately 14.3m to the top of a flat roof, 98m in length, and will vary in depth from approximately 10.3m at its eastern end to 17m at the western end.

Thirty seven parking spaces are proposed within the basement (inclusive of seven spaces for disabled persons), with access provided via a ramp at the eastern end of the building.

EXISTING

The site comprises of a part two, part three storey office building located on the northern side of Heather Park Drive, with a car park at the eastern end of the site and a further car park along the majority of the rear, accessed by the centrally located undercroft access. To the east of the Trinity House's rear car park is a further car park serving Unitrust House, Link House and Deltra House, all located beyond the eastern car park. Beyond all of the car parking at the rear is the railway embankment for the West Coast Main Line.

The southern side of the road consists of half timbered, two-storey mock Tudor semi-detached dwellings. Immediately to the west is Transputec House, a two-storey office building which Members resolved to grant planning permission for the redevelopment of the site and the erection of x2 five-storey residential blocks containing 36 residential units (ref: 18/0284).

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The number of units have been reduced from the originally proposed 58 to 47 as a result of an internal rearrangement of the layout to remove 9 single aspect, north facing units (3 per floor);
- The removal of an office from the basement and its conversion to a cycle store;
- The provision of a roof-top terrace across the whole roof; and
- Amendments to the width of the access ramp.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Representations received: A total of 227 neighbours were consulted on the application. Four objections were received raising concerns regarding the design and scale of the building, impact on neighbouring amenity and parking pressures.

Principle: The site is currently in employment use, however it is not a designated employment site and the submission has demonstrated that the re-use or redevelopment of the site for employment purposes would not be viable. The proposal will provide 708sqm of office floorspace within the new building. Furthermore, the residential redevelopment would be appropriate to the character of the area. It would provide 47 new homes that contribute towards the Borough's housing targets. On balance officers support the loss of employment floorspace and residential redevelopment of this site.

Affordable housing provision and housing mix: The development is not proposing any affordable housing and a financial viability appraisal confirms that the scheme will not be viable but that this position should be reviewed post construction in order for the LPA to capture any uplift in values to go towards offsite affordable housing provision. In addition, the lack of affordable housing should also be balanced against the 30% provision of family size accommodation against the policy target of 25%.

Design: The design of the proposed building is considered to be acceptable and appropriate, and positively contributes towards the streetscene. The streetscene is also improved through the provision of landscaping along the building frontage and through the creation of a landscaped area at the eastern end of the site.

Relationship with neighbouring properties: The proposal would have an acceptable impact on neighbouring properties in terms of light and outlook and would not lead to any overlooking or loss of privacy to neighbours, in accordance with standards set out in SPG17 and draft SPD1.

Residential living standards: The development would provide a good standard of accommodation for future residents. All of the units would comply with minimum floorspace standards and a combination of private and communal amenity space would be provided in excess of the required standard. A reasonable proportion of units would be dual aspect, and the single aspect units would all be south-facing.

Transportation considerations: Sufficient parking would be available within the site and along the site frontage, and traffic generation is predicted to be minimal.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	2500		2500	-2500	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Flats û Market)	7	22	11							40
PROPOSED (Flats û Social Rented)	3	2	1							
PROPOSED (Flats û Intermediate)	1	1	2							

RELEVANT SITE HISTORY

None relevant, however it has been resolved to grant planning permission (ref: **18/0284**) at the adjoining site (Transputec House) on 1508/2018 for the demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access.

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 227 neighbouring and nearby properties in addition to site and press publicity. Objections have been received from four addresses raising some or all of the following points:

Comment	Response
Good project provided there is ample parking for residents and Heather Park Drive is turned into one way traffic. Otherwise there will be traffic mayhem at peak hours.	Parking considerations are discussed within paragraphs 25 and 26 below.
Scheme is too big for the site and will generate more traffic than anticipated.	The design and scale of the building are discussed within paragraphs 4 to 6 below. Parking and traffic considerations are discussed within paragraphs 25 and 26 below.
If the plans for the basement community centre is agreed, what is that capacity to have external events and attract visitors in their own vehicles	The community centre is no longer part of the scheme.
Visitors with cars will invariably park on the road and you have increased the density of the static population of the area at once	Parking and density considerations are discussed within paragraphs 25 and 26 and 60 to 62 below.
The scheme will only exacerbate existing parking problems caused by visitors to the businesses and commuters during the morning hours. The road should be made one-way and resident only parking should be introduced from 8am to 12pm. A residence permit parking system - irrespective of whether or not this project goes ahead	The development complies with adopted parking standards and potential traffic generated is considered to not be significant. Parking surveys demonstrate that there is spare capacity for 40-50 vehicles on street, with 20 directly in front of the building. A CPZ is not considered necessary.
The developers should ensure sufficient green elements are introduced such as bushes, flowers, trees, grass.	A landscaping scheme is proposed and would be secured by a planning condition.
The solution for waste collection should ensure fly tipping is prevented	The refuse storage proposed is considered acceptable for the development and will be secured via planning condition.
Building works should not impede traffic on the road	A Construction Management Plan will be secured by a planning condition to minimise impacts beyond the site.
The extra story will mean a loss of light and permanently being overlooked by all front facing properties	The relationship with the properties on the opposite side of Heather Park Drive is discussed within paragraphs 12 to 14 below
The extra floor is higher than any other provision in the area, including that first phase of the Northfields development	The scale of the building in relation to its surroundings is discussed within paragraphs 4 to 6 below.

Statutory / Internal Consultees

Network Rail

The initial holding objection has been removed, subject to the applicant submitting Risk Assessments, Method Statements and designs for Network Rail approval.

Environmental Health

It has been advised that there are no objections in relation to noise, vibration or air quality as the mitigation measures and methodology are acceptable. In relation to contaminated land, further site works are necessary and conditions are recommended to secure an investigation and remediation/verification.

Local Lead Flood Authority

It has been advised that no objections are raised. There are no historical flooding records in this area. Existing site is 100% impermeable and surface water discharges to public surface water sewer network. The

developer are proposing to install water butts, green roof and storage tanks and proposed surface water discharge will be restricted to 17 l/s and this will reduce the flood risk in this area. Existing surface water and sewer network will benefit from reduced discharge.

POLICY CONSIDERATIONS

The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 4.3	Mixed use development and offices
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.18	Protecting open space and addressing deficiency
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP18	Protection and Enhancement of Open Space, Sports and Biodiversity
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21	A Balanced Housing Stock

Development Management Document

DMP 1	Development Management General Policy
DMP9a	Managing Flood Risk

DMP9b On Site Water Management and Surface Water Attenuation
DMP12 Parking
DMP13 Movement of Goods and Materials
DMP14 Employment Sites
DMP15 Affordable Housing
DMP18 Dwelling Size and Outbuildings
DMP19 Residential Amenity Space

Other Relevant Considerations

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
Technical housing standards – nationally described space standards (2015)
LB Brent S106 Planning Obligations SPD (2013)
LB Brent Design Guide for New Development (SPG17) (2001)
draft LB Brent Design Guide for New Development (SPD1)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of the loss of the office use

1. Policy DMP14 provides two detailed criteria for the release of local employment sites: that continued wholly employment use is unviable; or that significant benefits consistent with wider development plan objectives would be achieved. The existing building will require extensive works to modernise it, such as: insulation throughout; all windows are single-glazed and need to be replaced with double-glazing; introducing air-conditioning or a heating system; amending floor to ceiling heights to satisfy Building Regulations; and a new roof. The low quality office space has resulted in only 35% occupancy. More recent analysis undertaken in relation to the Transputec House scheme has also confirmed the attractiveness of higher quality office space in more accessible areas such as Alperton.
2. Notwithstanding the above, the development re-introduces some office space at ground floor level, at the western end of the building.
3. Although the employment offer is welcomed, the independent viability review confirms that the overall viability of the scheme is worsened substantially by this (it should also be noted that a 100% residential scheme will not improve viability to the point of being able to make an affordable housing offer). A mixed use scheme will bring wider benefits through the introduction of additional housing, with the development also improving the appearance of the streetscene and ecological enhancements.

Design / Scale / Character / Appearance / Proximity to Boundaries

4. The proposed building, at approximately 98m in length is longer than the existing (approximately 90m), as it extends eastwards into the existing car park. However, it will still retain a distance of approximately 26m to the common boundary with Unitrust House to the east, with the majority of this space given over to soft landscaping.
5. The long, continuous façade of the existing building is only broken by the large, centrally located undercroft vehicular access and the adjacent projecting entrance lobby. In terms of variation in height, the building height increases towards the centre. Whilst it may have been preferable for the proposed scheme to have a clear break in its long façade, the building is designed with greater articulation along the entire building frontage, with elements either recessed or projecting, thus helping to visually break up the façade, provide some verticality to its appearance and also reflect the rhythm of development seen in the dwellings opposite. The projecting features are an acknowledgement of the double-height bays on the dwellings opposite, one of the strong, positive features of those dwellings. Overall, the design is considered to be a considerable improvement on the existing building and one which will positively contribute to the streetscene.
6. The additional height is considered acceptable as elements of the top floor are set back and the overall building envelope does not compromise the design guidance contained in SPG17 by respecting the

30-degree line taken from a point 2m in height at the windows on the dwellings opposite. Moreover, the proposed height will be comparable to the heights achieved with the scheme approved on the adjacent site (Transputec House).

Quality of Accommodation

7. To ensure that the quality of new housing is sufficient, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), and the nationally described space standards ("Technical Standards"). All units exceed their respective minimum standard and is therefore considered acceptable with regard to their internal space.
8. In order to ensure an acceptable level of light and outlook for occupiers, the number of single aspect units should be minimised. In particular, north facing single-aspect units are discouraged, although it is recognised that these may not always be unavoidable. Of the forty seven units proposed, eight are single aspect units but are all south-facing. Moreover, the main habitable rooms are located on the southern elevation, thus still providing those occupiers with sufficient levels of light.
9. Design guidance (draft SPD1) also seeks to minimise the number of units per core, advising that this should not normally exceed eight. The proposed building has four cores, with three of these cores serving three units on each floor and the fourth core (towards the eastern end of the building) serving four units per floor. This arrangement is considered acceptable.

Amenity Space Provision

10. New developments should be providing private amenity space to all dwellings (20sqm per Flat), or where this is not achievable, in the form of communal space. All of the flats will be provided with their own private amenity space in the form of balconies/terraces. Flats 1-5 on the ground floor will each be provided with rear gardens of between 42sqm and 56sqm, in addition to some front garden space. All units on the upper floors will each be provided with front balconies of between 4.5sqm and 9.9sqm. Whilst some of the balconies are below the London Plan standard of 5sqm, at 1.6m in depth, they exceed the minimum recommended depth of 1.5m. On balance, it is considered that these balconies will still provide useable and adequate space in which to provide a table and chairs. Some of the units with the smaller front balconies will have these supplemented by side or rear balconies of 6.75sqm and 3.78sqm respectively.
11. In addition, communal space (1010sqm) will be created on the roofspace, accessible by each Flat and a further area at the rear of Flats 6, 7, 8 (98.5sqm). A communal garden (305sqm) is also proposed at the eastern end of the site, between the vehicular ramp and the adjacent development, however this is only accessed from the street but will provide some welcome soft-landscape relief to the streetscene. The overall provision of communal space, excluding the garden at the eastern end of the site, amounts to 23.5sqm per Flat and is considered acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy / Loss of Light

12. The proposed building sits on the approximate footprint of the existing, albeit extending further eastward onto the existing car park. Distancing levels to the properties opposite (approximately 21m), therefore remain unchanged and considered acceptable in this regard. Although the proposed building will increase in height between one and two storeys, as discussed above, the design guidance in SPG17 with respect to building heights is adhered to.
13. As discussed above, distances to the properties opposite are maintained, and whilst there is a greater height in the proposed development, the relationship between facing windows remains unaltered and will not lead to the greater potential for overlooking and loss of privacy or to loss of light and overshadowing.
14. The development does not contain windows on the flank elevations, therefore will not impact on the amenity of the potential occupiers of the scheme approved at the adjacent Transputec House site. Although windows are proposed on the flank elevation of the nearest approved building, distancing levels increase as that approved building rises and the majority of them are secondary windows. Similarly, the proposed development will not have a materially greater impact on those potential adjoining occupiers in terms of loss of light and overshadowing.

Housing

Tenure / Mix / Affordable Housing

15. Core Policy 2 ("Population and Housing Growth") confirms that at least 25% of new homes will be family-sized units (3-bed or larger), and CP21 ("A Balanced Housing Stock") confirms the need to provide an appropriate range and mix of self-contained units. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan's target of 50% affordable housing. DMP15 ("Affordable Housing") seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs. For the scheme, this would equate to 12 no. 3-bed or larger units, and 24 no. affordable units (17 being social/affordable and 7 intermediate tenure).
16. The application proposes 9 x 1-bed, 24 x 2-bed, and 14 x 3-bed flats. The number of 3-beds proposed equates to approximately 30% of the total provision, thus exceeding the policy target, and therefore considered acceptable on this element.
17. A financial appraisal, which has been independently assessed, which as discussed above, concludes that the development is not viable, even before affordable provision is taken into account. This is largely due to the re-provision of some office space which has substantially worsened the overall viability of the scheme by a substantial 57.97%, with the residual value of the proposed (i.e. before deducting benchmark land value) at -£4.826m against the previous -£3.055m. Whilst it is disappointing that affordable housing cannot be provided, officers recommend that a s106 Agreement is entered into, to secure a review mechanism in order to clawback any potential uplift.
18. Members should note two matters in relation to the Review. Firstly, it was undertaken in January 2018 and this is considered sufficiently recent for any conclusions to still be valid. Secondly, it was undertaken on the basis of 53 units being proposed, prior to the proposal being reduced to 47 units. This does not nullify any of the conclusions because the loss of six units does not make the scheme more viable, particularly when the extent of the basement remains unchanged. All of the assumptions remain applicable.

Accessible and Adaptable Dwellings

19. The London Plan requires that 10% of housing should be wheelchair accessible, which would equate to 5 units out of the 47 proposed. Nine wheelchair units are proposed, with four each over the first and second floors and one on the third floor. The provision in excess of London Plan standards is welcomed. Although it may have been preferable to have a wheelchair unit on the ground floor, all units will be built so that they are easily adaptable. A condition is proposed to ensure that the proposed number of wheelchair units are secured and that the remaining units are easily adaptable.

Impact on Adjacent Railway

20. The holding objection initially raised by Network Rail has been removed subject to the applicant also submitting and gaining their approval for Risk Assessments and Method Statements. Concerns had been raised over ensuring the structural integrity and safety of the railway during and post construction, for the safety of construction workers, and the impact of noise and vibrations from the operation of the railway on occupiers. Similar issues were raised by the scheme at Transputec House.
21. A minimum 3m gap should be retained between the structures on site and the railway boundary. As described above, the proposed building will be constructed on a similar footprint to the existing. Where the footprint increases in depth towards the car park serving the neighbouring office buildings, there is still a distance of approximately 6.9m to the railway boundary. As with the requirements for the adjacent site, a suitable trespass proof fence of a minimum height of 1.8m will be required by condition, to be set back at least 0.5m from the railway boundary to the boundary with the railway land.
22. Network Rail would need to review and agree all excavation and earthworks within 10m of the railway boundary, including alterations to ground levels, de-watering works and ground stabilisation works, to determine if the works impact upon the support zone of their land and infrastructure and to determine relative levels in relation to the railway. Methods of construction works on site will also need to be reviewed and agreed by Network Rail to ensure there is no impact on critical railway infrastructure, and no excavation works are to commence without their agreement. These matters can be secured by condition. A method statement would also be required to be submitted to Network Rail for any

vibro-compaction or piling works.

23. The developer is also required to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, in addition to any planning consent. Additional requirements apply in respect of scaffolding, demolition, tower crane usage, drainage measures. Alterations in loading within 15m of the railway boundary would also need to be agreed with Network Rail. In addition, a Basic Asset Protection Agreement would also be required. Informatives are recommended to deal with these matters. The applicant will be advised of all of the above by Informatives.

Highway Safety

24. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

25. The existing building accommodates 35 parking spaces and the proposed 37 parking spaces (inclusive of x7 blue badge spaces) would comply with maximum standards (maximum of 54 spaces). Policy DMP12 also requires that any overspill parking generated can be safely accommodated on-street and more recent surveys conducted in relation to the Transputec House scheme confirms spare on-street capacity of between 40 and 50 vehicles on the street (with provision for around 20 parking spaces outside the application site). Car ownership for flats in the area averaged 0.65 cars/flat in the 2011 Census, therefore the basement car park would be capable of satisfying future parking demand, as the scheme provide 0.68 parking spaces per unit (this is in line with the 2011 census data).
26. The layout of the basement car park, with lift cores extending into the aisle width potentially makes a number of the spaces difficult to access (notably spaces 3, 4, 9, 10, 15, 16, 23, 26 & 30), as well as interrupting the marked pedestrian path through the car park. Vehicle tracking should be provided to confirm that the above spaces are easily accessible. It should be noted that should it be subsequently determined that a reduction in parking capacity is necessary within the basement, this is not likely to cause any concern given the findings above in relation to the availability of on-street capacity, even when viewed together with the Transputec House scheme.

Cycle Parking

27. The London Plan requires the provision of a secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement of 85 bikes for residents. Five long-stay spaces are also required for the offices, taking the total requirement to 90 long-term spaces. One hundred cycle spaces are proposed, which exceeds the minimum requirements and is welcomed. Details of the cycle storage (Broxap Bridge stands) have been submitted and are considered acceptable.

Servicing

28. Small refuse storage compounds for up to four Eurobins are proposed alongside each of the proposed entrance cores to the flats, providing a convenient position for bin storage for residents. The doors to the stores have been amended to make the bins easier to access and to avoid any opening of doors over the public highway. Bins will be moved to a larger communal bin storage area at the eastern end of the building on collection days by a caretaker, thereby allowing direct collection from Heather Park Drive by refuse collection staff. This arrangement is considered acceptable, and sufficient storage capacity is provided to accommodate a minimum of 12 euro bins to meet refuse requirements for this scheme.
29. The offices to the development increases servicing requirements, with Appendix 2 of the DMP requiring the offices to be serviced by 8m rigid vehicles. No provision has currently been made for servicing, however with the reinstatement of the redundant crossovers, in particular the one providing access via the undercroft, there is the potential to use that additional on-street space as a servicing bay for the offices. This would only be required during office hours, after which time it could revert to residents parking. A contribution, secured via the s106 Agreement, would be required for the necessary works/orders to be made, and the applicant has indicated his agreement to this.

Access

30. Concerns were initially raised by officers with regard to the ramp width. The increased minimum width of 5.3m (plus 300mm margins), increasing to 8.245m on the sharp bend in the ramp is welcomed, as this will now enable two cars to pass along the access ramp. However, the small inside radius kerb retained for traffic entering the basement still provides some concern and may restrict two-way movement at this point. It is therefore recommended that tracking diagrams are submitted to demonstrate two-way working at the bend, using a large vehicle. Should it be demonstrated that it would not be possible to have safe, two way working for large vehicles, the inside kerb could be amended by adjusting the wall. Alternatively a traffic light system could be employed to control traffic on the ramp, however this is not preferable as it may lead to vehicles backing up on the highway and would also entail additional maintenance costs for the developer. Further details are recommended to be secured as a condition.
31. Concerns were previously raised in relation to the lowered headroom of the basement (2.45m) not being of a sufficient height (2.6m) to accommodate high-top conversion vehicles for wheelchairs. With the headroom having been amended to 2.6m, high-top conversion vehicles will now be able to access the basement.
32. The two existing crossovers that will become redundant will need to be reinstated to footway with full height kerbs at the developer's expense. The applicant will be reminded of this by way of an Informative. As discussed above, one of these spaces will be utilised as a servicing bay for the office units during working hours.

Trip Generation

33. Future predicted trips to and from the development have been based upon comparisons with seven similar residential developments within other areas of London, plus two office developments. The sites chosen are considered to offer an appropriate comparison and the trip rates obtained compare well with those that have recently been estimated for a study of the Alperton Area Housing Zone.
34. It is estimated that the development will generate 26 arrivals/ 28 departures in the morning peak hour (8-9am) and 20 arrivals/30 departures in the evening peak hour (5-6pm) Of these trips, 4 arrivals/5 departures in the am peak hour and 5 arrivals/5 departures in the pm peak hour are estimated to be by car. On this basis, the impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis, with a comparison with typical vehicular movements for the existing offices suggesting that a reduction in traffic to and from the site is likely, particularly in peak hours.
35. In terms of public transport trips, the development is now estimated to generate 22 journeys in the am peak hour and 20 journeys in the pm peak hour. This represents less than one additional passenger per bus/train serving the local area, so is not considered significant enough to having any adverse impact on capacity.
36. Future walking and cycling trips to and from the site have been estimated at 14 trips by foot in the am peak hour and 17 trips in the pm peak hour (in addition to the public transport trips which need to travel by foot between the site and the station/stop), whilst 3 and 1 trips by bicycle are anticipated in each peak hour.
37. Although the above trip generation figures are acceptable in terms of likely impact on the local transport networks, the size of the development is still sufficient to warrant a Travel Plan Statement under TfL's guidelines. Although it would not to set specific targets, it should set out a set of Travel Plan measures along with an Action Plan for implementation. It is recommended that this is secured by condition.

Sustainable Design

38. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation. This is supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The London Plan sets a target for the residential parts of the development to achieve CO2 reductions to a level "zero carbon" through on-site measures and through the use of carbon off-setting. Policy CP18 of Brent's Core Strategy seeks for major commercial floorspace to meet BREEAM "excellent". In this case, the floorspace of the commercial use does not constitute a major application in itself (as it is less than 1000sqm), and therefore there is no requirement to achieve BREEAM "excellent".

Energy

39. The Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy. The Statement recognises that whilst there is currently no Decentralised Energy Network (DEN) in the immediate vicinity, the site is not too distant from the Alperton area of decentralised energy potential. In addition, the recently approved Northfields scheme will include a large site wide heat network within approximately 450m of this site. Future connectivity to a DEN is safeguarded within the scheme through the consideration of the design and location of the necessary infrastructure such as pipes. The facilities room within the basement will be capable of accommodating heat exchangers and any other equipment. Such details are to be secured as a condition.
40. The proposed design approach is to minimise energy consumption through passive design, fabric performance and energy efficiency measures. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
41. There is also a requirement to reduce CO₂ emissions across the development using renewable or low-carbon energy sources, where practical and feasible. Therefore the report has considered the feasibility of the following technologies:
- Wind turbines
 - Solar hot water
 - Photovoltaic systems
 - Biomass heating
 - CHP (Combined heat and power)
 - Ground & Air source heating
42. The results of the assessment of suitable technologies relative to the nature, locations and type of development suggest that the preferred solution to be the installation PV panels, producing approximately 41,456Kwh/annum. The remaining technologies considered were discounted for various reasons such as the potential impact on neighbouring occupiers from the necessary plant, impact on streetscene, or the lack of available space on the site or building to accommodate bore holes for heating systems.
43. Overall, regulated emissions achieve a 35.18% reduction in DER/TER in line with London Plan requirements. In addition, 27.60% of this reduction in DER/TER was achieved via the use of renewable technologies.
44. The shortfall in carbon savings to achieve a zero carbon development will require a contribution to the Councils carbon fund of £18,302.40, to be secured by a legal agreement. Details of the PV panels, including a maintenance plan will be secured by condition.

Flood Risk/Drainage/Water Consumption

45. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The site falls within the Flood Zone 1, with the risk of fluvial flooding considered to be low. The risk of surface water flooding is also considered to be low.
46. The submitted Drainage Strategy considers that the provision of green roofs, water butts, and geocellular storage are the most viable options for the scheme. In addition, it confirms that surface water runoff will be limited to 17.5l/s by using a hydro brake flow control device, and that building thresholds should be a minimum of 150mm to 300mm above the existing ground levels and gullies should be installed here to ensure adequate drainage. Conditions will be imposed to secure the above measures.
47. In order to minimise any impact on water supply, major developments should be limiting consumption to a target of 105 litres or less per person, per day. Whilst details of water saving measures have not been provided, it is considered that a condition can be reasonably imposed to seek the details of such measures.

Biodiversity and ecology

48. Policy 7.19 of the London Plan ("Biodiversity and access to nature") requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management

of biodiversity. Core Policy 18 of the Core Strategy confirms the Borough's commitment to promote and enhance biodiversity.

49. The submitted Ecological Assessment concludes that the site supports very little ecological interest, with only shrubs/hedgerows along the front of the building, and five trees of note within or in close proximity of the site. To the rear is a wildlife corridor which runs along the railway line. It also concludes that there are no significant ecological constraints to development.
50. Given that some of the soft landscaping (trees/shrubs/hedgerow) has the potential to support nesting birds, it is recommended that clearance should take place outside of the nesting season (March to August inclusive), with 4 to 5 nesting boxes for sparrows and starlings to be provided as mitigation. In relation to bats, it is recommended that sensitive lighting is provided (if necessary) to ensure that foraging bats in the wildlife corridor to the rear are not unduly disturbed. Bat boxes are considered to be unnecessary, although it is also recommended that should the mature Cherry tree at the rear be removed, this should be preceded by an assessment of the roosting potential by bats. The Assessment recommends that an appropriate landscaping scheme is considered, consisting of wildlife friendly, native species. The recommendations of the Ecological Assessment will be secured by appropriately worded conditions or where appropriate, the use of an Informative to remind the applicant of their responsibility.

Contamination

51. A Phase 1 Contaminated Land Desk Study has been submitted, which confirms that due to the historic use of the site as a railway embankment and from 1956 when the first buildings occupied the site for light engineering works, there is a high risk of contamination. The provision of gardens provides a high risk of a pollutant pathway between the source and the receptor.
52. Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. An Informative will be attached to any permission to remind the applicant of this.

Air Quality

Dust

53. An Air Quality Assessment has been submitted in support of the application as the site is within an Air Quality Management Area. The development has the potential to generate dust and emissions during the construction phase due to on-site activities, construction activities and exhaust emissions from construction vehicles and plant. Due to the proximity of high-sensitivity receptors to the site boundary, there is the potential to impact human health. A condition will be imposed to secure details of measures to control potential dust emissions.

Air Quality Neutral Assessment

54. The Air Quality Neutral Assessment confirms that heating for the proposed dwellings will be provided by individual, low-NOx boilers and electricity will come from the National Grid, with the local building emissions considered to be "negligible". However, with no specific information on building emissions, it is recommended that details of the boilers are provided.

Noise

55. In relation to noise impacts, there is particular concern over the units which face the railway to the rear. The methodology of the measurements undertaken in the Noise Impact Assessment are considered acceptable and the criteria set for plant noise and glazing to ensure that internal noise levels are met (as specified in Table 6.2). It is noted that to achieve acceptable internal noise levels, windows will need to remain closed. Therefore, to provide appropriate ventilation, mechanical ventilation will be required, with the specification considered acceptable. The introduction of quiet sheltered areas within the gardens to provide an area that meets the required recommended noise level to protect amenity within the garden areas is also recommended.
56. It is noted that the selection of plant/machinery has not yet been confirmed, therefore a condition is suggested to ensure that the proposed measures are implemented and a report submitted confirming

that the required levels have been met.

57. During the construction phase of the development, there is the potential for emissions from machinery to have a negative impact on air quality and the health of workers on site and neighbouring sites. The details of plant and machinery should therefore be secured by condition to ensure that any emission are within adopted guidelines.

Site Waste Management

58. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London's waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition ("CE&D") waste of 95% by 2020. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D.
59. The development proposal involves the demolition of the existing building and substantial excavations to help facilitate the proposed building. To ensure that all waste arising from demolition and construction is dealt with appropriately, a site waste management plan will be secured by condition.

Density

60. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing penitential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.
61. The site (approximately 0.2482ha) is located within an area with a public transport accessibility level ("PTAL") of 3/2, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha.
62. With 155 habitable rooms proposed within 47 units, this would equate to a proposed density level of 624hr/ha or 189.4u/ha. This calculation would suggest that from a numerical perspective, the proposed density is excessive and an overdevelopment of the site. However, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These have been discussed above, and are considered to be acceptable.

Conclusions

63. Having regard to all of the above, it is considered that planning permission should be granted for the following reasons:
64. The proposed development would contribute to increasing London's supply of housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, Policies DMP1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
65. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework, and with guidance contained within the National Planning Policy Framework.
66. The proposed development, due to its siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook or privacy and in this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
67. Having regard to conditions attached to this permission, the proposal makes appropriate provision for

servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

68. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

CIL DETAILS

This application is liable to pay **£911,997.51*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 2500 sq. m.

Total amount of floorspace on completion (G): 5231.93 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	5231.93		2731.93	£200.00	£35.15	£775,672.98	£136,324.53

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	318	
Total chargeable amount	£775,672.98	£136,324.53

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

****Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/5564

To: Mr GULVANESSION
GULVANESSION ARCHITECTS
227 cromwell road
CROMWELL ROAD
LONDON
SW5 0SD

I refer to your application dated **22/12/2015** proposing the following:

Demolition of the existing office building Trinity House and to construct 50 residential units (11x 1-bed , 25 x 2-bed 14 x 3-bed), together with 16 onsite car parking spaces, landscaping and amenity space (amended description)

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

at **Trinity House, Heather Park Drive, Wembley, HA0 1SU**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 01/02/2019

Signature:

Alice Lester

Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2018
 London Plan 2016
 Brent's Core Strategy 2010
 Brent Development Management Policies 2016
 SPG17 "Design Guide for New Development" 2001

- 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):

OS-01 Rev.D	OS Location Plan
OS-02Rev.D	Site Levels Plan
Overlay Rev.D	Existing/Proposed Site Overlay Plan
SP-01 Rev.D	Site Levels Plan
DR-01 Rev.D	Site Drainage Plan
GA-02 Rev.E	Proposed Ground Floor Plan
GA-02(2) Rev.E	Proposed Ground Floor Plan
GA-02(3) Rev.E	Proposed Ground Floor Plan
GA-02(4) Rev.E	Proposed Ground Floor Plan
GA-02(5) Rev.E	Proposed Ground Floor Plan
GA-03 Rev.E	Proposed 1st Floor Plan
GA-03(2) Rev.E	Proposed 1st Floor Plan
GA-03(3) Rev.E	Proposed 1st Floor Plan
GA-03(4) Rev.E	Proposed 1st Floor Plan
GA-03(5) Rev.E	Proposed 1st Floor Plan
GA-04 Rev.E	Proposed 2nd Floor Plan
GA-04(2) Rev.E	Proposed 2nd Floor Plan
GA-04(3) Rev.E	Proposed 2nd Floor Plan
GA-04(4) Rev.E	Proposed 2nd Floor Plan
GA-04(5) Rev.E	Proposed 2nd Floor Plan
GA-05 Rev.E	Proposed 3rd Floor Plan
GA-05(2) Rev.E	Proposed 3rd Floor Plan
GA-05(3) Rev.E	Proposed 3rd Floor Plan
GA-05(4) Rev.E	Proposed 3rd Floor Plan
GA-05(5) Rev.E	Proposed 3rd Floor Plan
GA-06 Rev.6	Proposed Roof Plan
1b2p-01 Rev.E	1B 2P Flat type
1b2p-02 Rev.E	Typical 1B 2P Flat type
1b2p-02 (H) Rev.E	Typical 1B 2P Flat type
2b4p-01 Rev.E	2B 4P Flat type
2b3p-02 Rev.E	Typical 2B 3P Flat type
2b3p-03 (H) Rev.E	Typical 2B 3P Flat type
2b3p-04 Rev.E	Typical 2B 3P Flat type
2b3p-05 Rev.E	Typical 2B 3P Flat type
2b3p-05(H) Rev.E	Typical 2B 3P Flat type
2b3p-06 Rev.E	Typical 2B 3P Flat type
2b3p-06(H) Rev.E	Typical 1B 2P Flat type
3b5p-01 Rev.E	Typical 3B 5P Flat type

3b5p-01(H) Rev.E	Typical 3B 5P Flat type
3b5p-02 Rev.E	Typical 3B 5P Flat type
3b5p-03 Rev.E	Typical 3B 5P Flat type
3b5p-04 Rev.E	Typical 3B 5P Flat type
TYP-FF-1 Rev.D	Typical 1 Bed Flat
FF-2 Rev.D	Typical 2 Bed Flat
FF-D3 Rev.D	Dis. 2 Bed Flat
FF-4 Rev.D	1 Bed Flat
SC-01 Rev.E	SECTION A-A
SC-02 Rev.E	SECTION B-B
SC-03 Rev.E	SECTION C-C
SC-04 Rev.E	SECTION D-D
SC-05 Rev.E	SECTION E-E
SC-06 Rev.E	SECTION F-F
EL-01 Rev.E	STREET ELEVATIONS
EL-02 Rev.E	REAR ELEVATIONS
EL-03 Rev.E	SIDE ELEVATIONS
4937-D Rev.B	Tree Plan

Accommodation Schedule (June 2018)
Air Quality Assessment (May 2017)
Design and Access Statement
Energy and Sustainability Statement (May 2017)
Flood Risk and Drainage Strategy (March 2017)
Phase 1 Contaminated Land Desk Study Assessment (May 2017)
Noise Assessment (May 2017)
Planning Statement
Transport Statement (November 2018)
Vibration Assessment (June 2017)

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

- 3 No less than nine of the units hereby approved shall be constructed as wheelchair user dwellings (Requirement M4(3) of the Building Regulations) as indicated on the submitted plans, and the remainder (x38 units) shall be built in accordance with Requirement M4(2) of Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

- 4 Notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), the residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, without the express planning permission having first been granted in writing by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 5 No works shall commence on the site until the details of all plant and machinery to be used at the demolition and construction phases have been submitted to, and approved in writing by, the Local Planning Authority. Evidence is required to meet Stage IIIA of EU Directive 97/68/EC for both NOx and PM. No works shall be carried out on site until all Non-road mobile machinery (NRMM) and plant to be used on the site of net power 37kW and 560kW has been registered at <http://nrmm.london>. Proof of registration must be submitted to the Local Planning Authority prior

to the commencement of any works on site.

Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM Low Emission Zone.

Reason for pre-commencement condition: These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 6 Prior to development commencing, details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) a photographic condition survey of the roads, footways and verges leading to the site;
 - b) wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
 - c) the estimated number and type of vehicles per day/week;
 - d) details of any vehicle holding area;
 - e) details of any vehicle call up procedure;
 - f) Coordination with other development projects in the vicinity (Transputec House);
 - g) Hours of deliveries / collections, to avoid conflict with school drop-off/pick-up times (Lyon Park Infant and Junior Schools);
 - h) Hours of work;
 - i) A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

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

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment.

Pre commencement reason: These details are required pre-commencement impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 7 Prior to any development commencing, inclusive of site clearance, details of a Construction Site Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Site Waste Management Plan shall include as a minimum:
- (a) Target benchmarks for resource efficiency set in accordance with best practice;
 - (b) Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste;
 - (c) Procedures for minimising hazardous waste;
 - (d) Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works);
 - (e) Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups; and
 - (f) No less than 95% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19 of the London Plan.

Reason for pre-commencement condition: These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 8 Prior to any superstructure works commencing, details of materials for all external work, including sample panels which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

- 9 The development shall be carried out in accordance with the noise mitigation measures recommended in section 6 of the Noise Assessment (Phlorum, May 2017), unless otherwise approved in writing by the Local Planning Authority.

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

- 10 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant. All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours

- 11 Unless required by any other condition attached, the development shall be undertaken in accordance with the recommendations and mitigation measures set out within the Air Quality Assessment Report (Phlorum, May 2017), unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect local air quality.

- 12 Prior to the first occupation of the residential units hereby approved, details of the low-NOx domestic boilers to be installed demonstrating the rated emissions of Oxides of Nitrogen (NOx), shall be submitted to and approved in writing by the Local Planning Authority. The boilers shall thereafter be installed in accordance with the approved details.

Reason: To protect local air quality.

- 13 A. Prior to the commencement of building works, excluding demolition, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority for approval in writing, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.
- B. Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 14 Within three months of the commencement of above ground works, details of any external lighting to be provided, inclusive of the design, height, siting, and lux levels shall be submitted to

the Local Planning Authority for approval in writing. The submitted details shall also include how the external lighting scheme has been designed to minimise light spillage and its impact on wildlife particularly along the northern boundary of the site. The external lighting shall be provided prior to first occupation and maintained at all times thereafter.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected.

- 15 Prior to development commencing, excluding demolition, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a. Details of the construction of any access roads and junctions and any other highway alterations associated with the development;
- b. Vehicle tracking demonstrating:
 - i) the safe two-way working of the access ramp, in particular at the bend into the basement parking, for a large saloon car;
 - ii) the safe access/egress of spaces in the proposed car park identified as potentially being impeded by the lift cores.
- c. Confirmation that the gradient of the access ramp is no more than 5% for a distance of 4m from the highway boundary;
- d. In satisfying part b.i) of this condition it is subsequently demonstrated that two way working for a large saloon car is not possible, measures to address this shall be submitted to the Local Planning Authority for approval in writing.

The works shall be carried out in accordance with the approved details before the development is occupied or the use commences.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity, and to reduce the risk of vehicle grounding at the highway threshold.

- 16 Unless required by any other condition attached to this permission, the parking spaces (inclusive of blue badge spaces), cycle storage and refuse storage as shown on the approved plans shall be provided in full prior to first occupation of the development and shall be permanently retained, kept free from obstruction, and used solely in connection with the development hereby approved.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity, and to encourage sustainable travel.

- 17 Prior to any works commencing in relation to the provision of parking / turning facilities, typical details, including siting and design of plugs, of electric vehicular charging points to be provided in accordance with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing.
All electric charging points shall be installed in accordance with the approved details prior to first occupation of the development and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan.

- 18 A Travel Plan Statement, written in accordance with TfL's guidance, shall be submitted to the Local Planning Authority for approval in writing prior to first occupation or use commences. The Statement shall set out Travel Plan measures, together with an Action Plan for implementation, to be adhered to throughout the lifetime of the development.

Reason: In the interest of promoting sustainable travel.

- 19 Prior to installation of zero/low carbon technologies, details of the zero / low carbon technologies to be used in the development (rooftop photovoltaic panels) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented prior to first occupation of the development in accordance with the approved details and permanently maintained.

The submitted detail shall demonstrate compliance with the approved renewable energy strategy and include the design, size, siting, and a maintenance strategy / schedule, inclusive of times, frequency and method.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

- 20 Prior to the commencement of building works, excluding demolition, details of the measures to limit the internal consumption of water to 105 litres or less per head per day has been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved details prior to first occupation of the development.

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

- 21 Prior to construction works commencing, details of the proposed SuDS measures as outlined at paragraph 6.5 of the Flood Risk Statement & Drainage Strategy (March 2017) shall be submitted to the Local Planning Authority for approval in writing. The submitted detail shall include:

- A. Location, design, substrate (extensive substrate base with a minimum depth 80-150mm), vegetation mix and density, and a cross-section of the proposed green roof
- B. Location, size, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, water butts, geocellular storage, and permeable paving;
- C. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
- D. Where appropriate, provide calculations to demonstrate that the SuDS provided will function for 1 in 1 year and 1 in 100 year (with the allowance of climate change) events;
- E. A management plan for future maintenance for all of the drainage features

All SuDS measures shall be implemented in accordance with the approved detail.

Reason: To assist in flood attenuation and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with adopted Policy

- 22 No above ground works, other than site clearance, shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- (a) Planting plans;
- (b) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- (c) Schedules of plants and trees, to include native, wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities);
- (d) Implementation timetables;
- (e) Wildlife friendly plants and trees of local or national provenance;
- (f) Details of hardsurfacing materials;
- (g) Details of any external furniture

All hard and soft landscaping shall be provided prior to first occupation following practical

completion of the development hereby approved. The landscaping and tree planting detail shall set out a plan for the continued management and maintenance of the site and any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an approved alternative and to the satisfaction of the Local Planning Authority.

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, and in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 23 The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details must include specifications for a trespass-proof fence of a minimum height of 1.8m and set back from the boundary with the railway land by at least 0.5m

The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure a satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interest of highway and railway operational safety; and to ensure that any potential maintenance can occur wholly within the site boundary and not impact on Network Rail land.

- 24 Prior to the commencement of above ground works, excluding demolition, details of the design and siting of a minimum of five bird boxes designed into and around the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The approved bird boxes shall be maintained for the lifetime of the development hereby approved.

Reason: To enhance the site post development in accordance with CP18 of the Core Strategy by providing suitable nesting features for birds, and having regard to the recommendations of the submitted Ecological Assessment.

- 25 Prior to the commencement of above ground works, excluding demolition, for the provision of a communal television system/satellite dish have been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

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

INFORMATIVES

- 1 Alterations in loading within 15m of the railway boundary must be agreed with Network Rail. Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land. Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- 2 Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, must have at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

- 3 The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore the proposal drainage on site will ensure that:
- All surface waters and foul waters drain away from the direction of the railway boundary.
 - Any soakaways for the proposal must be placed at least 30m from the railway boundary.
 - Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
 - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
 - Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
 - Drainage works must not impact upon culverts on developers land including culverts/brooks etc that drain under the railway.
- There is no surface or sub-surface flow of water towards the operational railway.
- 4 The developer should also be aware of the implications for their workers / contractors as there are 25kv overhead lines and there is the risk of induced voltages up to 20-30m from the overhead lines impacting the site.
- 5 With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any overhead lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.
- 6 The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.
- 7 As the proposal includes works which are within 10m of the railway boundary and which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Richard.Draper@networkrail.co.uk copying in Asset Protection AssetProtectionLNWSouth@networkrail.co.uk to set up the BAPA, quoting their reference: **WCS-LEC1-7-5-RD**.
- 8 The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to: with Richard.Draper@networkrail.co.uk copying in Asset Protection AssetProtectionLNWSouth@networkrail.co.uk, quoting their reference: **WCS-LEC1-7-5-RD**.

- 9 Prior to the commencement of any works involving vibro-compaction machinery / piling machinery or piling and ground treatment works as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.
- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.
 - The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.
 - Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration.
- Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.
- 10 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 11 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 12 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 13 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 14 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 15 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 16 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation

where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.

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