Subject: Land East of Victoria Centre, Acton Lane, Park Royal, London, NW10 (OPDC reference 17-0117-OPDC)
Meeting date: 13 December 2017
Report to: Planning Committee
Report of: Director of Planning

For Decision.

This report will be considered in public.

1 Summary

<table>
<thead>
<tr>
<th>Application reference</th>
<th>17-0017-OPDC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site address</td>
<td>Land East of Victoria Centre, Acton Lane, Park Royal, London, NW10</td>
</tr>
<tr>
<td>Proposal</td>
<td>Erection of part four (13.2m above ground level), five, six and nine (28.7m above ground level) storey building comprising 141 self-contained extra care units (Use Class C2) with associated communal facilities, hard and soft landscaping, parking and ancillary works</td>
</tr>
<tr>
<td>Applicant/agent</td>
<td>PowerHaus on behalf of Hollybrook</td>
</tr>
<tr>
<td>London Borough</td>
<td>Brent</td>
</tr>
<tr>
<td>Validation date</td>
<td>6 March</td>
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</tbody>
</table>

1.1 The Old Oak and Park Royal Development Corporation (OPDC) Scheme of Planning Delegations states that planning applications should be referred to Planning Committee where, in the opinion of the Director of Planning, the application: ‘is of a significant or potentially contentious nature.’ The planning application is for a part-four, part-five, part-six and part-nine storey development of 141 extra care homes with associated communal floor space. It is considered to be significant in nature and should therefore be determined by OPDC Planning Committee.

1.2 Land East of Victoria Centre, the application site, comprises vacant land in Park Royal Centre directly adjacent to an existing extra care building known as Victoria Care Centre. The site currently has an extant outline permission for 103 extra care units, determined in March 2016 by Brent Council Planning Committee which expires in March 2019. The pre-commencement conditions
attached to that consent – ref. 15/4496 have been discharged and can be implemented.

1.3 The subject site is bound by Acton Lane to the South and central Middlesex Hospital to the north. A London Bus access route runs around the side (east) and rear (north) of the site. To the west sits Victoria Care Centre.

1.4 Statutory public consultation has been undertaken on the application. It comprised 185 letters to residents and businesses in the area, four site notices and an advert in the Brent and Kilburn Times newspaper. The representations received are summarised in paragraph 6.2 of this report.

1.5 The key planning issues considered in reaching the recommendation to approve this application are summarised in the following paragraphs:

- the principle of an extra care development in this location, including impact on the Strategic Industrial Location;
- housing, including affordable housing, housing need, tenure, mix and quality;
- urban design, including height and massing;
- transport impact, including parking and servicing arrangements;
- amenity, including daylight and sunlight, privacy and overlooking and on-site amenity space; and
- impact on the environment.

1.6 The principle of development has already been established through the extant planning permission granted by Brent Council in 2016. The development complies with the land use policies set out in the London Plan, Brent's Core Strategy and within OPDC’s Regulation 19 Local Plan, all of which seek a mix of uses within the Park Royal Centre including a range of residential accommodation, social infrastructure and employment uses. The principle of the proposed development is therefore supported.

1.7 The proposal would deliver 141 residential extra care units (use class C2) with communal facilities including a restaurant, residential lounges and an external courtyard. 35% of the units, by both unit number and habitable room count, are proposed to be for affordable rent capped at 80% of market rent levels inclusive of service charge. Due to the history of the site and Brent Council’s prior involvement, nomination rights to the 49 affordable rented homes are recommended to be given to Brent. The quantum of affordable housing has been independently assessed and officers consider this to be the maximum reasonable amount that can be supported within the development.

1.8 The height, massing and design of the proposed development is considered to be acceptable. The quality of the residential accommodation would meet the design standards outlined within the London Plan. The daylight and sunlight impacts on Victoria Care Centre have been assessed against the extant consent and are acceptable.
1.9 The development complies with the energy hierarchy and will be capable of connecting to a decentralised energy network should one become available. The scheme would meet London Plan requirements with regard to energy efficiency.

1.10 The development is proposed to be car free aside from the provision of two visitor spaces and the proposal is supplemented by mobility scooter and cycle parking within the proposed building. It is considered that the traffic and transport impacts of the proposal are acceptable, mitigated by a S278 agreement to reinstate footpaths surrounding the site along with a £150,000 S106 contribution secured for public realm improvements, highways and transport improvements in Park Royal Centre.

1.11 The application demonstrates compliance with the NPPF and policies in the London Plan, OAPF, OPDC Regulation 19 Local Plan and Brent’s Core Strategy and the application is recommended for approval.

2 Recommendation

The Committee is invited to:

2.1 Resolve to grant conditional planning permission subject to:

(a) The satisfactory completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. Affordable housing
   a. The provision of 48 x one bed ‘extra care’ affordable housing units (35% by habitable room) as Affordable Rent at up to 80% of Market Rent levels, inclusive of service charges.
   b. A review mechanism:
      i. A full re-appraisal of scheme viability to be triggered if the permission is not substantially implemented within 24 months after the grant of planning permission to test the scheme’s ability to provide additional affordable housing;
      ii. A late review triggered on occupation of 75% of units to test the scheme’s ability to provide additional affordable housing.
   c. Nomination to all affordable housing units to London Borough of Brent.

2. Public Realm, Highways and Transport
   a. Contribution of £150,000 towards public realm, highways and transport improvements in Park Royal Centre, to be paid prior to the commencement of development.
b. The applicant to enter into a Section 278 agreement with the Local Highway Authority to secure highway works including reinstatement of the footway on Acton Lane adjacent to the boundary of the site.

3. Energy
   a. A contribution to a scheme to off-set any shortfall in carbon emissions savings required to achieve a Zero Carbon Development equivalent to £1,800 per tonne of carbon required to be off-set.

4. Legal costs reasonably incurred by OPDC in connection with the Section 106 agreement.

5. All contributions to be index-linked (upwards-only).

(b) the planning conditions as set out in part 12 of this report.

2.2 Delegate authority to the Director of Planning to:

(a) Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning considers reasonably necessary;

(b) Finalise the legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) including refining, amending, adding to or deleting the obligations described in the Heads of Terms set out in paragraph 2.1(b) of this report as the Director of Planning considers reasonably necessary;

(c) Sign and execute the Section 106 legal agreement referred to above and issue the planning permission; and

(d) If the section 106 agreement has not been completed by 22 December 2017, or within such other extended time as the Director of Planning may consider appropriate, to consider whether planning permission should be refused on the grounds that the proposals are unacceptable in the absence of a legal agreement to secure planning obligations that mitigate the impacts of the development. If so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under delegated powers.

3 Background information

Application Site

3.1 The application site is outlined in red on the map below. This is the same red line that was used for the extant permission, approved by Brent Council’s Planning Committee in March 2016.
3.2 The 0.26 hectare site is located on the northern side of Acton Lane within Park Royal. It is located within the LB Brent, close to the boundary with the LB Ealing. The nearest stations are Park Royal Station, which gives access to the Piccadilly Line and Harlesden Station which gives access to the Bakerloo Line and London Overground Services. Seven bus routes pass in close proximity to the site with a bus terminus located adjacent to the site within Central Middlesex Hospital for two of the services.

3.3 The site adjoins Victoria Care Centre to the west, Acton Lane to the south and a bus gyratory system immediately to the north and east. It is currently vacant with some building material storage, hoardings and a site office in position. There is a 10.5m x 5.5m substation in the south-eastern corner of the site that needs to be retained. Vehicular access to the site has historically been from Acton Lane via a dropped curb.

3.4 The application site is not within a Conservation Area nor are there any buildings of significant or historic importance in the immediate vicinity of the site.

3.5 The application site is in close proximity to Strategic Industrial Land. The site sites within Park Royal Neighbourhood Centre as defined within Policy P6 of the Regulation 19 Local Plan.
Planning history

3.6 The recent planning history is summarised in the table below.

3.7 In October 2015, an application for 103 Extra Care units with associated communal facilities was delegated by OPDC to LB Brent for determination (15/4496). The application was delegated because there were two previous consents on this site in 2008 (outline) and 2010 (detailed). These previous two applications encompassed a larger piece of land comprising three separate plots: Visram (Asra) House, plot 1; Victoria Care Centre, plot 2; and the application site, plot 3. The indicative 2010 location plan is outlined below.

3.8 In March 2016, application ref. 15/4496 was granted planning permission by the London Borough of Brent Planning Committee for the erection of a six-storey building with 103 self-contained units for supported living, Use Class C2. This permission remains extant and is therefore capable of being implemented.

3.9 The extant consent was similar to the current proposal, with the same footprint, general layouts and architectural style. The extant consent was granted on the basis of 100% affordable housing, with units being let at no more than 80% of market rents. Later in 2016, an application was submitted to vary that permission to allow 25 of the units to become available on a shared ownership basis. The application was approved in November 2016.

3.10 In view of the increased scale of the current proposal relative to the thresholds in the Scheme of Delegation agreed between OPDC and Brent Council, this application was retained for determination by OPDC. However, the planning permission granted in 2016 is an important material consideration in the determination of the current planning application.
<table>
<thead>
<tr>
<th>Address</th>
<th>Application reference</th>
<th>Applicant</th>
<th>Description</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land East of Victoria Centre, Acton Lane, London</td>
<td>16/3791 16/3790 16/3786</td>
<td>Montpelier Estates (Powerhaus Consultancy)</td>
<td>Details pursuant applications relating to application red. 15/4496.</td>
<td>Approved - Nov 2016</td>
</tr>
</tbody>
</table>
| Land East of Victoria Centre, Acton Lane, London | 16/3785 | Montpelier Estates | Variation of condition 8 (affordable housing) to provide 25 of the 103 units on a shared ownership and minor material alterations as follows:  
- increase in overall building height by 750mm  
- two single storey extensions with roof terraces  
- fenestration alterations to windows and screens to the front, side, rear, courtyard side, courtyard 1 and courtyard 2 elevations  
- alterations to the internal layout of the laundry on the ground floor  
- alterations to the internal layout of the unit to the north of the substation on the first floor  
of outline planning permission reference 15/4496 dated 17/03/2016 for outline planning permission for erection six storey building comprising 103 self-contained one bed apartments as supported housing units (Use Class C2) with associated | Approved - Nov 2016 |
<table>
<thead>
<tr>
<th>Address</th>
<th>Reference</th>
<th>Applicant</th>
<th>Description</th>
<th>Approval Date</th>
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</thead>
<tbody>
<tr>
<td>Land East of Victoria Centre, Acton Lane, London</td>
<td>15/4496</td>
<td>Montpelier Estates</td>
<td>Outline planning permission for erection six storey building comprising 103 self-contained one bed apartments as supported housing units (Use Class C2) with associated community facilities</td>
<td>Approved - March 2016</td>
</tr>
<tr>
<td>Plots 1, 2 and 3 Acton Lane, London</td>
<td>10/2164</td>
<td>Montpelier Estates</td>
<td>(Detailed) Erection of 3 linked buildings for mixed-use development on land next to Central Middlesex Hospital, to provide 891m² of retail/food &amp; drink (Use Class A1 or A3) and 17,842m² of care &amp; treatment or secure hospital floorspace (Use Class C2/C2A – residential institutions or secure residential institutions), with formation of refuse storage, loading bay, cycle storage, car-parking and associated landscaping and subject to a Deed of Agreement dated 25th November 2010 under Section 106 of the Town and Country Planning Act 1990, as amended</td>
<td>Approved - Nov 2010</td>
</tr>
<tr>
<td>Plots 1, 2 and 3 Acton Lane, London</td>
<td>10/2073</td>
<td>Montpelier Estates</td>
<td>Application for the approval of reserved matters relating to appearance, landscaping, scale and access, pursuant to condition 1 of planning permission reference 10/0140, granted 25/02/2010,</td>
<td>Approved - Nov 2010</td>
</tr>
<tr>
<td>Plot Description</td>
<td>Reference</td>
<td>Developer</td>
<td>Description</td>
<td>Approval Date</td>
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<tr>
<td>Plots 1, 2 and 3 Acton Lane, London</td>
<td>10/0140</td>
<td>Montpelier Estates</td>
<td>Variation of condition 10 (scale of the development) of outline planning permission reference 08/1043, granted on 16/11/2009, for the erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital</td>
<td>Approved – Feb 2010</td>
</tr>
<tr>
<td>Land East of Victoria Centre, Acton Lane, London</td>
<td>09/2415</td>
<td>Montpelier Estates</td>
<td>Approval of reserved matters relating to appearance, landscaping, scale and access of outline planning permission reference 08/1043 (description below).</td>
<td>Approved – Feb 2010</td>
</tr>
<tr>
<td>Plots 1, 2 and 3 Acton Lane, London</td>
<td>08/1043</td>
<td>Montpelier Estates</td>
<td>Outline planning application for the erection of three linked buildings for mixed-use development on land next to Central Middlesex Hospital to provide up to 650m$^2$ of creche/primary health-care facility (Use Class D1), up to 2,160m$^2$ of retail (Use Class A1), up to 467m$^2$ of cafe/restaurant (Use Class A3) floorspace, up to 13,480m$^2$ of care and treatment facilities (Use Class C2/C2A) and up to 5,370m$^2$ of Use Class B1(b)/additional care.</td>
<td>Approved - November 2009</td>
</tr>
</tbody>
</table>
4 Proposal

4.1 The application proposes the redevelopment of the site to provide 141 extra care units, with shared ground floor communal space for future residents. There is a central courtyard of approximately 30m in length and 19m in width (approximately 500sqm) which serves as the external communal amenity space for the building. There is a loading/refuse bay to the rear of the proposed building along with two visitor parking bays.

4.2 The maximum height of the proposal is nine storeys (approximately 28.7m) which is three storeys greater than the previously approved application at a maximum of six storeys (approximately 19.5m).
4.3 The ground floor includes the entrance to the block, a reception area, large resident’s lounge, TV and activity room, a small library and salon, a laundry room, mobility scooter/cycle store and staff facilities. Six of the extra care units are also located at ground floor level.

4.4 The upper floors would mainly consist of extra care units together with communal sitting rooms or meeting rooms, which could take the form of treatment rooms if required, plus some ancillary accommodation for staff.
4.5 The residential extra care units would comprise 141 x one bed units, all meeting national housing standards with regards to size. In addition, each unit has been designed to be 100% complaint with Lifetime Homes and current Building Regulations. 90% of apartments comply with building regulations M4(2) and 10% comply with M4(3) as required under standard 11 of the London Plan Policy 3.8.

4.6 The development is proposed to be car free for staff and residents however provides space for mobility scooters and cycles within the confines of the building and two visitor spaces to the rear.

4.7 The building will be powered by CHP which will be supplemented by PV on the roof. In addition, the building would make provision for a connection to a wider Decentralised Energy system, if such a system becomes available in the future.

4.8 Minor revisions have been made following the submission of the application, including:

- changing the elevation details, including different materials and articulation on the façade of the building;
- further submission of an overshadowing assessment of the scheme; and
- submission of a viability assessment.

Given the minor nature of the amendments and having due regard to the NPPG, it was not considered necessary to carry out further public consultation on the amendments.

5 Policy

5.1 The adopted development plan for this part of the OPDC area comprises:

- London Plan March 2016;
- London Borough of Brent Core Strategy (2010); and
- London Borough of Brent Unitary Development Plan 2004 (‘saved policies’)

5.2 The following planning documents are also relevant material considerations:

- National Planning Policy Framework (NPPF);
- Old Oak and Park Royal Opportunity Area Planning Framework (OAPF) 2015;
- OPDC Regulation 19 Draft Local Plan (June 2017); and

5.3 The OAPF was adopted as supplementary planning guidance to the London Plan in November 2015 and therefore holds material weight in the determination of this application.
5.4 The OPDC draft Local Plan completed its first round of public consultation on 31 March 2016. Having considered the representations received, the Regulation 19 version of the Local Plan was issued for public consultation on 29 June 2017. The public consultation concluded on 11 September 2017 and the final draft of the Local Plan is expected to be subject to Examination in Public in spring 2018. Although yet to be adopted the draft Local Plan is a material planning consideration in the determination of the current application.

5.5 Additional Supplementary Guidance includes the London Plan Housing SPG (2016) and the Affordable Housing and Viability SPG (2017).

5.6 The new Consultation Draft London Plan is expected to be published prior to the date of the committee meeting. An addendum report will be provided to address relevant draft policies within the Plan.

6 Consultations

6.1 The application was submitted without the benefit of pre-application discussions with the OPDC. Whilst strongly encouraged by OPDC, there is no statutory requirement for applicants to carry out pre-application discussions with the local planning authority. The applicant’s Statement of Community Involvement outlines that they have discussed the application with the London Borough of Brent Adult Social Care Team, London Borough of Brent Planning Department, the NHS Trust, TfL and Victoria Care Centre. No public consultation events were held in advance of the planning application being submitted and the application has not been reviewed by the OPDC PLACE Review Group.

Statutory Public Consultation

6.2 Statutory consultation has been undertaken on the application. Five site notices were displayed in the vicinity of the site 6 March 2017. A press notice was published in the Brent and Kilburn Times on 9 March 2017. And 185 neighbour notification letters were sent on 3 March 2017.

6.3 In response to the statutory public consultation there have been 49 objection letters of which 47 were standardised objection letters submitted from residents / visitors at Victoria Care Centre and two from other local residents. In addition, three objection letters have been submitted to OPDC on behalf of Victoria Care Centre.

<table>
<thead>
<tr>
<th>Objection / Issue</th>
<th>Officer Response</th>
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</thead>
<tbody>
<tr>
<td>Lack of car parking in the area. The LPA must plan for more parking spaces, especially for those who are living in Luma apartments.</td>
<td>- The proposed parking levels are in accordance with the London Plan and the Regulation 19 draft Local Plan. Luma Apartments are not part</td>
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<tr>
<td>Objection / Issue</td>
<td>Officer Response</td>
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<tr>
<td>The building will be in very close proximity to neighbouring properties.</td>
<td>- The proposal may be visible from the upper floor flats / balconies of some surrounding residential properties, but there will be no unacceptable adverse impacts as a result of the proposal.</td>
</tr>
<tr>
<td>Concern over the lack of pedestrian crossings from Acton Lane across to Natwest and Asda.</td>
<td>- There is a zebra crossing directly outside of the site frontage and several crossing points at the Park Royal junction approximately 150m away. S106 contributions towards improvements to the public realm totalling £150,000 will be secured as part of any permission.</td>
</tr>
<tr>
<td>The original application approved by the authorities only had five floors and this one will considerably overpower the neighbouring building.</td>
<td>- The proposal approved by Brent Council in 2016 was a six-storey building. Officers have carefully assessed the impact of the current proposal on the neighbouring building (VCC) and do not consider that the increased massing of the building from the previously approved position will have a significant adverse impact on the neighbouring building, the townscape or streetscape. Some parts of the building have been reduced in height and the increase in three storeys is stepped away from the Victoria Care Centre.</td>
</tr>
<tr>
<td>The scheme proposes a height of nine storeys, hence will lead to the residents of the Victoria Care Centre having a compromised outdoor amenity space with poor outlook and an increased sense of enclosure.</td>
<td>- It is acknowledged that the existing open outlook will be more enclosed for residents in Victoria Care Centre. Despite this, the daylight/sunlight impacts compared to the extant</td>
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<td>Objection / Issue</td>
<td>Officer Response</td>
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<tr>
<td>permission are comparable with those of the extant consent.</td>
<td>- Officers do not consider that the proposal will have an unacceptable impact on the living conditions of residents at Victoria Care Centre as a result of the increased massing to the east of the site from that of the extant planning permission.</td>
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<tr>
<td></td>
<td>- The applicant has tested the extant scheme against the proposed scheme and the indicators of residential amenity, including daylighting, sunlighting and outlook, are not materially affected as a result of the increase in height.</td>
</tr>
<tr>
<td>There is no provision for car parking facilities to the building.</td>
<td>- The building is proposed to be car free with the exception of two visitor spaces. Policy T4 of the Regulation 19 draft Local Plan supports this approach in areas which have good accessibility to public transport. Car ownership demand in Extra Care schemes is not high and it is considered that adequate provision has been given to cycle, mobility scooter and visitor parking within the development for the future staff, residents and visitors.</td>
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<tr>
<td></td>
<td>- Additionally, there are available spaces in the adjacent hospital car park for visitors on a pay and display basis.</td>
</tr>
<tr>
<td>Statutory consultation was not completed – Victoria Care Centre was not informed of the proposal.</td>
<td>- Full statutory consultation was carried out including five site notices being placed around the application site, one of which was placed immediately in front of the entrance to VCC.</td>
</tr>
<tr>
<td>The applicant’s Daylight/Sunlight</td>
<td>- The previous built development</td>
</tr>
<tr>
<td>Objection / Issue</td>
<td>Officer Response</td>
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<tr>
<td>report fails to consider that there were buildings on what has now become an empty site. The report fails to appropriately consider the effect of the increased massing.</td>
<td>on site was pre- Victoria Care Centre. It is acknowledged that presently, residents of VCC have an open aspect towards the east and any building will have an impact on their outlook. The scheme has been assessed based on the amended massing, which includes a reduction of two storeys closest to VCC and an increase in massing away from VCC. The previous outline permission and the extant permission (2016) both are both material considerations for decision making purposes.</td>
</tr>
<tr>
<td>The applicant’s Daylight and Sunlight assessment makes no regard to the Council’s Policy on Daylight/Sunlight, contains no window plan and no consideration of overshadowing.</td>
<td>The applicant provided further information in terms of a window plan and an overshadowing assessment. Officers consider this to be an appropriate scope for assessment and the assessment methodology complies with relevant guidance.</td>
</tr>
<tr>
<td>The buildings do not align with each other which is not acceptable.</td>
<td>The proposal follows the same footprint as the extant consent. This layout has been approved previously and there has been a reduction in the height of the block closest to the Victoria Care Centre. Design issues are considered in paragraphs 7.45 - 7.62 in this report.</td>
</tr>
<tr>
<td>Consultee and Comments</td>
<td>Officer Response</td>
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| London Borough of Brent (Planning)  
Significant weight was given to the previous approval (15/4496) as 100% affordable. The proposed affordable housing percentage with this application is significantly less.  

A fundamental part of the weight given to the previous approval was that local people who couldn’t afford housing at market rates and who are dependent on state benefits would be able to afford to live at the facility. This identified a particular group of people within the borough and a recognised local need thus satisfying Core Strategy policy CP21. The fact that the proposed amount of affordable housing has significantly reduced would seriously jeopardise the ability of Brent residents to actually use the facility and would be contrary to CP21.  

- In accordance with London Plan Policy 3.12, the viability of the current proposals has been assessed to establish the maximum reasonable amount of affordable housing that can be provided.  
- This approval has not been implemented and the current application must be assessed in line with the Development Plan.  
- OPDC have tested the viability of the current proposals and have found that the maximum reasonable amount that could be supported in viability terms is 35%. These units would be provided as Affordable Rent on the same terms as the extant consent, including full nominations rights to Brent Council and therefore would go some way to meeting the local needs identified by Brent. Whilst it is acknowledged that fewer units would be secured on these terms under the current application, in accordance with London Plan Policy 3.12, officers are content that this is the maximum reasonable amount of AH that the scheme can deliver without any other form of grant funding.  

- Brent Council will receive
### Consultee and Comments

Based on the lack of affordable housing and nomination rights, the proposal would fail to meet a known local need. The LPA therefore considers that the proposal would be contrary to Core Strategy policy CP21 and London Plan policy 3.17.

Notwithstanding these objections, should the OPDC be minded to recommend the application for approval, then LBB would see the most sensible option as Affordable Rent at 80% Market Rent levels.

2 London Borough of Brent (Highways)

The London Borough of Brent Transportation Team have provided comments on the proposal.

The Highways team have no objections on transportation grounds to these amended proposals for Building C in this development site, subject to conditions requiring:

(i) the implementation and ongoing review of the submitted Travel Plan (including liaison with operators of adjoining

<table>
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<tr>
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<tbody>
<tr>
<td>nomination rights to 49 affordable units which will contribute towards meeting local need on the same terms of the extant consent.</td>
</tr>
<tr>
<td>- The proposals are that all of the affordable housing units are secured as Affordable Rent at 80% of market rent levels.</td>
</tr>
<tr>
<td>- Noted</td>
</tr>
<tr>
<td>- Noted.</td>
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<tr>
<td>- Noted. This will be secured through condition.</td>
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<tr>
<td>Consultee and Comments</td>
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<td>------------------------</td>
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<tr>
<td>(ii) building plots); and (ii) the undertaking of highway works through a S38/S278 agreement under the Highways Act 1980 to widen the footway by approximately 3m at the developer’s expense along the Acton Lane frontage of the site prior to occupation of the development.</td>
</tr>
<tr>
<td>3 London Borough of Brent (Environmental Health) <em>Construction Noise and Dust</em> The proposed construction of the residential building will be carried out within close proximity to existing residential (care home) and industrial premises. Therefore, without appropriate controls noise and dust emissions could cause disturbance to local residents and businesses. Dust emissions may also adversely impact on local air quality. The Construction Environmental Management Plan (CEMP) submitted with the application (Hollybrook January 2017) has been considered and whilst the majority is acceptable, further details are required and this should be reflected in a condition. <em>Air Quality</em> The WYG air quality impact assessment A101457 January 2017 has been considered and the conclusions of the air quality impact assessment are acceptable.</td>
</tr>
<tr>
<td>- Noted. Contamination works</td>
</tr>
<tr>
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<tr>
<td>Due to the size of the development and its location within the AQMA LB EH expect that an AQ Neutral Assessment shall be undertaken.</td>
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<tr>
<td><strong>Contamination</strong>&lt;br&gt;The proposed site has been identified as potentially contaminated. Brent EH Officers have considered the CGL desk study, data review and remediation strategy report that is dated February 2017 (CG/18932). The findings are generally acceptable and appropriate conditions should secure this.</td>
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<tr>
<td><strong>Noise</strong>&lt;br&gt;The site is located within an area of commercial businesses and residential premises. The commercial businesses do have the potential to cause disturbance to the future occupants of the development if provisions are not put in place to reduce noise levels within the dwellings (ie. windows and insulation). The Paragon Acoustics Noise impact assessment reference 3802_ENA_1 dated 17th January 2017 has been considered and is agreed with.</td>
</tr>
<tr>
<td><strong>Lighting</strong>&lt;br&gt;The development includes residential properties close to existing care home facilities and commercial businesses therefore external lighting from these existing premises may cause disturbance to the future occupants of the development. Therefore a condition requiring the submission of lighting details is required.</td>
</tr>
<tr>
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</table>
| London Borough of Brent (Adult Social Care)  
Brent Adult Social Care supported the previous scheme on the basis that nomination rights and affordable housing was provided to Brent Council for their Independent Living Programme.  
Unless appropriate planning obligations or conditions secure Brent Council’s ability to nominate people to the whole accommodation and 100% affordable housing is proposed across the scheme then support will be withdrawn from the application.  
With regards to the options for affordable housing, Affordable Rents and 80% of Market Rent is the preference however the number of these units is unacceptably low. | - Noted.  
- There is no planning policy requirement for 100% affordable housing. OPDC have tested the viability position and have found that the maximum reasonable amount is 35% on the same terms as the extant consent. Nomination rights to these units would be provided to Brent Council.  
- Officers, whilst acknowledging the objection by Brent Council, agree that the most appropriate option is to secure the units as Affordable Rent at 80% Market Rent levels. |
| London Borough of Ealing – No objection to the proposal. | - Noted. |
| Environment Agency -  
The proposed development is within 250m of an active Radioactive Substance Authorisation (permission Number BW6076) for the disposal of radioactive waste. You should contact your Environmental Health department to ensure that the | - Noted. Brent Council Environmental Services have been consulted. |
Consultee and Comments

installation will not adversely affect the proposed development.

Officer Response

7. Assessment

7.1 The following reports and assessments were submitted with the application:

1. Planning Statement
2. Design and Access Statement
3. Daylight, Sunlight and Overshadowing Assessment
4. Statement of Community Involvement
5. Health Impact Assessment
6. Drainage Strategy
7. Land Contamination Assessment
8. Noise Assessment
9. BREEAM Assessment
10. Energy Statement
11. Construction Management Plan

7.2 Following discussions with the applicant, a viability appraisal was also submitted. The viability appraisal has been independently assessed and will be discussed later in this section.

7.3 In reaching a recommendation on the application, officers have had regard to the main planning issues set out below, which are addressed in this report.

- Principle of development: principle of extra care residential use; impact on the Strategic Industrial Location;
- Housing: quality of proposed accommodation; accessibility; housing density; affordable housing and nomination rights;
- Urban design: height and massing; heritage, townscape and visual impact; local character, architecture and materials; security; streets and public realm;
- Transport: transport network; servicing; car and cycle parking;
- Amenity: recreational space and open space; privacy and overlooking; daylight, sunlight and overshadowing; noise and vibration; wind microclimate; construction impacts; and
- Environment: energy efficiency/climate change; air quality; flood risk and water management; contaminated land.

**Principle of development**

7.4 The issues to be considered include the principle of extra care accommodation in this location and the impact of the development on the functioning of the nearby SIL.
Development in Park Royal Centre

7.5 The site is situated within Park Royal Centre, which includes Central Middlesex Hospital, a large Asda store and smaller local level retail uses along with some supported living accommodation (Victoria Care Centre and Asra House). Policy P6 (Park Royal Centre) of OPDC’s draft Local Plan states that the Park Royal centre has the ability to contribute up to 500 new homes within OPDC’s 0-10 year housing supply. Policy P6 of OPDC’s draft Local Plan outlines that delivery of new homes within Park Royal is acceptable on sites outside of SIL subject to considerations of residential amenity and impact on surrounding land uses.

7.6 Brent Council’s Core Strategy (2010) states that development proposals within Park Royal should be in accordance with general policy for Strategic Industrial Locations (CP20) apart from at Central Middlesex hospital where key worker housing and uses appropriate to a local centre meeting the needs of workers and visitors will be acceptable.

Extra Care Housing

7.7 Policy H9 (Specialist Housing) in the draft Local Plan supports the delivery of specialist housing, along with a number of considerations designed to ensure that specialist housing (in this case extra care housing) is appropriate for future residents. Such considerations include the appropriateness of the proposal for intended occupiers in terms of facilities, level of independence and provision of support and care along with ensuring the proposal has a high standard of design with internal and external space.

7.8 OPDC’s SHMA identifies that there is a need for 8,100 new specialist older person housing units within the SHMA area over the Local Plan period. This represents 6.3% of the total objectively assessed need in the local housing market area covering the three host local authorities. Social care departments in the three local authorities are working with vulnerable people who would benefit from moving into a specialist housing unit with care attached. There is therefore an identified local need for this type of accommodation.

7.9 Brent Council’s Core Strategy (2010) seeks to maintain and provide a balanced housing stock, responding to need. Policy CP21 seeks to provide care and support accommodation to enable people to live independently along with residential care homes which meet a known need in the Borough.

7.10 Brent Council have identified that there is a specific need for Extra Care accommodation within the borough. Brent Council’s Adult Social Care department state that their independent living programme (NAIL) aims to create 529 new units for older persons within the borough. The current shortfall being experienced is approximately 223 units. This proposal has the potential to contribute towards meeting this identified local need.

7.11 The Mayor’s Housing SPG states that town centre, or edge of centre locations are particularly appropriate for new, purpose built accommodation especially for the active elderly, which includes independent living accommodation such
as extra care. The site is within a neighbourhood centre as outlined within the draft Local Plan, close to good transport links including several bus services running from stops adjacent to the site and Harlesden Tube station within 600m of the site.

7.12 Supporting text for policy H9 of the draft Local Plan states that specialist housing should normally be located in areas that are accessible to public transport and other local facilities such as shops, pharmacies and community facilities for the benefit of the residents themselves but also support staff and visiting family members. Park Royal Centre has good access to public transport, outlined further within 7.63 – 7.81 of this report.

Proximity to SIL

7.13 London Plan Policy 2.17 and draft Local Plan Policies E1 and P6 all seek to ensure that development proposals within or adjacent to SILs do not compromise the integrity or effectiveness of SIL operations. Proposals must be well designed and located appropriately whilst demonstrating that proposals will not materially affect the ongoing functioning of existing employment activities.

7.14 The site does not share a vehicular or pedestrian entrance with any industrial uses and the proposed building has a great enough separation from disruptive industrial uses, given the nearest SIL land is approximately 12m away and separated by both a road and some light foliage.

7.15 Additionally, as outlined within paragraph 3.6 to 3.10 there is an extensive background to the proposal and through several applications, the land use principle of development on this site for extra care uses has recently (March 2016) been accepted by the London Borough of Brent through application reference 15/4498 and in the previous outline consents on the site. The principle of development of this site for C2 use has therefore been established and there has been no material change in planning policy or other circumstances should be taken in respect of the current application.

Principle of development summary

7.16 The proposal provides 141 Extra Care units within an existing Park Royal neighbourhood centre using a layout and form of development that does not materially impact on the neighbouring SIL land. There is a current extant permission for a C2 Extra Care scheme and this proposal, in terms of its function and operation does not materially differ from this extant consent. The proposal makes an important contribution towards the housing targets outlined within the draft Local Plan, Park Royal Centre and specifically towards requirements for specialist housing outlined within the OPDC SHMA and the requirements of Brent Council’s Independent Living programme. Therefore, notwithstanding further planning considerations set out within this report, the principle of an Extra Care development in this location is considered to be acceptable.
Housing

7.17 The housing issues to consider are the provision of affordable housing, the housing mix, the quality of the residential accommodation, accessibility, housing density and nomination rights for the affordable homes.

Affordable housing (including tenure)

7.18 The application proposes 35% affordable housing (by both unit number and habitable rooms) all of which will be Affordable Rent capped at 80% of Market Rents.

7.19 London Plan policy 3.12 requires new developments to provide the maximum reasonable amount of affordable housing within residential developments. Supporting text para. 3.51 states that the affordable housing paragraphs within the London Plan should be applied to a range of developments, including those falling within Use Class C2, which cater specifically for older people.

7.20 The Mayor’s published Affordable Housing and Viability SPG 2017 (the ‘Viability SPG’) sets out a long-term vision for half of all new homes in London to be affordable to rent or buy. A target of 50% affordable housing is also supported within policy CP2 of Brent’s Core Strategy and policy H2 ‘Affordable Housing’ within the Regulation 19 OPDC Local Plan. The Viability SPG sets out how the current London Plan policy 3.12 should be applied, in terms of an approach to assessing viability, to speed up the planning process and increase the amount of affordable housing delivered through the planning system.

7.21 The Viability SPG sets out a threshold approach to viability whereby schemes proposing at least 35% affordable housing (by habitable room) that accords with the LPA’s preferred tenure split are not required to submit viability information at application stage. This proposal offers 35% affordable housing capped at 80% of Market Rents which does not meet the identified tenure mix, outlined in Policy H2 of the Local Plan or within the Viability SPG.

7.22 Officers consider that the proposal for a rented product at 80% of Market Rents is an appropriate tenure type for this proposal. It is acknowledged that this is no longer a preferred tenure type, given the Mayor will generally expect Affordable Rent to be set significantly below 80% however the users of this accommodation would be people on the Brent Council waiting list and, as confirmed with the boroughs representations, this is the preferred tenure type for this kind of accommodation for the Borough. Also, the type of user identified for this accommodation would not be suited to any intermediate models (such as London Living Rent) where home ownership is the end goal.

7.23 The table below demonstrates the affordability of the proposed rent at 80% of market rents, relative to Local Housing Allowance and the prevailing benefit cap. The rents are comfortably below both North West London Local Housing Allowance levels and the Benefit Cap for single occupants with no children.
With Brent Council having 100% nominations to this scheme for the affordable element, they will be able to nominate eligible applicants who are most in need of this kind of accommodation whilst ensuring affordability for those receiving housing benefit.

<table>
<thead>
<tr>
<th>Unit type</th>
<th>Affordable Rent, capped at 80% of Market Rents (inc. service charge)</th>
<th>Lower Quartile Market Rent (1 bed) in Brent</th>
<th>Benefit Cap (single, no children)</th>
<th>Local Housing Allowances</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-bedroom affordable rent</td>
<td>£193.00</td>
<td>£248.40</td>
<td>£296.40</td>
<td>£243.00</td>
</tr>
</tbody>
</table>

**Housing Nominations**

7.24 OPDC recently adopted an Affordable Housing Nominations Policy which provided nomination rights to be split (for London Affordable Rent) 70% to the host borough, 20% to the two other boroughs and 10% to the Mayor’s pan-London mobility scheme Housing Moves. It is acknowledged that this is Affordable Rent rather than LAR, however justification for the departure from this recently endorsed approach is required.

7.25 Given the long history of previous permissions for similar schemes on the site and the type of specialist housing proposed in this instance, officers considered it appropriate that the host borough, Brent Council, should retain all housing nominations rights for the affordable elements of the scheme. This approach is in line with the extant consent, the type of housing - including tenure - has been agreed with Brent’s Adult Social Care and will contribute to meeting an identified local need and the Council’s ability to fulfil its statutory housing duties through the NAIL programme.

**Housing Mix**

7.26 The proposals comprise all one bed units. This would not normally be considered acceptable as part of a conventional residential (C3) development, having regard to the need to deliver a range of unit sizes in the OPDC area. However, Brent Adult Social Care and Brent Planning Department have identified a significant undersupply of one bed extra care units in the area which is presently impacting on local need. This is due to the amount of recently approved 2-bed schemes within the Borough (such as at Asra House) and the lack of similar housing for single occupiers. The units will therefore meet a very specific identified need and the provision of all one bed units can be accepted on that basis.
Quality of proposed accommodation

7.27 London Plan policy 3.5 relates to ‘Quality and design of housing developments’. It addresses the external quality of residential development by ensuring that proposals enhance their local environment by taking local context into account in terms of housing tenure, local character and land use mix. It also addresses internal quality by requiring developments to be flexible to respond to changing needs, have practical, useable spaces that are functional and are fit for purpose. It also prescribes minimum space standards that address a number of issues including the overall size of housing units, floor to ceiling heights and the size of storage areas.

7.28 Policy H9 (Specialist Housing) of the draft Local Plan states that specialist housing will need to be designed to be flexible and must achieve a high quality and have appropriate facilities and services to support the requirements of future residents.

7.29 The Mayoral Housing SPG states that self-contained housing for older persons such as Extra Care will play an important role in meeting London’s housing needs. Extra Care is described as self-contained residential accommodation with associated facilities which are intended to meet the needs and aspirations of people who by reason of age or vulnerability have existing or foreseeable physical, sensory or mental health impairment. In the application scheme, each household has self-contained accommodation and access to support where residents can ‘buy in’ care packages to suit their individual needs. An Extra Care Residential Management Plan outlining details such as how eligibility will be assessed and how care will be provided will be secure by condition.

7.30 The scheme also provides a range of other facilities such as a resident’s lounge, a guest room, laundry room, day centre activities, a restaurant and a base for health care workers. The Mayor’s Housing SPG notes that the exact mix of facilities will vary on a site by site basis but extra care housing aims to create a balanced community, bringing together a balanced proportion of people with different levels of care needs. The design requirement for extra care housing differs from a conventional housing scheme, and as such there is a need to apply policy and guidance flexibly when considering the quality of accommodation.

7.31 With regards to this scheme specifically, all of the homes would meet or exceed the minimum space standards set out in Table 3.3 within London Plan policy 3.5 and have generally good outlooks either over the shared communal courtyard or facing outwards to the south, east and west.

7.32 Officers note that the majority of units are single aspect. Due to operational requirements, the building relies on single access corridors rather than separate cores as would normally be expected on a conventional housing scheme, which would require a different design approach. However, specialist accommodation of this kind requires residents to have access to shared services, communal areas and amenity space along with receiving treatment
and assistance when required. It is necessary to ensure that residents have access to services and assistance without hindrance, whilst still having acceptable outlooks and quality of accommodation. Further, the high proportion of single aspect units is partially mitigated by the provision of substantial communal areas which are discussed in further detail in the next paragraph. These communal areas are an integral part of the scheme and all residents will have access to them throughout the day and evening. For all of these reasons, the high proportion of single aspect units can be accepted in this instance.

7.33 The self-contained units are supplemented by the following facilities provided at ground floor level:

- dining room (approx. 131sqm);
- library / IT room (25sqm);
- TV / activity room (84sqm);
- salon (10sqm);
- mobility scooters and cycle spaces (60sqm); and
courtyard (550sqm).

**Daylight / Sunlight to proposed units**

7.34 To support the assessment of the quality of accommodation, the applicant has submitted a daylight report following BRE guidance which provides advice on the assessment of planning applications. Average Daylight Factor (ADF) is typically used to assess the amount of daylight available to proposed residential units. It uses a formula which considers a number of variables including the amount of available skylight, the total area of room surfaces and the position and size of windows. The test produces a value which should be at least 1% for bedrooms, 1.5% for living rooms and 2% for kitchens.

7.35 The internal daylight study has focussed on the lowest, courtyard facing residential floors to assess the worst-case scenario. Thirty-eight windows have been assessed on the ground, first and second floors. Of these 38 rooms, four do not meet the thresholds identified above. These are located in the north and east of the courtyard, facing inwards. Contributing towards these failures are the balconies associated with the unit/shared amenity space and that these units are within the corner of the development. These failures are considered to be slight when assessed against guidance. All other windows in the scheme would meet or exceed BRE guidance.

7.36 When considering all aspects of the scheme, the building provides a good quality of accommodation to future residents, providing adequate outlooks, unit sizes that exceed those held within table 3.3 of the London Plan (and national guidance), communal areas including an external courtyard and acceptable daylight results.

**Accessibility**

7.37 Being an extra care scheme, good accessibility is inherent to the design of the building. The proposal will have level access from the main frontage of Acton
Lane and a secondary access to the rear, however it is envisaged that this will only be used for visitors using the parking spaces and cycle store.

7.38 London Plan policy 3.8 requires 10% of new units to meet Building Regulation requirement M4 (3) by being designed to be wheelchair accessible (readily useable by a wheelchair user at the point of completion) and the remaining 90% to meet Building Regulation requirement M4 (2) for ‘accessible and adaptable dwellings’. The development would adhere to both of these requirements. The wheelchair accessible units are distributed throughout the development.

Housing density

7.39 The density of the scheme is 542 dwellings per hectare and 1084 habitable rooms per hectare. The London Plan density matrix identifies a range of 200-700 habitable rooms per hectare for sites with a PTAL 4 rating.

7.40 The site currently has a moderate level of public transport accessibility, however is located within Park Royal Centre with good access to basic amenities such as shops and other facilities. The proposal also has several ‘on site’ amenities such as a restaurant, salon and activities room.

7.41 The key to the acceptability of the proposed density of the development is the design of the scheme, the quality of the proposed residential accommodation, daylight and sunlight levels, and the mitigation of environmental, transport and socio-economic impacts. Whilst these issues are considered individually elsewhere in this report, the scheme demonstrates an acceptable standard of design and good quality residential accommodation.

Housing conclusion

7.42 The quality of accommodation is of an acceptable standard having regard to indicators outlined within the London Plan, draft Local Plan and the Mayoral Housing SPG.

7.43 The proposed level of affordable housing, the housing mix and the tenure, the unit sizes, the quality and accessibility of the accommodation and the overall housing density are considered to be the maximum, reasonable amount provided.

Urban design

7.44 The urban design issues to consider are height and massing, local character, architecture and materials, security, streets and public realm.

7.45 A number of policies in the London Plan provide criteria against which the design merits of a development proposal should be considered. The most specific guidance includes policy 7.4 ‘Local Character’, 7.5 ‘Public Realm’ and 7.6 ‘Architecture’.

7.46 Policy SP9, D1, D2 (Public realm), D3 (Accessible and inclusive design), D4 (Well-designed buildings) and D6 (Amenity) held within the draft Local Plan provides clear direction with regards to design, public realm and amenity.
**Height and massing**

7.47 The proposal seeks an increase in height and massing on the previously approved scheme (15/4496) which had a consistent height of six storeys for the whole block. The current application has a maximum height of nine storeys (28.7m) to the north east is proposed, with part of the top floor set back by approximately 1m which reduces the perceived massing of the scheme when viewed from the road.

7.48 The height reduces to four storeys (13.2m) adjacent to the existing Victoria Care Centre, which is approximately one storey below the height of VCC. A slightly taller element of five storeys is proposed for parts of the Acton Road frontage.

7.49 The building would be taller than many existing buildings in the immediate vicinity, but is a similar height to Asra House (also known as Visram House) which is on the same building line and is also nine stories in height. The height and massing is considered to be appropriate in this location, subject to considerations of neighbouring amenity.

7.50 The site, situated in Park Royal, is not close to any heritage assets and is not sensitive in townscape terms. Officers consider the visual impact of the scheme to be limited. The height of the tallest element, whilst taller than the buildings around it, is not considered to have an overbearing visual impact and officers are satisfied that the building will sit comfortably in the street scene.

**Local character, architecture and materials**

7.51 Policy SP9 (Built Environment) and D1 (Securing high quality design) of the draft Local Plan emphasises the importance of high quality design that responds appropriately to sensitive locations whilst shaping local character and townscape. The local character is mixed, with older low-rise brick buildings and industrial buildings alongside more contemporary buildings such as Asra House, Victoria Care Centre and Middlesex Hospital. Given the location of the building close to a busy junction within a neighbourhood centre, it is important for any future building on this plot to positively engage with the street and contribute to improving the quality of the built environment in this part of Park Royal.

7.52 During the lifetime of the application, several minor amendments have been made to the design of the building, including using brick instead of render for the main elevations, additional fenestration details on the Acton Lane frontage and greater detailing on the facades of the building. Officers consider that this has resulted in improvements to this scheme when compared to the extant scheme.

7.53 At ground floor level, the entrance to the building is clear and defined with floor to ceiling glazing running along the majority of the frontage. This will provide active frontages to Acton Lane and the entrance canopy will assist legibility for residents and visitors. The sides and rear of the building have
limited detailing with some light landscaping to break up the facades at ground floor level.

7.54 The proposal seeks to respond to, and support, the varied character of Park Royal centre by providing a predominantly buff brick façade with interjections of dark blue brickwork and grey cladding on the set-back ninth floor. A contemporary approach has been taken with regards to the window detailing and proportions and the building strikes a positive balance between simplicity and functionality and will fill an existing gap in the street scene.

7.55 Overall, the architectural approach is considered to reflect the positive elements of local character in accordance with London Plan policy 7.4 and SP9 and D1 of the draft Local Plan.

Security

7.56 London Plan policy 7.3 relates to ‘Designing Out Crime’ and policy 7.13 relates to ‘Safety, Security and Resilience to Emergency’. SP9 and D1 of the draft Local Plan place specific importance on the ability of strong design reducing the occurrence of crime. The proposal is considered to be a secure and positive environment with the residential elements of the scheme overlooking the surrounding streets and public realm. Emergency access is possible from all roads surrounding the site and the servicing bay to the rear of the site can be used for emergency vehicles if required.

7.57 With regards to resident safety, in the event of an approval, an Extra Care Residential Management Plan will be secured by a pre-occupation condition which shall outline such details as entrance procedures, staffing levels, on site security and emergency procedures.

Streets and public realm

7.58 The building line would follow the existing line of Asra House and Victoria Care Centre. Due to a demolished dwarf wall and previous structures on the site, the proposal will reinstate a wider footpath at the front of the site adjacent to Acton Lane. This is supported and is similar to the previously approved application. As well as providing a more spacious pavement for pedestrians, this will also mitigate against the height of the proposal and provide a more comfortable setting for the taller element on the corner. This will be secured through a S278 agreement within the S106, along with a contribution of £150,000 towards public realm, transport and highways improvements in Park Royal Centre.

7.59 The existing substation at the south-east corner of the site is integrated in the scheme design. A short footpath is proposed around the building from the northern boundary to the eastern boundary that would provide service access to the tanks, boiler room and generator. There are no residential units facing towards the access road on the north-eastern boundary at ground floor level.

7.60 On the northern boundary, pavement will be restricted. The two parking spaces will be accessed from the rear of the building and the refuse lorry will be able to pick up refuse from directly outside of the building.
7.61 There is a pedestrian crossing directly outside the site which provides access to the southern side of Acton Lane. Within a short walking distance towards the Park Royal Road / Acton lane junction are more crossings including pedestrian refuges and signalled crossings.

**Transport**

7.62 The transport issues to consider are the impact on the transport network, the servicing arrangements and the provision of car and cycle parking.

*Impact on the transport network*

7.63 The applicant has submitted a Transport Assessment (TA) and Travel Plan (TP) to support the application. The morning peak movements to and from this development are likely to be approximately 67 in the morning peak (an increase of 18 from the consented scheme) and the 38 during evening peak (an increase of 12 from the consented scheme). This is not considered to be significant in terms of the context of the site and much of this movement would not result in significant additional vehicular traffic on the highway network but will be either on foot or via public transport.

7.64 With regards to the highway network and private vehicles, the Transport Assessment concludes that the additional movements as a result of this proposal will not cause undue stress on the highway network and will not result in a significantly greater number of traffic movements. There are likely to be 23 movements by vehicle in the morning peak and 19 movements in the evening peak equating to a vehicular movement every three minutes. These movements are likely to be made by staff and visitors.

7.65 As most daily movements would be made on foot to and from the building, it is necessary to assess the existing conditions within the area. There is also an anticipated increase in the use of mobility support, such as mobility scooters and walking aids. The existing condition of some of the crossings within Park Royal and the associated public realm is relatively poor and therefore, given that there is no parking proposed there is a requirement to improve the public realm surrounding the site. To this end, a contribution of £150,000 will be secured through the S106 agreement.

*Travel Plan*

7.66 The applicant has submitted a Travel Plan to support the application. The details of the plan are similar to the extant permission and London Borough of Brent Highways consider that the Travel Plan is of sufficient quality to score a PASS rating.

7.67 The Travel Plan proposes to introduce a range of measures to encourage sustainable travel patterns, including welcome packs for residents, appointment of a Travel Plan co-ordinator and the implementation of a range of targets to encourage public transport use, walking and cycling. London Borough of Brent Highways have advised that a condition requiring the implementation of the Travel Plan and liaison with operators of the adjoining buildings on an overall site-wide Travel Plan is required.
Parking

7.68 In accordance with draft Local Plan policy T4, the maximum car parking standard for residential development is 0.2 spaces per residential unit. The proposal is car-free, save for two visitor spaces, and complies with policy T4. However, consideration still needs to be given to the potential impact of overspill parking on traffic flow and road safety in the area. In this regard, stopping along the Acton Lane site frontage is prohibited due to the presence of a zebra crossing in front of the site, whilst parking along Acton Lane generally is limited to the southern side of the road only in certain areas.

7.69 There are CPZ’s in force in the area, restricting visitors and residents from parking on local roads; however, overspill parking could be accommodated within the Central Middlesex Hospital car park. LB Brent Highways have endorsed this approach.

7.70 As per the 2016 consent, no off-street parking or vehicular access is proposed within the site, but a lay-by is proposed to be created at the rear of the building for servicing (emergency vehicles, deliveries and refuse vehicles) along with the provision of two visitor spaces. In addition, a secure store for 31 bicycles has been indicated along the north-eastern side of the building and space for 14 mobility scooter spaces is proposed along the north-western side and this provision complies with both London Plan and Local Plan standards.

7.71 Two visitor parking spaces have also been provided to the rear of the site. Access to the building from these spaces is available through the rear of the building which is an acceptable solution given there is not expected to be a large amount of footfall from this entrance. Visitor parking is made available through provision of spaces within Middlesex Hospital car park.

7.72 Officers consider that adequate provision has been given to cycle, mobility scooter and visitor parking within the development and for the future staff, residents and visitors.

Walking and Cycling

7.73 The Transport Statement outlines the accessibility of the site for pedestrians and cyclists through an assessment of pedestrian and cycle infrastructure. There is further detail on this in the Travel Plan.

7.74 There is some existing walking and cycling infrastructure in the immediate vicinity of the site which is supplemented by good connections to a range of bus routes. There is a zebra crossing immediately outside of the site which enables safe crossing towards the centre of Park Royal. Some of the area surrounding the site forms part of the local cycle network. Along part of Acton Lane there is an on-road cycle route that connects to the wider cycle network, including off-road cycle routes, located to the north of the site, running alongside the Grand Union Canal and the £150,000 S106 contribution will go some way to improving these facilities.
Public Transport

7.75 The site has a TfL PTAL rating of 4, which is considered to be good. This supports the proposal for a car free development. The application site has relatively easy accessibility to rail and bus connections, all accessible from footpaths or public transport. There are several bus services within 200m walk of the site and seven frequent daily bus services within 600m walk of the site. The Transport Statement includes a table of the bus stops in the vicinity along with the distance and walking times between these, the majority which are less than 5 minutes.

7.76 Harlesden Underground station is approximately 600m walk away which gives access to the Bakerloo Line and London Overground Services. Officers consider the impact on the public transport network to be acceptable.

Servicing and refuse

7.77 Servicing to the site is situated to the rear of the building in a layby large enough to take a refuse truck and service vehicles. It is noted that there is a pedestrian door to the rear however due to the size of this door it is expected that its use would be limited. The servicing would relate to both deliveries and refuse collection.

7.78 The transport assessment also includes a tracking diagram for the refuse truck, which is the largest vehicle anticipated. A bin store is located on the north-west corner of the building and will provide eight x 1100l bins for recycling, eight x 1100l bins for residual waste and 14 x 240l wheelie bins for organic recycling. As residents on upper floors could face difficulty disposing of their rubbish, there are refuse chutes on every floor which link to the bin store.

7.79 The bins will be collected from the waste using the same method previously accepted by Brent Council. Tracking drawings have been produced demonstrating a bin lorry accessing and moving away from the site. To formalise the method of deliveries and servicing, including trip generation requirements for future operators, a Delivery and Servicing Plan will be secured by condition.

Transport Conclusion

7.80 The limited car parking proposed as part of the development and anticipated vehicular movements generated from the site would result in an acceptable impact on local traffic conditions. There would be an increase in pedestrian movements, but these impacts would be mitigated by S278 works adjacent to the site along with a contribution to public realm improvements within Park Royal through the S106. The plans to include a servicing bay to the rear (north) of the site are acceptable and subject to conditions securing a Delivery and Servicing Plan along with the Travel Plan, that the transport impacts of the development are acceptable.
Amenity

7.81 The key amenity issues to consider are the provision of open space, the impact of the development on future residents on adjacent sites in terms of privacy and overlooking, daylight, sunlight and overshadowing, noise and the impact resulting from the construction process.

Amenity Space and open space

7.82 Policy 3.6 of the London Plan requires an appropriate amount of play space to be provided as part of new residential developments and Policy D2 of the OPDC Regulation 19 Local Plan requires proposals to provide or contribute towards the creation or improvement of public open spaces in the surrounding area. Policy EU1

7.83 Given the nature of the proposal, as older persons’ housing, there is no requirement for child play space. The proposal will improve the public realm by increasing the width of the pavement adjacent to Acton Lane. Further public realm improvements in the vicinity of the site will be funded by the section 106 contribution, which is an additional benefit of this application over the extant scheme.

7.84 The proposal includes an external courtyard measuring 585sqm. This is equivalent to 4.1 sqm of open space per resident, assuming one occupant per unit. The courtyard is proposed to be a mix of hard and soft landscaping including trees, grasses, shrubs, benches and paving. This will provide a secure communal outdoor amenity space for residents to enjoy.

7.85 The proposal makes provision for internal amenity space on each floor, in the form of sitting rooms and external balconies which are open to the residents of the buildings. Depending on the exact nature of the care delivered in the scheme, these rooms could also be used as treatment rooms. On the ground floor, there is internal shared space of approximately 360sqm that has potential to accommodate a variety of recreational activities for residents.

7.86 Taken together, the above measures are considered to comply with the spirit of Local plan policy D2 and can be supported.

Landscaping

7.87 The applicant has submitted a Landscaping Method Statement, Materials Schedule, Landscape Surface Plan and a Planting Plan. These detail a wide range of landscaping measures within the courtyard and around the building. These details are acceptable and will be secured by condition requiring a detailed planting schedule to be implemented prior to occupation or within the first planting season after completion.

Privacy and overlooking

7.88 The application site is adjacent to Victoria Care Centre, a residential care home that provides care and accommodation for approximately 115 people. Given the current open aspect from Victoria Care Centre to the east, there will be a reduced outlook from some windows. However, the relationship between
the two buildings has not fundamentally changed from the extant consent.
Distances between habitable room windows remains at a minimum of 19m.
There is a minimum of 30m distance between the shared balcony and sitting
areas on the inward facing elevation and the raised platform courtyard of the
Victoria Care Centre.

7.89 Given the nature of this proposal there is likely to be some passive
overlooking however this is considered to be limited given the distances and
direction of outlook from the majority of the habitable rooms. This kind of
relationship is not uncommon in dense urban environments and is considered
to be acceptable.

Daylight, sunlight and overshadowing

7.90 The British Research Establishment (BRE) guidelines are the widely adopted
means of understanding the amount of daylight and sunlight that new
developments will receive, and of the potential impact of new buildings on the
existing levels of daylight and sunlight enjoyed by existing neighbouring
properties. London Plan policy 7.6 states that new buildings and structures
should not cause unacceptable harm in relation to over-shadowing. A daylight
study for the proposed units is included in the previous section.

7.91 The application is supported by a Daylight, Sunlight and Overshadowing
report which assesses the proposals against the guidelines. The only
neighbouring residential building that will be affected by the proposal is the
adjacent Victoria Care Centre, which was originally planned as part of the
2008 outline masterplan scheme, which included a four-storey building on the
application site. As the application site has not yet been developed, Victoria
Care Centre has benefited from an unobstructed aspect to the east since it
was built in 2014, and enjoys good levels of daylight and sunlight as a result.
However, this was only ever expected to be a temporary condition until the
adjacent plot (the application site) was built out.

7.92 The BRE guidelines suggest that where a site is currently vacant, a
hypothetical level of massing should be used as a baseline
scenario. However, the application site benefits from an extant permission
granted in 2016, which remains capable of being implemented. As such, it is
not necessary to assume a hypothetical level of massing as the extant
scheme provides a suitable baseline scenario against which to assess the
impacts of the current application.

Daylight

7.93 The report considers the impact of the proposed development on the daylight
of Victoria Care Centre by assessing the impact of the proposals on the
Vertical Sky Component (VSC) measured on the façade of the neighbouring
building. VSC is a quantified measurement of the amount of skylight falling on
a vertical wall or window. The BRE guidance suggests that any reduction in
VSC below 27% should be kept to a minimum. Any impact that reduces VSC
below 27% and by 0.8 times its former value (equivalent to a 20% reduction)
will be noticeable, but a VSC of 15% or more should provide a good level of daylighting for an urban environment. All windows meet this requirement.

7.94 The applicant has modelled the existing Victoria Care Centre and assessed all inward facing windows which have the potential to be negatively impacted by the proposed development. Victoria Care Centre has a raised platform courtyard of approximately one and a half storeys in height therefore the perceived height of the proposal from Victoria Care Centre is reduced. There are 66 windows assumed to serve 60 rooms. All windows experience a fully BRE compliant change in VSC against the consented baseline; the greatest reduction in VSC being 17.69%. Five windows experience improvements in daylight against the baseline scenario. Officers therefore consider that the proposal has an acceptable impact on daylight to the adjacent building.

**Sunlight**

7.95 Annual Probable Sunlight Hours (APSH) shows the amount of sunlight available at the centre point of a window during the summer and winter. The test is only applied to windows that face within 90 degrees of due south. The guidelines state that a window will receive enough sunlight if it obtains at least 25% APSH for the whole year including 5% for the winter months.

7.96 Of the 60 windows that face the site, only 15 are orientated within 90 degrees due south and therefore relevant for assessment. All 15 rooms experience fully BRE compliant alterations in APSH against the consented baseline. Three of these rooms experience improvements in sunlight. All rooms that face towards the site retain between 28-66% APSH, which is above the BRE guidance level and demonstrates good levels of sunlight. Officers therefore consider the proposal has an acceptable impact on sunlight to the neighbouring building.

**Overshadowing of amenity space**

7.97 London Plan policy 7.6 states that new buildings and structures should not cause unacceptable harm in relation to over-shadowing. For overshadowing of amenity spaces and gardens, the BRE guidelines state that at least half of the space being assessed should receive at least two hours of sunlight on 21 March.

7.98 The applicant has submitted an overshadowing report to support the proposal. Again, the applicant has used the extant permission as a baseline scenario. With regards to the courtyard in Victoria Care Centre, the modelling demonstrates no difference between the previously approved scheme and the proposed scheme – albeit below the requirements set out in BRE guidance with only 15% of the courtyard experiencing sunlight for two hours on 21 March.

7.99 The courtyard for the application site receives 25% direct sunlight, which is a reduction of 1% from the consented baseline which received 26% direct sunlight for two hours on 21 March. It is acknowledged that this is reduced however the reduction is negligible.
7.100 Whilst the results of the over-shadowing report do not reach the minimum requirements outlined within BRE guidance, the modelling demonstrates no difference between this and the extant scheme and therefore is considered to be acceptable.

*Noise and vibration*

7.101 Policy EU5 of the OPDC Regulation 19 Local Plan requires the submission of a noise and vibration assessment where developments are particularly sensitive to noise or vibration.

7.102 As the site is located within an area of commercial businesses and residential premises, there is potential to cause disturbance to the future occupants of the development if provisions are not put in place to reduce noise levels within the dwellings. Officers have considered the noise impact assessment and are in agreement with the methodology and the conclusions regarding the specific glazing and ventilation systems. The mitigation measures include requiring dwellings facing the roads to have mechanical ventilation within the rooms along with specific levels of glazing across all units to mitigate against excess noise. These requirements are summarised within the Noise Report and officers recommend that this is secured through condition.

*Lighting*

7.103 The development includes residential properties close to existing care home facilities and commercial businesses therefore external lighting from these existing premises may cause disturbance to the future occupants of the development. Officers suggest a lighting condition to control lux levels of the proposal to mitigate any impact to the neighbouring property.

*Construction impacts*

7.104 The proposed construction of the residential building will be carried out within close proximity to existing residential (care home) and industrial premises. Therefore, without appropriate controls noise and dust emissions could cause disturbance to local residents and businesses. Dust emissions may also adversely impact on local air quality.

7.105 A Construction Environmental Management Plan (CEMP) has been submitted with the application (Hollybrook January 2017). Most of the dust and noise controls within this plan are satisfactory, however there are parts which require revisiting in greater detail. A revised CEMP and CLP will be secured through condition.

*Environment and Health*

7.106 The sustainability issues to consider are the energy efficiency of the proposed development, air quality, flood risk and water management, waste management, contaminated land and land stability.
Energy efficiency/climate change

7.107 London Plan policy 5.2 on ‘Minimising Carbon Dioxide Emissions’ sets out the energy hierarchy against which the sustainability credentials of new developments should be assessed. The hierarchy contains three stages which are:

- be lean (use less energy);
- be clean (supply energy efficiently); and
- be green (use renewable energy).

7.108 The policy requires major developments submitted after 1 October 2016 to make provisions for a zero-carbon standard, with at least 35% saving on carbon dioxide emissions compared to compliance with Part L of the Building Regulations 2013 being delivered on site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E).

7.109 London Plan policy 5.3 on ‘Sustainable Design and Construction’ requires sustainable design proposals to be integral to the construction and operation phases of development proposals. London Plan policy 5.5 refers to the availability of decentralised energy networks and policy 5.6 requires applications to consider the potential benefits of decentralised energy systems. OPDC’s draft Local Plan policy EU6 ‘Decentralised energy’ requires individual developments to demonstrate that provision for a future decentralised energy system has been accommodated. The energy statement confirms that the CHP has been designed as a communal heating system meaning the development will be ready to connect to any potential district heat networks which may be developed in the future; this is welcomed.

7.110 The application includes an energy strategy which addresses the energy hierarchy. The strategy shows that the ‘Be Lean’ measures will include enhanced U-values and building fabric improvements (windows, external walls, roof) for a very modest improvement of 1.65%.

7.111 With regard to ‘Be Clean’ measures, the energy strategy has investigated the possibility of linking into existing energy centres in the area to utilise the most efficient energy source available. OPDC is in the process of producing an energy strategy for the regeneration area, with specific emphasis on the potential for a decentralised energy (DE) network. At present, the plan is not sufficiently advanced to require this development to link into the system, but it is reasonable to require provision for a future connection to be integrated from the outset by installing pipework to the edge of the site. This will be secured by condition. A Combined Heat and Power system is therefore proposed as the most efficient means of supplying space heating and domestic hot water leading to an improvement of 30.55%.
For ‘Be Green’ measures, the energy strategy has investigated the potential for installing sources of renewable energy. Photo-voltaic is proposed to make savings of 10.57%.

Taking into consideration the measures outlined in the Energy Strategy, the residential the scheme will achieve a reduction in CO₂ emissions of 42.77%. Whilst this does not achieve the zero-carbon target on-site, it does accord with guidance in the Mayor’s Sustainable Design and Construction SPG, which suggests that offset contributions are likely to be acceptable to reach zero carbon provided that a 35% reduction is achieved on site.

The energy strategy proposes a financial contribution to make up for the shortfall experienced (based on the tonnes/annum shortfall and a £60/tonne charge for a 30-year period) towards off-site carbon dioxide savings to offset the shortfall against the 100% savings required. The contribution will be secured through S106 agreement.

With the carbon offsetting contribution and provision for connection to the future DE network secured, the proposals are acceptable with regard to energy efficiency and climate change.

Air quality

London Plan policy 7.14 relates to ‘Improving Air Quality’. The policy requires development proposals to minimise exposure to areas of poor air quality and seek to address local problems of air quality. New developments are required to be at least ‘air quality neutral’ and not worsen areas that have an identified air quality problem. Policy 7.14 is supported by The Mayor’s Air Quality Strategy (2010). Policy EU4 of OPDC’s draft Local Plan address ‘Air Quality’ and sets a number of recommendations for improving air quality in the OPDC area based on an Air Quality Study that was commissioned to inform the Local Plan. The applicant submitted an air quality assessment with the application. This assessment considered existing background air quality levels and then considered the contribution from the operation of the CHP plant due to be installed at the proposed development. The conclusion of the report is that the impact of the operation of the CHP plant would be negligible. Officers agree with these findings and accept the conclusions of the air quality impact assessment.

Flood risk and water management

London Plan policies 5.12 ‘Flood Risk Management’, 5.13 ‘Sustainable Drainage’, 5.14 ‘Water Quality and Wastewater Infrastructure’ and 5.15 ‘Water Use and Supplies’ contain specific flood risk and water management requirements for new developments. The Mayor’s Water Strategy (October 2011) also provides guidance on the management of water resources in London. Policy EU3 of OPDC’s draft Local Plan addresses all issues relating to water.
7.118 The site is situated in Flood Zone 1. The Environment Agency has been consulted on the application and they have no objections to the proposed development.

7.119 The applicant has submitted a water sustainability statement to address issues relating to water. They have considered a range of measures to improve the water efficiency of the dwellings. There will be a 40% reduction in internal water usage over the baseline building consumption through the use of low water usage sanitary ware. There are also mechanisms to be installed to minimise water leaks and wastage from sanitary fittings.

7.120 A condition ensuring the development would adhere to the water efficiency requirement of 105 litres of water per household per day set by London Plan policy 5.15 and the OPDC draft Local Plan policy.

7.121 Rainwater harvesting will be carried out for watering of the external vegetation proposed for the middle courtyard garden and other planting around the development. This will be achieved by the installation of a number of water butts.

7.122 A drainage drawing has been submitted which includes details of sewer connections and a storm water attenuation tank along with estimated run off rates. Submission of a full drainage strategy detailing any on and/or off-site drainage works will be secured by condition.

Contaminated land and land stability

7.123 The proposed site has been identified as potentially contaminated. The applicant has submitted a desktop contamination study, data review and remediation strategy report which has been reviewed by Brent Environmental Health officers. Clarification on the methodology was requested, which the applicant has provided. This has now been accepted, in line with the previously approved scheme.

Health

7.124 Policy SP3 of OPDC’s Regulation 19 Local Plan requires proposals to ‘ensure adequate access to facilities and services that support health, wellbeing and healthy lifestyles’. Whilst the exact operating model of the proposal is not yet known, extra care schemes often have programme/scheme managers, housekeeping, catering personnel along with staff administering care.

7.125 The applicant has submitted a Health Impact Assessment. The desktop HIA has assessed a variety of criteria including:

- Housing Quality and Design
- Access to healthcare services and other social infrastructure
- Access to Open Space and Nature
- Air quality, noise and neighbourhood amenity
- Accessibility and Active Travel
- Crime Reduction and Community Safety
- Access to healthy food
• Access to work and training
• Social cohesion and lifetime neighbourhoods
• Minimising the use of resources

7.126 The proposal scores well on the majority of categories, and has an overall positive impact. The proposal also includes recommended mitigation and enhancement actions, including:

- incorporation of SUDs into the final designs;
- following the mitigation measures set out in the air quality and noise reports;
- following the method statement set out in the CEMP; and
- promoting active and sustainable travel through the Travel Plan.

7.127 Overall, the health impact of the scheme will be positive and complies with Local Plan policy SP3.

8 Human rights and equalities

8.1 Planning Committee Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the applicants and any third party opposing the application in reaching their decisions.

8.2 The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights (ECHR) in relation to civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

8.3 In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the local planning authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular Members must pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
8.4 Officers are satisfied that the application material and officers’ assessment have taken these issues into account. Matters of consideration have included provision of good quality extra care housing for which there is a local identified need and the delivery of affordable dwellings.

9 Financial implications

9.1 The Section 106 legal agreement will secure contributions from the applicant to cover public realm costs as detailed in paragraph 2.1. The agreement will also secure contributions to cover the costs incurred by OPDC in terms of producing the agreement itself and the costs of monitoring the obligations in the document which may accrue to OPDC. Lead officer(s) should ensure this agreement is signed prior to committing to any contracts and approval for any additional expenditure is sought through the decisions process.

10 Legal implications

10.1 No legal implications arise from the report and it is consistent with the Corporation’s legal framework.

11 Conclusion

11.1 The principle of development of this site for extra care housing with supporting communal facilities has previously been established including through an extant planning permission granted by Brent Council in 2016. The principle of development complies with relevant planning policy and remains acceptable.

11.2 The proposal would deliver 141 Extra Care residential units of which 35% would be Affordable Rent capped at 80% of Market Rent levels. The affordable housing offer has been independently assessed for OPDC and has demonstrated to be the maximum reasonable amount that can be supported. The scheme will meet an identified need within Brent and will support the Council in meeting its duty to house and provide care to older people in the borough.

11.3 The height and massing of the development is appropriate and acceptable in this location and in light of the historic consent, the specific use and the arrangement of the building, is considered not to impact on surrounding SIL operations. A number of design improvements have been secured and the design of the development is improved, relative to the extant scheme. The proposal will deliver public realm improvements along this part of Acton Lane. The daylight and sunlight impacts on Victoria Care Centre have been assessed against the extant consent and are considered to be acceptable.

11.4 The traffic impacts of the development will be minimal and a S106 contribution has been secured for public realm, transport and highway improvements in Park Royal Centre.
11.5 The development complies with the energy hierarchy and will be capable of connecting to a future decentralised energy network. A contribution towards an off-site carbon offsetting scheme will be secured in the Section 106 agreement. The impacts of noise, air quality and water management have been assessed in detail and subject to conditions, are considered acceptable.

11.6 The application demonstrates compliance with the NPPF and policies in the London Plan, OAPF, OPDC Regulation 19 Local Plan and Brent’s Core Strategy. Subject to the completion of a Section 106 legal agreement to secure the benefits set out in the report and the conditions below, the proposals are considered acceptable and the application is recommended for approval.

12 Recommended planning conditions

12.1 COMPLIANCE – Time limit
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 (amended by Section 51 of the Compulsory Purchase Act 2004).

12.2 COMPLIANCE – Approved plans
The development shall be carried out in accordance with the following drawings and documents:

Drawings
16244_PL101
16211_PL102_B
16211_PL103_A
16211_PL104_A
16211_PL105_A
16211_PL106_B
16211_PL107_B
16211_PL108_B
16211_PL109_B
16211_PL110_C North & South Elevations
16211_PL111 A – East Elevation & Section A-A
16211_PL113_C_Section D-D
16211_PL112A - Section BB&CC
16211.PL114 Landscape Surfaces Finishing Plan inc. Lighting
Reason: For the avoidance of doubt and in the interests of proper planning.

12.3 **PRE-COMMENCEMENT – Contaminated Land**

(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the local planning authority:

a. a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study (submitted with the application) in accordance with BS10175:2011 (+A1:2013); and, unless otherwise agreed in writing by the local planning authority;

b. a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases and vapours when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

(ii) Unless otherwise agreed in writing pursuant to paragraph (i) above, the development hereby permitted shall not be occupied or brought into use until
there has been submitted to and approved in writing by the local planning authority a verification report prepared by the competent person approved under the provisions of (i) (b) above confirming that any remediation scheme required and approved under the provisions of (i) (b) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority such verification shall comprise:
   a) as built drawings of the implemented scheme;
   b) photographs of the remediation works in progress; and
   c) certificates demonstrating that imported and/or material left in situ is free from contamination.

(iii) Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (b).

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works in accordance with London Plan (2016) policy 5.21 ‘Contaminated Land’, and OPDC Regulation 19 Local Plan (2017) policy EU13 ‘Land contamination’.

12.4 PRIOR TO ABOVE GROUND WORKS – Drainage strategy

Prior to the commencement of above ground works, an updated drainage strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall confirm measures for attenuating surface water run-off rates. The approved measures shall be implemented in full before the development is first brought into use and the development shall only be carried out in accordance with the approved details.

Reason: To minimise the risk of surface water flooding in the vicinity of the site in accordance with London Plan (2016) policy 5.13 ‘Sustainable Drainage’ and OPDC Regulation 19 Local Plan (2017) policy EU3 ‘Water’.

12.5 PRIOR TO ABOVE GROUND WORKS – Material samples and sample panels

Prior to the commencement of above ground works:

   a. Samples of the facing materials, including window and balcony details, and elevations annotated to show where the materials are to be located shall be submitted to and approved in writing by the local planning authority;

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

Reason: To ensure that the appearance of the building is suitable and it contributes to the character and appearance of the area in accordance with
London Plan (2016) policy 7.4 ‘Local Character’ and OPDC Regulation 19

12.6 **PRIOR TO ABOVE GROUND WORKS— Construction and Environmental Management Plan (CEMP) and Construction Logistics Plan**

Notwithstanding the details hereby approved, prior to any above ground construction works, a Construction and Environmental Management Plan (CEMP) for the proposed development to address how the impacts of construction on the local highway network and the local environment will be managed shall be submitted to and approved in writing by the local planning authority. The CEMP shall include, but not be limited to, the following details (where appropriate):

- a construction programme including a 24-hour emergency contact number;
- parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- arrangements to minimise the potential for noise and vibration disturbance;
- locations for loading/unloading and storage of plant and materials used in constructing the development;
- erection and maintenance of security hoardings;
- wheel washing facilities and measures to control the emission of dust and dirt during construction; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works in accordance with the waste hierarchy and circular economy principles.

With specific regard to the CLP, it shall include:

- booking systems;
- consolidated or re-timed trips;
- secure off-street loading and drop off facilities;
- compliance with the Construction Logistics Strategy for the wider OPDC area, if available.

The development shall only be carried out in accordance with the approved CEMP and CLP.

Reason: To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties in accordance with London Plan (2016) policies 6.12 ‘Road Network Capacity’ and 7.15 ‘Reducing and
Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes’ and OPDC Regulation 19 Local Plan (2017) policies T7 ‘Freight, servicing and deliveries’ and T8 ‘Construction’. This condition is required prior to commencement as it is required to mitigate the potential environmental impacts of all works on site.

12.7 PRIOR TO ABOVE GROUND WORKS – Ventilation/extraction system

Prior to the commencement of above ground works, details of a ventilation/extraction system to serve the communal kitchen shall be submitted to and approved in writing by the local planning authority. The approved system shall be installed in full accordance with the approved details before any of the units are brought into use and maintained thereafter.

Reason: To prevent nuisance from cooking smells for people using neighbouring properties in accordance with London Plan (2016) policy 7.14 ‘Improving Air Quality’.

12.8 PRIOR TO OCCUPATION – Residential Management Plan

Prior to first occupation of the building, a Residential Management Plan shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the Residential Management Plan should address:

- The criteria against which eligibility for the scheme will be assessed, including minimum care requirements;
- How on-site support and care facilities for residents will be managed and maintained;
- How ad-hoc requirements for additional support requiring access to the premises will be managed;
- How communal facilities including landscaping, deliveries and collections will be managed;
- Security and fire safety procedures

Reason: To ensure the development meets a known local need and to ensure the management processes for the building are suitable, in accordance with policies H7 and H9 of OPDC’s Regulation 19 draft Local Plan and the London Plan Housing SPG (2016).

12.9 PRIOR TO OCCUPATION – Hard and soft landscaping

Prior to first occupation of the building, all hard landscaping details hereby approved in the Landscaping Method Statement, Landscape Surface Finishes Plan and Landscape Planting Plan shall be implemented in full. The soft landscaping details, including tree planting, shrub planting and grasses shall be planted prior to occupation or within the first planting season available, whichever is first. The approved landscaping shall be carried out in full accordance with the details hereby approved and shall be maintained as per the Landscape Method Statement for the lifetime of the development. Any
plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the character and appearance of the area, to ensure appropriate accessibility and to support biodiversity in accordance with London Plan (2016) policies 7.19 ‘Biodiversity and Access to Nature’ and 7.4 ‘Local Character’ and OPDC Regulation 19 Local Plan (2017) policy D2 ‘Public realm’.

12.10 PRIOR TO OCCUPATION – Antennae/satellite dishes

Prior to the first occupation of the development hereby approved, details to show appropriate locations for communal antennae and satellite dishes for that building that can be used by occupants of the building shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area in accordance with London Plan (2016) policy, 7.4 ‘Local Character’ and OPDC Regulation 19 Local Plan (2017) policies D4 ‘Well-Designed Buildings’.

12.11 PRIOR TO OCCUPATION – Lighting strategy

Prior to first occupation of the development a lighting strategy to address all external lighting across the development, and a programme for the implementation of external lighting and lux levels, shall be submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details and programme.

Reason: In the interests of the character and appearance of the area in accordance with London Plan (2016) policy, 7.4 ‘Local Character’ and OPDC Regulation 19 Local Plan (2017) policies D4 ‘Well-Designed Buildings’ and D6 ‘Amenity’.

12.12 PRIOR TO OCCUPATION – Noise report

Prior to the occupation the building, the applicant shall submit a report which provides evidence that the mitigation measures described in the approved Noise Impact Assessment (Paragon Acoustics Noise impact assessment reference 3802_ENA_1 dated 17th January 2017) have been implemented in full. These measures shall be retained for the lifetime of the development.

Reason: To minimise the risk of noise or vibration disturbance for future residents in accordance with London Plan (2016) policy 7.15 ‘Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes’ and OPDC Regulation 19 Local Plan (2017) policy EU5 ‘Noise and Vibration’.
12.13 PRIOR TO OCCUPATION – Delivery and Servicing Plan

Prior to the first occupation of the building, a Delivery and Servicing Plan to demonstrate how deliveries to the building will be accommodated and managed shall be submitted to and approved in writing by the local planning authority. The Delivery and Servicing Plan shall include suitable capacity for the anticipated size of delivery/servicing vehicles, appropriate storage areas, management arrangements for deliveries and waste and the intended routing of vehicles along the private road to the north of the building. The building shall not be occupied until the Delivery and Servicing Plan has been approved in writing and the Delivery and Servicing Plan shall be adhered to thereafter.

Reason: To avoid blocking the highway network and to protect the amenity of people in neighbouring properties in accordance with London Plan (2015) policies, 6.11 ‘Smoothing Traffic Flow and Tackling Congestion’ and 6.12 ‘Road Network and OPDC Regulation 19 Local Plan (2017) policies T7 ‘Freight, servicing and deliveries’.

12.14 PRIOR TO OCCUPATION – Waste and Recycling Storage

Prior to first occupation the building further details of the waste and recycling storage and collection facilities shown on the approved plans and a management strategy for the collection of refuse/recycling from the building shall be submitted to the local planning authority for approval. The approved details shall be implemented in full prior to the first occupation and the approved management plan shall be adhered to thereafter.

Reason: To ensure that adequate arrangements have been made for the storage and collection of waste and recycling in accordance with London Plan (2016) policies 5.17 ‘Waste Capacity’ and 6.12 ‘Road Network Capacity’ and OPDC Regulation 19 Local Plan (2017) policy EU6 ‘Waste’.

12.15 PRIOR TO OCCUPATION – Cycle and Mobility Scooter Storage (Residential)

Prior to the first occupation of the building all cycle and mobility scooter storage indicated on the approved plans shall be fully implemented and the storage shall be made available at all times to occupiers of the development and shall not be used for any other purpose.

Reason: To encourage cycling as a means of sustainable transport in accordance with London Plan (2016) policy 6.9 ‘Cycling’ and OPDC Regulation 19 Local Plan (2017) policy T3 ‘Cycling’.

12.16 PRIOR TO OCCUPATION – Decentralised Heat Network

The development hereby permitted shall be designed to be connected to a decentralised heat / energy network should one become available during the lifetime of the development.
Reason: To satisfy London Plan policies 5.5 and 5.6 and OPDC’s draft Local Plan policy EU6 ‘Decentralised energy’.

12.17 COMPLIANCE – Use

Notwithstanding the provisions of the Town and Country Planning Act (Use Classes Order) 1987 (as amended) the building hereby approved shall only be used as residential accommodation with care association to people in need of care and for no other purposes within Class C2 of the schedule to the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development hereby approved.

12.18 COMPLIANCE - Water Use

The development hereby approved shall fully comply with the optional requirements set out in paragraph (2)(b) of Requirement G2 of the Building Regulations 2010, as amended, to ensure that mains water consumption would meet a target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water consumption.

Reason: To ensure appropriate levels of water efficiency within the development in accordance with the London Plan (2016) policy 5.15 ‘Water use and supplies’.

12.19 COMPLIANCE – Plant Noise

The design, specification and installation of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.

Reason: To minimise the risk of noise or vibration disturbance for future residents in accordance with London Plan (2016) policy 7.15 ‘Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes’ and OPDC Regulation 19 Local Plan (2017) policy EU5 ‘Noise and Vibration’.

12.20 COMPLIANCE – Accessibility

All residential units indicated on the approved drawings as being suitable for wheelchair users (WC) shall be compliant with part M4 category 3 of the Building Regulations. All other units shall be compliant with part M4 category 2 of the Building Regulations.
Reason: To provide suitable access for disabled persons in accordance with London Plan (2016) policy, 3.8 ‘Housing Choice’ and OPDC Regulation 19 Local Plan (2017) policy D3 ‘Accessible and Inclusive design’.

12.21 COMPLIANCE – Noisy working hours

The development hereby approved must only carry out any building work which can be heard at the boundary of the site between the following hours:

- 08.00 – 18.00 Monday to Friday;
- 08.00 – 13.00 on Saturdays
- Not at all on Sundays, bank holidays and public holidays.

Reason: In the interests of the amenity of local residents in accordance with London Plan (2016) policy, 7.15 ‘Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes’.

12.22 COMPLIANCE – Solar panels

The solar panels shown within the approved Energy Strategy shall be installed in full accordance with the approved plans and fully operational before the building is first brought into use.

Reason: To ensure the development maximises energy efficiency measures in accordance with London Plan (2016) policies 5.2 ‘Minimising Carbon Dioxide Emissions’ and 5.7 ‘Renewable energy’ and OPDC Regulation 19 Local Plan (2017) policy EU9 ‘Minimising Carbon Emissions and Overheating’.

12.23 COMPLIANCE – Parking Spaces

Notwithstanding the approved plans, the two parking spaces to the rear of the building north) shall be restricted to use by visiting members of staff or visiting members of the public and not residents or existing staff members. A sign shall be placed adjacent to these spaces to inform users and shall be retained for the lifetime of the development.

Reason: In the interests of highway safety and to maintain a car free development in accordance with policy T4 of the draft Local Plan.

12.24 COMPLIANCE – Travel Plan

The Travel Plan hereby approved shall be implemented upon occupation of the building and the measures within shall be adhered to throughout the lifetime of the development. The Travel Plan shall be reviewed and updated by the Travel Plan Co-ordinator on a yearly basis, to include ongoing liaison with operators of adjoining plots.

Reason: To ensure that the development would have an acceptable impact on the local transport network in accordance with policy T9 ‘Transport Assessments and Travel Plans’ of the Regulation 19 OPDC Local Plan.
Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. Liability to pay CIL must now be assumed by submitting an Assumption of Liability Notice to the OPDC at planningapplications@opdc.london.gov.uk.

The applicant and/or contractor are encouraged to sign up to the Fleet Recognition Scheme (FORS) which promotes better safety standards during construction. The FORS guidance can be found at http://www.tfl.gov.uk/for-freight/safety-and-the-environment/managing-risks-wrrr.

The applicant is advised that prior to making a submission in relation to condition 12.12, requiring further details of external materials, that they should discuss the materials to be submitted with an Approved Building Control Surveyor in order to ensure that they meet with current fire safety regulations.

The applicant is strongly encouraged to consider the use of a sprinkler system within the development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.

The applicant is strongly encouraged to make reasonable endeavours to ensure that all workers involved in the construction of the development, either directly employed by the applicant, or employed by a sub-contractor, are paid the London Living Wage.

List of Appendices:
None.

List of Background Papers:
1. Consultation responses and representations
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