

**Committee Report
Planning Committee on 16 July, 2008**

**Item No.
Case No.**

**APPENDIX
3/02
08/0822**

RECEIVED: 14 May, 2008

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Chequers PH, Managers Flat and Store, 149 Ealing Road, Wembley, HA0 4BY

PROPOSAL: Demolition of existing buildings, erection of 3-, 4-, and 5-storey building comprising 32 self-contained flats and 4 commercial units, consisting of 570m² commercial floor space at ground-floor level and 2 (Use Classes A1, A2 & A3, A4) Units consisting 560m² at basement floor level, 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 40 cycle spaces, refuse and recycling store, communal amenity space to rear and hard and soft landscaping to site (REVISED APPLICATION - including basement extension to proposed groundfloor commercial units)

APPLICANT: Mr Sabaratim Kumarappa

CONTACT: Weston Williamson

PLAN NO'S: 0001 - Existing Site Map (Scale 1:1250)
0002 - Existing Ground Floor Level Plan (1:100)
0005 - Existing Street Elevations (1:200)
B-009Rev01 - Proposed Basement Floor Plan
B-010Rev01 - Proposed Ground Floor Plan (1:100)
B-011 - Proposed First Floor Plan (1:100)
B-012 - Proposed Second Floor Plan(1:100)
B-013 - Proposed Third Floor Plan (1:100)
B-014 - Proposed Fourth Floor Plan (1:100)
B-015 - Proposed Roof Plan (1:100)
B-020 - Proposed Street Elevations (1:100)
B-021Rev01 - Proposed Rear Elevations (1:100)
B-030 - Proposed Sections (1:100)
0040 - Garden Layout Plan
0041 - Survey of Existing and Proposed Tree Layout
0042 - Garden Elevations and Landscaping Precedents
3 Un-numbered CGI Perspectives

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Director of Environmental Services to agree the exact terms thereof on advice from the Borough Solicitor

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance

And to authorise the Director of Environment and Culture, or other duly authorised person, to refuse planning permission by the end of the 13-week application process or by another date if agreed in writing with the Local Planning Authority, if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

EXISTING

Three storey public house with rear garden space and including the adjacent managers house and store building, located on the corner of Ealing Road and Stanley Avenue. The site is adjacent to the Ealing Road Town Centre primary shopping frontage. The development site is approximately 400m from Alperton Tube Station. The neighbouring properties on Ealing Road and Stanley Avenue are two storey semi-detached dwellings while Ealing Road town centre is characterised by two/three storey terraced properties with town centre uses on the ground floor and residential on the upper floors.

PROPOSAL

Planning permission was granted earlier this year for the demolition of the existing public house, and for the erection of a part 3-, 4-, and 5-storey building comprising 32 self-contained flats and 4 commercial units, consisting of 570m² commercial floor space at ground-floor level in 2 units (Use Classes A1, A2 & A3, A4), 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 40 cycle spaces, refuse and recycling store, communal amenity space to rear and hard and soft landscaping to site.

This current revised application seeks to create a substantial basement area in order to provide additional floor space for 2 additional commercial units. The proposed basement will provide an additional 417 sqm of floor space, raising the total commercial floor space in the scheme to 987 sqm. Other minor changes are proposed including alterations to the access arrangements to the residential element of the scheme. These and other changes are discussed in more detail in the opening paragraphs of the Remarks section of this report.

HISTORY

07/2368. Demolition of existing buildings, erection of 3-, 4-, and 5-storey building comprising 32 self-contained flats and 2 retail units, consisting of 570m² retail floor space at ground-floor level, 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 39 cycle spaces, refuse and recycling store, communal amenity space to rear and hard and soft landscaping to site (as amended by plans received 23/10/2007) subject to a signed deed of agreement under section 106 of the town and country planning act 1990, as amended. This application was recommended for approval subject to the signing of the s106, which has yet to be signed.

07/0741. Demolition of existing building and erection of a 3-, 4- and 5-storey building consisting of 471m² retail floorspace at ground-floor level and 34 residential flats on upper floors (comprising 6 x one-bedroom flats, 20 x two-bedroom flats and 8 x three-bedroom flats), formation of new vehicular and pedestrian access, provision of 2 disabled car-parking spaces, cycle store, commercial and residential refuse and recycling stores, provision of communal amenity space to rear and landscaping to site. This application was withdrawn.

92/1308. Outline planning application for the erection of two semi-detached houses, provision of off-street parking and construction of vehicular access. Refused 01/12/1992.

POLICY CONSIDERATIONS

The following policies and standards contained within the Council's Adopted Unitary Development Plan 2004 are considered to be relevant to consideration of the application.

Unitary Development Plan 2004

STR11 - Which seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.

BE1- requires the submission of an Urban Design Statement for all new development proposals on sites likely to have significant impact on the public realm or major new regeneration projects.

BE2 - Proposals should be designed with regard to their local context, making a positive contribution to the character of the area.

BE3 - relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.

BE4 - states that developments shall include suitable access for people with disabilities.

BE5 - Proposals should, amongst other things, clearly defined public, private and semi-private spaces in terms of their use and control.

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, boundary treatments to complement the development and enhance the streetscene.

BE7 – A high quality of design and materials will be required.

BE9 - Creative and high-quality design solutions (for extensions) specific to 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 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 address the street at ground 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 materials.

BE12 - states that proposals should embody sustainable design principles commensurate with the scale and type of development.

EP3 - requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.

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, housing facing streets, have access and internal layout where cars are subsidiary to cyclists and pedestrians, appropriate car parking and cycle parking ,where dedicated on-street parking is maximised as opposed to in curtilage parking and avoids excessive tarmac and provides an amount and quality of open landscaped area appropriate to the character of the area, local availability of open space and needs of prospective residents.

H13 - The appropriate density will be determined by 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.

H14 - States that planning permission will be refused where development would under-utilise a site.

H15 - States that the density and height of any buildings should be subsidiary to the street fronting development.

TRN3 - Where a planning application would cause or worsen an unacceptable environmental impact from traffic generated it will be refused, including where:

- (a) The anticipated level of car generation/attraction is greater than the parking to be provided on site in accordance with the Plan's standards and any resulting on-street parking would cause unacceptable traffic management problems; and/or
- (b) The proposal would have unacceptable environmental problems such as noise or air quality (especially affecting air quality management areas); and/or
- (c) The development would not be easily and safely accessible to pedestrians and/or cyclists; and/or
- (d) Additional traffic generated would have unacceptable consequences in terms of access/convenience for pedestrians and/or cyclists; and/or
- (e) The proposals would produce unacceptable road safety problems; and/or
- (f) The capacity of the highway network is unable to cope with additional traffic without producing unacceptable levels of traffic congestion – especially where this would hinder the ability of the Strategic Road Network and/or London Distributor Roads to cope with through trips, or would introduce through traffic onto local roads; and/or
- (g) The proposal would cause a significant increase in the number and/or the length of journeys made by the private car.

TRN11 - Developments shall comply with the Councils minimum cycle parking standard (PS16); with parking situated in a convenient, secure, and where appropriate sheltered location.

TRN23 - Parking standards for residential developments require that residential developments should provide no more parking than the levels listed in PS14 for that type of housing.

TRN35 - On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.

PS14 - Residential parking standards - Maximum of 1.2 spaces per for 2 bedroom units. Spaces should be unallocated as far as possible.

PS15 - 10% of spaces should be widened to 3.3 metres for disabled parking. A minimum of 1 space will be required for developments of 10 units or more.

PS16 - 1 cycle parking space per unit

SH10 - A3 uses are acceptable providing they comply with policies SH7 or SH9. In considering proposals account will be taken of proximity to residential, the nature and size of proposed use, the concentration of such uses in the area, hours of operation and practicality of providing extract ducting.

SH31 - Further expansion of Ealing Town Centre beyond the defined boundaries will be resisted.

Supplementary Planning Guidance(SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Guidance(SPG) 19 - "Sustainable Design, Construction & Pollution Control".

SUSTAINABILITY ASSESSMENT

A Sustainable Development Checklist was submitted with this planning application. An assessment of the issue can be found in the main body of this report.

CONSULTATION

The consultation process included notifying 124 residents, 3 Council ward members, Transportation, Landscape Design, Urban Design, Environmental Health, Thames Water and CPD adviser. A press notice was published Thursday 6th September and a Site Notice was put up on Monday 10th September.

The following comments have been received:

Highways Engineer

Transportation have no objections, subject to the application scheme being "car-free" and a contribution being paid towards non-car access improvements in the vicinity of the site, as per the normal arrangements for residential developments of this kind.

Landscape Designer

Landscape Design have noted that there are existing trees and a hedge on site. While a tree survey has been requested at pre-app stage and with the previous application it has not been forthcoming. However they believe that a tree survey would demonstrate that existing vegetation is of low value. There is a shortfall in amenity space, while the amenity space provided receives limited afternoon sun. There are also concerns in relation to the proposed cycle storage area.

Urban Design

Urban Design note that any scheme in this location should aim to provide a bold architectural statement on the corner whilst also being contextually sensitive to the adjacent suburban proportions.

Policy

The Policy and Research team state that the proposed uses are acceptable in principle. The existing UDP policy suggests the proposed site is outside the Ealing Road Town Centre boundary which should mean it is subject to the sequential approach. However the emerging Development Policy Document has included the site within the revised Ealing Road town centre boundary as the site is immediately adjacent to the centre and is in an appropriate town centre uses, therefore the proposed development is considered to be in conformity to the emerging DP DPD designation in this circumstance.

English Heritage

English Heritage note that the site of the proposal has potential for archaeological remains. The present public house replaces an earlier one, which is thought to have been built in 1751. However the site lies at the centre of a medieval hamlet known as Alperton and being at the junction of two medieval roads there may have been earlier occupation of the land. the proposed development may, therefore, affect remains of archaeological importance. They recommend that a condition be attached securing the implementation of a programme of archaeological work prior to the redevelopment of the site.

Local

5 letters of objection have been received.

The objections raised include:

- increased traffic problems
- out of character with the surrounding area
- lack of parking spaces
- increase in crime and vandalism
- the proposed building will result in a loss of light to the surgery at 1-3 Stanley Avenue
- general loss of light, outlook and privacy
- loss of attractive building
- noise and other associated pollution during construction.

REMARKS

The development of this site has been subject to a fairly lengthy pre-consultation process over the past 2 years. The proposal is assessed against the Council's adopted Unitary Development Plan (UDP) 2004 and emerging Local Development Framework (LDF) Development policies and standards.

Amended Proposal

This proposed development has been amended from the previous application which was approved pending a s106 agreement, and during the current planning process in the following ways:

- The commercial floor space proposed has increased from 570m² to 987m² and the number of commercial units has increased from 2 units to 4 units. The additional two units are located in the basement.
- Cycle Storage has increased from 39 to 40 spaces and been divided into three stores on the ground floor of the site.
- A Sustainability and Carbon Emission Reduction Strategy and a Mechanical Ventilation Strategy has been submitted with the revised application.
- Additional cycle stands have been introduced outside the commercial units.
- An additional stairway and residential access has been included in the south west wing of the proposed development.
- The waste storage area for unit 1 has been relocated adjacent to the waste storage area of unit 2 beside the servicing bay on Stanley Avenue.

Principle of Amendments

The increase in commercial floor space is the main alteration to the previous planning approval. As the overall level of commercial floor space provision is below 1000m² there will be no change in the level of servicing required for the commercial units. Adequate access has been provided to the additional commercial units with new stairways located off Stanley Avenue and Ealing Road. Lifts are also provided to give disabled access to the basement. Unit 1 on the ground floor and basement will be A1/A2/A3/A4 while unit 2 on the ground floor and basement will be A1/A2/A3.

The Mechanical Ventilation Strategy sets out that adequate ventilation and extraction systems can be installed through to the basement and will be positioned in such a way as to not have a detrimental impact on the residential amenity of the prospective residents of the upper floors. In relation to the location of the waste storage area the applicants have confirmed they will implement a waste management strategy to be agreed with the Council to transfer waste to the store from Unit 1 prior to general collection.

In line with the requirements of the London Plan the applicants are required to offset 20% of the projected carbon emissions through on-site renewable technology. In the Energy and Carbon Emission Reduction Strategy they state that there will be an element of renewables which will be detailed in achieving set targets of 20% reduction in CO₂ emissions. However they do not provide a figure for the projected carbon dioxide emissions and do not specify which on-site renewables will be employed. The applicants have agreed to the s106 requirement to offset 20% of the site's carbon emissions through onsite renewable generation or if proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.

Principle of Development

The principle of proposed mixed use scheme containing residential and commercial uses was established with the most recent planning application for this site, which was presented to the committee on 21/11/2007. In principle there is no objection to the additional commercial floorspace in the basement as the site is located in the Ealing Road Primary Shopping Frontage and within 600m of Alperton tube station. At a density of 360hrh gross density the proposal is within the suggested density band of 240-450hrh for locations within 600m of town centres and within 600m of all tube and rail stations and district town centres. The mixed use aspect of the proposed development will strengthen Ealing Road Town Centre as a shopping centre and will provide an active frontage at the ground floor level.

The existing UDP policy suggests the proposed site is outside the Ealing Road Town Centre boundary and should be subject to the sequential approach in relation to the commercial units. However, the emerging Development Policy Document is proposing to include the site in the revised Ealing Road town centre boundary as the site is indeed immediately adjacent to the town centre and is in appropriate town centre uses. Thus this aspect of the development is considered in conformity to the emerging DP designation in this circumstance. The residential uses above the groundfloor are considered acceptable

Affordable Housing Provision

Of the 32 one, two and three bedroom units that are proposed in this scheme, a total of 14 units (44% by number, 49.5% by habitable room) will be affordable.

Policy H1 of the UDP requires that housing developments capable of providing 15 or more units should provide an element of affordable housing on site. Policy H2 specifies the proportion of affordable housing that would be sought, generally ranging between 30% and 50%. The London Plan seeks to achieve 50% affordable housing on sites of this nature. UDP policies and the London Plan strategy are elaborated in respective Supplementary Planning Guidance.

The proportion of affordable units at 44% is acceptable, noting that because larger units are being provided in the social rented element, this equates to 49.5% of all habitable rooms. The applicants are prepared to offer 6 three-bed and 3 two-bed units for social rent and 2 three-bed, 2 two-bed and 1 one-bed units for shared ownership. This split between social rent and shared ownership (65% to 35%) is in general conformity with the London Plan, which requires a 70:30 split of affordable housing between social rent and home buy. The mix of units is particularly welcomed for the social rented element as it provides larger affordable family units much needed in the Borough.

Design of Buildings and Impact on the Street scene

The proposal site is a corner site on the junction of Ealing Road with Stanley Avenue. Ealing Road is classified as a London Distributor Road. The site is included within the Ealing Road shopping frontage. The

surrounding area is predominantly classified in the UDP as an area of low town scape quality although directly adjacent to the site there are some buildings which were previously formed part of a Conservation Area.

The proposed building, which is modern in design, is in block form 3-5 storeys in height with a recessed top floor. The massing of the building is such that it is concentrated towards the corner of Ealing Road with Stanley Avenue. The proposed fourth floor is set back to reduce the impact of the massing on the street scene. The building is then stepped down so that the three storey sections are adjacent to the two storey dwellings. A section from the first floor to the third floor projects partially over the pavement on Stanley Avenue to create a feature addressing the corner of Stanley Avenue with Ealing Road.

There has been some attempt to replicate the vertical rhythms characteristic of the neighbouring buildings with the projected section including the inset balconies and the entrances. This is accentuated by the contrast in proposed materials with darker brickwork for the projected sections and lighter stock brick for the recessed sections. A condition has been attached requiring the submission of further details of the proposed materials. Strip windows and screen cladding have been included on the flank walls of the proposal to enliven the previously blank flank walls.

In line with SPG17 the main entrances to the residential units are from the entrances off Stanley Avenue for the private housing and off Ealing Road for the affordable units. Both entrances are well overlooked providing security through informal surveillance from active uses on the groundfloor and residential above.

The proposed flank walls on Stanley Avenue are set 9.3m from the side wall of the neighbouring dwellinghouse at No. 2 Stanley Avenue and project 4m in front of the main front wall of this dwelling. It is considered that this will not result in a detrimental impact on the daylight and sunlight available to this property. On Ealing Road there is a distance of 6.4m between the flank walls of the proposed building and No. 151 Ealing Road. The habitable room windows on the rear elevation of the proposed building are predominantly a distance 20m or more from the rear boundaries of the site. This will ensure the privacy is not detrimentally affected by the proposed development.

Parking and Servicing

The site is partly within an area with a PTAL rating of 4 (at its Southern end) and partly within an area with a rating of 3, with Alperton Underground station (Piccadilly line) and six bus services within 640m (8 minutes walk), and is also within Controlled Parking Zone E, thus the proposed location is suitable for a car-free agreement. 2 disabled parking spaces are proposed on Stanley Avenue while there is also a secure cycle store for residents on the ground floor also off Stanley Avenue. As there are only 2 on-street parking spaces, both of which are to be reserved for disabled parking, to ensure overspill parking from the development does not give rise to conditions prejudicial to traffic flow and highway safety in the area, a 'car-free' agreement is required, removing the right of future residents to an on-street parking permit.

The repositioning of the service bay within the site, with sufficient space to accommodate a dray if either of the commercial units is used as a public house, is welcomed and together with the off-street access route through to the rear of Unit 1, overcomes previous concerns over potential servicing from Ealing Road. A condition requiring the submission of further details of the boundary treatment around the service bay, to ensure it is not misused, together with a condition limiting its use to the loading and unloading of goods only will be attached to the planning permission.

The parking bays along Stanley Avenue will need to be amended to facilitate access to the service bay, whilst the two existing crossovers to Ealing Road will also need to be re-instated to footway at the developers expense prior to occupation of the development. A condition requiring this should be attached to the planning approval. The repaving of the footway around the frontage would be welcomed and a detailed scheme should be submitted for approval showing the surfacing treatment around the boundary.

Amenity Space

The existing public house has an area of garden space to the rear which is currently overgrown with low levels of usage. The proposed development includes an area of shared amenity space to the rear of the building while the majority of the residential units have balconies or roof terraces.

The main shared rear amenity space comprises a central undulating grassed area with a continuous path around and perimeter planting. This area will be accessible for all residents of the proposed units and amounts to an area of approximately 400m². As SPG17 recommends a minimum of 20m² per residential unit there is a shortfall of over of approximately 240m². Where there is a shortfall in the quantity of amenity space

provided then this under-provision can be off set through a number of measures. With this application the Council's officer considers that the shortfall in the area of amenity space has been off set in the following manner:

- 1) The provision of roof terraces or balconies for 22 of the proposed residential units.
- 2) A higher quality landscape design
- 3) The majority of the units are equal to or above the minimum floor area requirements set out in SPG 17.

Furthermore the site of the proposed development is within 350m of One Tree Hill recreation space which is over 2ha in size.

Sustainability Issues.

There is a difference between the way the Council and the applicants have assessed the sustainability checklist. However Officers will consequently allow some flexibility within the checklist and the matter could be covered within the agreed Heads of Terms. This will be on the basis that the Sustainability obligations, would include a score of at least 51% on the Sustainability Checklist submitted with the application and "EcoHomes 'Very good rating" (with appropriate compensatory measures should they not achieve the 51% rating). This is an approach that has been adopted on other sites in the Borough.

Response to Objections

Objectors have raised concerns that there will be problems with increased traffic in this location as a result of the lack of parking within the proposed development site. While there is no parking provided as part of this proposal the site has a PTAL rating sufficient to allow for a car free scheme. There is also a contribution of £40 000 agreed as part of the s106 towards non-car access/highway safety improvements and parking controls in the local area.

Further concerns include the proposed building being out of character with the surrounding area. In response to this the existing public house has a pitched roof with a ridgeline height of 12m and an eaves height of 6.4m. This building is setback from Stanley Avenue and Ealing Road and does not address the street scape. The proposed building is a stepped 3-5 storey building with flat roofs from 8.9m to 15.4m It follows the building of the dwellings on Ealing Road and will provide a more active frontage within the primary shopping frontage of Ealing Road Town Centre. While the proposed height is higher than that of the existing building as it is within a town centre location and is close to tube and bus links it is considered to be an appropriate site for higher density development.

The proposed development will provide an increase in informal surveillance of Ealing Road and Stanley Avenue as a result of the active frontages and residential windows overlooking both streets. Therefore there it is considered that there will not be an associated increase in crime and vandalism as a result of the proposed development. The proposed development is considered to be of a size and scale appropriate for the site's location within a town centre and is stepped down towards the neighbouring two storey residential dwellings on Ealing Road and Stanley Avenue. It is not considered to cause a significant loss of light, outlook and privacy for the residents of neighbouring properties.

In response to the loss of the existing building English Heritage have responded to consultation noting that this site has been the location of a public house dating back to 1751. The present building is not considered to have any historic or architectural features in need of protection. A condition has been attached to ensure that a programme of archaeological work is implemented prior to the construction of the proposed building. In relation to concerns about noise and environmental pollution during construction a condition has been attached to limit the detrimental effect of construction works on adjoining residential occupiers.

Conclusion

The principle of the demolition of the existing public house building and redevelopment for a mixed use, including the provision of a public house and a commercial unit is considered to be acceptable in policy terms. The proposed part 3-/part 4-/part 5-storey building is considered to be of a size and scale appropriate to the town centre location. The proposals are considered to accord with the policies set out within the Brent UDP 2004 and SPG 17: Design Guide for New Development, and on this basis, it is recommended that planning permission is granted, subject to the legal agreement referred to above.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

- (1) The proposed development is in general accordance with policies contained in the:-

Brent's Unitary Development Plan 2004
Central Government Guidance
Council's Supplementary Planning Guidance 17: 'Design Guide for New Development'

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith prior to occupation of the building.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (3) All areas indicated for landscape works on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction work on the site, and such landscaping work to be completed prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall also indicate:-

- proposed walls and fencing, indicating materials and heights;
- other appropriate matters within the context of a landscaping scheme, such as details of seating, usage of areas and areas of hardsurfacing;
- treatment of the area fronting Ealing Road;
- treatment of the roof terraces, including methods of screening the areas to prevent overlooking, and balconies;
-
- proposals for maintenance.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased, shall be replaced 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 area.

- (4) Details of materials for all external work (including windows, balcony details), with samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development carried out in accordance with the approved details.

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

- (5) All residential properties shall be designed in accordance with BS8233 - 1999 "Sound Insulation and Noise Reduction for Building-Code of Practice" and designed and constructed in accordance with Approved Document E - "Resistance to the Passage of Sound".

Reason: In order to ensure that the quality of environment likely to be enjoyed by future occupiers is acceptable.

- (6) Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

- details of refuse and recycling facilities;
- details of bicycle storage facilities;

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

- (7) During construction on site:-

- (a) - The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site;
- (b) - The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays;
- (c) - Vehicular access to adjoining and opposite premises shall not be impeded;
- (d) - All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only;
- (e) - No waste or other material shall be burnt on the application site;
- (f) - All excavated topsoil shall be stored on the site for reuse in connection with landscaping.
- (g) - A barrier shall be constructed around the site, to be erected prior to demolition;
- (h) - A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (8) All existing vehicular crossovers rendered redundant by the development, hereby approved, shall be made good, and the kerb reinstated, at the expense of the applicants, prior to the first occupation of the development.

Reason: In the interests of highway safety.

- (9) Details of any air-conditioning, ventilation and flue extraction systems including particulars of noise levels shall be submitted to and approved by the Local Planning Authority prior to the systems being installed and the approved details should be fully implemented.

Reason: To safeguard the amenities of the adjoining occupiers and in the interests of visual amenity.

- (10) Notwithstanding the submitted plans this consent does not extend to any shopfront or advertisement proposed or indicated for the site which would need to be the subject of a

separate planning, or advertisement consent.

Reason: For the avoidance of doubt and in order to allow the Local Planning Authority to exercise proper control over the development.

- (11) No excavation and/or construction works may be undertaken, until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To ensure that this site, in an Archaeological Priority Area, is properly investigated and, if necessary, excavated before development begins, in accordance with policy BE31 of the adopted London Borough of Brent Unitary Development Plan 2004 and the advice of PPG16: *Archaeology and Planning*.

- (12) The service area indicated shall be provided and completed prior to the first occupation of the units hereby permitted and thereafter shall be used solely for the delivery and collection of goods to/from the commercial units only except with the prior permission of the Local Planning Authority obtained through the submission of a planning application.

Reason : To ensure adequate servicing is provided and retained in the interests of the conditions of general highway safety and the free flow of traffic within the site and on the neighbouring highways.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Adopted London Borough of Brent Unitary Development Plan 2004
Supplementary Planning Guidance 17 'Design Guide for New Development'
Supplementary Planning Guidance 19 'Sustainable Design, Construction and Pollution Control'

Any person wishing to inspect the above papers should contact Robin Sedgwick, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5376



Planning Committee Map

Site address: Chequers PH, Managers Flat and Store, 149 Ealing Road, Wembley, HA0 4BY

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This map is indicative only.

Supplementary Information Planning Committee on 16 July, 2008

Item No.

3/02

Case No.

08/0822

Location	Chequers PH, Managers Flat and Store, 149 Ealing Road, Wembley, HA0 4BY
Description	Demolition of existing buildings, erection of 3-, 4-, and 5-storey building comprising 32 self-contained flats and 4 commercial units, consisting of 570m ² commercial floor space at ground-floor level and 2 (Use Classes A1, A2 & A3, A4) Units consisting 560m ² at basement floor level, 5 x one-bedroom flats, 19 x two-bedroom flats and 8 x three-bedroom flats at first-floor to fourth-floor level, formation of new vehicular and pedestrian accesses, provision of 2 disabled parking spaces, cycle store with 40 cycle spaces, refuse and recycling store, communal amenity space to rear and hard and soft landscaping to site (Revised Application - including basement extension to proposed ground-floor commercial units)

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The initial report did not include the details of the s106 contribution sought and agreed with the applicant, they are as follows:

- (a) Payment of the Council's legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance.
- (b) Affordable Housing - to be agreed with the Council, but expected at 50% unless the GLA toolkit demonstrates it is unviable.
- (c) A contribution of £186,000 (£3,000 per bed unit, 20% reduction on RSL), index-linked from the date of Committee, for Education, Sustainable Transportation, including Car Clubs, Air Quality and Open Space & Sports in the local area.
- (d) Car-Free: the residents cannot apply for residents' parking permits.
- (e) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Ecohomes rating Very Good, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.
- (e) Offset 20% of the site's carbon emissions through on-site renewable generation. If proven to the Council's satisfaction that it is unfeasible, provide it off-site through an in-lieu payment to the Council who will provide that level of offset renewable generation.
- (f) A contribution of £15,000, index-linked from the date of Committee, for improvements to local play and public amenity areas.
- (g) Join and adhere to the Considerate Contractors scheme.

Additional Objection

A further letter of objection was received from the resident of 6 Clayton Avenue; the objections raised include that the proposal will result in the loss of a prominent building which contributes to the character of the area, will result in the loss of important trees and will lead to an increase in traffic-related problems.

Minor Condition Changes

On the advice of the Council's Legal Services the word "suitably" has been removed from condition 3. The amended condition reads as follows:

Amended Condition 3

All areas indicated for landscape works on the approved plan shall be landscaped with trees/shrubs/grass in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction work on the site, and such landscaping work to be completed prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall also indicate:-

- proposed walls and fencing, indicating materials and heights;
- other appropriate matters within the context of a landscaping scheme, such as details of seating, usage of areas and areas of hardsurfacing;

- treatment of the area fronting Ealing Road;
- treatment of the roof terraces, including methods of screening the areas to prevent overlooking, and balconies;
-
- proposals for maintenance.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased, shall be replaced 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 area.

Following Councillor comments at the site visit regarding the potential for merging the units and creating additional floorspace that would result in the need for an additional servicing space, a condition has been attached to ensure that there is no change in the floor area without the prior written approval of the Local Planning Authority. The condition is worded as follows:

Additional Condition

No increase in floor area by merging of the units shall be undertaken without the prior, written permission of the Local Planning Authority via the submission of a formal planning application.

Reason: In order to ensure that no use or subdivision of the site occurs which would result in detriment to the adjoining occupiers, to ensure adequate servicing is available, in the interests of the amenities of the locality and in pursuance of the transportation and town centre policies within the Adopted London Borough of Brent Unitary Development Plan 2004.

Furthermore, condition 10 has been removed from the list of conditions and attached as an informative.

Recommendation: Remains Approval.