



Appeal Decision

Site Visit made on 7 July 2021

by G Rollings BA(Hons) MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2021

Appeal Ref: APP/T5150/W/21/3266416

Alperton Manufacturing Estate, Mount Pleasant, Alperton, London, HA0 1NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Zed Homes Ltd against the decision of London Borough of Brent.
 - The application Ref 18/4919, dated 17 December 2018, was refused by notice dated 9 July 2020.
 - The development proposed is demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1, D1 or D2 (E, F1, F2 and sui generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision from September 2020), associated car parking, landscaping and ancillary facilities (phased development).
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Decision

1. The appeal is allowed and planning permission is granted for demolition and erection of a mixed use development of buildings ranging between 3 and 14 storeys in height comprising residential units (use class C3), flexible commercial floorspace falling within use classes A1, A2, A3, A4, B1, D1 or D2 (E, F1, F2 and sui generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision from September 2020), associated car parking, landscaping and ancillary facilities (phased development) at Alperton Manufacturing Estate, Mount Pleasant, Alperton, London, HA0 1NR in accordance with the terms of the application, Ref 18/4919, dated 17 December 2018, subject to the conditions listed in the annex to this decision.

Preliminary Matters

2. The parties have agreed a revised description of development, which is incorporated above. I am satisfied that this does not alter the nature of the scheme to a degree whereby other parties would be prejudiced.
3. Of the three reasons for refusal provided by the Council, the parties have advised me that the second and third reasons, relating to improvement of local facilities and a planning obligation, have been satisfactorily addressed through the provision of revised plans and a planning obligation. I am satisfied that the revised plans do not prejudice the interests of any party and have considered them as part of this appeal. Although I address the submitted planning agreement below, I have limited the main considerations within this appeal decision to the remaining reason for refusal on which the parties do not agree.

4. The parties' comments on revised versions of the *London Plan* (2021) and the *National Planning Policy Framework* (2021) (the Framework) have been taken into account. These documents supersede the previous and the appeal has been decided with reference to the updated versions.

Main Issue

5. The main issue is whether the scheme would provide the maximum reasonable level of affordable housing.

Reasons

Affordable housing

6. The affordable housing provision is based on an offer that was revised by the appellant prior to the Council's decision; namely 53 three-bedroom flats for London Affordable Rent tenure, 12 two-bedroom and 10 one-bedroom flats within intermediate tenures, with the former representing 70% of the total offer by unit or 78% by habitable rooms. Of the 581 flats proposed overall, these 75 affordable flats represent 12.9% by unit and 16.8% by habitable room, and although this is a lower overall provision than the initial offer, it was considered by Council officers at the application stage to better represent the tenure split aspiration of the emerging local plan.
7. Brent's development plan includes the *Core Strategy* (2010) and *Development Management Policies* (2016). Policies CP2 and DMP15 require a 70% social or affordable rented housing (with a total of 50% overall affordable housing provision, subject to viability). Emerging Local Plan Policy BH5 retains the same overall target, but requires a tenure split of 70% social rent / London Affordable Rent and 30% intermediate housing, including London Living rent. The emerging policy appears to be consistent with Policies H5 and H6 of the revised London Plan, whereby Policy H6 specifies a 30%/30% split with the remaining 40% to be provided according to local need.
8. The viability information provided by the appellant is not disputed by the Council, including agreement that the scheme cannot deliver 50% affordable housing. A point of difference is provision of the social or affordable rented housing tenures specified by adopted Council policy, and the social or London Affordable Rent tenures of the emerging plan. The latter differs from affordable rent in that it has been introduced to reflect London housing conditions. The initial proposal provided a greater number of affordable units, but this would have offered a 53% to 47% split of affordable rent to shared ownership and intermediate rent.
9. Although the proposal conflicts with the currently adopted Council policy, it reflects the aspirations of the more recently adopted London Plan, which forms part of the development plan for the area. It also does not conflict with emerging policy, although this has not yet been subject to the examiners' findings. Nonetheless, affordable housing provision is not the subject of main modifications following the examination and I have therefore afforded moderate weight to the emerging policies.
10. I acknowledge the Council's concerns regarding the development costs in providing London Affordable Rented homes above the standard affordable rent product, and that incorporation of the latter could have resulted in a higher

number of affordable homes within the appeal scheme. I have no viability information before me to demonstrate that this would be the case.

11. An application for development of the appeal site has been subsequently recommended for approval by the Council following the start of this appeal.¹ This provides a greater overall number of affordable homes within the context of a higher overall provision of homes, with a different tenure split considered by the Council to more accurately represent the currently adopted policy stance. I am not party to the viability information for that scheme and cannot therefore comment on its applicability to the proposal before me. However, the viability assessment submitted for the appeal scheme indicates that the proposed affordable housing provision would result in a deficit.
12. Given that these figures are not disputed by the Council, and also that the appellant's planning obligation commits it to reviews at various stages of the build process, together with the generally policy compliant tenure mix, I can conclude that the affordable housing provision represents the maximum reasonable amount. Without viability evidence to demonstrate that a different tenure mix would result in a higher number of affordable homes, I am not satisfied that the current level of provision could be increased within the scheme before me. Although the proposal conflicts with the current Core Strategy and Development Management Policies Policies CP2 and DMP15, it does not conflict with current London Plan Policies H5 and H6 or emerging Local Plan Policy BH5, for the reasons set out above. Notwithstanding the conflict, the proposal reflects with the aspirations of the combined development plan for the area and does not conflict with the plan as a whole.

Other Matters

13. A completed Section 106 Planning Obligation has been submitted. Given that an obligation may constitute a reason for granting planning permission only if it meets the tests set out in Regulation 122 of the Community Infrastructure Regulations 2010 and paragraph 57 of the Framework, it falls to me to reach a finding on its acceptability.
14. Each of the measures set out by the Council in its reason for refusal on this issue is incorporated in the obligation. Of these, the requirement for cultural and community facilities, appropriate highway and pedestrian routes and improvements, active travel incorporating a travel plan, public transport improvements, local parking measures, sustainability measures and employment opportunities address needs set out in the Council's adopted *s106 Planning Obligations SPD* (2013) and its *Infrastructure Delivery Plan* (2019), which forms part of the evidence base for the local plan review. Additional measures relating to affordable housing provision are necessary to support its delivery for the reasons set out in the previous section of this decision. The various sums sought by the Council are justified and I am satisfied that the Council could rely on the document to secure the contributions. Moreover, I am content that the obligations meet the requirements of the statutory and acceptability tests.
15. I have taken into account the submissions received from interested parties. Possible impact on the canalside can be mitigated through the inclusion of suitable conditions. Access to local roads would be maintained via through-

¹ Council ref: 20/3156.

routes within the proposed development, although no access to the rear of local properties would be possible from the site. The height of the proposed development is a further matter that I have considered and I am satisfied that measures have been incorporated to ensure the design appropriately responds to local views and character.

Conditions

16. I have assessed the list of conditions proposed by the parties in the statement of common ground, together with the appellant's subsequent comments, against the tests set out in the Planning Practice Guidance (PPG)². Conditions No. 2 and No. 16 are included for the absence of doubt and in the interests of proper planning. No. 3 is to ensure that the potential impacts of the development are mitigated through the obligations set out within the Section 106 legal agreement, and No. 4 is to allow the Council to understand the relevant phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved.
17. Condition No. 5 to applied promote inclusive design within the development, and No. 6 to provide appropriate parking and refuse provision. No. 7 would ensure appropriate use of the retail units, including the safeguarding of appropriate affordable workspace and community uses in line with expectations. I have borne in mind the advice of the PPG with regard to the use of such restrictive conditions and consider them appropriate in this instance. Nos. 8, 10 and 11 have been similarly tested, and are applied to ensure the continued vitality of Brent's retail centres, the character and appearance of the site and area, and that an adequate standard of accommodation be maintained, respectively.
18. Nos. 9, 15, 24 and 30 are included to ensure sustainable development through minimising water consumption, providing appropriate heating, encouraging electric vehicle use, and minimising carbon emissions, respectively. No. 12 is to protect local living conditions and air quality, with Nos. 32 and 36 also applied in the interests of the former, and No. 21 also applied in the interests of the latter. No. 13 is to ensure that the development mitigates surface water drainage and flood risk; No. 14 to ensure that the development enhances local ecology and biodiversity; No. 17 and No. 22 to ensure that the development is constructed in an acceptable manner with reference to highway safety and living conditions; and Nos. 18, 19 and 20 to ensure that the structural integrity of the Grand Union Canal is retained.
19. I have applied condition No. 23 to identify and mitigate contamination risks and ensure the safe development and occupancy of the site. Nos. 25 and 28 are included to provide appropriate living conditions for future residents. Nos. 26 and 29 are to preserve the character and appearance of the area, with No. 29 additionally to maximise biodiversity benefits and the character of the Grand Union Canal; No. 27 to provide an appropriate environment for users of the outdoor parts of the development; No. 31 to ensure demolition and construction works do not have any adverse impact on the water quality of the Grand Union Canal; and No. 32 to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Conditions No. 34 and No. 35 are to ensure the development

² PPG reference ID: 21a-003-20190723; revision date: 23 07 2019.

provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

Conclusion

20. For the reasons given above I conclude that the appeal should be allowed.

G Rollings

INSPECTOR

Annex A: List of conditions

Annex B: List of approved plans

Annex A: List of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in Annex B of this decision.
- 3) No part or phase of development (save for enabling works and demolition) shall commence within Phases 1, 2, 3, 4, 5, 6 and/or 7 as shown on the approved Phasing Plan with reference PL5, unless and until all estates and interests comprised in that part or phase of development are subject to and bound by the terms relating to Phase 1a, as appropriate, set out in the Section 106 Agreement dated 7 April 2021 made between The Mayor and Burgesses of the London Borough of Brent and Alperton Limited, Alperton Projects 2 Limited and Questport Limited (with the intent that all of the covenants contained therein will be enforceable without limit of time not only against all of the owners of the land, but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in the land).
- 4) The development hereby approved shall be carried out in full accordance with the phasing plan with reference: PL5 (March 2020). The phases of development identified on this plan are to be referred to for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority. Any revised phasing plan submitted shall show the location of phases, the sequencing for those phases and indicative timescales for their delivery. Any revised phasing plan which is approved in writing by the Local Planning Authority shall be implemented in full from the point at which it is approved. Any revised phasing plan which is approved in writing by the Local Planning Authority, shall, for the purposes of considering other relevant conditions pursuant to this planning permission that require details to be discharged on a phase-by-phase basis, become the relevant phasing plan to refer to.
- 5) The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.
- 6) The car parking spaces, bicycle storage and residential and commercial refuse stores for each phase of the development shall be provided and made available prior to the first occupation of the relevant phase of the development hereby approved. These provisions shall thereafter be maintained for the lifetime of the development unless alternative details are first approved in writing by the Local Planning Authority.
- 7) a) The affordable workspaces within the first floor of block G and ground floor of block F shall not be used other than for purposes within the use class B1(a) (Class E(g)(i) from September 2020) or B1(c) (Class E(g)(iii) from September 2020), unless otherwise agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without

modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

b) The commercial unit within the basement and ground floors of block G shall not be used other than for purposes within uses classes A1, A2, A3, A4, B1, D1 or D2 (Classes E, F1, F2 and sui generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision from September 2020), unless otherwise agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

- 8) Unless otherwise agreed in writing by the Local Planning Authority, no individual commercial unit larger than 499 square metres of gross internal area shall operate within use classes A1, A2, A3 or A4 (Classes E(a), E(b), E(c) and sui generis public house, wine bar, drinking establishment or drinking establishment with expanded food provision from September 2020) within the development site.
- 9) The development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.
- 10) A communal television aerial and satellite dish system for each building shall be provided, linking to all residential units within that building unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.
- 11) The residential units hereby approved shall at no time be converted from use class C3 residential to a use class C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any equivalent provision in any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.
- 12) All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.
- 13) Unless alternative details are first agreed in writing by the Local Planning Authority, the details of mitigation set out in section 7 of the submitted Flood Risk Assessment (prepared by Odyssey, dated May 2019) and the drainage and SuDS strategies set out in sections 4 and 5 of the submitted Drainage Strategy

(prepared by Odyssey, dated November 2018) shall be fully implemented for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.

- 14) Unless alternative details are first agreed in writing by the Local Planning Authority, the details of biodiversity mitigation and enhancement set out in section 6.0 of the submitted Preliminary Ecological Assessment (prepared by ACD Environmental, dated November 2018) shall be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.
- 15) Prior to first occupation of any residential dwellings within block E, the development shall be implemented in full accordance with the details shown on plan ref 6277 M 101 P (October 2019) to allow for a future connection to a district heating network.
- 16) The scheme hereby approved shall contain 581 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.
- 17) Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved construction logistics plan.
- 18) Prior to the commencement of the development hereby approved:
 - a) A survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.
 - b) Following the completion of the works and within 6 months of first occupation of phases 5, 6 and 7 of the development hereby approved, as indicated on phasing plan PL5 (March 2020): A further survey of the waterway wall shall be carried out, and the details submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust, to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.
- 19) Prior to the commencement of phases 4, 5, 6 and 7 of the development, as indicated on phasing plan PL5 (March 2020), a detailed Impact Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust, to demonstrate that ground movement loading generated throughout the construction phases and permanent design shall not pose a threat to the integrity of the Canal walls, foundations, lining, locks, weirs and any other associated canal infrastructure.
- 20) No development shall take place until the details of a Risk Assessment Method Statement (RAMS) have been submitted to and approved in writing by the Local Planning Authority for all activities which have a potential to impact the integrity of the canal or any of its associated infrastructure. These details shall include a programme of implementation in accordance with the Canal & River Trust Code of Practice for Third Party Works. The requirements set out in the

RAMS shall be followed, save for minor variations which are otherwise agreed in writing by the Local Planning Authority.

- 21) Notwithstanding the details of the submitted air quality assessment (prepared by Aether, dated January 2020, Ref: AQassessment/2020/Alperton), prior to the commencement of the development, an updated report shall be submitted outlining any changes to the air quality assessment, compliance with Air Quality Neutral criteria and any necessary additional mitigation measures that arise as a result of the revisions to the scheme. The development shall thereafter be implemented in accordance with the approved details.
- 22) Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.
- 23) a) Prior to the commencement of each phase of the development (excluding demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 and the Environment Agency's current Land Contamination Risk Management Guidance or any subsequent updates. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works for each phase, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Vapour monitoring shall be undertaken as part of the assessment.

b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report for each phase shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The remediation works shall be carried out in full for each phase prior to first occupation of that phase of the development hereby approved.
- 24) Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of electric vehicle charging points within at least 20% of the approved car parking spaces within the site shall be submitted and approved in writing by the Local Planning Authority. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing both active and passive charging points.
- 25) Prior to commencement of each phase of the development, excluding demolition, site clearance and works below ground level, a revised overheating assessment for the relevant phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The overheating assessments shall assess the potential for overheating in the context of changes to the number, positioning and size of the windows in the development since the initial submission of the application. The overheating assessments shall also set out details of any additional mitigation required to

ensure an acceptable internal heat environment for the residential units. The development shall thereafter be carried out in accordance with the approved overheating assessments and all relevant mitigation measures shall be installed prior to first occupation of the relevant phases of the development.

- 26) Details of materials for each phase of the development, for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.
- 27) Details of suitable mitigation to establish a comfortable pedestrian environment in respect of wind conditions experienced by pedestrians at the entrances of that building, as identified in figure 2.4 of the submitted Wind Microclimate Desk Study (prepared by BMT, dated November 2018 – Ref: 600010rep1v2 Release: 2) shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The approved details shall thereafter be implemented prior to first occupation of the relevant phase of the development, or, other timescales as agreed in writing by the Local Planning Authority.
- 28) Notwithstanding the details already submitted, further details of external noise and its effect on the residential development for each phase shall be submitted to and approved in writing by the Local Planning Authority, prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The revised details shall show results (and any associated mitigation that is necessary) of an assessment meeting the requirements of BS4142 which fully considers the impact of nearby industrial units, including those within the Liberty Centre. The approved details shall thereafter be implemented in full for each phase of the development prior to first occupation of the relevant phase of the development hereby approved.
- 29) Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal and River Trust. The submitted scheme shall identify:
 - a) The landscaping associated with each phase.
 - b) All plant species, densities of planting as well as species and soil densities for all proposed trees and plants.
 - c) Details of any new habitat created.
 - d) Detailed plans of the child play spaces.
 - e) Details of the use of rain gardens and high retention soil.
 - f) External lighting locations and lux levels.
 - g) Details of vehicle barriers preventing vehicles from being driven into the canal.

The approved landscaping for each phase of the development shall be completed in the first planting season after the occupation of the relevant phase of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

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

To ensure the character of the Grand Union Canal is retained, and to maximise biodiversity benefits, in accordance with the Blue Ribbon Network Policies of the London Plan.

- 30) Where photovoltaic panel arrays are proposed on the roof as part of a phase of the development hereby approved, detailed drawings showing the photovoltaic panel arrays shall be submitted to and approved in writing by the Local Planning Authority within six months of the commencement of development for the relevant phase. The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the relevant phase.
- 31) Prior to the commencement of phases 4, 5, 6 and 7 of the development hereby permitted, as indicated on phasing plan PL5, a revised Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust. The Construction Environmental Management Plan shall include details of proposed surface water arrangements (either via drains or surface water run-off) during the demolition/construction works. Details should confirm the following:
- a) No surface water (either via drains or surface water run-off) or extracted perched water or groundwater should be allowed to be discharged into the canal during the demolition/construction/enabling works. Such waters should be discharged to the available foul sewer or be tankered off-site.
 - b) The existing surface water drains connecting the site with the canal must be capped off at both ends for the duration of the works – i.e. at the point of surface water ingress and at the outfalls to the canal.
 - c) Whether the drainage system discharging to the canal serves residential or commercial areas and how many car parking spaces it serves.
- 32) Prior to the first occupation of the development hereby permitted, confirmation must be provided to the Local Planning Authority that all wastewater network upgrades required to accommodate the additional flows from the development have been completed. Alternatively, a housing and infrastructure phasing plan relating specifically to the provision of wastewater network upgrades has been agreed with the Local Planning Authority, in consultation with Thames Water, to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
- 33) In the event that one or more of the commercial units hereby approved are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to and approved in writing by the Local Planning Authority.

The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

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

Annex B: List of approved plans

Existing Site Location Plan	00-00-SH-A-90-1001 D0-2
Proposed Site Location Plan	00-00-SH-A-90-1002 D0-2
Proposed Block Plan	00-00-SH-A-90-1003 D0-2
Proposed South Site Basement	01-B1-SH-A-01-00B1 D0-2
Proposed South Site Ground Floor	01-00-SH-A-01-0001 D0-2
Proposed South Site First Floor	01-01-SH-A-01-0002 D0-2
Proposed South Site Second Floor	01-02-SH-A-01-0003 D0-2
Proposed South Site Third Floor	01-03-SH-A-01-0004 D0-2
Proposed South Site Fourth Floor	01-04-SH-A-01-0005 D0-2
Proposed South Site Fifth Floor	01-05-SH-A-01-0006 D0-3
Proposed South Site Sixth Floor	01-06-SH-A-01-0007 D0-3
Proposed South Site Seventh Floor	01-07-SH-A-01-0008 D0-3
Proposed South Site Eighth Floor	01-08-SH-A-01-0009 D0-2
Proposed South Site Ninth Floor	01-09-SH-A-01-0010 D0-2
Proposed South Site Tenth Floor	01-10-SH-A-01-0011 D0-2
Proposed South Site Eleventh Floor	01-11-SH-A-01-0012 D0-2
Proposed South Site Twelfth Floor	01-12-SH-A-01-0013 D0-2
Proposed South Site Thirteenth Floor	01-13-SH-A-01-0014 D0-2
Proposed South Site Roof Plan	01-R1-SH-A-01-00R1 D0-1
Proposed North Site Basement	02-B1-SH-A-01-00B1 D0-2
Proposed North Site Ground Floor	02-00-SH-A-01-0001 D0-3
Proposed North Site First Floor	02-01-SH-A-01-0002 D0-3
Proposed North Site Second Floor	02-02-SH-A-01-0003 D0-3
Proposed North Site Third Floor	02-03-SH-A-01-0004 D0-3
Proposed North Site Fourth Floor	02-04-SH-A-01-0005 D0-3
Proposed North Site Fifth Floor	02-05-SH-A-01-0006 D0-3
Proposed North Site Sixth Floor	02-06-SH-A-01-0007 D0-3
Proposed North Site Seventh Floor	02-07-SH-A-01-0008 D0-3
Proposed North Site Eighth Floor	02-08-SH-A-01-0009 D0-3
Proposed North Site Ninth Floor	02-09-SH-A-01-0010 D0-3
Proposed North Site Roof Plan	02-R1-SH-A-01-00R1 D0-2
Proposed South Elevations 01 & 02	01-ZZ-SH-A-03-0001 D0-2
Proposed South Elevations 03 & 04	01-ZZ-SH-A-03-0002 D0-3
Proposed South Elevations 05 & 06	01-ZZ-SH-A-03-0003 D0-3
Proposed South Elevations 07 & 08	01-ZZ-SH-A-03-0004 D0-2
Proposed South Elevations 09 & 10	01-ZZ-SH-A-03-0005 D0-1
Proposed North Elevations 11 & 12	02-ZZ-SH-A-03-0006 D0-3
Proposed North Elevations 13 & 14	02-ZZ-SH-A-03-0007 D0-3
Proposed North Elevations 15 & 16	02-ZZ-SH-A-03-0008 D0-3
Proposed North Elevations 17 & 18	02-ZZ-SH-A-03-0009 D0-3
Proposed North Elevations 19 & 20	02-ZZ-SH-A-03-0010 D0-3
Proposed North Elevations 21 & 22	02-ZZ-SH-A-03-0011 D0-2
Proposed North Elevations 23	02-ZZ-SH-A-03-0012 D0-2
Proposed Basement Plan	00-B-SH-A-90-00B1 D0-1
Proposed Ground Floor Plan	00-00-SH-A-90-0001 D0-2
Proposed First Floor Plan	00-01-SH-A-90-0002 D0-2
Proposed Second Floor Plan	00-02-SH-A-90-0003 D0-2
Proposed Third Floor Plan	00-03-SH-A-90-0004 D0-2
Proposed Fourth Floor Plan	00-04-SH-A-90-0005 D0-2

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