

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

26 November, 2020
04
20/2473

SITE INFORMATION

RECEIVED	13 August, 2020
WARD	Welsh Harp
PLANNING AREA	
LOCATION	6 and 6A Coombe Road, London, NW10 0EB
PROPOSAL	Demolition of the existing buildings and redevelopment of the site comprising the erection of a part three, four, six and seven storey building providing flexible employment workspace on ground and part of first floor, and self-contained flats with associated car and cycle parking spaces, refuse and recycling stores, amenity space, landscaping and associated development
PLAN NO'S	See Condition 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_151120</p> <p><u>When viewing this as a 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 "20/2473" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. *Affordable Housing* – comprising 11 units for London Affordable Rent (3 x 2bed and 8 x 3bed) and 4 units for shared ownership (4 x 3bed)
4. *Late stage review mechanism* to identify any additional contribution to affordable housing
5. *Commuted sum towards Affordable Workspace provision* – £99,362
6. *Undertaking of highway works* through an agreement under S38/S278 of the Highways Act 1980, to comprise Reinstatement of the redundant crossover to footway and extension of Wembley Stadium Event Day parking bays all at the developer's expense.
7. *Provision of permissive public right of way* at rear of site in the event of redevelopment of adjoining sites
8. *Training and employment of Brent residents*
9. *Carbon Off-setting and Sustainability compensatory measures* – Financial contribution towards a local carbon offsetting scheme to achieve the targets for carbon reduction on residential development, should those targets not be met through on site measures (including detailed design stage energy assessment and initial contribution, post-completion energy review and final contribution).

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 and informatives to secure the following matters:

Conditions

Compliance

1. 3 year time limit
2. Approved plans and drawings
3. Number of residential units and quantum of commercial floorspace
4. Withdraw PD rights for conversion from C3 to C4 small HMOs
5. Use of commercial floorspace
6. Air quality mitigation measures
7. Flood risk mitigation measures
8. Commercial units fit out
9. Parking and landscaping etc provided
10. Water consumption limited to 105lppd
11. Compliance with Building Regulations M4(2) and M4(3)
12. Windows to be obscured
13. Ecological measures

Pre-commencement

14. Construction Method Statement
15. Pre-commencement tree protection site visit

Pre-construction

16. Contaminated land site investigation
17. Electric Vehicle Charging Points

During construction

18. District heating network connection
19. Piling Method Statement
20. Details of PV panels
21. Materials samples
22. Details of balcony screening
23. Detailed landscaping scheme

Pre-occupation

24. Meanwhile use strategy
25. Plant noise assessment
26. Sound insulation measures
27. Residential noise levels
28. Surface water network upgrades
29. Communal TV/satellite system
30. Travel Plan
31. Delivery and Servicing Plan

Informatives


1. CIL liable development
2. Vehicle crossover works
3. Thames Water
4. Groundwater Risk Management Permit
5. Flood Risk Activity Permit
6. Flood proofing
7. Asbestos
8. Notify Highways of start
9. London Living Wage
10. Party Wall
11. Imported soil
12. Fire safety standards
13. Construction hours

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

E. That, if by the application "expiry date" the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	Planning Committee Map
Brent	Site address: 6 and 6A Coombe Road, London, NW10 0EB
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This map is indicative only.

PROPOSAL IN DETAIL

The application seeks permission to demolish the existing industrial units and to redevelop the site to provide a part four-, five- and six-storey building comprising two duplex commercial units on the ground and first floors (Use Class E(g) (ii) and (iii)), and 52 residential units on the first to sixth floors (comprising 14 x 1bed, 24 x 2bed and 14 x 3bed units), together with associated parking, cycle parking, refuse storage and landscaping including a public footpath along the bank of the River Brent.

EXISTING

The existing site consists of a pair of single storey industrial units, currently in use as a building services contractor and a scaffolding service, and associated areas of hardstanding.

The site is located on the northwestern side of Coombe Road, a cul-de-sac with pedestrian access to Harp Island Close further to the north, and its rear boundary is with the River Brent. Coombe Road is mixed in character, consisting of a small number of large-scale buildings including a residential flatted development (Roger Stone Court) adjacent to the site to the northeast, commercial storage and distribution buildings to the east and southwest (including Shurgard House adjacent to the site) and a fast food restaurant to the south. The wider surrounding area includes the A4088 Blackbird Hill to the south, residential areas to the west and east, and the Welsh Harp Reservoir and large areas of open space to the north.

AMENDMENTS SINCE SUBMISSION

Amended plans and supporting documents were received on 2 November 2020, in response to comments from Design, Transport and Secure by Design officers. These did not fundamentally alter the nature of the scheme, and did not require further reconsultation. The main amendments were as follows:

- Cycle storage reconfigured, moved away from river boundary, balustrade railings replaced with louvres that guarantee the free flow of flood water.
- Commercial cycle storage relocated from the rear into each unit. Positions are indicative only.
- Residential entrance redesigned to reduce the extent of louvres and blank wall, entrance pushed back, commercial Unit A extended, and bin and plant rooms rearranged.
- Additional entrance lobby introduced for safe deliveries and post boxes, reducing the length of the shared corridor and providing a seating and waiting area.
- Commercial main doors replaced with double doors.
- Residential shared external doors all fully glazed.
- Shallow balconies on the Coombe Road elevation replaced with Juliet balconies (these were excluded from amenity space calculations as they were less than 1.5m deep).
- Unit A05.02 balcony relocated to the main elevation to improve distribution of bulk and massing.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. 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: 283 neighbouring properties were notified of the development, in addition to site notice and a press notice being published. Three objections were received and one comment of support. Objections raised concerns in relation to visual amenity considerations, neighbour amenity considerations, density and height of development, loss of property value, conduct of Planning Committee and officers on previous decision and inadequate consultation process. Your officers have addressed the objections raised and consider that the development proposal is acceptable.

Principle of development: The proposal would be similar in nature to the consented scheme on this site, albeit with the building increased in height and an increase in the number of residential units. The proposal would provide new employment floorspace which exceeds the current floorspace on site and would be identical to that delivered by the consented scheme, together with 52 new residential units to contribute towards Brent's housing target and a financial contribution to affordable workspace. Despite not being in full accordance with Policy DMP14, the emerging policy context strongly supports the mixed use redevelopment of this site and the consented scheme also carries significant weight in the determination of this proposal.

Affordable housing and housing mix: The proposal includes 27% family-sized housing in compliance with Policies CP2 and CP21. The proposed affordable housing provision of 36.5% by habitable room with a policy-compliant tenure split is considered by your officers to be beyond the maximum reasonable proportion of affordable housing that can viably be delivered on the site. A late stage review mechanism would be secured through the s106 agreement.

Design, scale and appearance: The design approach provides a strong active frontage along the street and successfully modulates the bulk and mass of the building, while the contemporary architectural style is considered to be appropriate to the surrounding context and to provide a high quality development. Whilst the height is greater than proposed in the consented scheme, it is considered not to have any adverse impacts on the surrounding townscape and to be acceptable in this instance.

Residential living standards: The proposal would provide a high standard of residential accommodation, including generously sized units, and a combination of private and communal amenity space.

Relationship with neighbouring properties: The proposal would have some impact on eight side-facing windows at Roger Stone Court but these would still receive reasonable levels of daylight for an urban context. There are no other concerns in relation to the impact on neighbouring properties, and the proposal allows sufficient separation distances to allow adjoining sites to come forward for redevelopment in the future.

Flood risk, drainage, trees and biodiversity and relationship with River Brent: The proposal has been designed to minimise the risk of flooding on site and in the surrounding area, and the findings of the Flood Risk Assessment are supported by the Environment Agency. A 3m buffer strip would be retained at the rear of the site to ensure that built development maintains an 8m distance from the River Brent, and this would be accessible as part of a public footpath along the riverside. There are no concerns in relation to trees and biodiversity, subject to conditions.

Environmental Health: There are no concerns on environmental health grounds, subject to conditions relating to internal noise criteria for residential properties, noise insulation between residential and commercial elements, assessment of plant noise, site investigation and remediation of contaminated land, and a construction management plan.

Sustainability and energy: The proposal achieves a 28.5% reduction in regulated energy emissions against the 2013 Building Regulations baseline for residential floorspace and 37% for the commercial floorspace, using a combination of energy efficiency measures and renewable energy. The remaining emissions would be offset via a financial contribution, estimated to be £89,198, to Brent's carbon offsetting fund to achieve a zero carbon residential development. The commercial floorspace does not meet the 1,000sqm threshold to require a BREEAM Excellent rating but would benefit from the reduced emissions achieved for the building as a whole.

Transportation, parking and servicing: The proposal provides on-site parking for 52% of the residential units, which is considered by Transport officers to be appropriate within the context of local census data on car ownership. A redundant crossover would be reinstated to footway and on-street parking bays would be provided along the site frontage, together with an on-street loading bay for the commercial units, all at the applicant's expense. Adequate provision would be made for cycle storage and bin storage. The 3m buffer strip at the rear of the site would be provided as an adoptable footpath, linking to existing sections of footpath and allowing a through route along the riverbank to be opened up. This is considered to be a significant planning benefit of the scheme.

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	0			0			0				
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)										0
EXISTING (Flats û Intermediate)										
EXISTING (Flats û Social Rented)										
PROPOSED (Flats û Market)	14	21	2							37
PROPOSED (Flats û Intermediate)	0	0	4							4
PROPOSED (Flats û Social Rented)	0	3	8							11

RELEVANT SITE HISTORY

18/2984

Full Planning Permission
Granted 04/03/2019

Demolition of the existing buildings and redevelopment of the site comprising the erection of a part three, five and six storey building providing 727 sqm of flexible employment workspace (Use Class E(g)(ii) and (iii) – previously Use Class B1b and B1c), 42 self-contained flats (17 x 1bed, 14 x 2bed and 11 x 3bed) with associated car and cycle parking spaces, refuse and recycling stores, amenity space, landscaping and associated development subject to a deed of agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated 28/02/2019

CONSULTATIONS

283 neighbouring properties were consulted by letter on 3 September 2020. A site notice was posted on 10 September 2020 and a press notice was published on 17 September 2020.

One comment in support of the application was received. Three objections were received and are summarised as follows:

Comment	Officer response
Proposal represents high rise sprawl / land grab and is not appropriate to area with low-rise character and few commercial properties. Increase in number of flats from previous application is due to greed.	See 'Principle of Development' and 'Affordable Housing and Housing Mix' sections of report. Developer profit is not a material planning consideration other than in relation to assessing viability in the context of affordable housing provision.
Height would be imposing, more than double that of existing and surrounding buildings, above Roger Stone Court and two-storey properties on Braemar Avenue. Draft Local Plan states heights typically up to 5-6 stories likely to be acceptable, in other areas should be no higher than two storeys above prevailing predominant heights.	See 'Design, Scale and Appearance' section of report.

Height and massing of building would be overbearing, cause overlooking, loss of privacy and loss of light, being detrimental to existing properties.	See 'Relationship with neighbouring properties' section of report.
Proposal would be to the detriment of the environment and contribute to existing overcrowding.	See 'Principle of Development' and 'Trees, landscaping and biodiversity' sections of report. All of the new homes would meet internal space standards set out within National Technical Space Standards and emerging policy D6, and therefore would represent good quality homes.
Additional parking would be required on Coombe Road, and more traffic would be generated on Blackbird Hill (A4088), adding to increasing congestion. Previous residential development in Wembley and Barnet have added to congestion.	See 'Transport Considerations' section of report.
Previous objectors not consulted on this application.	Consultation with neighbours far exceeded the statutory requirement for this case, and further publicity was provided through a site notice and press notice.
Conduct of previous committee meeting, allegations of corruption in planning department and collusion with property developers.	Planning applications are required to be considered in accordance with planning policies set out in within the development plan, unless material considerations indicate otherwise. The remarks section below consider the merits of the proposal in detail. The application has been subject to public consultation, and comments received have been considered and discussed within the committee report. The Planning Committee are bound by a code of conduct for committee members. Correct procedures have been followed and no evidence of corruption has been presented. Should a member of the public have any evidence of this then they should report this to the police and the Council's audit team.
Decisions taken on other planning applications have ignored policies in favour of developers.	Each application is decided on its own merits and must be determined in accordance with the policies within the development plan unless material considerations suggest otherwise. Decisions on other applications are not material planning considerations in relation to this application. However, each proposal is considered against planning policy and other material considerations.
Dust and noise from construction works and impact on health of existing residents	The impact of the construction works upon neighbouring occupiers would be managed through a construction management plan which includes measures to control dust. Noise pollution is controlled through Environmental Health legislation. The application was also subject to an air quality impact assessment that concluded that the proposal

	would be air quality neutral.
Impact on value of neighbouring properties.	This is not a material planning consideration.

External and statutory consultees

Environment Agency: No objection subject to informative on flood risk activity permit.

Secure by Design: Recommendations to improve security of ground floor layout. [Officer note: these have been addressed in amended plans received on 2 November 2020 and further details would be required by conditions]

Thames Water: No objection subject to condition regarding piling.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Key policies include:

London Plan 2016

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 4.4 Managing industrial land and premises
- 5.2 Minimising carbon dioxide emissions
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality

Brent Core Strategy 2010

- CP1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock

Brent Development Management Policies 2016

- DMP1 Development Management General Policy

DMP9	Waterside Development
DMP9a	Managing Flood Risk
DMP9b	On Site Water Management and Surface Water Attenuation
DMP11	Forming an Access on to a Road
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP14	Employment Sites
DMP15	Affordable Housing
DMP18	Dwelling Size and Residential Outbuildings
DMP19	Residential Amenity Space

The following are also relevant material considerations:

The National Planning Policy Framework 2019
 Planning Practice Guidance including the National Design Guide
 SPD1 Brent Design Guide 2018
 Brent Waste Planning Guide 2013
 Mayor of London's Play and Informal Recreation SPG 2012
 Mayor of London's Sustainable Design and Construction SPG 2014
 Mayor of London's Housing SPG 2016
 Mayor of London's Affordable Housing and Viability SPG 2017

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Key relevant policies include:

Draft New London Plan

D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D8	Public realm
D12	Fire safety
D13	Agent of Change
D14	Noise
H1	Increasing housing supply
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H7	Monitoring of affordable housing
S4	Play and informal recreation
E4	Land for industry, logistics and services to support London's economic function
E6	Locally Significant Industrial Sites
E7	Industrial intensification, co-location and substitution
G5	Urban greening
SI1	Improving air quality
SI2	Minimising greenhouse gas emissions
SI5	Water infrastructure
SI13	Sustainable drainage
T1	Strategic approach to transport
T2	Healthy Streets
T4	Assessing and mitigating transport impacts
T5	Cycling
T6.1	Residential parking
T7	Deliveries, servicing and construction

Draft Local Plan

DMP1	Development management general policy
BP2	East
BESA1	Coombe Road
BD1	Leading the way in good urban design
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality
BSUI3	Managing flood Risk
BSUI4	On-site water management and surface water attenuation
BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities
BT4	Forming an access on to a road

DETAILED CONSIDERATIONS

Background

1. The proposal presents an amended version of the consented scheme for the redevelopment of the site, ref 18/2984. The consented scheme could be legally implemented at this time and is therefore a material planning consideration of significant weight in the determination of this application. The main points of comparison between the two applications are summarised below and considered in more detail at the relevant points in the report:
 - The commercial floorspace would remain as in the consented scheme in terms of amount, layout and design (other than minor changes to the layout to resolve design concerns).
 - The number of residential units would increase by 10 from 42 to 52 new homes;
 - Affordable housing provision would increase from 35% by habitable room to 36.4% by habitable room;
 - The maximum building height would be increased from six stories to seven stories, with lower sections increasing in height from four and five stories to five and six stories;
 - Residential layouts would be reconfigured to concentrate affordable units into Core B as opposed to having them dispersed throughout the building;
 - The number of on-site parking spaces would be reduced from 29 to 27

Principle of development

Loss of existing employment site

2. The site is a Local Employment Site, part of the Coombe Road cluster of employment sites surveyed in the Brent Employment Land Demand Study. Policy DMP14 restricts the release of employment sites where continued wholly employment use is unviable or significant benefits consistent with wider development plan objectives would be achieved through the redevelopment of the site. In the determination of the consented scheme, Planning Committee noted that the proposal did not fully comply with Policy DMP14 as the site would not remain in wholly employment use and was not vacant. However, Brent's Preferred Options Local Plan, in which the site formed part of a proposed site allocation BESA1 Coombe Road, was taken to be a material consideration, together with the emerging London Plan draft Policy E7. The site allocation promotes mixed use redevelopment of the site including replacement of existing industrial floorspace and residential use on the upper floors. On balance, the benefits of redeveloping the site in accordance with the aims of emerging policy were seen to outweigh the limited lack of compliance with existing policy.
3. Brent's emerging Local Plan (Regulation 19 version) has now been through an Examination in Public and can be afforded significantly greater weight compared to the Preferred Options version. This version also promotes the mixed use redevelopment of the site as part of the BESA1 site allocation, however it

requires industrial floorspace on site to be maximised through a design-led approach and viability testing, at a plot ratio of 0.65 or the replacement of the existing floorspace, whichever is the greater. This more stringent requirement reflects an increased emphasis on providing sufficient industrial land to meet the Borough's evidenced needs, as set out in draft London Plan Policy E4.

4. As with the consented scheme, the proposal would result in the loss of the existing industrial units and would displace two operational businesses on the site. However, emerging policies do not contain any specific requirement to retain existing businesses on site, and their loss would also occur if the consented scheme is delivered. The proposal would take the same basic form as in the consented scheme albeit with minor alterations to the layout, providing two new duplex commercial units for tenants within Use Classes E(g) (ii) and (iii) (formerly use classes B1b and B1c), Unit A being 87.6sqm at ground floor and 153sqm at first floor, and Unit B being 243sqm at ground floor and 234sqm at first floor, with an external roof terrace of 32sqm and commercial bin store of 9sqm. The total commercial floorspace of 727sqm would be the same as provided in the consented scheme and more than the 688sqm existing floorspace. However it would be less than the 1,365sqm representing the industrial capacity of the site (at a plot ratio of 0.65 over the 0.21 hectare site) and consequently would not fully comply with the requirements of the proposed site allocation.
5. Whilst the increase in industrial floorspace is relatively small and below the industrial capacity of the site, your officers consider that the viability of the scheme (discussed in paragraphs 23 - 25) and the Flood Zone designation (discussed in paragraphs 59 - 63) represent significant constraints on the increase of floorspace in this case and that the consented scheme is also a material consideration of significant weight. Taken together, these factors are considered to outweigh concerns regarding the amount of industrial floorspace.
6. The applicant has offered to provide 80sqm of the floorspace as affordable workspace and, given that the scheme has been demonstrated to be in deficit with the provision of affordable housing (this issue is discussed further in paragraphs 23 - 25), it is considered that the scheme would not be deliverable with a higher proportion of affordable workspace. Your officers consider that the amount of affordable workspace proposed is too small to be attractive to a managed affordable workspace provider and have requested a financial contribution of £99,362 towards affordable workspace provision within the Borough instead. The applicant has agreed to this and it would be secured through the s106 Agreement.
7. Your officers consider that E(g)(i) (formerly B1(a)) office floorspace would not be appropriate outside of a town centre, and a condition is recommended to restrict the permitted uses to Use Classes E(g) (ii) and (iii) (formerly Use Classes B1(b) and B1(c)). However there is also a concern that without an occupier identified for the commercial units, the space may not meet potential occupiers' requirements, in terms of design, servicing and fit out. If an occupier cannot be found this could result in either unit or both remaining vacant for long periods, which could detract from the vitality of the street scene and increase crime and the fear of crime, and could ultimately result in the loss of the employment space. This issue was considered in the determination of the consented scheme, and it was noted that the floorspace could be sub-divided into smaller units if required, with a choice of fit out arrangements including 'shell and core plus', and that important features could be secured as part of the fit out, including a goods lift, level access from the loading bay, glass frontage and front doors, and capped off services. These would be required by condition.
8. Furthermore, a meanwhile use strategy would be required by condition in order to ensure that the commercial floorspace is marketed effectively for E(g) (ii) and (iii) uses and to allow for alternative uses to be explored on a temporary basis in the event of any extended periods of vacancy. This would minimise the risk of the units remaining vacant for long periods of time.

Residential-led redevelopment

9. The NPPF expects the planning system to boost significantly the supply of housing, and Core Strategy Policy CP2 sets out a target of 22,000 new homes across the borough by 2026. The site adjoins an established residential flatted development, with further residential development to the north, and the wider surrounding area is primarily residential. These factors lend support for the principle of a residential use on the site, subject to compliance with policies on re-providing industrial floorspace and other material considerations.
10. The draft London Plan proposes higher housing targets across London, with the target for Brent set to increase from 1,525 to 2,325 per year, and is a material consideration of considerable weight. As noted above, in order to encourage the most efficient use of land, draft London Plan Policy E7 supports the

redevelopment of industrial sites to include residential development, and Brent's emerging Local Plan proposes the allocation of this site for mixed use redevelopment including housing.

11. The proposed intensification of the development site would deliver an additional ten new homes compared to the consented scheme. It would therefore contribute to the delivery of London's housing requirements and the Council's minimum housing target in line with London Plan Policy 3.3, draft London Plan Policy H1, and emerging Policy BH1 of Brent's Local Plan.

Conclusion

12. The proposal fails to provide the amount of industrial floorspace sought in Brent's proposed site allocation, but other material considerations outweigh these concerns. The proposal complies with the relevant policies in other respects, and is acceptable in principle.

Affordable housing and housing mix

Policy background

13. Brent's adopted Policies CP2 and DMP15 set out the affordable housing requirements for major applications and stipulate a target that 50% of homes should be affordable, with 70% of those affordable homes being social or affordable rented housing and the remaining 30% being intermediate housing (such as for shared ownership or intermediate rent). Policy DMP15 allows affordable rent levels of up to 80% of market rents, which is consistent with the NPPF definition of affordable housing, and accepts a reduced proportion of affordable housing on viability grounds, subject to a financial viability appraisal being submitted and independently reviewed on behalf of the Council.
14. The emerging London Plan (Intend to Publish Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies establish a fast track route for applications proposing a threshold level of affordable housing and a policy compliant tenure split (other criteria are also applicable). These applications can progress without viability being tested at application stage. The threshold level is
 - 35% Affordable Housing; or
 - 50% Affordable Housing on industrial land (including non-designated industrial sites where the scheme would result in a net loss of industrial capacity) or public sector land where there is no portfolio agreement with the Mayor.
15. The policies set out the Mayor's commitment to delivering 'genuinely affordable' housing and require the following tenure split:
 - A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent);
 - A minimum of 30% intermediate homes;
 - 40% to be determined by the borough based on identified need.
16. When interpreting these policies, the tenure mix set out in Brent's adopted policies (70:30 ratio of Affordable Rent to Intermediate) and Brent's emerging policies (70:30 ratio of London Affordable Rent to Intermediate) provide clarity on the tenure of the third category (40% to be determined by the borough), which in Brent should be provided as Affordable Rented homes.
17. Both adopted and emerging policies allow for a reduction in affordable housing obligations on financial viability grounds where it can be robustly demonstrated that the target level of affordable housing would undermine the deliverability of the scheme. The policies require schemes to deliver the maximum reasonable amount of affordable housing (i.e. the most that the scheme can viably deliver, up to the targets) and schemes that are not eligible for the threshold approach must be accompanied by a financial viability assessment. It is important to note that these policies do not require all schemes to deliver 35% or 50% affordable housing.
18. Brent's emerging Local Plan has only recently been examined by the Planning Inspectorate and as such the adopted Policy DMP15 policy and emerging London Plan Policies H4, H5 and H6 would carry considerably more weight than Brent's emerging policy at this point in time.
19. Core Strategy Policy CP2 sets out aims for new residential developments to provide at least 25% family

sized accommodation. Brent's emerging Local Plan Policy BH6 also emphasises the continuing need for family sized accommodation and carries forward the 25% target. More specifically it seeks at least one family sized home for every four dwellings.

Consented scheme

20. The consented scheme originally proposed 26.6% affordable housing comprising 12 units in shared ownership. The Financial Viability Appraisal demonstrated a deficit of £2.8m and the Council's review also found that the scheme was in deficit but to a lesser degree (approx £1.32m). Subsequently, the applicants offered to provide 35.7% affordable housing with a policy-compliant tenure split on a 'without prejudice' basis and with the proviso that a late stage review mechanism would not be required. The scheme was approved on this basis, and secured 15 affordable units in total, representing 35.7% by unit and 35% by habitable room. Of these, 11 units were for affordable rent (3 x 1bed, 5 x 2bed and 3 x 3bed) and 4 units for shared ownership (3 x 1bed and 1 x 2bed), representing a tenure split of 78:22 (by habitable room) in favour of affordable rent. The affordable rent units were secured at 80% (for 1bed and 2bed units) or 60% (for 3bed units) of market rent levels, and capped at Local Housing Allowance, which is compliant with Policy DMP15. The scheme is also subject to a pre-implementation financial review that would be triggered if a substantive material start has not been made within two years of planning permission being granted.
21. The consented scheme also provided a policy-compliant proportion of family sized units at 26% (the total housing mix being 17 x 1bed, 14 x 2bed and 11 x 3bed).

Proposal

22. The current proposal includes 11 units for affordable rent at London Affordable Rent levels (3 x 2bed and 8 x 3bed) and 4 units for shared ownership (4 x 3bed) out of a total of 52 units. Whilst this is the same number of units as in the consented scheme and a lower proportion by unit (28.85%), the proportion by habitable room is slightly higher (at 36.5% compared to 35%). This reflects the inclusion of a significantly higher number of 3bed units amongst the affordable housing offer (8 homes compared to 3 homes in the consented scheme), which is welcomed as the provision of family-sized affordable rented units in particular helps to meet a specific high-priority housing need within Brent. The Affordable Rented accommodation is proposed as London Affordable Rent, which meets emerging policy expectations. This compares well to the extant consent, which could still be delivered and would provide units with higher rent levels and fewer 3bed Affordable Rented homes. As such, this is considered to be a significant benefit of the scheme.
23. As the proposal involves the redevelopment of industrial land, the relevant threshold level to trigger the fast track route provided in the draft London Plan is 50%. The proposal does not meet this threshold level, and an update to the Financial Viability Appraisal prepared by Redloft for the consented scheme has been submitted. This adopts a benchmark land value (BLV) of £803,000 and other key assumptions agreed between the applicant and the Council in the determination of the consented scheme and secured in the s106 agreement). It demonstrates that the scheme is in deficit by approx £4.03m and therefore not economically viable and not able to support any additional affordable housing.
24. BPS Chartered Surveyors were commissioned to conduct an independent assessment of the affordable housing position on behalf of the Council. Their report of 10 September 2020 proposes a lower BLV of £743,000 and reduces the extent of the deficit to £3.5m, but is otherwise in broad agreement with the applicant's position. Consequently, your officers consider that the proposal would deliver significantly above the maximum reasonable amount of affordable housing provision on the site. A late stage review mechanism would be required to secure an additional contribution to affordable housing if the viability of the scheme improves sufficiently. Whilst this was not secured on the consented scheme as the affordable housing proposed was considered to be significantly beyond the maximum reasonable amount, it remains a policy requirement and the applicants have agreed to it in this case.
25. The housing mix proposed is 14 x 1bed, 24 x 2bed and 14 x 3bed, representing 27% family sized units, a slight improvement on the consented scheme. The mix proposed is compliant with Brent's Policies CP2, CP21 and emerging Policy BH6 in securing family-sized units to exceed the policy target of 25%.

Design, scale and appearance

Policy background

26. The NPPF seeks developments of high quality design that will function well and add to the overall quality of the area, being sympathetic to local character and history, establishing or maintaining a strong sense of place, and optimising the potential of the site to accommodate an appropriate amount and mix of development. Further detailed design principles are set out in Chapter 7 of the London Plan and Chapter 3 of the draft new London Plan, and in Brent's Policy DMP1 and the Brent Design Guide SPD1. Draft Local Plan Policy BD1 also seeks a high standard of design quality.
27. Brent's emerging Policy BD2 defines a tall building is one that is more than 6 metres above the general prevailing heights of the surrounding area or more than 30 metres in height, and directs these towards Tall Building Zones, intensification corridors, town centres and site allocations. Tall buildings must be shown to be positive additions to the skyline that would enhance the overall character of the area, and should be of exceptional design quality. More specific guidance is given in the draft Tall Buildings Strategy. The proposed site allocation BESA1 Coombe Road seeks heights of up to five stories on Coombe Road and five to six stories on Blackbird Hill.
28. The immediately surrounding area on Coombe Road is of mixed character combining commercial, industrial and residential uses, with buildings of varying scales. These include a fast-food restaurant and industrial units which are all low rise buildings, the bulky three-storey Shurgard House building, and the four-storey residential building Roger Stone Court. Along Blackbird Hill / Neasden Lane, buildings are generally two- to three-storey, and residential side streets to the northwest and southeast are generally two-storey. However, Coombe Road forms an enclave between these traditional residential areas, separated from them as it sits between the River Brent and Brent Canal Feeder, and has a very different character.
29. The site allocation anticipates that neighbouring sites may come forward for redevelopment in the future, so to some extent the character of the area can be expected to evolve further. There are no in-principle objections to the demolition of the existing buildings, and the site allocation supports a contemporary approach to the design of new development in this area.

Site layout

30. The two commercial units would provide an active frontage addressing the street across the ground floor, interspersed by smaller areas of inactive frontage providing entrance to the car park, bin storage and a secondary entrance to the rear of the building to allow for maintenance, refuse collection and fire escape access. The residential cores would be set back behind the commercial units and accessed via a shared corridor to create a T-shaped layout providing open views across the rear of the site to the riverside, however the central location of the residential entrance between the two commercial units would provide legibility and a strong sense of arrival for residents.
31. The ground floor parking area would be set back from the frontage behind a gated entrance and shielded from public view by the building, whilst the extent of hard surfacing within the layout would be softened by the provision of small areas of soft landscaping within the parking area and of timber carports to support climbing plants. The remaining area at ground floor level to the north of the building would provide communal residential amenity space which would be easily accessible from the residential cores, particularly from Core B. Although this area would not be overlooked at ground floor level by residential units, there would be a degree of natural surveillance from the upper floors and from the rear of the commercial unit, Unit B, and consequently the location of this amenity space is considered to be acceptable.
32. Compared to the consented scheme, the proposal would deliver some minor improvements to the layout, including a more prominent residential entrance and reduced extent of louvred doors to the bin store, which would enhance both the visual appearance of the building from Coombe Road and the arrival experience of residents. Discussions with the Secure by Design officer have resulted in commercial parking spaces being provided on-street and commercial cycle storage within the commercial units, so that the enclosed car parking area could be secured for the use of residents only, and the residential cycle storage racks would be moved further from the rear boundary and screened by louvres so as to discourage cycle theft.
33. The affordable units would be located in Core B, towards the rear of the site. In the consented scheme, affordable units were dispersed more widely throughout the building, however this was found to be unattractive to registered providers as their preference is to have sole management responsibility for a separate core. Both cores would share access through the front entrance and, whilst the route to the affordable core would be longer and less convenient for residents, these units would have the benefit of

outlook onto the riverside, easier access to the ground floor amenity space and less disturbance from traffic and other noise on the street.

Height, bulk and mass

34. The proposed building would be a maximum of seven stories high, and would extend across the full width of the site frontage (other than on the northeastern boundary with Roger Stone Court, where a 2.7m set in from the side boundary would allow for the secondary access to the rear of the building) on the ground, first and second floors. It would be set in quite substantially from the northeastern boundary on the third floor, with a further set in on the fourth and fifth floor, and again on the sixth floor, which would be of a modest extent in comparison to the overall scale of the building and size of the site. On the boundary with Shurgard House, the building would be fully seven stories high. The rear element of the building would occupy the centre of the site, being set in substantially from both side boundaries, and would be partly five and partly six stories in height, with a central linking section of four to six stories.
35. In comparison, the consented building would be up to six stories high, extending to the same width and having the same general building form but being progressively more set in from the boundary with Roger Stone Court on the third, fourth and fifth floors. Essentially, the proposed building would be one storey taller than the consented building, with some minor alterations to the overall bulk and mass. The height of the consented building was considered to be appropriate in the context of the adjacent Roger Stone Court, a largely four-storey building with a steep gable roof adding extra height. As noted above, the site allocation supports new development of up to five stories, with the upper storey set back and a reduction to four stories on the edges. The sixth storey, although not explicitly supported by the site allocation, was considered to represent a modest increase in relation to the height of Roger Stone Court and given its modest overall footprint. As with the consented building, stepping down the building line as it approaches the side boundary with Roger Stone Court is also seen as appropriate as a response to the design of that development and to reflect the smaller scale of the existing residential building.
36. The proposed building would also exceed the maximum heights recommended in the draft site allocation. However, given the existing character of Coombe Road and the proposed site allocation, it is considered that the site presents an opportunity for a taller building than would otherwise be acceptable, in order to make the most efficient use of the site and to optimise its development potential. Although neighbour objections have expressed concern regarding the height of the building in relation to traditional residential streets in the wider surrounding area, your officers consider that due to the location of the site and the character of the immediately surrounding area, the building would not appear overly imposing or dominant. To the northeast of the site, the River Brent provides a 20m buffer zone, including extensive tree cover on both river banks, between the rear boundary and the rear gardens of properties on Birchen Grove. To the east, the site is separated from the rear gardens of properties on Braemar Avenue by the industrial buildings on the east side of Coombe Road and the Brent Canal Feeder, establishing a distance of 70m from the site. To the south, the site is separated from properties on Oaksid e Terrace by the London Distributor Road and the extensive bulk of Shurgard House, at a distance of 100m. The applicants have submitted streetscene images to demonstrate that the visual impact of the building on neighbouring traditional residential areas would be very limited, and that it would have an acceptable relationship with the surrounding streetscene on Coombe Road and Blackbird Hill / Neasden Lane. The impact on light, outlook and privacy of neighbouring properties is a closely related issue and is considered in more detail in paragraphs 50 to 58 below.
37. It is considered that the building would respond positively to the character of the prevailing area and would not be detrimental to the streetscene. The height, bulk and mass of the building are considered to be acceptable in this instance, subject to other planning considerations which are discussed below.

Architectural design and materials

38. The architectural approach, as for the consented scheme, has a contemporary emphasis, with elements of different heights modulating the overall bulk and mass, and areas of flat roof utilised for roof terraces and photovoltaic panels. The upper residential floors would be set back on the front elevation so as to avoid the impression of the building being overbearing within the street scene and, coupled with the distinct architectural treatment of the commercial floors, this set back would create a clear visual distinction between the base and middle of the building, solidly grounding the development and creating a harmonious relationship with the street scene. The progression of set in and set back sections on the upper floors would further reduce the impression of bulk and mass, whilst the rhythm of fenestration including the repetition of window patterns on alternating floors and the combination of recessed and projecting balconies would provide additional articulation to emphasise the verticality of the building.

39. As with the consented scheme, materials have been indicated on the plans, with the facades being primarily in brick including brick corduroy patterning on the ground and first floors, and a landscape strategy has been submitted, incorporating tree planting, a children's play area, shrub borders within the parking area and roof terrace amenity areas. However further details of materials and landscaping would be required by condition.

Residential living standards

Internal amenity

40. Policy DMP18 states that the size of the dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. Draft London Plan Policy D6 also sets out minimum space standards for new dwellings. The development includes the creation of 52 residential units, all of which would meet or exceed technical space standard requirements for their respective size and occupancy levels. The internal layouts are considered to make efficient use of the space and to provide good levels of light and outlook to all habitable rooms. There are a few instances of adverse stacking, and it is recommended that sound insulation measures are required by condition to ensure that this does not create unacceptable noise levels.
41. The Mayor's Housing SPG and draft London Plan Policy D6 seek to minimise the number of single aspect dwellings, and to avoid single aspect dwellings that are north facing or those that are at risk of being exposed to detrimental noise levels. Three-bedroom units should also be designed to be dual aspect. Of the 52 units proposed, 23 are proposed to be dual aspect. Whilst this is relatively low as at proportion, at 44% of the units, the single aspect units would all be smaller units within the private element in Core A, whereas the affordable and family-sized units would all be dual aspect. The overall proportion is broadly comparable to the consented scheme, which provided 19 of 42 single aspect units (45%), and reflects the emphasis in this application on locating most of the family-sized units in the affordable core. A maximum of eight flats per core is recommended in the Mayor's Housing SPG and the proposal complies with this requirement (other than on the second floor of Core A, which slightly exceeds this with nine flats).
42. Five wheelchair accessible units are proposed, which provides the 10% required by the Mayor's Housing SPG, and these are generously sized in order to accommodate the additional requirements for wheelchair accessible homes. A condition would be required to ensure that these units comply fully with the Building Regulations M4(3) standards and that the remaining units comply with the M4(2) 'accessible and adaptable homes' standards.
43. The Daylight & Sunlight Report finds that 98% of living spaces would meet the recommended target of 1.5% Average Daylight Factor for living rooms and that 88% would meet the 2% target for kitchens, whilst 100% of the bedrooms would meet the target of 1%, and concludes that the amenity benefits associated with providing balconies (which obstruct daylight and sunlight to rooms below) could offset any reduced level of daylight. In terms of sunlight, 100% of windows with an orientation facing within 90 degrees of due south would comply with the Annual Probable Sunlight Hours test. These results are the same as for the consented scheme.
44. Overall the standard of accommodation proposed is considered to comply with all the relevant standards and is acceptable.

External amenity

45. Policy DMP19 and emerging Policy BH13 state that 50sqm of external amenity space should normally be provided for family sized units (3plus bedrooms) at ground floor level and 20sqm for all other units. The policy sets out that this should be in the form of private external amenity space but recognises that where this cannot be achieved, communal amenity space contributes towards the policy targets. This is a significantly higher policy standard than that specified in the Mayor's Housing SPG, which requires a minimum of 5sqm of private outdoor space for 1-2bed dwellings with an extra 1sqm to be provided for each additional occupant.
46. All units would have access to private balconies or terraces in accordance with the Mayor's Housing SPG, and communal amenity space would be provided to supplement these and compensate for the shortfall in private space. The communal spaces would be landscaped as demonstrated in the landscaping strategy submitted, and would include a ground floor play area. Further details of

landscaping would be required by condition.

47. The provision of amenity space has been assessed against the requirements of Policy DMP19 as follows (there are no ground level units, and so the policy requirement for each unit is 20sqm):

	Core A	Core B
Policy target - number of units x 20sqm	740sqm	300sqm
Cumulative shortfall in private amenity space	434sqm	171sqm
Pro-rata share of 210sqm ground floor amenity space	150sqm	60sqm
Third floor roof terrace	55sqm	not available
Sixth floor roof terrace	87sqm	75sqm
Residual shortfall	142sqm	35sqm

48. For both cores, a small residual shortfall in amenity space provision would remain, however this is considered acceptable in the context of a high density urban development and given that Core B, consisting of predominantly family-sized units in affordable tenures, would have a smaller shortfall overall and would also have more convenient access to the ground floor communal amenity space. Residents would also have access to a 3m wide buffer strip at the rear of the site, which would provide maintenance access to the River Brent for Environment Agency staff but would be mainly grassed and would provide a pleasant space on the riverside. This buffer strip would be secured as part of a permissive public right of way which would be opened up at such time as the adjoining sites come forward for redevelopment, but would continue to have an amenity value for residents.

Relationship with neighbouring properties

49. Any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. The building should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries, measured from a height of 2m above ground level, in order to ensure acceptable levels of light and outlook are maintained for existing properties. Separation distances of 18m to habitable room windows and 9m to private garden boundaries should be maintained in order to ensure adequate privacy for existing and proposed residents. The 1:2 rule should be applied in respect of extending to the rear of adjacent dwellings (the rear building line should not project further to the rear than half the distance between the proposed flank wall and the centre point of the nearest existing rear habitable room window).

Separation distances and privacy

50. A separation distance of at least 11.05m would be maintained from the edge of the closest terrace to the boundary with Roger Stone Court (13.15m from the main building façade) which exceeds the requirement of 9m as set out in SPD1. A minimum distance of 17.8m would be maintained from the edge of the balcony to the flank wall windows in Roger Stone Court (20m from the main building façade). Whilst the distance from the edge of the balcony marginally falls short of the guidance set out in SPD1 by 0.2m, the shortfall is not considered to result in an unduly significant loss of privacy to the occupants of Roger Stone Court. Furthermore, the separation distance is the same as that of the consented scheme. Towards the front of the building, there are flank wall windows and edges of the balconies within 9m of the boundary with Roger Stone Court. As these windows are not the sole means of outlook from habitable rooms within unit A2.06, these flank wall windows are recommended to be obscured glazed and opening at high level only. Likewise, it is recommended that a 1.7m high screen is proposed to the balcony of this flat to prevent direct overlooking into Roger Stone Court. It is also recommended that screening is secured around the amenity space for the industrial unit and the third floor residential communal garden to prevent overlooking into Roger Stone Court. Such details are recommended to be secured to any forthcoming consent.
51. A separation distance of over 14m would be maintained to the boundary with the Shurguard site to the

south. Towards the front of the building where the building is located along the boundary, no windows are proposed in the flank elevation. This would allow future redevelopment of the neighbouring sites to come forward without prejudicing the privacy of any neighbours, and therefore would not undermine the wider site allocation.

52. To the northeast of the site, Nos 8 to 16 Birchen Grove are directly to the rear boundary of the site, whilst other properties on Birchen Grove have a more oblique relationship with it. The River Brent provides a 20m separation distance from the rear boundary of the site to the rear garden boundaries of these properties, which results in the habitable room windows at the rear of the proposed development being approximately 23m from these rear boundaries. The rear boundary of the site is approx 50m distant from the rear building line of these properties, and the rear habitable room windows in the proposed development would be approx 53m from these windows. Notwithstanding neighbour objections raised in relation to overlooking and loss of privacy, these distances significantly exceed the requirements set out in SPD1 and are considered to be sufficient to ensure that neighbours' privacy is not compromised. Furthermore, a belt of mature trees on each riverbank provides further screening between the two sides of the river.

Light and outlook

53. For buildings that neighbour a new development, the industry standard guidance by the Building Research Establishment (BRE) suggests that daylight to an existing property will be adversely affected by the development, if its windows achieve a Vertical Sky Component (VSC) below 27% and have their levels reduced to less than 0.8 times their former value, and if the levels of No Sky-Line Contour (NSC) within rooms are reduced to less than 0.8 times their former values. For sunlight the relevant test is the Average Probable Sunlight Hours (APSH) that occupiers will notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced to less than 0.8 times its former value.
54. However, the BRE also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and the NPPF 2019 also supports a flexible approach to applying standards in order to make efficient use of sites. Recent appeal decisions have established that 15% VSC can be considered as providing acceptable levels of daylight within dense urban contexts.
55. Side-facing windows at Roger Stone Court could potentially be affected by the proposal in terms of loss of light and outlook, particularly as the nearest such windows are located only 5m distant from the boundary. To address this issue, the central linking element of the proposed building would be set back at fourth floor level and above in order to ensure that the building sits within the 30 degree line from the nearest ground floor side-facing windows. The Daylight and Sunlight Report notes that the windows on this elevation are generally overhung by balconies or the protruding roof element, and that features such as these can restrict existing views of the sky and exaggerate the effects of relatively modest obstructions on the site opposite. Of the 20 side-facing windows assessed, 12 would meet the BRE targets by retaining both VSC levels and NSL levels within 0.8 times their existing value. This result is the same as for the consented scheme. The remaining eight windows would experience reductions in daylight (VSC) slightly beyond 0.8 times their former value, but would still retain VSC levels between 17.3% and 22.8% (compared to VSC levels of between 19% and 25.3% on the consented scheme and the BRE target value of 27%). The NSL levels within these rooms would be reduced to between 0.3 times and 0.5 times their former value, compared to the target of 0.8 times. This is a similar result to the consented scheme.
56. In terms of sunlight, windows facing within 90 degrees of due south were tested and all but one of these would retain APSH levels exceeding the BRE target of 25% annual sunlight and at least 5% during the winter months, and the remaining window would retain 44% annual sunlight and 4% in the winter months, only marginally below the target.
57. Although no information has been provided on this point by the applicant, given the design of the building and the size of the windows it is considered unlikely that all of these windows serve habitable rooms. Furthermore, the windows affected on Roger Stone Court are located only 5m distant from the application site, facing onto the shared boundary, which would not be compliant with Brent's current policies on the relationship with neighbouring properties. It should also be noted that these side facing windows currently face out onto industrial buildings and the associated open storage yard, and officers are therefore of the view that the overall quality of outlook would be improved as a result of redeveloping the site. The levels of daylight for these eight windows do fall below BRE guidance levels, however

weight must be given to recent appeal decisions establishing that lower levels are acceptable in urban contexts. Given the dense urban nature of the area and the improved outlook for these windows which currently overlook an industrial building and yard, it is considered that they would still achieve reasonable levels of daylight. In view of this, the impact to the neighbouring property is not considered to be unduly detrimental.

58. There are no private rear gardens at Roger Stone Court and the side boundary is to a parking area, to which the 45 degree line does not apply. The proposal would not breach either the 30 degree line or 45 degree line from properties on Birchen Grove due to the 20m separation distance. The distance between the rear boundary of the site and the rear boundaries of these properties varies from 18m to 20m, and the proposed building would be set back from the rear boundary by an additional 3m to make a total separation distance of 21m to 23m. The long section drawing No 210D shows the neighbouring rear boundary at 21.3m from the proposed building, which slightly exceeds the shortest actual distance and so is considered a robust measure. The two closest neighbouring boundaries, of Nos 10 and 18 Birchen Grove, would both face onto the rear projecting element of the building at oblique angles and would face directly onto parts of the site where the building would only occupy the front of the site. All other boundaries are 20m from the site and 23m from the proposed rear building line. Consequently and notwithstanding drawing No 210D it is considered that the building would sit comfortably within the 45 degree line from these rear boundaries. There are no other existing residential properties that would potentially be affected by the proposal in terms of loss of light and outlook.

Flood risk, drainage, trees, biodiversity and relationship with River Brent

Flood risk and drainage

59. The NPPF aims to direct development towards areas of the lowest practicable flood risk and to ensure that all development is safe, without increasing flood risk elsewhere. A Flood Risk Assessment is required for all development in Flood Zones 2 and 3 however, for sites that have been allocated for redevelopment the sequential test is not required. Brent Policy DMP9A requires proposals requiring a Flood Risk Assessment to contribute to flood risk management and reduction, and provides specific criteria for assessing such applications including the provision of a dry means of escape and finished floor levels at least 300mm above the modelled 1 in 100 year plus climate change flood level. Policy DMP9B also requires sustainable drainage measures for major developments.
60. The majority of the site is located in Flood Zone 2 and some areas near the riverbank are located in Flood Zone 3, as defined on the Environment Agency mapping system. However the site is enveloped by Flood Zone 3 and is therefore regarded as being entirely within Flood Zone 3 and at high risk of fluvial flooding. The requirement for a sequential test set out in the NPPF has been addressed through the proposed site allocation.
61. A site-specific Flood Risk Assessment has been submitted, and this concludes that only a very small portion of the site to the rear would be anticipated to flood, with very shallow depths, although the entire site is at risk of flooding with the application of climate change. The site layout takes into account the risk of flooding, with open landscaping and an open cycle storage facility within Flood Zone 3 and the bulk of the commercial and residential floorspace in Flood Zone 2. The cycle storage would be enclosed by full height steel railings and louvre panels, and would be allowed to flood in order to improve floodplain storage. Floor levels of plant storage areas would be located above the 300mm level recommended in Policy DMP9A. Materials and detailed design features would enhance flood resilience, for example in the location of electrical wiring.
62. The previous proposal benefited from extensive discussions with the Environment Agency, as a result of which the built footprint at ground floor level was reduced to 678sqm (compared to the existing footprint of 700sqm). The proposed layout retains the same built footprint at ground floor level. Residential uses, which are classified as 'more vulnerable' in terms of flood risk, are located at first floor and above, whilst occupiers of the commercial units would also have internal access to the first floor of the units which would provide safe refuge in the event that the site became flooded and safe evacuation was not available.
63. The Environment Agency have been consulted and have raised no objections, subject to an informative regarding the need for a Flood Risk Activity Permit under the Environmental Permitting (England and Wales) Regulations 2016. Whilst on the consented scheme, a condition was requested relating to a flood resilience and flood proofing scheme for the development, the Environment Agency have subsequently reviewed their risk bars and no longer require these conditions. As noted above, the Flood

Risk Assessment includes a range of flood proofing and flood resilience measures including evacuation procedures, and a condition is recommended to require these to be implemented.

64. The Sustainable Drainage Strategy submitted proposes to use a combination of green roofs, tanked geo-cellular storage, lined permeable paving in the parking area, and eventual discharge of surface water runoff directly to the River Brent via a proprietary SuDS system and a hydrobrake. These are the same measures proposed for the consented scheme, and result in the same discharge rates representing an 83% increase on the existing rates. The proposal also includes appropriate measures to mitigate flooding on site and within the surrounding area.
65. Thames Water have also been consulted and have identified the need for upgrades to the surface water network in order to prevent increased risk of surface water flooding. This would also be secured by condition.

Relationship with River Brent

66. Policy DMP9 requires riverside development to improve access to the waterways and to provide an appropriate landscaped set back, and a set back of at least 8m from a main river is required by the Environment Agency to allow for maintenance and protect the open character of the riverside and wildlife habitats.
67. As with the consented scheme, the proposal would retain a 3m undeveloped buffer strip at the rear of the site, which would also provide maintenance access for Environment Agency personnel. The riverbank beyond the rear site boundary itself is approximately 5m in depth, and consequently the 3m buffer strip would ensure that built development would be located at least 8m from the riverbed. Transportation officers have requested a 3m wide adoptable public footpath at the rear of the site (this issue is discussed further in paragraph 93). This would comply with the aims of Policy DMP9 to provide public access to the riverside, and the Environment Agency have previously agreed to the use of the buffer strip in this way.

Trees and biodiversity

68. London Plan Policy 7.19 requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity. Core Strategy Policy CP18 also supports the enhancement and management of open space for biodiversity and nature conservation and protects open space of value, including waterways, from inappropriate development. Although not currently accessible to the public or available for recreational purposes, the riverbank is part of a designated Green Chain and Site of Importance for Nature Conservation (SINC) (of Borough Importance Grade II), and part of the Blue Ribbon Network.
69. A review of SINC sites was carried out for the Council in 2014 (this site is known as Harp Island, ref B1106). This section of riverbank includes a number of trees, which are noted as making an important contribution to the SINC and are also a planning consideration in their own right on both arboricultural and visual amenity grounds.
70. A preliminary ecological appraisal was submitted, based on a desk study and site survey. The site was assessed for the potential to support a range of protected species, including an external investigation of the building to assess the potential for bat roosts. As the site consists almost entirely of hardstanding and buildings, it is considered highly unlikely that protected species would be present on site, due to the lack of any suitable habitat. The riverbanks were observed to be dominated by Japanese knotweed, an invasive species, and fly-tipping was observed in the canal. However the tree line was considered to provide good opportunities for birds and foraging bats. Overall, the appraisal concluded that the development would not have any adverse impacts on biodiversity interests.
71. A condition is recommended to require approval of external lighting, together with bat boxes, bird boxes and suitable planting and green roofs. The Environment Agency previously requested a condition for a removal and management strategy to deal with the Japanese knotweed, however this has not been requested on this application due to changes in the scope of Environment Agency activities. Control of invasive species is in any case subject to separate legislation outside of the planning system.
72. A Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement was submitted. This identified two trees and four tree groups on or near the site, and as with the consented scheme recommended removal of part of two low quality groups of trees and one Hawthorn tree which has

significant deadwood throughout the crown, with replacement tree planting to be provided as part of the landscaping scheme which includes 16 new trees to replace 5 that are to be lost. The Tree Officer has raised no concerns in relation to the proposal, subject to the development being carried out in accordance with the approved documents, and has welcomed the suggestion of a pre-commencement meeting, which is proposed as a separate pre-commencement condition to which the applicant has agreed.

Environmental Health

Air Quality

73. As the site falls within an Air Quality Management Area and includes residential uses, London Plan Policy 7.14 requires proposals to demonstrate that development would be 'air quality neutral', that is that it would not worsen existing air quality. An Air Quality Assessment has been submitted. The methodology of this assessment is considered to be acceptable in relation to air quality, subject to the design of the development and proposed heating and transport emissions remaining as per the assessment.

Noise

74. A Noise Assessment was submitted, in which noise on the site from surrounding noise sources was surveyed. The main source of noise was road traffic, and glazing and ventilation to dwellings were recommended as mitigation measures. Environmental Health officers have reviewed the Assessment and accept its conclusions. Conditions are required to secure an assessment of plant noise and any mitigation measures necessary to achieve the required noise levels in the residential units, together with a scheme of sound insulation measures to prevent transmission of noise between commercial and residential areas, and the design and testing of residential areas in accordance with BS8233 to ensure the required sound insulation is obtained and noise nuisance prevented.

Land contamination

75. The proposed site has been identified as potentially contaminated and the application has been supported by a Phase 1 assessment. This has identified that site investigation works are required. Environmental Health officers agree with this conclusion and have requested conditions to secure a site investigation together with any necessary remediation works and verification.

Construction noise and dust

76. Due to the proposed demolition and construction being close to existing residential properties, Environmental Health officers have requested a Construction Management Plan to ensure that noise, vibration and dust are controlled during the demolition and construction phases. This would need to be submitted as a pre-commencement condition as it applies to the construction process as a whole, and the applicant has agreed to this.

Sustainability and energy

77. Major residential developments are expected to achieve zero carbon standards in accordance with London Plan Policy 5.2, which requires an Energy Assessment setting out how these standards are to be achieved. Any shortfall in achieving zero carbon emissions would need to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £60. A BREEAM Excellent rating would be required for commercial floorspace of 1000sqm or more, however this requirement does not apply in this case as the proposed commercial floorspace is less than 1000sqm.

78. An Energy and Sustainability Statement has been submitted, demonstrating that the development employs a highly efficient building fabric, including well insulated walls and high-performance glazing, in accordance with the 'Be Lean' principle in London Plan Policy 5.2. There are no district energy networks within a 2m radius of the site, and combined heat and power or community energy systems are not viable on a scheme of this size, and consequently no reductions have been made in the 'Be Clean' category. PV Panels are specified on all roof areas that are not used to provide amenity space, in accordance with the third 'Be Green' priority, and other renewable technologies are reviewed but found not to be suitable to the scheme. Overall the residential element of the proposal achieves a 28.5% reduction in emissions against to the Part L baseline (compared to a 29% reduction for the consented scheme), and the commercial element achieves a 37% reduction (the same as the consented scheme). Although the

residential element does not achieve the policy target of 35% on site, this was accepted in the determination of the consented scheme as the limited footprint required to minimise flood risk coupled with the use of roof terraces to provide amenity space reduces the amount of roof available for PV panels. However, the development would be future proofed to allow connection to a district heating network should one become available in the future, and further details of this would be required by condition, together with details of the PV panel array.

79. The remaining carbon emissions to achieve a zero carbon development would be offset by a financial contribution to Brent's carbon offsetting fund, which at this stage is estimate to be £85,939 for the residential element and £7,956 for the commercial element. This sum would be secured via the s106 Agreement, together with submission and approval of an updated Energy Assessment calculating emissions for the commercial and residential elements separately at both the detailed design stage and again following completion.
80. The Statement also demonstrates that water fittings would be specified to achieve the London Plan target water consumption of 105litres per person per day, and that responsible sourcing of building materials would be employed.

Transportation, parking and servicing

81. The NPPF requires applications for development generating significant transport impacts to be accompanied by a Transport Assessment. Parking standards for new developments are given in Policy DMP12 and Appendix 1 of the Development Management Policies, whilst servicing requirements are given in Appendix 2 and Policy DMP11 provides criteria for new or altered road accesses. Cycle parking is required in compliance with the London Plan (two spaces per 2bed and 3bed flat, or one space for 1bed flats, and one space per 150sqm of office space or 250sqm of light industrial floorspace or 500sqm of B2/B8 floorspace) in a secure weatherproof location, whilst draft London Plan Policy T5 proposes higher standards for residential use, namely 1.5 spaces per 1bed flat and 2 spaces for larger dwellings . Detailed guidance on bin storage requirements is given in the Waste Planning Guide, with storage locations required to be within a maximum 30m carrying distance from any individual flat (excluding vertical distances) and to allow for collection within a 20m carrying distance (10m for larger Eurobins).
82. Coombe Road is a short cul-de-sac comprising a mixture of industrial, commercial and residential uses, located off Blackbird Hill, a London Distributor Road. It is considered to be a heavily parked street and there is evidence that vehicles frequently park on the footway. The site has medium accessibility to public transport (PTAL 3) and as such is subject to the higher maximum residential parking allowances given in Appendix 1, whilst the location northwest of the Dudding Hill rail line allows one space per 200sqm of gross employment floorspace.
83. The existing site comprises two industrial units, served by separate accesses, and three parking spaces would be allowed for the existing 675sqm floorspace. The site frontage can accommodate about six cars, which exceeds the standards. The proposed 728sqm of employment floorspace would be allowed a maximum of three parking spaces, whilst the proposed residential use would be allowed a maximum of 59 spaces. The employment floorspace would also require a servicing bay.
84. The draft London Plan sets out lower parking standards, within a wider policy context of encouraging car-free developments and more sustainable travel choices. These standards would be adopted within Brent through the adoption of the emerging Local Plan, and allow up to 0.75 spaces per dwelling in outer London PTAL 3 areas, which would equate to a maximum allowance of 39 spaces for this development.
85. The applicant's Transport Statement provides 2011 Census data for car ownership in the Welsh Harp ward, indicating that this development would have a projected car ownership of 38 cars, which is in line with the draft London Plan parking allowance. However, a more localised examination of data for the immediate Census output area shows car ownership for flats averaging at 0.52 cars per flat, suggesting that future car ownership for this development could be as low as 27 vehicles.
86. The proposal is to retain an existing dropped kerb at the southwest of the site, providing access to a parking area at the rear of the building and partly in an undercroft. The parking area would be gated, with the gates set back from the footway by 6.5m to allow adequate space for cars to wait away from the highway whilst the gates are opened. A total of 27 on-site parking spaces are proposed, equating to a parking space for 52% of the units (this is a slightly reduced level compared to the consented scheme, which proposed 29 spaces to serve 42 units, equating to a space for 69% of the units). Four of the spaces are shown as being for disabled use, which would comply with the requirement in Appendix 1 of

the Development Management Policies for 10% of spaces to be for disabled use.

87. To assess the potential impact of any overspill parking that may occur, an overnight parking survey was carried out on 5 and 6 June 2018 (as submitted previously for the consented scheme). The survey found a parking stress of 87% to 89% in the wider area, but noted that parking totalled only three to four cars in Coombe Road, which has overnight parking capacity for about 15 cars. As such, the road is lightly parked at night, so could safely accommodate some overspill parking from a residential development, with space for about six to seven cars along the site frontage.
88. As such, Transport officers consider this level of provision to be sufficient to meet likely future demand, with space available along the site frontage to safely accommodate any further demand that may overspill onto the street. Although no dedicated parking spaces would be provided for the commercial units, commercial tenants would be able to use the on-street parking along the site frontage, which would also then be available for use by residents in the evening and at weekends. A Travel Plan Statement is proposed to be provided for the development, which is appropriate to the scale of the proposal. This will not require on-going monitoring, but will require an action plan setting out proposed measures to minimise car use. The approval of a suitable plan would be secured by condition.
89. The redundant dropped kerb at the northeast of the site would be removed at the applicant's expense in order to provide an on-street loading bay for the commercial units, as in the consented scheme. A swept path diagram has been provided, showing an 8m long lorry turning within the highway of Coombe Road, which is acceptable and is comparable to the existing situation whereby the industrial units are serviced by vehicles using the site frontage and turning within the cul-de-sac. The street is heavily parked during the day, with vehicles parked blocking the footway, accesses and the turning circle. However, this may improve in future with the removal of the existing businesses from this site.
90. London Plan Policy 6.13 requires 20% of all car parking spaces to be served by charging points for electric vehicles with passive provision of the necessary infrastructure to install charging points for an additional 20%. The Transport Statement Addendum confirms that this provision will be made, however no details have been provided and consequently a condition is recommended to require these details to be submitted.
91. Draft London Plan standards require 97 spaces for residential use, and the proposal would provide 98 spaces at the rear of the site in a separate secure cycle store. Following discussions with the Secure by Design officer, commercial cycle storage would be provided within the commercial units, in order to provide more convenient access for commercial users and secure the use of the car parking area for residents .
92. Bin storage would be provided at two locations. The store for Core A comprises eight x 1,100l Eurobins and four x 240l bins, and would be located at the front of the site within 10m of the highway near the proposed loading bay, which would allow straightforward access for collectors as well as a convenient 20m carrying distance for residents. The store for Core B comprises 23 x 240l bins and would be located at the northernmost point, set back into the site at the rear of the larger commercial unit approximately 12m from the highway and 15m from the carriageway, and within a 20m carrying distance of Core B for residents. Although the bins would be within an acceptable wheeling distance of the highway for smaller bins, arrangements would need to be made with the Council's Waste and Recycling Service for the refuse team to access the site, which is gated. Submission of a Delivery and Servicing Plan would be required to demonstrate that adequate arrangements would be in place.
93. Transport officers have requested that the 3m buffer strip along the rear site boundary with the riverbank be used to provide a public footpath. The two adjoining sites, Shurgard House and Roger Stone Court, are both subject to s106 Agreements requiring the provision of adoptable public footpaths along the riverbank, and the provision of a similar footpath at the rear of this site would enable the three lengths of footpath to be linked together, formally dedicated as public highway and opened up for public use (the footpath to the rear of Shurgard House is currently gated and locked). The footpath would be constructed to adoptable standards, with hard surfacing and two lighting columns linked to the cabling for the existing lighting along the footpath to the rear of Shurgard House. This is considered to be a significant positive feature of the development, enhancing the ability of the public to enjoy the riverside location and improving pedestrian accessibility and permeability in the area. Provision of the footpath would be secured through the s106 Agreement.

Equalities

94. 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).

Conclusion

95. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of legal agreement.

96. Whilst the quantum of industrial workspace proposed does not reflect the full industrial capacity of the site, this has to be weighed up against the constraints of the Flood Zone designation, the wider planning benefits of redeveloping the site for co-location of industrial and residential uses, and the fallback position provided by the consented scheme. The tallest element of the building would exceed the maximum heights set out in emerging Policy BESA1 but would have a relatively modest bulk and overall the impact on the character of the area and neighbouring properties is considered acceptable. There would be a small shortfall in amenity space provision against Policy DMP19. However the wider benefits of redeveloping the site, including the provision of 52 new homes with a high proportion of family-sized units and affordable units, are considered to outweigh the limited harm. As such, the conflict with Policy DMP14 and the proposed BESA1 site allocation is limited.

CIL DETAILS

This application is liable to pay **£1,785,022.50** * 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): 671 sq. m.

Total amount of floorspace on completion (G): 6183 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
(Brent) Businesses and light industry	755	0	673.06	£0.00	£0.00	£0.00	£0.00
(Brent) Dwelling houses	5428	0	4838.94	£200.00	£0.00	£1,443,039.59	£0.00
(Mayoral) Businesses and light industry	755	0	673.06	£0.00	£60.00	£0.00	£41,759.19
(Mayoral) Dwelling houses	5428	0	4838.94	£0.00	£60.00	£0.00	£300,223.72

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£1,443,039.59	£341,982.91

*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: 20/2473

To: Miss Lau
ROK Planning
ROK Planning
16 Upper Woburn Place
London
WC1H0AF

I refer to your application dated **13/08/2020** proposing the following:

Demolition of the existing buildings and redevelopment of the site comprising the erection of a part three, four, six and seven storey building providing flexible employment workspace on ground and part of first floor, and self-contained flats with associated car and cycle parking spaces, refuse and recycling stores, amenity space, landscaping and associated development

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

at **6 and 6A Coombe Road, London, NW10 0EB**

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: 17/11/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Draft London Plan Intend to Publish Version 2019
Draft Brent Local Plan Regulation 19 Version 2019

- 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):

534-2B-001_A
534-2B-010
534-2B-011
534-2B-030
534-2B-031
534-2B-101_F
534-2B-110_P
534-2B-111_K
534-2B-112_J
534-2B-113_J
534-2B-114_J
534-2B-115_J
534-2B-116_L
534-2B-117_C
534-2B-180_A
534-2B-200_J
534-2B-210_D
534-2B-300_J
534-2B-301_J
534-2B-310_D
534-2B-350_F
534-2B-351_D
20.034-BOSK-00-DR-L-0100-P1
20.034-BOSK-ZZ-DR-L-0101-P1
Air Quality Assessment (Ardent, 181161-04, August 2020)
Flood Risk Assessment and Sustainable Drainage Strategy (Ardent, 181161-01, August 2020)
Noise Assessment (Ardent, 181161-03, August 2020)
Preliminary Ecological Appraisal (The ecology partnership, June 2018) and Addendum Letter (19 October 2020)
Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement (Challice Consulting Ltd, CC/1938 AR3666, Revision 2, 21 October 2020)

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

- 3 The scheme hereby approved shall contain 52 self-contained residential units and 728sqm of flexible industrial workspace as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, 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) without express planning permission having first been granted 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 The non-residential floorspace hereby approved shall not be used other than for purposes within use class E(g) (ii) and (iii) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended on 1st September 2020) (previously use classes B1b and B1c of the Town and Country Planning (Use Classes) Order 1987, as amended other than as provided for under Condition 17 of this permission or without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure the retention of industrial floorspace on the site.

- 6 The development shall be undertaken in accordance with the recommendations and mitigation measures set out within the Ardent Air Quality Assessment report ref 181161-04 dated August 2020, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect local air quality.

- 7 The development shall be undertaken in accordance with the recommendations and mitigation measures set out within the Ardent Flood Risk Assessment And Sustainable Drainage Strategy ref 181161-01 dated August 2020, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure adequate measures are taken to ensure adequate drainage of the site and manage the risk of flooding.

- 8 The following features shall be provided as part of the 'shell and core' construction of the commercial units (unless otherwise agreed in writing with the local planning authority on the basis that they are not required by a confirmed tenant of the unit(s)):

- a goods lift to serve each unit;
- capped off services including water, electricity, gas and drainage;
- glass frontage including full height double width front doors to each ground floor unit;
- level access from the on-street loading bay.

Reason: In order to ensure that the commercial units meet the requirements of potential occupiers and can reasonably facilitate the occupation for purposes within use class B1(c).

- 9 Prior to first occupation or use of the development, the amenity spaces, soft and hard landscaping, car parking, cycle parking and bin storage shown on the approved plans shall be provided in full. These or equivalent facilities shall be retained in full for the use of occupiers of the development thereafter.

Reason: To ensure adequate provision of these facilities for the lifetime of the development.

- 10 The development shall be designed and constructed so as to limit the internal consumption of water to 105 litres or less per head per day.

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.

- 11 The development shall be designed and constructed so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and the remaining 10% of the residential units are easily adaptable to achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with London

- 12 Windows on the northeastern elevation of the first floor of the industrial unit shown as Unit B on the approved drawings and the residential Unit A02.03 shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and shall be permanently maintained in that condition thereafter unless the planning consent is obtained from the Local Planning Authority.

Reason: To prevent overlooking onto adjoining site to the northeast.

- 13 The recommendations and mitigation measures set out within the approved Preliminary Ecological Appraisal and Addendum Letter shall be implemented in full.

Reason: To ensure adequate protection for biodiversity interests on the adjacent riverbank.

- 14 Prior to the commencement of the development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Reason for pre-commencement condition: Impacts of the construction process can arise at any time during the construction process and therefore controls need to be in place prior to construction commencing.

- 15 Prior to commencement of the development, a pre-commencement site meeting arranged by the applicant shall be held, including representatives of the applicant, the arboricultural consultant and the LPA Tree Officer, as recommended in the approved Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement (Chalice Consulting Ltd, CC/1938 AR3666, Revision 2, 21 October 2020). A record of the meeting will be circulated to all parties and to the LPA by the arboricultural consultant within five days of the meeting.

Reason: To ensure that all aspects of the tree protection process are understood and agreed.

Reason for pre-commencement condition: All aspects of the construction process, including the demolition of existing buildings and site preparation, can impact upon trees to be retained on and near the site, and the tree protection process therefore needs to be agreed prior to works commencing.

- 16 (a) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present, and a report shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, including the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination, and an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The investigation shall be carried out in accordance with the principles of BS 10175:2011.

(b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to the Local Planning Authority through the submission of an application for approval of details reserved by condition, 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). The verification report shall be approved in writing by the Local Planning Authority prior to first occupation or use of the development.

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

- 17 Prior to development commencing (other than demolition, site clearance and groundworks), further details of active Electric Vehicle Charging Points to serve 20% of the car parking spaces and the provision of passive charging points for a minimum of 20% of the remaining car parking spaces shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Thereafter, the development shall be carried out with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to facilitate sustainable modes of travel. In compliance with London Plan Policy. To comply with London Plan Policy 6.13.

- 18 Prior to commencement of development (excluding demolition, site clearance and groundworks), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority through the submission of an application for approval of details reserved by condition, and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6.

- 19 No piling shall take place until a piling method statement (including detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water through the submission of an application for approval of details reserved by condition. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 20 Prior to completion of construction work, further details of the roof plan, confirming the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, and the development shall thereafter be completed in accordance with the approved details.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 21 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of materials for all external work and balcony screening, including samples, shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The work shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 22 Prior to work commencing above ground floor level, further details of screening to be provided

to the northeastern boundary of the first floor commercial amenity space and of the third floor residential amenity space shall be submitted to and approved in writing by the local planning authority through the submission of an application for approval of details reserved by condition.

The approved details shall be implemented prior to first occupation or use of the development, and shall be retained thereafter.

Reason: to prevent overlooking onto the adjoining site to the northeast.

- 23 Prior to works commencing on the superstructure, and notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species
- (b) details of the layouts of the shared amenity space, including details of play equipment
- (c) details of the provision of artificial bird and bat boxes
- (d) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other disabled users
- (e) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height
- (f) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)
- (g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.
- (h) details of all tree planting pits (including surfacing)

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

- 24 Prior to first occupation or use of the development, a Meanwhile Use Strategy shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, and implemented in full thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of proper planning. To allow for alternative uses of the commercial units to be explored on a temporary basis in the event of any extended periods of vacancy.

- 25 Prior to first occupation or use of the development, an assessment of the expected noise levels from all plant and ancillary equipment shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound' and shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, together with any mitigation measures necessary to achieve the required noise levels. The plant shall thereafter be installed and maintained in accordance with the approved details.

Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 26 Prior to first occupation or use of the development, a scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The scheme shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound' in order to prevent noise transmission between the commercial units and residential units and between the living area of Unit A04.01 and the bedrooms of Unit B03.03. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 27 Prior to first occupation or use of the development, a test shall be carried out to show that the required noise levels set out below have been met and the results shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Time	Area	Maximum noise level
Daytime noise 07:00 – 23:00	Living rooms and bedrooms	35 dB ALeq (16hr)
Night time noise (23:00 - 07:00)	Bedrooms	30 dB LAeq (8hr)

Reason: To obtain required sound insulation and prevent noise nuisance

- 28 Prior to first occupation or use of the development, the following shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition:

- Confirmation that all surface water network upgrades required to accommodate the additional flows from the development have been completed, or - Confirmation that a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

The applicant is advised that further information to support the discharge of this condition is available at www.thameswater.co.uk/preplanning.

Reason: The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 29 Prior to first occupation of the development hereby approved, further details of a communal television system/satellite dish shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition, and thereafter implemented in accordance with the approved details. The equipment shall be located so as to have the least impact on the external appearance of the development.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 30 Prior to first occupation or use of the development, a Travel Plan prepared in accordance with current Transport for London guidance and setting out an action plan comprising of measures that shall be taken to minimise car use by residents and other users of the development, shall be submitted to and approved in writing by the local planning authority through the submission

of an application for approval of details reserved by condition.

The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: To encourage sustainable travel choices.

- 31 Prior to first occupation or use of the development, a Delivery and Servicing Plan, setting out how waste collection from the residential Core B shall be achieved in accordance with the Council's Waste Planning Guidance 2015 and to the satisfaction of the Council's Waste and Recycling Service, and other relevant matters, shall be submitted to and approved in writing by the local planning authority through the submission of an application for approval of details reserved by condition.

Reason: To ensure adequate servicing arrangements are made for the development.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 If the development is carried out it will be necessary for a crossing over the public highway to be amended 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. Should Application for such works should be made to the Council's Safer Streets Department Tel 020 8937 5050. 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.
- 3 The developer is advised to consult Thames Water's guide 'Working near our assets' - (at <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>) - to ensure the workings will be in line with the necessary processes to be followed when working above or near Thames Water pipes or other structures. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The applicant should take account of this minimum pressure in the design of the proposed development.

- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the applicant to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 5 Flood Risk Activity Permit
The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river
 - on or within 8 metres of a flood defence structure or culvert
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency's National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and is advised to consult with the Environment Agency at the earliest opportunity.

6 Flood proofing

We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

- 7 Given the age of the building 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.
- 8 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall 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.
- 9 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.
- 10 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 11 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 12 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 13 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:

Monday to Fridays - permitted between 08:00 to 18:00

Saturday - permitted between 08:00 to 13:00

At no time on Sundays or Bank Holidays

For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233