

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

9 December, 2020  
05  
20/1424

## SITE INFORMATION

RECEIVED	14 May, 2020
WARD	Alperton
PLANNING AREA	
LOCATION	100 Beresford Avenue, Wembley, HA0 1QJ
PROPOSAL	Demolition of existing commercial building and erection of two buildings (6 storeys and part 7 storeys in height) comprising 100 residential dwellings (Use Class C3) and commercial floorspace (Use Class B1c) on ground floors with associated servicing, parking and refuse stores, amenity space, a commercial yard and soft landscaping
PLAN NO'S	Please see condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_&lt;systemke</a></p> <p><b><u>When viewing this as an Hard Copy _</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "20/1424" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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

### Section 106 Heads of Terms

1. Payment of legal and professional costs.
2. Notification of commencement 28 days prior to material start.
3. Securing 49 affordable housing units (accounting to 49% by unit and 50% by habitable room) on the following tenure split:
  - 34 London Affordable Rent units (in accordance with the Mayor of London's Affordable Housing Programme 2016-2021 Funding Guidance (dated November 2016) and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council)
  - 15 Shared Ownership units (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider,
4. Training and employment plan for Brent residents.
5. Sustainability and Energy - Carbon offset contribution to be paid in two stages, following pre-construction submission of revised Energy Statement and post-completion submission of Energy Statement Review. Pre-construction and post-completion submission to achieve BREEAM "Excellent" for the commercial floorspace.
6. Financial contribution to introduction of Controlled Parking Zone in surrounding area, to a sum of £50,000.
7. A 'car-free' agreement for the development, removing the right of any future occupiers to on-street parking permits within any CPZ introduced in the area in the future.
8. A Section 278 Agreement which includes all highway works along the site frontage, including the dedication of land as adopted highway and formation of a new site access, reinstatement of all redundant vehicle crossovers to footway, creation of inset loading and disabled parking bays to a minimum width of 3m, increase the adoption of the footway at the back of the inset bays so that there is a least 3.5m clear adopted footway/cycleway, provision of a speed table in Beresford Avenue at the western end of the site, provision of all associated street furniture and tree planting and all associated changes to lining, signing, lighting and drainage to be undertaken at the applicant's expense prior to occupation of the development.
9. Enhanced travel plan to be submitted and approved prior to occupation, implemented and monitored including (a) residential and workplace Travel Plans, (b) details of a Travel Plan Co-ordinator, (c) an acceptable suite of measures to promote non-car based travel including a budget associated with these measures; and (d) details of car club operators' requirements in determining the level of demand for car club usage and a commitment to providing these requirements with three years membership towards any nearby car clubs for future residents within the development
10. Financial contribution to off-site play provision for older children, to a sum of TBC towards improvements in Heather Park (sum to be reported in supplementary).
11. Establishment of a public right of way to and along the canal side of the development.
12. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

### Conditions

1. Three year rule
2. Approved plans
3. Unit Mix
4. Withdraw permitted development rights for C3 conversion to C4
5. Use/Quantum commercial floor space
6. Mains water consumption for residential units not to exceed 105lppd
7. Ecology
8. Accessible Homes
9. Non-Road Machinery
10. Tree Protection

11. TV
12. Canal and River Trust – Risk assessment and method statement
13. Canal and River Trust – Construction Logistics Plan
14. Contaminated Land
15. Construction Method Statement
16. Construction Environmental Management Plan
17. Sound insulation measures
18. District Heating
19. Material Details
20. Electro-magnetic field
21. Sub station low frequency noise
22. Refuse/Bike provision
23. Landscape Details
24. Canal and River Trust – Waterway wall
25. Canal and River Trust - Floating Ecosystems
26. Estate management
27. Air Quality
28. DSP
29. Access gate to canal side walk

#### Informatives

1. CIL liability
2. Asbestos removal
3. Soil quality
4. Canal and River Trust
5. Notify Highways pre-commencement
6. Non Road Mobile Machinery
7. London Living Wage
8. Fire safety

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

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

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

## **SITE MAP**



**Brent**

### **Planning Committee Map**

Site address: 100 Beresford Avenue, Wembley, HA0 1QJ

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This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the demolition of all buildings on site and construction of a mixed use development including commercial use units at ground floor level (accounting for 1118sqm of E(g)(ii) floorspace and 100 residential units on all floor levels. These are arranged within two buildings which would both be a maximum of 7 storeys in height, with lower elements of 6, 5, 4, and 1 stories respectively.

The lower elements of each building would provide rooftop amenity spaces for residents, and the remaining areas at ground level would provide a commercial courtyard and further amenity space for residents in the form of a pocket park intersecting the two blocks, pedestrian access through the site and along the canal side, and associated landscaping to the public realm. There would also be refuse and cycle storage within the site.

## EXISTING

The application site covers an area of 3400m<sup>2</sup> and currently contains a warehouse comprising varying levels up to three storeys. The site fronts the Grand Union Canal situated to the south and is sited approx 0.5 miles from Alpertown Town Centre. It is situated between Stonebridge Park station to the east and Alpertown station to the west.

To the west is a substation and the recently approved scheme Afrex House for a residential development, and to the east is the mixed-use Northfields scheme, including phase 1 which is sited adjacent to the application site (see history section of report). To the north is Beresford Avenue which is mainly residential comprising two storey semi-detached houses.

It is located within the Alpertown Growth Area, which is designated within the Core Strategy as one of the areas within the borough where the majority of the planned growth is expected to occur. The site is listed in area A.7 Mount Pleasant/Beresford Avenue of Brent Site Specific Allocations 2011. The site is also listed in the New Local Plan Site Allocation: BSWSA6: Beresford Avenue. It is Waterside Development which is a buffered area around the Grand Union Canal. The entire borough is within an Air Quality Management Area (AQMA). It is not situated within Conservation Area nor is the subject building listed.

## AMENDMENTS SINCE SUBMISSION

Amended plans were received on 26/11/20, incorporating the following amendments:

- A reconfigured layout of the ground floor plan to improve the standard of accommodation for residential unit A.01 and improvements to the public realm by introducing a pocket park between the two proposed buildings.
- A reconfigured layout of the first floor plan to provide a mixture of communal and private external amenity space. This resulted in amendments to the accommodation schedule to provide 50% affordable housing per habitable room instead of per unit. These would comprise 34 units at London Affordable Rent levels and 15 units for shared ownership representing a tenure split of 70:30.

These amendments did not materially alter the scheme and did not require further public consultation.

## 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.**

**Principle of development:** The site is allocated for mixed use redevelopment including ground floor commercial uses with residential development above. The loss of the existing uses on site is considered alongside the promotion of the site as a residential development within the Draft Local Plan Site Allocation. The proposal would provide 1118sqm of new high quality light industrial floorspace (use class E(g)(ii)) which, while below the site's benchmark industrial capacity as defined by the draft London Plan, would, together with the new public realm and residential units, respond well to the vision of creating a new canalside community in this area. The proposed mix

of uses is considered to be acceptable in principle.

**Affordable housing and housing mix:** The proposal includes 49 affordable housing units out of a total of 100 units, representing 50% affordable housing by habitable room. These would comprise 34 units at London Affordable Rent levels and 15 units for shared ownership, representing a tenure split of 70:30 and a housing mix including 24% of the total homes within the scheme being three bedroom units. The affordable housing offer fully complies with adopted and emerging policy, and the marginal shortfall in 25% target of family sized homes is considered when balanced against wider planning benefits including the high proportion of affordable homes and replacement industrial floorspace.

**Design, scale and appearance:** The two buildings would contribute to the emerging cluster of tall buildings at this location in the Alperton Growth Area, with the staggered heights breaking up the mass and bulk of the buildings and creating an effective transitional relationship with lower density traditional housing to the north. The layout and landscaping proposals would provide an effective relationship between the buildings, open space and canal, and the design overall is considered to be of high quality.

**Residential living standards:** The 100 residential units would generally meet or exceed internal space standards. Whilst the scheme does not fully comply with DMP19 or emerging policy BH11, most units would have balconies and additional amenity space would be provided in the form of roof terraces, a ground level pocket park and canalside public realm. A financial contribution towards play provision for older children will be directed towards improvements in Heather Park.

**Impact on neighbouring properties:** A Daylight Sunlight Assessment has been submitted and demonstrates a reasonable to good level of adherence to Building Research Establishment guidelines in terms of the impact on daylight and sunlight received by neighbouring residential properties. Whilst it is noted that there would be an impact on residential amenity, the provision of additional housing, including affordable housing, is considered to outweigh the loss of daylight on balance. There are also improvements to the appearance of the building (over that of the existing building) which mitigates the impact to some extent. Overall, with conditions the proposal is considered acceptable.

**Trees, biodiversity, landscaping and relationship with Canal:** There are no protected trees on site and new tree planting will compensate for the loss of existing trees. The existing biodiversity value of the Grand Union Canal would be protected through conditions and landscaping proposals would enhance the biodiversity value of the site. The proposal would maintain an adequate level of set back from the Canal and would allow public access to the canalside.

**Environmental issues:** The proposal would achieve a 26% reduction on 2013 Building Regulations for residential floorspace and 35% reduction for non-domestic floorspace through on-site measures. Further improvements will be sought through the s106 agreement, together with a financial contribution to the Council's carbon offsetting fund. The scheme demonstrates compliance with BREEAM Excellent standards. The proposal is considered to be acceptable in terms of air quality, noise, odour, land contamination, flood risk and drainage, subject to conditions.

**Transportation and highways considerations:** The alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists. Highway improvements will be secured through the s106 agreement, together with a financial contribution to introducing Controlled Parking Zones in the area and withdrawing future residents' eligibility for on-street parking permits. Three on-street disabled parking spaces would be provided for the residential units. Cycle parking and bin storage comply with the relevant standards, and pedestrian access through the site will be open to the public with provision made for a pedestrian connection along the canalside to the adjoining sites.

## RELEVANT SITE HISTORY

There is no relevant planning history relating to the application site.

### Permissions relating to nearby sites

#### West of the application site - Afrex House

18/0752 - Demolition of existing buildings at Afrex House, and redevelopment to provide a residential development of 3-5 storeys for 31 residential units (9 x 1bed, 18 x 2 bed, 4 x 3 bed), creation of public realm and alterations, landscaped amenity space, car and cycle parking and all associated works, subject to Deed of Agreement dated 7th March 2019 under Section 106 of the Town and Country Planning Act 1990.

**Granted 08/03/19**

#### East of the site - former Northfield Industrial Site and Northfields Scheme

18/0321 - Hybrid planning application for the redevelopment of Northfield industrial estate:

Outline planning permission for the demolition of existing buildings and structures on the site, all site preparation works and redevelopment to provide new buildings ranging from 35.75m AOD to 111.95m AOD in height, with a total floorspace (GEA) of up to 309,400 sq m (excluding basement up to 42,000 sq m GEA) to accommodate 2,900 homes (Use Class C3), business and storage and distribution (Use Classes B1a, B1c and B8), commercial (Use Classes A1, A2, A3, A4 and A5), community and leisure (Use Classes D1 and D2) including community centre and nursery, new basement level including energy centre, associated storage, cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure.

Full planning permission for demolition of existing buildings and structures on the site, all site preparation works and the development of Phase 1 (Buildings A, B, C and D ranging from 1 to 14 storeys in height) to comprise 400 homes (Use Class C3); 910 sq m (GEA) of business floorspace Use Class B1a); 1,290 sq m (GEA) of commercial floorspace (Use Classes A1, A2, A3, A4 and A5); and 1,610 sq m (GEA) of community and leisure floorspace (Use Classes D1 and D2), including a community centre and nursery; together with new basement level including energy centre, associated storage, cycle and vehicle parking, new vehicular accesses, associated highway works to Beresford Avenue, landscaping and creation of new public and private open space, ancillary facilitating works, various temporary meanwhile uses, interim works and infrastructure.. **Granted 28/09/2018.**

## CONSULTATIONS

### Public Consultation

100 neighbouring properties were consulted by letter on 21 May 2020. In addition, four site notices were erected on 03 June 2020 and a press advert was published on 28 May 2020.

No comments were received from members of the public.

### Internal Consultations

#### Local Lead Flood Authority

No objections raised. Satisfied that the proposal will improve the overall flood risk to the site and will improve the overall risk locally. The drainage and SuDS implementation is acceptable.

#### Environmental Health

No objections and requested details via appropriate conditions on noise, construction method statement, air quality, and contaminated land.

#### Sustainability officer

Concerns relating to carbon on-site reduction, proposed gas based system, and heat network connection. These are discussed in the 'Remarks' section.

#### Ecology/Biodiversity

The Council's Parks Services Department raised no objections to the proposal on biodiversity or ecology grounds, subject to amendments regarding the proposed planting species. These are discussed in the 'Remarks' section.

## **External Consultations**

### Canal & River Trust

No objections raised subject to appropriate conditions on the waterway wall, floating ecosystems, landscaping, risk assessment and method statement, Construction Environmental Management Plan, surface water drainage, and waterborne freight. These are discussed in the 'Remarks' section.

### Thames Water

No objections.

### Environment Agency

No objection. Advised there would be no environmental constraints within their remit.

### Historic England (Archaeology)

No objection. Advised the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The site does not lie within an archaeological priority area and the proposal is not of a scale to cause an archaeological impact at this location.

### Natural England

Advised that they do not wish to make comments on the application on the basis that the proposal is unlikely to affect any statutorily protected sites. Also, noted is it that it is for the local planning authority to determine whether the proposal is consistent with national and local policies on the natural environment.

### Met Police Designing Out Crime

Concern regarding some aspects of the ground floor layout, including:

- Natural surveillance of the access along the side of the building to the canal-side amenity space;
- Bicycle storage areas should be accessed internally;
- Ground floor flats adjacent to a public space
- That there may be potentially issues with the courtyard space depending on the nature of businesses that occupy the adjoining commercial areas, and the associated potential for conflict with residential use.

Natural surveillance has been incorporated through the inclusion of windows which would overlook the access, both from the subject site and the adjoining Grand Union plot.

Bicycle storage accesses have been amended so they are accessed internally from the building.

The accesses for the commercial units have been altered so that they have doors onto the canal side path, but not the courtyard space (i.e. the Pocket Park).

## **Community Involvement by applicant**

The NPPF paragraph 40 encourages applicants to engage with the local community before submitting their applications, and Brent's Statement of Community Involvement (SCI) sets out the level of pre-application engagement recommended according to the size of the scheme.

A Statement of Community Involvement was submitted, detailing the activities carried out by the applicant. These included stakeholder one-to-one meetings with elected representatives and a project website with a telephone number and email address provided for residents' enquiries. The SCI states that Woolbro Homes initially planned a drop-in public exhibition that was booked for 2 April but it had to be cancelled due to the Covid-19 lockdown. The Community Communications Partnership developed a methodology of hosting a "Virtual Exhibition" based on the traditional exhibition with information boards but combining it with a short film explaining all aspects of the application in the manner in which would ordinarily guide a visitor at an exhibition. The CCP provided a telephone number, e-mail address, informative website and comprehensive feedback form to conduct the consultation.

Information about the virtual exhibition and website was distributed online through community social media platforms and by a newsletter distribution to 1,000 local homes.

By the close of the consultation period on 25 April 2020 (a period of two weeks) the Virtual Exhibition film had been viewed 613 times and the website had been visited 759 times.



As well as community engagement, the applicant held formal pre application consultation with Brent Council.

This is considered to meet the requirements of Brent's SCI for a development on this scale.

## **POLICY CONSIDERATIONS**

For the purposes of Section 36(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the Brent Core Strategy 2010, Brent Development Management Policies DPD 2016 and the London Plan 2016 (Consolidated with Alterations since 2011).

Key policies include:

### **The London Plan consolidated with alterations since 2011 (March 2016)**

- 1.1: Delivering the strategic vision and objectives for London
- 2.6: Outer London: vision and strategy
- 2.8: Outer London: transport
- 2.18: Green infrastructure: the multi-functional network of green and open spaces
- 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
- 3.7: Large residential developments
- 3.8: Housing choice
- 3.9: Mixed and balanced communities
- 3.10: Definition of affordable housing
- 3.11: Affordable housing targets
- 3.12: Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13: Affordable housing thresholds
- 5.1: Climate change mitigation
- 5.2: Minimising carbon dioxide emissions
- 5.3: Sustainable design and construction
- 5.5: Decentralised energy networks
- 5.6: Decentralised energy in development proposals
- 5.7: Renewable energy
- 5.9: Overheating and cooling
- 5.10: Urban greening
- 5.11: Green roofs and development site environs
- 5.12: Flood risk management
- 5.13: Sustainable drainage
- 5.14: Water quality and wastewater infrastructure

5.15: Water use and supplies  
5.17: Waste capacity  
5.21: Contaminated land  
6.1: Strategic approach  
6.3: Assessing effects of development on transport capacity  
6.7: Better streets and surface transport  
6.9: Cycling  
6.10: Walking  
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  
7.7: Location and design of tall and large buildings  
7.13: Safety, security and resilience to emergency  
7.14: Improving air quality  
7.15: Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
7.19: Biodiversity and access to nature  
7.21: Trees and woodlands  
7.30: London's canals and other rivers and waterspaces  
8.2: Planning obligations  
8.3: Community infrastructure levy

### **Brent Core Strategy (2010)**

CP1: Spatial Development Strategy  
CP2: Population and Housing Growth  
CP5: Placemaking  
CP6: Design & Density in Place Shaping  
CP8: Alperton Growth Area  
CP15: Infrastructure to Support Development  
CP17: Protecting and Enhancing the Suburban Character of Brent  
CP18: Protection and Enhancement of Open Space, Sports and Biodiversity  
CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

**Development Management Policies (2016)**

DMP1: Development Management General Policy

DMP8: Open Space

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

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. As such considerable weight should be given to these policies.

**Draft London Plan (2019) Intend to Publish Version**

GG1: Building Strong and inclusive communities

GG2: Making the best use of land

GG3: Creating a healthy city

GG4: Delivering the homes Londoners need

GG5: Growing a Good Economy

GG6: Increasing Efficiency and Resilience

D1: London's Form and Characteristics

D2: Delivering Good Design

D3: Inclusive Design

D4: Delivering good design

D5: Inclusive design

D6: Housing quality and standards

D7: Accessible housing

D8: Public realm

D9: Tall buildings

D11: Safety, security and resilience to emergency

D12: Fire safety

D13: Noise

H1: Increasing housing supply

H4: Delivering affordable housing

H5: Threshold approach to applications

H6: Affordable housing tenure

H7: Monitoring of affordable housing

H10: Housing size mix

E2: Providing suitable business space

E3: Affordable workspace

E4: Land for industry, logistics and services to support London's economic function

E7: Industrial intensification, co-location and substitution

G1: Green Infrastructure

G5: Urban greening

G6: Biodiversity and access to nature

G7: Trees and Woodlands

S1: Developing London's social infrastructure

S4: Play and informal recreation

SI1: Improving Air Quality

SI2: Minimising greenhouse gas emissions

SI4: Managing heat risk

SI5: Water Infrastructure

SI7: Reducing Waste and Supporting the Circular Economy

SI12: Flood Risk Management

SI13: Sustainable Drainage

T1: Strategic approach to transport

T2: Healthy streets

T3: Transport capacity, connectivity and safeguarding

T4: Assessing and Mitigating Transport Impacts

T5: Cycling

T6: Car Parking

T6.1: Residential parking

T6.5: Non-residential disabled persons parking

T7: Deliveries, servicing and construction

## T9: Funding transport infrastructure through planning

The council is currently reviewing its local plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore having regard to the tests set out in the paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

### **Brent Draft Local Plan (Regulation 19 version)**

DMP1: Development management general policy

BD1: Leading the Way in Good Urban Design

BD2: Tall buildings in Brent

BH1: Increasing housing supply in Brent

BH5: Affordable housing

BH6: Housing size mix

BH13: Residential amenity space

BGI1: Blue and Green Infrastructure

BG12: Trees and Woodlands

BP7: South West

BSUI1: Creating a resilient and efficient Brent

BSUI2: Air Quality

BSU13: Managing Flood Risk

BSUI4: On Site Water Management and Surface Water Attenuation

BSWGA1: Alperton Growth Area

BSWSA6 Site Allocation: Beresford Avenue

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

Other material planning considerations include:

National Planning Policy Framework (2019)

Brent SPD1: Design Guide for New Development (2018)

Mayor of London's Affordable Housing and Viability SPG (2017)

Mayor of London's Housing SPG (2016)

Mayor of London's Sustainable Design and Construction SPG (2014)

Mayor of London's Character and Context SPG (2014)

## DETAILED CONSIDERATIONS

### Principle of Development

#### Background

1. The existing use of the site is industrial warehousing. It is a detached part two and part three storey building. The existing warehouse building currently occupying the site is not listed nor is the application site located within a Conservation Area. As such there are no objections to the demolition of the building as it does not add distinctive contribution to the character of the street scene.
2. The site is within the Alperton Growth Area, and policy CP8 of the Core Strategy seeks a mixed use regeneration along the Grand Union Canal. The council will facilitate a shift in character towards a compact and sustainable waterside community. Alperton will become an enterprise hub, with a new supply of modern light industrial units, studios and managed workspaces for creative industries, local business and artists to reinvigorate the local economy.

#### Site Allocation

3. The application site is part of a wider site allocated within the Site Specific Allocations (SSA), which was adopted in 2011. It is listed as Mount Pleasant / Beresford Avenue. The Site Specific Allocation seeks residential, work/live, managed affordable workspace and amenity / open space. This reflects this industrial area suffering from poor access with ageing buildings, and some dereliction. The site is also included with the site allocation BSWSA6: Beresford Avenue within the Draft Brent Local Plan which states that this site is suitable for mixed use residential-led development incorporating industrial floorspace. Increasing the supply of workspace is also supported in this location as set out in Brent's emerging Local Plan Policy BP7 South West. Part of the site allocation has already come forward at Afrex House where planning permission has been granted for the redevelopment of the site to provide 31 new homes with a financial contribution towards affordable workspace (LPA Ref: 18/0752).
4. The scheme proposes the following mix of uses:

Proposed use	Quantity	Location
Residential use	100 new homes	All floor levels in Building A. All upper floor levels in building B.
Industrial floorspace (use class B1c)	1118sqm	Across Buildings A and B on ground floor level.

5. The principle of a mixed-use development within the subject site comprising residential and industrial floor space is therefore considered acceptable. Detailed consideration of the proposed uses together with the loss of existing uses that will not be re-provided are set out below.

#### Loss of existing employment floorspace

6. It is noted that the proposal would result in the significant loss of the existing 2163sqm of commercial floorspace, proposing a smaller floorspace of 3 commercial units at ground level measuring a total of 1118sqm. The commercial units will be for light industrial purposes falling within use class E(g)(iii) (formerly use class B1c).
7. Policy DMP14 of the Development Management Policies concerns employment sites. It advises that Local Employment Sites will be released to non-employment uses where a continued wholly employment use is unviable or there are significant benefits consistent with the wider objectives of the Development Plan.

8. Policy E4 of the Draft London Plan requires all boroughs to effectively manage industrial land to ensure provision in various parts of London. Policy E7 of the draft London Plan supports the mixed use redevelopment of non-designated employment sites where it has been allocated for residential and mixed use development.
9. In this case the site is subject to a site allocation that supports mixed use development as set out in the adopted 2011 SSA. However, increasing weight needs to be given to the draft London Plan and Brent's Status as a "provide capacity" borough. In response to the "provide capacity" status, the site allocation for this site within Brent's emerging Local Plan seeks no net loss and re-provision of employment floorspace along the ground floors of the new buildings will be required. To meet this policy requirement any proposal would need to re-provide 2163sqm of industrial floorspace. It is also recognised that Brent's housing targets are set to significantly rise as part of the draft London Plan and the designation of Alpertons as a Housing Zone adds more weight to the push for housing on this and nearby sites. In light of this, it is recognised that the re-provision of industrial floorspace has to be balanced out against other policy priorities. In this case, the proposal delivers a number of significant planning benefits to realise the vision of the site allocation, including a good quantum of replacement industrial floorspace at ground floor level (in accordance with the aspirations of the emerging Local Plan), affordable and family housing, public access to the canal and canalside public realm.

### Residential

10. The scheme proposes 100 new homes (the mix of units is discussed in further detail below). London Plan Policy 3.3, in seeking to increase the supply of housing in London, sets borough housing targets, and in Table 3.1 puts the minimum annual monitoring target for the London Borough of Brent at 1,525 additional homes per year between 2015 and 2025. The draft London Plan Policy H1 sets a higher target of 2,914 per year for the period 2019 to 2028. Brent's Core Strategy 2010 is consistent with this approach, identifying in Policy CP2 a number of Growth Areas that can support new development on a large scale, and Alpertons is expected to make a significant contribution to this. The draft Local Plan has outlined that the site has an indicative capability to contribute to Brent's housing numbers within the designated Alpertons Growth Area, continuing development which has come forward on neighbouring sites and the immediate area.
11. The provision of 100 new homes will contribute towards the above targets and meet the objectives of the site allocation and wider objectives of the Alpertons Growth Area. The indicative capacity of the site allocation as a whole is 147 homes and the provision of 131 homes across this site and Afrex House, are in accordance with the site allocation.

### Summary

12. On balance, it is considered that the proposal has optimised the industrial capacity of the site whilst also providing an appropriate response to the vision set out in the Site Allocations and providing a substantial quantum of new homes including a policy compliant level of affordable housing (see further discussion below). In addition, the scheme would deliver added benefits with public access and enhanced public realm along the canal. Therefore, whilst there is a loss of industrial floorspace on the site, the benefits of the scheme as set out above are considered to outweigh this harm, and the principle of the proposal is considered to be acceptable on this basis.

## **Affordable Housing and Housing Mix**

### Affordable housing

#### *Policy background*

13. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target).

14. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
15. The emerging London Plan (Intend to Publish Version) affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: 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 products; 40% to be determined by the borough based on identified need.
16. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan Policy H6, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.
17. Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present.
18. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the Inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage. The policy requirements can be summarised as follows:

Policy context	Status	% Affordable Housing required	Tenure split		
			70% Affordable Rent (to 80 % Market)	30% Intermediate	
Existing adopted policy	Adopted	Maximum reasonable proportion			
Emerging London Plan	Greater weight	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

#### *Assessment of proposal*

19. The proposal comprises 49 affordable housing units in the following mix of tenures:
 

London Affordable Rent 34 units  
 Shared ownership 15 units
20. The application proposes 49% affordable housing when measured per unit. The proposal would comprise 139 affordable habitable rooms out of a total of 278 habitable rooms. This therefore equates to 50% affordable housing provision when measured per habitable room. In terms of tenure mix, 34 of the affordable units would be for London Affordable Rent and the remaining 15 units should be for shared ownership. The tenure split would be 70 : 30 in favour of London Affordable rent units, which complies with Brent's preferred tenure split of 70 : 30 in favour of affordable rent products.
21. The affordable housing offer is considered to be in full accordance with both adopted and emerging



policy as set out above. The affordable housing would be secured within the Section 106 Agreement on this basis.

22. Officers consider that the proposed affordable housing provision is acceptable and provides a favourable tenure split of what the borough of Brent requires. The applicant has agreed to the provision of affordable housing being secured through the s106 agreement.

### Housing mix

23. Core Strategy Policy CP2 sets a borough wide target for the provision of at least 25% of new dwellings to be family sized (3bed or more) and Policy CP21 also seeks to ensure that an appropriate range and mix of accommodation, including 25% family sized dwellings on major developments, is provided.
24. Policy BH6 of the emerging Local Plan states that The council will seek to deliver a target of 25% of new homes as family sized (3 bedrooms or more) dwellings. For every four dwellings included within developments at least one must be 3 bedrooms or more.
25. The application proposes 100 housing units, and the mix of unit sizes is summarised in the table below .

	NUMBERS				PERCENTAGE			
	1 bed	2 bed	3 bed	Total	1 bed	2 bed	3 bed	Total
Affordable rent	16	8	10	34	47%	24%	29%	100%
Shared Ownership	7	4	4	15	46%	27%	27%	100%
Private	25	16	10	51	49%	31%	20%	100%
TOTAL	48	28	24	100	48%	28%	24%	100%

26. Overall, the scheme proposes 24% family sized units, but this is weighted towards the affordable housing provision, with 58% of the proposed 3-bed units being within the affordable products. It is noted that the proposed housing mix falls marginally below the 25% family-sized housing required by Policies CP2 and CP21. However, it does provide the majority of the proposed family sized units within the affordable housing provision which is welcomed.

## **Design, Character and Impact on the Street Scene**

### Policy background

27. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Policy DMP1 requires the scale, type and design of development to complement the locality.

### Layout

28. The proposal consists of two buildings with an approximately north-south orientation to follow the shape of the site. The north facing elevations of Blocks A and B would address Beresford Avenue, and the south facing elevations would address the Grand Union Canal. The blocks would be separated by a new pedestrianised area of public realm.
29. At ground floor level, commercial units are provided fronting both the north, east, and south boundary of the site, as well as fronting the internal elevations directly facing each other between the blocks. Two residential units are proposed towards the west of the site at ground floor level and all other residential units are proposed on the upper floors, along with both private and communal amenity space.
30. Your officers consider that the proposed layout would provide an effective relationship between the buildings, open space and canal. The majority of all ground floor units across both blocks contain elements of active frontages which is a favourable approach and would retain some natural surveillance

across the site.

31. The scheme offers a combination of well-proportioned commercial spaces in regular shapes and central yard space representing a good quality B1c (now Class E(g)(ii) offer, helping to support local businesses, creative industries, and artists in accordance with emerging Local Plan Policy BSWG1.
32. The central yard space is considered to be a strong urban typology that links both blocks together and relates to the former industrial character of the site and surrounding area which is welcomed.
33. The Design and Access statement outlines that the location of affordable housing provision would be in Block A. The lack of distinction between the residential blocks suggests that the scheme will appear tenure neutral and socially inclusive.
34. The proposal would provide an adequate degree of set back from the canal, with the staggered building lines creating greater distances to the canal across the site and ensuring that the development does not appear overly bulky in longer distance views from the opposite canal bank. The layout would allow for public pedestrian access to the canalside and proposed public realm, which in turn would enhance the setting of the buildings and provide natural desire lines to the commercial frontages and public realm areas including the pedestrian access to the canal path. The main entrance cores would be centrally located within each block to provide a strong sense of arrival which is welcomed.
35. Overall it is considered that the proposed layout would provide a well-balanced mixed-use scheme that supports living and working with a range of housing and tenure types to suit people at varying stages of life.

#### Height and Massing

36. The context to the north of Beresford Avenue is mainly of two storey residential properties, whilst to the south the area has historically been commercial properties between 1 and 3 storeys. As noted above, this is now changing with the planning policy leading to residential led developments.
37. The site allocation BSWA6: Beresford Avenue within the Draft Brent Local Plan promotes denser development than the surrounding suburban character and recognises the suitability of the site to accommodate tall buildings of a mid-rise height (up to 6 storeys). The proposed building heights would be staggered across both blocks to provide a set back of the tallest stories from both the road frontage and canalside. The building heights for both blocks be a maximum of 7 storeys, with lower elements of 6, 5, 4, and 1 stories respectively.
38. SPD1 advises that building heights should positively respond to existing character and the massing of new development should limit its visual impact by effectively breaking up facades, creating a varied roofscape and relating positively to existing surroundings. The recently permitted Afrex House scheme (ref: 18/0752) is sited to the west of the site and comprises heights of 3-5 storeys. The Northfields scheme (ref: 18/0321) comprises heights of between 5-14 storeys within Phase 1 of the development which is sited adjacent to the east of the application site. It is considered that in the context of the emerging skyline of taller buildings around the application site, particularly within the Northfields site to the east, the location of the site makes it suitable for tall buildings and they will appear in keeping with this existing and emerging cluster of similarly tall buildings.
39. It is noted that the proposed maximum 7 storey height of the development exceeds the maximum permitted height as stipulated by the emerging Local Plan. However it is considered that the proposed height can be justified in this instance given the context provided by the adjacent new development. As the site is located within the Alperton Growth Area, it is considered acceptable as a means of supporting high density residential development in this site context, and in accordance with draft policy BD1.
40. It is considered that proposing two separate blocks and incorporating a variety in height and scale successfully attempts to break up the massing and visual bulk of the building, whilst the repeating rhythm of balconies and recessed elements provides further articulation to emphasise the verticality of the buildings and break up the bulk and mass of each block in a suitable manner. The front of the buildings facing Beresford Avenue are predominantly four storeys high, with a set back at six storeys. The seven storeys is read from the canal side, reflecting the changes in ground levels across the site.
41. This approach would respect the transition between the site, adjacent developments at the Afrex House and Northfields sites, and the smaller mass of the traditional two storey dwellings to the north of the site.

42. Overall the height and massing of the buildings are accepted given the high quality of the design and the emerging context of the area.

#### Architectural detailing and materials

43. The intention of the proposal is to incorporate a brick material on the elevations. A lighter pale pink/red tone of brick would be used for Block A and a darker grey/black brick would be used for Block B, with the variation in colour helping to establish a unique character for each block whilst also retaining a consistent architectural language across the site as a whole. The use of high quality brick would complement the surrounding industrial buildings and would respond well to the context. The proposal would also incorporate tall glazed screens around the commercial floor areas to maximize daylight to the units, views in and out, and create an active frontage. It is considered that the use of contrasting materials to differentiate between the residential uses at upper floors and the non-residential uses on the ground floor helps to establish a clear distinction between the base of the building and the upper floors.
44. The proposed windows would comprise grey uPVC frames, and the balcony balustrades would be predominantly formed of vertical railing, fixed to the balcony slab.
45. Overall it is considered that the proposed materials are acceptable in principle and would integrate successfully with the existing built form within the vicinity of the application site. Details of external materials are recommended to be conditioned.

#### Secure by Design

46. The Design and Access Statement confirms that all easily accessible doors will have secure doorsets and all ground floor windows will be secure. Pedestrian routes in and out of the building have been design to ensure that they are visually open, direct and clearly defined. This will encourage use and enhance the feeling of safety.
47. Active frontages have been maximised to increase natural surveillance. The landscaping proposed has been designed in order to direct people around the site, highlight entrances and provide privacy where required through defensible planting.
48. The introduction of defensive planting would demarcate the boundary between public and private spaces. External lighting would be provided throughout the site in order to maximise safety and discourage anti-social behaviour. It is recommended that a condition is secured for the management arrangements of the public spaces.

#### Conclusion

49. Overall your officers consider the proposal to be of a high quality design that responds well to the existing context and would make an effective contribution to the emerging cluster of tall buildings in this area.
50. The proposed blocks are clearly defined as mixed-use wharf typology buildings with commercial uses at ground floor and residential uses above, creating a strong architectural character for the buildings in accordance with emerging Local Plan Policy BD1.
51. A clear distinction is made between both blocks, but they are also united by a common palette of materials which is welcomed.
52. The overall design approach and the layout of the site would successfully combine a variety of uses and spaces to create a vibrant new neighbourhood.

### **Residential living standards**

#### Internal layout

53. All new homes are required to meet minimum internal floorspace standards and be laid out to comply with in draft policy D6 of London Plan Intend to Publish Version 2019.
54. The Design and Access Statement and drawings submitted with the application demonstrate the residential unit types and layouts that would be provided as part of the development. All of the units

would meet the minimum floorspace requirements, except unit B4.7 which would only marginally fall under the minimum requirement by 1sqm. Both of the bedrooms within the flat exceed the minimum size for double rooms and the flat has access to a 10sqm balcony. All units would be logically laid out to achieve good levels of outlook and access to light. Approximately 61% of the units would be dual aspect, which is considered a sufficient proportion for a development of this size. Whilst there are a number of single facing north and south aspect flats these are all smaller one and two bedrooms units.

55. The relationship between the proposed workspace units and the residential units immediately above would need to be carefully considered during the detailed design stage in order to ensure satisfactory internal noise levels for residents. Further details to demonstrate this would be required by condition.
56. The layout includes secure main entrances to the residential units in each block in locations which are well overlooked so as to maintain a sense of security, and in turn would overlook public areas in a more positive way than the existing buildings.
57. Draft policy D6 requires no more than eight units per floor should be accessed from a single core, to prevent an impersonal and unneighbourly character from developing. The layout of Blocks would result in a max of 9 units per floor accessing one core proposed for Block A, and 10 units per floor for block B. However, whilst this is not strictly in accordance with the guidance it is not considered so excessive as to be of concern. The units are centred around the core so do not result in long, unlit corridors.

#### Accessible homes

58. Draft policy D7 of London Plan Intend to Publish Version 2019 requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.
59. Ten of the new homes would be designed to M4(3) standards with the remainder at M4(2) standards, in accordance with the above policy. A condition would be imposed to require that 90% of the units would accord with Building Regulations requirement M4(2) for 'Accessible and adaptable dwellings', and 10% would meet M4(3), to be wheelchair accessible, or easily adaptable.

#### Relationship between proposed units

60. The upper floor levels of blocks A and B would be separated by distances of approx 10m (towards Beresford Avenue frontages), with the distances increasing further within the site to 17.8m between directly facing windows (reduced to 13.95m between the edges of directly facing balconies) and increased at the rear to 19.5m at the rear of the site.
61. SPD1 requires 18m between directly facing rear habitable room windows in relation to existing and proposed developments. There is no specific distances set out in SPD1 for windows facing each other within a development. It is noted that habitable room windows are proposed on the inner flank elevations of Block A and B with a separation distance of 10m At its closest point. However, the submitted design and Access statement demonstrates how the subject flank wall windows would have a staggered relationship between these habitable room windows to avoid any direct overlooking. Furthermore, each unit is dual aspect which alternative aspect in a north or south direction. This approach is considered sufficient to overcome concerns regarding potential overlooking and loss of privacy between flats within blocks A and B. Given that the windows sited on the inner elevations of Block A and Block B will overlook the new pedestrian access into the site (and thus provide natural surveillance), it is not considered appropriate to condition these windows to be obscured glazed.
62. In addition the balconies would be appropriately orientated and sufficiently separated to prevent any overlooking between units. It is noted that a number of balconies would adjoin one another, and a condition would be required to ensure details of privacy screening are submitted and approved.

#### Daylight and sunlight

63. Analysis of the proposed residential accommodation shows that the majority of rooms would achieve full compliance with the BRE Report guidance in each of the tested scenarios. The analysis shows that 82% of the rooms assessed will meet the Average Daylight Factor (ADF) guidance, 82% of the rooms will see

direct daylight access to 80% of their areas (DD), and 65% of the south facing windows will comply with the Annual Probable Sunlight Hours (APSH) guidance. A total of 168 (43%) windows comply with the BRE Report guidance for APSH, irrespective of orientation.

64. The vast majority of proposed apartments will experience high levels of interior daylight and sunlight amenity. Where breaches of the guidance occur within the scheme, they primarily relate to rooms lit by windows set directly beneath balconies. In these cases, the amenity benefits associated with the balconies offsets any associated reduction in natural light. It is also noted that many of these rooms would also be served by balconies which do restrict internal light levels to some extent whilst also providing valuable private external space.
65. Overall it is considered that the residential units would receive good internal light levels for a dense urban setting.

#### Overheating analysis

66. An overheating analysis was submitted outlining the strategies proposed to reduce the cooling demand and the overheating risks of the development, in line with the cooling hierarchy set out in London Plan Policy 5.9.
67. Internal heat generation will be minimised through energy efficient design in the course of design development. It will include minimizing pipe lengths (particularly lateral pipework in corridors of flats) and adopting pipe configurations which minimise heat loss, (e.g. twin pipes). The amount of heat entering the buildings in summer will be reduced through use of shading measures including balconies, internal blinds or curtains. The internal layout also provides the proposed dwellings with passive ventilation via openable windows and dual aspect units. This natural ventilation will be adopted with extract fans in wet rooms (toilets, bathroom, and kitchen) to remove the hot humid air. Overall it is considered that the risk of overheating would be satisfactorily resolved through these measures.

#### External amenity space

68. Policy DMP19 states the following: "All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."
69. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20qm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy (para. 10.39) which provides that: "New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".
70. These requirements are carried forward in Brent's emerging Local Plan under policy heading BH13.
71. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments in a town centre setting there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.
72. The proposed residential units would have access to a mixture of private balconies or terraces and communal gardens. The majority of the balconies and terraces meet or exceed the standards set out in draft policy D6. However, there is an overall shortage in relation to DMP19 and BH11 as set out below.
73. For Block A, there is a requirement to provide 1010 sqm of private external amenity space (1 x 50sqm and 48 x 20sqm). The proposal provides a total cumulative shortfall in private external amenity space by 552sqm. To offset this shortfall, Block A has access to two communal amenity spaces. One is located on the first floor and provides 129sqm of communal amenity space and the other is located at sixth floor and

provides 243sqm of communal amenity space. The resulting cumulative shortfall in external amenity space for Block A is 180sqm. For Block B, there is a requirement to provide 1020 sqm of private external amenity space (51 x 20sqm). The proposal provides a total cumulative shortfall in private external amenity space by 542sqm. To offset this shortfall, Block B has access to two communal amenity spaces. One is located on the first floor and provides 145sqm of communal amenity space and the other is located at sixth floor and provides 356sqm of communal amenity space. The resulting cumulative shortfall in external amenity space for Block B is 41sqm.

74. Overall, there is cumulative shortfall in external amenity space of 221sqm across the scheme in relation to the targets set out in DMP19 and BH11. This is a shortfall of approximately 11% in relation to the overall target of 2030sqm across the scheme.
75. Given the likelihood that future residents would also utilise the proposed public open space adjacent to the canal including the proposed pocket park area between the blocks, it seems reasonable to incorporate elements of this space as amenity provision linked to the residential units.
76. The scheme would include residential units sited adjacent to communal garden areas and publicly accessible space adjacent to the proposed canal path, making the need for defensible space all the more important if the future occupants are to have any meaningful outlook and not be overlooked. Additional details regarding the design and quality of proposed defensible space has been submitted in the Design and Access Statement which is considered suitable to protect the residential amenity of future occupiers of the units.
77. Policy S4 encourages development proposals that are likely used by children and young people to incorporate 10sqm of accessible play space per child for all ages. The proposed amenity space would include on-site play space as required by London Plan Policy 3.6, with diverse elements spread across the development, including equipped door step play areas on the roof top communal garden areas of Blocks A and B for 0-4 year olds, and also 'play on the way' features along pedestrian routes including the pocket park area, benefiting from a degree of overlooking and natural surveillance. The supporting documents state that the scheme will result in approximately 49 children, as such 490sqm of play space is required on site. The scheme would provide 216sqm of play space, resulting in a shortfall of 274sqm play space. However, it is noted that the residents will also benefit from the adjacent public open space along the canal and by gaining access to older children's play provided in the public spaces in the vicinity.
78. In order to compensate for the level of amenity space provision which is below Brent target levels and to provide recreational facilities for older children, the applicant has agreed to a financial contribution towards improvements in the nearby Heather Park. Further discussions are taking place with the Council's Park Service to identify the projects that the contribution could go towards, and this will be updated within a supplementary report.
79. The ground floor pocket park amenity space between Blocks A and B, and the first-floor terraces and communal garden areas have been tested against BRE standards. Results show that all tested amenity will receive sunlight access in excess of the BRE Report guidance of at least 2 hours sunlight access to at least 50% of the amenity area.
80. In conclusion, although the on-site amenity space provision overall falls below Brent's policy requirement, on this occasion it is considered an acceptable level of provision given the high density nature of the scheme and the high quality of the amenity space proposed along with the landscaped public realm around the site. Residents would all have access to amenity space in the form of private balconies or terraces and/or communal gardens, and would also benefit from being in close proximity to the canalside. The financial contribution to Heather Park would potentially make this a more attractive area to visit for recreation to supplement the on-site amenity space.

## **Relationship with neighbouring properties**

81. SPD1 normally requires a distance of 9m to be maintained to the boundary with adjoining sites. This is to ensure that neighbouring sites are not unreasonably compromised from coming forward for re-development, and to ensure that acceptable levels of privacy can be maintained between directly facing habitable room windows. In this case, it is noted that the proposed development would be sited within 9m of the boundary of both Afrex House and the former Northfields site (now known as Grand Union). The submitted plans show that a distance of 4.9m would be maintained between the proposed development and the shared boundary with the Grand Union site, and a distance of 9.9m maintained between the two flank elevations of the buildings at this development and within the Grand Union site. A

distance of 4.8m is maintained to the boundary with Afrex House with 10.7m maintained between the two flank elevations of the buildings. 10.8m would be maintained between the proposed development and the east facing elevation of Afrex House.

82. It is noted that habitable room windows are proposed on the flank elevations of the proposed development which would directly face towards both neighbouring sites to the east and west. However, the submitted design and Access statement demonstrates how the subject flank wall windows would have a staggered relationship with neighbouring habitable room windows to avoid any direct overlooking. This approach is considered sufficient to overcome concerns regarding potential overlooking and loss of privacy to neighbouring occupiers. It should be noted that the Grand Union site also includes habitable room windows that rely on outlook over the application site. The land to the east of the building within the application site is proposed to be a public pathway to provide access to the canal, so the use of windows on this elevation will activate this space and provide natural surveillance over the new pathway. A similar relationship will occur with Afrex House. The windows have been staggered to avoid direct overlooking. Balconies are proposed at fourth and fifth floor level but these are higher than the building at Afrex House and will overlook a communal amenity space, which is afforded less weight than private amenity space. To the north of the application site is a substation. This is unlikely to come forward for development in the future, and therefore the proximity of windows to the boundary with the substation is acceptable. Consideration of noise and other impacts of the substation is discussed below. A distance of over 23m is maintained to the front elevation of the properties on Beresford Avenue to the north.
83. Policy DMP1 of the Development Management Policies seeks to ensure that the impact on neighbours is acceptable. Whilst the site does not adjoin any rear private gardens or rear habitable room windows (and that 30 and 45 degrees lines as set out in SPD1 are not applicable), a Daylight and Sunlight Assessment has been submitted with the application to demonstrate the impact of the proposal upon the adjoining developments to the east and west, and the houses on Beresford Avenue.
84. The application has considered the impact upon daylight and sunlight to neighbouring residential uses in line with the BRE's 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE209). The use of this guidance is considered appropriate in areas of high density.
85. The BRE guidance acknowledges and accepts that there are situations in which the standard targets cannot be achieved, particularly where development in dense urban locations is expected to match the height and scale of neighbouring buildings and is located close to the boundary with other properties. The need to apply BRE guidance flexibly is also supported by paragraph 123 of the NPPF where this is required to make efficient use of the site. Vertical Sky Component (VSC) is a measure of daylight. The criteria to consider are whether the resulting levels of daylight are less than 27%, and if not then does the level remain above 80% of the existing level. Daylight Distribution (DD) is a further measure. It is recommended that it is not less than 0.8 times its former value. Sunlight is expressed as a percentage of Annual Probable Sunlight Hours (APSH). It is recommended that it is not less than 0.8 times its former value.

#### 135 and 133 Beresford Avenue

86. These semi-detached bungalows are located to the north of the proposed development and front onto Beresford Avenue. Vertical Sky Component (VSC) analysis of the living room windows directly facing the proposed development shows that they retain VSC values marginally below the BRE Report guidance, achieving at least 0.71 times their former value compared with the BRE Report 0.8 guidance. This is a marginal breach to the BRE guidance and would not be considered to have a significant impact on the amenities of the occupiers of these properties.
87. Daylight Distribution (DD) analysis shows that all of the rooms would retain daylight penetration to at least 73% of their areas. Once again, this is a marginal breach to the BRE guidance and would not be considered to have a significant impact on the amenities of the occupiers of these properties.
88. The assessed rooms have south facing windows and Annual Probable Sunlight Hours (APSH) analysis shows full BRE Report compliance will be maintained for sunlight amenity.

#### 109 to 131 Beresford Avenue

89. These properties comprise 12 flats located to the north of the proposed development. VSC analysis shows that out of a total of 48 assessed windows, 90% of the subject windows would experience daylight

loss to between around 0.55 – 0.79 times their former value which is below 0.8 BRE target.

90. Turning to the DD analysis, results show all but one room will continue to enjoy direct sky visibility to at least 80% of the room, or retain at least 0.8 times their former value.
91. A ground floor bedroom (R1) within 117 Beresford Avenue will continue to receive direct sky visibility to 75% of the room; a reduction of 0.77 times its former value, slightly below the BRE Report guidance.
92. APSH analysis shows all main windows will maintain full BRE Report compliance.

#### Afrex House

93. The building is circa 11 meters to the west of the proposed development with bedrooms and living/kitchen/dining rooms located at ground to third floor level overlooking the proposed development. The approved plans show these rooms being lit by south and east facing windows.
94. A total of 16 windows at Afrex House were assessed and 50% of these (8 windows) located on the east elevation facing directly towards the proposed development would experience daylight loss to between around 0.63 – 0.78 times their former value which is below 0.8 BRE target. However, internal daylight levels are not expected to be dramatically impacted as it is noted that 50% of the respective habitable rooms are dual aspect with some of their windows maintaining VSC values above the thresholds.
95. The DD results show all Living/kitchen/dining rooms will continue to receive direct sky visibility to at least 80% of the room. The bedrooms will receive sky visibility to at least 54% of the room area.
96. All south facing windows will continue to comply with the BRE Report guidance for APSH testing with the proposed development in place.

#### Northfield Industrial Estate

97. The nearest flats in the Grand Union development is circa 9 meters from the proposed development with Living/kitchen/dining rooms and bedrooms facing the site.
98. A total of 30 windows were assessed and 63% of these (19 windows) located on the west elevation facing directly towards the proposed development would experience daylight loss to between around 0.39 – 0.73 times their former value which is below 0.8 BRE target. However, internal daylight levels are not expected to be dramatically impacted as it is noted that 52% the respective habitable rooms are dual aspect with some of their windows maintaining VSC values above the thresholds.
99. Turning to the DD analysis, results show all living/kitchen/dining rooms will continue to comply with the BRE Report guidance, received direct sky visibility to at least 80% of their room area. It is noted that bedrooms will see reductions to their sky visibility, with 9 bedroom windows ranging from 0.28 – 0.76 times their former value of DD.
100. Of the 30 windows tested, 6 face within 90 degrees of due north and therefore do not require analysing for sunlight amenity. 16 of the 24 windows assessed will fully comply with the BRE Report guidance for APSH testing. The remaining 8 windows will comply with the APSH test for winter months, however will receive at least 19% APSH. Further review of the results shows three of the 8 transgressing rooms are ground to second floor living/kitchen/dining rooms, all receiving at least 20% annual sunlight, marginally below the BRE target of 25%.

#### Conclusion

101. Overall, it is noted that the proposed development would have an impact on neighbouring residential properties, and this is largely a result of the existing buildings on site being lower than the proposed development. However, the proposal would essentially replace unattractive lower buildings and the provision of additional housing, including affordable housing, is considered to outweigh the loss of daylight and sunlight.
102. Officers consider the impacts to neighbouring sites are acceptable when seen in the context of the



scheme's wider benefits. Officers would note that the BRE guidelines on which the daylight and sunlight analysis is based are designed to identify good levels of daylight and sunlight in low density locations and that the guidelines acknowledge a need to interpret compliance flexibly in denser locations.

103. Furthermore, at paragraph 123 of the National Planning Policy Framework (NPPF), it is stated that "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)".
104. The growth area location and site allocation, which envisions significant housing growth on this site and surrounding sites are given significant weight. The expectation for significant housing growth within this site, as set out in policy, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance. As discussed in earlier paragraphs of the report, the existing buildings on site are only 1-3 storey high and establish a very generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver a reasonable number of homes.

## **Trees, biodiversity, landscaping and relationship with Canal**

### Existing biodiversity potential

105. The site is adjacent to a watercourse (the canal) which is designated as a Green Chain and therefore subject to Policy DMP8 which prevents development affecting the biodiversity and recreational value of the canal, and to Policy DMP9 Waterside development and Brent's emerging Local Plan Policy BG11 Green and Blue Infrastructure, which requires proposals to improve access to the waterways, provide an appropriate landscaped setback, and to enhance water quality and biodiversity. The canal is also part of the London's Canal's SINC, and is therefore protected under London Plan Policy 7.19, which requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity. The Canal & River Trust are a statutory consultee as the site adjoins the canal, and are also the owners of the part of the application site immediately adjacent to it.
106. An Ecological Impact Assessment submitted and prepared to CIEEM guidelines to assess the biodiversity potential of the existing site. The assessment concluded that the application site is of low ecological value, however, the buildings and scrub have potential to support nesting birds. A preliminary assessment for bat roosting potential was undertaken and as the potential for roosting was considered low, a bat survey was not undertaken. However, the potential of the site for commuting and foraging bats was noted.
107. Mitigation measures have been included in the Ecology Report for bats and nesting birds and include:
- All vegetation and the warehouse will be checked for nesting birds by an ecologist prior to clearance/ demolition.
  - Soft demolition of areas of the building with low suitability for roosting bats.
  - A sensitive lighting scheme to minimise light spill onto the canal.
  - Installation of solid hoarding to minimise impacts on the canal during construction.
108. Measures to compensate for the loss of the existing habitats on-site have been outlined along with opportunities to enhance the ecological value of the application site. This includes the creation of green roofs (sedum) with solar panels, living walls, floating vegetated platforms at the edge of the canal, planting and gardens throughout the site, and the installation of artificial habitats for bats, birds and invertebrates. Mitigation measures will also be provided to protect the adjacent canal during construction activities. After compensation measures, the Ecological report recommends biodiversity net gain to the site.
109. Overall, the proposal is considered to have a low impact in terms of biodiversity and any potential adverse impacts could be mitigated in line with relevant wildlife legislation. If the recommendations in the submitted reports are all implemented, then the development does appear to have the potential to achieve net biodiversity gain. It is recommended that bird and bat boxes are provided as part of the detailed landscaping scheme, in order to ensure that the opportunity is taken to enhance biodiversity on the site.

### Impact on trees

110. The Council's Tree officer has raised no objections to this scheme on arboricultural grounds. A number of protected trees previously stood on the eastern side of the site, however, they have been removed to facilitate the neighbouring development at the former Northfields industrial estate.
111. Tree protection measures have been submitted for the construction phase. Adherence to the contents of the tree report and tree protection plan by Marcus Foster should be conditioned.

### Landscaping and relationship with canal

112. In terms of the existing public realm, the existing canal side area of the site is not publicly accessible. The proposal includes new areas of public realm including a landscaped canal side space and canalside walkway, and new tree planting which is intended to form part of the landscaping of the site. A Landscape Strategy was submitted with the application, describing the functions and character of different spaces throughout the site, and these are summarised below.
113. The commercial courtyard on the north side of the development would be accessible from Beresford Avenue and located in the centre of the commercial units. This area would comprise contrasting paving patterns to blend with tree wells, seating, and cycle parking.
114. The pocket park at ground level would be secured by corten gates. The pocket park is the main link to the canal side. This space aims to provide a strong connection to the canal whilst also being secured with gates at dusk. It provides play space and seating amongst the planting and will form a path linking up to the 'deck' bridge that connects with the towpath.
115. The proposed roof gardens will provide opportunities for active gardening, play, fruit and vegetable cultivation, recreation and social gathering while offering scenic views of the canal. These areas will include sensory gardens, play areas, and seating areas. It will incorporate hard landscaping for seating areas and for paths, railings/balustrades for safety around the edge of the roof terrace, and suitable shrubs that can withstand strong winds.
116. The proposed canal path will comprise a public canalside area on the southern edge of the development adjacent to the Grand Union Canal. The public canal path will provide access and connectivity linking up with other future sections of path associated with the neighbouring Afrex House and Northfields sites to provide a route along the water. New seating and trees will be incorporated within the path to create a strong green structure as well as provide shade, colour, and seasonal variation while improving ecological value and biodiversity. Two-level defensive planting to the exterior of the development will provide protection to the ground floor residential units. The minimum width of the towpath would be 3.5m wide to reflect the approved towpaths at the neighbouring Afrex House and Northfields sites.
117. Security will be ensured by the proposed lighting strategy. Following discussions with the Canal Trust, four floating planters are proposed to soften the water edge and improve the local ecosystem.
118. These landscaping features comply with Policies DMP8 and DMP9, and are considered to be appropriate to the overall scale of the development. The Landscape Strategy sets out proposals for a high quality palette of landscaping materials and planting, and these are welcomed. The provision of public realm would help to enhance the setting and thus mitigate the visual impact of the development and to provide a high quality environment for users of the development and other local residents. The public realm is considered to be of high quality and providing public access to the canal side is also strongly supported by London Plan policies to enhance the Blue Ribbon Network. It would represent a benefit in planning terms that is considered to carry significant weight against any negative impacts of the scheme.
119. The land immediately adjoining the canal is within the ownership of the Canal & River Trust. They have been consulted on the application and have requested a number of conditions with the scheme, including a structural survey of the canal wall, risk assessment and method statement, waterborne freight feasibility assessment, management plan for floating ecosystems, landscaping details, Construction Environmental Management Plan, and the introduction of more native species into the landscaping. These details will all be secured by conditions, together with a detailed landscape scheme and materials

samples, and arrangements for the maintenance of areas of public realm. Compliance with the Trust's Code of Practice would also be required, and an informative is recommended to this effect.

## **Environmental issues**

### **Energy and sustainability**

120. London Plan Policy 5.2 seeks to minimise carbon emissions through the 'Be Lean, Be Clean and Be Green' energy hierarchy, and a 'zero carbon' standard is applied to all new residential development from 2016 onwards. The Mayor's Housing SPG defines 'zero carbon' homes as homes forming part of major development applications where the residential element of the scheme achieves at least a 35% reduction in regulated carbon dioxide emissions (beyond the Building Regulations Part L 2013 targets) on-site. The remaining regulated carbon dioxide emissions, to 100%, are to be off-set through a financial contribution in lieu to the borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere. Non-residential floorspace is also covered by this policy, however the policy target is to achieve a 35% reduction on-site without any requirement to achieve a zero-carbon rating but with any shortfall compensated for by a financial contribution.
121. Brent's Policy CP19 requires major planning applications to be supported by a Sustainability Statement, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. This policy also requires non-residential floorspace over 1,000sqm in area to achieve a BREEAM Excellent rating.
122. The applicant has included an Energy Statement with the proposal. The statement outlines various sustainable design and construction measures, and highlights that the development would include energy efficiency measures. The statement demonstrates that the residential parts of the development would achieve a 26% reduction on 2013 Building Regulations emissions through these Be Lean and Be Clean measures, and that a financial contribution to carbon-offsetting of £70,200 would be required to achieve 'zero carbon' status. Domestic and non-domestic emissions were assessed separately and a 29% reduction is achieved as an average across both, with non-domestic emissions achieving a 35% reduction.
123. A BREEAM Pre-assessment report was submitted, demonstrating that BREEAM Excellent would be achieved for all commercial units, and other measures included to create a sustainable development. All new dwellings would target a minimum water efficiency standard of 105 litres/person/day in accordance with London Plan Policy 5.15.
124. It is noted that the average carbon reduction achieved would be 29% as the residential floorspace would not achieve the 35% target. The Council's sustainability officer has raised concerns to the shortfall in achieving the required target. The s106 Agreement would secure a revised Energy Statement and Sustainability Statement at the detailed design stage, incorporating measures to achieve greater carbon emissions reductions, and identifying the financial contribution to carbon off-setting required as a result.
125. Half of this financial contribution would be required to be paid at this stage. Following practical completion of the development, final reviews of the Energy Statement and Sustainability Statement would be required, identifying the actual carbon emissions reductions achieved in the development and adjusting the financial contribution accordingly if required. This is the preferred approach as it incentivises further improvements in carbon performance at detailed design stage and during construction.
126. The Council's Sustainability Officer has advised that there is a heat network further along Beresford Avenue at the Northfields Development and the current scheme should seek to negotiate to connect the proposed units to this network. The applicants view is that the initial investigation work suggested the site is not located near the existing and proposed district heat network. Additionally, the communal gas boiler is proposed as the main heating system for the residential units, so it can be connected with any potential heat network. Hence why the proposed strategy is adaptable for potential future networks.
127. The Council's Sustainability Officer has advised that there is a heat network further along Beresford Avenue at the Northfields Development and the current scheme should seek to negotiate to connect the proposed units to this network. The applicants view is that the initial investigation work suggested the site is not located near the existing and proposed district heat network. Additionally, the communal gas boiler is proposed as the main heating system for the residential units, so it can be connected with any potential heat network. It is therefore recommended that a condition is secured to look at the feasibility of

connecting to a future heating district network.

128. The current London Plan guidance requires an assessment against SAP10 unless the development is connected to a heat network. As mentioned on Page 13 Section 3.4 of the Energy Strategy Report, Syntegra have followed the GLA Energy Assessment Guidance (October 2018) and estimated energy performance with the SAP 10 emission factors.

#### Air quality

129. An Air Quality Assessment was submitted with the application, including an Air Quality Neutral Assessment as required by London Plan policy. The Air Quality Assessment was conducted for transport and building emissions and concluded that the proposed development is deemed Air Quality Neutral. Environmental health officers have been consulted and are satisfied with the air quality assessment, with no further requirements, subject to mitigation measures for local air quality being implemented as per the conclusion of the report.

#### Contaminated land

130. The site to be redeveloped and the surrounding area has been identified as previously contaminated and therefore a full assessment of land contamination should be undertaken. The applicant has submitted a Albury SI Ltd Desk Top Study and Phase 2 assessment and this concluded that the soils are above guideline values and remediation will be required. Environmental health have been consulted and have requested submission of a remediation scheme and verification report. These measures will be secured by condition.

#### Noise

131. The Council's Environmental Health Department have reviewed the proposal and advised that the submitted plans show that the proposed vertical stacking is acceptable. The Construction Method Statement sufficiently outlines noise and dust management protocols during the demolition and development phases. The noise impact assessment comprehensively demonstrates compliance with the relevant noise criteria (BS8233:2014 and BS4142:2014) with recommended mitigation measures.
132. It is acknowledged that section 4.2 on page 18 of the Noise Impact Assessment considers 'Existing Commercial Premises' in relation to the proposed commercial floorspace (Use Class B1c). The Council's Environmental Health Department have advised that a noise impact assessment is required to ensure that prospective occupants at the first floor will not be negatively impacted by noise from the proposed ground floor commercial units. This requirement will be secured by condition.
133. Due to the siting of the proposed development adjacent to an electrical substation, Environmental Health have recommended that an assessment of the electro-magnetic field is required to ensure the safe development and secure occupancy of the site proposed for residential use. It is also recommended that the low frequency noise from the electric substation should also be assessed to protect future residents from noise associated with the adjacent substation. These requirements will be secured via appropriately worded conditions.

#### Non Road Mobile Machinery

134. Brent is currently part of the 'London low emission construction partnership'. Therefore the use of Non Road Mobile Machinery of net power between 37kW and 560kW is required to meet at least Stage IIIA of the EU Directive 97/68/EC and its amendments. This will apply to both variable and constant speed engines for both NOx and PM. This requirement will be secured by condition.

#### Lighting

135. The applicant has submitted a lighting assessment and this demonstrates that the lighting levels at the residential premises are below 2 lux. Environmental health have been consulted and raise no objections to the assessment with no further requirements or conditions.

#### Wind and microclimate

136. The building is not so tall that any issues of microclimate are expected. Tall buildings can create canyon effects with increased wind. However, this proposal is only 7 storeys at its highest point and is

relatively open on all sides.

### Flood risk and drainage

137. London Plan Policy 5.12 and Brent Policy DMP9A set out a policy approach to managing the risk of flooding, whilst London Plan Policy 5.13 and Brent Policy DMP9B require sustainable drainage measures to be incorporated into major developments. A Drainage Strategy and Flood Risk Assessment has been submitted with the application and reviewed by the local lead flood authority.
138. The site is within a fluvial flood zone one, which makes the site low risk for the event of river flooding. The site is also within the boundary of a flood zone one for surface water flooding, this would make the site a low risk for any overland flooding and pluvial issues.
139. The area has no records of sewer surcharging data which indicates the main sewers have no current volume issues.
140. It is noted that the site is within a critical drainage area and does have a medium risk for ground water flooding shown on the hydrological data. The proposal has the implementation of grey attenuation via 181.7m of storage with additional green roofing which will offer biodiversity, amenity and lower carbon outputs.
141. The discharge rates via the attenuation proposed implements a betterment from 92% in a 1 in 1 storm event to 98% in a 1 in 100 storm event calculated via Q bar.
142. The local lead flood authority has advised that with the discharge betterment, the proposal will improve the overall flood risk to the site and will improve the overall risk locally. The proposed drainage and SuDS implementation for the proposed site is supported and the approach to flood risk management for the proposed development complies with London Plan Policy 5.12 and draft London Plan Policy SI12.

### **Transportation**

#### Site layout and car parking

143. As the site does not have good access to public transport services, the higher residential car parking allowance set out in Table 6 at Appendix 1 of the adopted DMP 2016 applies. Up to 112 residential and 5 commercial car parking spaces would therefore be allowed. The proposed absence of any off-street parking would therefore accord with maximum standards.
144. Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street in the area. In this respect, it is generally assumed that private housing would generate parking at 75% of the maximum allowance and affordable housing at 50% of the maximum allowance. This would translate to a demand for up to 42 spaces for the private aspect and a further 28 for the affordable aspect.
145. Nevertheless, without mitigation the development is predicted to generate considerable on-street parking demand and even with the removal of the three redundant crossovers (the cost of which needs to be met by the applicant as a condition of any approval), the Beresford Avenue frontage of the site would only be capable of safely accommodating up to about thirteen parked cars. Insufficient parking space is therefore proposed to satisfy likely parking demand.
146. To address the above concerns, as the site is located within a housing growth area and with other nearby developments having recently been approved with limited levels of off-street car parking, there is likely to be increasing demand for a Controlled Parking Zone in the area to address parking problems. If implemented, this would help to mitigate parking concerns with the proposal, as it would allow a 'car-free' agreement to be enforced by Brent Council whereby future residents would be ineligible for parking permits. A financial contribution of at least £50,000 would be sought from any scheme towards the implementation of a CPZ in the area.
147. The London Plan requires disabled parking to be provided for 3% of residential units, which would give a requirement for three spaces. No provision has been made within the site and three disabled spaces are instead shown in a proposed lay-by along the Beresford Avenue frontage. It should be noted

though that disabled spaces will not be marked on the public highway unless there is a written request from a resident, so any spaces shown in this way are indicative only.

#### Cycle parking provision

148. The current London Plan requires the provision of a secure bicycle parking space for every 1-bed flat and two spaces for each 2-/3-bed flat, giving a total requirement for 154 residential spaces (plus three visitor spaces), although the proposed draft London Plan will increase this requirement to 177 spaces. Seven long-stay spaces are also required for the commercial units.
149. A total of 156 spaces in 2 stores are proposed, which would be sufficient to meet London Plan residential requirements. However, although the two internal stores have reasonable access and spacings of stands at 450mm, two-tier stands are proposed and the aisle widths of as little as 1.2m are too narrow for the upper tier to be used comfortably – the LCDS recommends aisle widths of 2.5m, although we would accept 2m. The cycle stands also need to be a minimum of 2m long, whilst they have been indicated as being 1.8m long.
150. It should be noted that the minimum refuse requirement would be for 10 x 1,100l Eurobins for recyclable waste, 10 x 1,100l Eurobins for residual waste and 10 x 240l wheeled bins for organic waste. With 21 Eurobins and 21 wheeled bins shown, more waste storage capacity is proposed than is required, so there may be scope to enlarge the bicycle store in Block A into part of the refuse stores to address the above shortcomings.
151. The store for Block B is more difficult to enlarge, as it would require a reduction in the space for the plant. Space for accessible cycle stands for non-standard/oversized bikes is also a requirement that needs to be taken into account.
152. No details of long term cycle parking for the commercial units have been indicated. Furthermore, the promotion of cycling to work would be further enhanced by the provision of shower and changing facilities. It is possible that the locations for these have yet to be determined as limited internal layout of the units have been indicated. Nevertheless, transport would require this information.
153. Three bicycle stands are to be provided along the site frontage for visitors which would be sufficient.

#### Impact on highway network and public transport services

154. The Transport Statement includes information on trip generation for both the existing and proposed sites.
155. The existing site is vacant, so cannot be surveyed, so estimated trips have been based upon surveys of other warehouses across the UK (none in London). This exercise estimates that the existing warehouse generates 65 daily trips to and 63 daily trips from the site by all modes.
156. For the proposed development, surveys of other retail and residential developments across the country have been used to estimate trip numbers. This suggests that the residential units will generate 144 arrivals and 149 departures each day by all modes, with the commercial units generating 99 arrivals and 101 departures. This would give a combined total of 243 arrivals and 250 departures per day, which would be a significant increase from the existing trip numbers.
157. The Transport Statement indicates that as the proposed site is car-free, this would result in less vehicular trips than the existing site. The existing car parking has limited parking too, so may also have had a restrained number of vehicular trips, but in any case, the assumption that few car trips would be generated is reliant upon a CPZ being introduced in the area to deter on-street parking.
158. Peak hour trips (11 arrivals/53 departures in the am peak and 35 arrivals/18 departures in the pm peak) have then been allocated to various modes in accordance with Census data, with an adjustment to

reflect the lack of car parking.

159. This results in an estimated 15-17 bus trips in each peak hour and 25-29 rail/Underground trips in each peak hour. It is not considered that this level of patronage would have any significant impact on public transport capacity.

#### Deliveries, Servicing, and refuse collection

160. The applicants have also submitted a Delivery and Servicing Plan, which includes TRICS information on the predicted servicing requirements of both the residential and commercial aspects. This indicates that 14 LGVs and 3 HGVs would arrive and depart each day to service the residential units, with 13 LGVs and 2 HGVs servicing the commercial units, giving a total of 32 delivery vehicles visiting the site each day.
161. It also predicts that during the peak hour of 10am–11am, five delivery vehicles would be servicing the site, including 2 HGVs. A loading bay is indicated in a lay-by fronting the site and whilst this could accommodate more than one LGV, only one HGV could be accommodated within the loading bay at any one time. Transport would require the Delivery and Servicing Plan to contain targets aimed at reducing the number of service vehicles throughout the day.
162. The design of the loading bay shows a width of only 2.4m, whereas at least 3m is required to comply with TfL's guidance on kerbside loading. To address this, it is recommended that the design follows that for the adjoining Northfields estate redevelopment, which reduces the width of Beresford Avenue by 500mm to accommodate service bays.

#### Pedestrian and Cycle routes

163. For walking and cycling trips, the submitted Transport Statement is generally insufficient for the requirements of a major development. It would need to include a Healthy Streets Assessment of the local pedestrian and cycling routes to key local trip generators such as shops, stations, schools and health centres and this needs to be added to the submission.
164. In this respect, works to Beresford Avenue along the site frontage should also incorporate a speed table at the western end of the site to provide a raised crossing facility for pedestrians using the bus stop opposite.
165. The other requirement for Beresford Avenue will be to maintain a 3.5m shared footway/cycleway to the rear of the lay-by along the site frontage to allow the proposed cycle route along the front of the Northfields development to be extended westwards towards Alperton. The building is shown sufficiently set back to allow this and the highway will need to be formally widened to achieve this aim.
166. All highway works along the site frontage, including the dedication of land as adopted highway, will need to be undertaken through an agreement under Sections 38 & 278 of the Highways Act 1980.
167. The proposed footpath link across the eastern side of the site and provision of a footpath link along the northern bank of the Grand Union Canal is welcomed and will need to link seamlessly with routes secured on adjoining developments to either side of the site (Northfields and Afrex House).

#### Travel Plan

168. The applicants have also submitted a Travel Plan, but this only focuses on the residential aspect. A framework Travel Plan should be submitted, which includes both commercial and residential.
169. With regards to the Residential Travel Plan, it focuses on the provision of information, which is only one way to effect behaviour change. The only incentive to use alternative modes of transport is one year's free Car Club membership, although the nearest car club is currently over a 10 minute walk away.

Research indicates that the propensity to use a car club drops if the car club is further than a 5 minute walk away. This would be addressed in the long run through the Northfields development though. For this measure to be supported, Transport would require confirmation from the car club operator that this would be a worthwhile measure and what their thoughts and requirements would be if a car club bays was located closer to the site as the provision of a car club would be a reasonable incentive and appropriate incentive.

170. The Travel Plan indicates that they will provide a personalised travel planning service, but this should also assess what barriers the individual has to using sustainable modes and attempt to break down these barriers with trials of various measures.

171. Another possible measure mentioned is a bicycle user group. However for this to be effective, a budget would be needed so that actions which are suggested by the group can be implemented. The contact details of a Travel Plan Co-Ordinator need to be identified, or at least the details of an interim Co-ordinator. Further details of the Travel Plan to secure the above requirements will need to be secured within Section 106 Agreement.

### **Fire Access and Safety**

172. Compliance with fire safety requirements is normally assessed under the Building Regulations and therefore not regarded as a material planning consideration. However, draft London Plan Policy D11 expects major development proposals to be submitted with a Fire Statement produced by a suitably qualified third party assessor, and this is also a material consideration, although not yet adopted policy.

173. The Design & Access Statement sets out the key fire safety features incorporated within the development. The typical core will be arranged to provide firefighters with safe space to combat fire, either from within the stair core or from within the protected lobby (with a minimum 1.5m<sup>2</sup> natural ventilation AOV shaft). Dry riser outlets would be provided at every level within the stair core. The stair core will have a minimum 1m<sup>2</sup> AOV vent at the top. These measures are considered adequate at this stage to ensure fire safety, however an informative advising that the maximum standards for fire safety are achieved will be added.

### **Density**

174. London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan Chapter 7 and public transport capacity. Draft London Plan Policy D6 seeks a design-led approach to density, based on an assessment against the housing standards within Policy D4 and the long-term management proposals for higher density developments. The proposed density of 278 habitable rooms per hectare complies with the guidance ranges set out in the London Plan and is considered acceptable.

### **Equalities**

175. 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**

176. The site is allocated for mixed use redevelopment including ground floor commercial uses with residential development above. The loss of the existing uses on site is considered alongside the promotion of the site as a residential development within the Draft Local Plan Site Allocation. The proposal would provide 1118sqm of new high quality light industrial floorspace (use class E(g)(ii)) which, while below the site's benchmark industrial capacity as defined by the draft London Plan, would, together with the new public realm and residential units, respond well to the vision of creating a new canalside community in this area. The proposed mix of uses is considered to be acceptable in principle.

177. The proposal includes 49 affordable housing units out of a total of 100 units, representing 50% affordable housing by habitable room. These would comprise 34 units at London Affordable Rent levels



and 15 units for shared ownership, representing a tenure split of 70:30 and a housing mix including 24% of the total homes within the scheme being three bedroom units. The affordable housing offer fully complies with adopted and emerging policy, and the marginal shortfall in 25% target of family sized homes is considered when balanced against wider planning benefits including the high proportion of affordable homes and replacement industrial floorspace.

178. The design and appearance of the buildings is considered to be of high quality, with an appropriate relationship to the surrounding existing uses and also the likely future context. The two buildings would contribute to the emerging cluster of tall buildings at this location in the Alpertown Growth Area, with the staggered heights breaking up the mass and bulk of the buildings and creating an effective transitional relationship with lower density traditional housing to the north. The layout and landscaping proposals would provide an effective relationship between the buildings, open space and canal, and the design overall is considered to be of high quality.
179. The residential accommodation proposed would be high quality, with the units being well sized with good outlook and amenity space (private and communal). Whilst the scheme does not fully comply with DMP19 or emerging policy BH11, most units would have balconies and additional amenity space would be provided in the form of roof terraces, a ground level pocket park and canalside public realm. A financial contribution towards play provision for older children will be directed towards improvements in Heather Park.
180. A Daylight Sunlight Assessment has been submitted and demonstrates a reasonable to good level of adherence to Building Research Establishment guidelines in terms of the impact on daylight and sunlight received by neighbouring residential properties. Whilst it is noted that there would be an impact on residential amenity, the provision of additional housing, including affordable housing, is considered to outweigh the loss of daylight on balance. There are also improvements to the appearance of the building (over that of the existing building) which mitigates the impact to some extent.
181. The alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists. Highway improvements will be secured through the s106 agreement, together with a financial contribution to introducing Controlled Parking Zones in the area and withdrawing future residents' eligibility for on-street parking permits. Three on-street disabled parking spaces would be provided for the residential units. Cycle parking and bin storage comply with the relevant standards, and pedestrian access through the site will be open to the public with provision made for a pedestrian connection along the canalside to the adjoining sites.
182. The applicant has demonstrated that, with the imposition of conditions and section 106 obligations, the proposal accords with policies on environmental sustainability, and would have an acceptable impact on existing trees, ecology, and flood risk. The proposed landscaping represents a real positive of the scheme that can also enhance biodiversity.
183. Overall, it is concluded that the development is acceptable, and it is recommended to the committee to grant planning permission subject to a Section 106 agreement and conditions.

## CIL DETAILS

This application is liable to pay **£2,463,836.83** \* 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): sq. m.

Total amount of floorspace on completion (G): 7748 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) Dwelling houses	6650		6650	£200.00	£0.00	£1,983,125.00	£0.00
(Brent)	1098		1098	£0.00	£0.00	£0.00	£0.00

Businesses and light industry							
(Mayoral) Dwelling houses	6650		6650	£0.00	£60.00	£0.00	£412,588.24
(Mayoral) Businesses and light industry	1098		1098	£0.00	£60.00	£0.00	£68,123.59

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	
<b>TOTAL CHARGEABLE AMOUNT</b>	<b>£1,983,125.00</b>	<b>£480,711.83</b>

\*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: 20/1424

To: Miss Furminger  
Lichfields  
The Minster Building  
21 Mincing Lane  
London  
EC3R 7AG

I refer to your application dated **14/05/2020** proposing the following:

Demolition of existing commercial building and erection of two buildings (6 storeys and part 7 storeys in height) comprising 100 residential dwellings (Use Class C3) and commercial floorspace (Use Class B1c) on ground floors with associated servicing, parking and refuse stores, amenity space, a commercial yard and soft landscaping

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

at **100 Beresford Avenue, Wembley, HA0 1QJ**

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

Date: 01/12/2020

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

Site Specific Allocations DPD 2011

Draft London Plan 2019

Draft Local Plan 2020

- 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):

[DRAWING NUMBERS TO BE PROVIDED IN THE SUPPLEMENTARY REPORT]

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

- 3 The scheme hereby approved shall contain 100 residential units as detailed in the drawings hereby approved, unless other 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 development hereby approved shall contain 1118sqm of commercial floor space which shall not be used other than for purposes within Use Class B1(c) (Class E(g)(iii) from September 2020), as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the adequate provision of workspace,

employment floorspace and industrial capacity within the borough.

- 6 The buildings shall be designed so that mains water consumption for the residential units does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 7 Mitigation and compensation measures described in the approved Ecological Impact Assessment prepared by ACD Environmental dated May 2020 shall be implemented in full.

Reason: To ensure that the proposal does not adversely impact on ecological habitats.

- 8 The development shall be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that the remaining 10% of the residential units will be designed to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' or easily adaptable to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' in full accordance with the approved details .

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8, and draft London Plan Policy D7.

- 9 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14

- 10 Prior to the commencement of development the tree protection measures shown on Arboricultural Survey & Impact Assessment reference AIA/MF/046/20 by Marcus Foster Arboricultural Design & Consultancy shall be installed and remain in place for the duration of the construction period.

Reason: To protect existing trees within the vicinity of the site.

- 11 A communal television aerial and satellite dish system for each building, or a single system for the development as a whole, shall be provided, linking to all residential units within that building unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

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

- 12 Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water shall be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition (in consultation with the Canals and Rivers Trust).

The risk assessment shall also include details of a monitoring strategy for the canal wall during the demolition and construction process. The works shall be carried out in accordance with the approved Statement.

Reason: To ensure the proposed works adjacent to the water do not have any adverse impact on the safety of waterway users and the integrity of the canal, prior to any works taking place.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 13 Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition. This document shall retain the arrangements set out in the draft Construction Logistics Phasing Sketches submitted as part of the approved Construction Method Statement, but shall also:

(i) include a waterborne freight feasibility assessment to identify the scope for deliveries to be made via the Grand Union Canal, and make provision for such deliveries as can reasonably be made to be via this route.

The works shall thereafter be carried out in full accordance with the approved details.

Reason: In order to minimise any adverse impacts of the construction process upon the highway network in the area.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 14 (a) Prior to commencement of development (excluding demolition of existing buildings and site clearance) a remediation method statement setting out any identified soil remediation 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.

(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 and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The 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.

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

- 15 Prior to the commencement of the development a revised 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.

Reason: To minimise the impact on local air quality and protect the amenity of neighbours during construction.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 16 Prior to the commencement of the development hereby permitted, a revised Construction Environmental Management Plan 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 (in consultation with Canals and Rivers Trust). The Construction

Environmental Management Plan shall include details of:

- (i) details of proposed surface water arrangements (either via drains or surface water run-off) during demolition and construction works;
- (ii) confirmation that no surface water (either via drains or surface water run-off) or extracted perched water or groundwater shall be discharged into the Grand Union Canal during demolition and construction works;
- (iii) that any surface water drains connecting the site with the waterway are capped off at both ends for the duration of the demolition and construction works at the point of surface water ingress and at any outfall to the canal;

Reason: In order to minimise any adverse impacts of the demolition and construction process on local environmental quality and to ensure that the demolition and construction process do not have any adverse impact upon the water quality of the Grand Union Canal.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 17 Prior to commencement of the development (excluding demolition, site clearance and laying of foundations), a noise impact assessment detailing 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 insulation shall be designed so that noise from the proposed ground floor commercial floorspace does not adversely impact residential units. The commercial floorspace shall not result in an exceedance of the indoor ambient noise levels specified within BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' in the flats adjacent to the uses. The approved insulation measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels.

- 18 Prior to commencement of development (excluding demolition of existing buildings and site clearance) 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.

The development shall be completed in accordance with the approved details prior to occupation of the development.

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

- 19 Prior to commencement of the development of relevant works (excluding demolition, site preparation works and laying of foundations) details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature 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. Such details shall include but not be limited to:

- (i) building envelope materials
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens (including measures to prevent overlooking occurring)

The works shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is high quality, and in the interest of the privacy of future occupants.

- 20 Prior to the commencement of building works hereby approved (excluding demolition, site clearance and laying of foundations), the applicant shall conduct an assessment of the potential exposure of site end users to the electromagnetic fields generated by the electric substations on/near the site. The applicant shall take all necessary measures to ensure the exposure level is within the 'International Commission on Non-ionizing Radiation Protection (ICNIRP)' guideline values for electromagnetic fields. The assessment and 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.

Reason: To ensure the safe development and secure occupancy of the site proposed for use.

- 21 Prior to commencement of building works hereby approved (excluding demolition, site clearance and laying of foundations). an assessment of the noise levels associated with the adjacent substation shall be undertaken in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' Additionally, an assessment of low frequency noise associated with the substation shall be undertaken in accordance with the measurement procedure described within NANR45 'Procedure for the assessment of low frequency noise complaints'. The assessment shall include mitigation measures (if required) to ensure that noise complaints associated with the substation, from residents in the approved development, are unlikely. The assessment 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 all approved mitigation measures shall be implemented in full.

Reason: To protect future residents from noise associated with the adjacent substation.

- 22 Prior to the commencement of building works hereby approved (excluding demolition, site clearance and laying of foundations), revised details of residential and commercial bicycle and refuse facilities shall be submitted to and approved in writing by the Local Planning Authority. The bicycle and refuse facilities shall thereafter be provided in full prior to first occupation of the development and retained throughout the lifetime of the development. Such details shall include:

1. 156 long term cycle spaces for the residential flats designed to comply with London Cycle Design Standards
2. 7 long term cycle spaces for the commercial units with the provision of shower and changing facilities
3. 3 short term cycle spaces
4. 10 x 1,100l Eurobins for recyclable waste, 10 x 1,100l Eurobins for residual waste and 10 x 240l wheeled bins for organic waste for the residential units in accordance with the guidance set out in Brent's Waste Capacity Guidance Document
5. refuse facilities for the commercial units

Reason: To ensure that satisfactory levels of refuse and bicycle parking are provided from the outset.

- 23 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) 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 within 6 months of commencement of development. 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 publicly accessible spaces;
- (d) details of the provision of artificial bird and bat boxes;
- (e) 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 users;
- (f) the location of, details of materials and finishes of, all street furniture, play equipment,



- drainage and external cycle stands;
- (g) proposed boundary treatments including walls, fencing and retaining walls, and defensible space indicating materials and height;
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (j) details of materials, lighting (including light spillage plans), tactile paving, handrails and wayfinding signs;
- (k) details of all tree planting pits (including surfacing);
- (l) Proposed soil depths and composition on roof terraces
- (m) Details of any CCTV scheme to be provided within the development.

The approved 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 a programme agreed in writing with the Local Planning Authority.

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

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

- 24 (a) Prior to the commencement of the development hereby permitted (excluding demolition of the existing buildings on site) a structural survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition (in consultation with the Canals and Rivers Trust). The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

(b) Prior to first occupation or use of the development and following the completion of any repair works approved above, a further survey of the waterway wall shall be carried out, and the details shall be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition (in consultation with the Canals and Rivers Trust), to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained.

- 25 (a) Within 6 months of commencement of development, the feasibility of delivering a floating ecosystems should be explored in consultation with the Canals and Rivers Trust, with the outcome of the feasibility works to be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition.

(b) In the event that the above concludes that it is feasible to deliver a floating ecosystem, prior to occupation of development, details of the floating ecosystems with details of the long term maintenance of these, shall be submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition (in consultation with the Canals and Rivers Trust). The ecosystems should be provided within the first planting season, following practical completion of the development.

Reason: In the interests of biodiversity and habitat enhancement, and to ensure the future maintenance of these structures.

- 26 A management plan, detailing the maintenance and cleaning regime for the public and communal external spaces within 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 prior to first use of the public or communal spaces within the

development. The approved plan shall be updated where required and implemented for the life of this development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a good quality of environment is provided.

- 27 Prior to the occupation of the development, the applicant shall submit a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment [Ensafe air quality assessment dated October 2020] have been implemented. The 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.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 28 Prior to occupation of the development hereby approved a Delivery and Servicing plan shall be submitted to and agreed 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 carried out in accordance with the approved details.

Reason: To ensure an acceptable impact on local highway network.

- 29 Within 6 months of commencement of development details of the access gate providing access from the pocket park to canalside walk 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. This shall include details of the gate's appearance and how access will be managed to maximise access through it to the canalside walk, and thereafter implemented in accordance with the approved details.

Reason: To ensure that it is attractive in appearance and that appropriate access is provided to the canalside walk.

## 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](http://www.brent.gov.uk/CIL).
- 2 Given the age of the building to be demolished it is possible that asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.
- 3 The applicant is reminded that the quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Council does not accept soil quality certificates from the soil supplier as proof of soil quality.
- 4 The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained  
(<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-prop>)

The applicant/developer is advised that any oversail, encroachment or access over the Trust's land or waterway, including works to the waterway wall, requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates team ([Bernadette.Mcnicholas@canalrivertrust.org.uk](mailto:Bernadette.Mcnicholas@canalrivertrust.org.uk)) regarding any required agreement.

The applicant/developer is advised that any surface water discharge into waterspace belonging to the Canal & River Trust will require written consent, and they should contact the Canal & River Trust's Utilities team, Liz Murdoch for further information ([liz.murdoch@canalrivertrust.org.uk](mailto:liz.murdoch@canalrivertrust.org.uk)).

- 5 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.
- 6 All Non Road Mobile Machinery utilised in the development must be registered on the following site : <https://nrmm.london/>
- 7 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.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Lisa McCann, Planning and Regeneration,  
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1923