

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 March, 2021
04
20/1163

SITE INFORMATION

RECEIVED	9 April, 2020
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	1 Burnt Oak Broadway, Edgware, HA8 5LD
PROPOSAL	Partial demolition, restoration and extension of former bingo hall (Use Class D2) to create a part-7, part-8 storey building to provide co-working space and purpose-built shared living units (Use Class Sui Generis), café (Use Class A3) with ancillary facilities and associated shared amenity space, landscaping, cycle and disabled parking.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as a Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "20/1163" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the Secretary of State pursuant to the Consultation Direction
 - B. The prior completion of a legal agreement to secure the following planning obligations:
 - (a) Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
 - (b) Notification of commencement 28 days prior to material start
 - (c) Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and 6 months prior to practical completion (or such other time agreed by the Council), against the agreed land value and profit, to determine any development surplus. If surplus is secured, this would take the form of an off-site cash in lieu payment in line with Intend to Publish London Plan policies H5 and H16 and the formulas laid out within Mayor's Viability and Affordable Housing SPG
 - (d) The submission and approval of a Management Plan prior to first occupation of the development, meeting all requirements of Policy H16 of the Intend to Publish London Plan
 - (e) Employment and Training obligations, comprised of:
 - (i) The submission of an 'Employment and Training Plan (a document setting out how the obligations in section 106 agreement will be met and which includes information about the provision of training, skills and employment initiatives for Local Residents relating to the construction and operational phase of the development) to the Council for its approval prior to the material start of the development;
 - (ii) a commitment to meet with Brent Works (the Council's job brokerage agency dedicated to assisting unemployed Residents into sustainable employment), or such relevant equivalent successor body (working with local partners including local colleges, the Job Centre Plus and third sector welfare providers to reduce current levels of unemployment within the borough) to identify the anticipated employment and training opportunities arising during the construction phase;
 - (iii) a commitment to deliver the employment targets set out in the attached document;
 - (iv) a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - (v) specific commitments in respect to employment opportunities in relation to operational phases;
 - (vi) a commitment to source at least 20% of all the materials used in major development schemes locally;
 - (vii) where it is not possible to achieve employment targets in line with the attached document, a commitment to pay the financial contributions which are calculated as follows:
 - (1) Shortfall against target numbers of jobs lasting a minimum of 26 weeks for an unemployed Local Resident x £4,400 (the average cost of supporting an unemployed Local Resident into sustained employment)
 - (2) Shortfall against target number of apprenticeship starts x £5,000 (approx. cost of creating and supporting a Local Resident to complete a typical construction level 2 Apprenticeship elsewhere in the borough)
 - (f) S38/S278 highway works under the Highways act 1980 to provide:
 - (i) reconstruction and resurfacing of the rear service road along the rear of the site and its adoption as Public Highway maintainable at public expense and
 - (ii) the resurfacing of the Burnt Oak Broadway footway fronting the site and installation of bicycle stands (n.b. any CPZ would also need to include the adopted section of the rear service road).
 - (g) An agreement that prevents all residents and businesses from obtaining a parking permit in the event that a CPZ is introduced
 - (h) Enhanced travel plan to be submitted, ensuring a set of robust sustainable travel measures which actively encourage sustainable modes rather than just provide information on them.

- (i) The submission of a Delivery and Servicing Plan
 - (j) Financial contribution towards the implementation of a local Controlled Parking Zone (£63,000)
 - (k) 2/3 year free membership for all occupiers to local Car Club
 - (l) Carbon offset contribution to be paid (currently estimated at £81,990) – or an opportunity to resubmit an improved energy statement and reduce the offset payment.
 - (m) A post-assessment to be submitted and approved by the Council demonstrating that BREEAM 'Excellent' to be secured
 - (n) Indexation of contributions in line with inflation
 - (n) Any other planning obligation(s) considered necessary by the Head of Planning.
3. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
- 1. Time Limit for commencement (3 years)
 - 2. Approved drawings/documents
 - 3. A total of 125 co-living studio units secured
 - 4. Hours of proposed cafe use to be secured
 - 5. Blue badge parking spaces and visitor cycle stands laid out prior to occupation
 - 6. Cycle stores and refuse stores to be laid out prior to occupation of each phase
 - 7. NRMM to be restricted
 - 8. Tree protection measures to be secured
 - 9. FRA and Drainage strategy measures to be secured
 - 10. Water consumption to be limited in line with regulations
 - 11. Ecological mitigation measures to be secured
 - 12. EVCP to be secured
 - 13. Construction Environmental Management Plan to be submitted
 - 14. Construction logistics plan to be submitted
 - 15. Land contamination and remediation report to be submitted
 - 16. Connection to future District heating Network to be submitted
 - 17. Full details of landscaping strategy (including green roofs) to be submitted
 - 18. All external materials (including samples) to be submitted
 - 19. Wheelchair Accessible Units to be secured
 - 20. Car park management plan to be submitted
 - 21. Delivery and Servicing Management plan to be submitted
 - 22. Plant noise levels to be submitted before installation
 - 23. Sound insulation measures to be submitted

Informatives

- 1. CIL liability
- 2. Party wall information
- 3. Building near boundary information
- 4. London Living Wage

PROPOSAL IN DETAIL

The application proposes the re-development of this Grade II listed former bingo hall, including roof and side extensions, to convert it into a co-living, co-working space with associated communal facilities (Class Sui Generis) and the provision of a café (Class E(b)) at ground floor level. The proposals comprise the following elements:

- Conversion of the Grade II listed building to provide co-working/co living accommodation with shared kitchens and amenity facilities including a gym, library, launderette, cinema room, lounges, and a publicly accessible café at ground floor. A total of 125 studio flats would be provided, ranging from 17 sqm to 29 sqm in size, and including 11 wheelchair accessible rooms.
- The existing roof to the building would be demolished and replaced with a new three-storey roof extension, alongside the erection of a new seven-storey side extension to the northern portion of the site.
- Associated external alterations to the building, including repairs to the original cinema building with a relative light touch to the street facades, reinstating the main entrance and signage.

The proposals would also include the provision of cycle and refuse storage, and improvements to the public realm along Burnt Oak Broadway including new street tree planting and benches installed. A total of 4 parking spaces are proposed to the rear access road, exclusively as Blue Badge parking spaces for future occupiers of the development.

An application for listed building consent for the proposed external and internal alterations in connection with this re-development accompanies the main planning application, with the specific considerations addressed in a separate report (under ref. 20/1164).

EXISTING

The site relates to a former Grade II listed cinema, dating from 1938, which was converted into a bingo hall and is now vacant. It is located on the western side of Burnt Oak Broadway, and forms part of the designated Burnt Oak/ Colindale Growth Area, as well as being part of the Burnt Oak District Centre (designated as Secondary Frontage). It also forms part of the Colindale/ Burnt Oak Opportunity Area, as designated in the London Plan.

The immediate surrounding area comprises a shopping parade including retail and food establishments with residential uses above to the north and south. To the east, it is a predominantly residential area comprising two, three and six storey apartment blocks and to the west, the area comprises two storey semi-detached dwellings. Immediately to the north of the site, a seven storey residential block has been approved and is currently under construction.

Burnt Oak Underground Station is located approx. 770m away (about 10 minutes' walk), and the site is served by a bus stop approximately 50m away which provides routes to Edgware, Borehamwood and Watford. The site has a PTAL rating of 4.

AMENDMENTS SINCE SUBMISSION

Revisions to both internal and external elements of the proposal were formally submitted in September 2020, following lengthy discussions with the council's urban design and heritage officers, Historic England, the CTA and feedback from the Theatres Trust. A re-consultation exercise with all adjoining residents and statutory external consultees was undertaken on these revisions. The key changes to the main application are summarised below:

- Increase in height to the proposed side extension to a maximum of eight storeys, and changes to façade treatment and design of side extension
- Introduction of darker cladding to roof extension
- Glazed link between original building and side extension further recessed from principal front elevation
- Introduction of external communal terrace at 7th floor level
- Change to internal layouts, reducing the overall number of studios to 125 (from 127)

- Introduction of further soft landscaping and smoking area to front elevation

SUMMARY OF KEY ISSUES

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

1. **Objections from adjoining neighbours and interested groups:** 182 properties were consulted on the proposal, as well as The Friends of Eton Grove Association. A total of four objections were received across the two consultation periods, with grounds of objection including potential overlooking and overshadowing impacts, increased noise and disturbance, and detrimental impacts on parking and traffic in the local area. These issues are all addressed within the main remarks section of the report. A number of letters of support for the scheme were also received.
2. **Principle of redevelopment of the site for co-living use:** The re-development of the site for co-living and workspace is considered appropriate within this part of the Burnt Oak/ Colindale Growth Area, and broadly accords with the objectives set out in currently adopted and emerging site allocations within the Local Plan. The proposals would also bring the listed former bingo hall back into use, having been vacant since 2014.
3. **Viability and Affordable Housing:** The scheme would not provide any contribution in lieu of affordable housing, which is required by policy H16 of the draft London Plan. However it has been demonstrated by a financial viability appraisal that this cannot viably be provided, and subject to a section 106 agreement securing both early and late stage review mechanisms, is considered acceptable.
4. **Design and heritage:** The proposed extensions would take the building to between seven and eight storeys high, which is considered to be in keeping with the heights of buildings in the surrounding townscape. The proposed extensions have been sympathetically designed to minimise the potential harm to this Grade II listed building, and to be of a high quality with final details reserved by condition.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers and compares favourably with similar co-living developments approved in neighbouring London boroughs.
7. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is a function of a development on this scale. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits of the scheme and the Council's strategic objectives.
8. **Highways and transportation:** A financial contribution of £100,000 will be secured to enable the Council towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers.

RELEVANT SITE HISTORY

Although there have been planning applications made in relation to minor external alterations and the installation of telecommunications equipment on the building, there has been nothing directly relevant in terms of previous planning history on the site.

CONSULTATIONS

Public Consultation

Original scheme (April 2020):

A total of 182 addresses within Burnt Oak Broadway, Limesdale Gardens and The Hyde were consulted on the application. The Friends of Eton Grove Association were also consulted.

A Site Notice was displayed 28/04/2020
A Press Notice was published 28/04/2020.

Two letters of objection were raised to the proposals. The grounds for objection are summarised below:

Grounds of objection	Officer response
Proposals would result in a loss of privacy and increased overlooking to adjoining occupiers	This issue is discussed in more detail within paragraphs 81-83 of the report below.
Proposals would result in increased overshadowing and loss of light to adjoining gardens	This issue is discussed in more detail within paragraphs 48-80 of the report below.
Proposals would result in increased noise and disturbance	This issue is discussed in more detail within paragraphs 86 of the report below.
Proposals would result in increased traffic generation associated with restaurant outlets etc	This issue is discussed in more detail within the highways section of the report. To clarify, the proposals only include a single café outlet as part of the application.
Proposals would have a negative impact on property values	Impact on property values is not a material planning consideration.

Four letters of support were received on the grounds that the proposals would create affordable living for single dwellers, support existing businesses and encourage much-needed regeneration in the area, enhance and bring back the historic building into use, with the potential for lower levels to be used for community and cultural events such as an art gallery, exhibitions etc.

A further petition containing 31 signatures was received in support of the proposals. The grounds for support are summarised as follows:

- The restoration of the Grade II listed building ensuring that both the exterior and interior aspects are retained and the building's features are enhanced
- Provide new affordable workspace which there is a lack of in the local area.
- Increase the number of visitors to the local area supporting trade for local traders.
- Provide quality rental accommodation for young professionals.
- Deliver high quality public realm improvements to aid the regeneration of Burnt Oak.

Revised scheme (September/ October 2020):

The same 182 addresses and those commenting on the original scheme were re-consulted following the receipt of revised drawings and associated documents. A fresh site and press notice were also published as part of the re-consultation exercise.

A further two objections were received, with the grounds for objection summarised below:

Grounds of objection	Officer response
Proposals would not provide any parking for non-disabled occupiers or visitors, having a cumulative impact on parking pressures for adjoining residents	This issue is discussed in more detail within paragraphs 92-99 of the report below.
Increased traffic and associated noise and pollution	This issue is discussed in more detail within paragraphs 106-113 of the report below.
Increased pressures on local infrastructure, i.e. medical centres, schools etc.	The principle of the co-living use, and its appropriateness within a Growth Area location, is discussed in more

	detail within 1-4 and 13-28 of the report.
Increased noise and anti-social behaviour	This issue is discussed in more detail within paragraphs 86 of the report below.

A further two letters of support were received, stating that the proposed development would bring wider community benefits by restoring the historic building, the creation of new jobs, and removing an eyesore from the local area.

One neutral comment was also received, stating general support in bringing the building back into use, but requesting that the central hall (theatre) is made more accessible for local people for events, celebrations etc. Strongly objects to any betting shops, adult gaming centres or pawnbrokers.

Statutory/ External Consultees

Comments received from Historic England, the Cinema Theatres Association and the Theatres Trust are set out and largely addressed within the associated report for listed building consent. One issue is raised concerning the loss of the community/ cultural use of the building, with the Theatres Trust stating that continued community use should be prioritised. This issue is considered in more detail within paras. 5-12 of the report.

London Fire Brigade

No objections subject to ensuring the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority. Also recommendations around the installation of a sprinkler system internally.

Thames Water

No objection subject to an informative relating to protecting adjacent underground waste water assets during construction works.

LB Barnet

Objection. Proposals would have a detrimental impact on the significance of the Grade II listed building, by virtue of its height, massing and over-dominance of the heritage asset. In turn, this results in a development which has a cumulative harmful impact on the setting and views out of the designated heritage asset that is the Watling Conservation Area.

Officer comments: The issues raised are discussed in more detail within paras. Xx- xx of the report, and within the report associated within the listed building consent.

Internal consultation

Burnt Oak Town Centre Manager

Broadly supportive of the proposal. It helps bring a redundant and at-risk listed building back into use within the town centre and the mixed use and intensification along this stretch shouldn't impact negatively on retail. Some other comments which are addressed within the main considerations.

Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

Statement of Community Involvement

A Statement of Community Involvement has been submitted with the application, setting out the public consultation and level of engagement undertaken before submission of the proposals, as required through the Localism Act (2011).

The main consultation exercise involved a community consultation event and presentation of the proposals held on Monday 24th February 2020 from 3pm to 8pm at Love Burnt Oak, 102a Watling Avenue, Burnt Oak, HA8 0LN. A consultation leaflet advertising the consultation event, consultation website

and contact details of the project team, including a freephone telephone line and email address was sent to 2,137 properties located within 500m of the site. Details of the consultation event and proposals were also sent to local businesses through a leaflet drop on Friday 21st February, and an advert was placed in the Brent and Kilburn Times on 20th February. Local community and amenity groups were also notified of the consultation event by email where possible, as well as an email sent to 29 councillors, MPs and London Assembly Members (referred to forthwith as AMs) across Barnet, Brent and Harrow advising them of the consultation.

A total of 20 written responses (i.e. via email or consultation form) were received from 15 residents, with 8 of these residing in LB Barnet, 6 from residents in LB Brent, and 1 is from a business based in the north east of England. A summary of the issues received from these responses is provided below:

- Concerns regarding the need for a Controlled Parking Zone in the London Borough of Brent
- Requests for public access to be made available to the cinema and/or gym
- Criticisms of local, regional or national planning policies rather than of the application itself
- Queries regarding what support towards local infrastructure will be given by the applicant

In addition, 31 residents attended the consultation event, with 12 residents completed consultation feedback on the day with 2 residents who attended subsequently sending comments via the consultation website. The key issues raised at the consultation event/ subsequent feedback are summarised as follows:

- Concerns regarding the need for a Controlled Parking Zone in the London Borough of Brent
- Requests for public access to be made available to the cinema and/or gym
- Queries regarding what support towards local infrastructure will be given by the applicant

These consultation events and methods are considered appropriate to the scale of the development and reflect the recommended level of pre-application engagement set out in Brent's Statement of Community Involvement. The issues raised during this consultation exercise will be considered in more detail within the detailed considerations section of the report below.

POLICY CONSIDERATIONS

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

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

Key policies include:

Regional

London Plan 2016

- 2.13 Opportunity areas and intensification areas
- 3.3 Increasing housing supply
- 3.8 Housing choice
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.16 Social infrastructure
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment

7.4 Local character
7.8 Heritage assets and archaeology
7.14 Improving air quality

Local

Brent Core Strategy (2010)

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth
CP 11 – Burnt Oak/ Colindale Growth Area
CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock
CP 23 – Protection of existing and provision of new Community and Cultural Facilities

Brent Development Management Policies (2016)

DMP 1 - General Development Management Policy
DMP 7 - Brent's Heritage Assets
DMP 9b - On Site Water Management and Surface Water Attenuation
DMP 13 - Movement of Goods and Materials
DMP 19 - Residential Amenity Space
DMP 20 – Accommodation with Shared Facilities or additional support

The Mayor has produced a Publication Version of the London Plan that he intends to adopt on 2 March 2021. As such, the Publication Version of the London Plan is likely to be adopted policy at the time that the Planning Committee consider this application.

Key relevant policies include:

Draft London Plan (Publication version) 2020

Key policies include:

D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D6: Housing quality and standards
D7: Accessible Housing
D8: Public realm
D11: Safety, security and resilience to emergency
D12: Fire safety
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H16: Large-scale purposed-built shared living
HC1: Heritage conservation and growth
HC3: Strategic and Local Views
G1: Green infrastructure
G4: Open space
G6: Biodiversity and access to nature
T2: Healthy Streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors requested some additional information alongside a consolidated schedule of modifications (to reflect discussions during the examination hearings). This information will be submitted to the Inspectors on 15 January. It is estimated that a final Inspectors report will be issued in June 2021, subject to further modifications, with adoption of the final Plan not likely until late Summer 2021. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by officers that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant draft policies include:

General:

DMP1 – Development Management General Policy

Place:

BP3 – North

BNGA1 – Burnt Oak / Colindale Growth Area

BNSA4 – Former Mecca Bingo Site

Design:

BD1 – Leading the way in good design

Housing:

BH1 – Increasing Housing Supply

BH7 – Accommodation with Shared Facilities or Additional Support

BH13 – Residential Amenity Space

Social Infrastructure:

BSI1 – Social Infrastructure and Community Facilities

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All

Heritage and Culture:

BHC1 – Brent's Heritage Assets

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent

BSUI2 – Air Quality

BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

Mayor of London's Affordable Housing and Viability SPG 2017

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

DETAILED CONSIDERATIONS

Principle of development

Burnt Oak / Colindale Growth Area: Adopted and emerging policy context

1. The application site is of strategic importance given its position within the Burnt Oak/ Colindale Growth Area, as designated within the Local Plan, which also forms part of the wider Colindale/Burnt Oak Opportunity Area designated in the London Plan.
2. Policy CP11 (Burnt Oak/Colindale Growth Area) of the Core Strategy states that *'the Burnt Oak/ Colindale area is promoted for mixed use regeneration along the axis of Edgware Road. While tall buildings are acceptable in appropriate places along Edgware Road, the council will facilitate a shift in character and use towards a traditional street pattern supporting pedestrian movement, street frontages and public spaces and squares. New economic activity will be created in the form of ground floor commercial frontage (including retail, where compliant with the sequential approach).'* This is reinforced by emerging policy BNGA1 of the

3. Building on this is the draft site allocation for the Mecca Bingo Site (policy BNSA4). The following key planning considerations are identified within the policy:

- The site is located within the town centre boundary of Burnt Oak. As such, the council would like to see active frontage created on this site, where considered appropriate. Furthermore, the site is within the boundaries of the Burnt Oak and Colindale Growth Area, being a sustainable location to accommodate growth.
- The former cinema on this site is Grade II listed and is a 'Building at Risk' contained on Historic England's Heritage at Risk Register. The cinema was constructed in 1938 and is a good example of a relatively unaltered large suburban neighbourhood super-cinema of the 1930s. Development at this site should ensure that proposals do not adversely affect its character as a building of special architectural or historic interest.
- In comparison to other areas within Burnt Oak and Colindale, this site has relatively high PTAL levels. Therefore, development at this site should be car-free.
- There are six trees within proximity to the site. Development at this site should not result in the loss of these trees.

4. The policy also sets out that development at this site can support appropriate improvements to the Grade II listed building, with the aim of removing it from Historic England's 'Building at Risk' register. There is a preference to create active frontage within this area to support the vitality and viability of the town centre, which can be achieved through introducing community floorspace on the ground floor of this site.

Loss of community/ cultural facility

5. As set out within the existing site section of the report above, the building was originally constructed as a Savoy cinema in 1936, before being converted into a bingo hall in 1961. Therefore, it has historically been used for cultural and community purposes until its closure in 2014. Policy CP23 of the Council's Core Strategy (2010) is relevant, as well as Policy 3.16(B) of the London Plan, which focuses on the need to prevent the loss of social infrastructure. The Theatres Trust have submitted a detailed objection to the proposals on these grounds, stating that insufficient information has been submitted to adequately demonstrate that the building has been marketed for continued community or cultural use, and no justification has been provided for its loss.

6. The applicants have responded to the concerns raised by the Theatres Trust and provide further justification to support a departure from these policies. They state that continued stand-alone use of the building for community/ cultural events was explored when the building was first purchased, although no marketing of the site for this type of use was carried out. However, they state that it was clear that there was a lack of demand for a community/ cultural use in its own right, particularly given the unique layout of the listed building and the practical difficulties in altering it internally to be fit for purpose.

7. The applicants go on to refer to their financial viability appraisal, which sets out that the scheme is in a challenging viability position due to the size and nature of the existing building, and the co-working space being effectively cross-subsidised by the co-living accommodation. Replacing this co-working space with community use would be expected to generate less revenue, further impacting on the viability of the scheme. Furthermore, significant revisions have been required during the course of the application which have increased costs, including the important upgrades to key heritage features such as restoring the original canopy and signage, and changes to internal layouts which have reduced the overall number of studio flats being proposed (from 127 to 125).

8. The applicant's covering letter concludes that these factors would all have a further impact on the financial viability of the scheme, and limit the ability of the co-living element of the scheme to cross-subsidise the less efficient/viable co-work element. It is therefore important for the delivery of the scheme for this element to contain a use which promotes the viability of the scheme, while working cohesively with the other scheme elements from an operational perspective.

9. Nevertheless, the applicants acknowledge that some continued cultural and community use would offer important benefits to the local community and promote the building to a wider audience. They have therefore provisionally committed to a programme of events within their Operational Management Plan, to which local community groups and residents would have access to. The types of events include:

- **Business Support** – advisory and networking sessions ranging from motivational speakers to accounts and marketing masterclasses

- **Cinema and culture** – screenings and shows for tenants and other interested parties – bringing entertainment back to Burnt Oak Broadway. We plan a focus on world cinema to cater for the cosmopolitan community that we intend to create.
- **Music** – a well-managed programme of musical learning and performance ranging from musical technician classes to live bands and concerts.
- **Health and lifestyle** – such as dieticians and yoga practitioners – the facilities will cater for a diverse range of interests, hobbies and learning opportunities. There will be an emphasis on sustainable lifestyle and the potential for a programme of ‘green credits’ will be explored looking at incentivising tenants to prioritise environmentally friendly living.

10. The applicants have also been encouraged to open up the main auditorium as an informal event space outside of normal working hours, and the building has been designed to operate flexibly on this basis, for example through the use of easily movable partitions to meeting rooms and co-working spaces. In order to ensure a commitment to this moving forward, a User Management Plan would be required as part of the section 106 agreement.

11. The council’s heritage officer has also commented on the Theatres Trust concerns. While acknowledging that limited marketing evidence has been put forward, officers place greater weight on the fact that the building has been vacant since 2014, and the need for refurbishment is underlined by its place on Historic England’s Building at Risk Register. Officers consider that the enhancements to the building in terms of restoring key heritage features such as the proscenium, the original canopy and the SAVOY lettering would all be significant benefits, but would come at some cost. Therefore in order to secure these improvements and bring the building back into viable use, some flexibility needs to be shown in policy terms, particularly given the commitment to encouraging elements of community use within the existing building where possible.

12. Overall, officers consider that there would be a departure from Local Plan policy CP23, London Plan policy 3.16 and relevant parts of the NPPF. However, this needs to be weighed against the significant heritage and public benefits associated with restoring and enhancing the existing building and bringing it back into use, as well as the community uses and events which would be actively sought via the section 106 agreement. On balance, the proposals are therefore acceptable in this regard.

Principle of co-living use

Adopted and emerging policy context

13. Policy H16 of the draft London Plan recognises that large scale shared living developments may provide a housing option for single person households who cannot or choose not to live in self-contained homes or HMOs. This policy ensures that new purpose-built shared living developments are of acceptable quality, well-managed and integrated into their surroundings.

14. Policy H16 applies to large-scale purpose-built shared living developments which in planning terms are sui generis non-self-contained market housing. These are not restricted to particular groups by occupation or specific need such as students, nurses or people requiring temporary or emergency accommodation proposed by speciality providers.

15. Large-scale purpose-built shared living developments are generally of at least 50 units. This type of accommodation is seen as providing an alternative to traditional flat shares and includes additional services and facilities, such as room cleaning, bed linen, on-site gym and concierge service.

16. Policy H16 of the draft London Plan states that large-scale purpose built shared living development must meet the following criteria:

- 1) it is of good quality and design
- 2) it contributes towards mixed and inclusive neighbourhoods
- 3) it is located in an area well-connected to local services and employment by walking, cycling and public transport, and its design does not contribute to car dependency
- 4) it is under single management
- 5) its units are all for rent with minimum tenancy lengths of no less than three months
- 6) communal facilities and services are provided that are sufficient to meet the requirements of the

intended number of residents and offer at least:

- a) convenient access to a communal kitchen
- b) outside communal amenity space (roof terrace and/or garden)
- c) internal communal amenity space (dining rooms, lounges)
- d) laundry and drying facilities
- e) a concierge
- f) bedding and linen changing and/or room cleaning services.

- 7) the private units provide adequate functional living space and layout, and are not self-contained homes or capable of being used as self-contained homes
- 8) a management plan is provided with the application
- 9) it delivers a cash in lieu contribution towards conventional C3 affordable housing. Boroughs should seek this contribution for the provision of new C3 off-site affordable housing as either an:
 - a) upfront cash in lieu payment to the local authority, or
 - b) in perpetuity annual payment to the local authority*

**this criteria is considered in more detail within the viability/ affordable housing section of the report below.*

17. Policy DMP20 of the Council's Local Plan (and Draft Policy BH7 of the emerging Local Plan) (Accommodation with Shared Facilities or Additional Support) are also of relevance. DMP20 states that proposals for non self-contained residential accommodation with shared facilities or on-site support/care to assist residents in their daily lives will be supported where the development meets all the following criteria:

- a) is located in an area with good access to public transport and other amenities, including shops (normally within 400m);
- b) is of an acceptable quality meeting appropriate standards for the needs of its occupants, including external amenity space, appropriate communal facilities, levels of support/ care and mobility;
- c) includes management arrangements agreed with the council suitable to its proposed use and size to not unacceptably impact on neighbour amenity;
- d) demonstrates that there is a specific Brent need, or in the case of education a London need, for the particular use.

17. The supporting text for draft policy BH7 notes that whilst the majority of housing needs will be met through self-contained residential accommodation, some will be met through non self-contained accommodation with shared facilities such as co-living. The policy recognises that changes in demographics, welfare and lifestyle choices mean that there will be increased demand for this type of accommodation. Non-self contained accommodation make a contribution to meeting local needs. They can also assist in developments through increased viability and vitality and more balanced communities.

18. The above policies refer to the need for co-living units to be of sufficient quality. The emerging London Plan policy refers to certain factors which influence co-living housing quality, the policies do not set metrics for quality, such as minimum amounts of internal or outdoor space. Instead, this must be considered on a case-by-case basis having regard to the size and quality of both private and communal spaces, with co-living schemes normally including a significantly greater amount and variety of communal indoor space than a typical flatted development. Given the reliance on the communal spaces to achieve a sufficient level of housing quality, access to the communal spaces is normally included within the rental charges for the co-living units rather than being an optional extra facility. The quality of accommodation within the proposed scheme is discussed in more detail later in this report.

Analysis of co-living use against Mayoral and LB Brent criteria

19. Firstly, the site's position within the Burnt Oak Town Centre and the wider Burnt Oak/ Colindale Growth Area means that it is considered an appropriate location for this type of co-living use, which benefits from good levels of public transport accessibility (PTAL of 4), ensuring there would be no car dependency. The development would be made car-free, with full details of this set out in the transport section of the report below. The site is close to a range of local services and amenities which would support future occupiers, as well as businesses and individuals using the flexible workspace.

20. The applicant's submission includes a comprehensive design and access statement which sets out the lengthy design process undertaken both at pre-application and application stage. The design and layout of the co-living space is considered to be legible and well thought-out, accounting for the constraints imposed by the listed nature of the existing building. The co-living units would be located at upper floors, with a clear separation between it and the workspace at lower levels, as well as the communal facilities. Adequate

communal facilities (i.e. kitchens, break out relaxation areas) are provided on each floor, while the principal communal areas at lower levels would be easy to access (as well as being wheelchair accessible).

21. The proposals include a draft Operational Management Plan (OMP), which sets out how the applicants – EEH Properties – will operate the development as a single management company, with different managers set up to oversee the co-living and co-working elements of the development. The OMP states that units will only be let out on a minimum three months tenancy basis. The OMP also states that there would be a 24-hour concierge desk located at the main entrance to the building, with co-living residents given a key card to access individual rooms and the communal areas to prevent security issues. CCTV would also be installed throughout the building.

22. The draft OMP is considered robust and detailed enough to assure officers that the proposed development would meet Policy H16 requirements; however a full Management Plan would be secured as part of the section 106 agreement, with requirements for this to be monitored and updated on a regular basis once the use commences. This is broadly in accordance with other approved schemes elsewhere in London, including The Collective in Old Oak.

23. With regard to facilities provided for residents, the development includes shared kitchens and lounge spaces on each floor of studio accommodation to provide cooking, eating and socialising opportunities. Further shared internal amenity spaces on the lower floors comprise a cinema room, gym, lounges, shared dining rooms, library and launderette. The revised proposals provide external amenity space in the form of an 88 sqm communal roof terrace at 7th floor level, which supplements the small balconies which serve a significant number of the studios on lower floors (these are considered in more detail within later sections of the report). Overall, a good level of facilities for future residents would be provided and would meet the requirements of Policy H16.

24. Each unit would be of a good size and layout, measuring at least 25 sqm, with a number of them being larger in order to cater for wheelchair access (11 in total, adjacent to the lift cores on floors 1-5) and to provide a range of unit types. The units provide sufficient space for a fold up bed, sofa, desk, full depth wardrobe, overhead storage and en-suite bathroom, with a significant number also served by a full width private balcony. The development also proposes that two studios can be converted into a larger 50sqm unit, however this would be controlled through the section 106 agreement so that they could not become self-contained units in their own right.

25. Policy DMP20 of the Local Plan additionally requires an assessment of local need for this type of shared living accommodation. A Demographic and Residential Market Overview report has been submitted to demonstrate this need. The report identifies that within 1km of the site, there is a slightly higher proportion of people aged under 35 (50.5%) compared with LB Brent (48.4%) average and in particular a higher proportion of those aged 25 to 34 than elsewhere in the Borough. There is also expected to be an increase of approximately 21,800 residents under 35 living within Brent by 2041, which is approximately 13.6% higher than it currently stands. At the same time, the local area is dominated by lower than average income households, with 51.7% of households within 1km of the site earning below £35,000 per annum.

26. The report concludes that there is a particular shortage of accommodation within the Queensbury ward catering for younger, single people, and that the more flexible co-living model would represent a better alternative for this part of the population (which is ever growing) than other forms of shared housing, particularly poor quality HMOs. Officers have comprehensively reviewed the report and consider the conclusions to be robust and sufficiently demonstrate there is a genuine need and demand for this type of shared living accommodation in the area, therefore complying with the criteria set out in Policy DMP20.

27. Overall, the proposed development is considered to a high quality scheme that would offer a flexible and low-cost type of accommodation for future residents, contributing towards a mixed community and appropriately located in close proximity to the town centre and sustainable transport modes. Furthermore, the proposed scheme would provide a satisfactory amount of internal and external amenity space and communal facilities for future occupiers, with minimum tenancy lengths and management plan to be secured via Section 106 agreement. Therefore, officers consider that the proposed co-living accommodation would satisfy the requirements of policy H18 of the draft London Plan

Provision of co-working space

28. The proposed co-working space would be located predominantly within the existing building, and is considered to be the best and most viable use of this space, which ensures there is no harmful sub-division

of the main auditorium space or need for major interventions to the building fabric. The co-working element of the scheme would provide a range of flexible workspace and meeting areas for local businesses and individuals in line with the aims of London Plan Policy 4.10 and contributes to the strategic objectives of the Burnt Oak/ Colindale Growth Area and Opportunity Area.

Provision of café at ground floor level

29. The proposed ground floor café would have a GIA of approximately 105 sqm, and would be accessible by the public from the street as well as internally by co-working/co-living tenants. Located within the proposed side extension, importantly it would provide a degree of active frontage and vitality to this part of the Burnt Oak town centre and Growth Area, which is one of the key priorities identified within Policy CP11 of the Core Strategy and the designated site allocation (policy BNSA4).

30. The modest size of the café is considered appropriate in relation to the size, role and function of the wider Burnt Oak town centre and the site's location towards the edge of this town centre. Officers recommend a condition restricting the use of this unit to Class E(a) and E(b) to ensure that this degree of active frontage is maintained for the duration of the development, thereby meeting one of the key strategic objectives of the Growth Area.

Viability and affordable housing

31. As set out in paragraph 13 above, draft London Plan Policy H16 requires such developments to deliver a cash in lieu contribution towards conventional C3 affordable housing off-site. It states that Councils should seek this contribution as either a) an upfront cash in lieu payment to the local authority; or b) in perpetuity annual payment to the local authority.

32. Policy H16 goes on to state that this contribution should:

33. be equivalent to 35 per cent of the units (when not on public sector land or industrial land appropriate for residential uses), to be provided at a discount of 50 per cent of market rent.

- All large-scale purpose-built shared living schemes will be subject to the Viability Tested Route set out in Policy H5 'Threshold approach to applications', however, developments which provide a contribution equal to 35 per cent of the units at a discount of 50 per cent of the market rent will not be subject to a Late Stage Viability Review.

• Essentially, the development is therefore subject to the same viability tests as a conventional Use Class C3 housing scheme in this regard. A Financial Viability Assessment (FVA) has been submitted with the application, and this concludes that the proposed development would generate a deficit of approximately £7.7m below the benchmark profit, and therefore the development could not viably provide any cash in lieu contribution to affordable housing elsewhere in the borough.

34. The FVA has been independently reviewed by BNP Paribas (BNPP) on behalf of the Council. BNPP do not agree with some of the assumptions made within the FVA, including the level of developer's profit and the benchmark land value. However despite these differences, BNPP conclude that the scheme would be in a deficit of 2.37m below the benchmark profit, and therefore it would not be viable to provide any cash in lieu contribution up front towards affordable housing. There are a number of reasons identified for this significant deficit, with a significant one being the high build costs resulting from the new extensions, removing the existing roof and ensuring that the new roof extension is structurally sound to sit above the listed building. There are also a number of substantial improvements to the exterior of the listed building which have an impact on the build costs, which in themselves are expected to be approximately £22.8m. At the same time, it is expected that the proposed co-working and associated activities at lower floors would not generate high rental/ lease values, with the co-living parts of the scheme expected to cross-subsidise these other uses. Options for getting more 'high value' uses at lower levels are restricted because of the layout of the building and the heritage considerations here. a listed building, particularly where heritage benefits would be secured.

35. However as set out above, Policy H16 of the draft London Plan requires a late stage viability review to be secured where schemes do not provide a contribution equal to 35% of the units at a discount of 50% of the market rent. In this instance, the applicant has agreed to both early and late stage reviews to be secured under a section 106 agreement. As well as giving the applicant an incentive to commence the development quickly, this also ensures that a cash in lieu contribution to off-site affordable housing could still be secured, should the scheme deliver a surplus profit when it becomes operational. On this basis, officers consider that

the proposals would comply with this key criteria of Policy H16 of the draft London Plan..

Design

36. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and Public Realm

The layout of the building has been generally led by the significance of the heritage asset, with the need to retain and enhance the main heritage features i.e. the auditorium, foyer and façade of the existing building. Internally, the walls and ceiling of the auditorium are to be restored and preserved with the existing stalls and main stage re-purposed for the proposed co-working space. The contour of the balcony seating at 1st/2nd floor is preserved but the seating replaced with lecture rooms and cinema space at the former and shared amenity space for the co-living units at the latter. The original cinema entrance will be reinstated and will serve as the primary access for both the co-working space and co-living units, and acts as a clearly defined and legible entrance to the development. A new stair and lift core is proposed next to the existing side wall of the building to provide step free access to all floors. There is a link between the existing building and the side extension to the north. The ground floor is activated by the ground floor café to this extension, as well as the restored main entrance.

37. The proposals also includes several public realm improvements along the Burnt Oak Broadway frontage, with the existing paving proposed to be replaced by high quality permeable large format concrete paving and the six existing trees in front of the building will be retained with improved dark grey metal tree grilles. Two additional trees are proposed in front of the café to provide further urban greening and shading opportunities. Smaller scale concrete paving will be provided in the external seating area at the café to visually differentiate from the pavement. New benches are also proposed along the frontage to provide an additional public realm offer. Furthermore, the existing façade will be cleaned and the original door openings will be restored to create additional visual interest in the less active existing frontage.

Height and massing of proposed extensions

38. The proposed height and massing of the two main extensions within the site have been carefully considered to ensure that they appear appropriately subservient to the listed building and therefore do not detract from its special character and/ or setting. The three-storey roof extension would be set back from the principal front façade of the listed building, as well as being set in from the southern edge by between 3.5m and 5.2m, and has been designed to appear as a lightweight addition to the building. The existing pitch of the roof means that the extension would only sit one storey taller than the existing building.

39. The height and massing of the proposed side extension has been significantly revised during the application process. Although it would sit slightly taller with an 8th storey component, the glazed link between the two elements has been further recessed and widened to create a clearer visual separation between them. The side extension has a clear base in the form of the full width glazing to the café at ground floor, while the full height windows and reveals on upper floors, with horizontal banding separating each floor, giving it a simple but elegant appearance which would complement the listed building, rather than competing with it visually.

40. The building would predominantly sit at 7 storeys, rising to 8 storeys only in part to the northern portion of the site. This matches the lower parapet height of the neighbouring residential development at 3 Burnt Oak Broadway, and generally matches the height and scale of buildings elsewhere along this part of the parade. This is considered appropriate given the site's location within a Growth Area, where additional scale and height can be supported (balanced against the heritage considerations on this site). It is also acknowledged that the proposed set-backs to the south-western elevation nonetheless reflect the stepped massing and transition in height to the lower-rise buildings immediately to the south.

Architecture and Materiality

41. The visual design and architecture of the extensions and alterations would be of a very high quality, which is to be expected given the building's Grade II-listed status. The proposed side extension to the

northern edge would now have a simple brick façade to match the existing, with dark grey aluminium curtainwall/ windows and aluminium panels on upper levels. A lighter mid-grey would be used to clad the roof extension to provide clear distinction between the two elements, with darker grey panels and metal balustrades providing variety on each floor and helping to further break up the massing of these extensions. Details of the proposed reinstated canopy and new metal canopy to the proposed café have been provided and would be of a very high quality.

42. Officers confirm that samples of all materials to be used in the development will be reviewed and approved by officers prior to any works commencing, and this would be secured by condition.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

43. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have “special regard” to the desirability of preserving a listed building or its setting, and pay “special attention” to the desirability of preserving or enhancing the character or appearance of a conservation area. As has been outlined at length above, the proposals involve extensions and alterations to a listed building. In addition, while the site is not located within a conservation area, it sits adjacent to the Watling Estate Conservation Area within LB Barnet, which is approximately 60-70m to the east of the site.

44. LB Barnet initially raised objections to the proposals on the grounds that they would have a detrimental impact on the significance of the Grade II listed building because of its height, massing and over-dominance of the heritage asset. Barnet consider this would subsequently cause harm to the setting and views out of the Watling Estate Conservation Area. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.

45. The applicants have submitted a townscape analysis as part of the design and access statement which considers the development in longer views along Burnt Oak Broadway. As has been set out above and in detail within the listed building consent report, the revised scheme is not considered to harm the special character or setting of the listed building itself. The proposed height and massing of the development is considered to be in keeping with similar developments along this part of Burnt Oak Broadway, which would have a comparable impact on the Watling Estate CA. The site is not immediately adjacent to the conservation area, and although views of the proposed development would be possible from parts of it, it is not considered that these views would cause harm to the conservation area (including less than substantial harm).

Impact on neighbouring residential amenity

46. Brent’s DMP1 policy within the emerging and adopted Local Plan and Brent’s SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development’s performance against them are explained below.

Daylight and Sunlight Impact

47. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE ‘Site layout planning for daylight and sunlight - a guide to good practice (2011)’ document. This has been included within the submitted Environmental Statement.

48. Officers are satisfied that the report successfully identifies all neighbouring properties which could be affected by the proposed development, which are summarised as follows:

- 3 Burnt Oak Broadway
- Nos. 2-38 (inclusive) Limesdale Gardens (evens)
- Flats above 1-15 Holmstall Parade

- Kedyngton House
- Clare House
- Curtlington House

The results of the daylight and sunlight testing of these properties is set out below:

3 Burnt Oak Broadway

49. Planning permission was granted for the erection of a new seven-storey mixed use building comprising 76 flats (23 x 1-bed, 38 x 2-bed, 11 x 3-bed and 4 x 4-bed units) on upper floors in April 2011. The development has now been constructed and is beginning to be occupied. A total of 122 windows have been tested within the adjoining development using VSC criteria. A total of 103 of the 122 windows (84%) tested would meet the BRE standards in terms of VSC. Of the remaining 19 windows, the majority of these would be located directly on the southern/ south-eastern boundary of No. 3 and therefore are directly facing the proposed northern side extension, where impacts would be significantly greater. However a number of these windows are also affected by the fact that they are served by recessed balconies, which has an impact on existing daylight levels reaching these.

49. BRE guidance allows for further testing to effectively remove these balconies and assess the effect these balconies have on daylight levels, rather than just the proposed development itself. The results of these tests indicate that removing the balconies does have an impact on VSC levels, and although the development itself would result in daylight reductions of more than 20%, the level of losses would be significantly reduced. The table below demonstrates this in more detail:

Scenarios	VSC	3 Burnt Oak - rear windows in SW corner				
		1st floor	2nd floor	3rd floor	4th floor	5th floor
With balconies	before	12.22	12.92	12.51	12.58	15.47
	after	8.14	8.35	7.92	7.78	12.51
	reduction	33.39%	35.37%	36.69%	38.16%	19.13%
No balconies	before	29.13	29.4	29.9	30.5	33.13
	after	21.63	22.46	23.01	24.7	30.35
	reduction	25.75%	23.61%	23.04%	19.02%	8.39%

Table 4.1: VSC results for scenario with and without balconies – rear windows at 3 Burnt Oak Broadway

50. The table demonstrates that, when discounting the impact of the recessed balconies and assessing solely the impact of the proposed extensions, the reduction in VSC is significantly lessened, falling closer to the maximum recommended 20%. This indicates that the low daylight figures achieved for these windows are in great part due to the size of the existing balconies overshadowing the assessed windows. The true perception of the loss of daylight would therefore be much less noticeable than the figures would indicate.

51. The wider context of the site and its surroundings must also be taken into consideration. While there is a significant set away of the existing building from No. 3, the fact that the application site has a site allocation which proposes residential intensification, as well as being located in a Growth Area where higher densities are encouraged, means that some new footprint and massing was to be expected to the northern boundary of the site. This would inevitably have some impact on the adjoining site, and it is considered overall that this would be minimised, with a relatively high degree of compliance with VSC levels to No. 3 overall. On balance, the proposed development would therefore be acceptable.

52. As No. 3 Burnt Oak Broadway is a recently constructed scheme and exact floor/ room layouts are known, daylight analysis has also been carried out using an assessment of Average Daylight Factor (ADF), in line with BRE guidance. This has been tested to the flats on the south/ south-eastern boundary of No. 3, i.e. closest to the application site. The results indicate that there would be between 13 and 35% reduction in ADF levels to the respective flats, with greater reductions experienced at first and second floor levels. However it is noted that the layout of these flats means that the rooms served by the windows most directly affected by the proposals (i.e. those directly facing onto the proposed side extension) would be larger living/kitchen/diner

spaces, which obtain their main source of light and outlook from south-west facing full-height windows, rather than these secondary openings. The units on this corner would also all be triple aspect, meaning they still benefit from at least one unobstructed source of light and outlook. On balance, given the urban context and the site circumstances, the shortfalls in ADF levels would be acceptable.

53. In terms of sunlight testing, the same overall high degree of compliance with BRE criteria would be achieved across the development. However there would be higher levels of sunlight impact closest to the south-west boundary of No. 3 Burnt Oak Broadway, particularly in terms of APSH losses. The loss of sunlight to these windows will be in the region of 30-45%, which exceeds the recommended value of 20% below the existing scenario.

54. In justifying these losses, the report sets out that BRE Guidance does state that, where balconies are present in the existing buildings, alternative modelling should be carried for both, existing and proposed, scenarios without the balconies in place. If the results achieved for the situation without balconies pass the recommended values or the loss of sunlight is below 20% then it can be concluded that the presence of the balconies, rather than the size of the new obstruction, is the main factor in the relative loss of sunlight.

55. As with the VSC testing, further analysis has been carried out on a 'without balconies' scenario to assess what impact this has on APSH results. The results are summarised in the table below:

Scenarios	APSH		3 Burnt Oak - rear windows in SW corner				
			1st floor	2nd floor	3rd floor	4th floor	5th floor
With balconies	Before	Annual	23.85	26.18	27.73	28.36	31.58
		Winter	18.58	20.62	22.74	23.36	24.29
	After	Annual	14.02	14.63	13.94	14.63	21.80
		Winter	10.94	11.27	10.85	10.85	14.53
	Reduction	Annual	41.22%	44.12%	49.73%	48.41%	30.97%
		Winter	N/A as winter figures pass, i.e. >5%				
No balconies	Before	Annual	50.17	51.86	54.94	55.56	56.26
		Winter	23.65	25.34	28.41	29.04	29.04
	After	Annual	30.26	31.33	33.97	38.49	46.21
		Winter	13.36	13.46	13.46	13.88	19.05
	Reduction	Annual	N/A as summer figures pass, i.e. >25%				
		Winter	N/A as winter figures pass, i.e. >5%				

Table 6.1: APSH results for scenario with and without balconies – rear windows at 3 Burnt Oak Broadway

56. The results demonstrate that, when the balconies are removed to No. 3, the APSH figures pass the BRE check meeting the recommended values of 25% of sunlight hours throughout the year and 5% of sunlight hours during the winter. This indicates that the height and massing of the proposed development are not as significant an issue as the results suggest, with the main impact coming from the presence of existing balconies overhanging the assessed windows. Given this context, and the relatively high degree of compliance with BRE criteria overall, officers consider the reductions in sunlight levels to isolated units within No. 3 Burnt Oak Broadway are acceptable.

2-38 Limesdale Gardens

57. Nos. 2-38 Limesdale Gardens are two-storey semi-detached dwellings to the immediate south/south-west of the application site.

58. A total of 80 rear facing windows were assessed within these 20 properties, and it has been confirmed that 78 of these 80 windows (97%) would meet the BRE guidelines for the Vertical Sky Component, i.e. retaining a Vertical Sky Component (VSC) factor of at least 27% or seeing a reduction from the existing scenario Vertical Sky Component of no more than 20%. A No Sky Line assessment (NSL) has

not been carried out as precise room layouts for these flats are not available.

59. The two windows which would see a greater reduction than VSC guidelines account for are situated to the rear extension of No. 22-26 Limesdale Gardens. However these windows would still retain a VSC of 0.78, which is only marginally below the 0.8 value and is therefore considered acceptable on balance. With regard to sunlight impact, all 15 of the rooms tested meet the criteria for both winter probable sunlight hours (WPSH) and annual probable sunlight hours (APSH).

60. With regard to sunlight, rear facing windows of these properties would not face within 90 degrees of due south due to their orientation and therefore would not be affected by the proposed development, and do not require to be tested in accordance with BRE guidelines.

Flats above 1-15 Holmstall Parade

61. This parade is located to the immediate south-east of the site and is occupied by commercial units at ground floor, with two-storey maisonettes above. A total of 43 adjoining windows have been assessed, and the report outlines that all windows would meet the BRE guidelines in terms of VSC with the proposed development in situ. A No Sky Line assessment (NSL) has not been carried out as precise room layouts for these flats are not available.

62. With regard to sunlight impact, 33 rooms were assessed. None of the rooms would experience WPSH or APSH losses of more than 20% of existing, and therefore the proposed development would comply with BRE criteria in this regard.

Kedyngton House

63. Kedyngton House is a three-storey flatted block to the immediate east/ north-east of the site, on the opposite side of Burnt Oak Broadway (within LB Barnet boundary).

64. A total of 36 windows were assessed in terms of impact on VSC, with all windows meeting BRE criteria and retaining a VSC of more than 27%. A No Sky Line assessment (NSL) has not been carried out as precise room layouts for these flats are not available.

65. With regard to sunlight, 36 rooms were assessed. None of the rooms were found to experience WPSH or APSH losses of more than 20% of existing levels, and therefore again the BRE criteria would be met in this regard.

Clare House

66. Clare House is another three-storey flatted block to the immediate east/ north-east of the site, on the opposite side of Burnt Oak Broadway (within LB Barnet boundary), adjacent to Kedyngton House

67. A total of 36 windows were assessed within this block in terms of VSC impact, with all windows meeting BRE criteria and all but one of these retaining a VSC of more than 27%. A No Sky Line assessment (NSL) has not been carried out as precise room layouts for these flats are not available.

68. In terms of sunlight testing, 36 rooms were tested, with all of these retaining WPSH and APSH levels which comply with BRE criteria.

Curtlington House

69. Curtlington House is another three-storey flatted block to the immediate east/ north-east of the site, on the opposite of Burnt Oak Broadway (within LB Barnet boundary), to the immediate north of Clare House. A total of 37 windows were assessed within this block in terms of VSC impact, with all windows retaining sufficient VSC levels to meet BRE criteria, and all but three of these windows retaining a VSC of more than 27%. A No Sky Line assessment (NSL) has not been carried out as precise room layouts for these flats are not available.

70. In terms of sunlight testing, 36 rooms were tested, with all of these retaining WPSH and APSH levels which comply with BRE criteria.

Overshadowing to outdoor amenity spaces

71. The applicants have also considered the impact to nearby outdoor amenity spaces. The relevant

amenity spaces which are closest and which would warrant overshadowing testing are the rear communal area and terraces to the north/ north-west at 3 Burnt Oak Broadway, the rear balconies to the south of the site serving the upper floor flats on Holmstall Parade, and the rear gardens of properties to the east/ south-east at Limesdale Gardens.

72. The BRE overshadowing assessment is passed where at least 50% of the garden area would retain exposure to at least 2 hours of direct sunlight on 21st March. While some additional overshadowing would occur to the rear gardens of properties on Limesdale Gardens, this would be minimal and gardens would still retain at least 2 hours of direct sunlight, complying with the BRE guidance.

Summary

73. Overall, officers consider the impacts to adjoining properties are acceptable when seen in the context of the scheme's wider benefits, and the overall high degree of compliance with the relevant BRE criteria. 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 town centre locations.

74. 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)"*.

75. The growth area location and site allocation, which expects residential intensification on this site and surrounding sites are given significant weight. Impacts are generally limited to the consented scheme at No. 3 Burnt Oak Broadway, and then only isolated units directly on the boundary with the application site. The existing situation establishes a more generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver more height and massing on the site.

Privacy

76. In order to retain acceptable privacy levels to properties, SPD1 states that all primary habitable room windows within a property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites. All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties. These standards are in the interests of protecting the privacy of neighbouring occupiers.

77. The proposals would introduce new windows and balconies within the proposed extensions, with the predominant concern being those new openings to the rear elevation which would offer views towards the rear windows and gardens of properties on Limesdale Gardens. However a minimum of 9.5m would be maintained between the rear façade and the adjoining gardens of these properties, a number of which have rear garages and outbuildings which soften any impact further. The separation distance would increase to a minimum of 25m to the nearest rear facing windows of these properties (this would generally increase to 30m for most of the rear windows). Therefore although a number of new windows and balconies are being introduced to this elevation, their impact is mitigated sufficiently by the generous separation distances.

78. It is acknowledged that a closer relationship would exist between the proposed development and No. 3 Burnt Oak Broadway, however there are no windows or balconies directly facing onto the northern boundary which ensures there would be no material loss of privacy or direct overlooking to this newly built scheme. Similarly no windows or balconies are proposed to be installed to the south/ south-east elevations which would result in any overlooking concerns to the upper floor occupiers within 1-15 Holmstall Parade. It is not considered there would be any other adjoining properties materially affected by the proposed development in terms of overlooking.

Sense of enclosure

79. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property private amenity space. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest rear habitable room

windows within neighbouring properties that face towards the proposed buildings.

80. To the immediate west/south-west of the site are properties on the east side of Limesdale Gardens. There would be some breach of the 30-degree line as a result of the proposed height and massing introduced to the building, and in particular the top two storeys. However this additional bulk is unlikely to appear overbearing or oppressive because of the 25-30 metres maintained between the rear elevation of these properties and the rear building line of the application site, particularly when considered in context of surrounding development and the height and prominence of the existing roof. Similarly, there would be some breach of the 45-degree line from the proposed extensions to the adjoining gardens along Limesdale Gardens. Some of the properties on Limesdale Gardens have garages and other outbuildings which would mitigate some of this impact, and on balance it is not considered that the additional extensions would appear overly oppressive or overbearing, particularly given the roof extension would have a more lightweight appearance than the existing roof structure.

Noise and disturbance

81. There would be some additional noise and activity generated by the proposed co-living use, however it is reasonable to expect this not to be materially worse to surrounding properties than levels of activity associated with the previous bingo hall use and which could be lawfully carried out under any new lawful D2 use on the site. The proposed balconies maintain a sufficient distance from the adjoining rear gardens and windows of properties on Limesdale Gardens, and the main communal terrace has been sited towards the Burnt Oak Broadway frontage to mitigate any additional noise and disturbance concerns to adjoining occupiers to the west/ south-west.

Summary

82. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Although there is a significant amount of new height and massing introduced by the proposed extensions, reasonable separation distances are maintained between the development and the low-rise suburban dwellings to the immediate south/ south-west. It is also noted that the height and massing is comparable to newly constructed and consented developments to the immediate north on Burnt Oak Broadway, which has been considered appropriate within this Growth Area. Officers therefore consider the proposals acceptable in this regard.

Standard of proposed co-living accommodation

83. With regard to standards of accommodation for co-living schemes such as that proposed, there is limited guidance provided in draft policy H16 of the London Plan, except that a good layout and design should be provided, with adequate communal facilities including external amenity space. This is reinforced within the supporting text for draft policy BH7 of Brent's Local Plan 2020. It is considered that some weight can also be given to relevant adopted policies within the London Plan and Brent's Local Plan, including Policy DMP1 and policy D6 of the draft London Plan. These policies require developments to achieve high quality standards of internal amenity and quality of accommodation, regardless of the type of accommodation being provided.

84. As set out in paragraphs 19 and 20 above, officers consider that the scheme is of a good overall layout and provides adequate internal and external communal facilities. However in the absence of any precise standards, it is useful to compare the proposed scheme with similar co-living developments which have been approved in neighbouring London boroughs, looking at key factors such as studio floorspace sizes, levels of daylight and outlook, and amounts of amenity space provided for the flats (both internal and external). A summary is provided in the table below:

	Proposed scheme	LB Ealing – Western Avenue, Acton (ref. 19/0312/FUL)	LB Harrow – 55-59 Palmerston Road (ref. P/2555/18)	LB Hounslow – Land to Rear of 21 High Street, Feltham (allowed at appeal – ref. P/2018/2426)
No of rooms	125	335	222	204
Room Sizes (Smallest)	17 sqm	16sqm	14sqm	20/22/24 sqm
Room Sizes (Largest)	29 sqm	34.9sqm	24sqm	30sqm

Room size average	25 sqm	16sqm	16sqm (67% of flats in total)	24 sqm
Accessible Units	11 (8.3%)	17 (5%)	23 (10%)	21 (10%)
Dual Aspect	0	1 Unit (0.3%)	0	0
Internal daylight	93% of studio rooms achieve ADF targets (in most cases 2.7-3% ADF achieved)	72% achieve ADF targets	No figures could be obtained from committee report/ information available on LB Harrow website	
Internal Communal facilities	942 sqm (average 7.5 sqm per unit)	2557sqm (average 7.6 sqm per unit)	No precise floorspace figures available	1495 sqm (internal) (average 7.3 sqm per unit)
Private Amenity	96% of units (120 of 125) would have a balcony of 3 or 4 sqm	0	some units have 5sqm balcony	0
Shared amenity	88 sqm roof terrace	961sqm GF and 1117sqm Roof terraces	Terrace at fifth and eighth floor level	436 sqm

85. The table demonstrates that the proposed scheme generally compares favourably with other approved developments. The vast majority of the units would have a minimum of 25 sqm, which exceeds the average unit size within all three other developments, and 11 of the 125 rooms (8.3%) would be wheelchair accessible and made up of larger 26-29 sqm units. These would all be located next to the main lift cores on the 1st -5th floors, and all communal facilities would be step-free, ensuring that the key parts of the co-living space would be fully accessible. Significantly, the development is also the only one of these four to provide some form of private balcony/ terrace to the significant majority of the co-living units, and this access to outside space is considered a significant benefit to future occupiers, supplemented by the communal terrace. Although these balconies would be limited to 3-4 sqm, they would offer a private place for occupiers to stand/ sit out in, and offers some additional variety to what is still a relatively constrained living space.

86. Officers acknowledge that in some areas, for example the lack of any dual aspect units and levels of daylight (if balconies are not excluded), the proposed scheme falls short when compared to traditional residential developments. However this must be seen in context with the constraints of the listed building and the minimal interventions which can be undertaken to improve daylight and outlook to spaces within the existing build. All of the co-living studios are served by a window which offers sufficient levels of daylight and outlook for each occupier, as well as 96% having a private balcony. The development has also been revised to improve on certain elements, including the provision of a communal roof terrace and larger internal communal areas at all levels. Overall, the scheme is considered to provide a good standard of accommodation, and complies with relevant London and Local Plan policies in this regard.

Transport and highways

Site context

87. The application site is located along Burnt Oak Broadway, a London Distributor Road. To the rear is a service road, with the land to the south of the site being adopted. As a result of recent approved schemes at 3 and 5 Burnt Oak Broadway, the land to the north is either adopted or in the process of being adopted. As such, the service road in the demise of this site is the only stretch left to go through the process of adoption.

88. Burnt Oak Broadway has extensive parking restrictions including an inset bay outside the premises which has parking and loading restrictions between 7am - 10am and between 4pm - 7pm the same hours of the operation of the bus lane. The residential side streets generally have unrestricted parking apart from at their junctions with other roads.

Car parking

89. Due to the good PTAL, the maximum car parking allowance for the proposed 125 studio flats in accordance with the existing adopted Brent DMP would be 95 spaces, whilst the maximum car parking allowance in accordance with the adopted London Plan would be 63 spaces (neither the Brent DMP nor the 2016 London Plan provides standards for co-living schemes). However, the draft London Plan policy T6.1 states that large scale purpose-built shared living schemes should be car-free.

90. No off-street car parking spaces are proposed aside from disabled spaces. The applicants have submitted a Transport Assessment with the application. This indicates that based upon Census data, the development would result in a demand for approximately 63 cars, similar to the maximum allowance in the emerging London Plan. Car parking beat surveys confirm that the surrounding streets are heavily parked, so there is no scope to safely accommodate this level of parking on-street.

91. The site is within a Growth Area where it is intended that a CPZ will be implemented within the vicinity, and to mitigate the potential impact of the scheme, eligibility for permits for residents of this development would be withdrawn. To help to facilitate this, a financial contribution of £63,000 is sought towards the implementation of a CPZ, and right of future residents of this development to on-street parking permits should the CPZ be implemented would be secured via the section 106 agreement.

92. Notwithstanding this, disabled parking spaces are minimum requirements. In this case, the requirement would be 4 disabled parking spaces based upon the emerging London Plan standards. The applicant has proposed 5 bays to be located on the rear service road.

93. The council's highways officers raised concerns regarding the layout of the proposed disabled spaces, with sufficient width of 2 metres only achievable if cars are parked parallel to a footway. At least 2 of them do not adjoining a footway, whilst the space that is furthest south has no direct footway access to the residential entrance at the northern end of the building. However, these concerns can be overcome by removing one of the spaces and accommodating these spaces to the northern end of the building. Officers therefore consider a condition is attached requiring revised drawings to be submitted showing an amended layout for 4 Blue Badge spaces before any part of the development is occupied. A condition is attached ensuring that at least one of these has an active electric charging point, with the remaining three to be secured as passive charging points.

94. The rear service road itself is adopted highway between Holmstall Avenue and the site boundary and is currently under an agreement for adoption for the stretch to the north of the site. The applicant has confirmed they are willing to enter into a Section 38 Agreement to bring the stretch of road within their ownership up to an adoptable standard and offer it for adoption. This is welcomed and will complete the adoption of its entire length from Holmstall Avenue to Limesdale Gardens.

Cycle parking

95. The minimum cycle parking requirements for the co-living units would be 125 spaces. The proposals include the provision of 72 cycle spaces by way of two-tier stands and 57 folding bike lockers. Officers have raised concerns regarding the proposed use of folding bike lockers, as they cater for only one type of bicycle that is generally more expensive than a typical cycle, whilst standard Sheffield stands and two-tier stands can accommodate both folding and non-folding cycles.

96. However given the constraints of the site, and in particularly its status as a listed building, some flexibility to the type of cycle storage offered is considered acceptable. Two-tier stands would still be the predominant means of storage, with a further eight cycle stands to the front of the building provided for visitors and those using the co-working and other spaces. Weight is also given to the fact that it is difficult for the building to accommodate additional cycle storage space, given the need to provide a range of other communal facilities connected to the co-living use, as well as the workspace at lower levels.

97. Nevertheless, a condition is attached to ensure that the layout of the two-tier stands is amended to meet the LCDS minimum aisle width requirements, as these are currently shown as 200 cm rather than the required 250 cm.

98. The proposed 8 cycle stands to the front of the building, of which 5 would be within the public highway, are also acceptable. These will need to be installed as part of works to resurface the footway fronting the site as

part of a section 278 agreement.

Refuse and servicing

99. The proposals would require a refuse capacity of 120 litres for each studio (60l for general waste and 60l for recyclable waste), which results in the need for a capacity requirement of approximately 15,000 litres, plus 2920 litres for organic waste. This would provide the required capacity for general waste and recycling, but three of the wheeled bins should be substituted by two Eurobins to provide sufficient organic waste storage. A Waste Management Plan is attached as a condition to ensure that the development adheres to these requirements. All bins are to be located at the rear yard, within 10m of where a refuse vehicle would be parked for loading along the rear service road.

100. Servicing of the residential units, café and co-working units is proposed to be provided by the creation of a loading bay within the inset parking bays fronting the site. It should be noted that there are waiting and loading restrictions in this loading bay during the times that the bus lane is in operation. Officers therefore recommend a condition requiring the submission of a Delivery and Servicing Management Plan for approval, which prevents vehicles from servicing the site during these hours, unless they use the rear service road instead.

Trip generation and Travel Plans

101. The Transport Assessment includes an Active Travel Zone Analysis, with a study of road accidents in the local area. This identifies a number of remedial actions which would have a positive impact in the immediate vicinity of the site. These should form a focus for the use of CIL funds. CIL funds should also be focussed on supporting proposed improvements along the A5 corridor, with Brent having been seeking funding for such improvements.

102. The council's highways officers have raised some concerns with the proposed transport assessment. Although being promoted as a pedestrian improvement scheme, the scheme currently prioritises traffic flow over pedestrian safety, with only one of the three arms of the junction having any formal pedestrian crossing phase and cyclist provision comprising only advanced stop lines. This means that there is no designated cycle lane to enable cyclists to overtake stationary traffic on the approach to the junction. It is nevertheless likely that the informal crossing will become a formal signalised crossing, which could provide scope to introduce a right- turn filter light for cyclists. Officers therefore consider the impacts of the development would be mitigated by future works once undertaken.

103. In terms of trip generation, estimates of total future trips by all modes of transport have been based upon surveys of five other residential developments and three office developments in London, albeit more centrally located sites than this one.

104. These total trips have then been assigned to various modes of transport based on data held in the 2011 Census. The results have then been adjusted to reflect the limited off-street car parking with car driver trips being allocated to other modes of transport. However, whether this actually happens depends on whether a CPZ has been introduced in the area to prevent residents and employees simply parking on-street in the area instead, which highlights the importance of the CPZ contribution and parking permit restriction agreement in making sure the development has an acceptable transport impact.

105. The final development is estimated to generate 82 arrivals/67 departures in the morning peak hour (8-9am) and 33 arrivals/76 departures in the pm peak hour by all modes of transport. Of these just 5-6 journeys in each peak hour are estimated to be made by car, which is not significant enough to have a noticeable impact on the local road network capacity.

106. Public transport journeys are estimated to total 35 trips in the morning peak hour and 27 trips in the afternoon peak hour by bus, with 78 and 47 trips estimated by rail/tube in each peak hour respectively. This equates to an average of less than one additional passenger per bus passing close to the site and approximately 2-3 extra passengers per train passing through nearby Burnt Oak Underground station. These additional flows are not considered likely to have any noticeable impact on local public transport service capacity.

107. The applicants have submitted a draft Travel Plan, however officers have recommended that this needs to be more robust in terms of measures to ensure that these actively encourage sustainable modes rather than just provide information on them, for example by providing a dedicated Travel Plan co-ordinator for the

development. A detailed Travel Plan is required to be submitted and approved as part of a section 106 agreement to pick up on these points, as well as the need for the applicant to sign up to local Car Club Membership, with 2-3 years free membership offered to occupiers. Highways officers confirm that the nearest club is 500-600m away within LB Barnet boundary, but would be appropriate in order to further mitigate parking impacts arising from the development.

108. Finally, it appears that revolving doors are proposed on the northern part of Burnt Oak Broadway and that these would protrude onto the public highway, which would be contrary to the 1980 Highways Act. A condition is attached to ensure that no doors open outward onto the highway.

Environmental Health Considerations

Air quality

109. An air quality assessment (including an air quality neutral assessment) considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, and impact of heating plant emissions. This has been reviewed by Brent's regulatory services team.

110. The assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. Officers are satisfied that the development would have a negligible impact on air quality without any mitigation measures being required.

Construction noise and nuisance

111. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

112. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would be required to cover highways issues as well, and has been attached.

113. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan (both adopted and emerging documents).

Contaminated land

114. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The site to be redeveloped and the surrounding area has been identified as previously contaminated. This assessment does indicate remediation works are required in relation to soils and also gas protection measures. The report also advises that further investigative works should be undertaken when the site is vacated. Officers are satisfied that the proposals are acceptable, subject to conditions requiring further site investigation works following demolition of the existing building, and any remediation works arising from this to be completed before first occupation or use.

Kitchen odour associated with café use

115. The council's Regulatory Services team have recommended a condition requiring details of the extract duct and associated equipment associated with any commercial kitchen associated with the proposed café use at ground floor. Officers have attached this condition as part of the draft planning permission.

Sustainability and energy

Policy background

116. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and

construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day. Major commercial floorspace is required to achieve a BREEAM 'Excellent' rating and this also needs to be clearly evidenced. Policy DMP9B of Brent's Local Plan also requires sustainable drainage measures to be adequately implemented.

117. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy 5.2. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

118. In terms of non-domestic floorspace, the policy target is a 35% on-site reduction, and this must be separately evidenced within a submitted Energy Assessment. However, significant weight is also placed on the Intend to Publish London Plan policy SI2, which applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.

Carbon emissions

119. The energy assessment submitted sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from passive energy saving measures including low fabric U-values, the use of mechanical ventilation with heat recovery (MVHR), as well as the installation of air source heat pumps and PV panels at roof level.

120. The assessment demonstrates that the scheme would deliver a 58.6% reduction in carbon emissions below the 2019 Building Regulations baseline, which is broken down into the following site-wide elements below:

Carbon Dioxide Emissions	BER [kg CO ₂ /m ² /year]	Total emissions [kg CO ₂ /year]
Existing scenario	33.1	280,104
Proposed scenario (ASHP & PV)	13.7	115,929
Improvement	19.4	164,175
% Improvement	58.61%	

121. The assessment demonstrates that a significant amount of this carbon reduction would be achieved on site through 'be lean' measures including low U values within the internal glazing to minimise heat gains, efficient heating systems, inclusion of heat recovery, efficient ventilation systems, energy efficient lighting and energy efficient and saving equipment. The use of renewable technologies would also be incorporated into the scheme, including air source heat pumps and PV panels at roof level.

122. It is acknowledged that there are constraints associated with the listed building, for example not all of the co-working spaces at lower levels, and not all of the shared communal facilities serving the co-living spaces on upper floors, are served by windows and therefore cannot rely solely on natural ventilation. However officers consider that within the new build elements of the scheme, energy saving measures have been maximised and would utilise the renewable energy methods installed at roof level. Officers also note that the roof of the new side extension is partly utilised as communal terrace, as well as other sections of ancillary plant. The need to provide this communal amenity space, as well as the heat pumps, has limited the scope to provide more PV panels.

123. The energy assessment also sets out that a feasibility study into the use of CHP and connection to a district heating network has been carried out. No known networks in the area are known, however the assessment points out that for CHP to be viable, it would need to run continuously and requires a permanent heat demand and therefore the development would not fully utilise the energy generated by a CHP engine. Given the development largely relates to the conversion of an existing building which has heritage constraints, officers consider the lack of any future connection point as acceptable.

124. Nevertheless, the scheme achieves the baseline 35% reduction in carbon emissions for the conversion and new build elements. A carbon offsetting contribution of £81,990 has been calculated to

account for the shortfall below the zero carbon target (on the new build element of the scheme), in line with London Plan guidance. This would be secured via the section 106 agreement.

125. Given the non-residential elements of the scheme, a BREEAM Pre-Assessment has also been submitted and this demonstrates that the scheme would achieve a 'Very Good' rating of 66.5%. This is below the Excellent rating required by London Plan policies. The council's sustainability officers have been consulted during both the pre-application and application stage. It is acknowledged that the constraints imposed by the listed nature of the building mean it is difficult to 'retrofit' certain design elements which would help achieve a better overall score. For example:

- *Daylight and aspect* – potentially 3 credits could be gained, but this requires relevant rooms to achieve a good level of daylight. Certain relevant rooms (eg communal areas where close work will be carried out, kitchen areas etc) will fail, and daylight and aspect cannot be added due to the impacts on the listed building.
- *NOx emissions* – the heating strategy will be all electric. BREEAM 2014 assigns a grid carbon factor that will achieve zero credits.

126. The council's sustainability officers have therefore recommended a condition has been recommended requiring a final stage-BREEAM assessment to be submitted, before occupation of any part of the building, to ensure that all measures have reasonably been carried out to achieve an 'excellent' rating. In the event this cannot be achieved, a full justification would need to be provided to demonstrate why the shortfall would be acceptable in this instance. On this basis, the initial findings of the BREEAM assessment are considered acceptable.

Sustainable design

127. The submitted Sustainability Statement outlined a number of sustainable design measures which would be incorporated into the scheme. These include measures to source construction materials sustainably and locally, including using recyclable materials and insulation materials within low GWP, and minimising on-site waste. The development would also incorporate the use of permeable paving and green roofs, which helps to ensure that 6 of the 8 available credits on water measures would be secured within the BREEAM pre-assessment. This is in accordance with Policy SI.5 of the Intend to Publish London Plan and is strongly supported.

Flooding and Drainage

128. The site is located within Flood Zone 1 and the proposals do not involve any major excavation, however a Flood Risk Assessment (FRA) and Drainage Strategy have been submitted with the application.

129. The proposed development would utilise the existing drainage network present to the existing building, which discharges to the existing Thames Water network. The proposal would provide attenuation totalling approximately 1290 sqm, largely in the form of an attenuation tank and tanked permeable paving, but supplemented by the use of green roofs. This would be an acceptable level of attenuation to meet Thames Water network capacity.

130. Additionally, a number of mitigation measures have been set out within the FRA in order to minimise flood risks, including the use of SuDS and de-watering during the construction phases. Officers recommend a condition to ensure these mitigation measures are properly implemented both during the construction process and when the development is operational.

131. Thames Water have reviewed the proposal and do not raise any concerns from a construction perspective or an operational perspective in relation to surface water and foul water capacity. However they have requested an informative is attached to any permission requiring that construction works are carried out in accordance with Thames Water practices given the proximity to underground waste water assets.

Ecology and Biodiversity

132. The site is not located within any Site in Nature Conservation (SINC) and is considered of low to negligible ecological value overall. However, the applicants have submitted a Preliminary Ecological Appraisal (PEA), which indicated that the building was found to have moderate suitability for roosting bats. On this basis, further bat emergence/re-entry surveys were conducted in July 2020, and a follow-up bat roost survey

(dated August 2020) was submitted with the application.

133. The surveys concluded that a common pipistrelle day roost was detected within the existing roof structure of the building. Given the proposals involve the removal of the roof structure to enable extensions above, the report states that it is unlikely to be feasible to retain the roost in-situ, and therefore a mitigation licence from Natural England would be required to remove it prior to any construction/ demolition works. As part of the licence conditions, the report states that a bat box would need to be provided as close as possible to the original roost location. The following measures are also stated as being necessary by the report:

- As an interim measure, a bat box will be installed in an area unaffected by the proposed works; this bat box will remain in place thereafter as an enhancement for the development.
- A total of four bat boxes will be installed, with one on each aspect of the building to enhance the site for roosting bats and ensure the building continues to provide a variety of roosting opportunities.

134. Officers recommend a condition is attached requiring all of these mitigation measures to be carried out and implemented where necessary before any part of the development can be occupied. An informative will also be attached reminding the applicants of the need to obtain a licence from Natural England before any construction works commence, and that without this licence, any works which could disturb, kill or injure bats are considered criminal offences under the Conservation of Habitats and Species Regulations (2017).

135. The PEA also addresses the likelihood of other roosting or foraging animals including badgers, great crested newts, reptiles, birds, invertebrates, dormice and other notable mammals, as well as flora. Generally, the development is deemed unlikely to adversely affect these species, however there is some evidence that the site would support nesting birds. The appraisal recommends mitigation measures in the form of sensitive clearance works (outside of the bird breeding season where possible, March to August inclusive), and the provision of artificial bird boxes integrated within or mounted on the proposed building. These measures are recommended to be implemented as a condition of any permission.

Trees and Landscaping

136. The applicant has submitted an arboricultural assessment which identifies 9 trees either within or adjacent to the site, 7 of which front Burnt Oak Broadway and the remaining two to the rear of the building. These trees are all considered to have either a Category B or C value, with none having any specific TPO or classified as of an 'A' value.

137. The report sets out that none of the trees (or their root protection areas) potentially affected would be removed as a result of the proposals, which largely involve extensions and alterations to the existing building. The report sets out a number of protective measures and a tree protection plan, which amount to the use of tree protective fencing during construction works. Subject to a condition ensuring these measures are satisfactorily implemented during works, the proposals are considered acceptable.

138. In terms of new tree planting, given the nature of the works and the largely developed site, there is limited scope for new trees to be planted. However, a scheme of soft landscaping would be required as part of the new communal roof terrace, and areas of green roof are to be installed. A condition will require that final detailed landscaping drawings are submitted, approved and implemented prior to the occupation of the development, and on this basis is considered acceptable.

Fire Safety

139. Fire Safety is formally considered at Building Regulations stage. However the proposals demonstrate that sufficient consideration to fire safety measures has been given, with the applicants' design and access statement setting out the following measures:

- All external doors and windows which are accessible directly from outside or accessible by climbing, jumping, etc. will be fire rated and PAS 24 Standard security, and emergency exits are adequately provided at ground floor level
- Fire fighters access will be aided by Gerda fire safety boxes installed on the ground floor near the entrance to disable the door locks to the lifts and stair doors, and there is sufficient access for emergency vehicles both to the front and rear of the building.

- Ground floor cafe to be provided with direct access to outside

140. London Fire Brigade have been consulted on the application and advised that they raise no objections to the application. However officers consider a detailed fire strategy should be submitted for approval before first occupation of any part of the development, and a condition is attached to this effect. On this basis, the proposals would comply with Policy D12 of the draft London Plan.

Equalities

141. 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.

142. 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

143. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.

144. The principle of the proposed co-living use is considered acceptable, given the site's location within the Burnt Oak/ Colindale Growth Area as identified by both adopted and emerging Local Plans, and in an area well served by public transport. The scheme would provide a good quality level of accommodation, and it has been demonstrated adequately that there would be a local need for this type of shared living, therefore meeting the requirements of policy H16 of the London Plan, subject to section 106 agreement.

145. The scheme also offers significant public and heritage benefits by bringing a vacant and run-down listed building back into viable use. The proposed extensions and external alterations would add height and massing to the listed building, they have been designed to minimise the potential harm to its special character or setting. As set out in the report for the listed building application, some aspects of the proposal are considered to result in less than substantial harm to the listed building, including the works to the balcony and the removal of the roof and replacement with a three storey extension. It is acknowledged that some element of cultural and community use would be lost. The less than substantial harm is considered to be outweighed by the benefits outlined above.

146. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions and a Section 106 obligation.

CIL DETAILS

This application is liable to pay **£614,150.25** * 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): 0 sq. m.

Total amount of floorspace on completion (G): 8468 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) Assembly and leisure		3421	-3421	£40.00	£0.00	-£204,038.21	£0.00
(Brent) Sui generis	8468		8468	£40.00	£0.00	£505,055.71	£0.00
(Mayoral)		3421	-3421	£0.00	£60.00	£0.00	-£212,250.28

Assembly and leisure							
(Mayoral) Sui generis	8468		8468	£0.00	£60.00	£0.00	£525,383.03

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£301,017.50	£313,132.75

*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: 20/1163

To: Mr Turner
Sphere 25
101-135 Kings Road
Brentwood
Essex
CM14 4DR

I refer to your application dated **09/04/2020** proposing the following:

Partial demolition, restoration and extension of former bingo hall (Use Class D2) to create a part-7, part-8 storey building to provide co-working space and purpose-built shared living units (Use Class Sui Generis), café (Use Class A3) with ancillary facilities and associated shared amenity space, landscaping, cycle and disabled parking.

and accompanied by plans or documents listed here:
See condition 2

at **1 Burnt Oak Broadway, Edgware, HA8 5LD**

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: 02/03/2021

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:-

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- The Intend to Publish London Plan (2020)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

- 1 The development to which this permission relates must be begun not later than the expiration of five 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):

PL-050 R1; PL-051 R1; PL-052 R1; PL-053 R1; PL-090 R2; PL-091 R2; PL-099; PL-100 R2; PL-101 R3; PL-102 R3; PL-103 R3; PL-104 R3; PL-105 R3; PL-106 R3; PL-110 R2; PL-200 R1; PL-201 R1; PL-202 R1; PL-203; PL-300 R1; PL-301 R2; PL-302 R2; PL-303 R2; PL-304 R2; PL-401 R1; PL-402; PL-403; PL-404 R1; PL-405; PL-406; PL-407 R1

PL-001; PL-005; PL-010; PL-011; PL-012; PL-013; PL-014; PL-015; PL-020; PL-021; PL-031; PL-032; PL-033

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

- 3 The scheme hereby approved shall contain a maximum of 125 co-living studio units (Class Sui Generis) 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 Unless otherwise agreed in writing by the local planning authority, the café/restaurant hereby approved shall only be open to the public between: 7:00am and 22:00pm on Mondays to Saturdays and between the hours of 10:00am and 18:00pm on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the operation of the ground floor use is compatible with residential amenity, in accordance with policy DM 1 of the Development Management Policies 2016.

- 5 The Blue Badge parking spaces and visitor cycle stands shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 6 The cycle storage facilities and refuse storage within a building shall be installed prior to occupation of that building hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 7 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.

- 8 Unless alternative details are first agreed in writing by the Local Planning Authority, the tree protection recommendations set out in the submitted Arboricultural Impact Assessment (prepared by SES Ltd - dated 25th March 2020 – ref. AIA/Burnt Oak/25-03-20 Rev A) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably protects trees that could be damaged by the development.

- 9 Unless alternative details are first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with the submitted Flood Risk Assessment and Drainage Strategy (Create Consulting Engineers Ltd – ref. EW/CC/P20-1948/01 Rev B – dated March 2020).

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

- 10 The development hereby approved shall be designed so that mains water consumption 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.

- 11 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in the submitted Preliminary Ecological Appraisal and Bat Survey Report (prepared by SES Ltd dated March 2020) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 12 Within six months of commencement of development hereby approved, electric vehicle charging points shall be provided to 20% (1 of 4) of the Blue Badge spaces provided, whilst the remaining spaces will provide passive charging facilities. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy 6.13.

- 13 Prior to the commencement of the development, a Construction Environmental Method Statement which incorporates a dust management 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) outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 14 Prior to the commencement of the development, 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) outlining measures that will be taken to address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area. The approved statement shall be implemented throughout the duration of demolition and construction.

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

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

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

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works for any Phase. Prior to the occupation of each Phase, a verification report shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) stating that remediation has been carried out for the Phase in accordance with the approved remediation scheme and the land within that Phase is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 16 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), 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 (in writing through the submission of an application for approval of details reserved by condition) and the development shall be completed in accordance with the approved details.

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

- 17 Notwithstanding the plans hereby approved, within six months of commencing ground works on site (excluding demolition of the roof structure and internal alterations to the listed building) further details of all hard and soft landscape works within the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) details of any outdoor furniture such as benches
- (b) full details of all green roofs and associated soft landscaping to the communal roof terrace and other parts of the site

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 18 Details of materials of the development, for all external work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

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

- 19 A minimum of 8.3% of the co-living units shall be 'Wheelchair Accessible' unless otherwise agreed in writing by the local planning authority.

Reason: To ensure provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies 3.8 of the The London Plan.

- 20 Prior to the first occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 21 Prior to the first occupation of any commercial element of the development hereby approved, a final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise

could have an impact on amenity.

The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing demand of the commercial units.

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

Reason: To safeguard the amenity of the neighbours.

- 23 The development hereby approved shall be constructed to provide sound insulation against internally generated noise. This sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the residential part of the development.

The proposal must comply with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels: For daytime (0700 - 2300) noise levels for living rooms and bedrooms the maximum noise levels are 35 dB LAeq (16hr). Outside of this time (2300 - 0700) the standard for bedrooms is 30 dB LAeq (8hr), 45 dB Lmax.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the residents by reason of undue noise emission and/or unacceptable disturbance, in accordance with Brent's Noise Policy.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 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.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk.

Application forms should be completed on line via https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=s=NJ1M7LtxulFk4_2FpfFRZ9ippAbc0KqM1IRBH6yHdbE&e=. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- 7 .The applicants are reminded of the need to implement all necessary mitigation measures set out in both the Ecological Appraisal and Preliminary Bat Roost Assessment, which are referred to in condition 11.

It is the responsibility of the applicant to ensure all works are undertaken in accordance with relevant legislation, both within and outside of the planning framework, and obtain all necessary licences and permits in advance of relevant works taking place.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349