

Planning Committee

Wednesday 4 March 2015 at 7.00 pm

Conference Hall - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)
Colacicco (Vice-Chair)
Agha
S Choudhary
Filson
Hylton
Kansagra
Mahmood

Substitute Members

Councillors:

Chohan, A Choudry, Conneely, Duffy,
Ezeajughi, W Mitchell Murray and M Patel

Councillors
Colwill

For further information contact: Joe Kwateng, Democratic Services Officer
020 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.15pm in Boardrooms 7 and 8

Please note that following the site visits, there will be a presentation by BHP to members at the Civic Centre.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting (to follow) Extract of Planning Code of Practice APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING		
3. Bowling Club and Collins Lodge, King Edward VII Park, Park Lane, Wembley (Ref. 14/4208)	Wembley Central	5 - 24
NORTHERN AREA		
4. Yellow Car Park, Fulton Road, Wembley (Ref. 14/4573)	Tokyngton	25 - 50
SOUTHERN AREA		
5. 18 Neasden Lane and 450 High Road, London, NW10 (Ref. 14/4254)	Dudden Hill	51 - 72
6. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.		

SITE VISITS – SATURDAY 28 FEBRUARY 2015

Members are reminded that the coach leaves the Civic Centre at 9.30am

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
14/4254	18 Neasden Lane and 450 High Road, London, NW10	10	Dudden Hill	9:45	51 - 72
14/4573	Yellow Car Park, Fulton Road, Wembley	10	Tokyngton	10.20	25- 50

Date of the next meeting: Wednesday 1 April 2015

The site visits for that meeting will take place the preceding Saturday **28 March 2015** at 9.30am when the coach leaves the Civic Centre.



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.


STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

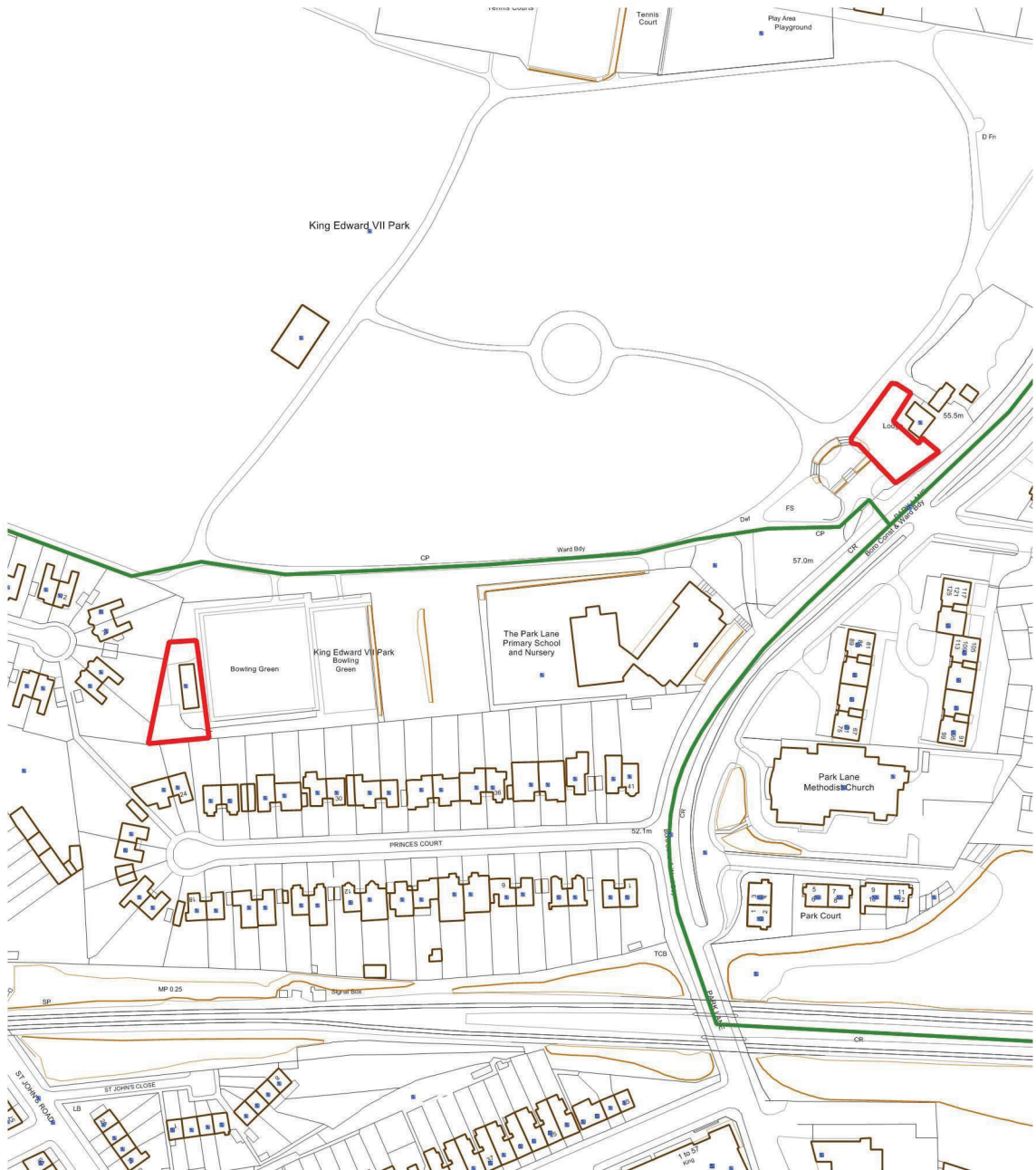
- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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 **Planning Committee Map**
Site address: Bowling Club and Collins Lodge, King Edward VII Park, Park Lane, Wembley
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This map is indicative only.

RECEIVED: 29 October, 2014

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: Bowling Club and Collins Lodge, King Edward VII Park, Park Lane, Wembley

PROPOSAL: Change of use of the bowling pavillion and adjoining land (Use class D2) into a primary school (Use class D1) also including the erection of a single storey classroom block, and part change of use of the land adjoining Collins Lodge (Use class C3) into parkland (Use class D2)

APPLICANT: London Welsh School

CONTACT: Mr Gywn Richards

PLAN NO'S:
Refer to Condition 2

Introduction:

1. The application is reported to Committee under the provisions of the Planning Code of Practice following the resolution at the meeting of the Planning Committee on 13th January 2015 to defer the application. The application was deferred for wider consultation and consideration of alternative sites within the park for land-swap. Both of these aspects are discussed below:

Wider Consultation

2. Consultation letters (49 by email, 357 by post) were sent on 27 January 2015 to the following addresses:

- 33 to 93 (odd) and 42 to 94 (even) Castleton Avenue
- 1 to 26 Keswick Gardens
- 3 to 71 Kingsway (odd) and 6 to 48 Kingsway (even)
- 1 to 12 Park Court
- Park Lane Methodist Church
- Park Lane Primary School
- 24 to 36 (even) and 65 to 199 (odd) Park Lane
- 1 to 41 Princes Court
- 60 to 88 (even) and 97 to 145 (odd) St Johns Road
- 19 to 27 (odd) and 28 to 56 (even) The Dene

3. Sixteen further letters of objection (three from residents who previously commented) and correspondence from the South Meadows Residents Association have been received during the course of the new consultation, raising the following points:

1. Adversely impact on amenity of nearby residential properties as a result of noise, disturbance, overlooking, loss of privacy, loss of views, lighting and CCTV
2. Increase risk of crime to nearby residential properties
3. Unsuitable location for school due to its location off a footpath and in close proximity to residential properties
4. No parking provision for school. Area already experiences parking problems with Park Lane Primary School and the Welsh School will add to further congestion
5. Loss of trees and adversely impact on natural wildlife and habitat
6. School not providing additional free school places and does not just serve Brent residents
7. Loss of community facility and parkland
8. Limited number of residents consulted
9. Proposal does not demonstrate compliance with paragraph 74 of the NPPF
10. Interest from members of the public in reopening the bowls club/community hub

11. If the school becomes a free school, the DfES can claim the land for educational purposes and build on it.

4. An objection has been received from Wembley Crime Prevention. They are a registered charity which support community based initiatives and projects principally with the objective to assist and defer young people away from crime through motivation into activities that work towards changing their perceptions on life through positive support and mentoring. They commented that the proposal could potentially provide cause for concern with crime. This is because the school will become regular users of this park in the earlier darkened seasonal hours, and that there have been reports of antisocial behaviour in the park.

5. Sport England have also provided further comments stating the following "Sport England is aware that local groups have shown an interest in reinstating the bowls club and former pavilion. Sport England would expect any approach made by local groups to continue using the facilities for their original sporting purpose, or some other sporting purpose to be given due consideration. Should there be a community need for the facility to remain in sporting (bowling) use, then paragraph 74 of the NPPF would suggest it be retained as such".

6. Points 1 to 7 have been previously raised and discussed within the main committee report. Points 8 to 11 and the comments provided by Wembley Crime Prevention and Sport England are discussed below:

7. One additional letter of support has also been received on the grounds that a new school that provides bilingual education will promote diversity in the Wembley area.

Limited number of residents consulted

8. The application has been deferred to allow for wider consultation with properties that surround the Park. A list of the properties that were consulted are listed above.

If the school becomes a free school, the DfES can claim the land for educational purposes and build on it.

9. The application site only relates to the bowling green pavilion and immediate surrounding land together with the Lodge House within the Park. The remainder of the Park including the bowling green will remain as public open space falling within use class D2. Any change of use or buildings for education purposes within the open space will require the benefit of planning permission, and assessed in accordance with planning policies.

Response to representations received by Wembley Crime Prevention

10. Concerns have been raised regarding the safety of the pupils of the school using the park. Reference has been made to incidents, including an individual loitering in the park climbing up trees seeking the opportunity to look upon residential households. In response, the school is proposed to operate during the opening hours of the park (0800 to 1600 Mondays to Fridays) and children are likely to be supervised or accompanied by an adult. It is not clear how the safety risks will be more significant than for other park users.

Consideration of alternative sites within the park for land-swap

11. A review of alternative sites within the park for the land swap has been undertaken. This review concludes that there are no alternative sites within the park, other than the Lodge (use class C3), which can be used for the land swap. The site adjacent to the Lodge is allocated within the agreement with Veolia as a depot site and the remainder of the park is defined as open space falling within use Class D2.

12. It is considered that the opening up of the land around the Lodge does have amenity value for use by the public. Although it is on a sloped area, it is well drained and can be used as a sitting/recreational area, providing views across the park and wider area. Sports and Parks Service have also advised that they are keen to use the Lodge as a cafe in the future with toilet facilities. There are existing examples of where this has taken place within Brent, including Roundwood Park. Any forthcoming proposal to change the use of the Lodge into a cafe will be subject to a separate planning application.

Proposal does not demonstrate compliance with paragraph 74 of the NPPF and expression of interest in reopening the bowls club

13. Paragraph 74 of the NPPF states the following:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

14. This application only relates to the former Bowling Green Pavilion and immediate surrounding land, and not the Bowling Green itself which will remain as open space. The former bowling green and pavilion is separated from the rest of the park by a hedge and fence. The bowling green pavilion currently has limited changing room space. Officers in Sports and Parks have advised that it is located too far away from either the sports pitches, tennis courts, MUGA or outdoor gym to provide changing facilities for these sports. The additional supporting statement, produced by the Welsh School in conjunction with Brent's Property and Projects, and Sports and Parks Service, has provided a map confirming the location of sporting facilities within the park and the existing changing rooms/pavilion building located centrally within the park. This building provides seven changing rooms and a kitchenette/tea room and looks directly onto the sport pitches. This pavilion building is ageing, and officers in Sports and Parks have advised that they will be applying for external funding together with Section 106 monies in 2016/17 will fund new changing rooms/pavilion in the same location as the existing building.

Closure of the existing bowling club within King Edward VII Park, alternative bowling clubs within the Borough and future use of the former bowling green

15. The former bowls pavilion and green at King Edward VII Park was the home of Wembley Bowl's club from 1919 with the club holding a full fixture calendar during the 2nd World War. The members aimed to maintain the club until 2019 however due to the lack of players the club was unable to sustain itself and closed at the end of the 2013 season with only 6 male and 4 female members. Since the bowls club closed at the end of the 2013 season, the green has not been maintained as a bowling green and will require substantial work at a significant cost to bring the green back to the standard required of a lawn bowls green. In recent years, only one green was used and the second green is no longer suitable as a bowling green.

16. There are four outdoor and one indoor bowls clubs in the Borough and all except one have a falling membership and are always keen to attract new members to ensure the club can sustain itself. The outdoor clubs play from April to September and the indoor one all year round. They Clubs are located around the Borough with the outdoor clubs being in different parks. Their distance by car from King Edward VII is:

- Preston Park - approx 1.6 miles
- Eton Grove park - approx. 3.3 miles
- Woodcock Park - approx. 2.5 miles
- Roundwood Park - approx. 3.4 miles
- Century Indoor bowls club off Logan Road - just over 1 mile.

17. The former bowling green pavilion cannot currently be accessed as public open space as it is enclosed by a fence and hedge. Sports and Parks have advised that they are applying for S106 monies (available from April 2015 if granted) to engage a landscape architect to prepare designs that will open up the bowling green land and incorporate it into the main park, allowing it to be more accessible as public open space. The anticipated timescale of the project will be until Spring 2016.

Expression of interest in reopening the bowls club & community use

18. The Council has received a proposal by the Friends of King Eddie's Park Group and the Princes Court & Keswick Garden Residents Association, wishing to reopen the bowling club with community use and a separate enquiry relating to opening the building for community use. Limited information has been provided regarding these proposals.

19. The proposal to reopen as a bowls club sets out that approximately 30 people have expressed an interest in bowls but the submission does not confirm that there is commitment to an ongoing annual membership. Sports and Parks have confirmed that due to their decreasing membership levels, those existing established bowls clubs are heavily subsidised with the clubs paying only £2,300 per annum towards the grounds

maintenance costs of the bowling green and for use of the pavilion. The Council needs to reduce the subsidy levels but is aware that should it do so with the existing clubs, the clubs would fold. If a new club were to be established, the Council could not be in a position to subsidise them to the same degree and would be looking to lease the pavilion to any new clubs on a full repairing lease. A club would then be responsible for paying for their utility consumption, insurance, legionella testing etc. Once the green has been brought up to standard (funded by a new club), the Council's public realm contractors could continue to undertake the main grounds maintenance functions on the bowling green at a cost of £2,300 per green or alternatively a new club could decide to undertake all the grounds maintenance themselves. The new club would also have to 'fit out' the pavilion with furniture etc as well as purchase necessary equipment.

19. The proposal states that they have approximately 30 members to date which would mean that as a minimum they would need to pay £76 per person per annum just to cover the contribution towards the maintenance of a single bowling green once the green is up to standard. The proposal was not supported by a financial analysis of the likely costs or a costed business plan and officers in Sports and Parks service have expressed great concern that this proposal for a club is not sustainable in the long run and there is a preference that if there is such demand for bowls that those interested parties should join one of the existing bowls clubs in the Borough to help them sustain their membership levels.

20. Any proposal for the use of the former bowling green pavilion and associated land as a community use that falls within use class D1 will be subject to planning permission, and assessed in accordance with national and local planning policies; this application proposal falls within use class D1. Property and Projects department advise that the proposed use of the building by the school has arisen in response to a request for assistance with relocating in view of the Council's proposals including the current Welsh School site in Stonebridge. They are developing a Community Asset Strategy to assist in responding to requests by other groups for community or other space.

21. Sports and Parks consider that the former bowling club pavilion is surplus to requirements as there is an alternative pavilion building within the park that better serves the sport pitches. The proposal for the reopening of the bowling club has been considered by officers in Sports and Parks Service which have taken the view that the proposal is not considered to be a long term sustainable proposition and that they would far rather see these people supporting an existing club then try to establish a new one. The proposal is therefore considered to not be contrary to paragraph 74 of the NPPF.

Recommendation : Remains approval, for the reasons and recommended conditions set out in the original committee report and paragraphs 11 to 21 above.

The main committee report and supplementary is attached below.

Planning Committee Report

RECOMMENDATION

Grant Consent subject to conditions as set out after paragraph 38 of this committee report.

CIL DETAILS

Brent's CIL came into force on 1 July 2013. A charging schedule has been produced that sets out the differential rates of CIL to be determined by the land use of a proposed development. This application relates to an education use (use class D1) and has zero charge (£0).

The Mayor's CIL came into force on 1 April 2012. It also has a charging schedule of £35 per sqm for applicable floorspace in Brent. Once again as the application relates to an education use (use class D1) it has a zero charge (£0).

CIL Liable?

Yes/No: No

EXISTING

The application relates to two parcels of land located within King Edward VII Park. These are outlined in red on the site plan submitted with the application. The first of these parcels of land is the Bowling Pavilion located on the southern side of the park, adjacent to residential rear gardens on Princes Court and Keswick Gardens. The second parcel of land is land within the curtilage of Collins Lodge. The Lodge is located at the south eastern end of the park, close to the entrance from Park Lane.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
assembly and leisure	77	0	77	0	0
non-residential institutions	0	77	-77	58	135

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	77	77	0	58	135

PROPOSAL

Change of use of the bowling pavillion and adjoining land (Use class D2) into a primary school (Use class D1) also including the erection of a single storey classroom block, and part change of use of the land adjoining Collins Lodge (Use class C3) into parkland (Use class D2)

HISTORY

09/1684: Full Planning Permission sought for demolition of existing shed and toilet block and erection of new toilet block towards the west boundary of the site - Granted, 25/08/2009.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012 (NPPF)

Paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and requires Local Planning Authorities to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Paragraph 74 of the NPPF

The London Plan 2011

Policy 3.18: Education Facilities

Policy 7.18: Protecting Local Open Space and Addressing Local Deficiency

Policy 7.21: Trees and Woodlands

Brent's Core Strategy 2010

CP18 Protection and enhancement of Open Space, Sports & Biodiversity

Brent's UDP 2004

BE9: Architectural Quality

CF7 New Schools

TRN22 Parking Standards - Non Residential Developments

Supplementary Planning Guidance

SPG17 "Design Guide for New Development"

CONSULTATION

Consultation Period: 04/11/2014 - 25/11/2014

Site Notice: 14/11/2014 - 05/12/2014

21 neighbours consulted - three objections received on the following grounds:

- Increase in noise levels especially when pupils play outside, which is against the Human Rights Act and NPPF
- Adversely impact on tranquil character of Kings Edward VII Park
- Parking problems already exist with parents for nearby primary school parking in Princes Close. The new school will make parking congestion even worse.
- Loss of trees and greenery
- Loss of light to and outlook from neighbouring properties and rear gardens on Princes Close.
- Loss of open space and fails to comply with paragraph 74 of the NPPF and Brent's Core Strategy 2010
- Alternative sites should have been considered for the relocation of the school

Wembley Central Ward Councillors - no comments received.

Preston Ward Councillors - no comments received.

Tokynton Ward Councillors - no comments received.

Internal Consultations

Transportation - no objections raised subject to a condition being secured for a School Travel Plan to be provided achieving a PASS rating.

Environmental Health - no objections raised. Due to the small scale size of the school no additional information or environmental health related planning conditions are required.

Landscape - no objections raised subject to tree protection measures being secured and a landscape buffer along the boundary with Princes Court with appropriate species - see remarks section below.

Parks Services - no objections raised. Further details are discussed in remarks section below.

REMARKS

Introduction

1. This application relates to the change of use of the bowling pavilion and adjoining land (Use class D2) into a primary school (Use class D1) together with the erection of a single storey classroom block. The application also includes a land swap with part change of use of the land adjoining Collins Lodge (Use class C3) into parkland (Use class D2), to re-provide accessible public open space. The land swap area is 555sqm which is of the same area as the bowling pavilion and adjoining land.

Relocation of the London Welsh School

2. The London Welsh School (Ysgol Gymraeg Llundain) is a primary school which offers Welsh language based education for children aged 4 to 11. It accommodates 20 to 40 pupils, and currently has 30 pupils. The school has been based in Brent since 1958 where it was first established in Willesden. The school has since relocated to buildings in the grounds of Stonebridge Primary School over 10 years ago, where it is currently operating from. However, to facilitate the proposed expansion of Stonebridge Primary School, the school is required to vacate its current site by summer 2015. The London Welsh School is therefore seeking new accommodation in Brent to meet the needs of its pupils.

3. Following on from the London Welsh School being informed that they are required to vacate their current premises in September 2014, the school has looked at a number of possible relocation options. As part of the supporting information for this application, a list of alternative sites for consideration has been provided. Over 100 alternative sites and buildings have been considered by the School's Charity Board and a "Plan B Working Group" of parents. There were four educational based criteria to assist in narrowing down the search which are set out below:

- 140 sq m of internal space
- Flexible space to enable two or three spaces to facilitate two class teaching
- 400sqm of external play area
- D1 use (or if Planning advice suggests such a use is feasible)

- In North West, North or West London

4. All of the sites listed in the background information (almost all within the same D1 Use Class as a School Use) were dismissed as un-viable, un-realistic or un-affordable after a comprehensive assessment either based on a visit to the site, advice from agents, vendors or planning authorities. The main reasons for these properties being unsuitable were :

- unaffordable for the school which is a Registered Charity with very limited funds ;
- unsuitability of the buildings to being converted to a two class primary school to comply with basic educational requirements ;
- no external play area, again to comply with basic educational requirements ;
- Being too far from the school families and the geographical focus of the Welsh speaking community in terms of daily travelling and a sustainable future for the School
- Restrictive use, tenancy, planning or listed building issues
- Inappropriate location for a School, for example in an industrial park, traffic gyratory etc.
- Premises already rented for periods which makes block booking for school hours unfeasible

5. The bowling pavilion at King Edward VII Park was considered a good location of the relocation of the school as the accommodation can be readily converted , and is within short distance of pupils who live in Brent or Ealing.

Education Need for reproviding the London Welsh School

6. The Welsh language was once widely spoken as a majority language in Wales. However in the nineteenth century the language experienced a steep decline. By 1911 Census it had become the minority language in Wales and the rapid decline in the number of speakers continued through the Twentieth century. Today, only 16% of the population of Wales are fluent in Welsh (around 320,000 people). The census of 2011 showed a continued decline.

7. The long term future of the Welsh language is under significant threat, with UNESCO classifying Welsh as "Vulnerable" in its list of Endangered World languages. The decline in such minority languages is of concern to the European Union and the Council of Europe's Charter for Regional or Minority Languages if aimed at protection of regional and minority languages.

8. The London Welsh School is the only Welsh speaking school outside of Wales apart from Ysgol yr Hendre in Trelew in Patagonia, Argentina. The re-provision of the school at the bowling pavilion site will allow the continued long term future of the London Welsh School, meeting the needs of the Welsh speaking community in Brent.

Loss of the bowling pavilion

9. The bowls clubs that used the pavilion and bowling green disbanded at the end of the summer 2013 as they had less than 8 members, all ageing, and it was not possible for them to continue. Bowls generally is not attracting the numbers that it used to, being a game predominantly attracting older people. Most bowls clubs in London have declining memberships. There has been no interest in use of the bowling pavilion by other groups as the sports teams that use the pitches have access to the changing rooms located in the centre of the park. The Sports and Parks Service would not want to have a building in the park that becomes derelict through lack of use.

10. The Sports and Parks Service have advised that there is no reason for the Council to maintain the bowling green given that it is not attracting a user group. It is the intention to maintain the former bowling green as a grassed area of public open space but not for any formal sports as the area is not large enough. It is noted that the park already has football pitches, tennis courts and a MUGA. However, as is the case with existing the pitches and courts, the Council is considering whether this area, or part of the area, could be booked by local groups such as Park Lane Primary School, nursery groups, the Welsh School. This would provide an additional external play area for the Welsh School to that as shown within the application site, possibly for around 1.5 to 2 hours a day. The feasibility of undertaking works to better incorporate the former bowling green with the existing public open space is being considered by the Head of Sports and Parks and it is anticipated that works would be funded in whole or in part from existing S106 reserves allocated for improving public open space, subject to feasibility and Member approval, in the next financial year. Such works are proposed to take place next financial year.

11. In light of the lack of demand for the bowling pavilion as described above, it is considered that the

relocation of the London Welsh School to the site is an appropriate use that will ensure the continued use of the pavilion building.

Replacement public open space at Collins Lodge

12. Policy CP18 of Brent's Core Strategy 2010 seeks to protect public open space. This is also reinforced in policy 7.18 of the London Plan 2011 and paragraph 74 of the NPPF. The change of use of the pavilion building and the adjacent land from parkland to a school, will result in the loss of public open space. The area to be lost is 555sqm. This application proposes a land swap with 555sqm of land within the curtilage of Collins Lodge to be opened up as public open space within the park. A lodge house is defined as a dwellinghouse (use class C3) and the new parkland falls within use class D2. The land swap ensures that the loss of public open space is reprovided elsewhere within the park so that there is not a net loss. This would need the objectives of policy CP18.

13. In terms of the future of The Lodge, it has become vacant and the Council will look to market the site for a use appropriate for its park location, possibly as a park café. This would be subject to a separate planning application in the future. Sports and Parks will look to remove the fence along the paths that separates the lodge from the rest of the park which will open up the area and bring this area back into the public open space.

Conversion of the pavilion together with the design and siting of new classroom block

14. The existing pavilion will be used for one of the classrooms for the London Welsh School. The pavilion building was built around 2000 as a result of the former pavilion being fire damaged (there is a building control record ref: BR/00/1230/1). No external alterations are proposed to the existing pavilion building.

15. The second classroom is proposed to be accommodated within a new classroom block which will be sited at the southern end of the site, along the boundary with Princes Court. The building will be a portakabin which measures around 14.5m wide by 3.9m deep. It will have a flat roof that is just over 3m high. The building is proposed to be clad in vertical timber cladding so that it is more in keeping with the park setting. Further details of external materials both for the walls and roof are recommended to be conditioned to any forthcoming consent.

16. Revised plans were submitted during the course of the application to relocate the new classroom block 4m away from the boundary with the residential rear gardens on Princes Court. This was required to reduce the impact upon the amenities of the residents on Princes Close, and allowing trees within the site to be retained together with a significant landscape buffer to be provided to screen the new classroom building from the residential rear gardens of properties on Princes Close. Further discussions on residential amenity and trees/landscaping is set out below.

17. Behind the pavilion building is an existing area of hard surfacing that will be used as a play area for the school.

Neighbouring amenity

18. As discussed above, the new classroom building has been resited further away from the boundary with the rear gardens of Princes Court to reduce the visual impact of the classroom building and allow a landscape buffer to be provided.

19. In terms of noise and disturbance, as the school is of a small scale (maximum 40 pupils), no objections have been raised by officers in Environmental Health nor have they recommended any environmental health related planning conditions. It is recommended that a condition is secured to restrict the maximum number of pupils attending the school to 40 pupils.

20. The new classroom block proposes small windows on the rear and side elevations. To ensure that there is not a loss of privacy or noise and disturbance from the new classroom building, it is recommended that a condition is secured for these windows to be obscured glazed and non opening. The existing pavilion has high level windows and a single door on the rear elevation. The play area will also be provided within the hard surfaced area to the rear of the existing pavilion. Taking into account the existing landscape screen along the Keswick Gardens boundary, the small scale use of the school and restriction hours of use as discussed above, the use of the pavilion as a school classroom together with play area to the rear is not considered to adversely impact on the amenities of nearby residential occupiers on Keswick Gardens or Princes Close. Given that the small scale of the building and the restricting in the hours of use, scale of the school use is

comparable with the use of the building as a pavilion.

21. The school is proposed to be open Mondays to Fridays 0800 to 1600 during school term times. Given the proximity of nearby residential gardens, it is recommended that a condition is secured to restrict the opening hours to that as set out above.

Trees and landscaping

22. A tree survey has been provided. The Council's tree officer has visited the site and advised that the retention and removal of the trees/shrubs identified in the tree survey is acceptable. Trees to be retained include the Norway Maple, Holly and privet hedge along the boundary with Princes Court. They have requested for a tree protection plan to be conditioned to any forthcoming consent, that protects the roof of T1 and the existing hedge throughout the duration of the construction.

23. The new classroom building will be set in 4m from the boundary with residential gardens on Princes Court. To allow the new classroom building to be screened, a landscape buffer is proposed. A basis statement has been provided setting out the main principles and an indicative list of species. This includes a mixture of native hedging to include Hawthorn, Holly, Viburnum lantana (Wayfaring tree), Viburnum opulus (Guelder Rose) and Prunus spinosa (Blackthorn). These are to be planted as a double row of 90/120cm bare rooted plants approximately 5 per linear metre. If planting is to be carried out outside traditional planting time (October-March), container grown stock is required. The hedge is to be interspersed with a few native trees, perhaps every 4 metres but none beneath the overhang of the retained Norway Maple (T1). The native trees include Mountain Ash (Sorbus aucuparia) and Crab Apple (Malus domestica), planted as 10-12cm girth heavy standards. The indicative landscape scheme is considered acceptable as it will involve native species that will enhance the biodiversity of the site and provide an appropriate setting with the adjoining parkland.

24. A landscape management plan is also required to be provided with regards to the establishment and future maintenance of the hedgerow. This will include the mixed hedge as being maintained at a height of approximately 3 metres and that the hedge and trees are regularly watered throughout the growing season for the first two years following planting.

25. Full details of landscaping and a landscape management plan are recommended to be conditioned to any forthcoming consent.

Transportation considerations

Car parking - school use

26. The parking allowance for the proposed D1 use, for the school, is given in standard PS12 of the UDP. The allowance for the school is 1 space per 5 workers and the maximum additional visitor student parking should be 20% of the employee parking with a minimum provision of 1 space. The proposed school will have 6 employees and therefore a total allowance of 2 spaces, including the visitor parking, is permitted.

27. The application proposes no off-street parking and the nearest surrounding streets do have on-street restrictions. However, there are nearby pay and display car parks and the site also has good access to public transport.

28. Consideration needs to be given to the impact of overspill parking, but with parking spaces unavailable along Park Lane and with the surrounding streets being located within a CPZ, there is little scope for vehicles to park on-street in the area. As such, it is considered that parents are likely to travel by public transport. The design and access statement states that most parents' car share with 10 vehicular journeys are made for drop off, at the current school in Stonebridge. It is noted that the site is accessible by public transport being PTAL 4 at the access to the park from St John's Road and PTAL 5 at the access to the park from Park Lane; the current Stonebridge Primary School is PTAL 2.

29. The application is not accompanied by a school travel plan however, the applicant has advised in their Design and Access Statement that they are willing to commit to a school travel plan. A Travel Plan would help to mitigate any impact this school may have on the local area, and it is thus recommended that a full Travel Plan be conditioned to any forthcoming consent.

30. In conclusion, the proposed school is relatively small and it is not envisaged that drop off and pick up times will be detrimental to highway and pedestrian safety due to the site being located away from the public highway, with no vehicular access into the park. Officers in Transportation have advised that In fact, this is

likely to encourage parents to travel by public transport or park the car and walk their child into school.

Cycle parking

31. 2 cycle parking spaces are proposed, which does comply with Policy PS16.

Refuse facilities

32. The school will have two 120 Litre lockable wheelie bins located concealed to the north of the Bowling pavilion. One for normal refuse and one for recyclables.

33. The applicant has advised that the refuse is placed in black bin bags within the school and placed for storage in the wheelie bins. At present, the parents have a rota system of removing the bin bags as however there may be scope to incorporate the refuse collection with the existing collection arrangement within the Park or with the nearby Park Lane Primary School. It is therefore recommended that further details of the management of refuse collection for the school is conditioned to any forthcoming consent.

Change of use of part of Collins Lodge to Parkland

34. Officers in Transportation have advised that as this area of land will remain ancillary to the park use and of a small scale, this is not of concern in transportation terms.

Response to objections raised

35. A summary of the objections raised and responses to these objections is set out in the table below:

Objection raised	Response
Increase in noise levels especially when pupils play outside, which is against the Human Rights Act and NPPF	The impact on neighbouring amenity in terms of noise and disturbance is discussed in paragraphs 18 to 21 above
Adversely impact on tranquil character of Kings Edward VII Park	The school will allow the continued use of the former bowling pavilion so that it does not remain vacant and fall into disrepair. The setting of the parkland will be retained and enhanced with new boundary landscaping
Parking problems already exist with parents for nearby primary school parking in Princes Close. The new school will make parking congestion even worse	Parking considerations are discussed in paragraphs 26 to 30 above
Loss of trees and greenery	This is discussed in paragraphs 22 to 25 above
Loss of light to and outlook from neighbouring properties and rear gardens on Princes Close.	The impact on neighbouring amenity in terms of the new classroom block is discussed in paragraphs 15 and 16 above
Loss of open space and fails to comply with paragraph 74 of the NPPF and Brent's Core Strategy 2010	This matter is discussed in paragraphs 12 and 13 above
Alternative sites should have been considered for the relocation of the school	The report makes reference to alternative sites being considered. This is discussed in paragraphs 2 to 5 above

Conclusions

36. In conclusion, it is considered that the change of use of the former bowling pavilion into the London Welsh School will ensure that this building does not become derelict, and is an appropriate use within the park. To ensure that there is no net loss of public open space, part of the curtilage of Collins Lodge will be opened up for public open space.

37. The school will have a maximum of 40 pupils. As such, due to the small scale operation of the school, it is not considered to adversely impact on the amenities of neighbouring occupiers or the local highway network. Suitably worded conditions will be secured to any forthcoming consent. The new classroom block has been resited to minimise the impact on neighbouring occupiers, with a landscape scheme to be conditioned to ensure that the parkland setting is maintained and enhanced.

38. Approval is accordingly recommended subject to the conditions as set out below.

Supplementary Report (presented after publication of the Planning Committee report)

Agenda Page Number: 5

Members Site Visit

Members of the Planning Committee visited the site on Saturday 10 January 2015. The following clarification is provided:

Use of wider park (in particular former bowling green) by school

As discussed in paragraph 10 within the main committee report, the former bowling green will still be managed by Brent's Sports and Parks Service with the intention to maintain the former bowling green as a grassed area of public open space. The Sports and Parks Service are considering whether this area, or part of the area, could be booked by local groups such as Park Lane Primary School, nursery groups, the Welsh School. This would provide an additional external play area for the Welsh School to that as shown within the application site, possibly for around 1.5 to 2 hours a day. It should be noted that this application does not secure the use of any additional space as this would be subject to separate agreement with Sports and Parks Service. The application has been submitted on the basis that the site, as shown within the application submission, is of a sufficient size to accommodate the school.

Consultation

Reference has been made to a letter of support being registered to the incorrect address. To clarify, a letter of support was received from 23 Toley Avenue. The letter was incorrectly registered to the wrong address 28 Princes Court when it received by the Council. This administrative error was rectified with appropriate letter sent to 23 Toley Avenue providing detail of the Planning Committee meeting and site visit. There has been no letter of support received from 28 Princes Court or letter purporting to be from this address.

A number of additional representations have been received since the main Planning Committee report was published. These are discussed in further detail below. When such representations are received by email/hard copies only the address is provided on the Council's website unlike when applications are submitted online; a copy of the email/letter can be viewed by the public if requested.

Concerns have also been raised with potential false addresses being provided by those wishing to support the planning application. Your officers can confirm that a total of 7 representations (of a total of 27) supporting the application have been received by residents in Brent, and that it has been verified that the names provided are connected to the relevant addresses. A number of the other representations have been received from outside the Borough. Whilst officers have not been able to verify these addresses, given the specialist nature of the Welsh School, it is not considered unrealistic that representations from outside the Borough could be provided. There is no evidence to suggest that false details have been provided.

Ownership of application site

Property and Asset Management have confirmed that the site would remain in the ownership of the Council. Should the proposal be granted planning permission, an agreement would be put in place for the Welsh School would manage the buildings and a lease entered into (provisionally for 15 years).

Possible alternative site for land swap or school - Collins Lodge and land adjacent to Collins Lodge

Collins Lodge was considered by the Welsh School when they were considering potential sites for the school. This site was discounted as it was not considered that the existing building would be appropriate to accommodate the school. Furthermore, given the prominent location in the park, it is considered unlikely that significant extensions or a further building would be appropriate.

With regard to the site adjacent to Collins Lodge, this is allocated within the agreement with Veolia as a depot site and as such is not available.

Use of car park within King Edward VII Park

Whilst the planning application does not propose any car parking, the Council's Sports and Parks Services have advised that they are willing in principle for the school to use the car park in the south west corner of the park accessed via St John's Road.. The school would need to be fully responsible for opening and closing the gates to the car park and that they remain closed when they are not in use and monitored / managed by the school even for the short period of time when they are open. This use/management of the car park could be secured as part of the School Travel Plan.

However, it should be noted that given the size and location of the proposed school, it is not considered to detrimentally impact on the surrounding road network and is acceptable without parking provided. This has been discussed in paragraphs 26 to 30 of the main Committee Report.

Additional representations received

The following comments have been raised by Councillor Stopp:

- Queried whether providing the school on the green space is the best use of the land;

The school building will not be built on the "green space" and involves the reuse of the site of the bowling club which falls within a D2 use. The former bowling club green does not form part of the planning application and its future use is discussed in paragraphs 9 and 10 of the main committee report

- Concerns with increase in parking congestion and noise.

These matters have been considered as part of paragraphs of the main committee report. A condition is recommended to restrict the opening hours of the school.

- Loss of community facility

Further comments/objections

9 further objections have been received. These are considered below:

- Loss of Welsh School consequence of expansion at Stonebridge Primary School – potential to explore sharing this site;

Each application is assessed on its individual merits. The justification for this proposal is set out in the Planning Committee report.

- Security fears over isolation of site – previous concern with nursery at Park Lane Primary School;

The building was previously in use and there is no reason to suggest that with normal supervision that this location for a school would give rise to security concerns. Sports and Parks Services have advised that, subject to Section 106 funding being agreed, a landscape design for the former bowling green could potentially include removing the fence but retaining some of the hedge so that the bowling green is brought back into the open space but that we do not lose the biodiversity value of the hedge.

- Potential disputes between Parks and school regarding maintenance of paths;

The lease agreement will cover the terms of the use/access between the Council and the leasee (the Welsh School)

- Arrangements for deliveries and waste impractical;

Arrangements regarding servicing are set out in the Committee Report (paragraphs 32 and 33)

- Emergency access;

In terms of emergency access, Sports and Parks Service have advised that there are three entrances the

park that would be used, principally using the entrance from Park Lane. All the gates have fire service locks on them so they can be opened by the fire service. The other entrances are off St Johns Road and The Dene. These are the entrances would be used if there was a fire in the changing rooms/pavilion for example.

- Yard next to Collins Lodge to be considered for land swap;

Please refer to comments provided above.

- Funding of school;

The justification for this proposal is set out in the Planning Committee report.

- Precedent for building on parks;

The justification for this proposal is set out in the Planning Committee.

- Area of park annexed by Park Lane School

Officers can advise that the school were initially given use of the area during curriculum time at a period in time when schools were being encouraged to use park space to encourage people to be active and make greater use of the outdoors. Originally it is believed that outside of curriculum time the area was supposed to be available for use by the public however it would seem that over time the school has developed exclusive use of this area.

- Use of the car park within the park and safety issues with general public access to the former bowling green

This application must be considered on its own merits. There is no reason to suggest that with normal supervision that the location would give rise to security concerns. The Council often have requests to use areas of open space that aren't formal pitches either for one off activity or on a regular basis. When the Council receives a request, a permit is issued as this would provide evidence to the wardens or anyone else that the group has the councils permission to use that space.

- School is not a charity but a Private Fee paying school and will not enhance the use of the park for local residents, if anything it will have a detrimental impact on regular users by fencing, CCTV, additional Lighting and people wishing to freely exercise their dogs.

Full details of lighting will be conditioned to any forthcoming consent. The former bowling green and pavilion is already fenced off from the main park, and this proposal is seeking to include the former bowling green as a grassed area for public open space. In terms of the management such as areas where dogs are permitted, this will be subject to the agreement of the Council's Parks Services.

Sport England - concerned regarding the ongoing use of the bowling green and clarity around its future status. Sport England advise they would support the ongoing use of the application site for sports and that strictly speaking, the application does not demonstrate full conformity with para 74 of the NPPF:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Whilst Sport England does not dispute that the Bowls Club disbanded in 2013, this in itself does not mean that the site has no future purpose in serving the ongoing strategic needs of the bowls community. Sport England would advocate that the site remain in sporting use and that other sporting uses should be considered ahead of non sporting uses.

In response, the Sports and Parks service have confirmed the following:

They supported Brent's bowls clubs for several years to try and help them extend their membership however across the board membership of bowls clubs is falling and aging. The fact that Brent has a considerably young population may be one of the factors as bowls tends to be an older persons sport.

King Edwards park already has the following sports facilities:

- *Hard court tennis courts*
- *Outdoor gym*
- *Multi Use Games Area*
- *Football pitches and we are planning to provide a cricket wicket.*

There are no other sports facilities that we could be provided on the bowling green site that aren't already provided within the park. Sports and Parks will not be maintaining the bowling green.

There is already a large block of changing rooms / pavilion within the park that serves the pitches and the longer term aim using external and capital money is to re-provide these facilities within the existing footprint so that they are more up to date and fit for purpose. The bowls pavilion does not have the facilities required for the pitches nor is it appropriately located to serve the other sports facilities in the park.

Representations supporting the application

27 representations have been received from individual properties supporting the application. These comments make reference to the importance of the Welsh School as an educational, cultural and community asset, and how the loss of the Welsh School operating in Brent would be a threat to the continued use of the Welsh language. The historical reference to the Welsh School operating in Brent since the 1950s was also raised.

The above matters have been referred to within the main committee report as part of paragraphs 6 to 8.

Recommendation: Remain approval subject to conditions set out after paragraph 38 of the main Committee Report.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework
London Plan 2011
Brent Unitary Development Plan 2004
Brent Core Strategy 2010
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
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation
Community Facilities: in terms of meeting the demand for community services

CONDITIONS/REASONS:

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

Existing Floor plan of Bowling Club Pavilion
Existing Elevation of Bowling Club Pavilion
Location Plan for Bowling Club
Location Plan for land adjoining Collins Lodge
EX1
PR1 Rev A
PR2
L1

Landscaping Scheme Overview
Statement on Alternative Sites
Supporting Statement

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

- (3) The windows on the rear and side elevations of the new classroom block shall be constructed with obscure glazing and non-opening and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupiers.

- (4) The total number of pupils on site shall not exceed 40 unless an application is firstly submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby residential occupiers and in the interests of the local highway network.

- (5) The primary school shall only operate between the hours of 0800 to 1600 Mondays to Fridays.

Reason: In the interests of the amenities of nearby residential occupiers.

- (6) The cycle stands as shown on plan ref: PR1 Rev A shall be installed prior to first occupation of the primary school hereby approved, and thereafter permanently retained throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of providing adequate cycle parking facilities.

- (7) Details of materials for all external work for the new classroom block (including details of cladding to elevations, roofing material, window and doors materials) together with samples where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (8) Prior to commencement of any works on site, a Tree Protection Plan showing the method of protecting the retained trees shown on plan L1 throughout the construction period shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be carried out in full accordance with the approved tree protection measures throughout the construction period.

Reason: In the interests of protecting trees of amenity value.

- (9) Prior to commencement of works on site, full details of landscaping within the site shall be

submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) full details of soft landscaping (including species, location, numbers and densities)
- (b) details of areas of hardstanding and pathways including hardstanding to be retained and any new or replacement hardstanding
- (c) details of any play equipment or external seating
- (c) details of any external lighting within the school site including any external lighting to be attached to the pavilion or new classroom block

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 in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- (10) Further details of the location/design of the refuse store and management of refuse collection from the school site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site, and thereafter fully implemented in accordance with the approved details.

Reason: In the interests of providing adequate refuse collection facilities.

- (11) Prior to the first occupation of the primary school hereby approved, a School Travel Plan of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme, to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority and shall be fully implemented as approved and adhered to thereafter.

Reason: In the interests of reducing reliance on private motor vehicles.

- (12) Prior to occupation of the primary school the existing fence enclosing the park around the Collins Lodge shall be removed.

Reason: To ensure that there is no loss of accessible park to the public.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

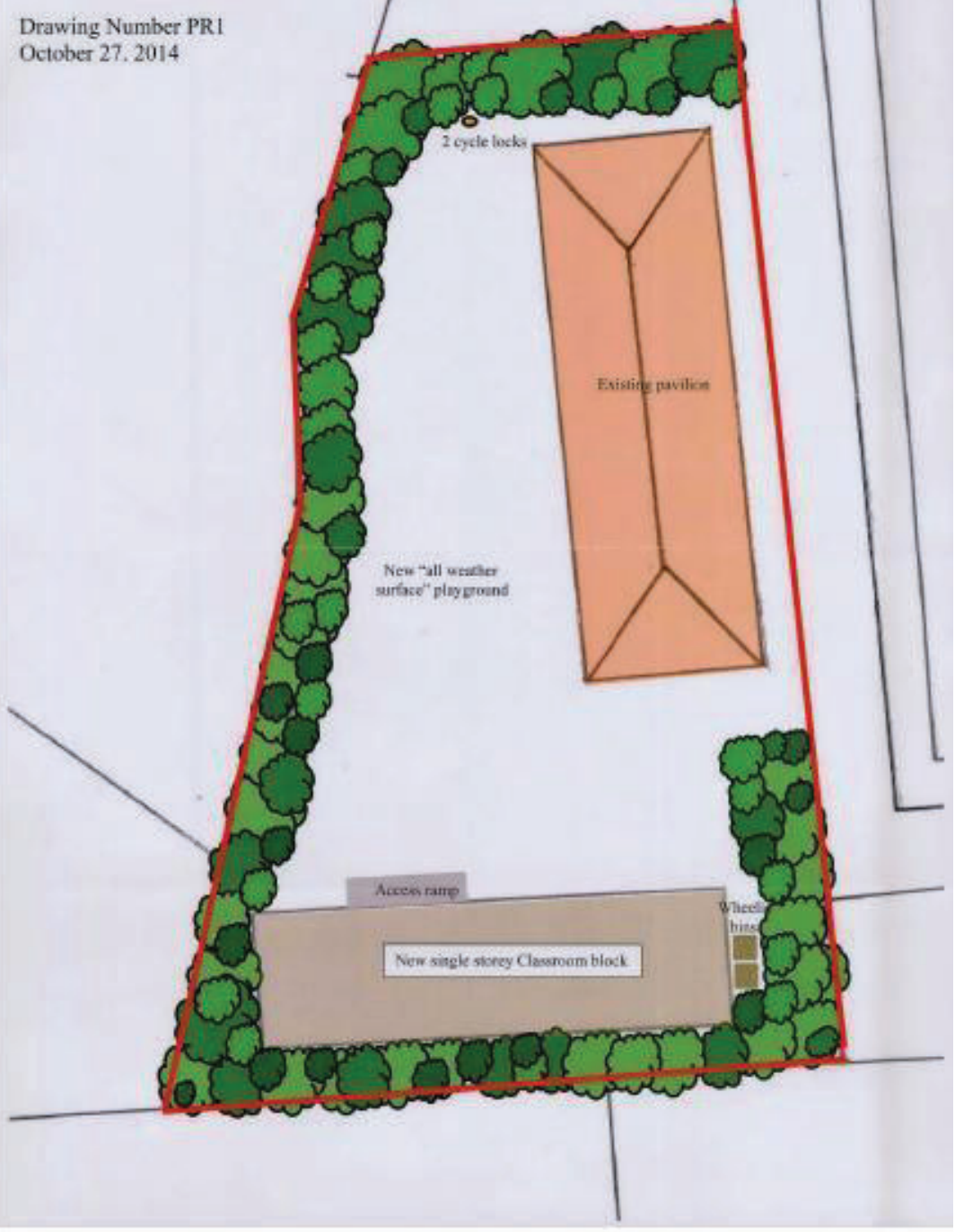
The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.

Bowling Pavilion

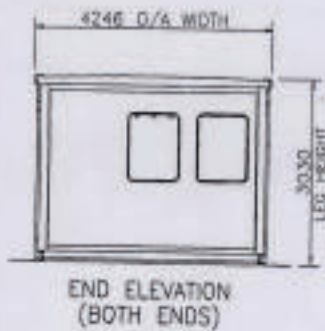
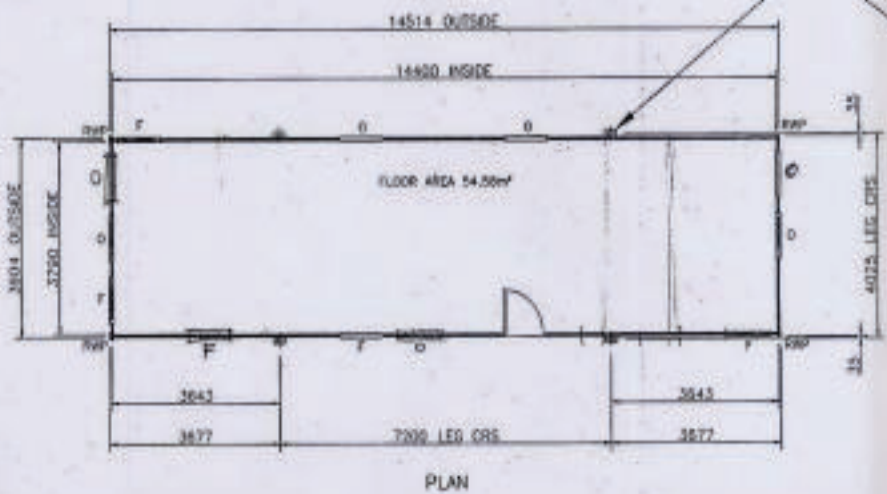
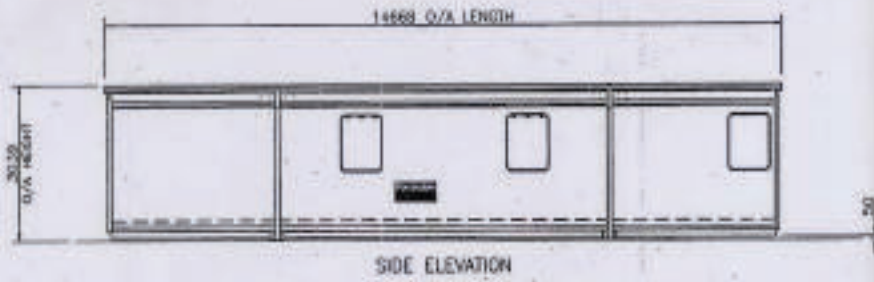
PROPOSED SITE PLAN
Scale 1 : 100 at A3



Drawing Number PR1
October 27, 2014




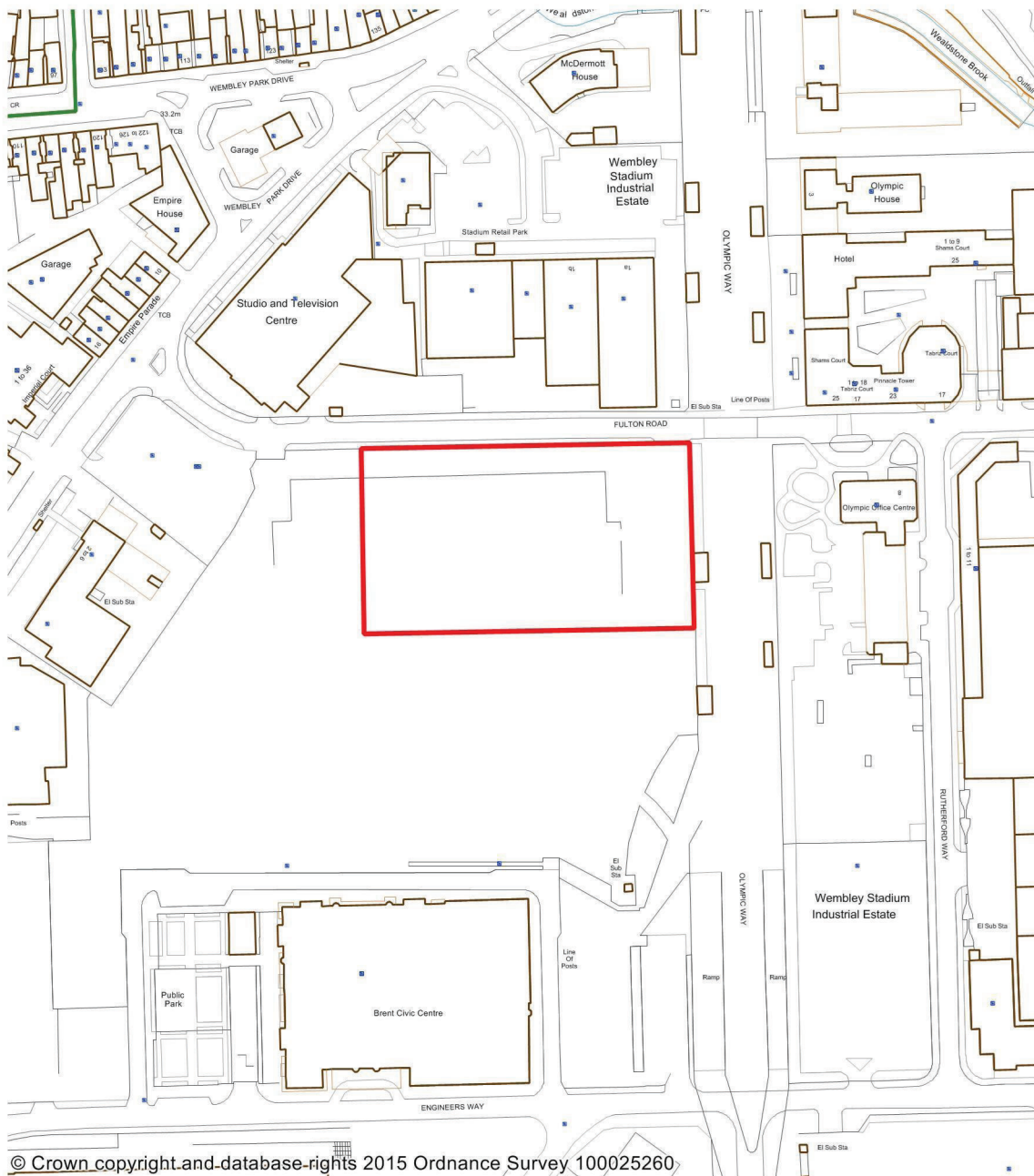
Drawing PR2 (October 27th 2014) : Bowling Green Pavilion, Ling Edward VII Park
 Details of new Classroom Block (Not to Scale, Dimensions shown on drawing)
 Portakabin Pullman Model PM484 (copyright "Portakabin") to be clad in vertical timber closeboard



Indicative image of proposed over-cladding of structure

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

 **Planning Committee Map**
Site address: Yellow Car Park, Fulton Road, Wembley
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 24 November, 2014

WARD: Tokyngton

PLANNING AREA: Wembley Consultative Forum

LOCATION: Yellow Car Park, Fulton Road, Wembley

PROPOSAL: Proposed erection of theatre (Use Class *Sui Generis*) on corner of Fulton Road and Olympic Way incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years.

APPLICANT: Wembley Theatre Ltd

CONTACT: Signet Planning Ltd

PLAN NO'S:
(See Condition 2)

RECOMMENDATION

Grant planning permission subject to conditions listed after paragraph 75 of the Remarks Section.

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL). The proposal relates to a temporary use, the permission is for a time limited period only and is therefore not eligible for CIL.

CIL Liable?

Yes/No: No

EXISTING

The application site relates to land to the north of the Brent Civic Centre. The proposed theatre use is sited on part of the temporary yellow car park, on a prominent location at the corner of Fulton Road and Olympic Way. The application site is within an area that benefits from outline planning consent for comprehensive mixed use redevelopment (see history section below).

The application site is situated within the Wembley Regeneration Area, surrounding uses are mixed commercial uses, including Brent Civic Centre, Stadium Retail Park, Novotel hotel and Fountain Television Studio.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain
sui generis	0			6710	6710

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	0			6710	6710

PROPOSAL

Proposed erection of theatre (Use Class *Sui Generis*) on corner of Fulton Road and Olympic Way incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years.

HISTORY

Outline planning consent was granted for the comprehensive re-development of the land surrounding the Brent Civic Centre in 2010. This plot relates to the part of the site that will eventually contain Plot NW10 and NW11.

10/3032 – ORIGINAL OUTLINE APPLICATION – Granted 24 November 2011

Outline application, accompanied by an Environmental Impact Assessment, for the demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m² of floorspace (GEA, excluding infrastructure) comprising:

- a) Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
- b) Business (Use Class B1): up to 25,000m²;
- c) Hotel (Use Class C1): 5,000m² to 20,000m²;
- d) Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
- e) Community (Use Class D1): 1,500m² to 3,000m²;
- f) Leisure and Entertainment (Use Class D2): up to 5,000m²;
- g) Student accommodation/serviced apartments/apart-hotels (*Sui Generis*): 7,500m² to 25,000m²;

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

13/1323 – VARIATION APPLICATION – Granted 18 September 2013

Variation of condition 4 of Outline Planning Consent reference 10/3032 to allow minor material amendments to the parameter plans in relation to Plot NW01, situated in the south-western corner of the application site at the junction of Empire Way and Engineers Way.

13/2799 – RESERVED MATTERS FOR NW01 – Granted 16 December 2013

Erection of a series of 5- to 16 storey buildings within Plot NW01 situated on the corner of Engineers Way and Empire Way comprising 475 residential units and 1,061 square metres of commercial floorspace (Use Class B1 (Business), D1 (non-residential institution), D2 (leisure and assembly), A1 (retail), A2 (professional and financial services) or A3 (restaurant and café)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, cycle storage and refuse provision.

14/3054 – VARIATION APPLICATION – Granted 31 October 2014

Variation of condition 4 of outline planning permission reference 13/1323 to allow minor material amendments to the parameter plans in relation to plots NW06, NW07 and the proposed open space, namely: the siting, size and layout of plots NW06 and NW07, the heights of elements of the building within Plot N06, the siting of the open space, change to the vehicular access point for plot NW06.

14/4541 – PARK AND ACCESS ROADS – Granted following planning committee on 11 February 2015

Proposed construction of park (publicly accessible open space), a "pocket park", access roads and other associated hard and soft landscaping works and infrastructure and alteration to existing access roads, and access to Fulton Road.

14/4555 – ACCESS ROAD TO WEST OF NW06 – Currently being considered

Proposed hard and soft landscaping works involving the construction of a new access road adjacent to the rear boundary of the Quality Hotel and Dexion House including footway and loading bays, substations and other associated hard and soft landscaping works.

14/4330 - LAND ADJACENT TO DEXION HOUSE & QUALITY HOUSE, YELLOW CAR PARK - Granted following planning committee on 11 February 2015

Proposed erection of 1- to 20-storey building comprising 370 residential units, 693 sqm of non-residential floorspace (use class A1 (retail), A2 (financial and professional), A3 (cafe/restaurant), B1(Business), D1 (community) or D2 (assembly and leisure)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, landscaping, cycle storage and refuse provision.

This is a Reserved Matters application pursuant to the original outline consent 10/3032.

14/4687 - TEMPORARY MARKET USE ON OLYMPIC WAY & YELLOW CAR PARK (part of) - Application currently being considered

Use of land comprising the "Yellow car park" and Olympic Way between Fulton Road and Engineers Way from time to time for temporary markets and as temporary event space. No permanent structures are proposed.

POLICY CONSIDERATIONS

The policies relating to this application are as follows:

NATIONAL

National Planning Policy Framework 2012

REGIONAL

The Mayor of London

The London Plan 2011

The revised London Plan was adopted in July 2011 and sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies include:

- 2.1 London in its Global, European and UK context
- 2.13 Opportunity Areas and Intensification Areas
- 2.7 Outer London Economy
- 4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment Provision
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing Noise

LOCAL

Wembley Area Action Plan 2015

- WEM 1 Urban form
- WEM 3 Public realm
- WEM 6 Protection of Stadium Views
- WEM7 Character of Olympic Way
- WEM 8 Securing design quality
- WEM14 Car Parking Strategy
- WEM 15 Car parking standards
- WEM 16 Walking and cycling
- WEM 25 Strategic Cultural Area
- WEM 28 Temporary Creative Uses
- WEM 29 Community facilities
- WEM 30 Decentralised Energy
- WEM 32 Urban greening
- WEM 33 Flood Risk
- Site W12 North West Lands

Brent Local Development Framework Core Strategy 2010

CP 1 Spatial Development Strategy

CP 3 Commercial Regeneration

CP 5 Placemaking

CP 7 Wembley Growth Area

CP 16 Town Centres and the Sequential Approach to Development

CP 19 Brent Strategic Climate Mitigation and Adaptation Measures

CP23 Protection of existing and provision of new community and cultural facilities

Brent Unitary Development Plan 2004

Strategy

The relevant policies in this respect include Policies STR3 (prioritising locations and land-uses to achieve sustainable development), STR5 and 6 (reducing the need to travel), STR9 (role of GLA Roads and London Distributor Road) and STR12-15 (protecting and enhancing the environment)

Policies

BE1 Urban Design Statements

BE2 Local Context & Character

BE3 Urban Structure: Space & Movement

BE4 Access for disabled people

BE5 Urban clarity and safety

BE6 Landscape design

BE7 Streetscene

BE8 Lighting and light pollution

BE9 Architectural Quality

BE12 Sustainable design principles

BE13 Areas of Low Townscape Quality

BE17 Building Services Equipment

EP2 Noise and Vibration

EP3 Local air quality management

EP6 Contaminated land

EP12 Flood protection

EP15 Infrastructure

TRN1 Transport assessment

TRN2 Public transport integration

TRN3 Environmental Impact of Traffic

TRN4 Measures to make transport impact acceptable

TRN10 Walkable environments

TRN11 The London Cycle Network

TRN12 Road safety and traffic management

TRN13 Traffic calming

TRN14 Highway design

TRN15 Forming an access to a road

TRN16 The London Road Network

TRN22 Parking Standards – non-residential developments

TRN24 On-street parking

TRN30 Coaches and Taxis

TRN34 Servicing in new developments

TRN35 Transport access for disabled people & others with mobility difficulties

Appendix TRN2 Parking and Servicing Standards

TEA1 Location of large-scale Tourist, Visitor and ACE uses

Brent Council Supplementary Planning Guidance and Documents

SPG12 Access for disabled people

SPG17 Design Guide for New Development

SPG19 Sustainable design, construction and pollution control

Destination Wembley – A framework for development (2003) Supplementary Planning Guidance

Wembley Masterplan 2009

Other Council Publications

Wembley Vision (2002)

Wembley From Vision to Reality (2007)

SUSTAINABILITY ASSESSMENT

A BREEAM pre-assessment has been submitted which demonstrates a commitment to a BREEAM score of 51.7%, rating 'Good'. A rating of 'Excellent' would normally be sought. However in this case the building is of a temporary nature, only envisaged to be on site for ten years. There is recognition that achieving a score of 'Excellent' is challenging and is not feasible for a temporary building.

The sustainability strategy for the building is based on the following:-

- Complying with energy performance standards under Building Regulations Part L. This target is proposed to be achieved through a range of energy efficiency measures and installation of roof mounted photovoltaic panels. Further details of the array of PV will be submitted as a condition of any approval, secured as part of a detailed sustainability strategy.
- The energy efficiency measures proposed include a high performance building fabric, high levels of air tightness, energy efficient plant, lighting, heating, ventilation and cooling systems and external shading and glazing to minimise summer heat gain and in turn minimise cooling loads.
- CHP and district heating is not feasible as the development phasing for this particular development will be in advance of the necessary infrastructure required, that is to be delivered at a later date through the North West Lands outline consent implementation.
- A range of renewable technologies were considered, some discounted for practical or technical reasons. Roof mounted PV panels were considered to be the most technically suited. Early analysis suggests that 150sqm of PV will be required. Final details of the array will need to be confirmed through condition, as part of a sustainability strategy.
- Achieving a SPG19 (Brent Sustainability checklist) score of 31.7%. The lower than expected score is again down to the temporary nature of the building.

The relatively short lifespan of the building means that a number of renewable energy options are not feasible. These would typically require investment that requires a longer building lifetime. On balance the strategy is considered to be appropriate for a temporary building. Through conditions there will be a requirement to submit a detailed sustainability strategy, demonstrating in full how the measures will be achieved. Following practical completion of the development, a review by a BRE approved, independent body shall be commissioned to determine whether the measures set out within the sustainability strategy have been implemented and that through reasonable endeavours the maximum feasible BREEAM rating has been achieved.

CONSULTATION

Statutory consultation carried out on 27/11/14.

Site notices displayed on 04/12/14

Press notice published on 04/12/14

To date two letters of support and one objection has been received.

Support:-

The Theatres Trust supports the application and the development of a new theatre and cultural facility at Wembley and make the following comments:-

- *The theatre itself is unique, due to the rotating auditorium, and that this introduces a new style of theatre building and theatre production to London and the UK that is currently not provided.*
- *This use would have the potential to be a tourist attraction, boost to the local economy and Wembley's cultural offer.*
- *The use is considered to be consistent with London Plan policies and Brent's Core Strategy, and is ideally located with good links to public transport.*

Network Housing Group, occupiers of 8 Olympic Way are of the view that the theatre proposal will contribute towards the regeneration aims for the area and will add vitality to the area, increasing daytime and nighttime activity.

Objection:-

A letter has been sent on behalf of Fountain television studios citing the following issues:-

Concern about the consequences of construction and any disturbance (noise or vibration) that would be caused to highly sensitive recording equipment. see paragraphs 68 - 74

Vehicles arriving to site for construction of the theatre may prevent or impede vehicles accessing the studios for production purposes. This would be detrimental to production timing and programming and there needs to be co-operation so that both parties can plan their activities to accommodate each other.	see paragraphs 68-74
Dissatisfied that the applicant has not sought to engage with Fountain studios prior to submission of the application.	see paragraphs 68-74
Vibration impacts from construction have the potential to disrupt studio operations. There should be robust processes in place to manage noise and vibration arising from construction so as not to prejudice the studio's operation.	see paragraphs 68-74
There should be sufficient control in place, with enforceable arrangements so that the construction of the proposal can go ahead without disrupting the studio operation.	see paragraphs 68-74
Visitors may park in the yellow car park adjacent to the theatre, resulting in further congestion.	see paragraphs 68-74
Proposed working hours for construction may affect studio operations if access is blocked by construction traffic.	see paragraphs 68-74

STATUTORY CONSULTATION:-

Transportation:-

This proposal can only be supported in its current form subject to a condition requiring the reinstatement of the existing crossovers (rendered redundant) to the site to footway with full height kerbs with further details of the servicing lay-by. Conditions are also recommended requiring implementation of the submitted Travel Plan, Construction Logistics Plan and Delivery and Servicing Plan.

Landscape Design:-

Concern has been raised with the proximity of the building and associated hard landscaping works to the existing corridor of Lime trees on Olympic Way. The roots of these trees will be vulnerable to trafficking and compacting during construction works. It is recommended therefore that a tree survey, tree report, tree protection plan and construction method statement are carried out to BS:5837 2012 and submitted for approval. This should describe how the existing trees and their roots will be protected.

New trees are required to be planted along the Fulton Road site frontage, *Tilia cordata* is put forward as a suggested species.

Further details of external landscape proposals are required by condition.

Safer Streets:-

The submitted noise assessment demonstrates that noise from the theatre production is not predicted to be of concern to current and future receptors, provided a minimum insulation specification is achieved. A condition is recommended to ensure said insulation specification is achieved.

It is noted the theatre will have a range of different plant equipment. To ensure that this does not cause noise or disturbance a condition is recommended to limit noise levels from any plant (or ancillary equipment).

Further details of the kitchen extraction equipment will need to be submitted for approval. This will be secured by condition.

Proposals to mitigate the impacts of dust from construction works are satisfactory. So are proposals for controlling construction noise, as set out within the Environmental Noise Report.

It is recommended that a site investigation be undertaken to establish if there is any risk from possible contaminated land. Conditions are recommended to secure this is carried out prior to commencement of any building works.

Thames Water:-

A 'Grampian' condition is recommended requiring the submission and approval of details of a drainage strategy detailing any on or off site drainage works, and any approval should be in conjunction with the sewerage undertaker.

Ward Councillors (Tokyngton ward);-

No representations have been received.

REMARKS**Site context;-**

1. The application site is situated within the heart of the Wembley regeneration area. The site, formerly occupied by the Palace of Arts and Palace of Industry but now referred to as the yellow car park was granted outline planning permission in 2011 (LPA ref; 10/3032) for mixed use development for land to the west of Olympic Way and the north of Engineers Way, referred to as the North West Lands. This outline permission comprises of retail, business, hotel, leisure and entertainment uses, open space student accommodation and a significant proportion of residential use. Some early plots of the outline consent have been built out but given the scale of development that has been approved the completion of this regeneration is phased to take place over a number of years. In advance of the full build out, and until individual development plots come forward some additional 'meantime' uses are envisaged to come forward in the regeneration area. The Power League football centre is an example of an existing 'meantime' use. The application site is currently operating as a temporary car park, for five years under planning permission 12/3361. The outline consent approved buildings NW10 and NW11 on the application site, both are mixed use buildings with residential units.
2. The Council vision for the development of Wembley is set out in the recently adopted Wembley Area Action Plan (AAP) (adopted Jan 2015), which covers existing town centres of Wembley and Wembley Park, the Wembley Masterplan area, including the Stadium and key development sites around it, and the industrial area extending as far as the North Circular Road. This sets out a strategy for growth and regeneration and a framework for delivering this vision over the next 15 years. The plan builds on the Council's vision to develop Wembley as a destination which will help drive the economic regeneration of Brent, and further promote its cultural and leisure offer attracting visitors throughout the day and evening. The plan aims to guide appropriate development to bring forward the delivery of new homes, jobs, shopping and leisure facilities.

Policy context;-

3. The National Planning Policy Framework has a presumption in favour of sustainable development. Planning applications that accord with the adopted plan should be approved without delay, unless material considerations indicate otherwise.
4. In the London Plan (2011) Wembley is designated as an opportunity area. In such areas intensification and regeneration will be supported as these areas have been identified as having sufficient capacity to accommodate new housing, commercial and other developments. Typically these are already built-up areas with good existing public transport links which can support redevelopment at higher densities. They have significant capacity for new jobs.
5. Strategic cultural areas are designated in the London Plan, and Wembley is identified as one of these. These areas are identified as being appropriate for London's major clusters of visitor attractions.
6. Support for and enhancement of arts, culture and entertainment provision is supported by London Plan policy 2.7 which seeks to promote opportunities for London's outer economy through leisure, arts, culture and tourism, recognising the contribution that theatres can make to the outer London economy. Policy 4.6 states that boroughs should encourage a diverse range of night time activities, expanding culture and leisure venues other than eating and drinking.
7. Brent's adopted LDF Core Strategy (2010) sets out the spatial structure of the borough, and seeks to support and deliver the overall vision and objectives for the borough. This focuses future development in Brent into five Growth Areas, each is key to achieving borough regeneration objectives. To reflect its status in the London Plan as a an opportunity area Wembley is designated as a growth area in the Core Strategy. It recognises that Wembley has the capacity to deliver the majority of the borough's development and employment growth. The vision is that Wembley will become a cultural focal point as the borough's main area for tourism, also being the location for large scale visitor attractions, reflecting its London Plan designation as a strategic cultural area for London. This is set out in policy CP7 of the document.
8. Brent's adopted UDP (2004) supports the development of tourist, visitor and arts, cultural and entertainment (ACE) facilities in the Wembley regeneration area.

9. This is considered to be an appropriate location for a proposed theatre. It is in a highly accessible location and this use is considered to comply with national, regional and local planning policy.

Proposal;-

10. Proposed erection of theatre (Use Class *Sui Generis*) on corner of Fulton Road and Olympic Way incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years.
11. The theatre will have capacity to accommodate up to 1300 persons, with approximately 130 staff members. It will be operational up to 7 days a week. Performances will typically take place 6 nights per week from 19:00 - 22:30. With matinee performances planned to take place on Saturdays and on one day during the week between 12:00pm and 17:00 pm. Front of house bar and restaurant areas will be open to the general public.
12. A temporary permission is sought for a period of 10 years before the development of plots NW10 and NW11 within the North West Lands outline consent. The temporary nature of the proposal is so that a 'meantime' use can be brought forward to make effective use of the land and make a positive contribution to the area whilst the wider phased regeneration is delivered.
13. Amended plans have been submitted that incorporate the following changes;-
- *An increase to the size of the auditorium, increasing this in width by extending 7.5m further east above the plinth.*
 - *Alterations to the servicing lay-by layout.*
 - *Amendments to the wheelchair ramped access from Olympic Way.*
 - *Minor elevational changes.*
 - *Planting of trees along the northern and southern elevations.*
 - *New revolving door proposed at main entrance.*

Theatre concept;-

14. A Dutch company, Imagine Nation are behind the concept, staging and production. They have built a similar theatre in Amsterdam and are now seeking to expand internationally.
15. This is a unique theatre experience, using innovative staging technologies that will involve a rotating auditorium, rotating seats and panoramic video projection technologies. It would be the first theatre of its kind in the UK, and it is expected that the first production will be a stage show of the '*The Hunger Games*'.

Quantum;-

16. The theatre comprises of a 4500sqm auditorium and a 1760sqm front of house component which is expressed architecturally as a plinth. The main auditorium has an internal height of 13.25m (max height 16m). The front of house component is at a considerably lower scale. Where the front of house section meets Olympic Way this is to be 5.5m high.

Design;-

17. The theatre building comprises two distinct parts. There is the main auditorium, and a smaller front of house section which appears as a plinth upon which the auditorium sits. Both elements are clearly distinguishable from one another through the use of different materials.
18. The massing of the auditorium section is very much driven by the operational needs of the theatre, in order to meet staging, seating and production requirements. The facade of the auditorium has been broken up by expressing the structure through a series of visible columns, 7.5m width apart that run the length of the building. This rhythm of columns will give the building verticality, some visual interest and helps to break up the massing. It will be clad in black metal and a condition is recommended to agree the final materials. Windows or glazed sections cannot be provided within the auditorium for operational and production reasons.
19. The smaller front of house section is expressed with the use of a different material. This will be finished in concrete and this material will run along the base of the building forming a plinth for the auditorium box. This plinth is punctuated with windows to respond at street level along Olympic Way and Fulton Road. Some louvres and doors will also punctuate the plinth in other parts of the building. The front of house section includes a projecting roof overhang which introduces an interesting architectural feature, and will accommodate the foyer and bar areas, restaurant, box office and outside terrace/seating area.

The terrace will be enclosed by a glass balustrade treatment. Front of house will be the main point of ingress and egress to the theatre, and its prominent corner location and the use of glazing will provide activity and animation that addresses Olympic Way.

20. The design is considered to have a strong rationale and some subtle interventions help to articulate the building, break down the massing and provide some visual interest and is an appropriate approach along this key route within the Wembley regeneration area. The elevation along Fulton Road is to be softened by new tree planting, as discussed below.

Access:-

21. Inclusive access has been incorporated. The auditorium will be DDA compliant and wheelchair accessible, with dedicated ramped access provided from the Olympic Way frontage. This access point has been amended and opened up so that is more legible for users arriving along Olympic Way from either direction.
22. It is expected that the majority of the public will approach the building from Wembley Park London Underground Station, and along Olympic Way from the north of the site. The access routes will allow pedestrians to enter the building from either side of the foyer, from the steps on Fulton Road, or the level access on the southern side of the foyer.
23. Taxis, deliveries and drop off will be from the north side and the access arrangements for this are discussed in detail in the transportation section below.

Landscaping:-

24. The proximity of the building and associated external landscape works to the existing corridor of Lime trees on Olympic Way has been duly considered. Your landscape officers advise that the roots of these trees are likely to be just under the existing hard surface which will need to be removed in order to install new hard paving. The area will also be vulnerable to trafficking and compaction during construction without due care. As a result this area will need to be excavated and pulled back carefully to minimise damage and ideally supervised. To safeguard existing trees from construction works a tree survey, report, tree protection plan and construction method statement to BS:5837, describing how the trees and their roots will be protected shall all be required, and secured through condition. A draft Arboricultural Impact Assessment and Method Statement has been submitted, comments on this are awaited from your tree protection officer and any updates will be reported in any supplementary report.
25. Your officers sought landscaping improvements along the northern frontage of the site. Amended plans have been received, proposing six trees along this edge of the site. These are welcomed and will provide a soft edge to the building, and enhance the public realm along Fulton Road. Further details to confirm tree species and size will be secured through a landscape condition.
26. The external hard landscape works are minimalist and a palette of materials have been selected to reflect the design and appearance of the building. Further details will be secured through a landscape condition.

Transportation and servicing:-

27. The land is currently laid out as a temporary car park for up to about 1,000 cars (or 300 coaches) and is permitted for a period of five years under planning permission 12/3361. This is a temporary car park whilst the wider area is redeveloped.
28. This application relates to the northeastern corner of the car park, adjoining both Fulton Road (a traffic-calmed local access road) and Olympic Way (a pedestrianised street). The affected area of land can currently accommodate about 250 cars and the outline redevelopment parameter plans for the site (Plots NW10 & NW11) propose the erection of two mixed-use buildings of up to 14-storeys in height comprising retail/community uses at ground floor level and residential accommodation and a multi-storey car park above.
29. A 10m wide crossover with 2m kerb radii is located onto Fulton Road in the northeastern corner of the site, with a further 6.3m wide crossover onto Fulton Road in the northwestern corner.
30. The main pedestrian access will be provided directly from Olympic Way in the northeastern corner of the building via steps and a ramped access further south off Olympic Way. No off-street car parking will be provided within the site, but a servicing lay-by is proposed along the northern edge of the site. The servicing lay-by has been set back, and this servicing loop and footway to the south side of this are within

the application site. A total of 50 bicycle parking spaces are proposed to the north and south of the building.

31. On-street parking in nearby Fulton Road is prohibited at all times. Bus stops are located alongside and opposite the site. Public transport access to the site is very good (PTAL 5), with Wembley Park (Metropolitan and Jubilee lines) and Wembley Stadium (Chiltern line) stations within 960 metres and six bus services within 640 metres.
32. Although the site lies within the Wembley Masterplan area, there are no parking standards set out for this proposed use within the AAP. Car parking allowances for the proposed theatre are therefore set out in standard PS10 of the adopted UDP 2010. This allows up to one parking space per 60 patrons, one space per five employees and one space per 200m² of non-seating area. Based on the maximum capacity of the building, up to 21 visitor spaces and 26 staff spaces would be allowed, plus an additional space for the ancillary restaurant. As such, the total parking allowance for the theatre would amount to 48 spaces. With no off-street parking proposed within the site anyway, standards would be complied with. The wide range of public transport services in the area means that staff and visitors would be able to easily reach the site by rail or bus, whilst there is plenty of off-street car parking available in the area, such as the remaining spaces in the yellow car park area behind the site, the multi-storey red car park on Wembley Park Boulevard, and the green car park for those that do need to drive to the site. Overspill parking on nearby Fulton Road and Engineers Way would not be possible in any event due to the double yellow line waiting restrictions that are in place.
33. Standard PS16 requires one bicycle parking space per 50 seats for theatres, giving a total requirement for 26 spaces. The proposed provision of 60 spaces along the northern and southern sides of the building adjoining the site would be more than sufficient to satisfy requirements.
34. Coach parking provision exists within close walking distance in the nearby stadium car parks which is acceptable.
35. Servicing of the theatre is proposed to take place from a new lay-by to be constructed within the application site, the servicing loop is to be accessed via crossovers at either end with a level footway that loops around the back of this within the application site. A length of public footway (2.4m wide) is to be maintained along the Fulton Road frontage in between the two crossover access points. Generally this layout is considered to be acceptable, however Transportation require the installation of some bollards between the loop and the footway and further details of the raised levels of carriageways within the servicing area so that pedestrians on Fulton Road can continue on a level surface. Further details of the servicing lay-by will be secured as a condition.
36. Following initial construction and fit out works the majority of deliveries are likely to be for the restaurant or bar and would occur in rigid vehicles, with the largest vehicles therefore likely to make use of the loading lay-by area being refuse collection vehicles. Transportation are satisfied that day-to-day volume of delivery movements associated with a theatre are not expected to be significant and that the size and the layout of the servicing loop can cater for likely servicing demands of the restaurant and bar.
37. Tracking diagrams have been provided to show how this is intended to work. The lay-by is also in close proximity to a westbound bus stop on Fulton Road, but agreement has been reached with London Buses that there is no need to reposition the bus stop to facilitate the lay-by. A Safety Audit has also been undertaken on the lay-by design, which raised only one minor issue with regard to providing differentiation between the footway and the lay-by.
38. Any existing crossovers to the site that will no longer be required should be returned to footway with full height kerbs, and secured as a condition of any approval.

Transport Impact:-

39. The size and seating capacity of the proposed theatre means that the development could potentially have a significant impact upon local transport networks. In view of this, a Transport Assessment is required and this has been prepared by i-transport Consultants and submitted with the application.
40. Given the lack of comparable data held for similar theatres across the country, analysis of likely impact has been based upon first principles, using the worst-case assumption that the theatre is operating at full capacity (1,300 seats).

41. Performances are generally proposed to take place from 7.30pm -11pm, with an additional Saturday afternoon matinee performances from midday – 4.30pm. Analysis of arrival and departure profiles for other theatres suggests that 70% of arrivals will occur between 7-8pm and 79% of departures between 10-11pm. For matinee performances, 65% of arrivals would occur between 1-2pm and 74% of departures between 4-5pm. As such, the majority of people arriving to the site would do so after the evening peak period has died down.
42. In terms of method of travel, data from the original estimates provided within the Wembley Stage 1 application for Wembley Arena have been used, adjusted to reflect changes to modal shift for journeys to work observed between the 2001 and 2011 Census. This arrives at a predicated modal share of 8% of visitors being car drivers, with 13% being car passengers. The proportion travelling by public transport is estimated at 71%, with a further 5% travelling by coach.
43. The resultant traffic flows estimates have then been added to existing surveyed traffic flows on Fulton Road for the existing network peak hours (5-6pm on a weekday and 2-3pm on a Saturday). As the majority of theatre traffic on a weekday will arrive after 7pm, the impact on Fulton Road has been assessed as being minimal (i.e. less than a 3% increase in flows), which is accepted. Ideally these surveyed flows would have looked at 1-2pm and 4-5pm on Saturdays too.
44. In mitigation though, it is recognised that the absence of parking within the site means that additional traffic would be more widely spread around the area rather than being concentrated along Fulton Road, so impact on any particular street (esp. Fulton Road) is likely to remain minimal.
45. Similar conclusions apply to the impact on public transport services, whereby the weekday evening performances would have an acceptable impact as visitors would arrive after the peak period, ideally further consideration would have been given regarding impact during the Saturday peak arrival and departure periods. Nevertheless, there are extensive public transport services available in the area and the nearest station (Wembley Park) has been specifically designed to handle vast passenger numbers for Wembley Stadium, so would be very capable of accommodating the predicted numbers of visitors to the theatre.
46. Nevertheless, in the interests of minimising impact on Wembley Stadium event days, it is advisable to co-ordinate performances so as not to conclude at the same time as Wembley Stadium events where possible. The Transport Assessment suggests that this is feasible with sufficient notice. Efforts to do so would therefore be welcomed and would also be in the theatre's best interests. In the event that the theatre operates to a full audience on the same day as a capacity Stadium event this would result in a 1.4% increase in crowd numbers above and beyond a full capacity Stadium crowd of 90,000 visitors. This is not considered to represent a significant increase, and as discussed there is parking capacity and extensive public transport services available in the area to cater for extra demand.
47. It is noted that the development will result in the loss of some parking space that is currently used by the Stadium on event days, but this is effectively reserve parking rather than the main core of the Stadium's parking provision, so does not affect overall parking requirements for the Stadium. The existing green car park retains capacity for 1700 vehicles and the multi-storey red car park capacity for 996 vehicles, to cater for event day demand.
48. To assist in keeping car trips to a low level, a Travel Plan has been prepared for the theatre. This sets out a range of measures to promote non-car use, including despatching leaflets showing transport options with each ticket, providing travel packs and transport noticeboards for staff etc., to be overseen by an identified Travel Plan Co-ordinator. The main aim will be to reduce the proportion of journeys made by car from 8% to 7% over the course of five years, with monitoring to be undertaken after three and five years.
49. The proposed Travel Plan has been assessed using TfL's ATTrBuTE software programme and has scored a PASS rating. Its implementation is to be secured as a condition of any approval.
50. Analysis of road accidents in the vicinity of the site has been undertaken for the 66-month period from January 2009 – June 2014 and has revealed a total of 13 personal injury accidents along or close to Fulton Road between its junctions with Empire Way and Rutherford Way. Only one of these was serious; five involved pedestrians. However, there was no particular recurring pattern of accidents observed that would be likely to increase as a result of this proposal.

51. A Delivery and Servicing Plan has also been included in the Transport Assessment. This anticipates 2-3 deliveries by 7.5t box vans per day for the restaurant/bar, with refuse vehicles also expected to visit the site once per day. As noted above, delivery vehicles will be able to make use of the proposed loading area on the Fulton Road footway to ensure traffic flow in Fulton Road is not obstructed. Suppliers will be encouraged to join TfL's Freight Operators Recognition Scheme and to also make use of main roads to access the site. Given the relatively low number of deliveries expected, these proposed measures are accepted.
52. Construction logistics have also been considered within the Transport Assessment. The construction period is anticipated to span 47 weeks commencing in March 2015 and to employ up to 75 staff. The construction site will be secured with hoardings and all activities and unloading will take place within the site compound. Delivery vehicles will access the site through the yellow car park and depart using the existing crossover onto Fulton Road in the northeastern corner of the site, reaching and leaving the site either via Great Central Way or via Empire Way. Up to about 10 deliveries (20 movements) per day by delivery lorry are anticipated and deliveries will be pre-booked to ensure deliveries are staggered throughout the day and that suitable arrangements are made for delivery of abnormal loads in order to minimise impacts on Fulton Road. No construction deliveries will be permitted to be made within four hours of a major Wembley Stadium event. A condition is recommended to secure the implementation of the submitted Construction Logistics Plan (CLP), if for any reason this CLP needs to be adapted once works have commenced for example to cater for staging deliveries being brought on site then any amendments to the plan would need to be submitted and approved in writing by the Local Planning Authority. Any temporary construction access that may be required at any stage would need to be approved through the approval of a revised CLP.
53. Wheel washing facilities will be provided close to the site entrances and Fulton Road will be regularly inspected for debris and swept as necessary, again this will be secured through the CLP condition.
54. No more than six car parking spaces will be provided within the site for contractors, with the remainder being encouraged through a Travel Plan to make use of alternative modes of transport to reach the site.
55. The above measures are all welcomed as a means of limiting the impact of construction traffic on the surrounding road network.
56. In conclusion, the proposal is considered acceptable in principle, subject to reinstating any existing redundant crossovers to the site to footway with full height kerbs. Conditions are also recommended requiring implementation of the submitted Travel Plan, Construction Logistics Plan and Delivery and Servicing Plan along with further details of the servicing lay-by layout.

Noise:-

57. The noise assessment considers noise from the theatre use, taking account of existing and future developments with regards to buildings in the vicinity of the theatre now, and those proposed in the future. It considers noise and vibration impacts from construction works. There is an existing commitment for development in this area to carry out fixed continuous noise monitoring, to operating within maximum noise levels with mitigation if monitoring finds that levels are being exceeded. The analysis also considers noise impact from any mechanical and electrical plant. All plant which has the potential to have an external impact will be designed to achieve BS 4142:1997 noise rating level of 10dB below the representative noise background level.
58. Your Safer Streets officers are satisfied that noise from the theatre use will not be problematic, provided the outer shell of the theatre has a minimum insulation specification. This will be controlled by condition. Noise from any plant is recommended to be dealt with by condition, as too are kitchen extraction details.
59. In response to the concerns raised by Fountain Studios to do with construction noise and vibration and the effects of these on their operations a response has been provided by the applicants acoustic consultant. This response report deals with construction noise and looks to address the comments received and provide reassurance that the works will not affect the operation of the studio. This sets out a number of measures to minimise the potential for noise to affect surrounding uses such as the studios and proposes engagement with the studios with regard to the implementation of those measures and scheduling of works. A condition was recommended to be attached to application 14/4330 for NW06 to secure the requirement for engagement with Fountain Studio, which is an approach members supported at committee on 11 February 2015. The same approach is considered to be appropriate for this application on a neighbouring site.

60. Your Safer Streets officers find the proposed noise management measures to be reasonable and welcome the commitment to engage with Fountain Studio and consult with them on the timing of potentially noisy works. Sufficient information has been submitted to demonstrate that the construction phase or theatre use will not be harmful to neighbouring uses, subject to certain conditions.

Air quality impact:-

61. Sufficient information has been submitted that demonstrates the proposals to mitigate the impacts of dust from construction will be effective. The applicant will however need to submit details of the commercial kitchen ventilation equipment to ensure it doesn't cause any nuisance, and this can be secured through condition

Ground contamination:-

62. A groundwater, soils and contamination desk study has been carried out. This considers the potential effects of existing ground conditions on human health and the environment. The study recommends that a detailed site investigation be undertaken to ascertain whether or not the site is contaminated. This approach is agreed by your Safer Streets officers, and conditions are recommended that deal with site investigation and remediation and verification of any contamination works carried out.

Flood Risk and water:-

63. The site is in Flood Risk Zone 1 so is at low risk of flooding. The application site area is less than one Hectare as such, a Flood Risk Assessment (FRA) is not required. The original outline consent for the North West Lands is accompanied by an acceptable FRA, details of this are submitted in support of this application.

64. Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. In the event of any approval Thames Water would like a 'Grampian Style' condition imposed to ensure that development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker.

Ecology:-

65. Prior to granting the North West Lands outline consent a detailed ecology assessment of the site and surrounding area was undertaken, comprising a desk based. This was accompanied by a Habitat Survey and an Extended Phase I survey. The assessment found the site to be of extremely low ecological value. Neither the presence of nor the habitat for protected species were found on site. The assessment accordingly concluded that any effects of the wider development will be of no ecological significance.

66. Since this time the site has been utilised as a temporary car park (known as the yellow car park). The site is fully hardsurfaced and remains extremely low in ecological value.

Environmental Impact Assessment (EIA):-

67. A screening opinion was requested and opinion received, confirming that there are no significant environmental effects relevant to the consideration of the development to warrant an EIA.

Objection from Fountain Studios:-

68. Fountain Studios have submitted an objection to the application as well as for both the nearby NW06 building (14/4330) and the application for the park and access roads (reference 14/4541) due to the potential for the construction impacts and access to affect the operation of the Studios.

69. In response to this, the applicants submitted a report regarding construction noise which looks to address these comments and provide reassurance that the works will not affect the operation of the Studio. This sets out a number of measures to minimise the potential for noise to affect surrounding uses such as the studios and proposes engagement with the Studios with regard to the implementation of those measures.

70. A significant amount of development is anticipated in the vicinity of the Fountain Studios and this always has the potential to result in some level of noise and disturbance. Fountain Studios are naturally concerned with their ability to operate in this environment and have requested that all measures are taken to reduce construction noise and disturbance in the vicinity of their building.

71. The response report has been forwarded to Fountain Studios and to Safer Streets officers. In accordance with advice provided by Safer Streets, given that the applicants are committing to comply with best practice and British Standards, adhering to noise limits, the proposed engagement with Fountain Studios

with regard to the timing of works and the proposed measures this is considered to be a reasonable way of dealing with noise management. As such, a condition has been recommended which requires the further approval of details of the measures to limit noise and disturbance prior to the commencement of works. These details should be submitted following engagement with Fountain Studios and should include an on-going commitment for monitoring and dialogue with the Studios throughout the construction period. It is understood this approach has been accepted by the Studios with both of the aforementioned applications that were reported to 11 February planning committee, and subsequently granted permission.

72. Construction access is controlled through the CLP which was approved within the parent Outline Consent, and the requirement to implement this is repeated for this application. One of the measures specified within the approved plan relates to the management of construction vehicles. This specifies that:

Site deliveries will be managed through a pre-booking regime to ensure that excessive numbers of vehicles do not arrive at site simultaneously, and that on-site handling and storage is carried out efficiently. Suppliers and contractors will be requested to adhere to this protocol to ensure minimum disruption to the surround area.

73. For the duration of the construction period no construction vehicles are permitted to site within four hours of the start time of a major event at the Stadium, unless otherwise agreed in writing by the Local Planning Authority.

74. There are double yellow lines within Fulton Road between the subject site and Fountain Studios. As such, the Brent Council Highways service have sufficient power to enforce unlawful stopping or parking if this does occur. Highways also have control over any road closures that are required to undertake the works to the highway associated with the proposed change to the vehicular access and can address issues relating to access to adjoining properties, such as Fountain Studios.

Summary;-

75. The theatre will provide a beneficial 'meantime' use for this site whilst the North West Lands outline consent is built out over a phased period. In land use terms this temporary use is considered to be consistent with national, regional and local policy. It will introduce an exciting and unique visitor attraction for Brents residents and visitors, and will make a significant contribution to the borough's cultural facilities, that in turn will be of benefit to the local economy. The use is in keeping with the vision for how development in the Wembley regeneration area is to take place, will introduce activity and vitality that responds appropriately to the vision for Olympic Way and wider area. The building design is minimalist but at the same time will deliver an interesting and contemporary piece of architecture to this prominent site, the final quality will be secured through the submission of materials through condition. The facility will be accessible for all members of the local community in a location with very good public transport accessibility. As such the proposal is considered to be in accordance with planning policy.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

National Planning Policy Framework 2012
London Plan 2011
Brent Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

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
Town Centres and Shopping: in terms of the range and accessibility of services and their

attractiveness

Tourism, Entertainment and the Arts: the need for and impact of new tourists and visitor facilities

Transport: in terms of sustainability, safety and servicing needs

Wembley Regeneration Area: to promote the opportunities and benefits within Wembley

CONDITIONS/REASONS:

- (1) This permission shall be for a limited period of ten years only from the date of this consent when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued and the building(s) and/or works hereby approved shall be removed and the land restored to a satisfactory condition in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: The land is situated within an area to be redeveloped and is acceptable on a temporary basis in the interests of the regeneration plans for Wembley.

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):

A-00-100
A-00-101,rev3
A-10-099,rev3
A-10-100,rev3
A-10-101,rev3
A-10-102,rev3
A-10-103,rev3
A-10-104,rev3
A-10-200,rev3
A-10-201,rev3
A-10-300,rev3

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

- (3) The development hereby approved shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed in full.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- (4) Details of proposed measures to limit the impacts of noise and vibration from construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works and the approved details shall be implemented in full during any demolition or construction works associated with the approved development.

The submitted details should include the following:

- Scheduling of any noisy activities in consultation with Fountain Studio;
- Ongoing construction noise monitoring and reporting;
- Mitigation measures.

Reason: To ensure that the proposal does not have an unduly detrimental impact on the amenities of nearby residents or the operation of nearby businesses.

- (5) Any existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Director of Transportation prior to the occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- (6) The Travel Plan hereby approved shall be implemented in full from first occupation/use of the development, unless otherwise agreed in writing by the Local Planning Authority. The travel plan shall be reviewed at years 1, 3 and 5 from first occupation, and the reviews shall be approved in writing by the Local Planning Authority as follows:

a) A review of the Travel Plan measures over the first 12 months from first occupation shall be submitted to the Local Planning Authority within 15 months of the commencement of the use and the review shall be approved in writing within 18 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

b) A review of the Travel Plan measures over the first 3 years from first occupation shall be submitted to the Local Planning Authority within 39 months of the commencement of the use and the review shall be approved in writing within 42 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

c) A review of the Travel Plan measures over the first 5 years of operation shall be submitted to the Local Planning Authority within 63 months of the commencement of the use and the review shall be approved in writing within 66 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

Reason: In order to promote sustainable transport measures and in the interest of the free and safe flow of traffic on the local road network.

- (7) Construction of the development shall be undertaken in full accordance with the Construction Logistics Plan hereby approved unless a revised Construction Logistics Plan is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason; In the interests of pedestrian and highway safety

- (8) For the duration of the construction period no construction vehicles are permitted to site within four hours of the start time of a major event at the Stadium, unless otherwise agreed in writing by the Local Planning Authority.

Reason;- In the interests of pedestrian and highway safety.

- (9) Use of the development shall be undertaken in full accordance with the Delivery and Servicing Plan hereby approved unless a revised Delivery and Servicing Plan is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason; In the interests of pedestrian and highway safety

- (10) Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

- (11) Prior to installation details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, must be submitted to the Local Planning Authority for approval. The approved equipment shall be installed prior to the commencement of the use of the kitchen and shall thereafter be operated at all times during the operating hours of the kitchen and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents

- (12) Prior to the commencement of works on site a detailed Tree Survey, Arboricultural Impact Assessment report, Tree Protection Plan and Construction Method Statement, carried out to BS: 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in full accordance with the approved details and protection measures unless otherwise agreed in writing by the Local Planning Authority.

All trees indicated as showing to be retained on the approved Tree Protection Plan shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted or their soil levels within the tree canopy altered at any time without prior approval in writing of the Local Planning Authority. Any such tree which subsequently dies, becomes seriously diseased or has to be removed as a result of carrying out this development shall be replaced in the next planting season with a tree of a similar species and size in the same position or in such position as the Local Planning Authority may otherwise in writing approve.

Reasons: To ensure that the existing trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained as an integral feature of the development and locality and kept in good condition.

- (13) Prior to the commencement of works on site, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

- (14) Any contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- (15) Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. It should be assumed that each item of plant incurs a +5dB(A) penalty to account for tonal qualities, unless it can be demonstrated that tonal qualities do not apply. An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to The Local Planning Authority, in writing, for approval. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- (16) Prior to the commencement of works on site further details of the sound insulation specification of the outer shell of the theatre are to be submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate sound insulation of at least Rw25dB is to be achieved. The development shall be completed in full accordance with these approved details thereafter.

Reason: To protect current and future nearby residents from noise from the theatre.

- (17) Details of any external lighting shall, including the external lighting fixtures and a light contour plan for the land surrounding the building shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any works on site and the approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area

- (18) Notwithstanding the plans hereby approved, and prior to the commencement of works on site further details of the servicing lay-by area, including surface treatments, levels and bollards shall be submitted to and approved in writing by the Local Planning Authority, and the development implemented fully in accordance with the approved details thereafter. The works shall be carried out in full (including works to the highway at the applicant's own expense and to the satisfaction of the Council's Director of Transportation) prior to the occupation of the new development.

Reason; In the interests of pedestrian and highway safety.

- (19) The development hereby approved shall not commence, unless a detailed Sustainability Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall demonstrate the way that the measures set out in the;-

- Energy Strategy and Sustainability Statement
-

hereby approved will be incorporated into the proposal. If it is not possible or feasible to incorporate any of the measures that are proposed within these documents, then details of alternative measures or alternative means by which the impacts of the failure to implement the measures will be mitigated shall be submitted to and approved in writing by the Local Planning Authority. The approved Sustainability Strategy shall be fully implemented.

Reason: To ensure a sustainable development.

- (20) Following the practical completion of development, a review by a BRE-approved, independent body, shall be commissioned to determine whether the measures set out within the Sustainability Strategy have been implemented and that through reasonable endeavours a maximum feasible BREEAM standard for the development has been achieved. If the review determines that any of the measures set out within the Sustainability Strategy have not been implemented and/or the maximum feasible BREEAM standard has not been achieved, the owner shall submit for approval of the Council proposed measures for remedying such shortcomings and/or carrying out compensatory works. The review, together with such proposed measures (if required), shall be submitted to the Council within 6 months of practical completion of the building. Any remedial/compensatory measures required by the Council shall be fully implemented.

Reason: To ensure a sustainable development.

- (21) Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species and plant sizes) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) details of tree planting along the northern and southern frontage of the site;

(d) further details of all hard landscape works and proposed materials for this;

(e) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

INFORMATIVES:

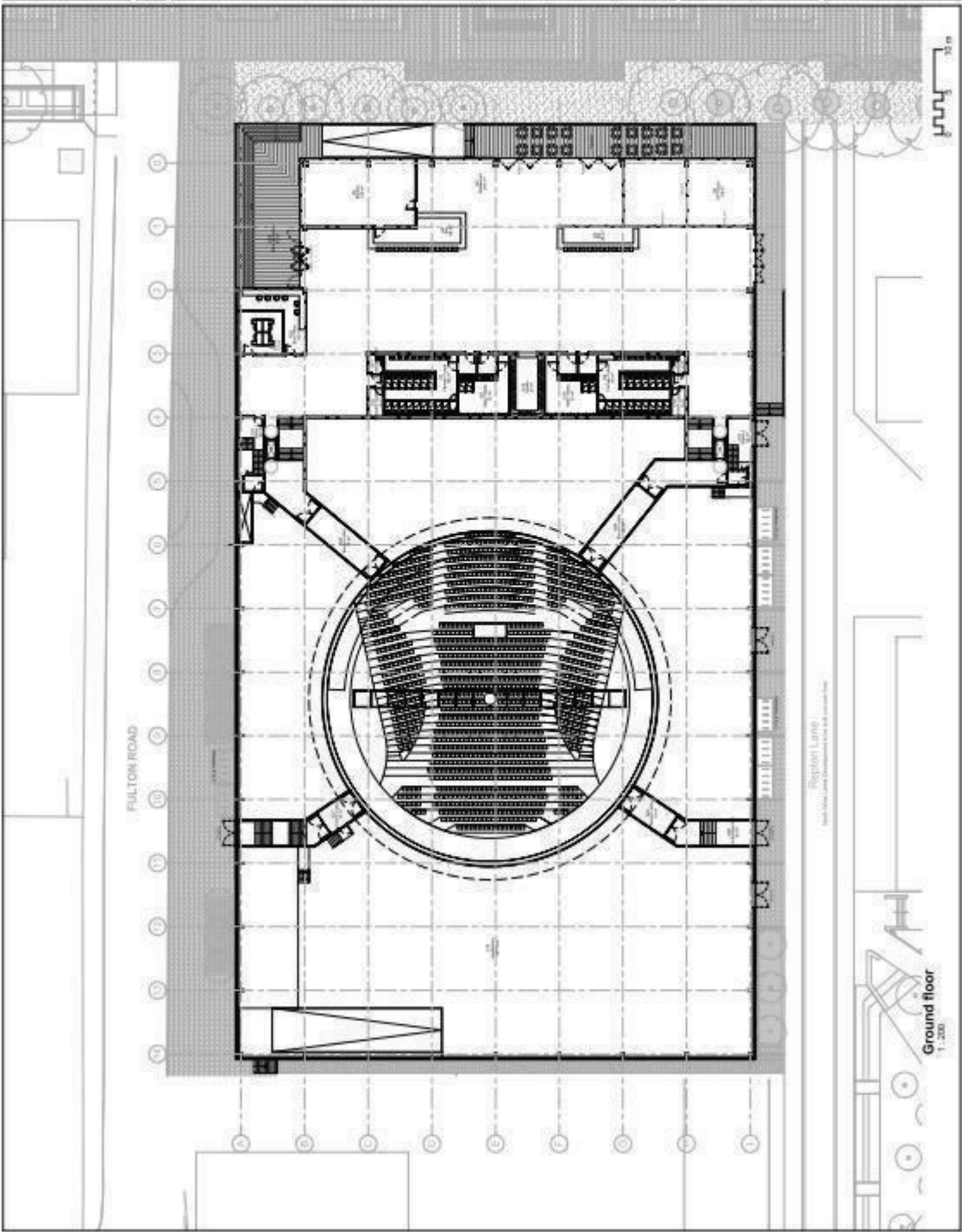
- (1) Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings

- (2) Aa Wembley Stadium major event is any event with a projected capacity of at least 10,000 people.

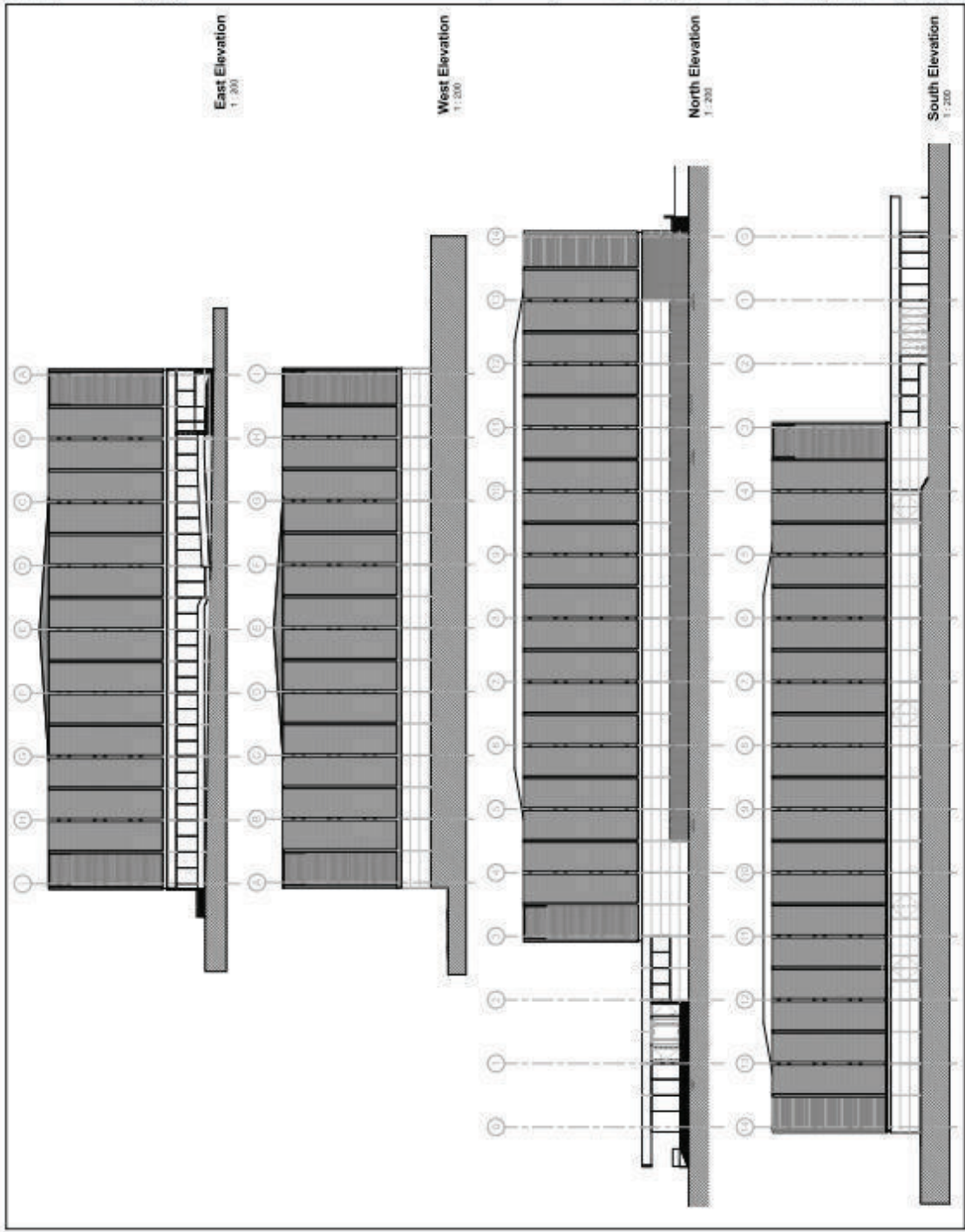
REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.

<p>Professional Seal and Stamp</p> <p>Professional Engineer</p> <p>State of Massachusetts</p> <p>Registration No. 10000</p> <p>Expiration Date 12/31/2014</p>	<p>Project Name</p> <p>Project No.</p> <p>Scale</p> <p>Date</p>		<p>Flanagan Lawrence</p> <p>Principal Architect</p>	<p>Project Name</p> <p>Project No.</p> <p>Scale</p> <p>Date</p>	<p>Sheet No.</p> <p>Total Sheets</p>

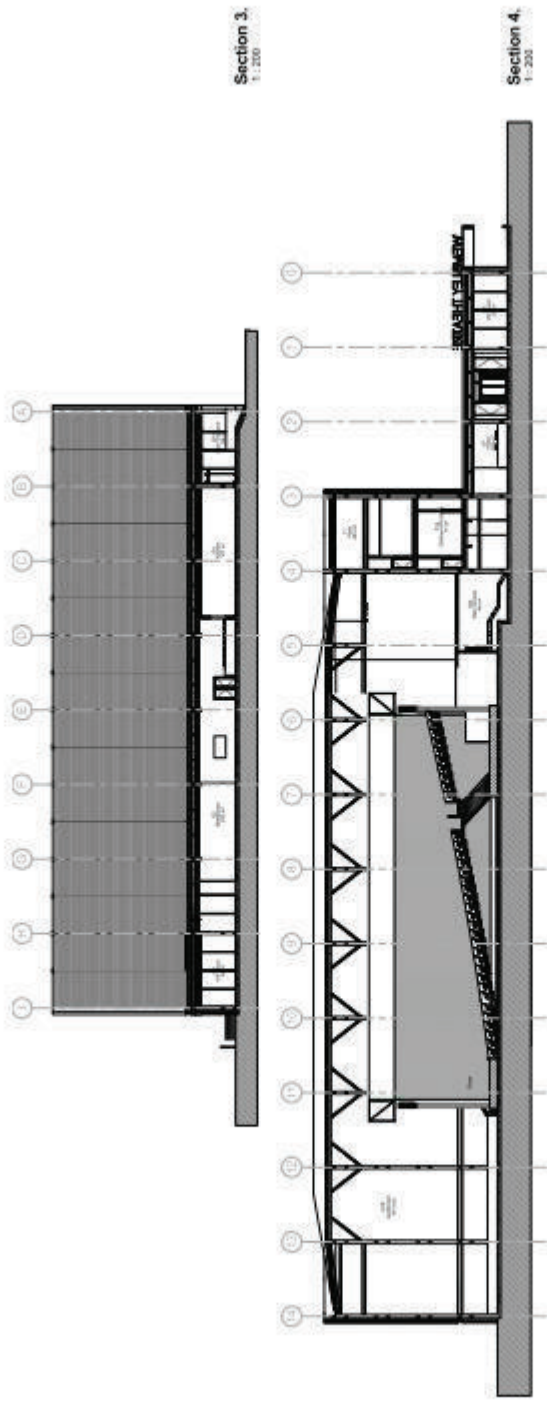


<p>Professional Seal and Stamp Area</p>		<p>Project Name: [Blank]</p> <p>Client: [Blank]</p> <p>Address: [Blank]</p> <p>City: [Blank]</p> <p>State: [Blank]</p> <p>Zip: [Blank]</p>		<p>Project No. [Blank]</p> <p>Scale: 1:200</p> <p>Date: [Blank]</p>		<p>Project Manager: [Blank]</p> <p>Architect: [Blank]</p> <p>Interior Designer: [Blank]</p> <p>Planner: [Blank]</p>		<p>Architect: [Blank]</p> <p>Interior Designer: [Blank]</p> <p>Planner: [Blank]</p>		<p>Project No. [Blank]</p> <p>Scale: 1:200</p> <p>Date: [Blank]</p>		<p>Project No. [Blank]</p> <p>Scale: 1:200</p> <p>Date: [Blank]</p>	
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Proposed Sections

Appendix A : Proposed Sections






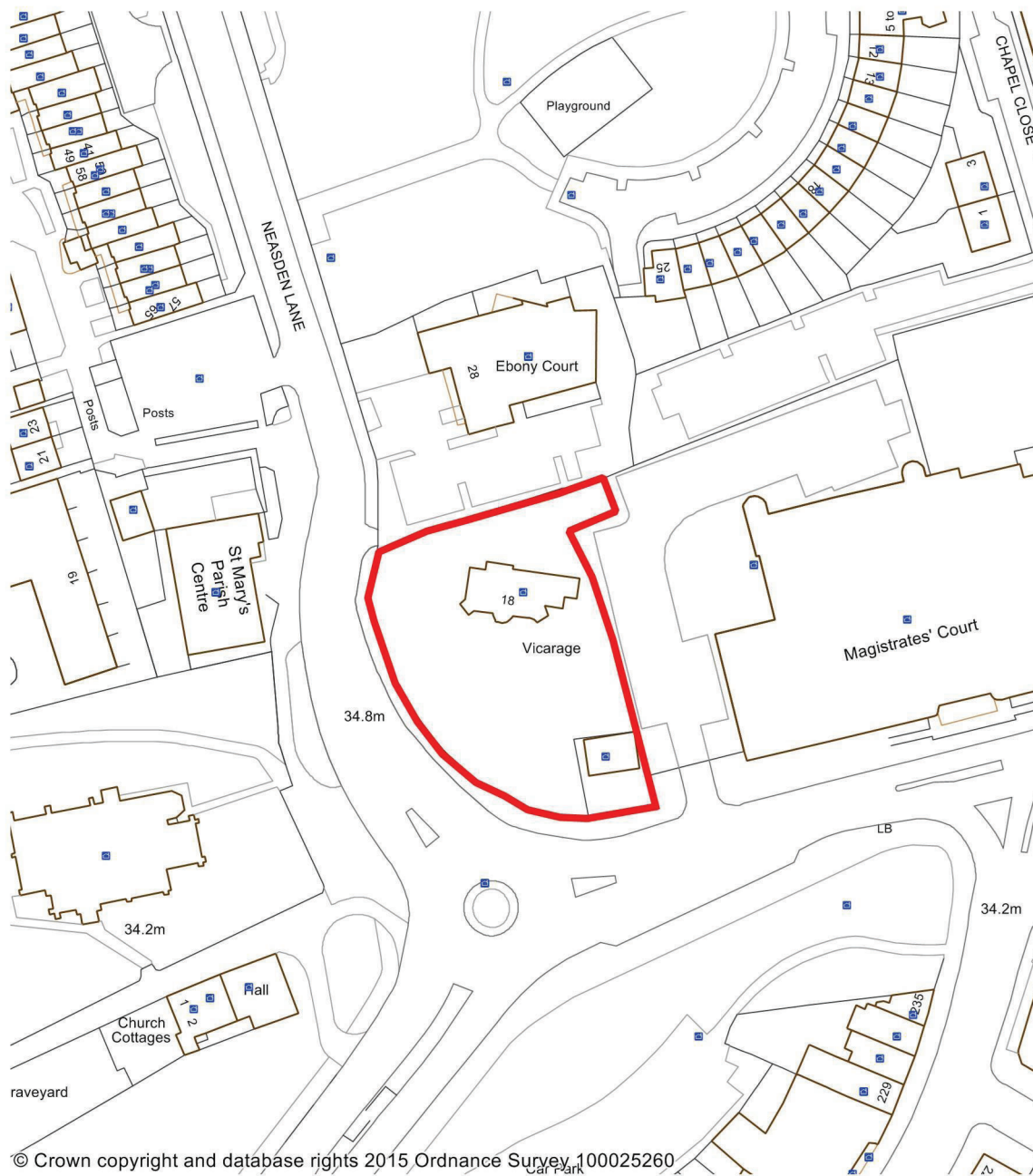
Design and Access Statement: Wembley Theatre, 14-611

Flanagan Lawrence

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

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 **Planning Committee Map**
Site address: 18 Neasden Lane and 450 High Road, London, NW10
© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

RECEIVED: 6 November, 2014

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 18 Neasden Lane and 450 High Road, London, NW10

PROPOSAL: Demolition of existing Vicarage and yard, and erection of a part 5, part 6-storey building comprising a ground floor commercial unit (Use Class B1) (50sqm) and 47 residential flats (18 x 1 bed, 17 x 2 bed, 11 x 3 bed and 1 x 4 bed) with associated car, cycle and motorbikes spaces, landscaping, new metal railing fence and amenity space

APPLICANT: London Diocesan Fund

CONTACT: Maven Plan Ltd

PLAN NO'S:
See condition 2

RECOMMENDATION

Grant planning permission subject to the recommended conditions listed after paragraph 44 and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- 23 (49%) affordable units comprising 6 Affordable Rent (2 x 1, 3 x 3 and 1 x 4 bed) and 17 shared ownership units (7 x 1, 7 x 2 and 3 x 3 bed). All 3 and 4-bed Affordable Rent units to be target rents + service charge and 1-bed Affordable Rent units shall be up to 80% market rent inclusive of service charge.
- A contribution of £14,000 towards replacement tree planting along Neasden Road, close to the site.
- Secure the 50sqm of commercial space as "affordable" where this space would be let at £5psf (as at 2015)
- Sustainability measures to include achieving Code for Sustainable Homes Level 4,, a 40% reduction in CO2 emissions beyond the 2010 Building Regulations, achieve a 45.2% score on the Council's Sustainability checklist and adhere to the Demolition protocol (2008)
- Car-Parking Permit Free development
- Provision of free Car Club membership for two years and driving credits for all new residents of the development, subject to a maximum membership 'cap' of £60 per unit, and driving credits capped at a maximum of £50 per unit
- Join and adhere to the Considerate Constructors scheme.

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the relevant policy requirements and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£896,563.85** of which **£760,967.89** is Brent CIL and **£135,595.96** is Mayoral CIL.

Members should note that the developer may be able to claim social housing relief for any eligible affordable housing units within the development which could significantly reduce the CIL liability stated above.

The existing vicarage and stone masons workshop appear to be currently occupied and therefore the existing floorspace has been taken into account in calculating the CIL liability.

CIL Liable?

Yes/No: Yes

EXISTING

The subject site has an area of 0.21ha and is located adjacent to the roundabout junction between High Road, Willesden and Neasden Lane. The site comprises of the St Mary's Vicarage (1.9ha) and grounds, and the stone masons works and yard (0.2ha).

In terms of Local Plan designations the site is located within Church End Growth Area and an Archaeological Priority Area. There is a Notifiable Pipeline running under the road adjacent to the site. High Road, Willesden is part of the London Bus Priority Network.

In terms of context, to the north, the adjacent site is occupied by Ebony Court, a 5-storey residential development. To the east lies the Willesden Magistrates Court. On the opposite side of Neasden Lane lies St Mary's Church and cemetery, a Grade II* Listed Building. On the opposite side of High Road, Willesden lies the Church End car-park, which is used to accommodate the Church End market on Wednesday and Saturday. The car-park has two planning applications with resolutions to approve for residential led mixed use development of up to 6 storeys opposite this site.

PROPOSAL

As above

HISTORY

There is no planning history directly related to the site. However, planning permission (ref 14/0638) was approved for a replacement Vicarage on the opposite side of Neasden Lane, adjacent to the St Mary's Parish Centre. This permission is extant until 16/05/2017.

Other relevant history includes two resolutions to grant planning permission on the Church End car park, opposite the subject site. This includes the redevelopment of the eastern side of the car-park to provide a 2 to 6-storey development comprising 65 residential units and 298m² (GEA) retail floorspace (ref 13/2213) and the redevelopment of the western side of the car-park to provide a new market square and a 2 to 5 storey development comprising 34 residential dwellings and 250sqm of flexible non-residential space (Use class A1/A3/B1/D1) (ref 13/1098).

POLICY CONSIDERATIONS

ThNational Planning Policy Framework (NPPF) & National Planning Practice Guidance (NPPG)

The NPPF (27th March 2012) sets out a presumption in favour of sustainable development in both plan making and decision making. The NPPG supplements the NPPF and provides further guidance on the interpretation on the policies contained within the NPPF.

Where the LDF Core Strategy, SPD's, SPG's and UDP saved policies are referred to in the report below they have been considerations in the assessment of the application. However, the recommendations are considered to comply with the NPPF

London Plan 2011 (with 2013 Alterations)

The London Plan sets out the strategic planning framework for Greater London. Local plans and local planning decision are required to have regard to the London Plan. The following policies are considered to be of particular relevance to the current application.

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples's Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities

- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 5.2 Minimising Carbon Dioxide Emissions
- 5.9 Overheating and Cooling
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.3 Designing out Crime
- 7.5 Public Realm
- 7.8 Heritage Assets & Archaeology

Mayor's Housing SPG 2012

The Mayor's Housing SPG sets out design guidance and standards for new residential development.

Brent's Local Development Framework Core Strategy 2010

The Council's LDF Core Strategy sets out the Council's strategic vision for delivering sustainable growth within the borough. The following policies are considered to be of particular relevance to the current application.

- CP1 Spatial Development Strategy
- CP2 Housing Growth
- CP5 Placemaking
- CP6 Design and Density in Place Shaping
- CP10 Church End Growth Area
- CP15 Infrastructure to Support Development
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock

Brent's Unitary Development Plan 2004

The UDP contains more detailed policies which seek to shape development proposals to deliver the Council's objectives. The following policies are considered to be of particular relevance to the current application. This policies generally accord with the emerging Draft Development Management Policies.

- BE2 Townscape: Local Context and Character
- BE3 Urban Structure: Space & Movement
- BE4 Access for Disabled People
- BE5 Urban Clarity & Safety
- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- EP3 Local Air Quality Management
- H12 Residential Quality – Layout Considerations
- TRN3 Environmental Impact of Traffic
- TRN11 The London Cycle Network
- TRN22 Parking Standards – Non-residential Developments
- TRN23 Parking Standards – Residential Developments
- TRN34 Servicing in New Development

The following supplementary planning guidance is considered to be relevant to the application.

Supplementary Planning Guidance 17: 'Design Guide for New Development

Supplementary Planning Guidance 19:- 'Sustainable Design, Construction and Pollution Control s106 Planning Obligations Supplementary Planning Document (July 2013)

SUSTAINABILITY ASSESSMENT

ENERGY ASSESSMENT

The submitted energy statement sets out that the development would achieve a 40.21% reduction in regulated carbon emissions on the baseline requirements of the Building Regulations 2010. This saving is achieved through energy efficiency measures, the use of a combined heat and power unit (CHP) and through the installation of photovoltaic panels. This meets the requirements of the London Plan which sets a minimum reduction of 40% on the 2010 Building Regulations. It is recommended that compliance with the London Plan standard is secured through a s106 planning obligation.

CODE FOR SUSTAINABLE HOMES

The application is accompanied by a Sustainability Statement which includes a completed Code for Sustainable Homes pre-assessment report. The report concludes that Achieves the Code for Sustainable Homes Level 4, meeting the requirement in the Core Strategy Policy CP19 for growth areas. Compliance with the CFSH standards should be secured through a s106 agreement.

SUSTAINABILITY CHECKLIST

The Sustainability Checklist submitted with the application indicated a score of 35% which is well below the 50% score normally sought from new developments. The proposals have been reviewed to incorporate further sustainability measures and the indicative score has increased to 45.2%. Whilst this is still below the 50% target in this particular case, officers have reviewed the checklist and consider that this is the maximum score that would reasonably be achievable due to site conditions and constraints that are beyond the control of the applicant. Therefore on balance officers recommend that a score of 45.2% is accepted and that this should be secured through a s106 agreement.

CONSULTATION

PUBLIC CONSULTATION

Consultation letters, dated 6th November 2014, were sent to 374 local residents. Letters were also sent to Dudden Hill Ward Councillors, the Magistrates Court and the Unity Neighbourhood Forum.

The application was also advertised by way of a number of site notices erected around the site on 14th November 2014. These notices advertised the application as being in the public interest and affecting the setting of a Listed Building. A local press notice publicising the application was also published on 13th November 2014.

In response one letter of objection was received from a local resident. In summary the concerns raised relate to the potential for the development to have a negative impact on the value of the objectors property.

Cllr Janice Long has commented on the application. In summary the comments relate to the following issues.

- TfL should be asked to provide further bus routes to support the growth in Church End.
- The proposed development should take the opportunity to improve sight-lines and visibility along Neasden Lane.
- Chapel Close and Chantry Crescent are not in a CPZ. Funding should be provided for consultation to include these streets in a CPZ.
- There is likely to be limited demand for the commercial space, accessible residential might be more appropriate.
- Affordable housing should be provided as social rent levels rather than affordable rent levels.

A letter was received from The Unity Neighbourhood Forum providing comments on the application. In summary the following comments are made.

- There is no objection in principle to the loss of the vicarage.
- There are some concerns regarding the density of the development and the impact that this might have on traffic.
- There is an opportunity for the drainage on the corner of the junction to be improved.
- Concerns that the developer will not be able to let the commercial space.
- The existing vicarage will need to be replaced locally and this might be on the car-park next to the church hall on Neasden Lane. This may increase car-parking problems
- It is hoped that there will be affordable and social housing in the scheme.
- Consideration should be given to the proposals for the Church End car-park site when considering the impact of the current scheme on the environment and sight lines.

A letter was received from an agent on behalf of the Ministry of Justice (MOJ) relating to the potential impacts of the development on the Magistrates Court. The letter confirms that the MOJ do not object in principle to the redevelopment of the site for commercial and residential purposes. However, they do raise the following concerns:-

- The development could give rise to increased traffic that could cause problems for the general public, staff and Judges accessing the Magistrates car-park, particularly during construction. A construction management plan and servicing plan are required.
- The development could give rise to overlooking from the eastern elevation towards the court. It is suggested that conditions requiring obscured glazing and screening to terraces could be used to

overcome these concerns.

- Concerns regarding the impact of noise during construction on the operation of the court (the court operates between 9am-4.30pm). The MOJ suggest that all work with the potential to cause a disruption should take place outside of this time and that a point of contact should be provided should noise levels rise to unsatisfactory levels.

INTERNAL

TRANSPORTATION - The Council's Transportation Unit raise no objection to the proposals subject to a number of conditions and obligations. Further details are contained within the remarks section of the report.

ENVIRONMENTAL HEALTH - The Council's Environmental Health Officers have considered the proposals in terms of air quality, noise and disturbance, and land contamination. Environmental Health officers have not raised any objection to the proposals in principle but have recommended a number of detailed conditions to be attached to any permission to ensure that any impacts from the development are suitably controlled.

TREES - The Council's Tree Protection Officer has been consulted and does not object to the loss of the existing trees on the site subject to securing new replacement trees provided through on-site tree planting, secured by condition, and a contribution to provide the additional trees along Neasden Lane, close to the site.

STATUTORY CONSULTTEES

ENGLISH HERITAGE - English Heritage do not wish to comment in detail on the application but they have offered the following observations. There is no objection to the demolition of the existing vicarage building, however as the proposed replacement is substantially larger there are concerns over its impact and prominence in views of , and from the Grade II* listed church. English Heritage recommend that the Council determine the application in accordance with national and local policy guidance.

THAMES WATER - No objections to the proposal. Thames Water recommend a condition in relation to piling to ensure that underground infrastructure is not adversely affected.

BRITISH GAS/TRANSCO - No response has been received.

REMARKS

LAND USE PRINCIPLES: EMPLOYMENT & HOUSING

1. Although the site is not allocated within the Site Specific Allocations DPD, it is located within the Church End Growth Area. Core Strategy policy CP10 sets out that Church End should be "promoted for mixed use regeneration" and that 800 new homes should be provided within the area by 2026. The policy also seeks to deliver affordable premises for local businesses to support business start ups and skills development.
2. The majority of the site comprises of the Vicarage and its grounds, accessed from Neasden Lane, and therefore in planning terms it is already in residential use.
3. The remainder of the site is occupied by a stone masons workshop and yard which has independent pedestrian and vehicular access from High Road, Willesden. The stone masons site is approximately 175sqm with the workshop providing approximately 58sqm of light industrial floorspace. In planning terms, this part of the site is considered to be a local employment site. As such, its release for alternative uses needs to be considered against UDP policy EMP9 . UDP policy EMP9 allows local employment sites to be released where either there are unacceptable environmental problems associated with the site or where there is no effective demand for the premises. Although the vehicular access to the site, close to a busy junction, could give rise to transport concerns there is little evidence to suggest that there are either unacceptable environmental impacts or there is no demand for the site which appears to be occupied at present. However, the proposed development would include the provision of similar amount (50sqm) of affordable workspace which would be made available for discounted rent of £5psf which would be secured through a s106 agreement. For comparison, rents for office space within the local area would normally be between £10 to £15psf.
4. Giving that the site is within the Church End growth area, where the delivery of new homes and

affordable workspace are a key objective (Core Strategy Policy CP10), on balance, despite some shortcomings of the proposal against the stricter policy tests set out under UDP policy EMP9 given that the scheme would include the provision of comparable floorspace at discounted rents it is recommended that the principle of a mixed use development, including affordable workspace, on this site should be accepted.

HOUSING

UNIT MIX

5. The residential element of the proposed development would include 47 residential flats comprising of 18 x 1 bedroom (38%), 17 x 2 bedroom (36%), 11 x 3 bedroom (24%) and 1 x 4 bedroom flats (2%). As such, the unit mix of the proposed development provides 26% family sized units, exceeding the 25% target set out in Core Strategy Policy CP2.
6. The proposed development will include 5 (10%) wheelchair accessible units which complies with the London Plan. These will comprise of 3 ground floor 1-bedroom units (2x affordable rent and 1x shared ownership), one 2-bedroom shared ownership unit on the first floor and one 2-bedroom shared ownership unit on the second floor. Sufficient parking for these wheelchair units will be provided within the site (see 'PARKING').

AFFORDABLE HOUSING

7. In terms of affordable housing the original submission proposed 20 (43%) affordable units (16 shared ownership (SO) and 4 affordable rented (AR)). However, having reviewed the applicants viability assessment officers have negotiated an increase on that position and the scheme now proposes 23 (49%) affordable units, comprising 17 SO and 6 AR units, which is close to meeting the 50% target set out under core strategy policy CP2 and is considered by officers to be the maximum reasonable proportion of affordable housing that can viably be delivered by the scheme.
8. The proposed rented affordable accommodation would comprise 2x1-bedroom units (wc), 3x3-bedroom units and 1x4-bedroom units. The rents on the 3 and 4 bedroom units would be capped at target rents whilst the rents on the smaller 1-bedroom units could be up to 80% of market rent (Affordable Rent)
9. The proposed shared ownership affordable units would comprise 7x1-bedroom, 7x2-bedroom and 3x3-bedroom units.
10. London Plan policy 3.11 sets out that London's affordable housing should be delivered as 60% AR and 40% intermediate housing (including SO). It is noted that this is not a site specific target but in general sites would normally expect to make an appropriate contribution towards meeting this strategic objective. The current proposal would deliver affordable housing at a ratio of 74% SO and 16%AR when assessed on a per unit basis.
11. Whilst the proposed tenure mix of the affordable housing offer is at odds with the strategic target in the London Plan, this needs to be considered within the context of the current application and local housing needs. The housing stock in the Church End area already comprises a substantial proportion of social rented properties and there is a particular need in the area to provide intermediate housing to bridge the affordability gap between social rented accommodation and market housing and to support the regeneration of the area. Core Strategy policy CP21 seeks to maintain and provide a balanced housing stock in Brent and it is considered that the proposed development responds appropriately towards providing a diverse and balanced housing stock within the Church End area.

URBAN DESIGN

12. The proposed development would comprise of a six-storey building, with the top floor recessed to reduce its visual impact. The main body of the building would establish a building line with the street that respect the form of the corner, albeit the building would be set back for the edge of the footpath to provide a landscaped buffer in front of the building. To the rear the building steps down to a single-storey in height to enable parking to be provided below a podium which will be landscaped to provide a communal garden at first floor level.
13. The proposed building would be finished externally with a variety of materials including buff brickwork, render, cladding and glazing. In principle the proposed palette of materials are generally acceptable although should planning permission be approved further details would be required in order to ensure that the materials are of sufficient quality.

14. Overall, the massing of the proposed building would be comparable, particularly in terms of height, with the development proposed for the eastern end of the Church End car-park site and the development that has been built on the former White Hart Ph site, which are both six-storeys. Ebony Court to the north is five storeys in height, with part of its angled roof reaching close to six storeys, but this development does not benefit from a prominent corner location that would normally allow an increase in the prevalent height of the streetscene. Overall, it is considered that the general scale of the proposed development is consistent with the scale of the recent developments both approved and built in the Church End growth area and would be appropriate, in general townscape terms, within this context. The impact of the massing on the setting of nearby heritage assets is considered as a separate issue below.

IMPACT ON HERITAGE ASSETS

15. There are no designated or -non-designated heritage assets on the application site. Whilst the vicarage building has some architectural merit it is not considered to possess any particularly special architectural, historic or craftsmanship qualities that would reasonably allow the building to be considered a non-designated heritage asset. Overall, the demolition of the existing vicarage building is considered acceptable, subject to the re-provision of a building of suitable architectural quality.

16. The site is located opposite the Church of St Mary which is a grade II* listed building. The church originates from the 13th century, although it has been subject to restorations carried out in the 19th and 20th century. Despite this, the church retains much of its original plan form and external appearance including robust buttressing; the castellated west tower; the hexagonal chancel annexe; and an active gabled roofscape. Adjacent to the church is the vestry hall and cottages which are locally listed and therefore considered, under the NPPF definition, to be non-designated heritage assets. The impact of the proposed development on the setting of these important designated and non-designated heritage asset needs to be given special consideration. Given the relationship of these heritage assets with the proposed development and their relative historic importance should the impact on the statutory listed church be considered acceptable that it should follow that the impact on the locally listed hall and cottages should also be acceptable. In accordance with the NPPF the application has been accompanied by a Heritage Statement which considers the impact of the proposals on the historic environment. The applicants have also provided an addendum to the Heritage Statement to deal specifically with the concerns raised by English Heritage.

17. The NPPF defines the setting of a Heritage Asset as "*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*".

18. In terms of assessing harm to designated Heritage Assets the NPPF states "*Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent*". Where the harm to the designated Heritage Asset is less than substantial the NPPF sets out that "*this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*". The NPPF suggest that less than substantial harm to a designated heritage asset may be acceptable, provided that any harm is outweighed by the public benefit of the proposal. However, in making a balanced judgement in respect of any harm to a designated heritage asset versus the public benefit of a proposal, regard must be given to the statutory test set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. The importance of doing so has been demonstrated in the Court of Appeal case *Barnwell Manor Wind Energy Ltd v (1) East Northamptonshire District Council (2) English Heritage (3) National Trust [2014] EWCA Civ 137*.

19. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that "*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". This statutory test sets out a presumption against development where there would be harm to the setting of a listed building and therefore special regard, and great weight, has to be given to any harm to the setting of the grade II* listed Church of St Mary in making the balanced judgement required by the NPPF, in respect of any less than substantial harm to the designated heritage asset.

20. In this context English Heritage have raised some concerns regarding the mass of the proposed building and its impact on the setting of the listed church. English Heritage have not provided detailed comment

and therefore do not object to the proposal. However, they have advised that the Council should determine the application in accordance with national and local policy guidance.

21. Whilst there is a clear relationship between the function of the vicarage and the listed Church building, it is considered that this relationship does not extend to being one of historic or visual significance. The vicarage and the church are buildings from differing eras and of differing architectural styles. Furthermore, due to the existing high boundary wall around the vicarage and its set back from the street, the vicarage makes a limited direct visual contribution to the setting of the church. The vicarage site does however make some positive contribution to the setting in terms of the green appearance of the mature trees above the existing boundary wall.
22. In terms of the impact on views of the listed church, the reduced height of the boundary treatment to the proposed development would open up some views of the church from street level outside of the magistrates court that are currently obstructed by the existing wall. In terms of existing views of the church that are likely to be obstructed by the proposed development it is considered that these would be limited to some views from higher levels towards the rear of Ebony Court. The proposed building would clearly impact on other views of the church, without obstructing it, particularly from the east along High Road Willesden and shorter views from the west along High Road/Church Road. Due to the limited height of the church, its siting and the prominent siting of the St Mary's Parish Hall views of the church from Neasden Lane are limited to much closer distances and are less likely to be affected by the proposed development.
23. In terms of views from the church and those views of the church affected by the proposed development it is noted that the frontage of the proposed development would be located approximately 60m from the front of the church and would be set back from the edge of the footpath to allow a landscape buffer along the site frontage. The depth of the setback is not uniform but it would vary from approximately 5m on the corner in front of the proposed commercial unit before increasing up to 12m by the vehicular entrance to the proposed development on Neasden Lane. This buffer would allow mature tree planting along the site frontage opposite the church which would help to maintain and enhance the level of greenery that is currently enjoyed from the existing site. Although outside of the site, the proposals indicate tree planting on the wide footpath outside of the church which would also improve the setting of the listed church and further soften views from the church towards the proposed development. The applicant has agreed to make a specific contribution of £14,000 to fund this additional street tree planting.
24. The proposed development adopts a contemporary architectural approach which does not in itself make the impact on the setting of the church unacceptable. However, the architecture of the proposed building seeks to respond sympathetically to the setting of the church by incorporating well established design principles which reduce the perceived massing of the proposed building. The top floor has been recessed and will have a mainly glazed appearance, giving this part of the structure a more lightweight feel, reducing the sense of height and bulk. The elevations have been divided into separate bays which have been articulated through the use of different materials and a stepped building line to break down the overall mass of the propose building into a series of more sympathetic elements with a stronger vertical rhythm.
25. Overall, officers consider that whilst the proposed development would clearly have an impact on the existing setting of the church that, on balance, and having special regard to the importance of the setting of the Grade II* listed church, that the impact would be acceptable in accordance with national and local policy guidance..

ARCHAEOLOGY

26. The subject site is located within a designated Archaeological Priority Area. As with other recent applications in the vicinity of the site, a desk based archaeological assessment of the site has been provided as part of the submission. The study considers the historic development of the site and surrounding area and the potential for the site to contain archaeological remains across different time periods. Consideration is also given to the likely impact during the construction of the existing vicarage on archaeological remains that may have been present at the time. In summary the report find that there is a low potential for prehistoric and Roman remains, a low to moderate potential for early medieval remains, moderate potential for medieval and post-medieval remains and high potential for 19th century remains. The desk based study recommends that a condition be placed on any permission to require further on site investigations prior to, and during, any development of the site.

TREES

27. The proposed development will result in the removal of 31 of the 36 existing trees on site. None of the trees to be lost are subject to a tree preservation order. The trees to be removed include 6 category B trees. All other trees to be removed have a lower rating than this including 5 trees with a U rating which means they should be removed regardless of the development proposal. A tree protection plan, to protect the 5 trees to be retained during construction, has been submitted as part of the application. This has been agreed with the Council's Tree Protection Officer and should be secured by condition on any permission.
28. The proposal would involve the planting of replacement trees at a ratio of 1 for 1. Mature tree planting is proposed within the landscaped buffer along the site frontage which would enhance the existing streetscene. Some further on-site tree planting is also proposed within the podium communal gardens and other terraces. The remaining replacement trees would be planted within the street and the applicant has agreed a contribution to cover the cost and initial maintenance of these trees. In general, the Council's Tree Protection Officer is supportive of the proposals as the replacement trees would be of a better quality than those existing trees being replaced. The proposed on site tree planting should be secured by way of a condition placed on any permission.

RESIDENTIAL QUALITY

29. All of the proposed units would meet the minimum internal space standards set in the Mayors Housing SPG 2012. All units would have sufficient forms of outlook and light to habitable rooms and would be stacked appropriately so as to avoid unreasonable noise transmission between units. Amenity space is provided through a combination of private balconies/terraces and communal gardens and spaces. Each unit would have some form of private amenity space in the form of a balcony/terrace or garden. The communal landscaped podium at first floor level would have an area of 200sqm. The overall amenity provision for the site equates to 26sqm per unit which is considered appropriate within guidance set out in SPG17.

IMPACT ON ADJOINING SITES

EBONY COURT

30. The closest residential properties would be those within Ebony Court, located to the north of the application site. The applicant has provided a daylight & sunlight report which assess the impact of the proposed development on Ebony Court. This finds that only three windows within Ebony Court would be affected in any way by the proposed development and that the on the light to these windows would not be notable, as defined by the BRE standards on daylight and sunlight. The proposed podium communal space would be located in excess of 20m from the nearest balcony to Ebony Court complying with the guidance in SPG17 in terms of privacy. Other residential properties are further from the site and it is not considered there would be any particular adverse impacts on the outlook, light or privacy of any other residential properties.

MAGISTRATES COURT

31. Although not in residential use the Magistrates Court is clearly a sensitive use, and any impact of the proposed development on the operation of the court needs to be given careful consideration.
32. In terms of potential overlooking towards the court, the main area of concern, highlighted in the representation received from the MOJ, are the upper floor windows and terraces to the eastern elevation. It is noted that these windows serve either bathrooms or kitchens as a secondary form of outlook. As such, any potential overlooking from these windows can be appropriately over come through a condition requiring obscured glazing and high level opening only. The terraces along this side of the building generally provide outlook towards the south and therefore it is considered that any overlooking towards the east can be overcome through the provision of suitable screening to the side of these balconies. Further details of screening can be secured through conditions.
33. Concerns have been raised with regards to the potential increase in traffic generated by the proposed development and the potential to affect access to the court. The proposed development provides 15 car-parking spaces in total which according the submitted transport assessment would on average result in 2 arrivals/4 departures in the am peak hour (8-9am) and 2 arrivals/1 departure in the pm peak hour. This level of trip generation is not considered to result in a significant increase in traffic to the point that it would affect access to the court.

34. Officers acknowledge that during construction the traffic impact from the site may increase. As such, it is recommended that any permission include a condition requiring a construction management plan to be submitted that include measures to minimise any traffic impact during construction.
35. Concerns have been raised regarding the potential noise impact, during the construction phase of the development, on the operation of the court. The MOJ have suggested that any noisy operations should not be carried out when the court is in operation during the day. Whilst the potential impact of noise on the operation of the court is understood it is not considered reasonable to restrict all noisy operations during the day as to do so would mean they would need to be carried out at night which could give rise to unreasonable noise disturbance to residents. Whilst some disturbance from construction works is inevitable efforts should be made to keep disturbance to a minimum and officer recommend that any permission be subject to a s106 agreement requiring the developer to join and adhere to the considerate constructors programme. This would ensure that noise issues are mitigated so far as is practical and would also provide an identified source of mediation should noise disturbance issues arise.

TRANSPORTATION

PARKING

36. Under the Council's maximum parking standards the development could be permitted a total of 59 spaces. The proposal would provide 15 parking spaces located in an undercroft parking area accessed from Neasden Lane which would accord with the Council's normal standards in terms of preventing excessive parking which would inappropriately contribute to traffic and environmental issues. 7 parking spaces would be allocated to the affordable housing, 7 parking spaces would be allocated to the market housing and one enlarged space would be allocated to the commercial space for parking and/or servicing.
37. However, given the low level of parking proposed consideration also needs to be given to the potential impact of any overspill parking on traffic flow and highway safety. To mitigate this, it is recommended that, any permission be subject to the right of future residents to on-street parking permits be withdrawn through a s106 'permit-free agreement. Although the level of public transport accessibility level (PTAL 3) is not currently high enough to support a wholly car-free development, with no parking at all, in this particular case a 'permit free development with a limited amount of parking is supported by the Council's Transportation officers as there are long standing proposals to extend further bus routes into the area to support the proposed growth and regeneration of the Church End area. However, these proposal rely upon an appropriate level of growth being provided up front to ensure that these additional services are viable. These proposals, once implemented, would increase the future PTAL rating to at least 4, the level that would normally be required for a permit-free agreement to be supported. Notwithstanding the issue of accessibility to public transport, the presence of a CPZ does allow a car-free agreement to be enforced in the meantime.
38. Given the exceptional circumstances for supporting a permit-free agreement in this particular case, the applicant has agreed to offer support towards introducing a Car Club into the area, including the provision of free/subsidised membership and driving credits for future residents for the first two years and undertaking of marketing amongst residents. With the other committed development schemes nearby, particularly on the Church End car park, the provision of an on-street Car Club bay(s) opposite the magistrates court or along Church Road would be ideally suited to serve all proposed developments.
39. Five of the proposed off-street parking spaces are shown widened and marked as disabled parking spaces with adequate headroom to allow access by high-top conversion vehicles, ensuring that 10% of the flats can be designated as wheelchair units with allocated parking spaces. 3 disabled parking bays are allocated to the affordable housing and 2 disabled parking bays are allocated to the market housing.
40. Three (20%) of the spaces (including one disabled parking bay) will be provided with access to electric vehicle charging points which accords with the London Plan standards.

SERVICING & ACCESS

41. Servicing requirements for the proposed commercial unit are set out in standard PS19 of the adopted UDP. With a floor area of under 100m², the unit would require servicing by a transit sized vehicle. As discussed above, parking space 15 has been designed to be suitable for dual use as a parking space but also a transit sized servicing bay. There is direct access from the servicing area to the rear of the commercial unit.

42. Adequate refuse storage for the flats and commercial unit (12 Eurobins in total) is proposed within a store at the front of the building. At 11m the distance of the store from Neasden Lane marginally exceeds the usual maximum refuse carrying distance for Brent's refuse collection staff of 10m. However, given the importance of ensuring the building is well set back from the street this marginal increase in carry distance is considered acceptable within the context of the current application. Fire access requirements are met directly from Neasden Lane.
43. The proposed vehicular access has been designed to allow a two way flow of traffic into and out of the site and pedestrian footpaths are provided on either side of this. In general, the design of the access complies with the Council's technical highways requirements. The proposed boundary treatment will need to be designed to allow sufficient visibility splays. However, these details are likely to be secured by condition should permission be granted.

RESPONSE TO CONSULTATION

44. The table below sets out officers responses to the issues that have been raised during consultation on the application.

Issue	Officers response
The proposal would harm the value of nearby properties.	The impact of the proposed development on residential values cannot be anticipated. In any case, "The Planning System: General Principles" at paragraph 29 states that <i>"The basic question is not whether owners and occupiers would experience financial or other loss from a particular development but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest."</i>
TfL should be asked to provide further bus routes to support the growth in Church End.	See para 35
The proposed development should take the opportunity to improve sight-lines and visibility along Neasden Lane.	The proposed development would introduce a lower and more permeable boundary treatment that the existing improving sight lines and visibility.
Chapel Close and Chantry Crescent are not in a CPZ. Funding should be provided for consultation to include these streets in a CPZ.	Whilst it is acknowledged that Chapel Close and Chantry Close are omitted from the wider CPZ, should residents have concerns regarding parking conditions then they should direct these concerns to the Council's Transportation Unit. It is noted that other 'permit-free' developments closer to these roads have been permitted without contributions towards consultation.
There is likely to be limited demand for the commercial space, accessible residential might be more appropriate.	The commercial space would be secured on the basis of affordable rents and therefore it would be more attractive to potential occupiers.
Affordable housing should be provided as social rent levels rather than affordable rent levels.	There is no policy support for requiring social rents as opposed to affordable rents across the scheme. However, the proposal would secure target/social rents on the larger 3 and 4 bedroom units to ensure that these are affordable to families.
There is an opportunity for the drainage on the corner of the junction to be improved.	The development will be required, through a s106 agreement, to meet level 4 of the Code for Sustainable Homes. To meet this target a mandatory requirement is to ensure that surface water run off rates post construction are no greater than pre-construction. As the development would not place additional pressure on existing drainage infrastructure a contribution from the development towards addressing existing failures would not be justified.

The existing vicarage will need to be replaced locally and this might be on the car-park next to the church hall on Neasden Lane. This may increase car-parking problems	Permission has been granted to replace the vicarage within the grounds of the parish hall. The adjacent car-park would be unaffected.
It is hoped that there will be affordable and social housing in the scheme.	See paras 7-9
Consideration should be given to the proposals for the Church End car-park site when considering the impact of the current scheme on the environment and sight lines.	Reference is made throughout the report to the car-park site proposals and Members will be aware of these proposals when considering the current application.
The proposed development could have an adverse impact on the operation of the Magistrates Court	See paras 29-33

RECOMMENDATION: Grant Consent subject to Legal agreement

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

NPPF

The London Plan (as amended 2013)

Brent Core Strategy 2010

Brent Unitary Development Plan 2004

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

Employment: in terms of maintaining and sustaining a range of employment opportunities

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

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CONDITIONS/REASONS:

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:-

Plans

NDL/P13/01 Location Plan

NDL/P13/02A Topographic Survey

NDL/P13/03 Context Plan

NDL/P13/04A Site Layout and Ground Floor Plan

NDL/P13/05A First Floor Plan

NDL/P13/06A Second Floor Plan

NDL/P13/07A Third Floor Plan

NDL/P13/08 Fourth Floor Plan
NDL/P13/09 Fifth Floor Plan
NDL/P13/12 Cross Section AA
NDL/P13/13 West Elevation to Neasden Lane
NDL/P13/14 South Elevation to High Road
NDL/P13/15 North Elevation
NDL/P13/16 East Elevation Facing Magistrates Court

Documents

Accommodation Schedule dated 28.01.2015 by PAC Design;
CGI Image 1 View from south
CGI Image 1 View from south (with landscaping ghosted)
CGI Image 2 View from south east
CGI Image 2 View from south east (with landscaping ghosted)
Air Quality Report by Air Quality Consultants;
Arboricultural Report by AP Arboriculture;
Archaeology Report by Pre Construct Archaeology;
Design & Access Statement by Landmark Landscape Planning;
Financial Viability Appraisal by Affordable 106;
Heritage Statement by Morse Heritage;
Noise Report by DKN Acoustics;
Sunlight, Daylight & Overshadowing Report by Herrington Consulting;
Sustainability Statement by Maven Sustainability;
Transport Statement by Dermot McCaffery Highway and Transport Consultants;
Planning Statement by Maven Plan Limited.

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

- (3) The development shall be carried out in full accordance with the procedures set out in the Arboricultural Method Statement contained in Arboricultural Report by APArboriculture, dated 27th October 2014, which formed part of the planning application.

Reason: To ensure that those trees to be retained on site are not harmed during construction or demolition works on site.

- (4) The parking spaces (including electric charging points) and servicing bays shown on the approved plans shall be constructed prior to the occupation of any part of the development, hereby approved, and shall be permanently retained and used solely in connection with the development hereby approved. Those parking spaces numbered 1 to 7 on the approved plans shall be made available for occupiers of the affordable housing provided within the development.

Reason: To ensure that the approved standards of parking provision are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- (5) The existing vehicular crossover to 450 High Road shall be reinstated to footpath with kerb and channel prior to the occupation of any part of the development hereby approved.

Reason: In the interests of highway and pedestrian safety.

- (6) The windows on the eastern elevation that serve units 11, 18, 28, 38, and 45, as indicated on the approved plans, shall be treated with obscured glazing and any opening shall be at high level (not less than 1.7m above the internal floor level). The windows shall be retained in this condition for the lifetime of the development.

Reason: To prevent overlooking of the adjacent Magistrates Court that could be harmful to the operation of court.

- (7) Further details of screening to the eastern elevation of the terrace and balconies that serve units 11, 18, 28, 38, and 45, as indicated on the approved plans, shall be submitted to an approved in writing by the Local Planning Authority. The approved details shall be

implemented prior to occupation of units 11, 18, 28, 38 and 45, as indicated on the approved plans.

Reason: To prevent overlooking of the adjacent Magistrates Court that could be harmful to the operation of court.

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

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

- (9) Notwithstanding any details of landscape works referred to on the approved plans, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) screen planting along the eastern boundary;

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(e) existing contours and any proposed alteration to ground levels such as earth mounding;

(f) provision for the satisfactory screening of terraces

(g) areas of hard landscape works and proposed materials;

(h) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- (10) Prior to the commencement of any demolition or construction works on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Construction Management plan shall include the following details of measures to mitigate the impact of demolition and construction works on the local highway conditions and the local environment, in terms of noise, vibration and dust. The development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To ensure that the impact of any demolition and construction works on the locality is reasonable.

- (11) i) Prior to the commencement of the development, a Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The submitted Site Investigation report be produced in accordance with the principles of BS 10175:2011 and shall include details of a site visit carried out by competent persons to determine the nature and extent of any soil contamination present on the site and the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. The Site Investigation Report shall include an appraisal of remediation options

should any contamination be found that presents an unacceptable risk to any identified receptors and confirm the proposed remediation measures to be implement, including a timeframe for implementation.

ii) Any soil contamination remediation measures required by the approved Site Investigation report shall be carried out in full accordance with the details contain in the Site Investigation Report . Prior to the occupation of any part of the development, hereby approved, a verification report stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use shall be submitted to an approved in writing by the Local Planning Authority.

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

- (12) Prior to the commencement of the development, hereby approved, further details of a mechanical ventilation system to serve the residential units on the ground and first floor shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be maintained as such.

Reason: To ensure adequate air quality for occupiers of units on the ground and first floor of the development.

- (13) Prior to the operation of the boiler installed within the development, save for any testing required for the purposes of discharging this condition, a report detailing tests that confirm that the boiler meets the emissions standards, as detailed in the Air Quality Impact Assessment, dated 29th October 2014, shall be submitted to and approved in writing by the Local Planning Authority. The boiler shall be maintained thereafter to ensure that these emissions standards continue to be met.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4

- (14) Prior to the operation of the combined heat and power unit installed within the development, save for any testing required for the purposes of discharging this condition, a report detailing tests that confirm that the combined heat and power unit meets the emissions standards, as detailed in the Air Quality Impact Assessment, dated 29th October 2014, shall be submitted to and approved in writing by the Local Planning Authority. The combined heat and power unit shall be maintained thereafter to ensure that these emissions standards continue to be met.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4

- (15) Prior to the occupation of the residential units hereby approved, further details of a test carried out in accordance with BS8233:2014'Guidance on sound insulation and noise reduction for buildings to attain that the following noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Time	Area	Maximum noise level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Daytime Noise 07:00 – 23:00	Outdoor Amenity	55 dB LAeq (1hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Reason: To obtain required sound insulation and prevent noise nuisance

- (16) Prior to the occupation of the development hereby approved, further detail of a test undertaken in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas' to ensure that the rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises shall be submitted to an approved in writing by the Local Planning

Authority.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- (17) Prior to the commencement of the development a programme of archaeological investigation work shall be submitted to and approved in writing by the Local Planning Authority. The approved archaeological investigation work shall be carried out in full accordance with the approved details.

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.

- (18) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that piling does not damage subsurface water infrastructure.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- (3) Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

REFERENCE DOCUMENTS:

The following extracts are some of the submitted plans. All submitted details can be viewed on the Council's website www.brent.gov.uk by searching with the application reference.







Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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