

**Committee Report  
Planning Committee on 30 November,  
2005**

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Item No.                   **3/05**  
Case No.                  05/2263

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**RECEIVED:**              13 September, 2005

**WARD:**                   Tokyngton

**PLANNING AREA:**       Wembley Consultative Forum

**LOCATION:**              1-99 Inc, Ada Lewis House, Empire Way, Wembley, HA9

**PROPOSAL:**              Outline application for the demolition of existing buildings and erection of 2 buildings with undercroft parking level and refuse stores, containing 90 residential units (33 one-bedroom flats, 49 two-bedroom flats and 8 three-bedroom flats) for private sale, shared ownership and social rental and formation of new access on to Empire Way (matters for determination: means of access and siting)(as accompanied by a Design Statement Revision A by AHA Architecture International and Transport Statement dated 12 September 2005)

**APPLICANT:**             Westoak County Limited

**CONTACT:**               AHA Architects International Ltd

**PLAN NO'S:**             1004 PL01  
                          1004 PL02  
                          1004 PL03 Revision A  
                          1004 PL04  
                          1004 PL05  
                          1004 PL06  
                          1004 PL07  
                          1004 PL08  
                          1004 PL09  
                          1004 PL10  
                          1004 PL11  
                          1004 PL12  
                          1004 PL13  
                          1004 PL14  
                          1004 PL15

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**RECOMMENDATION**

Refusal

**EXISTING**

This application relates to Ada Lewis House, which lies on the West side of Empire Way, with the North end of the frontage being located opposite the traffic light junction with Engineers Way. The site with an area of 0.348 hectares has a frontage of 58 metres to Empire Way and a depth of 60 metres. There is a fall in the land from the rear South West corner to the North and East.

Presently on the site is a four storey red/brown brick building that reduces to three storeys in the South West corner built during the inter War period, with the top floor partly set into a brown tiled part mansard and

hipped roof. The present development almost surrounds the four sides of a central courtyard with an access to the courtyard being sited centrally in the North elevation of the development. The building is almost parallel to the highway on Empire Way, set back 5.5 - 6.5 metres. It is set approximately 12 metres from the South boundary, 16 metres from the North boundary and 11 metres from the West (rear) boundary. The building is presently set approximately 0.4 - 0.75 metres above the pavement level in Empire Way, the front boundary being defined by a low brick wall with metal railings on top. The North and rear boundaries are defined by wooden fences and the Southern boundary has tall vertical metal railings.

Within the site are a number of trees in the grassed area between the building and the Southern boundary, along the West and North boundaries and adjacent to the North side of the building, with one on the frontage. The remainder of the landscaping around the building is made up of grass and some flowerbeds and shrubs, with raised flowerbeds in the central courtyard area which also contain three trees.

Access to the site is from Empire Way close to the Northern boundary with the metal railing gates recessed 3.5 metres from the back edge of pavement. The access road extends to the back of the site where it widens to form a turning area and a parking area for 12 cars.

The building is laid out with bedsit type units and provides hostel accommodation provided by the Southern Housing Group. It is understood that many of the units are not occupied.

The site lies between Raglan Court to the North a three storey red brick and tiled hipped roof residential development surrounded by grass with trees which splay out into a Y shape adjacent to the frontage of the application site and has a garage court to the rear close to the application site boundary. To the South lies Alexandra Court, a four storey development which is principally in residential use (there are a few small retail units on the ground floor) which has similarities in design to Ada Lewis House with the top floor set into a mansard and hipped roof. This development has a road along the boundary with the application site which forms the egress for a road that extends to the rear of Alexandra Court and serves some garages and parking spaces along the rear boundary by the application site. Immediately to the South of the egress from Alexandra Court is a pelican crossing. To the rear, the application site backs onto the two storey hipped roof semi detached houses in Manor Drive which are set above the application site. To the East, the site faces an open area in front the Wembley Arena and former bingo hall on the South side of Engineers Way which lie within the Quintain redevelopment site and the boarded off Palace of Arts building that lies on the North side of Empire Way.

The application site also includes in the South West corner an area that offers vehicular access to some car parking spaces and a dustbin storage area used by the Alexandra Court development, the rear (West) boundary of which is formed of a concrete panelled fence with the Manor Drive properties.

## **PROPOSAL**

### Procedural matters

This application was initially submitted as a full application but was converted by the applicants to an outline application, prior to its formal receipt, but remains accompanied by a full set of plans. The application is only seeking permission for the siting of the development and the means of access and is not seeking permission for the design or appearance of the building or landscaping. However, as this application is also seeking permission for the erection of 90 flats and the application has set out details of the size of the flats, it is assumed that the applicants are seeking permission for a development of the size and scale as indicated on the submitted drawings.

### Details of the scheme

The present building is to be demolished and two blocks of flats are proposed; one at the front facing Empire Way which is to provide 58 units (28 one-bedroom and 30 two-bedroom) proposed as private housing for sale and one across the rear of the site which will provide 32 affordable units (7 one-bedroom, 17 two-bedroom and 8 three-bedroom). The submission indicates that the top two floors of the latter block, containing 1 two bedroom and 8 one-bedroom units, will be shared ownership units.

The frontage block will be set back 5 metres from the back edge of pavement. At the Southern end it will be sited 3.3 - 4.6 metres from the boundary and at the Northern end will be sited 3.6- 4.7 metres away from the boundary. The building extends for five floors at these general dimensions with the next two floors being inset from side of the building by approximately 3.8 metres whilst the front is set in 1.8 metres and the rear is set in 1.4 metres. On top of this, is a further floor with the ends further set in from the side by 2.2 metres with the front set back a further 1.6 metres and the rear by 1.2 metres. Although permission is not being sought for the appearance, the drawings suggest the use of a variety of materials including clay tile cladding, zinc

tile cladding, curtain walling, metal panels, trespa panels, with small areas of render and brickwork on parts of the ground floor and metal and glass balconies on the front and rear elevations. There will be a pedestrian entrance into the building in the centre of the front elevation and two entrances at the rear, with access from the underground car parking area.

The rear block is separated from the front block by a distance of approximately 15.8 -21 metres at ground level. The dimensions on the submitted drawings indicate the building will be set in 10.1 metres from the rear (West) boundary, 3.7 - 4.2 metres from the North boundary and 7.6 - 8.2 metres from the Southern boundary. The building will be 4 storeys high at these general dimensions, then the fourth floor is set in 3.4 metres at either end and 4.7 metres from the rear wall over a distance of 5.8 metres. A further (5th.) floor is set in 5.8 metres at the side and 3.6 metres at the front. Similar materials are proposed for this building as the frontage building. A central access on the front (East) elevation is proposed. This building will contain windows in the rear elevation and for the two units per floor on the East side, windows in the end and return elevations are shown for the habitable rooms.

The development will have an underground car park area, showing parking for 70 cars, including 10 disabled spaces. This underground area also incorporates 3 areas for the storage of 90 bicycles. Two areas for parking 5 motorcycles are also shown. A 5.5 metre access to the car park off Empire Way is located at the Southern end of the site frontage. Servicing for the development would take place from the access road to the South of the site which forms the egress for the Alexandra Court development, the scheme showing a 3 metre wide and 6 metre deep lay-by extending into the Ada Lewis House site adjacent to a proposed bin store. A further bin store, which it is intended to share with the Alexandra Court residents, is located in the South West corner of the site, also with access off the Alexandra Court egress.

Some nominal planting is shown on the site frontage and in two strips along the Southern boundary and along the rear boundary. Three mounds between hard landscaped areas, together with two vents for the car park are shown in the area between the two buildings. Three ventilation areas for the car park are proposed just beyond the rear patio areas for the rear block. Patios/courtyards are provided for the ground floor units, with small balconies for the upper floor units. No details of the boundary treatment are indicated.

## HISTORY

04/1658 - Demolition of existing buildings and erection of part 5-, 7- and 8-storey building on frontage and part 4-, 5- and 6-storey building at rear to provide 90 flats (including 32 affordable units) containing 3 one-bedroom flats, 49 two-bedroom flats and 8 three-bedroom flats, with underground parking for 70 cars, with access off Empire Way, erection of 2 refuse stores and provision of landscaping.

Withdrawn by applicants immediately prior to consideration by the Planning Committee on 23 August 2004. The application was recommended for refusal on the following grounds :

- "1. The proposal will result in a loss of an affordable housing site with no demonstration of why it is no longer suitable for such purposes and provides within the new development affordable housing below the 50% target with no explanation why this is not achievable and therefore would be contrary to the provisions of policies H2 and H5 of the adopted London Borough of Brent Unitary Development Plan 2004.
2. The means of access serving the scale of development proposed directly onto Empire Way is located at a point close to the traffic light controlled junction of Empire Way with Engineers Way and by the exit from the adjacent Alexandra Court development to the South to the detriment of the free flow of traffic and conditions of general highway on the neighbouring highways. The proposal will therefore be contrary to policies H12 and TRN14 of the adopted London Borough of Brent Unitary Development Plan 2004
3. The proposed development by virtue of its height, nature and location proximate to the site boundaries will be out of keeping with the scale and character of the adjacent existing residential development to the detriment of the streetscene and have an overbearing impact on the outlook from and use of the gardens of the neighbouring development to the detriment of their occupants. This scheme providing a mix of 90 one, two and three bedroom units with a density of 640 habitable rooms per hectare, represents an overdevelopment of the site. The proposal will therefore be detrimental to policies BE2, BE7, BE9 and H14 of the adopted London Borough of Brent Unitary Development Plan 2004 and the provisions of Supplementary Planning Guidance 17 'Design Guide for New Development'.
4. The proposal will involve a loss of existing mature trees and limited opportunities to provide replacement planting and amenity space for the prospective residents of the accommodation, or a suitable setting for the development by virtue of the siting, nature and height of the proposed development. The proposal will therefore detract from the visual amenity and character of the area and the amenities of the prospective occupants of the development, some of which is family sized units and will be contrary to policies BE2, BE6, BE9 and H12 of the adopted London Borough of Brent Unitary Development Plan 2004 and the provisions of Supplementary Planning Guidance 17 'Design Guide for New Development'.

5. The proposal provides inadequate sized car parking spaces and access to and from these spaces resulting in a reduced level of parking which together with an absence of any detail as to control over the excess overspill parking, will result in conditions that are detrimental to the highway safety and the free flow of traffic on the neighbouring highways and the general amenities of the locality. The proposal will therefore be contrary to policies H12, TRN1, TRN3, TRN4 and TRN23 of the adopted London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Guidance 17 'Layout Standards for Access Roads'.

6. The size of all but one of the one bedroom units fails to meet the minimum unit size specified in Supplementary Planning Guidance 17 'Design Guide for New Development' and therefore offers an unsatisfactory standard of accommodation for the prospective residents.

7. The proposal has inadequate cycle parking storage facilities and so would be contrary to policy TRN11 within the adopted London Borough of Brent Unitary Development Plan 2004."

00/2153 - Alterations to the existing accommodation to reduce the number of bedsit units to 68 units and to maintain the existing 4 self contained flats, 1 self contained staff flat and 1 office unit.

Approved on 1 March 2001.

92/0745 - Rebuilding of boundary wall and erection of metal palisade fence and gates.

Approved on 1 July 1992.

82/0122 - Change of use of from store to estate office, erection of refuse enclosure and alterations and reformation of car park and formation of vehicle access.

Approved on 26 April 1982.

## POLICY CONSIDERATIONS

BE1 - An Urban Design Statement should be submitted for all new development proposals. On all sites of over 0.3 hectares and major regeneration projects, this statement should include matters relevant to the proposal including important features (trees, Hedgerows, buildings etc.) within and forming the edges to the site, the location and nature of existing and potential links to and through the site and to facilities outside, important views within and out of the site and landmarks visible outside the site, the relationship of the site to the surrounding area, , how the design relates to and enhances its urban context, as well as the concept and principles behind the architectural and landscape design and how the development contributes towards urban sustainability and regeneration.

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, particular emphasis on prominent corner sites, entrance points and creating vistas, respect the form of the street by building or responding to the established line of frontages, unless there is clear urban design or planning justification. Development layouts should prioritise movement by foot, cycle and public transport, encourage convenient pedestrian access to important civic areas by retaining or providing new routes and linkages which contribute to the permeability of the area, minimise conflicts between vehicles, pedestrians and cyclists through a clear delineation of routes and unencumbered entrances and circulation and integrate the proposed development with public transport and car parking facilities.

BE5 - Development should be understandable, free from physical hazards and to reduce opportunities for crime, with a clear relationship between existing and proposed urban features outside and within the site. Public, semi-private and private spaces are clearly defined in terms of use and control, informal surveillance of public and semi-private spaces through the positioning of fenestration, entrances etc., front elevations should address the street with, where possible, habitable rooms and entrances with private areas to the rear and significant areas of blank wall and parking should be avoided on back edge of pavement locations, entrances should be overlooked by development with good lighting and visible from the street, rear gardens should not adjoin public space, parking spaces are provided within view and if not made safe in other ways

and are not normally accessible via rear gardens of residential properties and accessways are through or adjoining a site are overlooked by development, provided with good lighting, set away from cover, provide clear sightlines and not run next to rear gardens.

BE6 - High standard of landscaping required as an integral element of development, including a design which reflects how the area will be used and the character of the locality and surrounding buildings, the retention of existing trees, shrubs and hedgerows particularly where they form part of the character of the area, new planting of an appropriate species, size, density of planting with semi-mature or advanced nursery stock, new integrally designed structural landscaping on appropriate larger sites, boundary treatments which complement the development and enhance the streetscene and screening of access roads and obtrusive development from neighbouring residential properties.

BE7 - High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road will be resisted.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which have a direct relationship with the street at ground floor level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/textured to the surrounding area.

BE11 - Proposals for higher densities than that prevalent in the surrounding area will be encouraged in appropriate locations which will include town centre locations in Areas of Very Good and Good Public Transport Accessibility and transport interchanges and will be encouraged to include a mix of compatible land uses. Proposals that fail to incorporate an appropriate element of secondary use(s) where single uses would undermine the existing character or prejudice the regeneration prospects of an area will be resisted taking into account the scale and nature of the proposed development relative to the mix of land uses in the surrounding area and the feasibility of incorporating secondary use(s) given the nature of the primary use and the site characteristics. Particular attention will be paid to the design of intensive and mixed use developments which should achieve a satisfactory relationship between individual units and uses in terms of their layout, stacking, the adjoining area(s) between them and protection of the amenity of adjoining and proposed residents. Uses open to visiting members of the public should be located to have a significant ground floor window display and entrance. Residential accommodation should be functionally independent of commercial and business uses and should be separately accessed at street level.

BE12 - Proposals should embody environmental design principles commensurate with the scale and type of development including taking account of incorporating built forms , technologies, orientation and layout that will contribute to reduced energy consumption (ventilation, heating/cooling, lighting) and associated emissions, avoiding negative micro climate effects (e.g. wind turbulence, noise reflection), the potential for the re-use of existing buildings and materials and environmental effect of building materials used, making adequate integrally designed provision for the storage and recycling of waste, the potential for the management or recycling of water, methods to protect important flora, fauna and/or topographical features during construction and to minimise disturbance to the local amenity, methods to maximise recycling and re-use and minimising waste during demolition and construction, sustainable remediation of brownfield sites redeveloped for sensitive uses will be sought and where contamination remains in situ a monitoring regime will need to be agreed, measures to minimise the impact of poor air quality on sensitive users in Air Quality Management Areas and noise levels from traffic, trains other significant noise generators.

BE17 - All air cooling, heating, ventilation, extraction and conditional systems and ancillary plant, ducting and equipment likely to be visually intrusive should in the first instance be accommodated within the internal envelope of proposed buildings. Where this is not practicable, they should be located in visually inconspicuous positions with minimal effect on the use, character and appearance of the proposed and nearby buildings and local amenity. Where building services equipment cannot be satisfactorily relocated or designed out , it should be considered as part of an overall integrated architectural design.

EP2 – Noise sensitive development will be permitted unless its users would suffer noise levels above acceptable levels and if this cannot be acceptably attenuated. Necessary noise insulation will be secured by condition.

H1 - A net addition of at least 9650 (480 per year) new dwellings (13,510 including vacancies and non self contained dwellings) should be provided between 1997 and 2016 (of which at least 4,800 of the new dwellings should be affordable) subject to suitable locations and maintenance of a quality environment.

H2 15+ unit developments should provide affordable housing on site to contribute towards the Boroughwide target for affordable housing and be available to Brent residents. A range of unit sizes having regard to local circumstances and site characteristics should be provided. The tenure of different elements within the scheme should not be apparent from the siting, design or layout. The affordable element should be available for occupation at the same time as other elements or sooner as may be appropriate.

H3 - Scale of affordable housing to be provided should be between 30 -50 % having regard to the Boroughwide target and various factors including exceptional costs associated with the site above those normally encountered, the physical suitability of the site for affordable housing, the walking distance to a shopping centre and local services, the public transport accessibility of the site, the housing needs of the local area and need to secure a mix of housing types, sizes and levels of affordability in the locality, any site specific indicative target, the costs associated with the achievement of other planning objectives.

H6 - The net loss of affordable housing units (including purpose built hostels and homes in multiple occupancy) or land part of affordable housing sites to non affordable housing use will be resisted unless this is the only way of securing essential improvements to the quality of affordable housing remaining/rebuilt on site, or its suitability for residents in priority need or the property is incapable of being brought up to Housing Act of Building Regulations standards.

H8 - Development should not result in a net loss of residential accommodation where such accommodation can still be used with or without adaptation, for permanent residential purposes. Where a development entails demolition or other loss of dwellings, comparable replacement will be required.

H9 - 15+ unit developments are required to provide a mix of family and non family units having regard to local circumstances and site characteristics. Special regard will be had to affordable housing designed to meet the needs of a particular priority group.

H10 - New residential development should be self-contained.

H11 - Housing will be promoted on previously developed urban land which the plan does not protect for other land uses.

H12 - Layout and urban design of residential development should reinforce/create an attractive/distinctive identity appropriate to the locality creating a clear sense of place, housing facing streets and defining roads, have access and internal layouts which achieves traffic safety where cars are subsidiary to cyclists and pedestrians, cul-de-sacs should only be used in parts of that cannot be serviced in any other way, appropriate car parking and cycle parking ,where dedicated on-street parking is maximised as opposed to in curtilage parking, and avoids excessive tarmac and landscaping and provides an amount and quality of open landscaped areas appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The primary consideration in determining the appropriate density of new residential development will be achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites and meets the amenity needs of potential residents. The most dense developments will be in areas with good and very good public transport accessibility. Surrounding densities should at least be matched unless it would harm residential amenity. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.

H15 - Backland development will pay regard to the density and height which should be subsidiary to the frontage housing, the privacy and outlook from existing dwellings and in particular gardens, access arrangements which would cause significant nuisance to neighbouring properties will not be permitted, the effect and cumulative impact of the development on the loss of garden habitat.

H16 - Frontage redevelopment within an existing residential area must make an equal or greater contribution to the character and quality of the streetscene. The spacing around the development should be compatible with the character of the surrounding area.

TRN1 -Planning applications will be assessed for their transport impact, including cumulative impacts on the

environment and on the road network and all transport modes including public transport, walking and cycling. Developments having a potentially significant impact on the transport network should submit a Transport Assessment, incorporating proposed traffic reduction by the developer (e.g. green transport plans). Where this transport impact is demonstrated to have an unacceptable public transport or environmental impact the application will be refused unless measures are secured as part of the application making this acceptable.

TRN2 - Development should benefit and not harm the operation of the public transport network and should be located where the public transport accessibility is sufficient to service the scale and intensity of the use, in particular, the capacity of the public transport network within convenient and safe walking distance of the site should be sufficient to accommodate any increase in passenger trips to an acceptable level of service, any significant increase in traffic generated by the development and/or associated highway works should not cause material harm to the speed and/or reliability of bus services.

TRN3 - Proposals that cause or worsen an unacceptable environmental impact from traffic will be refused, including where car generation is greater than the parking to be provided on site in accordance with the standards and any resulting on-street parking would cause unacceptable traffic management problems, it would result in unacceptable environmental problems such as noise and air quality, the development would not be easily and safely accessible to pedestrians and/or cyclists, additional traffic would have unacceptable consequences for access/convenience of pedestrians and/or cyclists, it produces unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic without producing unacceptable congestion especially through traffic, there is a significant increase in the number/length of journeys made by private car.

TRN4 - Where transport impact is unacceptable, measures will be considered which could acceptably mitigate this and enable the development to go ahead and where necessary secured at the developers' expense including public transport improvements sufficient to service the scheme or to integrate it with the surrounding area with developments attracting a significant number of trips in areas with low or moderate public transport accessibility being acceptable only when significant public transport improvements (particularly to bus facilities and /or services are secured which are both viable and justifiable in the long term, the extension or bringing forward of on street parking controls/waiting restrictions, improvements to pedestrians and/or cycle facilities, traffic calming measures, acceptable road safety and essential highway improvements, not necessarily restricted to junctions and road lengths adjacent to the development, providing these improvements are limited to measures necessary to make the transport impact acceptable and management measures necessary to reduce car usage to an acceptable level (e.g. green transport plans). Such measures should be necessary for the scheme to go ahead and be related to the development, should be consistent with any existing or proposed parking controls and Local Area Transport Strategy covering the area and should not unacceptably divert traffic problems elsewhere. Wherever possible, measures should be completed before the development is completed/operational.

TRN10 The walkability of the public environment should be maintained and enhanced especially to key destinations such as schools, shopping centres and public transport and for those with mobility difficulties. New development should have safe walking routes which are overlooked, convenient and attractive within the site and to surrounding facilities and areas. These should normally be along streets or where not practical or desirable overlooked pedestrian routes. There should be level access at pedestrian crossing points

TRN11 - Major developments will be expected to contribute towards improvements in links to and on the London Cycle Network where the need for such facilities arises directly from the need to service the development by sustainable modes. Developments should comply with the minimum cycle parking standards and site facilities in a convenient and, where appropriate, secure location.

TRN12 - Priority will be given to road safety issues, particularly those affecting the convenience and safety of vulnerable road users such as pedestrians and cyclists. Essential through traffic will be encouraged to use the Strategic Road Network and London Distributor Roads, through traffic will be discouraged as far as practical on local roads through the use of traffic calming and other measures. Development which conflicts with this will be refused.

TRN14 –New highway layouts, visibility splays and accesses to and within developments should be designed to satisfactory standards in terms of safety, function acceptable speeds, lighting and appearance. There should be efficient internal circulation integrating with the existing road network in a convenient manner, including for emergency service vehicles, pedestrians, cyclists and buses. Where buses need to use a road, the access points, roads, stop locations and highway layout should be suitable for the routing of bus services and for pedestrians.

TRN16 - Development proposals should support and not undermine the role of roads within the London Road Network.

TRN17 – New roadspace will be resisted unless necessary, inter alia, to provide essential access to or within regeneration areas, to provide essential access to and within a development site.

TRN23 - Parking for residential development should be to the standard specified in PS14. Lower standards apply for developments of affordable housing and units in town centres with good and very good public transport accessibility . Where development provides or retains off street parking at this level then on street parking will not be assessed.

TRN25 - For town centre development regard will be had to the impact of any generated on-street parking on the operation of the centre and the availability of on and off street parking spaces within easy walking distance of the site. The maximum additional amount of parking provided by individual development should be no greater than the maximum standard for freestanding development, unless existing parking spaces in the town centre are being re-located from a worse location.

TRN34 - Servicing required to standard

TRN35 - Access to parking areas and public transport within development should facilitate access for disabled people and others with mobility difficulties.

Designated car parking spaces should be set aside for the exclusive use of disabled persons and comply with the Council's standards (PS15).

PS14 - Residential parking standards - For new dwellings a maximum of 1 space per 1 bedroom unit, 1.2 spaces per 2 bedroom unit and 1.6 spaces per 3 bedroom unit. Spaces should be unallocated as far as possible. Affordable rented housing can have up to 50% reduced provision.

The total provision for the development should be divided between assigned (allocated to an individual unit) and unassigned spaces, which can be used more flexibly and reduce overall provision. At least 50% should be unassigned for 1 and 2 bedroom units with at least 20% unassigned for larger properties. A maximum of 2 spaces per unit may be assigned.

The siting of communal spaces should be convenient for use by residents. Large expanses of car parking unrelieved by screening and landscaping will not be acceptable.

PS15 - 10% of spaces within 30 metres of the dwellings should be capable of being widened to 3.3 metres. Minimum of 1 space for developments of 10 units or more and should be marked and reserved for disabled persons.

For other uses 5% of spaces (minimum of 1) should be dedicated for disabled use.

PS16 - Cycle parking - 1 space per unit.

OS18 - The provision of suitable play areas for pre-school and junior children will be sought in residential development over 15 units or in large scale mixed development. Where such provision may not be appropriate contributions to their provision in a more appropriate location will be acceptable. Arrangements for the long term maintenance of these areas will be sought through planning obligations.

## **SUSTAINABILITY ASSESSMENT**

To be included in the Supplementary Report.

## **CONSULTATION**

Transportation - The proposal should be resisted on the grounds that a new intensified access is proposed onto Empire Way in an unsafe location in respect of its proximity to the signalised junction with Empire Way and the existing egress from Alexandra Court, contrary to policy TRN15 and to the detriment of the free flow of traffic and highway safety.

This is effectively a resubmission of the previous scheme. 70 car parking spaces, including 10 disabled spaces, are proposed with 5 motorcycle spaces and storage for 90 bicycles within a 2.7 metre high basement with access via a 5.5 metre wide , 1.7% gradient ramp with 2.5 metre kerb radii from Empire Way at the Southern end of the site.

Refuse storage is proposed along the Southern boundary of the site with the existing driveway around the

perimeter of the adjacent Alexandra Court with a new delivery bay (3 x 6 metres) indicated alongside this access road. This will allow easy refuse collection without the need to stop on Empire Way, although the bay should be increased to 3.5 x 8 metres to be of maximum benefit and ensure the existing access road is not obstructed.

Full parking allowance applies with up to a 50% reduction for affordable housing by a registered social landlord. As such up to 104 spaces would be permitted and the proposed 70 would comply with standard, whilst being close enough to the maximum allowance to satisfy concerns regarding overspill parking from the site. With less than 1 space per unit proposed a Section 106 Agreement would be sought removing the rights of future occupiers to on-street parking permits in the area should a CPZ be introduced in the future.

The scale of the development and location in an area of good public transport access would also be appropriate for a City Car Club and funding towards this will be sought from the Section 106 Agreement.

The proposed provision of 10 disabled parking spaces more than satisfies standard PS15.

90 cycle parking spaces in the basement now accords with standard PS16

There is concern about the access arrangements. The closure of the existing site access is welcomed, but the provision of the new access at the Southern end of the site causes concern as it is extremely close to the Alexandra Court egress (the kerb radii from each would overlap) and the implications this has for road and pedestrian safety. The two accesses should be combined by widening Alexandra Court's egress road to 5.5 metres with 6 metre kerb radii into the site, to allow it to operate as a two way driveway. The basement car park access ramp could then be taken from any point along the widened access road (beyond which it remains a one way route). Difficulties will need to be overcome regarding levels, but these should not be insurmountable and this solution would overcome the concerns about highway safety along Empire Way. The access ramp design meets standard in terms of gradient given its use only by cars, subject to protective 300mm. margins either side. The 2 metre kerb radii at the junction with Empire Way is appropriate for use by cars and vehicular sightlines of 4.5 x 90 metres and pedestrian sightlines of 4.5 x 4.5 metres will be required on to Empire Way.

If possible additional footway width of up to 500mm. would be welcomed along the front of the site given its proximity to the Engineers Way junction and the resultant obstructions to pedestrian access caused by signal posts, signal control boxes etc.

A financial contribution of £700 per 1/2 bed unit and £1,000 per 3 bed unit will be sought towards non-car access improvements in the area (including a City Car Club as referred to above) amounting to a total of £65,400 for this proposal.

English Heritage - Site lies near where archaeological remains may be anticipated, being proximate to the Wembley medieval manor and farm which lies immediately to the North West and may extend into the site area. The proposal includes a basement level car park which would have a clear detrimental impact on any archaeological remains present.

Further work prior to determination of the application need not be undertaken but the archaeological position need to be reserved through attaching a condition requiring before commencement of development a programme of archaeological work to be submitted for approval and the works being carried out by a suitably qualified investigating body in accordance with English Heritage guidelines.

Archaeological monitoring of geotechnical investigations would be a suitable initial method of evaluating deposit survival on the site, which will inform the requirement for further evaluation. Should significant archaeological remains be encountered, mitigation comprising further fieldwork is likely to be necessary. If significant archaeological remains are encountered during the initial field evaluation an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.

Thames Water - Developer should make proper provision for surface water drainage which must not drain to the foul water sewer and should preferably use source control. Applicant should ensure new connections to the public sewerage system do not pose an unacceptable threat of surcharge, flooding or pollution, ensure proposals are in line with DETR advice with disposal on site preferably and separation of foul and surface water sewerage on all new developments.

Petrol/oil interceptors should be fitted in car parks to prevent oil polluted discharges entering local watercourses.

Environment Agency -

Housing -

1. In terms of number of units - only 36% is affordable housing. We need to shift this towards at least 50% to

- compensate for the levels of private housing being developed within the Wembley regeneration.
2. The unit mix for affordable needs to have a higher % of three bedroom accommodation to meet our West London affordable housing requirement of 50% three beds or larger. Whilst we recognise the difficulties in providing larger units, it is important we take every opportunity to maximise this supply given our levels of homelessness and overcrowding. I understand that a less dense scheme is preferred for the site, and therefore we need to encourage at least 35-40% 3 bed affordable units as part of any revised scheme. Current proposals only provide for 25% three beds.
  3. The split of shared ownership to rented is not appropriate - given the level of intermediate housing being provided on Wembley. Although 70/30 is generally acceptable - we would require the number of rented units to be maximised given the shortage of affordable rented accommodation. The overall proportion of social rented housing within the neighbouring properties is relatively low and therefore this site is suitable for an increase in the levels of social rented units.
  4. There are no provisions for wheelchair accessible housing - we would require at least 10% of the affordable units to be wheelchair accessible.

#### Environmental Health -

Landscape - There are 22 trees on site (8 Laburnum, 8 Cherry, 3 Conifers, 2 Eucalyptus and 1 Whitebeam). The Laburnum are near to the end of their useful life expectancy and a couple are very poor. The Cherry generally are in good condition although could be considered mature for the species. The other trees are of little value. All these trees would need to be removed to carry out the development.

Tree planting - Basement parking takes up most of the site and therefore the opportunity for tree planting is very limited due to lack of space in natural ground. No details are submitted but trees are indicated on some plans within 3 metres of the building and closer to the underground parking, with trees indicated on the roof of the car park. It is virtually impossible to plant trees on this site and forest type species trees that are more in scale with the building are out of the question.

Amenity space - 1,800 sq. metres of amenity space would be required for this development to meet the minimum SPG17 standard, but a lesser size could be agreed as some flats have large balconies, but balcony size is variable. Amenity space calculated to be less than 200 sq. metres which is insufficient for a development that includes 49 two bedroom and 8 three bedroom units. It would not be acceptable to meet these shortcomings by off site provision. There is no off site space available nearby.

Site cannot provide an adequate landscape scheme. Plan shows three mounds between the two buildings over the basement car park.

There are basement vents and refuse storage in the only space that could be considered as amenity space. The scheme should be refused.

The application was advertised in the local press, site notices were displayed and the occupiers of 54 flats in Raglan Court, 103 flats in Alexandra Court and 37 properties in Manor Drive, Quintain and the Ward Members were notified of this development

Alexandra Court Residents Association - A letter of objection signed by 33 residents was submitted raising the following objections:

1. Two buildings will have an adverse effect on the outlook of residents living on the North side of the block
2. The number of dwellings proposed and their access on to Empire Way will add to the heavy congestion at the junction of Empire Way and Engineers Way.

Four letters of objection have been received raising the following points :

1. Increased noise and traffic etc.
2. Height of building out of keeping with adjacent buildings on Empire Way.
3. Loss of light. Need to use electric light all day
4. Loss of privacy.
5. Loss of outlook. No view of skyline.
6. The number and size of the buildings and their design.
7. Detrimental effect on parking.
8. Adverse effect on traffic safety and congestion.
9. Effect on pedestrians.
10. Adverse effect on the character of the area.
11. Excessive number of flats.
12. Building sited closer to neighbouring properties.

13. Loss of garden.
14. Inadequate parking for 90 units (180 people at least)
15. Insufficient doctors, hospitals, roads, schools to cater for the influx of people at this site and Copland School , the Stadium and St Johns Road developments.

## **REMARKS**

This application, although an outline scheme, is essentially the same as that which was to be presented to the Planning Committee on 23 August 2004. The changes to the scheme involve an enlargement of the basement area to increase in the size of the car parking spaces, provide bicycle and motorcycle parking spaces and amendments to the size of some of the units.

Accompanying their application, the agents for the applicants have made submissions regarding the proposed 7 reasons for refusal recommended for the previous scheme, which are included in this report where appropriate.

### Policy context

Under the Proposals Map accompanying the Unitary Development Plan (UDP), there are no proposals for this site, which also falls outside of the Wembley Regeneration Area inset area. This application represents an infill proposal within a frontage that is predominantly residential and somewhat different in character to the opposite side of Empire Way, which is presently characterised by commercial, employment and leisure uses and which will be carried through in the Quintain proposals, although they do contain a significant element of housing. Although the present housing on the West side of Empire Way is in the form of flats (and for this site a hostel), it is of limited height (three and four storey), it is set within a landscaped setting and backs onto two storey suburban housing and it is in this context that the redevelopment of this site has to be considered. There appears to be little likelihood at present these neighbouring sites may be redeveloped. There is no objection to the provision of replacement residential accommodation on this site. Much however depends on the form and nature of the development proposed, its relationship with the neighbouring development and impact on the amenities of the occupiers of neighbouring properties, which are residential and the means of access serving the development.

### Affordable housing

a) This site presently provides a form of affordable housing which appears to be underutilised and requires refurbishment and presumably consequently for which there is a limited demand. The agents indicates the accommodation internally is of poor quality and substandard in size and requires a substantial investment to bring it up to a reasonable habitable standard. The owners, Southern Housing Association, do not have any resources earmarked for investment in this type of accommodation and suggest it is unlikely any other interested party would invest and continue the hostel use and that retention of the use would lead to its continued deterioration.

Response : The Council would not contest the accommodation requires works to bring it up to standard, but there is no indication of whether the accommodation has been offered to other housing associations and any interest there has been in the site, the costs involved in refurbishment, the condition of the building and/or why the present building could not be modified to provide an alternative form of accommodation, such as flats, bearing in mind issues of sustainability and the loss of the potential for providing suitable levels of affordable housing on this site in an appropriate environment offering a reasonable standard of amenity.

b) If redevelopment does occur, the agents indicate the handful of remaining tenants will be housed in better quality accommodation provided by the Council in association with Metropolitan Housing Association who are interested in taking on the affordable element of housing proposed under this scheme.

Response : Noted.

c) As a site which currently exclusively provides affordable housing there is concern that this development which is essentially a private scheme with an element of affordable housing is contrary to the efforts under the housing policies within the UDP to provide as much affordable housing as possible (policies H1 and H2) and to resist the loss of affordable housing sites (policy H5). Despite being proximate to the Stadium and Arena and other activities within the Major Opportunity Site around the Stadium and Wembley it represents a suitable site to retain for housing and consequently affordable housing. As a consequence, there should be a presumption in retaining this site as an affordable housing site and if not achieving the maximum level of affordable housing possible.

The agents indicate that as the site is underutilised, the present use is an ineffective use. Refurbishment

would not be economically attractive, involve considerable expenditure and offer little benefit and therefore the site needs to be redeveloped to make a more effective use of the site. Southern Housing Association are moving out of the area and wish to sell the site to raise funds for alternative affordable housing elsewhere. As a registered charity, they are obliged to sell the site for best value on the open market and a private developer would be able to provide new affordable housing in partnership with a Registered Social Landlord (Metropolitan) which has to be subsidised from the sale of flats on the open market. A wholly affordable housing development is not feasible and if no investment is forthcoming, it will continue to deteriorate.

Response : There has been no evidence produced in conjunction with this application to demonstrate that refurbishment would not be feasible, or that wholly affordable housing is not viable for this site. Whilst the present owners of the site may wish to dispose of the site, any money received would not be used for providing affordable housing within this Borough as the site owners do not operate within Brent and are not on the list of RSLs with links to this Council. The open market sale would therefore not benefit the Council other than providing an agreed number of affordable flats on the site consistent with what would be sought for privately owned sites. The open market sale would take into account the requirement for the provision of affordable housing within the scheme.

d) Even if this site were not an affordable housing site, this development to provide mainly private housing offers 32 units out of the 90 as affordable housing (36% by number of units and 40% based on habitable rooms) which is below the target in the UDP and London Plan of providing 50% affordable housing within new private developments. The agents point out that this is within the limits set out in UDP policy H2 and targets should be applied flexibly and take account of individual site costs, the availability of public subsidy and other scheme requirements and that neither the UDP or the London Plan require an absolute provision of 50%. In addition to the affordable housing provided on site, the sale of the land will provide a capital receipt for the present owners to use elsewhere to provide affordable housing which should be taken into account. The provision of 50% would affect that receipt.

Response : No financial details of the development of this site have been provided to justify why the target of 50% has not been provided, in terms of site development costs and other material considerations. The provision that has been made is therefore arbitrary. The provision of affordable housing at a site outside of this Borough will not assist in meeting the targets and significant demand for affordable housing within this Borough as set out under the objectives of the strategy and housing policies within the UDP.

#### Mix of units

Within this development of 90 units, 47 (52 %) are two bedroom, 35 (39%) are one bedroom and 8 (9%) are three bedroom. The three bedroom units are all affordable comprising 25% of this total. No larger units are proposed within the private accommodation. Under policy H9 there is a requirement to provide a mix of units. The mix proposed is limited, although this in itself is perhaps not a reason for refusal of the application, partly due to the location of this site fronting a major transport route within the Borough, the nature of the development proposed and the nature of development that exists either side fronting Empire Way. However if the development provided a building(s) with a smaller footprint and lower height, it is of a size and depth that could well be suitable to provide more larger family sized accommodation.

It should be noted that the larger family three bedroom units that are proposed are sited 2 per floor on the ground, first, second and third floors which is not ideal, particularly as the upper floor units have only limited balcony space (approximately 5 sq. metres).

#### Height, scale and siting of the development

The proposal provides a split level 8 storey building on the frontage due to the fall in the land across the site. It extends very close to the site boundaries. Whilst the four storey buildings at Alexandra Court are set approximately 11 metres away from the common boundary, due in part to the access road that serves this site, resulting in a gap of 14 metres to the proposed building, this part 5, 7 and 8 storey block still manages to appear overbearing on users of the footpath in front of the site and disproportionate to the scale and character of the built form of the four storey development at Alexandra Court. This poor relationship is accentuated with the Raglan Court development to the North which is only three storeys high with a hipped roof, sited at its nearest point 6 metres from the common boundary. The scheme fails to adequately respect the scale and character of development on this section of Empire Way.

The scale and massing of the resultant building has an unbalanced appearance and overdominant impact which is not aided by the proximity of the development to the front and side boundaries. This together with the paths and other features to provide around its base, offers little opportunity to provide landscaping and to provide a setting for this tall building, which is not in a town centre, or part of a major opportunity site.

This split level building is higher on its Southern side which is offset from the junction of Engineers Way with Empire Way and therefore fails to suitably address the vista at this junction. In terms of the height and scale, this scheme attempts to cite the form of development proposed on the opposite side of the road on the Quintain site as justification for this scheme. This is not regarded as being appropriate as the development of this site is an infill and should be viewed in relation to the existing Raglan and Alexandra Court developments. Notwithstanding this, it should be noted that details of the development on the South East corner of Empire Way and Engineers Way have been recently submitted to the Council showing a 7 storey building with commercial uses on the ground floor and a maximum height to parapet on the Empire Way frontage on 22.5 metres with recessed plant a maximum height of 1 metre above the parapet. The application site is at a slightly higher level than the Quintain site opposite and the submitted drawings for the application building shows that parts of it will be up to 25 metres above ground level which is higher than the Quintain proposals. The proposed development will therefore have a dominant and undesirable impact on the streetscene, as well as not paying due respect to the scale and form of development at Alexandra Court and Raglan Court.

This proposal provides also a large block occupying practically the full width of the site at the rear. This proposed 4, 5 and 6 storey building is sited close to the larger frontage building. As a result a reasonable relationship between these two buildings is not achieved. These imposing tall buildings will dominate the site and not provide a very satisfactory environment for the prospective residents. This large building at the rear will also have a detrimental impact on the outlook from the rear of the properties and the use of the gardens of the two storey housing in Manor Drive which back onto the site. These neighbouring houses are elevated above the application site with approximately a storey height difference, but even with their 17 - 20 metre deep rear gardens and the siting of the new building in a similar position to the existing building , the added height and width and resultant scale of the new building will be significant on these residents who back onto the site.

The resultant development is at a scale that is excessive for this location. The density of 640 habitable rooms per hectare (hrph) is one that may be expected in a town centre location and at the high end of that range. This is a fringe town centre location that is running into a suburban setting. The density is well in excess of the guidance set out within Supplementary Planning Guidance 17 'Design Guide for New Development' (SPG17) which suggests for sites within 600 metres of a town centre and within a similar distance of rail stations that a density range of 240 - 450 hrph would be appropriate.

The agents in the context of paragraphs 2.2(b) and (d) suggest this is a prominent location at the end of Engineers Way in an area of low townscape quality, where the new building should be seen as a transition between the dominant buildings proposed in the Regeneration Area opposite and the two storey housing in Manor Drive, whilst providing an iconic building providing a bookend to the Wembley Regeneration Area at the head of Engineers Way.

The rear building would be wider and higher than the existing building, but it is stepped in at the top two levels to reduce its bulk and impact and retains a distance to the boundary of 10 metres. The impact on the outlook and use of the gardens of the Manor Drive properties is regarded as a minor infringement of residential amenity in this urban location

Reference to density in SPG17 adopted in 2001 predates the UDP and London Plan policies adopted in 2004. UDP policy does not refer to a density range requiring "...the primary consideration is an appropriate urban design which makes efficient use of land (particularly on previously used sites)..." which has been achieved under this application.

Reference is made to the 'density location and parking matrix' (table 4.1) in the London Plan which indicates appropriate density ranges are related to location, setting in terms of existing building form and massing and public transport accessibility which suggests for urban settings for sites within 10 minutes of a town centre a density of 450-700 habitable rooms per hectare and the development being within that range.

Response : The site is not defined by the UDP as being an area of low townscape quality and is not within the Regeneration Area. As indicated above, the scaled dimensions of the proposed building will be higher than the adjacent development opposite on the Quintain site and will therefore not be a transitional. In any event, it should not be viewed in the context of the Quintain proposals but in conjunction with the Raglan Court and Alexandra Court development as an infill scheme on this frontage. The buildings, 8 storeys on the frontage and 6 storeys at the rear, also certainly do not provide a suitable transition with the suburban two storey housing to the rear due to its excessive height and footprint, overbearing impact and poor relationship. It fails in its scale and massing and poor relationship with the buildings either side to provide a building of quality or one which suitably addresses the junction with Engineers Way for the reasons set out above. The 4.6 metre deep fifth floor set backs from the rear elevation (with no accommodation above them) occur for two 10 metre sections insets at either end of the rear building leaving no setback for the central 27.5 metre section. This still leaves a considerably higher and bulkier building having a considerable impact on

the Manor Drive properties. The balconies in the rear elevation are closer to the boundary than 10 metres. The impact is not regarded as a minor infringement.

The Council, would contend that the development does not provide an appropriate urban design and would point out that the agent has been selective in quoting from policy H13. . It goes on to say "...and meets the amenity needs of potential residents.. " which is not achieved for the reasons outlined elsewhere in this report. The policy also goes on to say "... The density of a site should also have regard to the context and nature of the proposal, the constraints of the site and type of housing proposed." The applications has not satisfactorily taken these matters into account.

Whilst the development may be within the general range set out within the matrix defined in the London Plan, one of the criteria requires the development to be related to the setting in terms of existing building form and massing and goes on to define an urban site setting as "dense development with a mix of different uses and buildings of 3 - 4 storeys such as town centres, along main arterial routes and substantial parts of inner London". This scheme provides a development that does not pay due respect to the form and scale of adjacent development and this site is not capable of being developed at the upper end of the range.

#### Size of units and Amenity Space

The layout of the accommodation has been modified to render all of the one bedroom units when scaled from the plans to at least the minimum size of unit to meet the requirements of SPG17. The two and three bedroom units appear to be satisfactory. The resultant size of many of these one bedroom units however is still not generous to compensate for the fact that a number of properties do not have a balcony, many of those that do have a very restricted balcony and there is limited amenity space provided at ground level to provide passive areas will provide a substandard level of amenity for the prospective resident of this development.

This limited amenity space provision and balconies gives rise to a concern for the larger units proposed. The three bedroom units which are sited within 4 floors in the rear block have balcony areas that are approximately 5 square metres in area. A number of the other balcony areas proposed are also of limited size.

The form of amenity space and particularly the nature of the proposed soft landscaping that can be provided at ground level is restricted by the height of the buildings, their proximity to the site boundaries, underground car park area beneath much of the proposed development and its vents . It would appear that most if not all of the existing trees on site will need to be removed to accommodate this proposed development, although depending on levels, it may be possible to retain some of the trees and shrubs adjacent to the rear site boundary. Whilst this may assist in screening some of the impact of the proposed development form the houses in Manor Drive, as previously suggested, there appears to be little opportunity for this development to provide a contribution to the visual amenity and character of the area through the provision of new tree planting and landscaping on the site frontage and adjacent to the side boundaries to the detriment also of the amenities of the occupiers of Raglan Court and to a lesser extent Alexandra Court.

The agents indicate the existing trees are limited in number and quality, with none covered by a Tree Preservation Order and their loss would not be significant to warrant refusal of the scheme. They consider there is sufficient land within the site to produce a quality landscaping scheme and whilst the basement car park precludes planting deep rooted high growing trees the area between the two blocks should not have taller trees, but such trees could be established along the flank and rear boundaries.

Response : It is accepted that the present 22 trees on site may not be particularly good specimens, but they together with the grassed area and shrub planting do provide a relationship with the siting and scale of the present development that offers a setting for the building and degree of soft landscaping that is a common feature of the development on this side of Empire Way, including areas that are relatively private and usable by the residents. It is evident from examination of the submitted ground and first floor plans that there is no scope for providing any planting along the Northern boundary adjacent to Raglan Court. There is little scope for providing planting on the frontage with only low level planting being feasible. There is little scope for planting on the Southern boundary due to the extent of the car park and hard landscaping necessary and the proximity of the buildings to the boundary, with little opportunity for the provision of trees. To the rear the carpark is sited just over 7 metres from the boundary and the 4 car park ventilation shafts leave a 5 metres gap. There is little opportunity to provide planting or a layout for this area that will encourage use by the residents. For a development of this scale and height there should be ample space around the buildings to provide a setting and provide large trees that relate to this scale. Due to the footprint of the buildings and associated works, the scheme makes no provision for amenity space for the residents to enjoy.

#### Layout of the development

Whilst this application is technically not considering this aspect, the layout of the development that has been

submitted is designed with most of the windows in the front and rear elevations in the front block with obscure glazed windows in the side elevation to avoid issues of overlooking of windows on the neighbouring developments. Alexandra Court has no windows in the elevation facing the application site other than what appear to be a single non habitable room window in the rear part of the block. Raglan Court has habitable room windows facing the application site, albeit at an angle. The siting of the building will result in a gap of at least 10 metres between these windows and the flank wall of the proposed front block being maintained as required under SPG17.

However the scheme shows a balcony to the front and which extends up to the proposed side elevation, with a door leading onto this balcony in the side elevation. Use of these balconies will result in overlooking of these neighbouring sites which is likely to be a concern for the amenities of the occupiers of the flats in Raglan Court, as these 4 floors of balconies are sited approximately 4 metres from the common boundary. For Raglan Court properties this is likely to be less of a concern, despite the balcony being sited slightly less than 4 metres from the common boundary due to the distance the building on Alexandra Court, no windows and this land not being used as private amenity space. There are balconies at the rear which extend slightly beyond the side elevation sited also approximately 4 metres from the side boundaries of the site which could also give rise to a loss of privacy to these neighbouring occupiers.

In the rear block, the only windows proposed in the East elevation facing the proposed front block on site are a number of obscure glazed secondary windows in the outer wings and recessed corridor and bathroom windows either side of the central entrance stairwell for the block. This is due to the gap between these blocks being generally below 20 metres and seeking to ensure there will not be facing habitable room windows between the two blocks within 20 metres, to comply with SPG17. The windows for the habitable rooms on this side of the building are on the side return elevations or facing towards the central entrance/stair/lift lobby serving this block, the latter habitable room windows being less than 5 metres and 8 metres away, not offering a particularly desirable outlook .

A number of windows are provided in the rear (West) elevation. These latter windows are sited a minimum of 10 metres from the boundary and will be well over 20 metres from the rear elevation of the houses in Manor Drive to accord with the requirement in SPG17 to have habitable room windows at least 10 metres from the site boundary and 20 metres from facing habitable room windows. There are a number of balconies in this rear elevation that are projecting just less than 2 metres which are sited within 10 metres of the rear boundary which would not be in the spirit of SPG17 and therefore giving rise to potential overlooking of the rear gardens of the Manor Drive properties.

The windows and balcony in the South side elevation are 6 -8 metres from the site boundary and so would not comply with SPG17 which seeks habitable room windows to be at least 10 metres from the site boundaries. These however presently face the access road around Alexandra Court and are approximately 18 metres from the flank wall of Alexandra Court. The windows on the North side elevation are sited approximately 4 metres from the site boundary and a balcony is sited just over 2 metres away (contrary to SPG17) but face onto a low rise garage court at Raglan Court, so will presently not give rise to problems of overlooking/loss of privacy, but could affect any redevelopment proposals on this neighbouring site.

On the upper floors of these buildings there are terraces provided to the side which as depicted in this scheme have the potential to result in overlooking of the neighbouring sites.

The layout of the buildings is symptomatic of the restricted nature of the site to provide the scale of development requested in 2 blocks of flats in the manner proposed, whilst trying to maintain a reasonable standard of amenity for the occupiers of the propose units and the occupiers of neighbouring properties.

#### Design and appearance and materials

This is not a matter for consideration under this application. It is not possible therefore to establish whether this proposed building will possess the necessary quality to make a significant contribution towards to visual amenity of the streetscene. It is clear that at street level on the frontage that the entrance to the car park and the frontage to the car park in the Southern part of the building will not provide a lively frontage and little visual interest at street level.

#### Vehicular and pedestrian access

As the Transportation section indicates there is a very serious concern about the siting of the access to serve this development. Although it is better than the present access serving the application site which emerges directly onto the traffic light controlled junction with no signal control, it is considered the use of the proposed access would conflict with the safe movement of traffic at the junction and the egress from the Alexandra Court site. This is also further compromised by the pelican crossing abutting the South side of the egress

from Alexandra Court, although this is to be removed and combined with the junction control of Empire Way and Engineers Way when the Quintain proposals are implemented. A marginally safer option of combining the egress from Alexandra Court with the site access is suggested by Transportation as a compromise.

The agents regard the new access as the only location not in conflict with the new junction layout with Engineers Way and an objection to any form access to the site renders it undevelopable. Alexandra Court is outside of the applicants control and could result in a ransom situation, affecting the viability and ability to provide on and off site affordable housing. The access could be controlled by yellow boxes and if necessary right turn in and out restrictions, with roundabouts to the North and South ensuring any right turn restrictions would not adversely affect occupiers or their visitors.

**Response :** Whilst the access may be safer than the present one, this does not make it acceptable. The present access serving a hostel development with its little used 12 car parking spaces does not generate a significant amount of traffic. This scheme proposes a car park for 70 cars entering and leaving close to this junction on a well trafficked road.

Although the agents express concern about being required to use the access serving Alexandra Court, it should be noted that this scheme relies on refuse and service vehicles associated with this development using the access offered by Alexandra Court. If they are not permitted to use this access this will result in servicing having to take place from Empire Way close to the junction with Engineers Way, to the detriment of the free flow of traffic and conditions of general highway safety.

If a reasonable form of access cannot be provided for this site, its redevelopment must therefore await a more comprehensive scheme involving neighbouring sites when an acceptable form of access can be achieved.

#### Car and cycle parking

The provision of 70 car parking spaces is below the 104 needed to fully meet the Council's maximum standard which is accepted as being generally in accordance with the UDP policy and should not lead to significant overspill parking in the locality. The scheme makes adequate provision for disabled car parking (10 spaces) and cycle parking (90 spaces) in accordance with the Council's standards and for motor cycle parking (5 spaces) which is not covered by the Council's standards.

#### Conclusion

Whilst the proposed redevelopment of this site for residential purposes is acceptable in principle, it is considered that it should be retained for affordable housing purposes. The scale of the development needs to be reduced to provide built form that relates to the scale and character of neighbouring properties and offers the opportunity to either retain more trees and soft landscaping, or provide compensatory replacement planting for the benefit of the residents and the streetscene. In view of the fundamental problems associated with the scheme as submitted, it is recommended that it be refused

**RECOMMENDATION:** Refuse Consent

#### **CONDITIONS/REASONS:**

- (1) The proposed development by virtue of its height, nature and location proximate to the site boundaries and its resultant massing will be out of keeping with the scale and character of the adjacent existing residential development to the detriment of the streetscene and have an overbearing impact on the outlook from and use of the gardens of the neighbouring development to the detriment of their occupants. This scheme providing a mix of 90 one, two and three bedroom units with a density of 640 habitable rooms per hectare, represents an overdevelopment of the site. The proposal will therefore be detrimental to policies BE2, BE7, BE9 and H13 of the adopted London Borough of Brent Unitary Development Plan 2004 and the provisions of Supplementary Planning Guidance 17 'Design Guide for New Development' and the London Plan..
- (2) The means of access serving the scale of development proposed directly onto Empire Way is located at a point close to the traffic light controlled junction of Empire Way with Engineers Way and by the exit from the adjacent Alexandra Court development to the South to the detriment of the free flow of traffic and conditions of general highway on the neighbouring highways. The proposal will therefore be contrary to policies H12 and TRN14 of the adopted London Borough of Brent Unitary Development Plan 2004

- (3) The proposal will involve a loss of existing mature trees and limited opportunities to provide replacement planting and amenity space for the prospective residents of the accommodation, or a suitable setting for the development by virtue of the siting, nature and height of the proposed development. The proposal will therefore detract from the visual amenity and character of the area and the amenities of the prospective occupants of the development, some of which are family sized units and will be contrary to policies BE2, BE6, BE9 and H12 of the adopted London Borough of Brent Unitary Development Plan 2004 and the provisions of Supplementary Planning Guidance 17 'Design Guide for New Development'.
- (4) The proposal will result in a loss of an affordable housing site with inadequate demonstration of why it is no longer suitable for such purposes and provides within the new development affordable housing below the 50% target with insufficient justification why this is not achievable and therefore would be contrary to the provisions of policies H2 and H5 of the adopted London Borough of Brent Unitary Development Plan 2004 and policy 3A.7 in the London Plan.

**INFORMATIVES:**

None Specified

**REFERENCE DOCUMENTS:**

London Borough of Brent Unitary Development Plan 2004  
Supplementary Planning Guidance 17 'Design Guide for New Development'  
The London Plan 2004.

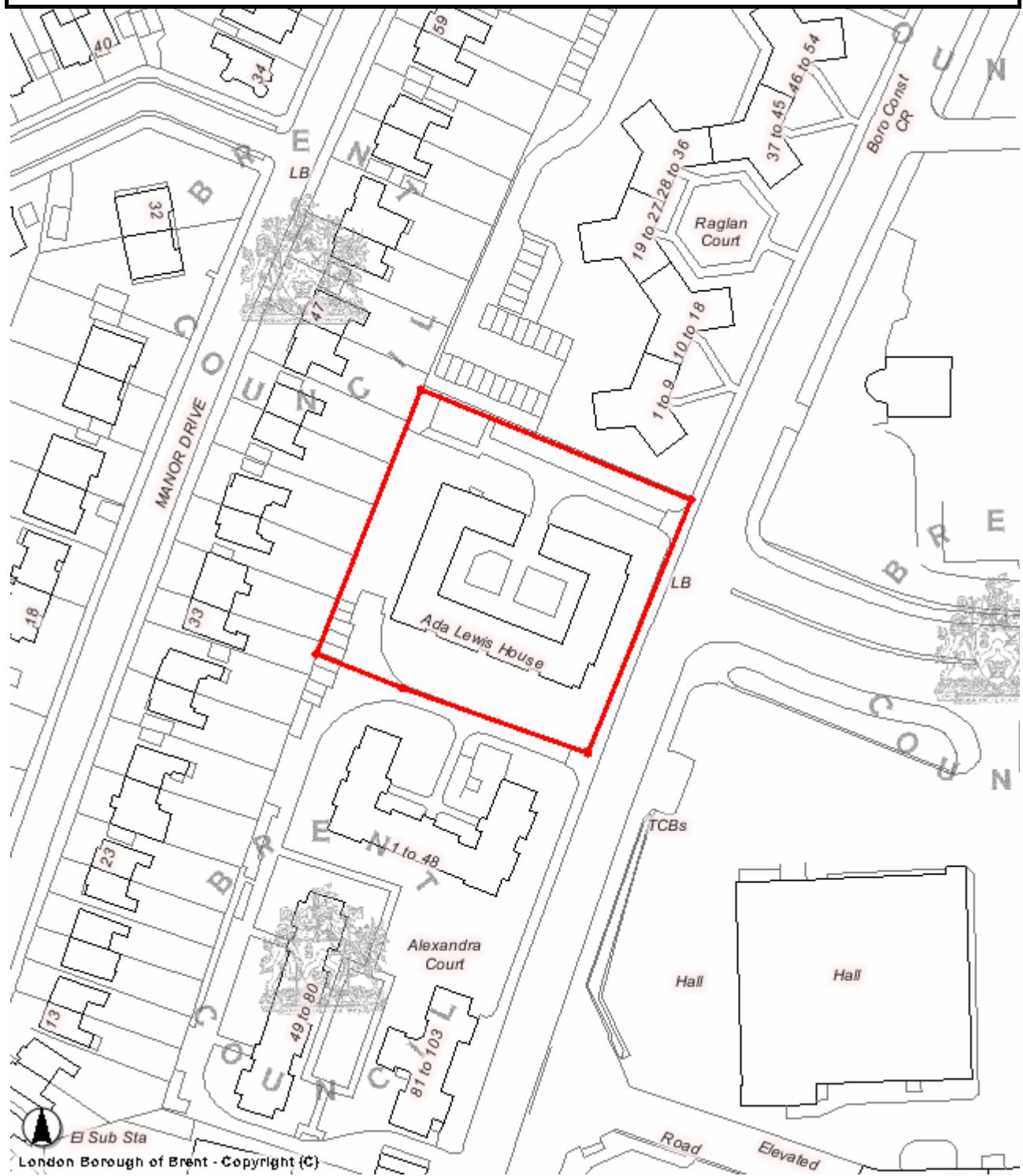
Any person wishing to inspect the above papers should contact Neil Bleakley, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5016

## Planning Committee Map



Site address: 1-99 Inc, Ada Lewis House, Empire Way, Wembley, HA9

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