



## Planning Committee

**Thursday 22 October 2015 at 7.00 pm**

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

### Membership:

#### Members

Councillors:

Marquis (Chair)  
Agha (Vice-Chair)  
S Choudhary  
Colacicco  
Ezeajughi  
Mahmood  
Maurice  
M Patel

#### Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan  
and W Mitchell Murray

Councillors

Colwill and Kansagra

**For further information contact:** Joe Kwateng, Democratic Services Officer  
020 8937 1354, [joe.kwateng@brent.gov.uk](mailto: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](http://democracy.brent.gov.uk)**

**The press and public are welcome to attend this meeting**

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**Members' briefing will take place at 5.30pm in Boardrooms 7 and 8**

# 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 - 24 September 2015		1 - 8
<b>Extract of Planning Code of Practice</b>		
<b>NORTHERN AREA</b>		
3. Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU (Ref. 15/3161)	Wembley Central	13 - 54
4. 25 Brookfield Crescent, Harrow, HA3 0UT (Ref. 15/1569)	Kenton	55 - 78
<b>SOUTHERN AREA</b>		
5. Flat 1-6 INC, 9 Regent Street, London, NW10 5LG (Ref. 15/2200)	Queens Park	79 - 96
6. 15 Brondesbury Villas, London, NW6 6AH (Ref. 15/2809)	Kilburn	97 - 114
7. 33A Wrentham Avenue, London, NW10 3HS (Ref.15/3094)	Queens Park	115-126
8. 143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL (15/2382)	Brondesbury Park	127-144
9. Car Park, Ainsworth Close, Neasden, London (Ref. 15/3218)	Dollis Hill	145-164
10. Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA (Ref. 15/3819)	Kensal Green	165-178
11. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Site Visits - 17 OCTOBER 2015

## SITE VISITS – SATURDAY 17 OCTOBER 2015

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
15/3161	Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU <b>Entrance via High Road, Wembley</b>	3	Wembley Central	9:40 am	13- 54
15/1569	25 Brookfield Crescent, Harrow, HA3 0UT	4	Kenton	10.25 am	55-78
15/3218	Car Park, Ainsworth Close, Neasden, London	9	Dollis Hill	11:00 am	145-164
15/2382	143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL	8	Brondesbury Park	11:35 pm	127-144
15/3094	33A Wrentham Avenue, London, NW10 3HS	7	Queen's Park	12:05 pm	115-126
15/3819	Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA	10	Kensal Green	12:30 pm	165-178
15/2200	Flat 1-6 INC, 9 Regent Street, London, NW10 5LG	5	Queen's Park	1:00 pm	79-96

**Date of the next meeting: Wednesday 18 November 2015**

The site visits for that meeting will take place the preceding Saturday 14 November 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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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Thursday 24 September 2015 at 7.00 pm

PRESENT: Councillors Marquis (Chair), Agha (Vice-Chair), S Choudhary, Colacicco, Ezeajughi, Mahmood, Maurice and M Patel.

ALSO PRESENT: Councillor John Duffy, Councillor Neil Nerva and Councillor Michael Pavey.

#### 1. **Declarations of personal and prejudicial interests**

4. The Maqam Centre, Tiverton Road NW10 3HJ (Ref. 15/1588)  
Councillor Choudhary declared that as he knew the applicant he would leave the meeting room during consideration of the application and would not take part in the discussion or voting.

All members received emails from Aylestone Park Residents and Tenants Association (APRATA) expressing their objections to, and from Councillor Denselow and Southwood in support of, the application

- 7 William Dromey Court, Dyne Road, NW6 7XD (Ref. 15/2551) and  
8 James Stewart House, Dyne Road, NW6 (Ref. 15/3014)  
Councillor Mili Patel declared that as she was a Trustee of the Board of Governors of Brent Housing Partnership (BHP), the applicant, she would leave the meeting room during consideration of both applications and would not take part in the discussion or voting. All members received an email in support from Councillor Conneely
9. Special Item - Application for the Modification and Discharge of Planning Obligations  
All members had received an email from the applicant.

#### 2. **Minutes of the previous meeting - 26 August 2015**

RESOLVED:-

that the minutes of the previous meeting held on 26 August 2015 be approved as an accurate record of the meeting.

#### 3. **Lanmor House, 370 High Road, Wembley, HA9 6AX (Ref. 15/0196)**

PROPOSAL:

Erection of two additional storeys to provide 8 self-contained flats (7 x 2 bed and 1 x 1 bed) above the existing five storey office building(amended description)

RECOMMENDATION: Grant planning permission subject to conditions as set out in the draft Decision Notice.

Stephen Weeks (Head of Planning) introduced the report, outlined the proposal and with reference to the supplementary report circulated prior to the meeting, clarified the issues raised at the site visit. Members heard that the applicant's agent had advised that some internal works were being carried out in relation to the conversion of the building to residential following the grant of planning permission for external cladding. The Head of Planning added that the applicant would be advised by way of an informative that if the planning permission was granted, works cannot commence on site until the prior approval for the scheme currently under construction had been completed and occupied.

In terms of the height of the proposal, he informed members that whilst the additional storeys would change the appearance and scale of the building when viewed from Ecclestone Place, the building was already of a significantly different scale and appearance and consequently was not considered to detract from the street scene. The impact on residential amenity would be modest given the set back and as such officers considered that it would not result in a significant detrimental impact on the occupiers of the residential properties to the rear. He added that the parking provision within the site significantly exceeded the maximum standards and drew members' attention to an additional condition on parking arrangement and a revised condition on bin storage as set out in the supplementary report.

Jaine Lunn (an objector) stated that the proposed development, which would infringe the 45 degree line, would result in significant detrimental impact including noise nuisance, loss of sunlight and inadequate parking provision. She added that Ecclestone Place already suffered from inadequate parking which would be aggravated by the proposed scheme. Jaine Lunn continued that the inadequate bin storage facilities for the proposal, which offered no affordable housing, contravened the Council's guidance.

Tony Allen (applicant's agent) stated that the scheme which offered housing in the upper floors was considered acceptable in terms of its amenity space, reduced visual impact and hence no significant overbearing and over-looking would result. He added that as the parking provision was considered to be adequate, the Council's Highways and Transportation Officers did not raise any concerns about the proposal.

Members then questioned the agent on a number of issues including clarity of the scheme, parking provision, the location of the bin storage and its visual impact. The applicant's agent responded that the current application which was for internal works was quite separate from the previous scheme for the building granted under permitted development. He added that the car parking provision which had been reduced to facilitate servicing arrangements, exceeded current standard. He clarified that the location of the bin storage which was dictated by siting constraints would offer greater flexibility for the potential office occupiers.

In the discussion that followed, members generally agreed that the vicinity already suffered from parking problems and agreed to an additional condition for a section 106 legal agreement to restrict all residents' permits only. They also agreed an additional recommendation requiring a relocation of the bin storage area.

**DECISION:**

Granted planning permission subject to conditions as set out in the Decision Notice, an additional condition on bin storage and a Section 106 legal agreement to restrict permit parking to residents only.

**4. The Maqam Centre, Tiverton Road, London, NW10 3HJ (Ref. 15/1588)**

**PROPOSAL:**

Change of use of previously approved crèche (Use Class D1) to fitness suite (Use Class D2) and reception area. Amendments to external works to include alterations to bin and cycle storage, hard and soft landscaping and entrance gate.

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) with reference to the supplementary report circulated prior to the meeting clarified the issues raised at the site visit including the planning history of the site. He continued that the applicant had indicated to complete the external works within 15 months and to improve the appearance of this element of the building, a temporary banner displaying a graphic of a green wall could be installed. He advised members that the Council had no powers to force the applicants to finish the development however officers had recommended conditions which sought to encourage stages of the development to be brought forward as soon as possible

Andy Bates went on to clarify the access arrangements to the fitness suite and drew members' attention to condition 5 of the report which required the applicants to submit Management Plan detailing access arrangements to the fitness suite. In respect of members' concerns about the D2 use, he recommended an additional condition restricting the use of the fitness suite to a fitness suite only or D1 use in connection with the rest of the building as set out in the supplementary report. He added that funding for the project was understood to come from privately raised donations however, this was not considered to be a material planning consideration. He added that the proposal would not give rise to an unacceptable parking impact.

Ruth Dar and John Keuetgen (Secretary and Chair of APRATA respectively) spoke in objection to the application. Members heard that whilst APRATA welcomed the additional condition on D1 use they had no confidence in the planned phased development. They also questioned the need for change of use of the property and requested that officers and the applicants should get together and put forward a master plan for the site

In accordance with the provisions of the Planning Code of Practice, Councillor Nerva (ward member) declared that he had been approached by local residents. Councillor Nerva endorsed the request for a master plan for the site for clarity and requested curtailment of further development on the site until the conclusion of the master plan.

Steve Rickhards (applicant's architect and contract administrator) stated that he anticipated a seamless completion of the scheme lasting 12 months. He drew members' attention to proposed landscaping and tree planting as well as an active frontage to Wrentham Avenue. He then responded to members' questions. The architect stated that the proposal would have no significant parking impact and clarified the flexible use of the community facilities that the pool area would provide as well as the phases of the development.

Following the ensuing discussion, members decided to add an additional condition that the gym could not be used until the swimming pool was provided and a further condition relating to Green wall maintenance.

**DECISION:**

Granted planning permission subject to conditions as set out in the draft Decision Notice, additional condition restricting the use to D1 only as set out in the supplementary report and that gym can not be used until the swimming pool was provided and a further condition relating to Green wall maintenance.

*Note: Councillor Choudhary having declared an interest in the application at the start of the meeting did not take part in the discussion or voting on the application.*

**5. 12 Carlisle Road, Kilburn, London, NW6 6TS (Ref. 15/1452)**

**PROPOSAL:**

Proposed excavation of basement level with reinforced glass panels set into the ground to form rear lightwells, demolition of existing detached garage and replacement with detached brick-built outbuilding, insertion of first floor rear window and rear patio doors and demolition and rebuilding of part of existing boundary wall to dwelling house (amended plans and description)

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and with reference to the supplementary report circulated prior to the meeting clarified issues raised at the site visit on impact on neighbouring properties, the depth of projection into the rear garden and the false garage doors. Members heard that the applicant had submitted a revised construction methodology report and how the neighbour impact would be mitigated during construction. He continued that concerns about party wall were not considered a material planning consideration. In reiterating the recommendation for approval subject to conditions, Andy Bates then drew members' attention to amended conditions 3 and 7 as set out in the supplementary report.



Ellen Gadsten (applicant's architect) informed members that the proposal had been refined to address issues raised including a reduction in overall massing. She added that 2 new fruit trees and hedge trees would be planted for enhanced landscaping and that the existing outbuilding would be rebuilt. In response to the Chair's suggestion, the applicant's architect confirmed acceptance of an amended condition 8 to include details of green roof to outbuilding and maintenance.

**DECISION:**

Granted planning permission subject to conditions as set out in the draft Decision Notice, amended conditions 3 and 7 as set out in the supplementary report and amended condition 8 to include details of green roof to outbuilding including maintenance details.

**6. 37A Streatley Road, London, NW6 7LT (Ref. 15/2362)**

**PROPOSAL:**

Basement extension with front and rear lightwells to ground floor flat.

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Andy Bates (Area Planning Manager) outlined the scheme and with reference to the supplementary report circulated prior to the meeting, responded to issues raised at the site visit. Members were informed that the applicant had submitted a construction method statement (CMS) and plans showing the under pinning sequence of the property. In respect of noise and hours of work, he stated that the decision notice would set out the hours of work and that the applicant would need to join the Considerate Contractors Scheme to ensure neighbouring amenity was protected as far as possible from building works. Members heard that despite concerns, no research had confirmed that basement developments would necessarily cause problems in the future e.g. to the water table, trees and soil.

The Area Planning Manager clarified that land within the first 6m of the front garden had not been counted as amenity space in accordance with the Unitary Development Plan (UDP) and as such, changes to the layout of the forecourt were not necessarily considered to create loss of amenity space for occupiers of the upstairs flat. A condition recommended requiring the provision of further details of planting to the forecourt would improve the existing situation and help soften the presence of the proposed front lightwell. In terms of shared use of the forecourt and implementing the permission, the applicant would need to seek consent of the joint freeholder. He advised members that the applicant would be required to seek and obtain the consent of utility suppliers including water and electricity prior to commencement.

Al Forsyth (Vice Chair, Brondesbury Residents and Tenants Association) objected to the scheme on the grounds that as it was for a basement development for a flat instead of a whole house, it would result in detrimental impact on the other

occupiers of the house. He added that no consultation had taken place nor steps taken to resolve the resultant problems.

In accordance with the provisions of the planning Code of practice, Councillor Duffy, ward member, stated that he had spoken to both the applicant and the objectors in connection with the application. Councillor Duffy identified that the key issue was around ownership and urged the Committee to review the policy for basement applications which related to shared ownership of a property which contained flats.

Robert Gott (applicant's agent) stated that the application which complied with the Supplementary Planning Guidance (SPG) and the London Plan, would seek to address the concerns expressed by the objectors including structural issues. In response to members' questions, the applicant's agent explained the method of construction and the parking arrangement for the removal of soil during the seven week construction period. He also clarified that the stable base of the proposal would be ensured via underpinning and foundation with reinforced concrete, thus minimising subsidence and ensuring the safety of the residents in the upper floor of the house. He added that party wall notices would be served by a party wall Surveyor at the design stage.

In bringing the discussion to an end, the Chair requested officers to consider reviewing the basement policy to include buildings that were in more than one ownership. Members were mindful of the consultation with those with interest in the land and in granting planning permission as recommended, members added an informative advising the applicant to consult and involve all those who have interest in the land.

**DECISION:**

Granted planning permission as set out in the draft Decision Notice and an informative encouraging the applicant to consult and involve all those who have interest in the land.

**7. William Dromey Court, Dyne Road, London, NW6 7XD (Ref. 15/2551)**

**PROPOSAL:**

Erection of two-storey detached residential unit (3 x 4bed), with associated hard and soft landscaping, provision for 12 car and cycle parking spaces including the provision of 2 disabled car-parking spaces.

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

Members agreed to receive together, the representations on this and the application for James Stewart House (reference 15/3014) but to decide on them separately. Andy Bates (Area Planning Manager) outlined the applications and with reference to the supplementary reports clarified the issues raised at the site visit. He clarified the extent of consultation undertaken by the applicant, Brent Housing Partnership, (BHP). In respect of concerns about repairs and tenants'

behaviour, Andy Bates reported that BHP stated that they had carried out all repairs as instructed and added that officers considered that the proposal, which had attracted a grant from GLA, would result in reduced anti social behaviour. Members heard about the proposed treatment of boundaries around the site, the replacement trees for the largely diseased existing trees and the parking arrangements were considered to be sufficient to address the concerns raised on noise. He then drew members' attention to additional conditions on details of lighting and surface water drainage as set out in the supplementary report.

Stephen Marcus (an objector) raised concerns about the proposed development for social housing on the grounds that it would depreciate property values in the area. He continued that due to its density, the proposal would result in increased noise from social housing tenants as well as a detrimental impact on parking in the area.

Keith Harley (Director, BHP) informed members that the claim that social housing would necessarily result in anti social behaviour and loss of property values were unfounded. He outlined measures that BHP had put in place to address noise generation and antisocial behaviour at their properties including boundary treatment and surveillance cameras. He advised members that visitor parking spaces would be managed through the use of scratch cards system and supervised by a parking contractor. Tom Ashton (applicant's architect) added that the secure design for the proposal allowed for access and clarified the rear access to the Kingdom Hall and servicing arrangements.

In response to the Chair's enquiry about the level of consultation done for the scratch card system, Stephen Hayley stated that BHP had received mixed responses to the consultation but would accept an additional condition as suggested by the Chair.

**DECISION:**

Granted planning permission subject to conditions as set out in the draft Decision Notice, amended plan numbers, an extra condition on future consultation on parking permit allocation and additional conditions on details of lighting and surface water drainage as set out in the supplementary report.

*Note: Councillor Mili Patel having declared an interest in the application at the start of the meeting did not take part in the discussion or voting on the application.*

**8. James Stewart House, Dyne Road, London NW6 (Ref. 15/3014)**

**PROPOSAL:**

Erection of two-storey detached residential unit (4 x 3bed), with associated hard and soft landscaping, improvement work to existing communal amenity space and provision for 24 car parking spaces

**RECOMMENDATION:** Grant planning permission subject to conditions as set out in the draft Decision Notice.

See the previous item (reference 15/2551) for the preamble.

**DECISION:**

Granted planning permission subject to conditions as set out in the draft Decision Notice and additional conditions on details of lighting and surface water drainage as set out in the supplementary report and a further condition requiring that prior to occupation of the first unit BHP undertake consultation on options for car parking controls (including scratch cards) in the development.

*Note: Councillor Mili Patel having declared an interest in the application at the start of the meeting did not take part in the discussion or voting on the application.*

**9. Application for the Modification or Discharge of Planning Obligations under Town and Country Planning Act 1990 (Section 106A) and Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992**

The Committee considered an application under section 106A of the Town and Country Planning Act 1990 (as amended) to modify or discharge a planning obligation to pay a financial contribution within the Legal Agreement dated 4 June 2009 and Deed of Variation dated 26 October 2009 in order to reduce the financial contribution due to the Council.

Stephen Weeks (Head of Planning) set out the background to and the history of the application. He referred to the applicant's claim about viability, the purpose of the agreement and that payment of the outstanding s106 costs would result in the company making a significant loss. He advised members that the applicant was a willing signatory to the Legal Agreement and that the developer's reference to the provisions of the Community Infrastructure Levy (CIL) was irrelevant. He continued that the payment under the legal agreement was not subject to viability of the scheme. The Head of Planning recommended that the application to modify or discharge the planning obligation be refused and pursued with the relevant party.

**DECISION:**

Refused the application to modify or discharge the planning obligation.

**10. Any Other Urgent Business**

None.

The meeting closed at 10.20 pm

S MARQUIS  
Chair

## **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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## COMMITTEE REPORT

Planning Committee on  
Item No

22 October, 2015

Case Number

15/3161

## SITE INFORMATION

**RECEIVED:** 22 July, 2015

**WARD:** Wembley Central

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU

**PROPOSAL:** Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87

**APPLICANT:** Kier Construction

**CONTACT:** Nicholas Hare Architects LLP

**PLAN NO'S:** Refer to Condition 2

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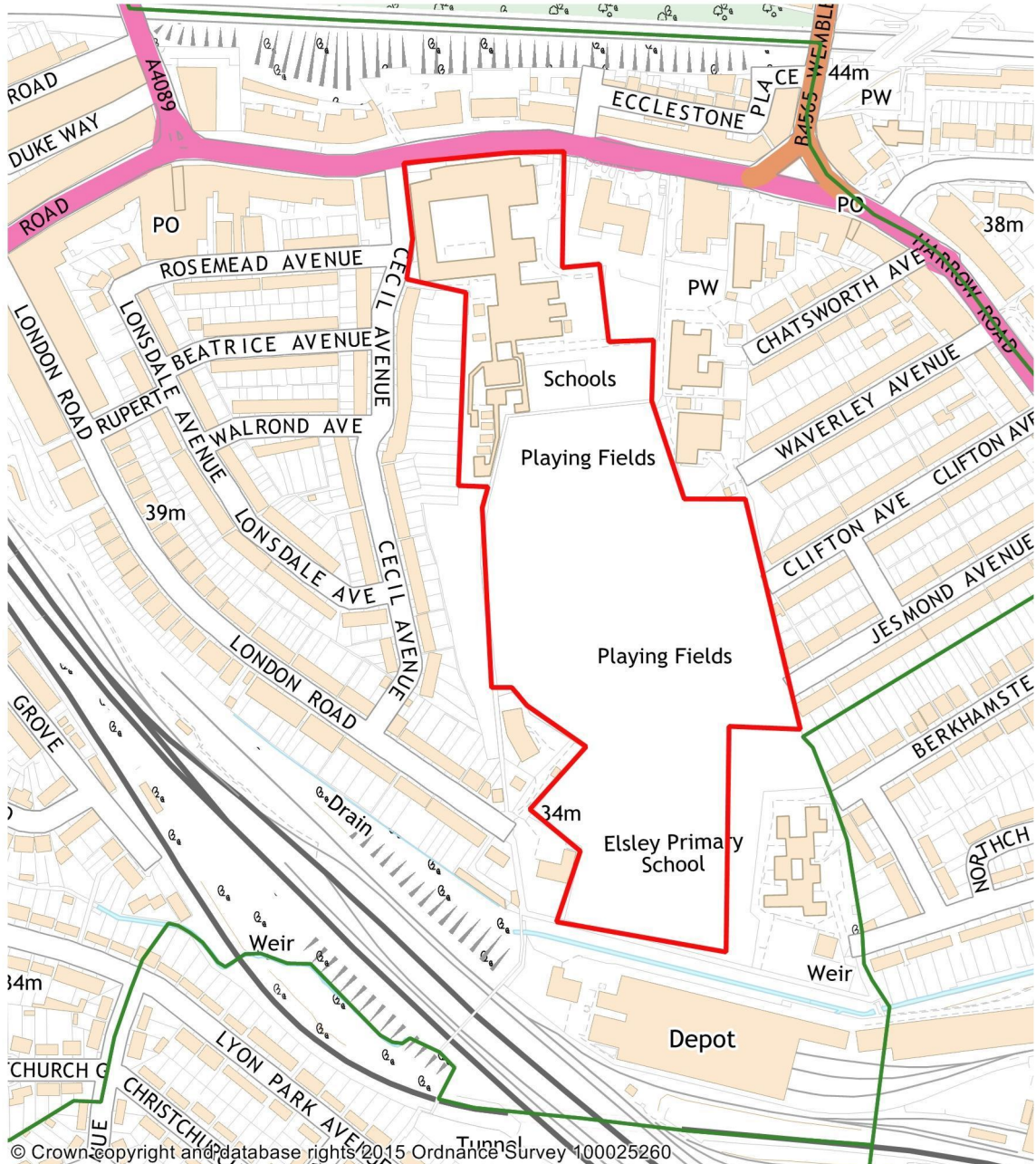
# SITE MAP



## Planning Committee Map

Site address: Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU

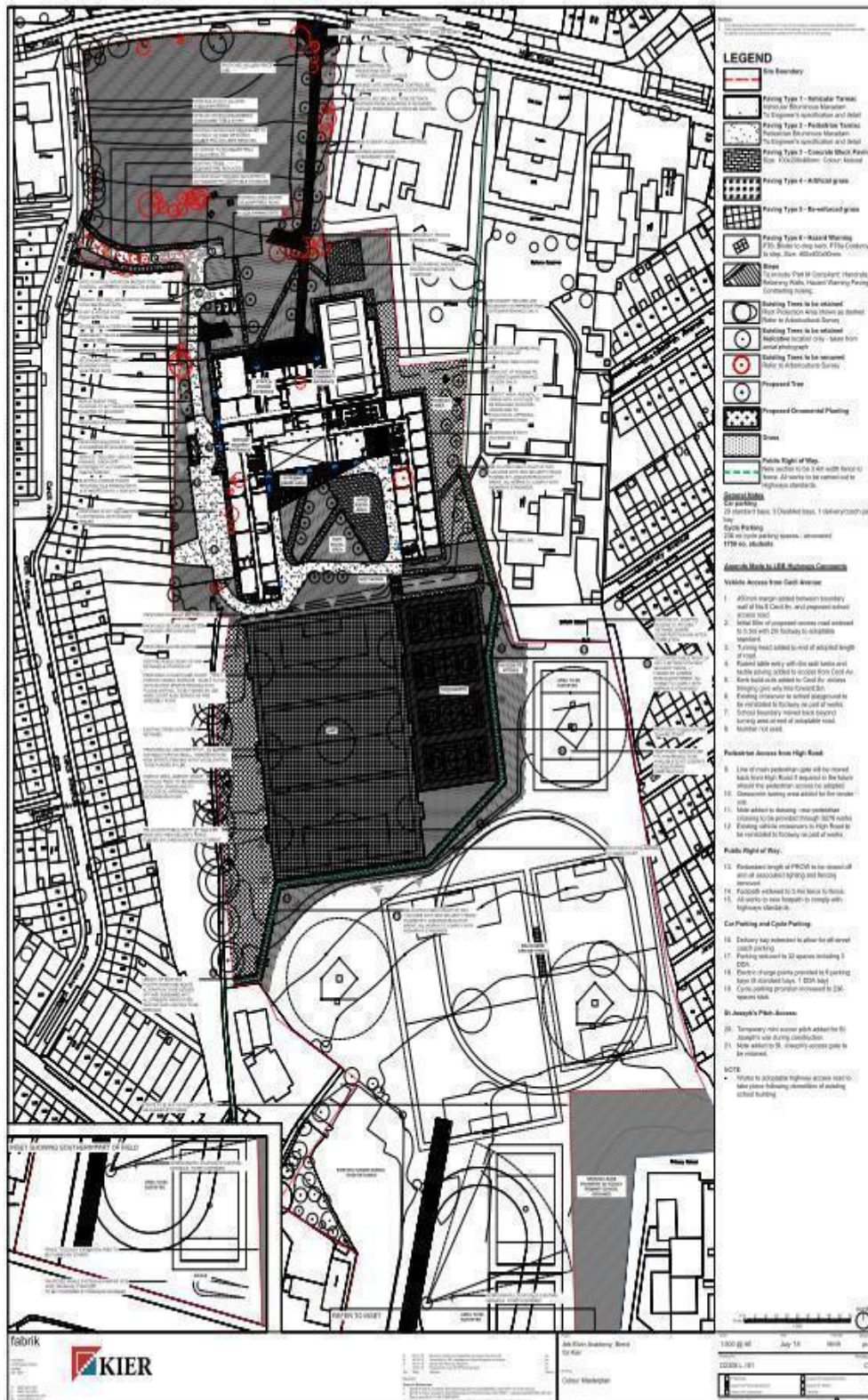
© Crown copyright and database rights 2011 Ordnance Survey 100025260



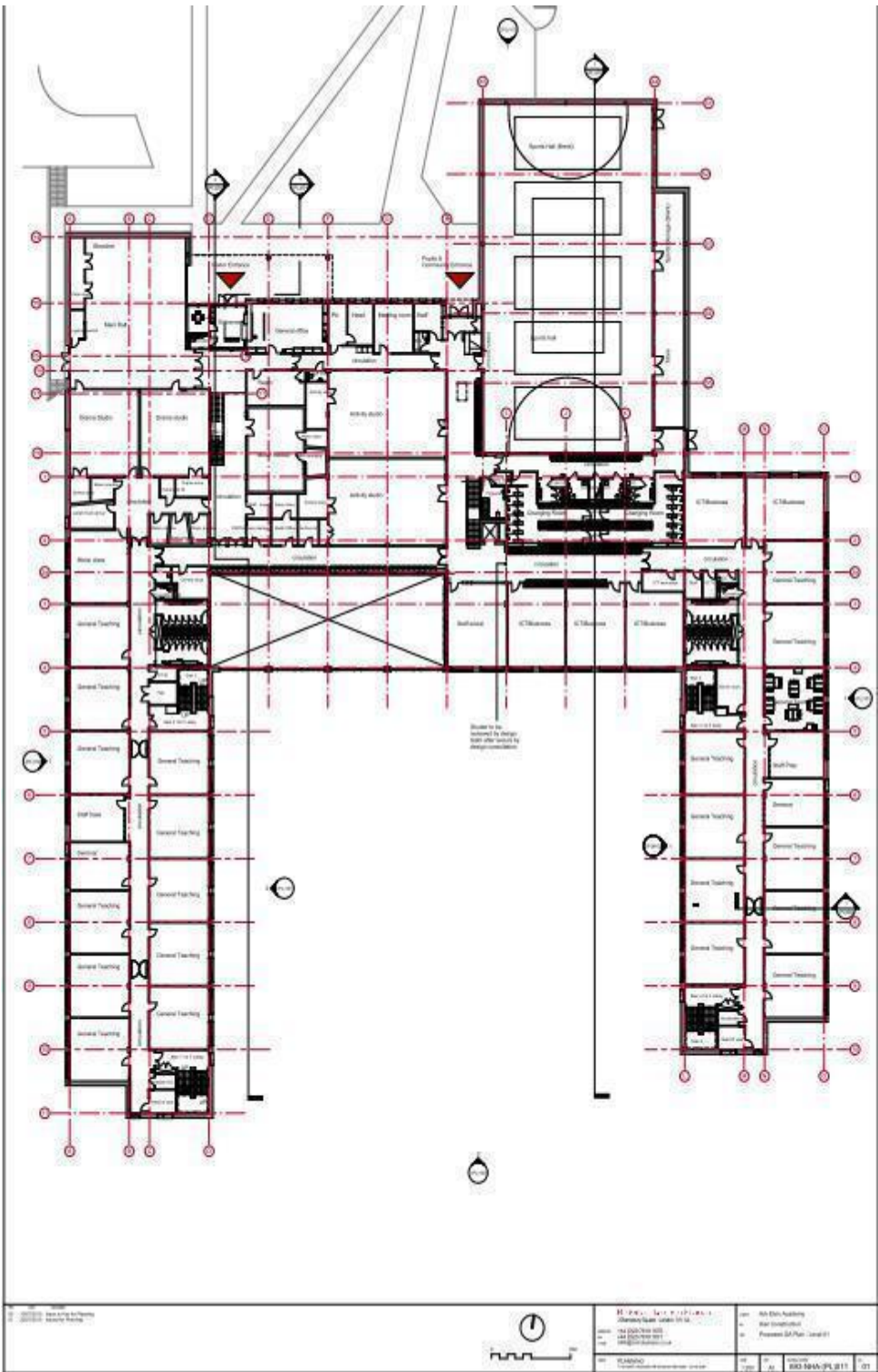
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Site Layout Plan



**Level 01 Floor Plan**



**Proposed North and South Elevations**



1 North Elevation



2 South Elevation

- 1. All elevations are shown in perspective.
- 2. All elevations are shown in color.
- 3. All elevations are shown in black and white.
- 4. All elevations are shown in grayscale.
- 5. All elevations are shown in high contrast.
- 6. All elevations are shown in low contrast.
- 7. All elevations are shown in medium contrast.
- 8. All elevations are shown in high contrast and grayscale.
- 9. All elevations are shown in low contrast and grayscale.
- 10. All elevations are shown in medium contrast and grayscale.

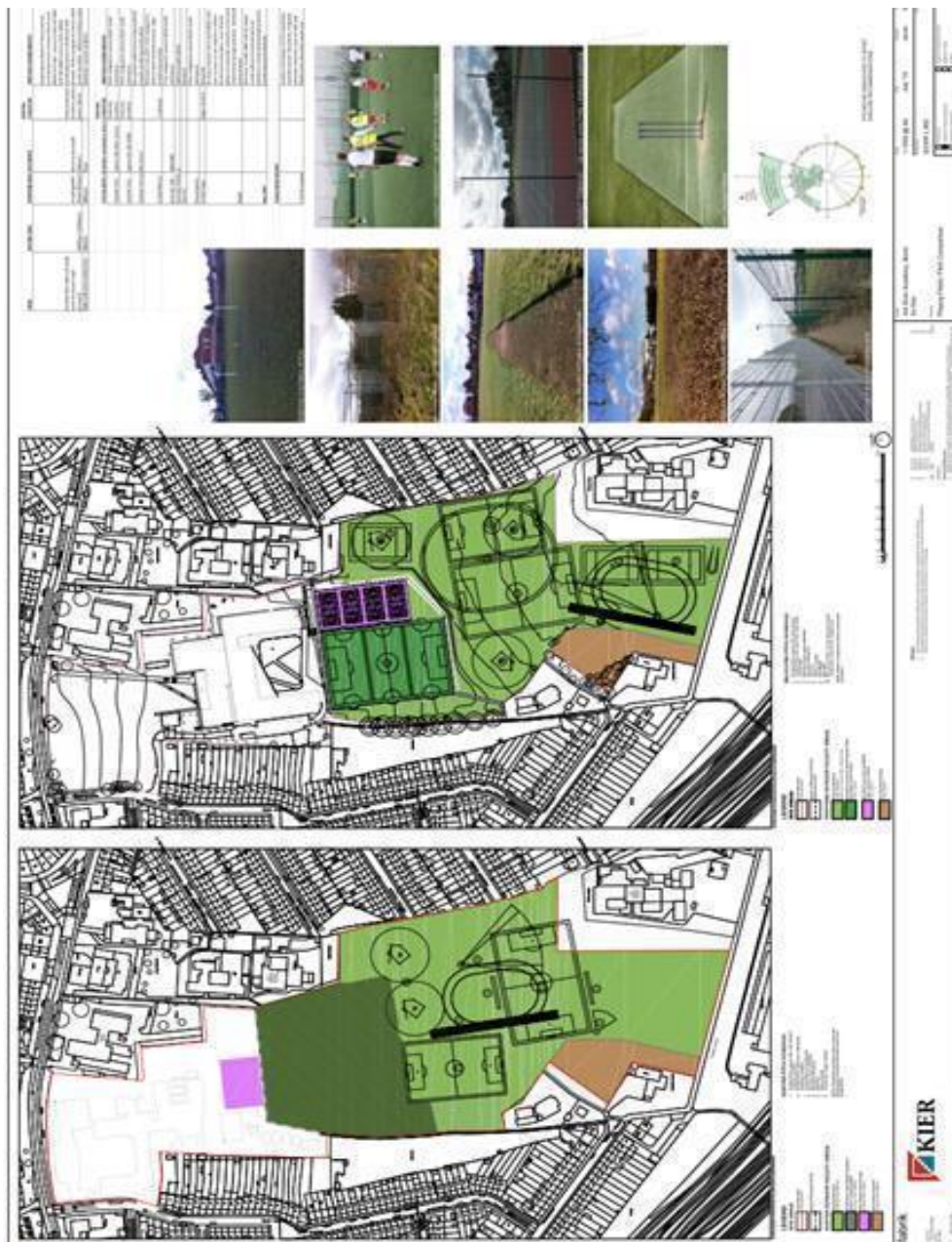


<p>Project Name: [REDACTED]</p> <p>Project Address: [REDACTED]</p> <p>Project City: [REDACTED]</p> <p>Project State: [REDACTED]</p> <p>Project Zip: [REDACTED]</p>	
<p>Architect: [REDACTED]</p> <p>Architect Address: [REDACTED]</p> <p>Architect City: [REDACTED]</p> <p>Architect State: [REDACTED]</p> <p>Architect Zip: [REDACTED]</p>	<p>Scale: [REDACTED]</p> <p>Date: [REDACTED]</p> <p>Sheet: [REDACTED]</p>

**Aerial view**



## Playing Field Comparison



## RECOMMENDATIONS

Grant Consent, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87

### B) EXISTING

The application site comprised Ark Elvin Academy (formally known as Copland Community School). The school was converted into an Academy in September 2014. It is a mixed secondary school with a language specialism. The existing school roll currently totals 997 pupils, but has capacity for 1,600 pupils.

The site is 8.44 hectares and is located on the junction of Wembley High Road and Cecil Avenue. The existing school buildings are located at the northern end of the site facing onto the High Road. The southern end of the site contains grass playing fields, a hard surface games court and area of hard standing. There is an existing Public Right Of Way (PROW) - No. 87, that runs through the site from Wembley High Road to London Road. The PROW separates the school buildings from the playing fields.

The site abuts residential rear gardens to the east and west on Cecil Avenue, Clifton Avenue and Jesmond Avenue. It also abuts Brent House and St Joseph's Junior School to the east and the allotments behind Cecil Avenue to the west together with Wembley Youth Centre off London Road to the west. Elsley Primary School is located to the south eastern end of the site.

The site is located within the Wembley Growth Area and forms part of Site W5 set out in the Wembley Area Action Plan. It is not located within a conservation area nor does it contain any listed buildings.

**C) AMENDMENTS SINCE SUBMISSION**

During the course of the application, the following amendments have been made to the proposal:

- Public Right of Way to be realigned to border the eastern end of the MUGA and widened to 3.4m
- Initial 60m of the proposed access road to be widened to 5.5m with 2m footway with turning head access to access road
- Car parking spaces reduced to 32 including 3 wheelchair accessible bays
- Cycle parking increased to 236 spaces
- Electric Vehicle Charging points increased to 4

**D) SUMMARY OF KEY ISSUES**

**Land Use and Nature of Application:** This application seeks full planning permission for demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87. This is an existing school site and the principle is considered acceptable.

**Impact on neighbouring amenity:** The new building, as a result of its siting and layout within the school site in compliance with SPG17 guidance, will not adversely impact on the amenity of neighbouring occupiers.

**Landscaping and trees:** A number of existing trees within the school site will be retained including TPO trees along the western boundary. New trees and landscaping is proposed as part of the school redevelopment.

**Sustainability:** Policy CP19 seeks to achieve BREEAM 'Excellent' for new commercial buildings however the proposed scheme is predicted to achieve BREEAM 'Very Good' which falls short of this target. It is considered given the benefits of the scheme to provide an improved education facility, provision of 'lean measures', 'clean measures' and provision for future installation of on-site renewables, the proposal can be supported.

**Transportation matters:** The application proposes 32 car parking spaces (including 3 disabled bays) with four EVCP. A service area has been provided for deliveries and coaches within the site. 236 cycle spaces are proposed, with areas being identified for future cycle parking. The scheme will secure highway improvement works including (i) a signalised pedestrian crossing on High Road in the vicinity of the proposed pedestrian boulevard entrance to the site (ii) The existing crossover for the school playground to be reinstated to footway, with the associated double yellow lines removed to allow further on-street pay and display bays to be created within the sheltered parking bay and (iii) the two existing crossovers onto High Road in the vicinity of the new pedestrian access to be reinstated to footway.

**E) MONITORING**

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 (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	



Businesses and offices	0	0	0	0
Drinking establishments (2004)	0	0	0	0
Financial and professional services	0	0	0	0
General industrial	0	0	0	0
Hot food take away (2004)	0	0	0	0
Hotels	0	0	0	0
Non-residential institutions	14075	14075	-760	
Residential institutions	0	0	0	
Restaurants and cafes	0	0	0	
Shops	0	0	0	
Storage and distribution	0	0	0	

### **Monitoring Residential Breakdown**

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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## **RELEVANT SITE HISTORY**

### **Relevant planning history**

**02/2699:** Full planning application for demolition of existing school buildings and erection of mixed-use commercial, residential and educational development comprising:

- (i) 28-storey and part 4-, 5-, 6-, 7-, 8-, 9-, 10-storey residential block (323 self-contained flats) with basement-level health & fitness club (Class D2), ground-floor level commercial (Class A1, A2 & A3) on High Road frontage and 270 two basement-level car-parking spaces;
  - (ii) 2 no. part 5-, 7-, 8- & 9-storey residential blocks (128 self-contained units in total) of affordable housing to the rear of this block;
  - (iii) 3-storey secondary school (including sports hall, swimming pool, performing arts and community hall uses);
  - (iv) formation of new vehicular access to Wembley High Road;
  - (v) construction of new, all-weather sports area;
  - (vi) alterations to existing footpath routes;
- together with associated external works comprising landscaping, improvement of playing fields and the construction of surface parking spaces, and subject to a Deed of Agreement dated 11/04/2006 under Section 106 of the Town and Country Planning Act 1990 (as amended)

**Granted, 11/04/2006.**

## **CONSULTATIONS**

**Consultation Period: 17/08/2015 - 07/09/2015**

**Site Notices displayed on Wembley High Road, Cecil Avenue, along the PROW, Jesmond Avenue and Clifton Avenue on 24/09/2015**

**Press Notice advertised on 27/08/2015**

### **Neighbour consultation**

1810 properties consulted - 10 objections received on the following ground:

Use of Jesmond Avenue as construction route for construction vehicles during the build of the new school.

Concerns are expressed on the following grounds:

- Frequency of heavy vehicles travelling along Jesmond Avenue during the day (6 days a week) for a long period - 3 years
- Residents on Jesmond Avenue will be negatively impacted upon by the construction traffic as a result of noise and pollution
- Existing parking problems on Jesmond Avenue and will be made worse by construction workers parking on the street
- Increased traffic congestion on Jesmond Avenue, the surrounding street and Harrow Road

- Children play outside on Jesmond Avenue
  - Large vehicles using Jesmond Avenue will lead to damage to the road which has recently been resurfaced.
  - Brent House should be considered as an alternative construction access route
  - Damage to the playing fields
- Query on how far the school building extends into the playing fields.
  - Query on whether the public have access to the playing fields after school hours
  - Playing field to remain open to the public as it has been for over 50 years. Current access from Jesmond ave, Clifton ave, London Road, Harrow Road (between Brent House and Elizabeth house)
  - What will happen to the land in front of the new school building (fronting Wembley High Road)
  - Will there be any additional infrastructure buildings/services to support the increase in new residents?
  - Is the entrance area of the school going to be as per the visuals, where there will be a grassed area right up to the public pavement, or are there other plans for this area?
  - Will the access at the top of Cecil Ave remain the same?
  - Will there be any access to the school via Cecil Ave?
  - What will the school opening and closing hours be?
  - Where will parking be provided
  - The proposal will have a large impact on the transport, buses especially, and traffic for local residents. -
  - Will residents be able to use the sports facilities which have been proposed.
  - Area of hardstanding at the south western end of the playing field is unauthorised development
  - Sporting facilities would cause noise, vandalism, litter etc from users. Residents already suffer these problems because of the Jackson Centre
  - Increase parking problems
  - Traffic (cars, cycle and people) would be unsafe for children in the catholic school

Comments have been received from St Joseph's Infant and Junior School setting out the following comments:

- Clarification sought on use of the playing fields for St Joseph's during construction and once the new school is built.
- Noise and dust from the building works
- Secure fencing needs to be provided
- Need to provide acceptable relationship between the new school buildings and St Joseph's

#### External Consultation

**Sport England** - Advised that the AWP and MUGA meet exception policy E5 and that conditions should be imposed to any forthcoming planning consent requiring the following: (1) community access, (2) playing fields and pitches to be laid out and construction in accordance with Sport England guidance and (3) artificial grass pitch playing shall be 3rd generation rubber crumb surface.

**Transport for London** - Requested further information to be provided on (1) level of car parking and car parking management plan, (2) undertake PERS audit, (3) Improved off road connectivity for pedestrians and cyclists, (4) increase cycle parking provision, (5) review trip generation and mode share, (6) catchment details on bus users and bus capacity requirements, (7) travel plan targets and mitigation, and (8) Delivery Service Plan and Construction Logistic Plan to be conditioned.

**Greater London Authority** - Confirmed that the Mayor does not need to be consulted on the application and that the Council may proceed to determine the application, without further reference to the GLA.

**The Environment Agency** - Confirmed that they do not need to be consulted.

**Network Rail** - Requested a risk assessment and method statement (RAMS) to be conditioned, and for trespass proof fencing should be erected along the southern boundary to prevent any unauthorised access to railway land.

**Wembley Central Ward Councillors** - no comments received.

**Tokington Ward Councillors** - no comments received.

**Wembley Hill Residents Association** - no comments received.

## Internal Consultation

**Transportation Unit** - There are no objections on transportation grounds to this proposal, subject to:-

- Funding of S278 highway works to provide a signalised pedestrian crossing on High Road in the vicinity of the proposed pedestrian boulevard entrance to the site;
- Diversion of the existing footpath across the site under S257 of the T&C Planning Act 1990 with removal of all redundant fencing and street lighting and construction of a new diverted public footpath/cyclepath across the school playing fields to a minimum fence to fence width of 3.4m along with replacement drainage and lighting under S38 of the Highways Act 1980;
- Submission and approval of a full School Travel Plan for the site within six months of construction works commencing;
- Submission and approval of amended site layout plans to show:-
  - (i) Realignment and widening of the initial 60m length of the proposed car park access road to provide a carriageway width of 5.5m, a margin of at least 450mm on the south side and a footway of at least 2m on the north side, a turning facility for commercial vehicles, relocation of the proposed gates clear of the initial 60m length of the access and 6m kerb radii onto Cecil Avenue with a raised entry table, tactile paving and kerb build-outs on the eastern side of Cecil Avenue to provide sheltered parking;
  - (ii) Reduction in the number of car parking spaces to 32 standard width spaces, plus 2-3 disabled parking spaces;
  - (iii) Provision of at least five electric car charging points, plus future cabling for a further four future points;
  - (iv) Increased bicycle parking provision totalling at least 236 spaces;
  - (v) Details of coach parking facilities within the site;
  - (vi) Closure and reinstatement to footway of all redundant footway crossovers to the site and amendments to associated waiting restrictions;
  - (vii) Details of access and turning arrangements for emergency vehicles along the proposed pedestrian boulevard from High Road, including resiting of the proposed gates to the southern end of the boulevard;
  - (viii) Widening of the fence-to-fence width of the diverted public footpath/cyclepath across the playing fields to 3.4m.
- Submission and approval of further details of external lighting.

**Landscape and Design Team** - Generally acceptable but opportunities should be sought to provide more interesting hard surface materials, more opportunities for tree planting and species within the habitat areas.

**Tree Officer** - Information submitted regarding the loss of trees acceptable but full details of tree protection statement and pruning works to be conditioned.

**Environment and Neighbourhood Services (Sustainability)** - Proposal currently falls short of carbon reduction targets but this is likely to be achieved if 'green' measures proposed.

**Environmental Health** - Conditions recommended to be secured in relation to external lighting, contaminated land and construction phase dust and noise

## **POLICY CONSIDERATIONS**

### National Planning Policy Framework

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.

### Further Alterations to the London Plan 2015

- 3.18 Education Facilities
- 3.19 Sports Facilities
- 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
5.13	Sustainable Drainage
6.1	Strategic Approach
6.9	Cycling
6.10	Walking
6.13	Parking

#### Brent's Core Strategy 2010

Objective 5 - meeting social infrastructure needs

CP7: Wembley Growth Area

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

CP19: Brent Strategic Climate Change Mitigation and Adaption Measures

CP23: Protection of existing and provision of new Community and Cultural Facilities

#### Brent's UDP 2004

BE4: Access for Disabled People

BE6: Public Realm - Landscape Design

BE7: Public Realm - Streetscape

BE9: Architectural Quality

BE12: Sustainable Design Principles

BE17: Building Services Equipment

EP2: Noise & Vibration

EP3: Local Air Quality Management

CF8: School Extensions

OS9: Dual Use of Open Space

TRN4: Measures to make Transport Impact Acceptable

TRN10: Walkable Environments

TRN11: The London Cycle Network

TRN22: Parking Standards - Non Residential Developments

PS12 - Non-Residential Institutions

#### Wembley Area Action Plan Adopted January 2015

WEM1: Urban Form

WEM3: Public Realm

WEM8: Securing Design Quality

WEM16: Walking and Cycling

WEM29: Community Facilities

WEM30: Decentralised Energy

WEM32: Urban Greening

WEM33: Flood Risk

WEM37: Sports Facilities

Site W5: Copland School and Brent House

#### SPG17 "Design Guide for New Development" Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

## **DETAILED CONSIDERATIONS**

### Introduction and existing site context

1. This application relates to the redevelopment of Ark Elvin Academy to provide a new secondary school that will accommodate 1750 pupils in nine Form Entry (FE) (1350 11-16 year old and 400 sixth form).
2. The redevelopment of the school is part of the Government's Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency (EFA) on behalf of the Department of Education. The PSBP aims to raise standards in education, through a combination of investment in buildings and ICT, to enable young people to fulfil their potential, and for staff to use their skills to best effect.

3. The site is currently occupied by two school buildings and a number of temporary buildings. The main school building up to three storeys in height, built around 1950 and located on the north and central area of the site. This building was extended with the additional of a two storey stand alone building to the south in around 1980. The modular and temporary accommodation is located to the south western corner of the site. The existing school buildings are in a poor state of repair, are known to contain asbestos and poorly configured on the site.
4. The remainder of the site contains hard playground areas, areas of hard standing, playing fields and landscaping to the south. There is an existing public right of way (PROW) linking London Road to High Road. The route runs through the school site dividing off the playing fields from the school buildings.
5. The site topography contains a notable fall across the site from North West to South East of approximately 16m.

### Policy Context

6. The site is located within the Wembley Growth Area and within the boundaries of Wembley Town Centre. It is subject to Site Specific Allocation (W5 - Copland School and Brent House) as set out in the Wembley Area Action Plan. This allocation specifies that the site should be used for a mixed use development on the High Road frontage with new/rebuilt school to the rear. Development of the school at the rear should accommodate, if possible, an additional form of entry on current capacity. W5 goes onto state that the scale of development near to Cecil Avenue should respect the adjacent suburban character, and access from Cecil Avenue to be limited to residential access only.

7. The new school is considered to follow the general principles of W5 as it is located further south within the site to allow the northern end to be redeveloped with a mixed use scheme in the future. The northern part of the site is shown as informal soft landscaping and it has not been included as part of the calculation for playing fields or outdoor external amenity space. The scheme provide sufficient formal and informal external play/recreational space within the remainder of the school site. This is discussed in further detail below. As such it is not considered that the proposal will compromise the future delivery of the northern part of the site for a mixed use development.

### Sitting and Design of the new school

8. As discussed above, the new school is to be located to the south of the existing main school building but does not extend further southwards of the temporary/modular buildings but it will extend over part of the existing playing field. The impact on the playing fields is discussed in further detail below. The overall footprint of the new school will be significantly less than the existing buildings which are dispersed throughout the site (proposed building footprint of 6,138sqm compared to existing building footprint of 7,626sqm). The consolidated built form will allow for improvement of open space within the school site that is currently fragmented as a result of the various buildings located within the site.

9. The new school building will be "H" shaped at the front with a 'U' shaped behind that contains a south facing courtyard. It will be two/three storeys at the front (northern end) with a part basement level, increasing to three storeys high wings at the southern end, due to the level changes across the site. The building is proposed with a flat roof. To provide a focal point to the main entrance, this element is proposed to be in brick with the school logo displayed above the ground floor roof. The sports hall, main hall and activity studios are located at ground floor level together with the main visitor entrance, pupil and community entrances. These entrances form the front of the site. The wings and upper floors contain classrooms. The service entrance is located from the internal access road on the western side of the new building.

10. Above ground level, the external facing elevations of the sports hall and main hall will be in metal composite cladding. The wings of the building will contain brick work at ground level and render on the upper floors. Section plans have been provided setting out how the render system prevents staining and algae growth including aluminium coping up stand is at roof level. The windows have been designed with fixed pane clear glass and opaque opening lights. A louver extract for ventilation is proposed for each window. The window design is considered acceptable. Full details of external materials are set out of the schedule of external finishes.

11. The elevations will be articulated with recessed windows at a depth of around 0.25m. The scale and massing, external materials and arrangement of the fenestration is considered appropriate for the new building which is designed for education purposes.

12. The roof of the main school building will have a number of plant equipment at roof level. These are concentrated within the middle of the building. Given that they are at roof level and set in from the edges of the building by at least 3.4m, views of the plant from neighbouring rear gardens and from the public highway will be limited. There is a need to provide safety railing along the edges of the roof. This is required for maintenance of the plant equipment and for the installation of potential future photovoltaic panels. It is considered the set in of 2.2m is sufficient to ensure the railings do not appear unduly prominent.

#### Relationship to new school building to neighbouring residential properties, St Joseph's School and Brent House

##### *Neighbouring residential properties*

13. Residential properties are located to the west of the site on Cecil Avenue. The new school building is located between 15m to 32m from the boundary with these residential gardens. A minimum distance of 52m between directly facing windows is proposed. Whilst SPG17 is a standard used for new residential buildings, it is considered to be a useful guide and it is noted that these distances significantly exceed the minimum requirement of 10m to the boundary with the rear garden and 20m between directly facing windows as set out in SPG17. It is therefore considered that the privacy of surrounding residential properties will not be adversely affected by the proposal.

14. SPG17 also requires new buildings to sit within a line drawn at 30 degree from rear facing habitable room windows of neighbouring properties (measured at a height of 2m above internal floor level) and to sit within a line drawn at 45 degrees from the boundary of the rear garden of neighbouring occupiers (also measured at a height of 2m above ground level). This is required to ensure that the proposal does not appear overbearing or result in a detrimental loss of light. Site Sections have been submitted with the application that show the new school building sitting well below both the 30 and 45 degree lines from the neighbouring residential properties and rear gardens on Cecil Avenue. As such it is considered that the height of the new building will not appear overbearing from the residential properties and rear gardens or result in a detrimental loss of light.

##### *Vehicular access and car park*

15. The vehicular access to the new school building is to be located on Cecil Avenue next to No. 9 Cecil Avenue. This access will serve the car park and service access to the new school. The access will also serve any new development to the north of the access road. It is recommended that new landscaping is proposed between the access road and boundary with No. 9 Cecil Avenue. Details of which will be secured as a condition to any forthcoming consent. It is noted that site allocation W5 limits the access from Cecil Avenue to residential use only. However, it is considered that the access to include the new school is justified and this is discussed further in the transportation section below.

16. The car park will adjoin rear gardens of properties on Cecil Avenue. It is located in the area where there were temporary school buildings. It is recommended that trees are planted along the rear boundary to provide a buffer. It is also recommended that a car park management plan is put in place to take into account both school and community users. Further details on the impact of the sports pitches on neighbouring amenity is discussed below.

##### *St Joseph's School*

17. The eastern wing of the new school building faces onto St Joseph's Infant and Junior Schools. A minimum distance of 15.5m is maintained to the boundary with St Joseph's Infant and Junior School. Cross section plans have been submitted to demonstrate that the new school building sits below the 30 degree line from windows within St Joseph's Infant and Junior Schools. As such it is considered that the height of the new building will not appear overbearing from the classrooms in St Joseph's Infant and Junior Schools or result in a detrimental loss of light.

##### *Brent House*

18. The northern and eastern end of the sports hall will not contain any windows. As such there will not be any overlooking to Brent House site, in the event that it is redeveloped in the future for residential purposes. Cross section plans have been submitted to demonstrate that the new school building sits below the 45 degree line from the boundary with Brent House. As such it is considered that the height of the new building will compromise the future redevelopment of Brent House.

## Indoor and Outdoor Sporting Facilities

19. Paragraph 74 of the NPPF has a presumption of protecting playing fields. Development which would lead to the loss of, or would prejudice the use of, all or part of a playing field, is resisted unless it meets one of five exceptions set out by Sport England.

20. The existing school has playing fields to the south of the existing school buildings. The existing playing field area is 58400sqm. As the new school building is located further south into the site, this has resulted in a loss of playing field provision. The total loss of 9,153sqm.

21. A summary of existing and proposed sporting provision is set out below:

<b>Existing playing field Area</b>	<b>Existing Outdoor Sport Provision</b>	<b>Proposed Playing Field Area</b>	<b>Proposed Outdoor Sport Provision</b>
Grass playing field area – 56916sqm	<ul style="list-style-type: none"> <li>• Football Pitch – 100 x 64m (senior)</li> <li>• Football Pitch – 81 x 52m (U16)</li> <li>• Cricket Pitch x 2 – in disrepair</li> <li>• Running Track – 200/100m</li> <li>• Rounders' Pitches x 2</li> <li>• Shot Putt</li> <li>• Discus/Javelin</li> <li>• Cricket Net/Cages - derelict</li> </ul>	Grass playing field to be retained – 38492sqm	Football Pitch – 100 x 64m (senior) <ul style="list-style-type: none"> <li>• Football Pitch – 81 x 52m (U16)</li> <li>• Cricket Pitch</li> <li>• Running Track – 200/100m</li> <li>• Rounders' Pitches x 3</li> <li>• Shot Putt</li> <li>• Discus/Javelin</li> <li>• New MUGA</li> <li>• New AWP</li> <li>• Mini Soccer Pitch x 3 (one temporary during construction works for St Joseph's)</li> </ul>
Hard Court – 1484sqm		Floodlit AWP – 7730sqm	
		Floodlit MUGA – 3025sqm	
<b>Total – 58400sqm</b>		<b>Total – 49247sqm</b>	

22. It is considered that the proposed development is an improvement on existing sports facilities for the school users and the community. The outdoor facilities of the proposed development will greatly improve the quality and versatility of pitches on the site. The area to the north of the existing pitches which is sloped rough grassland, currently un-usable for sports, will be levelled off and new floodlit MUGA and AWP provided. These facilities will also be available for community use. The cricket cages and pitches which are currently derelict will be removed and a new cricket pitch provided. Existing pitches will be retained and re-orientated to meet Sport England guidance for alignment. The rationalisation of the pitch layout will allow for the addition of an Under 16 football pitch and rounders pitch.

23. Sport England have advised that whilst the proposal results in the loss of grass playing field land as a result of the location of the new school building, they are satisfied that the proposed all-weather pitch and the proposed MUGA meet the requirements of Sport England policy exception E5 which reads as follows:

*The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*

24. Sport England have confirmed that they are supportive of the all-weather pitch and the proposed MUGA and pitch improvement works including the regrading/levelling of the south part of the playing field. However, they have advised that the loss resulting from the new school building, does not comply with any of Sport England's policy exceptions and as such Sport England is unable to expressly support this aspect of the development. They have requested that if the Local Planning Authority is minded to grant planning permission for the development that a number of planning conditions are required to be imposed relating to (1) community access, (2) playing fields and pitches to be laid out and construction in accordance with Sport England guidance and (3) artificial grass pitch playing shall be 3rd general rubber crumb surface.

### *Use of playing fields for other nearby schools*

25. St Joseph's Infant and Junior Schools and Elsley Primary School have existing arrangements to use the playing field during school hours. This arrangement will continue during the construction of the new school and once the new school is operating. It is recommended that a condition is secured requiring details of the areas and times of the playing fields to be available to St Joseph's Infant and Junior Schools and Elsley Primary School to be provided. This should be carried out in consultation with the schools.

### Community Access

26. London Plan Policy 3.16 requires that, wherever possible, the multiple use of social infrastructure should be encouraged. Policy WEM37 of WAAP supports the Council working in partnership with schools to make new or upgraded sports facilities available for the local community use out of school hours.

27. The sporting facilities within the new school will be able for use by the community, outside of core school hours. Indoor facilities include a five court Sports England indoor hall, two activity studios, four changing rooms including accessible facilities and community reception. External facilities include a new MUGA (multi use games area) and AWP (all weather pitch). The proposed hours include:

#### *Term Time*

Mon- Fri 18.00 to 21.00  
Sat: 08.00 to 21.00  
Sun: 08.00 to 17.00

#### *School holidays*

Mon - Fri: 08.00 to 21.00  
Sat: 08.00 to 21.00  
Sun: 08.00 to 17.00

28. Further details of the community access arrangements will be set out in a Community Access Plan to be secured as a condition to any forthcoming planning consent. The Community Access Plan should establish the range of facilities which will be made available, at which times and hours, establishing the means by which the facilities can be booked including a contact within the school and ensuring rates of hire comparable to similar local authority facilities. It will include a requirement to provide community access for a minimum of 30 hours per week. These hours are comparable with Ark Academy and Crest Academy which both provide community access to flood lit sport pitches.

### Sustainability

29. Achieving sustainable development is essential to climate change mitigation and adaptation. The most recent relevant policy framework includes Brent's adopted Core Strategy 2010 policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures and the London Plan policies within Chapter Five London's Response to Climate Change.

#### *Compliance with Brent policies*

30. In support of the objective of satisfying Core Strategy policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures, a Sustainable Development Statement has been submitted predicting the scheme will achieve BREEAM 'Very Good'. Policy CP19 seeks to achieve BREEAM 'Excellent' for new commercial buildings.

31. The Sustainability Report advises that to achieve BREEAM 'Excellent' will require a resulting uplift in overall design, management and construction costs. To achieve a score of 70% for BREEAM Excellent, rather than 55% for BREEAM Very Good, there are a number of mandatory minimum requirements that must be achieved. These are significantly more onerous for BREEAM Excellent, in particular in relation to energy use and renewables. The current strategy for achieving BREEAM 'Very Good' together with the implementation of 'Lean' and 'Clean' energy reduction measures (discussed below), will result in the design of the new building targeting all mandatory 'Excellent' credits relating to energy efficiency but failing to achieve the standards in relation to Health and Wellbeing and Innovation.



32. The Sustainability Report advises that the cost uplift to go from BREEAM 'Very Good' to 'Excellent' is equivalent to the cost of providing two to three standard classrooms. This would affect the ability of the school to provide the education facilities needed for the number of pupils. Therefore on balance, whilst the scheme fails to comply with policy CP19, this harm is outweighed by the benefits of providing a new school with modern facilities and additional pupil places in the Wembley area. Policy 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.

33. It is recommended that BREEAM 'Very Good' is secured as a condition.

34. Brent's Sustainability Checklist has been completed, that demonstrates that the scheme can achieve a score of 47.5%. This score falls marginally short of the target of 50%. Such a short fall is considered marginal and does not warrant a reason for refusal. It is recommended that a minimum score of 47.5% for the Sustainability Checklist is secured as a condition to any forthcoming consent.

#### *Compliance with Further Alterations to the London Plan 2015*

35. The scheme includes measures to minimise the impact of this proposal on, and mitigate for the effects of, climate change and your officers consider the proposal to be in accordance with the energy hierarchy as required by Further Alterations to the London Plan 2015 policy 5.2 Minimising carbon dioxide emissions part (a): (i) be lean: use less energy; (ii) be clean: supply energy efficiently; (iii) be green: use renewable energy.

36. In summary, the proposal does not meet the criteria of London Plan policy 5.2 for 35% improvement on Part L 2013 Building Regulations as a carbon saving of only 19% is achieved (through lean and clean measures only). This shortfall is not considered significant to justify a reason for refusal and this is explained in more detail below.

- Lean measures

The building has been designed to have a low energy demand. This includes the orientation and form of the new building to minimise uncontrolled heating and cooling, and optimise daylight use. The building services are provided by passive means where possible, minimising the use of pumps, fans and heating.

- Clean measures

Clean and efficient plant and equipment is proposed. This includes low energy lighting, lighting controls, efficient boiler plant and controls, mechanical ventilation with heat recovery to also be installed.

- Green measures

On site renewables are not funded by the EFA therefore, at this stage, no on site renewables are proposed. However, the design has been future proofed for the installation of a PV array on the roof of the main building, which zones of the roof kept clear for future installation. Spare capacity is to be provided on the electrical infrastructure and LV cables are to be run and terminated at roof level for the future connection of a PV array. The Sustainability Officer has advised that the installation of PV panels is likely to increase the carbon reduction to around 35%.

37. In the majority of cases where there is a shortfall on the carbon emission reduction target, a carbon reduction offset is required such as a purchase of some form of green energy or funding for further green initiatives. In this case, given the benefits of the scheme to provide an improved education facility and that no alternative funding is available from the school, it is considered that no further contribution is secured.

38. It is recommended that a 19% improvement on Part L 2013 Building Regulations carbon is secured as a condition with a requirement that the LV cables are to be run and terminated at roof level to allow for the future connection of a PV array, should funding become available.

#### Environmental considerations

##### *Environmental Impact Assessment (EIA)*

39. Under the updated Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015, the scheme is considered to fall within the definition of development under Schedule 2

"Urban Development Projects" as it includes over 1 hectare of urban development which is not dwellinghouse development. Whilst an EIA screening opinion has not been submitted by the applicant, having regard to the characteristics of the development, its location and potential impact, it is not considered that the proposal requires an EIA. This has taken into account traffic related impacts (movement, safety and noise); contamination; ground and water quality; archaeology and architectural context; open space; ecology and nature conservation; and air quality. Each of these matters have been considered within the report and not considered to be detrimentally impacted upon by the development.

#### *Contaminated Land*

40. A Contaminated Land assessment and ground investigation has been submitted. Officers in Environmental Health have reviewed the reports and advise that there are some pending information related to ground gas which may alter the recommendations and remedial works proposed in the submitted assessments. Remedial works also need to be completed and validated. They have therefore recommended that a further assessment of the investigation data is required before conclusions are made as to whether or not remediation is required. This is to be secured as a condition together with a condition for verification information to be provided in the event that remediation is required.

#### *Air Quality*

41. The Air Quality Report has been reviewed by officers in Environmental Health. They have confirmed that they are satisfied within the findings and conclusions. This includes the need to control dust during construction works. Such a requirement will form part of the Construction Method Statement.

#### *Noise impact*

42. A Noise Impact Assessment has been submitted. This has considered design measures within the new school to ensure that a satisfactory internal environment is provided. The report also considers the impact of roof plant equipment on the amenities of neighbouring residential occupiers, in particularly those on Cecil Avenue. It discusses the noise impact from the flood lit pitches during out of school hours on neighbouring residential properties, and concludes that the noise levels associated with the external pitches is within the noise levels set out in the World Health Organisation's (WHO) Guidelines for Community Noise (1999) and BS 8233:2014 Guidance on sound insulation and noise reduction for buildings (replacing BS 8233:1999), providing acceptable noise levels for external areas for amenity space.

43. Officers in Environmental Health have reviewed the document and confirmed that they are satisfied within the findings and conclusions. Subject to the condition limiting the hours of operation, the noise impact of the sport pitches is considered acceptable. A further condition of approval will be that no music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority to limit potential for harm to local amenities. As advised above, it is recommended that a car park management plan is secured in relation to both school and community users setting out details of how the car parking spaces will be managed.

#### *External lighting*

44. Brent's UDP saved policy BE8 regarding lighting and light pollution considers lights and states that conditions can be used to control nuisance to residential amenity. Light pollution can occur as (i) sky glow, the visible glow around urban areas; (ii) glare, the brightness of a light source against a dark sky; and (iii) light trespass, light spillage beyond the boundary of the property on which the light is located.

Light levels are measured in lux, and are generally defined as follows: Direct sunlight: 100,000 - 130,000 lux; full daylight, indirect sunlight: 10,000 - 20,000 lux; overcast day: 1,000 lux; very dark day: 100 lux; twilight: 10 lux; deep twilight: 1 lux; full moon: 0.1 lux; moonless clear night sky: 0.001 lux; moonless overcast night sky: 0.0001 lux.

45. The degree of nuisance caused by lights is subjective. The Institute of Lighting Professionals have produced a document *Guidance Notes for the Reduction of Obtrusive Light GN01:2011* which defines environmental zones by their character. In this case, the site would fall within a category E4, a High District Brightness Area described as Town/city centres with high levels of night-time activity. The Guidance defines what may be considered Obtrusive Light, and prior to 23.00 hours, in a location with environmental zone E4 such as this site, this is defined as light trespass into windows of 25 lux. It should be noted that this site is located in a location with numerous streetlights on neighbouring roads and a degree of light spill will be inevitable.

46. The lighting strategy for the outdoor lighting (excluding the external playing pitches) includes a mixture of building-mounted and column-mounted as appropriate to ensure safe travel around the building and cycle ways. The lighting has an average illuminance of 20 lux.

47. To limit the light spill from the perimeter lighting, downlights will be provided to illuminate school paths only and minimise lighting to the façade. This will limit light trespass on to Brent House and Cecil Avenue. With the exception of safety and security lighting all site lights will generally be automatically switched off by a time clock between 23.00 and 07.00 hours. Safety and security lighting operating during these hours will comply with the ILE guidance for post-curfew lighting.

48. Officers in Environmental Health have reviewed the external lighting assessment. They have confirmed that they are satisfied within the findings and conclusions. It is recommended that full details of external lighting for the site together with a light spillage diagram setting out the lux levels are conditioned to any forthcoming consent. It is also recommended that the condition includes details of control mechanism and timings to accord with the general operational times.

#### *Sport pitch lighting*

49. The planning system aims to balance the interests of local amenity with the interests of achieving greater participation in sport and better healthy living. Given the limited hours of daylight in Britain in the winter, floodlighting is essential if the community is to make maximum use of the sporting facilities on this site. Modern floodlighting employs a number of technological devices which have resulted in improved performance with reduced light trespass and sky glow.

50. The All Weather Pitch (AWP) and Multi Use Games Area (MUGA) are both to be floodlit. The AWP is to be located a minimum of 59m from the residential gardens on Cecil Avenue. The allotments and trees along the boundary separate the AWP from the residential rear gardens. The AWP is proposed to be lit with flood lighting on columns achieving average illuminance of 100 lux. The MUGA is located a minimum of 66m from the residential gardens on Clifton Avenue. The MUGA is proposed to be lit with flood lighting on columns achieving average illuminance of 200 lux.

51. The External Lighting Assessment has analysed light spillage from the flood lighting. This indicates that a light spillage of less than 10 lux will occur on the facades of residential properties on Cecil Avenue and, Waverley, Clifton and Jesmond Avenue. This level of spillage is within the acceptable range of light trespass of 25 lux as set out in the guidance from the Institute of Lighting Professionals. The AWP will be screened from Cecil Avenue by existing trees. As the existing Public Right of Way that runs along the boundary with Cecil Avenue is to be relocated, the existing lamp columns along this boundary will be removed.

52. It is noted that the AWP will need to be increased to 120 lux to meet Sport England requirements for 5-a-side football. It is therefore recommended that a condition is secured for any forthcoming consent requiring updated details of the floodlighting to reflect the increased lux levels together with a light spillage diagram and timer controls for the floodlighting. It is also recommended that post-completion testing is secured by condition, to ensure the floodlights meet the expected performance levels set out in the submitted technical details and incorporating a mechanism for securing either further baffles/screens or reduced hours of operation.

53. Officers in Environmental Health have reviewed the external lighting assessment. They have confirmed that they are satisfied with the findings and conclusions relating to the flood lighting subject to a condition restricting the hours of operation.

#### *Construction Impacts*

54. There is a need to ensure that construction phase dust and noise are managed. Measures have been set out in the "Project Programmes and Statements" setting out measures to manage noise and dust associated with the construction and demolition works. Environmental Health have confirmed that they are satisfied with this approach. The highways consideration of the construction works is discussed in more detail below.

#### *Flood Risk and Sustainable Drainage*

55. The site is located within Flood Zone 1. The Environment Agency have confirmed that they do not wish to comment on the proposal.

56. Drainage proposals for the site, including details of the discharge of surface water from the entrance road/footpath areas at the northern end of the site into Cecil Avenue sewers and details of a sub-surface attenuation tank beneath the MUGA and a swale at the bottom end of the playing fields to hold water from the main school grounds before discharging into Wembley Brook, have been submitted. These measures will limit the total controlled discharge rates from the site.

#### Transportation considerations

57. The site abuts two roads. High Road is located to the front of the site and is a London distributor road and bus route. Cecil Avenue runs along the eastern end of the site and is a local residential access road. On-street parking & loading prohibited between 7am-7pm along High Road frontage. There are residents' parking/pay & display bays on Cecil Avenue frontage. Cecil Avenue is not heavily parked at night.

58. The site is located within Controlled Parking Zone "C" - 8am-6.30pm Mon-Sat (midnight on Wembley Stadium event days) and has excellent links to public transport (PTAL 6).

#### *Vehicle access to the new school*

59. Vehicle access to the new school is proposed via a new tarmac driveway from Cecil Avenue, directly adjacent to No. 9. The existing vehicular crossover on High Road will be removed. The existing crossover off Cecil Avenue for the school playground will also become redundant with this proposal. Transportation have requested that this needs to be reinstated to footway, with the associated double yellow lines removed to allow further on-street pay and display bays to be created within the sheltered parking bay. Such details will be conditioned to any forthcoming consent.

60. The new vehicular access from Cecil Avenue was originally proposed with no margin has been shown between the driveway and the property boundary at No. 9 Cecil Avenue. Transportation have advised as a minimum, the driveway needs to be realigned at least 450mm away from the property boundary at all points to protect the boundary wall from vehicular damage. It is recommended that a condition is secured showing the increased width of the margins which also accommodates a landscape buffer of 2m.

61. The proposed width of the driveway varies between 4.1m and 5.5m, increasing to 7.5m around the bend in the drive. Whilst these widths are acceptable for the school, the initial 60m length of the driveway is also likely to be required to access future development of the vacated area of the school site to the north and may therefore also be the subject of a request for adoption as public highway in the future. As such, to future-proof the design against potential increased use associated with access to the site to the north and to allow future adoption as public highway, the width must be increased to at least 5.5m, plus a 2m footway along its northern side. The site plan has been amended to provide the widened access road plus provision of a 2m footway along its northern side.

62. A turning head will also be required at the end of the adopted length of road, in the vicinity of the sharp bend in the driveway. Kerb radii of 6m, with a raised entry table and tactile paving, will be required at the junction with Cecil Avenue and again, the junction needs to be moved away from the immediate boundary with No. 9 to accommodate this. This has been provided on the revised site plan.

63. Sightlines from the access northwards are fine, but southwards will measure only 2.4m x 35m due to a bend in the road. This is only suitable for speeds along Cecil Avenue of about 25mph and to marginally improve visibility splays (particularly past cars parked along the kerbside), officers in Transportation have recommended that kerb build-outs be provided on either side of the access to allow the give way line to be brought forwards by 2m. These amendments have been carried out and shown on the updated site plan.

64. Finally, gates are not permitted on any length of publicly adopted highway, so if the initial 60m of the access road is to be adopted, then the access gates will need to be repositioned beyond the 90 degree bend into the site. The access gates have been relocated to meet this requirement and shown on the updated site plan.

#### *Pedestrian access*

65. For pedestrian access, a new 4m wide block-paved footpath with 2.4m wide gates set 4.5m from the highway boundary is proposed within a 14-18m wide strip of land, linking the main school entrance with High Road. This will provide an attractive, high-quality access into the site. To ensure that it has presence along the High Road, area for signage and landscaping along the entrance are recommended to be conditioned to

any forthcoming consent.

66. Potential occasional access by fire appliances along this route may also be required and the proposed use of 80mm thick blocks will provide a suitably robust surface.

67. This entrance will also concentrate pedestrian movement into and out of the site onto High Road at the eastern side of the site frontage. Transportation have advised that this will significantly alter the desire lines for pupils and visitors crossing High Road, particularly to and from the eastbound bus stop. Fewer pedestrians would therefore use the pedestrian crossing close to Cecil Avenue and a new pedestrian crossing is therefore required on the High Road in the vicinity of Ecclestone Place.

68. The two existing crossovers onto High Road in the vicinity of the new pedestrian access will also need to be removed and reinstated to footway as part of any highway works in this area. The highway works including the removal of the crossover and new pedestrian crossing will need to be conditioned to any forthcoming consent.

#### *Car Parking*

69. There are no specific parking standards for schools within the WAAP. Car parking allowances as set out in standard PS12 of the adopted UDP 2004 for educational use are applicable. This permits one space per five staff, plus 20% for visitors.

70. With a total of 137 staff anticipated within the expanded school, up to 32 car parking spaces would be permitted. The scheme originally proposed provision of 45 standard width spaces within the site. This exceeded car parking standards and was raised as a concern by both Brent Transportation Officers and TfL. A revised site layout plan has been submitted providing a reduced provision of 32 car parking spaces. The reduced provision of car parking is considered acceptable, following the targets of staff travelling to school by car in the Travel Plan and reflecting the high accessibility levels of the site.

71. Standard PS15 requires at least 5% of spaces to be widened and marked for disabled drivers and at least three spaces are therefore required. The scheme originally proposed two widened spaces in the small car park close to the building entrance. The proposed provision was considered insufficient and the site plan has been amended to provide 3 widened and marked parking spaces for disabled drivers. The level of disabled parking is now considered acceptable. It is recommended that a car park management plan is conditioned to any forthcoming consent that will provide details of how the car park will be available for staff and community access.

72. In line with London Plan policy 6.13 'Parking', a minimum of 10% of the spaces should be provided with electric vehicle charging points (EVCP) along with a further 10% passive provision. Based on the provision of 32 car parking spaces, 4 active and 4 passive spaces are required. This has been shown on the updated site plan, and it is recommended that further details of these are conditioned to any forthcoming consent.

#### *Cycle parking*

73. Standard PS16 requires at least one bicycle parking space per eight staff/students, giving a total requirement for 236 spaces. Only 80 spaces have been indicated within a secure compound, which falls well short of the minimum requirement and thus needs to be increased significantly.

74. The site plan has been amended to provide cycle parking area to accommodate 236 spaces. In principle, this is considered acceptable, but further details are recommended to be conditioned including details of the design of the cycle stands and covered shelter that they will sit within, together with a separate cycle area for staff cycle parking.

#### *Servicing and coach parking*

75. Servicing for the new school is proposed to take place within an 11m x 3.5m lay-by on the car park access road, adjacent to the proposed delivery entrance doors and bin store on the western side of the building. Adequate space is then available for service vehicles to turn within the car park and leave the site in a forward gear, although a secondary emergency vehicle grasscrete turning area is also shown close to the main school entrance.

76. The school currently attracts occasional visits from coaches for school trips and these have been observed to obstruct the bus lane on Wembley High Road. Transportation have advised that off-street

parking provision for coaches must be provided within any redevelopment proposals for the school to ensure that the public highway is not obstructed when coach trips are organised. The agent has confirmed that coaches will travel down the main car park area and use the service bay as a parking area and the refuse turning head in the South West corner of the building. The revised site layout plan has extended the service areas to accommodate coach parking.

77. It is recommended that a Delivery and Service Plan are conditioned to any forthcoming consent.

#### *Transport Impacts*

78. The scale of the school is sufficient to have a potentially significant impact on local transport networks and a Transport Assessment has therefore been prepared by Sanderson Associates and submitted with the application, in accordance with Policy TRN1 of the UDP.

79. This has examined existing modes of travel to and from the school by pupils and staff, based upon surveys undertaken in March 2015 to inform a future Travel Plan for the school. This shows an average of 4% of existing pupils travelling by car alone, with a further 5% car sharing. An average of 62% travel by bus, 6% by rail/tube, 22% walk and 1% cycle. These results demonstrate a low proportion of children travelling by car.

80. Staff travel survey results showed 22% of staff travelling by car, with 57% by bus, 16% by rail/tube, 4% walking and 1% cycling, which also shows a lower dependence on car use amongst staff than many other schools in the Borough.

81. The school roll currently totals 997 pupils, and if modal shares are maintained at their existing levels, then an additional 49 car trips (98 two-way movements) could be expected to be generated in each peak hour on the local road network by an increase in pupil numbers to 1,750, with 7 additional vehicular trips generated by staff.

82. However, the school already has capacity for 1,600 pupils, but is currently operating well below its potential - probably largely because of the poor condition of the buildings. Applying existing modal share figures, the difference between car trip numbers between the existing school (operating at its maximum capacity) and the new school would total just 10 pupil trips and 3 staff trips. Furthermore, it is noted that the school roll has totalled 1,906 pupils as recently as 2006.

83. As such, with the new school building increasing current capacity by just 9% and with the existing school having operated beyond the proposed capacity of the new school in the past, the impact of the proposal is considered to be negligible in terms of traffic generation when considered in a historical context.

84. The alterations to the access points into the school will alter movements around the site and comments on the associated site layout have been provided below. In terms of traffic movements though the relocation of all parking onto the western side of the site, with access from Cecil Avenue (rather than directly from High Road) could potentially increase turning movements at the Cecil Avenue/High Road priority junction. In contrast, the repositioning of the pupil entrance onto the High Road (away from Cecil Avenue) would reduce the likelihood of parents dropping children on Cecil Avenue. Officers in Transportation have advised on the whole, these factors are considered likely to cancel each other out to a large extent, so further analysis of the impact of the proposal on the operation of the Cecil Avenue/High Road junction is not considered to be necessary.

85. The reduction in vehicular access points onto the heavily-trafficked High Road is also considered to be a positive benefit of the proposal, allowing a better pedestrian environment to be created along High Road and reducing the potential for disruption to traffic flow on High Road.

86. The road accident history for the area has also been examined within the Transport Assessment, with data produced for the five year period from February 2010 to January 2015 for the area. This showed a total of 17 personal injury accidents at or close to the junction of High Road/Cecil Avenue (of which six involved pedestrians) and a further six at or close to the junction of High Road/Ecclestone Place.

87. Transportation have advised that the accident rate in the vicinity of the proposed vehicular and pedestrian entrances to the school is not sufficiently high to give any serious cause for concern at the current time, subject to the provision of the crossing facilities on the High Road referred to above.

88. In terms of non-car access, an audit of footway conditions along High Road has been included in the

Transport Assessment, which has identified potential benefits to increasing footway widths in some areas and in removing street clutter. However, it has not considered the more pertinent benefits of ensuring good pedestrian crossing facilities are provided close to the new pedestrian entrance to the school (as mentioned above) and of maximising the future use of the diverted footpath across the site by pedestrians and cyclists travelling to and from the school from the Tokyngton Avenue and Ealing Road areas.

89. No further consideration has been given to impact on bus and tube services in the area from this expansion. Transport for London have advised that the increase in pupils/staff to the school may result in the need for a contribution to be provided towards bus capacity enhancements. They are reviewing this amount but this has not to date been confirmed to officers. This matter will be reported in a supplementary report.

#### *Travel Plan*

90. To help to mitigate future impact, a draft School Travel Plan has been submitted with the application for the 2014/15 academic year. There is no record of any Travel Plan having been produced for the school in recent years and as such, the school has not had any recent engagement with Brent's School Travel Planning officers.

91. The Travel Plan will aim to increase walking, cycling, public transport use and car sharing to the school, in order to increase the health and independence of pupils and staff. Initial actions are to include provision of bicycle parking and showering facilities, promotion of car sharing initiatives amongst staff and parents, identification of opportunities for "park & stride", provision of personalised travel plans for staff and promotion of the health benefits of sustainable transport through provision of information and promotional days.

92. A Travel Plan co-ordinator has been identified and the Travel Plan is proposed to be monitored annually.

93. However, the Travel Plan in its current state is very short on detail and has not fully taken into consideration the potential implications and opportunities arising from the school expansion and amended access arrangements. It is also very limited in terms of the measures suggested and does not set out clear and measurable targets for future years.

94. As such, further work is required to the Travel Plan to bring it up to an acceptable standard and allow it to be registered on TfL's STARS accreditation system. A condition is sought requiring the submission and approval of a revised document prior to occupation which should be developed in consultation with Brent's school travel planning team.

#### Relocation of the Public Right of Way

95. The proposed school building is proposed to extend over an existing public footpath through the site, which links London Road and High Road. It is therefore necessary to divert the footpath onto a new alignment across the school playing fields to the south of its existing route. Consent is required under S257 of the Town & Country Planning Act 1990. S257 of the Town & Country Planning Act 1990 for the stopping up or diversion of footpath in order to allow development to take place in accordance with planning permission. It is a separate process to this planning application and requires consultation to be carried out on under the Order to stop up or divert the footpath by the Local Authority. However, in addition, the stopping up and diversion of the footpath is a material consideration in the assessment of the planning application and this is discussed below:

96. The revised footpath alignment indicated on the submitted plans which retains the same end points to the footpath and indeed marginally reduces the overall length of the path.

97. On this basis, the proposal is broadly acceptable. The existing path is adopted as highway and maintained at public expense though, so will need to be partly closed up and all associated redundant lighting and fencing removed. Whilst for the majority of its length, this will be done anyway as part of the construction works there is a length of future redundant footpath beyond the application site boundary that passes along the eastern edge of an existing allotment site. All lighting and fencing along this length will also need to be removed as part of the footpath works and it is suggested that the footpath is then subsumed into the allotments.

98. With regard to the new footpath, this is shown to a width of 2.4m between fences. Whilst suitable for pedestrians, this width would not be sufficient allow safe shared use by cyclists, as suggested in the accompanying statement. To facilitate future use as a (lightly trafficked) shared footpath/ cyclepath, it will be necessary to set the fences along either side of the route back by 500mm to give an overall fence-fence width

of 3.4m, thus reducing the likelihood of cyclists catching handlebars in the fencing and also providing space for the siting of street lighting columns. This amended will form part of a condition to any forthcoming consent.

99. At present, the restricted width alongside Brent House would prevent the route being opened to cyclists, but redevelopment proposals are in the pipeline for that site, which would then allow the width to be increased along the entire length of the route. All works to construct the new footpath and lighting will need to be carried out under a S38 Highways Agreement to ensure construction complies with highway standards. This will be secured as a condition to any forthcoming consent.

100. Lighting for the diverted footpath is stated as matching existing provision, which for reference involves provision of columns at approximately 25m spacings. Further details will need to be developed and approved as a condition of any planning consent.

101. The Public Right of Way will also need to be diverted during the construction of the new school for a temporary period. This will form part of the application under S257 of the Town & Country Planning Act 1990.

### Construction

102. An initial Construction Methodology Statement for the development has been submitted by the principal contractor with the application, setting out provisional arrangements for the anticipated two-year construction period, commencing January 2016. The redevelopment of the school will be carried out in three phases. Details of which are set out below:

#### *Phases 1 and 2*

103. Phase 1 involves site preparation works and includes erection of boundary hoardings and fencing together with construction site accommodation and welfare facilities. These will be provided within the existing playing fields. As a public footpath crosses the construction site, the first phase of the works involves the diversion of this path onto a temporary route, skirting the construction site. On completion of the works, the footpath will be provided along its proposed new route across the playing fields. Officers in Transportation have requested that lighting will need to be retained along any temporary route.

104. Phase 2 involves demolition the existing southern buildings. The school will operate during this phase in the existing northern building, with access remaining via the existing main school entrance on High Road. The new school building will be built as part of phase 2.

#### *Phase 3*

105. On completion of phase 2, the site accommodation and welfare facilities will be decanted and removed from site. All hoardings, fencing and haul roads will be removed and areas reinstated. This will occur at the end of 2017/early 2018. The school will decant from the North Building to the new school building in late 2017. Site hoardings will then be provided to the perimeter of the North Building to segregate the demolition works from the new school building and general public.

#### *Comments from Network Rail*

106. The site is located to the north of the railway line that is managed by Network Rail. They have requested a condition to be secured requiring a risk assessment and method statement (RAMS) to be provided. The RAMS is required to consider all works to be undertaken within 10m of the operational railway including any vibro-compaction machinery / piling machinery or piling and ground treatment works, and the approved RAMS shall thereafter in be place through the construction of the development. This is to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway.

#### *Construction Vehicular Access Route*

107. For phases 1 and 2, most large deliveries will enter and leave the site via Jesmond Avenue and a temporary haul road with a 10mph speed limit across the existing playing fields into the site compound.

108. This access point has been agreed in association with Brent's Transportation Unit. Although an access directly from High Road would have been preferred to avoid taking deliveries along residential streets, this was not possible for logistical reasons, because of the need to keep the school in operation during



construction. Jesmond Avenue is considered to provide the next best option, as it keeps construction traffic away from the existing school entrance and Wembley town centre and providing the most direct route into the site from the North Circular Road via Harrow Road. Jesmond Avenue is wider than Clifton Avenue and has a yellow box junction with Harrow Road that allows for uninterrupted right turn access from Harrow Road. Delivery drivers will be informed of the need to keep to approved delivery routes.

109. A secondary access point will also be provided from Cecil Avenue using the existing crossover, but this will largely be used during the initial set up of the site hoardings and accommodation facilities.

110. The construction site is set well away from the highway boundary and all unloading of goods will be undertaken within the site, with material storage and welfare facilities also provided on site. As such, there is no need for any temporary loading bay to be provided on-street or for any temporary closure of footways around the site.

111. To minimise impact of the construction traffic along Jesmond Avenue, it is proposed for the following measures to be included in the Construction Methodology Statement:

- Deliveries will be pre-booked on a 'Just-in-Time' basis to ensure adequate space on site to accept deliveries and avoid queuing to enter the site.
- A gatesman will be stationed at the entrance with two-way radio communication with delivery drivers to ensure access into the site is managed efficiently.
- Unscheduled arrivals will be turned away if there is no room on site to accommodate them.
- Provision of a single yellow line to be provided along one side of Jesmond Avenue between 8.30am and 4.30pm on Mondays to Fridays. This will need to be secured as part of a temporary Traffic Order.
- Delivery times to be restricted to when the single yellow line is in place as set out above.

112. It is also confirmed that wheel washing facilities will be provided within the site, along with road sweeping on adjoining streets where necessary. On-site car parking facilities will be provided for staff, but they will nevertheless still be encouraged to car share, cycle and use public transport to minimise staff travel by car.

113. As such, officers in Transportation have advised that there are no particular concerns regarding the construction management arrangements, subject to the following of procedures relating to the temporary and permanent diversion of the footpath across the site to ensure it remains open and safe for the public to use at all times.

114. During phase 3, construction access will be provided from Wembley High Road. Full details of a Construction Methodology Statement and Logistics Plan are recommended to be conditioned to any forthcoming consent.

#### *Access to playing fields during construction*

115. During the construction of the new school, access to parts of the playing fields will be provided to pupils of Ark Elvin, St Joseph's and Elsley Schools. The Construction Management Plan shows the areas of playing fields available for use by the schools. It is recommended that a condition is secured setting out details of the arrangements of how the schools will have access to the playing fields during construction, the area of playing fields to be made available to the schools and boundary treatments to separate the playing fields from the construction traffic.

#### Ecology

116. The southern end of the site along the railway line is designated as a Site Nature Conservation Importance and a wildlife corridor. An ecology assessment has therefore been submitted. This concludes that the proposed development will not adversely affect the Site Nature Conservation Importance and the wildlife corridor.

117. None of the habitats on site were of particular ecological importance. However, due to the lack of green open space within the surrounding area, the areas of open semi-improved grassland and boundary trees have of local importance to nature conservation. It is recommended that these are retained and enhanced.

118. None of the habitats found on site were found to provide conditions likely to support protected species. The assessment advises that no further surveys are required.

119. It is recommended that details of landscape planting and maintenance of the grassland to incorporate the recommendations within the ecological assessment are conditioned.

Landscaping and boundary treatments

120. The scheme involves the loss of a number of trees within the site, located at the northern end of the site (around the existing school buildings) and along the boundary with No. 9 Cecil Avenue.

121. The remainder of the trees within the site will be retained. This includes the row of TPO trees along the eastern boundary with the allotments. A tree protection plan has been submitted and reviewed by the Tree Protection Officer. It is recommended that full details of tree protection are conditioned to any forthcoming consent.

122. A number of new trees are also proposed including a boulevard of trees along the pedestrian access to the site and within the car park. The southern end of the site will remain as grassland for playing fields. Habitat areas will be incorporated within the site and a swale system. The northern end of the site where the existing school buildings sit will be landscaped with grass and minimal landscaping, as this area of the site is allocated for future redevelopment. It is recommended that full details of proposed soft and hard landscaping are conditioned to any forthcoming consent.

123. Boundary fencing around the school will be retained and enhanced. New pedestrian and vehicular access gates are proposed at 2m high. Full details of the height, material and finish of all boundary fencing, gates, PROW boundary treatment and MUGA/AWP enclosures are recommended to be conditioned to any forthcoming consent.

Consultation

*Pre-application consultation event*

124. A consultation event was held by the applicant at the school on 15 July 2015. The event was attended by pupils, parents, staff and local residents. The event provided an opportunity for the attendees to see and discuss the plans, and they have changed and developed over time, and the opportunity to comment on the proposal prior to the formal planning application being submitted.

125. 37 people completed the questionnaire. 34 raised objections and 3 supported the proposal. A summary of the comments set out below:

- Well planned layout
- Queried what will happen to the vacant area where the existing school sits - will be sold for development
- School too large
- School should be built in same place
- No access to park
- Removes access for the public to the playing fields
- Jesmond Avenue affected by construction traffic
- No hard play areas provided - need to be increased for cricket and football use
- No access through Cecil Avenue

*Consultation during the planning application*

126. As advised above, public consultation has been carried out during the course of the planning application. 10 objections have been received. Details of objections are set out below:

Objection/comment	Officer Comment
<p>Use of Jesmond Avenue as construction route for construction vehicles during the build of the new school. Concerns are expressed on the following grounds:</p> <ul style="list-style-type: none"> <li>• Frequency of heavy vehicles travelling along Jesmond Avenue during the day (6</li> </ul>	<p>Consideration of construction traffic using Jesmond Avenue has been discussed in paragraphs 107 to 114 above. A Construction Management Plan and Construction Logistics Plan will be conditioned to any forthcoming consent.</p> <p>The Construction Management Plan is proposing to restrict delivery hours to 8.30am to 4.30pm on</p>

<p>days a week) for a long period - 3 years</p> <ul style="list-style-type: none"> <li>• Residents on Jesmond Avenue will be negatively impacted upon by the construction traffic as a result of noise and pollution</li> <li>• Existing parking problems on Jesmond Avenue and will be made worse by construction workers parking on the street</li> <li>• Increased traffic congestion on Jesmond Avenue, the surrounding street and Harrow Road</li> <li>• Children play outside on Jesmond Avenue</li> <li>• Large vehicles using Jesmond Avenue will lead to damage to the road which has recently been resurfaced</li> <li>• Brent House should be considered as an alternative construction access route</li> <li>• Damage to the playing fields</li> </ul>	<p>Mondays to Fridays to correlate with the temporary single yellow line along one side of Jesmond Avenue</p> <p>The hours of construction are proposed to be within environmental health legislation. Measures such as a wheel wash facilities will prevent mud being displaced on the highway. Both these matters will be included in the Construction Management Plan</p> <p>Parking will be made available on site for construction works.</p> <p>The construction access route is proposed from the North Circular Road, along Harrow Road and into Jesmond Avenue. It is not proposed along High Road. Construction lorries are restricted with their deliveries times as set out within the Construction Management Plan</p> <p>Jesmond Avenue is a public highway that already has vehicles travelling along it.</p> <p>...</p> <p>Jesmond Avenue is a public highway and does already have large vehicles travelling along it such as refuse lorries. Any damage to the road will need to be reviewed by the Highways Maintenance Team. As part of the construction works wheel wash facilities will be in place to prevent mud being displaced onto the highway</p> <p>The proposed construction route from Jesmond Avenue is considered to be the most appropriate route given that the existing school needs to operate during the construction period.</p> <p>Access will be provided to parts of the playing field during construction works. Once the construction is completed, the playing field will be required to be made good and laid out for sporting facilities.</p>
<p>How the far the school building extends into the playing fields.</p>	<p>The new school building extends into the playing fields by around 33m. Details of the impact of the proposal on the playing fields is discussed in paragraphs 19 to 24 above.</p>
<p>whether the public have access to the playing fields/sporting facilities after school hours</p>	<p>Community access will be provided to the All Weather Pitch, Multi Use Games Area, grass pitch and indoor activity studios. Further details are discussed in paragraphs 26 to 28 above.</p>
<p>Playing field to remain open to the public as it has been for over 50 years. Current access from Jesmond Avenue Clifton Avenue, London Road, Harrow Road (between Brent House and Elizabeth house). The application should not be validated on this basis.</p>	<p>This matter does not impact on the validation of the application as a different ownership certificate does not need to be completed if there is a right of way.</p>
<p>What will happen to the land in front of the new school building (fronting Wembley High Road)</p>	<p>The land in front of the new school building will be landscaped as part of the school redevelopment. This area of land does form part of a wider site</p>

	specific allocation for its redevelopment for a mixed use scheme fronting the High Road. Further details are discussed in paragraphs 6 and 7 above.
Is the entrance area of the school going to be as per the visuals, where there will be a grassed area right up to the public pavement, or are there other plans for this area?	As above.
Will there be any additional infrastructure buildings/services to support the increase in new residents?	This scheme does not propose new residential accommodation. As such no additional infrastructure/services are proposed. The access to the new school from Cecil Avenue has been designed to accommodate any redevelopment of the northern part of the site.
Will the access at the top of Cecil Ave remain the same?	The access to the top of Cecil Avenue will be made redundant and the crossover re-provided as footway. Please see paragraphs 59 to 62 above.
Will there be any access to the school via Cecil Ave?	The vehicular/service access to the new school is via Cecil Avenue. Further details are discussed in paragraphs 59 to 62 above.
What will the school opening and closing hours be?	The school building itself will not be restricted with hours of use. However, the MUGA and AWP will be restricted during evening and weekends to ensure that an acceptable level of amenity with neighbouring residential properties is maintained. This is discussed in paragraphs 42 to 43, and 49 to 53 above.
The proposal will have a large impact on the transport, buses especially, and traffic for local residents.	The traffic consideration of the school has been considered. This is discussed in paragraphs 78 to 89 above.
Where will parking be provided	Parking is provided via Cecil Avenue is a new car park along the eastern boundary. Further details are discussed in paragraphs 69 to 72 above.
Area of hardstanding at the south western end of the playing field is unauthorised development, and this should invalidate the planning application	Officers in the enforcement team have investigated this area of hardstanding and confirmed that as it is over four years old it is immune from any enforcement action.  Concern has been raised that application should not have been validated on this basis but as the hardstanding is shown on existing & proposed plans and is not unauthorised, this would not invalidate the planning application.
Sporting facilities would cause noise, vandalism, litter etc from users. Residents already suffer these problems because of the Jackson Centre	The sporting facilities will be subject to a community access plan and the hours of use restricted. The car park will also be subject to a car park management plan.
Increase parking problems	The car park standards meet policy requirements. The site is in an area of high public transport accessibility with controlled parking on neighbouring residential streets .A Travel Plan will also be secured as a condition. It is not considered that the proposal will result in increased parking problems.
Enabling works and re-locating temporary accommodation from the rear to the front of the site has taken place and this should invalidate the planning application	The enabling works including the relocation of the temporary classroom buildings do not constitute a material start of the works proposed as part of this planning application.

	The school has advised that the temporary buildings will be used as classrooms during the construction of the new school. Relocating the temporary classroom buildings and will require the benefit of a seperate planning permission. This matter has been drawn to the applicant's attention in an informative. It does not invalid this planning application.
Traffic (cars, cycle and people) would be unsafe for children in the catholic school	Vehicular access is proposed from Cecil Avenue with existing vehicular crossover made redundant on High Road. Pedestrian and vehicular traffic is located away from St Josephs Infant and Junior School.

Conclusions

127. It is considered the application would provide significant benefits for the pupils of Ark Elvin Academy and for other Brent pupils with the increase in numbers; the provision of community access to the sporting facilities is also beneficial for Brent residents.

128. Accordingly, it is recommended that planning permission be granted, subject to conditions.



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

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Application No: 15/3161

To: Ms Harrington  
Nicholas Hare Architects LLP  
3 Barnsbury Square  
London  
N1 1JL

I refer to your application dated 22/07/2015 proposing the following:  
Demolition of existing buildings on site and erection of replacement building to accommodate a three storey 9FE secondary school for 1750 pupils (1350 11-16 year old and 400 post 16) with associated car parking, servicing and circulation space, Multi Use Games Area, All Weather Pitch, games areas and other hard and soft landscaping, together with the diversion of Public Right of Way (PROW) No.87 and accompanied by plans or documents listed here:  
Refer to Condition 2  
at Ark Elvin Academy, Cecil Avenue, Wembley, HA9 7DU

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework  
Further Alterations to the London Plan 2015  
Brent's Core Strategy 2010  
Brent's UDP 2004  
Wembley Area Action Plan Adopted January 2015  
SPG17 "Design Guide for New Development" Adopted October 2001

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  
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  
Community Facilities: in terms of meeting the demand for community services  
Wembley Regeneration Area: to promote the opportunities and benefits within Wembley  
Design and Regeneration: in terms of guiding new development and Extensions

- 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):

693-(PL) 000 Rev 01 - Location Plan  
693-(PL) 001 Rev 01 - Block Plan

693-EXT-001 - Existing Lower Ground Floor Plan  
693-EXT-002 - Existing Ground Floor Plan  
693-EXT-003 - Existing Ground Mezzanine Plan  
693-EXT-004 - Existing First Floor Plan  
693-EXT-005 - Existing Second Floor Plan  
693-EXT-006 - Existing Lower Ground Floor Plan Sheet 1  
693-EXT-007 - Existing Lower Ground Floor Plan Sheet 2  
693-EXT-008 - Existing Lower Ground Floor Plan Sheet 3  
693-EXT-009 - Existing Ground Floor Plan Sheet 1  
693-EXT-010 - Existing Ground Floor Plan Sheet 3  
693-EXT-011 - Existing Ground Floor Plan Sheet 4  
693-EXT-012 - Existing Ground Floor Plan Sheet 5  
693-EXT-013 - Existing Ground Floor Plan Sheet 6  
693-EXT-014 - Existing Ground Floor Plan Sheet 7  
693-EXT-015 - Existing Ground Floor Plan Sheet 8  
693-EXT-016 - Existing Ground Floor Mezzanine Plan Sheet 1  
693-EXT-017 - Existing First Floor Plan Sheet 1  
693-EXT-018 - Existing First Floor Plan Sheet 2  
693-EXT-019 - Existing First Floor Plan Sheet 3  
693-EXT-020 - Existing First Floor Plan Sheet 4  
693-EXT-021 - Existing First Floor Plan Sheet 5

693-EXT-022 - Existing First Floor Plan Sheet 6  
693-EXT-023 - Existing Second Floor Plan Sheet A1  
693-EXT-024 - Existing Second Floor Plan Sheet 2  
693-EXT-025 - Existing Second Floor Plan Sheet 3  
693-EXT-026 - Existing Second Floor Plan Sheet 4

693-NHA-(PL) 006 Rev 01 - Existing GA Elevation - North and East  
693-NHA-(PL) 007 Rev 01 - Existing GA Elevation - South and West  
693-NHA-(PL) 008 Rev 01 - Existing GA Section - Site Sections

693-NHA-(PL) 010 Rev 02 - Proposed GA Plan - Level 00  
693-NHA-(PL) 011 Rev 01 - Proposed GA Plan - Level 01  
693-NHA-(PL) 012 Rev 01 - Proposed GA Plan - Level 02  
693-NHA-(PL) 013 Rev 02 - Proposed GA Plan - Roof

693-NHA-(PL) 100 Rev 02 - Proposed GA Elevation - North and South  
693-NHA-(PL) 101 Rev 02 - Proposed GA Elevation - East and East Courtyard  
693-NHA-(PL) 102 Rev 02 - Proposed GA Elevation - West and West Courtyard

693-NHA-(PL) 200 Rev 00 - Proposed GA Section - aa and bb  
693-NHA-(PL) 210 Rev 01 - Proposed GA Section - Site Sections

693-NHA-(PL) 301 Rev 01 - Visual: Aerial North East  
693-NHA-(PL) 302 Rev 01 - Visual: North West from Courtyard  
693-NHA-(PL) 303 Rev 01 - Visual: Main Entrance  
693-NHA-(PL) 304 Rev 01 - Visual: Main Entrance from Path  
693-NHA-(PL) 305 Rev 01 - Visual: Dining Hall  
693-NHA-(PL) 306 Rev 00 - Visual: LRC  
693-NHA-(PL) 307 Rev 01 - Sectional Perspective through Dining

693-NHA-(PL) 500 Rev 01 - Typical Bay Detail - Classrooms  
693-NHA-(PL) 501 Rev 01 - Typical Bay Detail - Main Entrance  
693-NHA-(SC)100-01 - Schedule of External Finishes

D2308.L.100 Rev A - Site Plan  
D2308.L.101 Rev C - Colour Masterplan  
D2308.L.102 Rev A - Access and Circulation Plan  
D2308.L.103 Rev A - Boundaries Plan  
D2308.L.104 Rev A - BB103 Areas Plan  
D2308.L.105 Rev B - Public Right of Way Relocation Plan  
D2308.L.200 Rev A - Combined Hard and Soft General Arrangement Plan

D2308.L.401 Rev A - Landscape Sections Sheet 1 of 2  
D2308.L.402 Rev A - Landscape Sections Sheet 2 of 2  
D2308.L.600 Rev A - Levels Plan Sheet 1 of 4  
D2308.L.601 Rev A - Levels Plan Sheet 2 of 4  
D2308.L.602 Rev A - Levels Plan Sheet 3 of 4  
D2308.L.603 Rev A - Levels Plan Sheet 4 of 4

693-(SK)-137 Rev 00 - Boundary conditions with ARK Evin Academy and St Joseph's Infant and Junior School  
693-(SK)-138 Rev 00 - Boundary conditions with ARK Evin Academy and St Joseph's Junior School  
693-(SK)-139 Rev 00 - Boundary conditions with ARK Evin Academy and St Joseph's Infant School  
693-NHA-(SK) 170 Rev 00 - Boundary conditions with ARK Elvin Academy and Brent House Plan  
693-NHA-(SK) 171 Rev 00 - Boundary conditions with ARK Elvin Academy and Brent House Section  
693-NHA-(SK) 172 Rev 00 - Boundary conditions with ARK Elvin Academy and Cecil Avenue Plan  
693-NHA-(SK) 173 Rev 00 - Boundary conditions with ARK Elvin Academy and Cecil Avenue Section



693-NHA-(SK) 176 Rev 00 - Boundary conditions with ARK Elvin Academy and Brent House and Cecil Avenue Photographs

D2308.L.902 Rev D- Playing Fields - Pitch Comparison  
D2308.L.903 Rev D - Playing Fields - Area Comparison

4.1.5.1 Rev B - Site Lighting Strategy  
V(41)000 Rev B - External Lighting Layout  
J4941/V(21)510 Rev B - Schedule of External Lighting Fixtures

34088-RUK-XX-00-DR-C-100 Rev P05 - Outline Surface Water Drainage Strategy Sheet 1 of 2  
34088-RUK-XX-00-DR-C-101 Rev P04 - Outline Surface Water Drainage Strategy Sheet 2 of 2  
34088-RUK-XX-00-DR-C-110 Rev P01 - Outline Foul Water Drainage Strategy Sheet 1 of 2  
34088-RUK-XX-00-DR-C-111 Rev P01 - Outline Foul Water Drainage Strategy Sheet 2 of 2  
34088-RUK-XX-00-DR-C-250 Rev P01 - Surface Water Manhole Schedule  
34088-RUK-XX-00-DR-C-251 Rev P01 - Foul Water Manhole Schedule

#### Supporting Statements

Air Quality Assessment prepared by MLM Consulting Engineers Ltd (Ref: 773026-REP-ENV-001 Rev 0) dated July 2015  
Preliminary Ecological Appraisal and Bat Scoping Survey prepared by MLM Consulting Engineers Ltd (Ref: 773025-REP-ENV-001 Rev 0) dated 10 July 2015  
Transport Assessment prepared by Sanderson Associates/Consulting Engineers Ltd (Ref: 8728/001/01) dated July 2015  
External Lighting Assessment Issue 2 prepared by Max Fordham dated 17 July 2015  
Sustainability Report prepared by Max Fordham dated July 2015  
Brent Sustainability Checklist  
BREEAM Assessment  
Arboricultural Impact Assessment prepared by Toombes Associates Ltd  
Design and Access Statement prepared by Nicholas Hare Architects dated July 2015  
Planning Statement prepared by Nicholas Hare Architects dated July 2015  
Surface and Foul Water Drainage Strategy (Ref: 61034088) dated 10 July 2015 prepared by Ramboll  
Noise Impact Assessment Rev A prepared by Max Fordham dated July 2015  
Phase II Geo-Environmental Assessment (Ref: C1884) prepared by HSP Consulting dated 14 March 2014  
Ground Investigation Technical Summary prepared by Jacobs dated April 2014  
Landscape CDM Risk Register dated 16 July 2015 prepared by Fabrik  
Outline Landscape Specification 9D2308-SP001 Rev A) dated July 2015 prepared by Fabrik  
Flood Risk Assessment (Ref: 61034088) dated 13 July 2015 prepared by Ramboll  
Construction Methodology prepared by Kier with updated plan of Site Constraints & Phasing at Commencement

- 3 The All Weather Pitch (AWP) and Multi Use Games Area (MUGA) hereby approved shall only be permitted to be used between 08.00-21.00 Mondays to Fridays, 08.00-21.00 Saturdays and 08.00-17.00 Sundays and Bank Holidays any floodlights associated with the two sports pitches shall be switched off within 15 minutes of these times and the pitch vacated. Within these time parameters, the floodlights shall only be switched on when the court is in active use. The development shall operate within these parameters unless otherwise agreed in writing with the local planning authority beforehand.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties in respect of noise and light disturbance.

- 4 No music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority. Any proposed system(s) shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed and operated in accordance with the details so approved.

Reason: To safeguard the amenities of the adjoining occupiers.

- 5 Vegetation clearance shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting, any works which may affect them are required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 6 Reference to the programme of works proposed as part of phases one, two and three of the development, shall be carried out in accordance with the phasing details set out within the Construction Methodology Statement, unless otherwise agreed in writing by the Local Planning Authority. The relevant phases are as follows:

Phase 1 - site preparation works including erection of boundary hoardings and fencing together with construction site accommodation and welfare facilities. These will be provided within the existing playing fields.

Phase 2 involves demolition the existing southern buildings and erection of new school building

Phase 3 - the site accommodation and welfare facilities to be decanted and removed from site. All hoardings, fencing and haul roads will be removed and areas reinstated. Site hoardings will then be provided to the perimeter of the North Building to segregate the demolition works from the new school building and general public.

Reason: In the interests of proper planning.

- 7 The new school building shall not be occupied until the car-parking, cycle parking and turning areas shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority. The car-parking, cycle parking and turning areas so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

- 8 No development shall take place, including any enabling works or works of demolition, until the Orders for the temporary and permanent diversion of the Public Right of Way (PROW) have been approved by the Council. The temporary diversion of the PROW shall be in place throughout the construction of phase **1 and 2** of the development, and the permanent diversion of the PROW shall be in place prior to the new school building being occupied.

Reason: In the interests of maintaining a safe public right of way.

- 9 The playing fields and pitches shall be constructed and laid out in accordance with the methodologies set out in the guidance note "Natural Turf for Sport" (Sport England 2011) and shall be made available for use before first use or occupation of the new school building hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use.

- 10 The artificial grass pitch playing shall be a 3rd generation rubber crumb surface constructed and laid out in accordance with the FA Third Generation Football Turf Guidance and shall be made available for use before first use of occupation of the new school building hereby permitted.

Reason: To ensure that the facility is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

- 11 No development shall take place, including any works of demolition, until an updated

Construction Method Statement and Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
- (ii) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
- (iii) Vehicular access to Jesmond Avenue to not be impeded with the provision of a single yellow line to run along one side of Jesmond Avenue;
- (iv) Restriction in the hours of deliveries to correlate to the restrictions on parking on Jesmond Avenue as detailed in (iii) above;
- (v) the parking of vehicles of site operatives and visitors;
- (vi) construction traffic routes to the development site
- (vii) loading and unloading of plant and materials;
- (viii) storage of plant and materials used in constructing the development;
- (ix) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities and schedule of highway cleaning;
- (xi) measures to control the emission of dust and dirt during construction;
- (xii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (xiii) School access during the construction phase (including servicing and delivery arrangements)

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 12 Prior to development commencing on site, a risk assessment and method statement (RAMS) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail. The RAMS shall consider all works to be undertaken within 10m of the operational railway including any vibro-compaction machinery / piling machinery or piling and ground treatment works, and the approved RAMS shall thereafter in be place through the construction of the development.

Reason: To ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway.

- 13 No works shall commence on site prior to a Tree Protection Plan and Arboricultural Method Statement being submitted to and approved in writing by the Local Planning Authority. These shall include method statements and plans which:

- (i) adhere to the principles embodied in BS5837:2012
- (ii) indicate exactly how and when the retained trees, hedges and shrubs on-site or off-site near the site boundaries will be protected during the construction phases;
- (iii) show root-protection zones;
- (iv) detail method of pruning works to retained trees

Provision shall also be made for supervision of tree protection by a suitably qualified and experience arboricultural consultant and details shall be included within the tree protection statement. No works shall commence on site until the Council's Tree Officer has been on site to inspect the protection measures and, the development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

14 (a) Prior to the commencement of building works, 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 and approved by 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.

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

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

15 (a) Prior to commencement of phase 1 construction works, details of the boundary fencing, pathway material and external lighting for the temporary Public Right of Way (PROW) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details for the duration of the construction period.

(b) Within 6 months of commencement of phase 1 construction works, details of the boundary fencing, pathway material and external lighting for the permanent Public Right of Way (PROW) which shall be 3.4m wide throughout its length, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details prior to occupation of the new school building.

Reason: To ensure a satisfactory public access route.

16 Prior to commencement of building works above ground level, further details of the following external materials (with samples where appropriate to be pre-arranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority.

- Details of facing bricks including samples to be pre arranged to be viewed on site
- Details of the specification and colour of the window frames, doors and curtain walling
- Details of the finishing material and colour for render, cladding, louvres, parapets, cills, and railings

The works shall be carried out in full accordance with the approved details, unless alternative materials are agreed in writing by the Local Planning Authority.

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

17 Within six months of commencement of Phase 1, details of the colours and finishes for the means of enclosure together with details of the external surface for the AWP and MUGA to comply with the requirements of condition 10 above shall be submitted to and approved in writing by the Local Planning Authority. The AWP and MUGA shall be constructed in full accordance with the approved details prior to first occupation of the new school building.

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

18 A scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of Phase 2. The approved hard and soft landscaping shall be completed in full accordance with the approved details prior to the occupation of the new school or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) Existing contours and levels and any alteration of the ground levels, such as grading,

cut and fill, earth mounding and ground modelling;

- (b) all planting including location, species, size, density and number incorporating native species.
- (c) details of the provision of artificial bird and bat boxes
- (d) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users
- (e) the location of, details of materials and finishes of, all street furniture
- (f) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

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 appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 19 (a) Within three months of commencement of works on phase 2, further details of the floodlighting for the AWP and MUGA to reflect the lux levels required by Sport England shall be submitted to and approved in writing by the Local Planning Authority. This shall include height and location of the floodlights, the specification, manufacturer, lux level, model, direction and the siting of each lamp, together with a light spillage plan showing any light spillage onto the residential rear gardens that adjoin the site. Thereafter the lights shall be installed and operated in accordance with the details so approved prior to installation.

(b) Prior to use of the floodlights, other than for testing purposes, post-completion testing results shall be submitted to and approved in writing by the local planning authority to demonstrate that the floodlights are in accordance with the approved lightspill and glare plot plans. If the results fail to demonstrate this, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority that considers one or a combination of the following:

- (a) additional floodlight baffles/shielding;
- (b) alternative light designs;
- (c) revised light directions;
- (d) provision of partial lighting controls such that the option exists for lighting part of the pitch;
- (e) reduced hours of use

The mitigation measures shall be implemented in accordance with the approved details prior to first use.

The floodlights shall only operate in accordance with the approved details and no subsequent alterations to the floodlights shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure the normal operation of the floodlights does not cause light nuisance to nearby residents

- 20 Within 6 months of commencement of Phase 2, further details of external lighting for the site (excluding floodlighting which are detailed in the condition above) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) height, location and direction of the lighting
- (ii) specification
- (iii) manufacturer
- (iv) lux level
- (v) model
- (vi) light spillage plan showing any light spillage onto the residential rear gardens
- (vii) timer control for the lighting to be arranged in such a manner that the external lighting is

switched on once it becomes dark with a time clock switching the external lighting off at the pre-set time in line with the following core operating times: 08.00-21.00 Mondays to Fridays, 08.00-21.00 Saturdays and 08.00-17.00 Sundays and Bank Holiday, or with any later times agreed within the Community Access Plan. The photocell shall also be used to switch the external lighting off should it become light prior to the pre-set time in order to save energy.

The development shall operate within these parameters unless otherwise agreed in writing with the local planning authority beforehand.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties in respect of noise and light disturbance.

- 21 Within three months of the commencement of Phase 2, further details of the location of the external plant equipment and extract and supply ducts to the kitchen together with details of the design and material of any screening to the external roof plant equipment and extract and supply ducts following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature.

The development shall be completed in accordance with the details so approved before the new school is occupied.

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

- 22 (a) Prior to commencement of Phase 1 construction works, details of school arrangements to the playing fields for use by Ark Elvin Academy, St Joseph's Infant and Junior Schools and Elsley Primary School, to be carried out in consultation with St Joseph's Infant and Junior Schools and Elsley Primary School, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) areas of playing fields to be available
- (ii) hours and number of sessions during the week that the playing fields will be available for St Joseph's Infant and Junior Schools and Elsley Primary School
- (iii) access arrangements including details of security fencing around the playing field area to separate the playing fields from the construction traffic.

The approved access arrangements shall be implemented throughout the construction of the new school building.

- (b) Prior to first occupation of the new school building, details of school arrangements to the playing fields for use by Ark Elvin Academy, St Joseph's Infant and Junior Schools and Elsley Primary School, to be carried out in consultation with St Joseph's Infant and Junior Schools and Elsley Primary School, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include items (i) and (ii) above.

The approved access arrangements shall be implemented on a permanent basis once the new school building is occupied, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide access arrangements to the playing fields by local schools.

- 23 Prior to the occupation of the new school building, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England, and a copy of the approved agreement has been provided to the Local Planning Authority. The Plan shall allow for a minimum of 30 hours of community use each week with at least one day (or equivalent hours) at the weekend within the core hours of use of between 08.00-21.00 Mondays to Fridays, 08.00-21.00 Saturdays and 08.00-17.00 Sundays and Bank Holidays. The Plan shall include details of:

- (i) written notification to the local planning authority of the date of implementation of the Plan within 21 days of commencement;
- (ii) the facilities to be made available including: the AWP, MUGA, grass pitch, indoor sports hall,

- activity studios and ancillary changing rooms and parking facilities
- (iii) access by non-school users/non-members and management responsibilities including the ongoing promotion of the availability of the facilities for community use including up-to-date information about this on the school website;
  - (iv) rates of hire based upon and comparable with those charged at other public facilities;
  - (v) terms of access;
  - (vi) a mechanism for review after one year following implementation of the Plan

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the new school and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports and other community facilities, to ensure sufficient benefit to the development of sport and to accord with local and regional policies for the maximum use of community facilities.

- 24 Prior to installation of the proposed substation, further details of external appearance and specification shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure the external appearance is acceptable and protects the amenity of adjoining residents.

- 25 Prior to occupation of the new school, further details of layout and external appearance of the refuse storage facilities shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure the external appearance is acceptable and protect the amenity of adjoining residents.

- 26 Prior to occupation of the new school, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the management of staff car parking and community access outside of school hours. The car park management plan shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety.

- 27 Prior to occupation of the new school, a servicing and delivery plan for deliveries, refuse collection and coaches shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In the interest of highway safety and the amenities of neighbouring occupiers.

- 28 Prior to occupation of the new school, further details for the provision of a minimum of 236 cycle spaces (which includes separate cycle parking facility for staff) together with details of how the cycle stands will be secure and covered, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure satisfactory level of cycle parking for pupils and staff.

- 29 Prior to occupation of the new school, further details of 4 spaces that will be provided with electric vehicle charging points and 4 spaces that will be provided with passive electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority, and thereafter fully implemented in accordance with the approved details and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure sustainable modes of transport.

- 30 Prior to the commencement of the use of the new school buildings, a School Travel Plan of sufficient quality to score a PASS rating when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), 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.

On first Occupation of the new school building the Travel Plan shall be fully implement for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 31 Within 2 months of occupation of the new school building, a Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:

- (i) Minimum 19% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;
- (ii) A requirement that low voltage cables are to be run and terminated at roof level to allow for the future connection of a photovoltaic array;
- (iii) Minimum BREEAM 'Very Good' rating
- (iv) Minimum score of 47.5% on Brent's Sustainability Checklist

If the review specifies that the development has failed to meet the above levels, compensatory measure shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

The approved Sustainability and Energy Strategies (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- 32 (a) No development shall commence on site until a Training & Employment Plan has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

- (i) the details of the Training & Employment Co-ordinator;
- (ii) a methodology for meeting the Training & Employment Targets and the Training & Employment Reporting Schedule;
- (iii) a commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

(b) The new school buildings shall not be occupied until the Training & Employment Verification Report has been submitted to and approved in writing by the Council.

Reason: In the interest of providing local employment opportunities.

- 33 Prior to commencement of the development, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works:



- (i) a signalised pedestrian crossing on High Road in the vicinity of the proposed pedestrian boulevard entrance to the site, together with any ancillary accommodation works or works to statutory undertakers' equipment arising as a result of these works.
- (ii) The existing crossover for the school playground to be reinstated to footway, with the associated double yellow lines removed to allow further on-street pay and display bays to be created within the sheltered parking bay.
- (iii) The two existing crossovers onto High Road in the vicinity of the new pedestrian access to be reinstated to footway as part of any highway works in this area.

The new school building shall not be occupied (or other timescales to be agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority and have been certified in writing as being substantially complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

- 34 Notwithstanding the details submitted under submitted plans otherwise approved, a revised site layout plan shall be submitted within 6 months of commencement of phase 1 which includes a 2m landscape buffer to the north of the vehicular access with No. 9 Cecil Avenue to accommodate a landscape buffer together with provision of 5.5m wide access road and 2m wide footway to the north

The approved access layout shall be fully implemented prior to first occupation of the new school building.

Reason: To provide safe access to the site and a sufficient set in from the boundary with No. 9 Cecil Avenue.

#### INFORMATIVES

- 1 An separate application shall be made under Section 257 of Town and Country Planning Act for the diversion of the Public Right of Way. This planning permission should note be implemented until the temporary and permanent diversion of the Right of Way has been approved.
- 2 The applicant is advised that the relocation of the temporary buildings on site or any new temporary buildings to be used during the decant of the school will require the benefit of planning permission, and is required to form part of a separate planning application.

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

## COMMITTEE REPORT

Planning Committee on  
Item No

22 October, 2015

Case Number

15/1569

## SITE INFORMATION

**RECEIVED:** 8 June, 2015

**WARD:** Kenton

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** 25 Brookfield Crescent, Harrow, HA3 0UT

**PROPOSAL:** Demolition of existing dwellinghouse and associated buildings and erection of 3 two storey dwellinghouses (2 x 2bed and 1 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping (revised description)

**APPLICANT:** Mr Clark

**CONTACT:** Richard Edwards Associates

**PLAN NO'S:** Refer to Condition 2

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# SITE MAP



## Planning Committee Map

Site address: 25 Brookfield Crescent, Harrow, HA3 0UT

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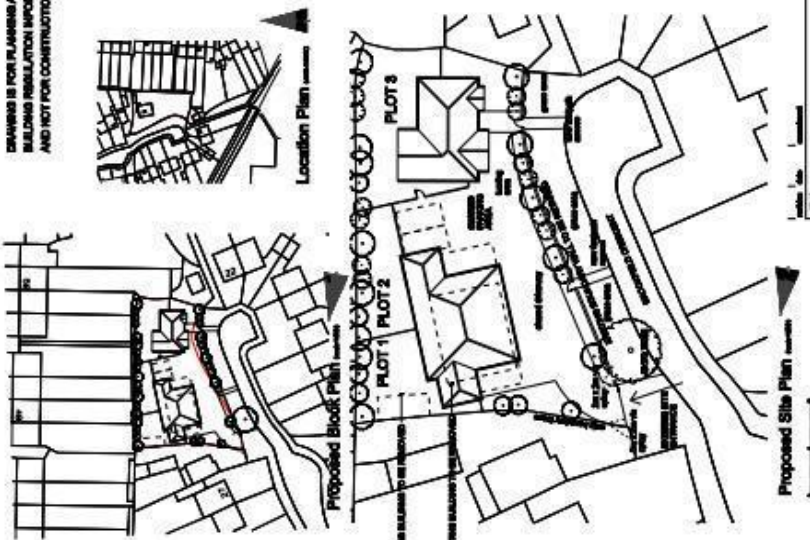


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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

DRAWINGS IS FOR PLANNING AND BUILDING REGULATION INFORMATION AND NOT FOR CONSTRUCTION

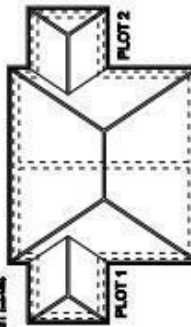
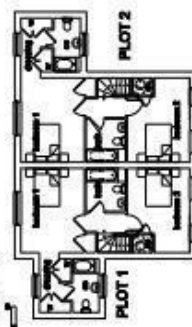
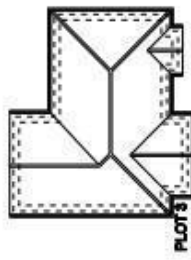
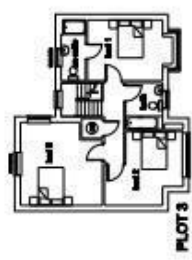
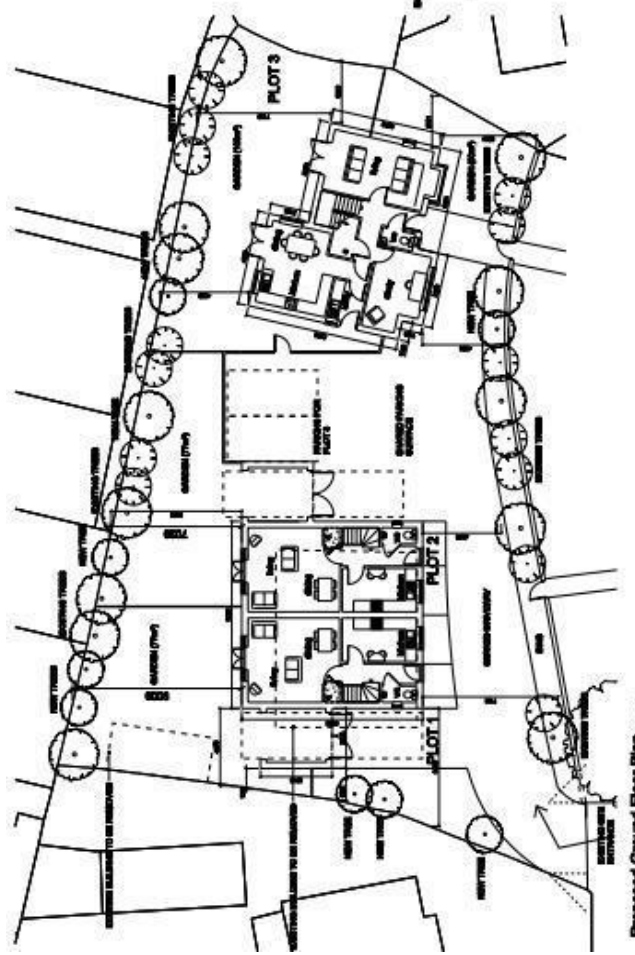


Client	MPT Child
Address	25 Broadfield Crescent, Harrow HA8 9UT
Project Name	Proposed Reception, Site Plan and Location Plan
Date	15-10-2016
Scale	1:1000 - 1:500 - 1:250
Project No.	16-001
Project Name	Proposed Reception, Site Plan and Location Plan
Project No.	16-001
Project Name	Proposed Reception, Site Plan and Location Plan
Project No.	16-001

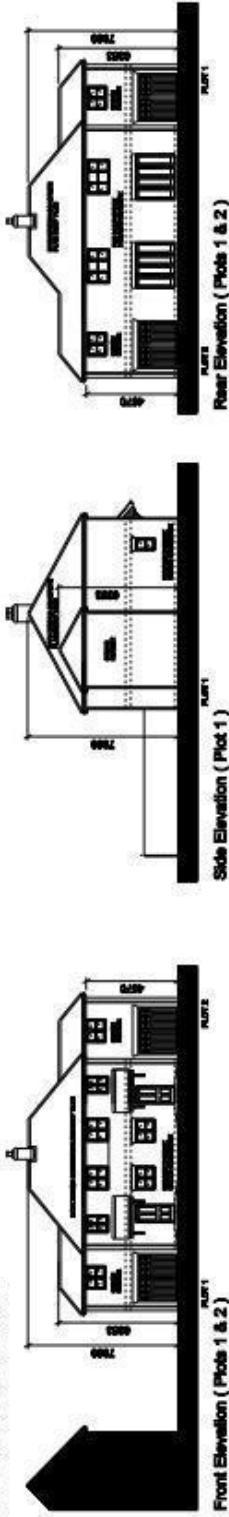
Richard Edwards Associates  
Building Services  
25 Broadfield Crescent  
Harrow HA8 9UT  
Tel: 0181 871 1000  
Fax: 0181 871 1001  
www.ria.co.uk

Richard Edwards Associates  
Building Services  
25 Broadfield Crescent  
Harrow HA8 9UT  
Tel: 0181 871 1000  
Fax: 0181 871 1001  
www.ria.co.uk

Plot Schedule  
PLOT 1 - 2 BEDROOM  
PLOT 2 - 2 BEDROOM  
PLOT 3 - 3 BEDROOM



Proposed Elevations for Units 1 and 2

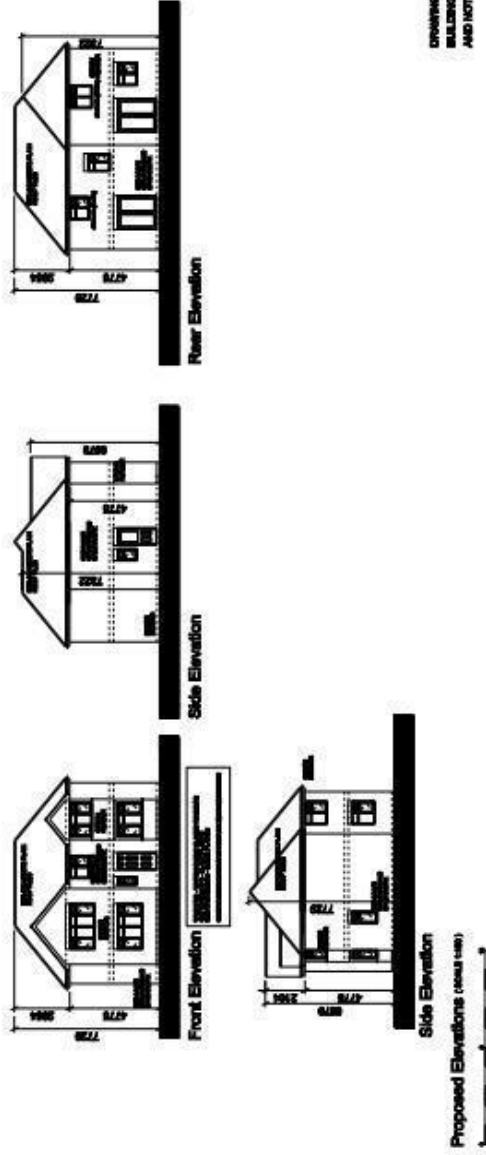


Front Elevation (Plots 1 & 2)

Side Elevation (Plot 1)

Rear Elevation (Plots 1 & 2)

Proposed Elevations for Unit 3



Project No. 2017010501 - 10050105010101 - 10050105010101 - 10050105010101 - 10050105010101

Client: Mr & Mrs. [Name Redacted]

Address: 20 [Address Redacted] [Address Redacted] [Address Redacted] [Address Redacted]

Project Name: [Name Redacted]

Architect: Richard Edwards Associates

Architect Registration No. [Number Redacted]

Professional Registration No. [Number Redacted]

Date: 16 February 2018

Scale: 1:100

Drawn by: [Name Redacted]

Checked by: [Name Redacted]

Project Manager: [Name Redacted]

Project Location: [Location Redacted]

Project Status: [Status Redacted]

Project Contact: [Contact Redacted]

Project Phone: [Phone Redacted]

Project Email: [Email Redacted]

Project Website: [Website Redacted]

Project Social Media: [Social Media Redacted]

Project Logo: [Logo Redacted]

Project Address: [Address Redacted]

Project Contact: [Contact Redacted]

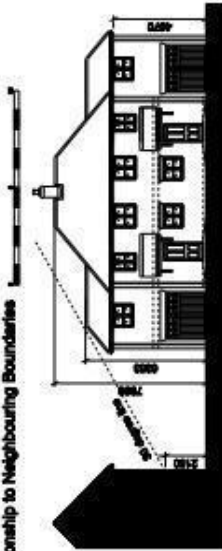
Project Phone: [Phone Redacted]

Project Email: [Email Redacted]

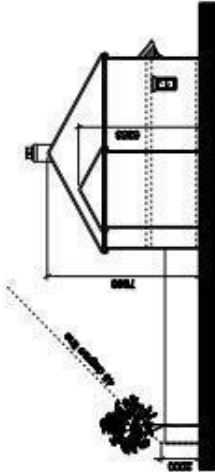
Project Website: [Website Redacted]

Project Social Media: [Social Media Redacted]

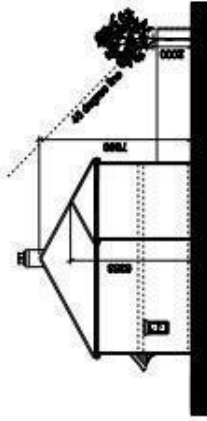
Relationship to Neighbouring Boundaries



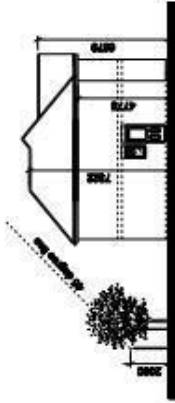
SECTION A-A (Front Elevation (Plots 1 & 2))



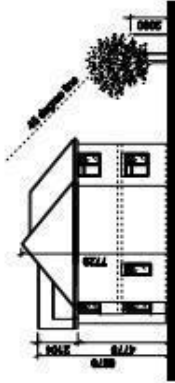
SECTION B-B (Side Elevation (Plot 1))



SECTION C-C (Side Elevation (Plot 2))



SECTION D-D (Side Elevation (Plot 3))



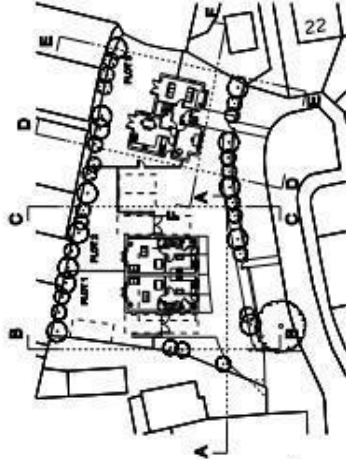
SECTION E-E (Side Elevation (Plot 3))



SECTION F-F (Front Elevation (Plot 3))



Image illustrating Existing Site Entrance to be used

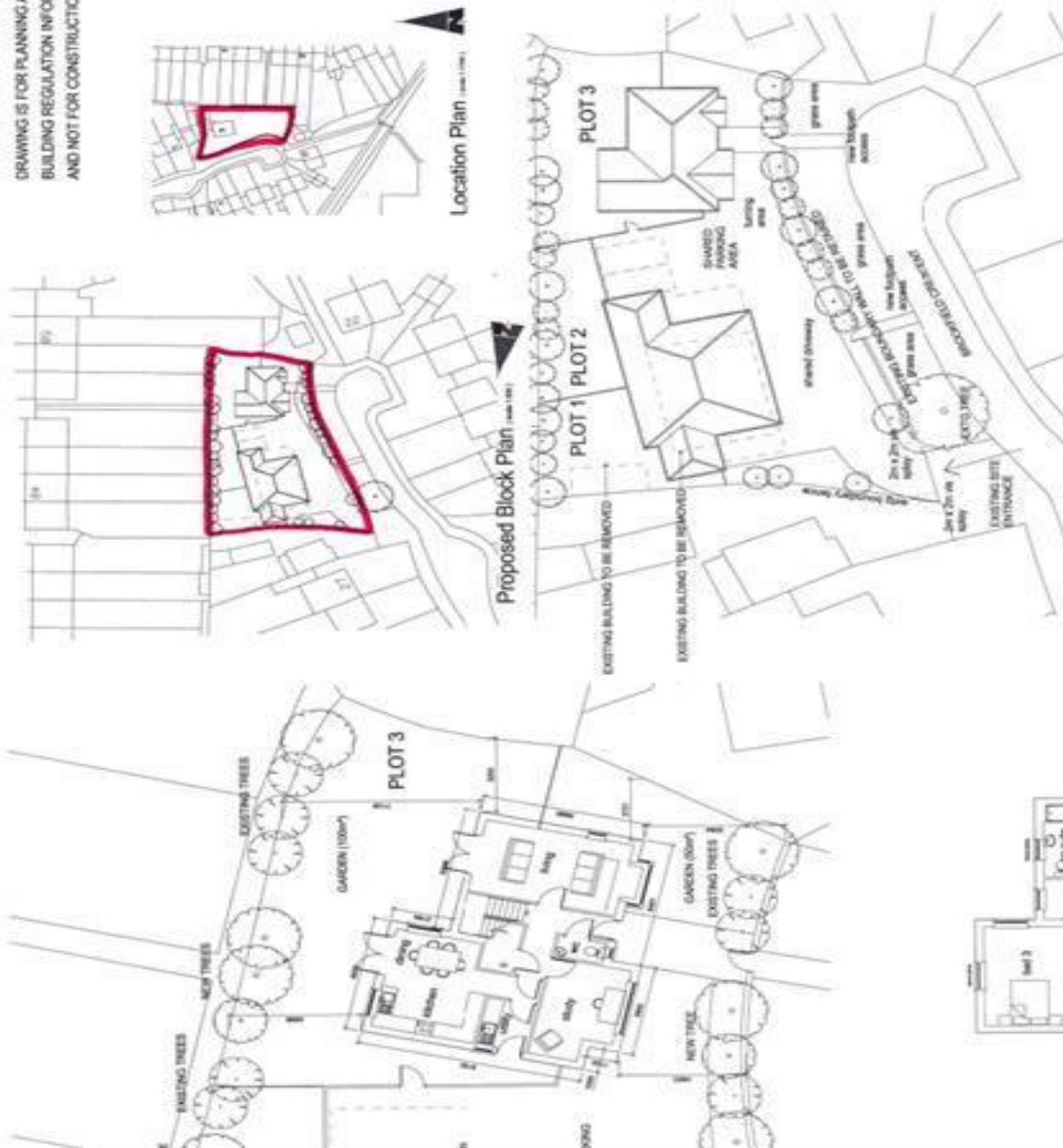


Section Key

<p>Mr T Clark 25 Broadfield Crescent (Home) HANBURY Hertfordshire SG13 7JY Tel: 01454 611111 Fax: 01454 611112 www.ricks.co.uk</p>	<p>Richard Edwards Associates Planning &amp; Design 101-1011 Market Leeds LS1 6DT Tel: 0113 275 2750 Fax: 0113 275 2751 www.ricks.co.uk</p>
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BUILDING REGULATION INFORMATION  
AND NOT FOR CONSTRUCTION



## RECOMMENDATIONS

Grant consent, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Demolition of existing dwellinghouse and associated buildings and erection of 3 x two storey dwellinghouses (2 x 2bed and 1 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping.

### B) EXISTING

The application site comprises a detached chalet bungalow located at the head of the cul de sac on Brookfield Crescent. The plot is unusual in its form as it is shallow in depth but wide in its length, which is unusual for the typical character of this suburban area. The existing dwellinghouse is sited at the northern end of the site with the garden area to the south.

The remainder of Brookfield Crescent contains two storey semi detached dwellinghouses which are sited on more traditional plots (which are long in terms of the length of the plots but quite narrow - typically around 6m wide). The application site also abuts the rear garden of terraced houses on Cranleigh Gardens (Nos. 46 to 58), which have long gardens at around 25m deep).



There is a public footpath to the south of Brookfield Crescent at the head of the cul de sac that provides access to Falcon Way. On the opposite of Wealdstone Brook from this public footpath is Uxendon Manor Primary School and Claremont High School is on the northern side of Wealdstone Brook accessed from Falcon Way.

The site is not located within a conservation area or an archaeological priority area. It does not contain any listed buildings.

### C) AMENDMENTS SINCE SUBMISSION

The following amendments has been made to the plans:

- Plots 1 and 2 moved further away from the rear boundary with Cranleigh Gardens (now 7.0396m to 9.009m)
- Reduction in the height of plot 3 so that the eaves do not exceed the height of plots 1 and 2
- Reduction in the number of bedrooms for plot 3 from four to three bedrooms
- Centrally located chimney stack on the roof of plots 1 and 2
- New pedestrian pathway from Brookfield Crescent to Plot 3

The following supplementary reports have been submitted:

- Flood Risk Assessment
- Tree Survey

### D) SUMMARY OF KEY ISSUES

**Design & Layout & Relationship with Neighbouring Buildings:** The scheme has been amended since the previous refusal to have an appropriate relationship with the street frontage on Brookfield Crescent.. The buildings relate acceptably to surrounding buildings in terms of the amenity of neighbouring residential occupiers and the quality of accommodation provided.

**Car Parking:** Each house will have the benefit of one off street parking space and an unshared visitor parking space will also be provided. The level of car parking is acceptable for this scheme.

### E) MONITORING

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 (sqm)
Dwelling houses	132	0	132	334	202

#### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses )				1						1
PROPOSED ( Houses )		2	1	1						3

### RELEVANT SITE HISTORY

#### Relevant planning history

**14/2482:** Full Planning Permission sought for demolition of existing dwellinghouse and associated buildings and erection of 4 two storey dwellinghouses (2 x 2bed and 2 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping - Dismissed on Appeal.

**14/0691:** Full Planning Permission sought for demolition of existing dwellinghouse and associated buildings and erection of a new 2 storey block consisting 6 x 2 bedroom self-contained flats, single storey detached building for cycle and bin storage, provision for car parking and hard and soft landscaping - Withdrawn, 28/04/2014.

# CONSULTATIONS

**Consultation Period: 16/06/2015 - 07/07/2015**

**Additional Consultation Period: 22/06/2015 - 13/07/2015**

**Consultation Period on revised plans: 07/09/2015 - 28/09/2015**

## Public Consultation

38 neighbouring properties consulted - 14 neighbours objected to the original plans following grounds:

- Brookfield Crescent is a narrow road that already struggles with larger vehicles such as deliveries and refuse vehicles.
- Site is located close to the footpath that provides access to Uxendon Manor Primary School - increase congestion during school drop off and collection time in terms of pedestrians and vehicles.
- Potential sewage problem.
- Construction lorries will block road and cause noise and disturbance.
- Garden of No. 25 Brookfield Crescent currently being used to store construction materials
- Sitting of detached house (plot 3) is out of keeping with suburban character of the street
- New houses will result in loss of privacy, light and outlook to neighbouring occupiers.
- Site at risk of flooding.
- Loss of rear garden and over development of the site.
- Decrease in value of existing properties.
- The existing house is of character and should be retained. An application made to English Heritage to make the building listed.
- Landscaping and trees removed prior to first application being submitted in 2014.
- Consultation period inadequate and should extend into the summer holidays.
- Increased noise and disturbance

A total of 14 objections were received following consultation on the revised plans. The following new issues have been raised

- The scheme does not overcome the Planning Inspectorate's objections
- Inadequate parking provision and tight parking layout of the three new houses
- Proposed pathways is across the public grass area at the end of the crescent
- New pathway will increase opportunity for crime

Officer response to all of the objections raised above are discussed within the remarks section of this report.

## External Consultation

Kenton Ward Councillors - no comments received.

The Environment Agency - Has advised that the application should follow standing advice as in Flood Zone 2. They advised that they do not need to be consulted further on the application.

## Internal Consultation

Transportation - There are no objections on transportation grounds to this proposal, subject to a condition requiring the submission and approval of a revised site layout plan showing: (i) one allocated parking space for each of the dwellings and an unallocated shared visitor space to comply with parking standards PS14 (ii) an accurate drawing of the entrance in line with the existing crossover to prevent illegal crossing of the footway (iii) increased provision of soft landscaping (iv) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.6m) at the vehicular accesses and (v) financial contribution of £7,000 is also sought.

Environmental Health - No objections subject to a condition securing a Demolition and Construction Method Statement.

Landscape - Have confirmed that the tree report and arboricultural implications assessment carried out by Tree Sense on behalf of the applicant for the application is acceptable. They also confirm that they have no objection to the removal of trees T11-T14 but would expect to see a good quality landscape scheme which

includes suitable replacement and additional tree planting wherever possible. The report and tree protection plan should be conditioned and a site inspection carried out by the LPA's tree officer to check on tree protection measures prior to commencement of works.

Conservation Officer - Proposal is acceptable in principle but further details to secure high quality design and a good standard of amenity are sought.

## **POLICY CONSIDERATIONS**

### National Level

#### **National Planning Policy Framework**

Paragraph 49 relates to housing application and states that such applications should be considered in the context of the presumption in favour of sustainable development.

Chapter 7 discusses the importance of good design. It states that good design of a key aspect of sustainable development. Paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes, but decisions should seeks to promote or reinforce local distinctiveness. Paragraph 64 advises that planning should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### Regional Level

#### **The Further Alterations to the London Plan 2015**

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications. The following policy is relevant:

#### 3.5 Quality and design of housing developments

#### **The Mayor's Housing Supplementary Planning Guidance (adopted November 2012)**

This guidance relates to the housing policies within the London Plan and covers policies on housing provision and policies on affordable housing. It gives detailed guidance for boroughs on how to develop sites for housing and how to determine housing mix and density for any individual site.

### Local Level

#### **Brent's Core Strategy 2010**

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy now hold considerable weight. The relevant policies for this application include:

**CP17:** Protecting and enhancing the suburban character of Brent - Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.

**CP21:** A Balanced Housing Stock - A balanced housing stock should be provided to meet known needs and to ensure that new housing appropriate contributes towards the wide range of borough household needs including an appropriate range and mix of self contained accommodation types and sizes.

#### **Brent's UDP 2004**

In addition to the Core Strategy, there are a number of policies which have been saved within the Unitary Development Plan (UDP). The UDP was adopted on 15 January 2004. The saved policies will continue to be relevant until new policy in the Local Development Framework is adopted and, therefore, supersedes it. The relevant policies for this application include:

#### **BE2: Townscape - Local Context & Character**

Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area or have an unacceptable visual impact on Conservation Areas.

#### **BE7: Public Realm - Streetscape**

A high quality of design and materials will be required for the street environment. The following will be resisted (both for existing and new developments) where they would detract from the character of the area :-

- (a) The excessive infilling of space between buildings and between buildings and the road;
- (b) hard surfacing occupying more than half of a front garden area;
- (c) forecourt parking where such parking would detract from the streetscape or setting of the property, or create a road/pedestrian safety problem.

#### **BE9: Architectural Quality**

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

#### **H12: Residential Quality - Layout Considerations**

Seeks to ensure that all residential development has a high quality layout, has an appropriate level of car parking and features housing facing onto streets. It states that proposals should avoid having an excessive coverage of hardstanding and have an amount and quality of landscaped areas appropriate to the character of the area.

#### **TRN10: Walkable Environments**

The 'walkability' of the public environment should be maintained and enhanced.

#### **TRN11: The London Cycle Network**

Developments should comply with the plan's minimum cycle parking standards (PS16), with cycle parking situated in a convenient, secure and, where appropriate, sheltered location.

#### **TRN15: Forming an access onto a road**

The creation of an access from a dwelling to a highway will be acceptable where:-

- (a) the location of the access would be at a safe point with adequate visibility;
- (b) the access and amount of off street parking proposed would be visually acceptable

#### **TRN23: Parking Standards - Residential Developments**

Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.

#### Supplementary Planning Guidance

#### **SPG17 "Design Guide for New Development"**

Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17), adopted by the Council in October 2001, sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining

occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

## **DETAILED CONSIDERATIONS**

### **Site and Surroundings**

1. The application site comprises a detached chalet bungalow located at the head of the cul de sac on Brookfield Crescent. The plot is unusual in its form as it is shallow and width which is unusual for the typical character of this suburban area. The existing dwellinghouse is sited at the northern end of the site with the garden area to the south.
2. The remainder of Brookfield Crescent contains two storey semi detached dwellinghouse which are sited on more traditional plots (which are long in terms of the length of the plots but quite narrow - typically around 6m wide). The application site also abuts the rear garden of terraced houses on Cranleigh Gardens (Nos. 46 to 58). There is a public footpath to the south of Brookfield Crescent at the head of the cul de sac that provides access to Falcon Way. On the opposite of Wealdstone Brook from this public footpath is Uxendon Manor Primary School and Claremont High School is on the northern side of Wealdstone Brook accessed from Falcon Way.
3. The site is not located within a conservation area or an archaeological priority area.

### **Relevant site history**

4. The site has been subject to two previous planning applications to demolish the existing chalet bungalow and erect new houses/flats on the site. The more recent refusal (LPA Ref: 14/2482) for "the demolition of existing dwellinghouse and associated buildings and erection of 4 two storey dwellinghouses (2 x 2bed and 2 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping" was refused for the following reasons:

*Plot 3, by reason of its orientation within the site, siting, size and proximity to the front boundary, would result in a unduly prominent and cramped form of development that is out of keeping with the character of the streetscape and suburban setting. Further, the overhanging of the eaves of the garage and ensuite to plot 1 over the application boundary, further adds to the development representing an over development of the site. The proposal is therefore contrary to policy CP17 of Brent's adopted Core Strategy and policies BE2, BE7, and BE9 of Brent's adopted Unitary Development Plan 2004.*

*The proposal results in a substandard form of accommodation evident by the failure for plots to provide minimum internal floor space and/or room space standards as set out in the Mayor's Housing SPG, severely restricted outlook from rear habitable rooms for plots 3 and 4 at ground floor level and poor outlook onto a large hardsurfaced area, and lack of privacy and resulting noise and disturbance from front habitable room windows to all plots as a result of not providing any defensible space. This is contrary to policy 3.5 of the London Plan 2011, policies BE7, BE9 and H12 of Brent's UDP 2004 and the guidance as set out in SPG17 "Design Guide for New Development" and the Mayor's Housing Supplementary Planning Guidance (adopted November 2012).*

*The siting of the four new houses due to the close proximity to the boundaries with the rear gardens on Cranleigh Gardens will result in a significant loss of privacy and undue overlooking for the of the properties on Cranleigh Gardens, in particular Nos. 46 to 58. This would be contrary to policy BE9 of Brent's UDP 2004 and the guidance as set out in SPG17 "Design Guide for New Development".*

5. The decision was appealed and the Planning Inspectorate dismissed the appeal on the grounds that the proposal represented an over-development of the site that was considered to be out of keeping with, and damaging to, the character and appearance of the surrounding area.

### **Current proposal**

6. The current application is seeking to address the previous objections raised by the Planning Inspectorate. The scheme now involves three new houses; the proposal was originally for 2 x two bedroom houses and 1 x 4 bedroom house. Revisions have been submitted during the course of the application to alter the four bedroom house into a three bedroom house. A number of other amendments to the plans were also sought which included alterations to the design and siting of the houses. Details of the revisions that

were sought are set out in the amended plans section below.

The considerations of this application are discussed below:

### **Principle of development**

#### *Demolition of existing dwellinghouse*

7. As discussed above the existing dwellinghouse is not sited within a conservation area nor is it a listed building. There is therefore no objection in policy terms to its demolition. In terms of redeveloping the site, policy CP21 seeks a replacement 3 bedroom family sized house to be provided within the new scheme.

8. It should be noted that if the application was just to demolish the existing dwelling and not provide an redevelopment of the site, the procedure would be a prior notification application to the Local Planning Authority under Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In such applications, Local Planning Authorities can only determine as to whether prior approval will be required for the method of demolition and any proposed restoration of the site.

9. One of the objections that has been received refers to the building being nominated for listed to Historic England (formally English Heritage). As discussed above, the Council has no control over its demolition as it is not a heritage asset (either statutory or locally listed) and it is not designated within a conservation area. Further, it or the area, does not quite meet the criteria for local or national designation.

#### *Development of rear garden*

10. Residential rear gardens do not fall within the definition of Previous Developed Land (PDL). This is stated in Annex 2 of the NPPF. The adopted Core Strategy sets out the chosen local strategy as one of directing new housing to the identified growth areas (policy CP1, CP2) and to protect and enhance the suburban character of Brent (policy CP17). This policy position is reinforced in Paragraph 53 of the NPPF which states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

11. The changes to the definition of PDL do not mean development of private residential gardens is no longer possible; instead, changes increase the weight given to the need to ensure development respects the character of the area. In line with policy CP17, development of garden space and infilling of plots with out-of-scale buildings that do not respect the settings of the existing dwellings will be resisted.

### **Design**

12. The scheme proposes a total of 3 new houses. This includes a pair of semis known as plots 1 and 2 sited on a similar footprint as the existing chalet bungalow that face onto Brookfield Crescent and another detached house known as plot 3 located in the southern end of the site (where the private garden area is currently sited). Plots 3 also faces onto Brookfield Crescent.

13. In terms of the relationship with the streetscene, plots 1 and 2 are closer to the street frontage. A set back of between 5.8m to 7.38m is now proposed whereas the previous scheme had a set back of 5.03m to 9.645m. Whilst plot 1 is closer to the street, it still involves a significant set back which is in keeping with the existing buildings taken into account the curved nature of the site. Plots 1 and 2 still face onto Brookfield Crescent. It is considered that plots 1 and 2 maintain an acceptable relationship to Brookfield Crescent and do not appear cramped within the plot.

14. The previous application raised objection to the siting and orientation of plots 3 and 4 to the street. This included a set back of only 1.32m from the back edge of the pavement at its closest point, which is significantly less than the other set backs on the street. The Planning Inspector agreed that plots 3 and 4 appear cramped and out of character with surrounding development. Their orientation at right angles to the street would also be contrary to the established layout of housing within Brookfield Crescent.

15. To address the concerns raised by the Planning Inspector, the current application only proposes one detached house (plot 3). It has been reorientated to face onto Brookfield Crescent and now has an increased set back of 4.53m to 5.084m from the back edge of pavement. The increased set back is considered to now be more in keeping with the existing buildings taken into account the curved nature of the

site, and the reorientation to face onto Brookfield Crescent is in keeping with the established layout of housing within Brookfield Crescent.

16. The new houses are all two storeys with hipped pitched roofs. This is in keeping with the general character of the area. The detailing of the houses is relatively simple in design terms, but further details of external materials, window, front door and porch designs and centrally located chimney stack to provide distinctive between the semis could be conditioned to any forthcoming consent, to ensure that a high quality of finish is secured. Plots 1 and 2 have a garage and first floor element which has been designed to be subservient to the main house. Given that this feature has a roof that is significantly lower to the main roof, it will appear subservient and can be supported in principle. Plot 3 has been designed so that the height of the eaves and main roof are no higher than plots 1 and 2. As this plot is wider the bulk of the building has been broken up by gabled bay windows to provide articulation.

17. Overall it is considered that the changes to the scheme, in particular the resiting of plot 3, has overcome the previous Inspector's concerns, and that all three house now are in keeping with the character and appearance of the locality.

### **Residential quality**

#### *Unit Mix and Size*

18. This scheme proposes 2 x 2 bedroom dwellinghouses and 1 x 3 bedroom dwellinghouses. This provides an appropriate mix of units including family sized units (3 bedrooms or more) in line with CP21. The size of each unit is discussed below:

19. Plots 1 and 2 are two bedroom 4 person dwellinghouse. They have an internal floor area of approx. 88sqm together with a garage at ground floor. This meets the minimum requirement set out in the London Plan of 83sqm. In addition, both double bedrooms and the living/dining/kitchen space meet the minimum requirements set out in the London Plan.

20. Plot 3 has an internal floor area of 132sqm which exceeds the minimum requirement of 95sqm as set out in the London Plan. In addition, all of the bedrooms and the living/dining/kitchen space meet the minimum requirements set out in the London Plan.

#### *Outlook and privacy*

21. All three houses have the benefit of dual outlook, and it is considered outlook for the three houses is acceptable.

22. Given the length of the rear gardens of neighbouring properties on Cranleigh Gardens, it is not considered that the new houses will be overlooked by existing surrounding houses. Likewise the orientation between plots 1 and 2 and plot 3 will prevent overlooking between the two pair of semis.

23. To ensure that plots 1 and 2 have sufficient privacy from the front ground floor windows as a result of their location next to the shared driveway, it is recommended that details of a landscape buffer in front of these windows are secured by condition.

#### *External amenity space*

24. All of the dwellinghouses will have rear garden areas of at least 50sqm which meet the requirements of SPG17.

### **Amenities of neighbouring properties**

#### *Privacy*

25. SPG17 advises that there is a requirement to have a gap of 10m from the rear wall of the proposed dwelling to the rear boundary to allow for adequate levels of privacy and a distance of 20m between directly facing habitable rooms. Plots 1 and 2 have a distance of between 7.09m to 9.00m to the rear boundary with Cranleigh Gardens. This falls short of the requirements of SPG17. Plot 2 is also now closer to the rear boundary than the house in plot 2 in the previous application by 1.5m. Whilst plot 2 is closer, consideration needs to be given to any increased degree of impact following the previous appeal considerations. The Inspector appreciated the concerns of local residents on Cranleigh Gardens but noted

that those properties have long rear gardens (around 25m). The Inspector observed that there is a fence separating the appeal site from these gardens, together with a number of semi-mature trees within the gardens of many of the most adjacent dwellings.

26. Whilst plot 2 is now closer, it is noted that there are a number of trees within the rear gardens in Cranleigh Gardens that assist in restricting views into the neighbouring gardens from first floor windows. A tree report has been submitted with the current application showing how these trees will be protected during the construction works (further details of which are discussed below). The boundary fence will prevent overlooking at ground floor level. Overall it is considered that the plots 1 and 2 will not cause a detrimental degree of overlooking to the neighbouring rear gardens and properties on Cranleigh Gardens.

27. Plot 3 has rear habitable room window at ground floor facing Cranleigh Gardens. Once again views will be restricted by the boundary fence and trees in the neighbouring gardens. At first floor level, the window on the rear elevation of the bedroom has been marked as obscured glazed. This window is 4.699m away from the rear boundary. The bedroom has a second window facing eastwards has a second window which is 8.5m to the neighbouring rear garden. The distance is similar to plots 1 and 2, and it is therefore considered that the relationship is acceptable subject to this window being obscured glazed at lower level and clear glazed at high level. Rear windows to the bathroom and landing will be conditioned to be obscured glazed. Overall it is considered that the plot 3 will not cause a detrimental degree of overlooking to the neighbouring rear gardens and properties on Cranleigh Gardens.

#### *Proximity to neighbouring properties*

28. To ensure that new development does not appear overbearing or result in undue loss of light, the height of new development is required to sit within a line drawn at 45 degrees from the edge of adjoining rear garden amenity space measured at a height of 2m above ground level. The elevation plans show the relationship with the rear gardens on Cranleigh Gardens demonstrating that the new houses will sit within a line drawn at 45 degrees. The Planning Inspector also stated in the previous appeal that any loss of sunlight will be minimal and only affect the very ends of the gardens to 50-56 Cranleigh Gardens during the late afternoon. The Inspector concluded that development would not bring about any unacceptable loss of residential amenity to nearby residents.

#### **Front forecourt layout and highway considerations**

##### *Car parking and access*

29. The car parking allowances for residential use are set out in standard PS14 of the adopted UDP 2004. As the site does not have good access to public transport services, the maximum standard applies to the site.

30. The maximum parking allowance for the proposed 2-bedroom dwellings is 1.2 space and for the 3- bedroom units 1.6 spaces and therefore a maximum total allowance of 4 spaces applies. Officers in Transportation have advised that the current parking provision of 4 spaces exceeds standards and should be reduced to one allocated space per dwellinghouse and a shared unallocated visitor space. It is recommended that as part of any forthcoming consent, a revised site layout is conditioned to include one of the spaces as a shared unallocated visitor space.

31. The proposed provision of four spaces (one per dwelling) is within this limit and is close enough to the maximum allowance to allay any concerns regarding overspill parking from the site.

32. The parking spaces will be accessed via the existing crossover. The drawing shows a 4.5m gap in the front boundary wall however, on site the crossover is only 3.5m. Therefore the proposed entrance does not comply with Brent's Crossover Policy and would lead to the illegal crossing of the footway. In previous comments, Transportation have requested widening of the crossover to 4.1m to allow two cars to pass one another. Transportation are no longer concerned with the widening of the crossover as the applicant has reduced the number of proposed dwellings from 4 to 3 and therefore the driveway does not need to be wide enough to have cars pass each other. Therefore a revised plan should be submitted showing the correct existing vehicular entrance width, in line with the existing crossover, and the front boundary walls should extend to edge of the crossover to prevent illegal crossing of the footway. It is recommended that a condition is secured requiring these details to be submitted.

33. In addition, there is a requirement to provide visibility splays at the access for pedestrian safety. The boundary wall and hedges either side of the crossover are over a 1m high and the vehicular access is



positioned at an angle with a tree on the public footway just south of the access making it difficult to maintain sight line visibility. As the site is adjacent to a Public Right of Way, the footway will be used by pedestrians and therefore the boundary wall either side of the vehicular access must not have any obstruction over 0.6m above road level. It is recommended that details of the boundary wall are conditioned to any forthcoming consent.

34. Drawing number E-1492-15-01A shows two new pedestrian accesses into the site and propose a gate that opens inwards and not out onto the Public Footway, this is acceptable. Transportation have advised that the grass verge will not be paved to provide direct access from the carriageway as seen on the plan and the existing Public Footway parallel to the grass verge should be used for pedestrian access. The grass verge falls outside of the application site and it is recommended that an informative is added to any forthcoming consent to inform the applicant of this matter.

#### *Refuse*

35. The drawing shows the bin storage provided near the entrance of the site. The front forecourt has sufficient space to accommodate a bin store that meets the refuse capacity requirements, and provide increased levels of soft landscaping. It is recommended that this is conditioned to any forthcoming consent.

#### *Cycle parking*

36. No cycle parking spaces have been provided. To comply with Policy PS16, 1 cycle space per dwelling should be provided in a secure and covered shelter to protect against weather and theft. Each unit has private garden space that can accommodate bicycle parking. Details of bicycle parking are recommended to be conditioned to any forthcoming consent.

#### **Flood Risk and Drainage**

37. Based on the latest Flood Risk Map from the Environment Agency, the bottom 9m of the existing rear garden (southern end of the site), lies within Flood Zone 2. The remainder of the site is outside a flood risk zone. A Flood Risk Assessment has been submitted. This includes a requirement to implement flood resistant design measures within plot 3. A safe escape has also been considered. This route is to the north of the site onto Brookfield Crescent and lies outside of the flood risk zone. It is recommended that the requirements set out in the Flood Risk Assessment are conditioned to any forthcoming consent.

#### *Surface Water Drainage*

38. As the scheme is not a major development (10 units or more) there is not a requirement to submit a sustainable drainage plan. However, as part of the existing rear garden will be built upon, it is recommended that permeable paving is conditioned as part of the landscaping condition. The use of permeable paving together with soft landscaping will assist in slowing down water run off into the drains.

#### **Trees and landscaping**

39. The frontage of the site currently has small trees/shrubs along the boundary at the head of the cul de sac. The plans show landscaping to be retained along the frontage. The existing landscaping could be removed and replaced with a low box hedge to allow more of a traditional street layout with plot 3 facing out onto the street. There is scope to provide more soft landscaping within the shared parking surface area by relocating the parking space for plot 3 and the visitor parking space further away from the garden of plot 2. Additional pockets of soft landscaping could be provided elsewhere within the frontage. This together with a better designed low boundary wall at no more than 0.6m is considered to enhance the appearance of the frontage. The landscaping within the site will include the provision of new tree planting both within the frontage area and rear gardens. Full details of landscaping are recommended to be conditioned to any forthcoming consent.

40. A tree report and arboricultural implications assessment has been submitted in relation to trees within the application site and within the neighbouring rear gardens. The tree officer has confirmed that I have no objection to the removal of trees T11-T14 but would expect to see a good quality landscape scheme which includes suitable replacement and additional tree planting wherever possible. They go on to advise that the report and tree protection plan should be conditioned and a site inspection carried out by the LPA's tree officer to check on tree protection measures prior to commencement of works.

#### **Response to objections raised**

<b>Point of objection</b>	<b>Response</b>
Brookfield Crescent is a narrow road that already struggles with larger vehicles such as deliveries and refuse vehicles.	<p>The site has sufficient space within the forecourt to allow delivery vehicles to drop off goods.</p> <p>The refuse vehicles already travel down Brookfield Crescent, and the increase in the amount of waste to be collected will not be significant greater than the existing arrangement.</p>
Construction lorries will block road and cause noise and disturbance.	<p>Construction traffic could be required in the event that any property on Brookfield Crescent carried out any renovation/extension works, and from a planning perspective there would be limited controls.</p> <p>In the event that this application was supported a construction management plan could be conditioned so minimise disruption from construction traffic.</p>
Site is located close to the footpath that provides access to Uxendon Manor Primary School - increase congestion during school drop off and collection time in terms of pedestrians and vehicles.	The site has provision for off street parking to minimise overspill parking onto Brookfield Crescent
Potential sewage problem.	<p>The application is recommended that new hardstanding is of permeable construction. The provision of permeable paving together with new landscaping will assist in slowing water run off into the drains, and creating sewer problems.</p> <p>Other matters such as blocked drains need to be report to the sewer company.</p>
Garden of No. 25 Brookfield Crescent currently being used to store construction materials	If the storage of construction materials is for the purpose of a business then it is likely to require planning permission. The matter has been passed onto the Planning Enforcement Team for further investigation.
Sitting of detached house (plot 3) is out of keeping with suburban character of the street	The sitting of plot 3 is now considered in be in keeping with the streetscape. This is discussed in paragraphs 12 to 17 above.
New houses will result in loss of privacy, light and outlook to neighbouring occupiers.	The new houses are not considered to adversely impact on the amenities of neighbouring occupiers as a result of loss of privacy, light or outlook. This is discussed in paragraphs 25 to 28 above.
Site at risk of flooding.	The flood risk considerations of the site are discussed in paragraph 37 above.
Loss of rear garden and over development of the site.	The development is considered acceptable in principle and does not result in an over development of the site. This is discussed in paragraphs 7 to 15 above.
Decrease in value of existing properties.	This is not a material planning consideration.
The existing house is of character and should be retained. An application made to English Heritage to make the building listed.	The building is not listed nor is there any record of an application being submitted to Historic England (formally English Heritage) for it to be listed. This matter is discussed in more detail in paragraph 8 and 9 above.
Landscaping and trees removed prior to first application being submitted in 2014.	As the site is not in a conservation area or contains any TPO trees, the loss of the trees can be

	undertaken without permission. This application will provide new tree planting.
Consultation period inadequate and should extend into the summer holidays.	The consultation period was carried out in accordance with statutory requirements.
Increased noise and disturbance	Whilst there will be increased noise and disturbance during construction, the hours are restricted through environmental health legislation. A Construction Management Plan will be conditioned to any forthcoming consent.
The scheme does not overcome the Planning Inspectorate's objections	This matter has been addressed above – please refer to paragraphs 12 to 17.
Inadequate parking provision and tight parking layout of the three new houses	Transportation officers have advised that three car parking spaces are required for the new houses together with a visitor space. This can be accommodated within the front forecourt. This is discussed in further details in paragraphs 29 to 31 above.
Proposed pathways is across the public grass area at the end of the crescent	The new pedestrian pathways can be accessed via the existing path between the application site and grass verge. The grass verge does not form part of the application site (it is outside the red edge site plan) and an informative will be added to draw the attention of the applicant/agent to this matter and that the Council would not support paving over the grass verge. In any event separate permission from the Council's Public Realm/Transportation Departments is required.
New pathway will increase opportunity for crime	See comments above. It is unclear how the new pathway will increase crime. Furthermore, the provision of a new house (plot 3) facing the street will increase natural surveillance onto Brookfield Crescent.

## **Conclusions**

41. In conclusion, this application is considered to have overcome the previous objections raised by the Planning Inspectorate. Plot 3 has been reoriented to face onto Brookfield Crescent and provide an increased set back from the street frontage. Furthermore, the new houses are not considered to adversely impact on the amenities of neighbouring occupiers.
42. The scheme provide sufficient off street parking to not create congestion on street. Opportunities for improved landscaping within the site will be sought to enhance its appearance within the streetscape.
43. The new houses provide an acceptable mix and standard of accommodation.
44. Approval is accordingly recommended subject to the conditions set out below.

## **CIL DETAILS**

This application is liable to pay **£54,286.06\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): 132 sq. m.

Total amount of floorspace on completion (G): 334 sq. m.

Use	Floorspace on completion	Eligible* retained floorspace	Net area chargeable at rate R	Rate R: Brent multiplier	Rate R: Mayoral multiplier	Brent sub-total	Mayoral sub-total
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	(Gr)	(Kr)	(A)	used	used		
Dwelling houses	334		202	£200.00	£35.15	£46,171.43	£8,114.63

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
<b>Total chargeable amount</b>	£46,171.43	£8,114.63

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



DECISION NOTICE – APPROVAL

=====  
Application No: 15/1569

To: Mr Edwards  
Richard Edwards Associates  
The Studio  
Ivy Hill  
Writtle Road  
Margaretting, chelmsford,Essex  
CM4 0EH

I refer to your application dated 14/04/2015 proposing the following:  
Demolition of existing dwellinghouse and associated buildings and erection of 3 two storey dwellinghouses (2 x 2bed and 1 x 3bed) with associated car parking spaces, bin stores, amenity space and landscaping (revised description)  
and accompanied by plans or documents listed here:  
Refer to Condition 2  
at 25 Brookfield Crescent, Harrow, HA3 0UT

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework  
The Further Alterations to the London Plan 2015  
The Mayor's Housing Supplementary Planning Guidance (adopted November 2012)  
Brent's Core Strategy 2010  
Brent's UDP 2004  
SPG17 "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  
Housing: in terms of protecting residential amenities and guiding new development

- 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 Ground Floor Plan  
Existing First Floor Plan  
Existing Elevations  
Unnumbered "Amended Site Plan"  
E\_1492\_15\_01 Rev A - Proposed Floor Plans  
E\_1492\_15\_02 Rev A - Proposed Elevations  
E\_1492\_15\_03 - Relationship to Neighbouring Boundaries  
Tree Report prepared by Tree Sense  
Flood Risk Assessment prepared by UNDA

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

- 3 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses subject of this application, notwithstanding the provisions of Classes A to H of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 4 The windows to the dressing rooms on the first floor of the rear elevations to plots 1 and 2 and to the landing and ensuite on the first floor of the rear elevation to plot 3 shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) 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 occupier(s).

- 5 The Tree Protection Plan together with the recommendations set out in the approved Tree

Report Arboricultural Implications Assessment prepared Tree Sense shall be carried out strictly in accordance with the agreed details. Works shall not commence on site until the Local Planning Authority has been on site and inspected the approved tree protection measures.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- 6 Notwithstanding the submitted plans otherwise approved, further details of the rear garden layout for the new dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The hard landscape works shall be completed prior to first occupation of the proposed dwellinghouses hereby approved and the soft landscape works shall be completed within six months of the first occupation of the proposed dwellinghouses hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) Patios and pathways (including details of materials, finishes and height of patio)
- (ii) Details of existing and proposed boundary treatments (including materials and height).
- (iii) All existing planting to be retained and proposed planting (including location, species, size, density and number). The proposed planting shall include an ornamental tree (minimum girth of 16-18cm) in the rear gardens of the new dwellinghouses .
- (iv) Details of any external lighting within the rear gardens or attached to the dwellinghouses

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.

- 7 Prior to commencement of any works on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of how the following will be addressed:

- (a) The best practice means available in accordance with BS5228:1997 shall be employed at all times to minimise the emissions of noise from the site;
- (b) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800-1800 Mondays to Fridays, 0800 – 12300 Saturdays and at no times on Sundays or Bank Holidays ;
- (c) Vehicular access to adjoining and opposite premises shall not be impeded;
- (d) All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- (e) A barrier shall be constructed around the site, to be erected prior to demolition;
- (f) A suitable and sufficient means of suppressing dust should be provided and maintained.

The Construction Management Plan shall thereafter be carried out in strict accordance with the approved details through the construction of the new houses.

Reason: In the interests of local amenity.

- 8 Details of materials for all external works (including samples to be prearranged to be viewed on site) 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 unless otherwise agreed in writing by the Local Planning Authority.

Such details shall include:

- (a) sample board of facing bricks and sample of roof tiles together with details of any rendered

surfaces

- (b) details of materials for the chimney features
- (c) details of materials for the front porches
- (d) details of materials for all doors and windows

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

- 9 Notwithstanding the submitted plans otherwise approved, further details of the front forecourt area to the new dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The hard landscape works to both dwellinghouses shall be completed prior to first occupation of the dwellinghouses hereby approved and the soft landscape works for both dwellinghouses shall be completed within six months of the first occupation of the proposed dwellinghouses hereby approved. The landscaping works shall be carried out in accordance with the approved scheme.

Such details shall include:-

- (i) one allocated parking space for each of the dwellinghouse and an unallocated shared visitor space.
- (ii) Reduction in the width of the vehicular entrance in line with the existing crossover to prevent vehicles overriding the pavement
- (ii) Details of materials for areas of hardstanding including marking out of the car parking space for plot 3 and the shared visitor space and pedestrian pathways (including details of materials and finishes which shall be of a permeable construction).
- (iii) Details of the soft landscaped in the front forecourt area (including location, species, size, density and number) including the provision of at least three replacement ornamental trees.
- (iv) Details of bin storage for each dwellinghouse to comply with Brent's Household Waste Collection Strategy 2010-2014 (including floor plans and elevations) with
- (iv) Low boundary wall across the frontage of the site at no more than 0.6m high (elevation plans to be provided)

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.

## INFORMATIVES

- 1 The applicant is reminded that the new footpath access to the site is only from the existing site boundary to the back edge of the pavement. The new pathways shown in the grass verges fall outside the application site and have not been included as part of the assessment of this planning application.



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

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## COMMITTEE REPORT

Planning Committee on  
Item No

22 October, 2015

Case Number

15/2200

## SITE INFORMATION

**RECEIVED:** 9 June, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** Flat 1-6 INC, 9 Regent Street, London, NW10 5LG

**PROPOSAL:** Construction of a new floor to existing four storey mixed used building to provide two additional self-contained flats (2x 1bed) "CAR FREE DEVELOPMENT".

**APPLICANT:** Hamilton Court Developments

**CONTACT:** Claridge Architects

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: Flat 1-6 INC, 9 Regent Street, London, NW10 5LG

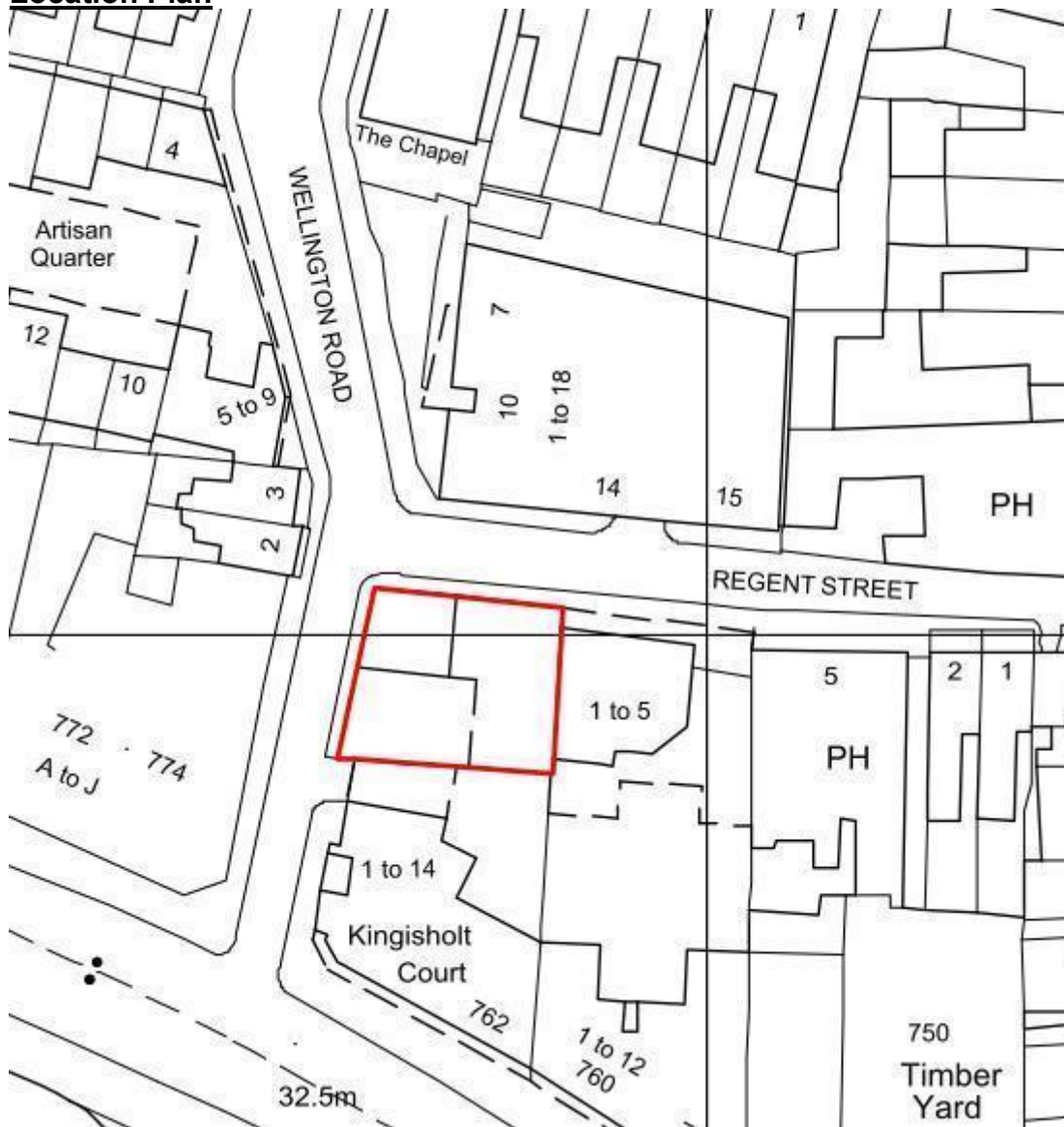
© Crown copyright and database rights 2011 Ordnance Survey 100025260

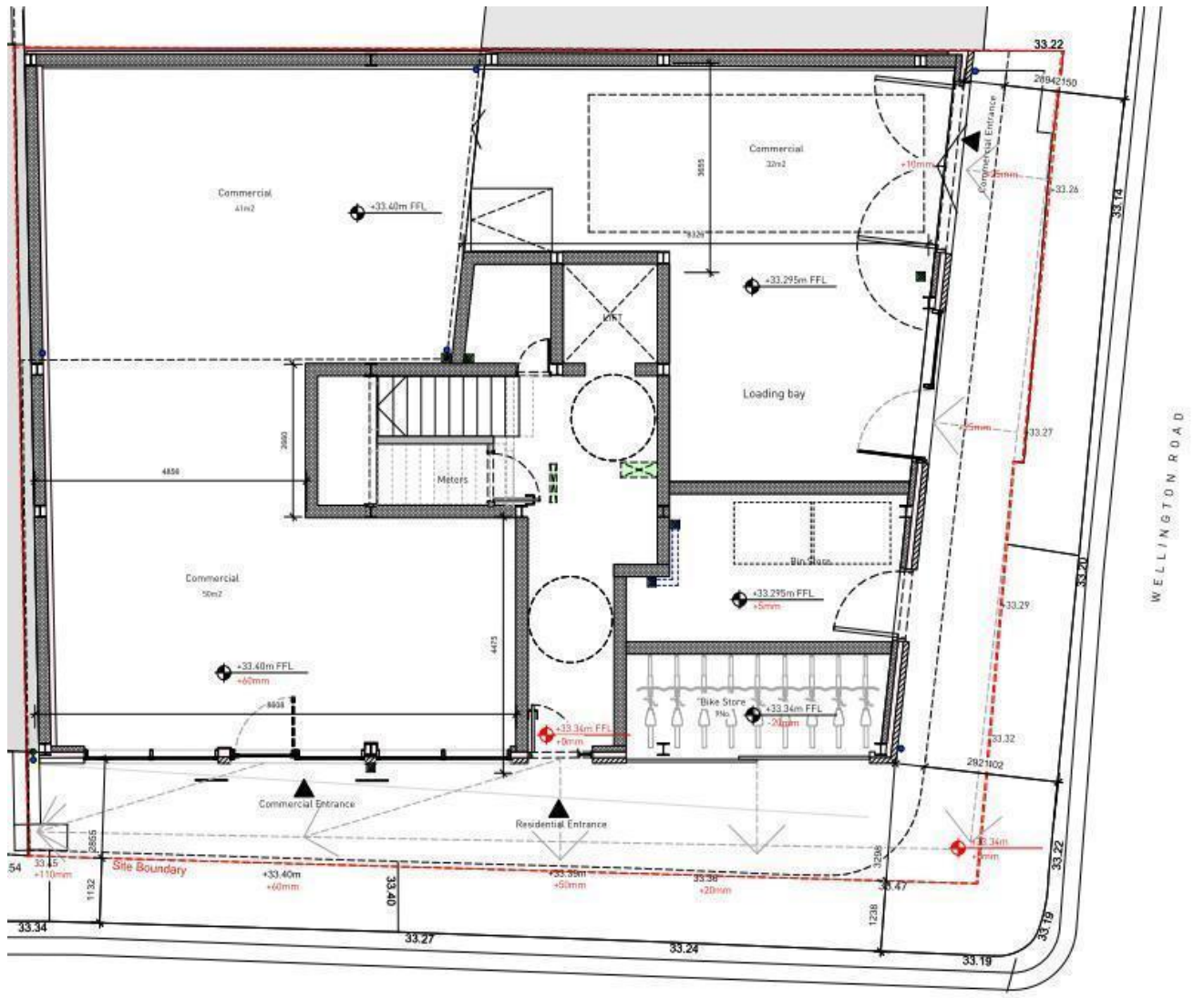


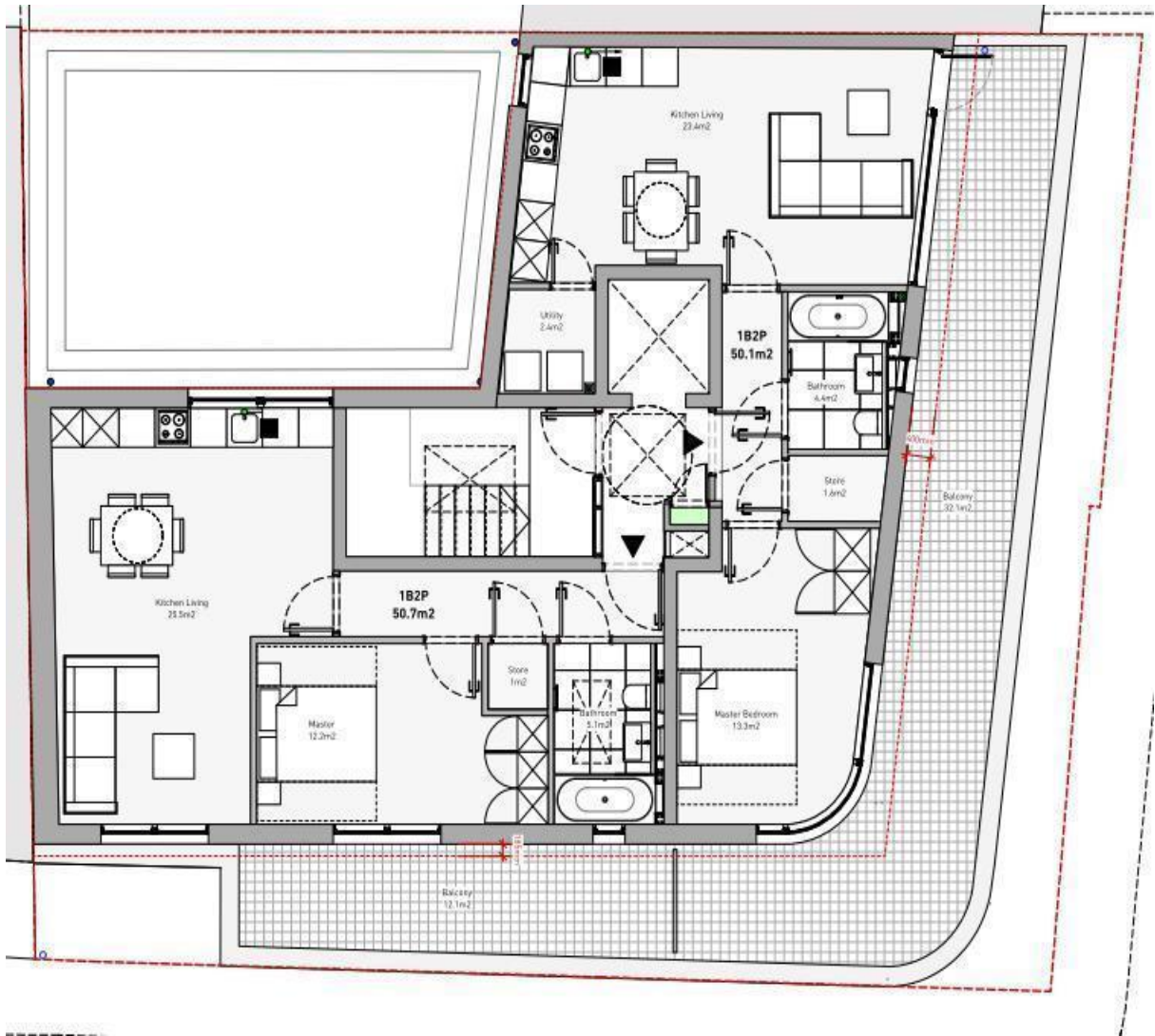
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Location Plan









## RECOMMENDATIONS

**Approval**, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

See above.

### B) EXISTING

The application site, occupied by a four storey mixed use building, is located on the corner of Regent Street and Wellington Road. The building currently consists of offices at ground floor level and six self-contained flats located on the upper floors. The application site is not located within a conservation area nor does any



part contain a listed building.

## **C) AMENDMENTS SINCE SUBMISSION**

### **D) SUMMARY OF KEY ISSUES**

The key issues are as follows:

1. The height of the additional storey in the context of the existing building and neighbouring buildings.
2. The impact of the additional storey on the neighbouring buildings with regard to loss of light, outlook.
3. The impact of the proposed roof terrace with regard to loss of privacy and overlooking to neighbouring residents
4. The impact of the proposal on transport (this is negated due to the proposal being 'car-free')

## **RELEVANT SITE HISTORY**

### **14/0094 – GTD**

Variation of condition 2 (approved drawings) of full planning permission ref: 12/0525 Extension to time limit of planning consent no. 07/0954, granted on 27 April 2009, for demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor, subject to a Deed of Agreement dated 15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended and subject to the Deed of Variation dated 17th July 2014, involving the following changes;

Regents Street elevation;

- External terrace on third floor
- ground floor is set back from the back of pavement by up to 800mm more than the consented scheme.
- first and second floor overhang pavement 300mm more than the consented scheme.
- third floor overhangs pavement by between 300mm - 900mm more than the consent scheme and contains corner set back section.

Wellington Road elevation;

- building on all floors set back by up to 500mm more than the consented scheme.

Internal elevations, first second and third floor;

- east elevation extended 2.7m further outward than consented scheme,
- south elevation building set back by up to 850mm more than consented scheme.

Other changes;

- alterations to planned pavement widening.
- reorganisation of internal floor plans, mix remaining the same (6 x 2 bed units).
- inclusion of secure residential and commercial bike store
- relocation of balconies to Wellington Road elevation.
- alterations to approved elevations involving revised window sizes and location.

### **13/3816 – GTD**

Details pursuant to condition 9 (materials) of variation of condition application reference 13/0921 and full planning permission extended under reference 12/0525, originally granted under planning consent no. 07/0954 dated 27 April 2009, for demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor and subject to a Deed of Agreement dated

15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended and subject to the Deed of Variation dated 29th August 2012, involving the following changes;

There are some planned enlargements and reductions to the approved building massing as follows;

Regents Street elevation;

- ground floor is set back from the back of pavement by up to 800mm more than the consented scheme.
- first and second floor overhang pavement 300mm more than the consented scheme.
- third floor overhangs pavement by between 300mm - 900mm more than the consent scheme and contains corner set back section.

Wellington Road elevation;

- building on all floors set back by up to 500mm more than the consented scheme.

Internal elevations, first second and third floor;

- east elevation extended 2.7m further outward than consented scheme,
- south elevation building set back by up to 850mm more than consented scheme.

Other changes;

- alterations to planned pavement widening.
- reorganisation of internal floor plans, mix remaining the same (6 x 2 bed units).
- inclusion of secure residential and commercial bike store
- relocation of balconies to Wellington Road elevation.

alterations to approved elevations involving revised window sizes and location.

### **13/2801 – GTD**

Details pursuant to condition 6 (site investigation and contamination report) and 7 (completion and certification report) of planning permission reference 12/0525 dated 14/09/2012 for extension to time limit of planning consent no. 07/0954, granted on 27 April 2009, for demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor and subject to a Deed of Agreement dated 15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended and subject to the Deed of Variation dated 29th August 2012

### **13/0921 – GTD**

Variation of condition 2 (approved drawings) of full planning permission ref: 12/0525 Extension to time limit of planning consent no. 07/0954, granted on 27 April 2009, for demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor and subject to a Deed of Agreement dated 15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended and subject to the Deed of Variation dated 29th August 2012, involving the following changes;

There are some planned enlargements and reductions to the approved building massing as follows;

Regents Street elevation;

- ground floor is set back from the back of pavement by up to 800mm more than the consented scheme.
- first and second floor overhang pavement 300mm more than the consented scheme.
- third floor overhangs pavement by between 300mm - 900mm more than the consent scheme and contains corner set back section.

Wellington Road elevation;

- building on all floors set back by up to 500mm more than the consented scheme.

Internal elevations, first second and third floor;

- east elevation extended 2.7m further outward than consented scheme,
- south elevation building set back by up to 850mm more than consented scheme.

Other changes;

- alterations to planned pavement widening.
- reorganisation of internal floor plans, mix remaining the same (6 x 2 bed units).
- inclusion of secure residential and commercial bike store
- relocation of balconies to Wellington Road elevation.
- alterations to approved elevations involving revised window sizes and location.

#### **12/0525 – GTD**

Extension to time limit of planning consent no. 07/0954, granted on 27 April 2009, for demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor and subject to a Deed of Agreement dated 15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended and subject to the Deed of Variation dated 29th August 2012

#### **07/0954 – GTD**

Demolition of existing garage/workshop and erection of replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor and subject to a Deed of Agreement dated 15th April 2009 under Section 106 of the Town and Country Planning Act 1990, as amended

## **CONSULTATIONS**

A total of 84 neighbouring properties were consulted. To date there have been fifteen objections to the proposal including one from the local residents group Kensal Triangle Residents Association (KTRA) and one from Councillor Denselow. The representations raised the following concerns:

<b>Objection</b>	<b>Response</b>
Height of proposal	See paragraph 3 and 4
Over development of area	See paragraph 4
Impact on parking and lack of cycle storage	See paragraph 15, 16 and 17
Impact on existing flats during construction	See paragraph 14
Impact on light and privacy	See paragraph 10, 11, 12 and 13
Overlooking from windows and balcony	See paragraph 13
Enclosure of communal space on two sides in	See paragraph 12

Kingisholt Court	
Design, massing and scale not in keeping with the area	See paragraph 3 and 4
Impact on streetscene	See paragraph 3 and 4
Impact on two storey units on Wellington Road	See paragraph 11
Potential precedent set for other buildings to erect higher extensions	See paragraph 3 and 4

*Notes:*

*Reference has been made to that fact that previously the addition of an extra storey was refused by the Council. However it must be noted that an application was withdrawn prior to a decision being made and that this was in 2005.*

**Internal consultation**

Transport & Highways – no objections

Urban Design Officer – no objections

## **POLICY CONSIDERATIONS**

**NPPF (2012)**

**London Plan (2015)**

Policy 3.5

**Core Strategy (2010)**

CP2 Population and Housing Growth

CP17 Protecting and Enhancing the Suburban Character of Brent

CP21 A Balanced Housing Stock

**UDP (2004)**

BE2 - Townscape: Local context & Character

BE3 – Urban Structure: Space & Movement

BE5 – Urban Clarity & Safety

BE6 – Public Realm: Landscape Design

BE7 – Public Realm: Street scene

BE9 – Architectural Quality

H12 – Residential Quality – Layout Considerations  
H13 – Residential Density

TRN11 – The London Cycle Network  
TRN23 – Parking Standards – Residential Developments

**Brent Supplementary Planning Guidance (SPG)**  
SPG 17 – Design guide for new development

## **Other Supplementary Planning Guidance**

Mayor of London Housing Supplementary Planning Guidance

# **DETAILED CONSIDERATIONS**

## Introduction

1. Application 15/2200 proposes the construction of an additional storey to the existing four storey mixed use building to provide two additional self-contained flats consisting of two one bedroomed units. As explained in the 'History' section of this report permission was originally granted for the demolition of an existing garage/workshop and the erection of a replacement 4-storey block of 6 self-contained flats and a B1 unit on the ground floor under planning reference 07/0954 dated 27/04/2009. Following this applications were submitted to extend the life of the permission which was granted under reference 12/0525 and also a number of subsequent variations to the original permission were approved.

## Site layout and access

2. Currently the building consists of offices at ground floor level and there are six self-contained flats located on the upper floors which consist of six two bedroomed units. The current application proposes the addition of another storey to accommodate two one bedroomed units with a terrace to provide outdoor amenity space. The proposed flats will be accessed via the existing street level door with the existing central stairway and lift shaft extending to the proposed additional floor to provide access to the proposed flats.

## Design, scale and massing

3. The scale of the development is considered to be appropriate when the character and context of the surrounding area is taken into account. The area is characterised by a number of tall buildings located to the north, south and east of the site. These buildings vary in height from four to six storeys with the building located directly to the south, Kingisholt Court which fronts Harrow Road, being the tallest.

4. The height of the proposed addition will be 0.6 metres lower than the height of the four storey building to the north and 1.6 metres lower than Kingisholt Court located directly to the south. The proposed addition will extend 1.9 metres higher than the existing building to the east. Concerns have been raised by objectors about the scale and massing of the proposal however when the context of the surrounding area is taken into consideration and the varying scale of buildings, the proposal would be level if not smaller in height than the existing buildings. Concerns have been raised about setting a precedent of larger buildings and additional storeys in the area. However the area is characterised by buildings with various heights which has changed the context and character of this area through contemporary design and infill development.

## Materials

5. The materials of the existing surrounding buildings consist of a variety of styles and appearances. To the north of the site Wellington House contains a mixture of white render and grey window frames. Whilst Kingisholt Court consists of render, terracotta panels and brickwork to the south. The proposed materials of the additional storey consist of light grey zinc panelling which differ slightly from the existing white render and

Grafton grey brick found at street level.

#### Standard of accommodation

6. Policy 3.5 of the London Plan (2015) sets out the minimum internal space standards that are appropriate for new developments in order to provide a satisfactory standard of accommodation for future occupants. The application proposes the addition of two one bedroomed units with Gross Internal Areas (GIA) of 50.7 sqm and 50.1 sqm respectively which meet the minimum standard.

7. The Mayor of London's Housing SPG contains guidance with regard to the standard of accommodation that new development should provide. With regard to private amenity space a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings. The application has proposed a roof terrace that will wrap around the face of the additional unit and provide the proposed flats with 12.1 sqm and 32.1 sqm of private amenity space which exceed the minimum standard of amenity space that is required for new residential development.

8. Both bedrooms and the kitchen/living room areas are of generous sizes and exceed the minimum size standard as contain in the Housing SPG. With regard to outlook and access to natural light all rooms are well served by windows with both kitchen/living rooms containing dual aspect windows. There are some concerns with stacking with one of the units as the kitchen/living room area will be located over two existing bedrooms on the third floor. However this could be mitigated against with adequate soundproofing and could be secured by condition.

#### Impact on neighbouring amenity

9. Residential units are located on all sides of the application site with Wellington House to the north; Kingsholt Court to the south; Nos. 2 and 3 Wellington Road, a pair of two storey houses, to the west located 8 metres across the road; 772-774 Harrow Road located to the south-west; and 1-5 Regent Street located immediately to the east. Concerns have been raised by a number of objectors with regard to the potential loss of light and outlook and also the potential for overlooking from the proposed roof terrace

10. The proposed additional storey will be set back by 2.3 metres from the northern side of the application site. When considering the impact of the proposal on Wellington House located to the north and the habitable room windows on its southern elevation, the set back of 2.3 metres would ensure that the additional storey would not result in an overbearing feature. The gap between the existing buildings is 7.85 metres which already results in quite a confined space with a limited gap between habitable windows which is typical of buildings in built up urban areas. Therefore it is considered that the addition of an extra storey with a further set back of 2.3 metres would not be detrimental by being over dominant or overbearing to this particular residential unit. Further to this the applicant has submitted a Daylighting Assessment which considers all 21 windows located in the southern elevation of Wellington House facing the application site. This assessment has found that the windows located closest to the development proposals are predicted to experience a modest reduction to the Vertical Sky Component (VSC) compared to existing values. VSC is defined as a measure of the amount of skylight occurring on vertical plane which in this case would be the elevation facing the application site. It is most commonly applied to the amount of light at the centre of windows and is used to measure the potential for good daylighting. The worst affected window located on the left hand side of the building would experience an 8% reduction which is still significantly below the BRE threshold of 27%. The report therefore concludes that any loss of skylight would be within acceptable limits.

11. During the original application for the four storey building (07/0954) the impact of the building was considered in terms of its impact on Nos. 2 and 3 Wellington Road. During the course of the application it was found that there would have been an effect on both of these properties but that the effect would be minor. This was because only the windows in the front elevation of these houses would suffer any significant effect and given the fact that the properties were in use as single dwellings it was considered that the level of effect was acceptable as the houses have access to natural light through other windows including the rear elevation. Variations to the original permission were also subsequently approved which saw the building set back by a further 0.5 metres than originally approved. When considering the current application and the existing buildings height, the proposed addition of another storey will be set back by 2.1 metres from the edge

of the existing building and therefore it is considered that this is a sufficient amount to reduce any impact on either Nos. 2 or 3 Wellington Road.

12. Concerns have been raised about the impact that the additional storey would have on the communal roof terrace located to the immediate south of the application site belonging to the Kingisholt Court complex. However given the nature of roof terraces in built up areas and the fact that it is a communal area and not actual residential accommodation or private space, in this case the impact is not deemed to be unacceptable. The roof terrace would still maintain views to the east and west and is typical of this kind of feature in an urban setting which can often be restricted due to close proximity of neighbouring buildings.

13. Concerns have been raised by objectors about potential overlooking from the proposed roof terrace and the potential congregation of people. Due to the confined nature of the streets and the fact that the existing buildings are located in close proximity to each other some overlooking from existing windows already takes place. However the inclusion of roof terraces can in some instances exacerbate this problem and have implications for residents in other buildings with regard to loss of privacy and overlooking. Taking this point into consideration amendments have been requested with regard to the roof terrace as people accessing it could potentially walk right up to the edge of the building due to the narrow outer wall of the proposed roof terrace. Suggestions have therefore been made to include a barrier in the form of either a thicker wall or planting (or both) which would mean that people are restricted from standing at the very edge of the building and reduce the potential for overlooking. A condition has therefore been suggested to submit further details of the roof terrace for assessment by the Council.

14. Concerns have been raised by objectors with regard to potential noise nuisance and disturbance during construction however this is not a planning consideration that can be taken into account and is controlled by other legislation. In the event that permission is granted conditions can be attached requiring the applicant to sign up to the Considerate Contractors Scheme whilst a Construction Method Statement will also be required.

#### Transport Considerations

15. The original application did not propose car parking and a Section 106 'car-free' agreement was applied to the six flats within the building which removed the right of future occupants to on-street parking permits. The proposed addition of two further one-bedroom flats to the previously approved building would increase the residential car parking allowance by 1.4 spaces to 5.6 spaces, with a further space allowed for the ground floor commercial unit.

16. To again ensure that there would be no adverse impact on parking conditions in the area and to ensure that a consistent approach is taken to permits within the building any additional units would also be subject to a 'car-free' agreement to remove the right to parking permits in the future. Concerns have been raised by an objector about the potential impact on car parking in the area however the applicant has proposed making the additional units 'car free' which is deemed as being acceptable.

17. With regard to cycle storage although two additional flats are now proposed, the previously agreed provision of nine bicycle parking spaces within a secure store for residents would still be sufficient to satisfy standard PS16 of one space per flat, with the external Sheffield stands beneath the building overhang satisfying requirements for the commercial unit. Concerns have been raised by an objector about the lack of cycle storage that would be afforded to residents however the current cycle storage in the building meets the required standard and as such is deemed to be acceptable.

#### Refuse storage

18. There is adequate room for additional refuse storage in the existing bin storage area located on the ground floor.

#### Conclusion

19. Taking the height of the existing building into consideration and the fact that the proposed addition of an

extra storey will be set in from the edge of the building it is not considered that the proposal would have a detrimental impact on the amenity of any neighbouring residents by means of overlooking, loss of privacy or loss of light.

20. The proposed additional storey will provide two additional units that are of an acceptable standard in terms of the standard of accommodation they would provide and comply with the necessary policies and guidance as contained in the London Plan (2015). The proposal will provide an appropriate addition to the existing building that meets parking standards and the new floor area will be liable to CIL.

21. Consideration has been given to the context of this area and the varying styles and sizes of the existing buildings in the streetscene. When considering the addition of an extra storey to the building it is not considered that this would create an unacceptable addition to this area.

## CIL DETAILS

This application is liable to pay **£37,086.52\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 138 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	138		138	£200.00	£35.15	£31,542.86	£5,543.66
			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
<b>Total chargeable amount</b>	<b>£31,542.86</b>	<b>£5,543.66</b>

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**





**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====  
Application No: 15/2200

To: Mr Lee Fox  
Claridge Architects  
6 Lonsdale Road  
London  
NW6 6RD

I refer to your application dated 21/05/2015 proposing the following:  
Construction of a new floor to existing four storey mixed used building to provide two additional self-contained flats (2x 1bed) "CAR FREE DEVELOPMENT".  
and accompanied by plans or documents listed here:  
See condition 2  
at Flat 1-6 INC, 9 Regent Street, London, NW10 5LG

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
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  
Transport: in terms of sustainability, safety and servicing needs
  
- 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):  
GA.00  
GE.00  
GE.01  
GS.01  
S.00  
S.01  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.  
Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.
  
- 4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing

occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

- 5 Details of materials for all external work, including samples, 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.

- 6 Notwithstanding the hereby approved plans, further details of the roof terrace, including physical measures and/or planting, to ensure that potential overlooking of neighbouring properties is minimised shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. Once approved the details must be fully implemented and permanently maintained.

Reason: To ensure that the proposed development does not prejudice the amenity of neighbouring residents

- 7 No development shall take place before a scheme for adequate sound insulation to walls and/or floors between units in separate occupation hereby approved has been submitted in addition to building regulations and approved in writing by the Local Planning Authority. Thereafter none of the flats shall be occupied until the approved scheme has been fully implemented.

Reason: In the interests of residential amenity

- 8 Prior to the commencement of works, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority detailing measures that will be taken to control dust, noise and other environmental impacts of the development and the routing and timing of construction vehicles and the approved details shall thereafter be implemented.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance and to mitigate against highways impacts.

## 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](http://www.communities.gov.uk)
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including roof/guttering treatment is carried out entirely within the application property.

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232

## COMMITTEE REPORT

Planning Committee on 22 October, 2015  
Item No 06  
Case Number 15/2809

## SITE INFORMATION

**RECEIVED:** 29 June, 2015

**WARD:** Kilburn

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 15 Brondesbury Villas, London, NW6 6AH

**PROPOSAL:** Proposed conversion of property from two 2x bedroom flats to a single 4x bedroom dwellinghouse plus erection of single storey rear extension following demolition of existing single storey rear extension, erection of glazed side extension and re-location of access door at second storey level, replacement of UPVC windows with timber windows, alterations to existing outbuilding including insertion of bi-fold doors and replacement of roof with glazed roof and removal of front canopy structure (amended plans and description)

**APPLICANT:** Mr Michel Lasserre

**CONTACT:** Jack Woolley

**PLAN NO'S:** See Condition 2.

---

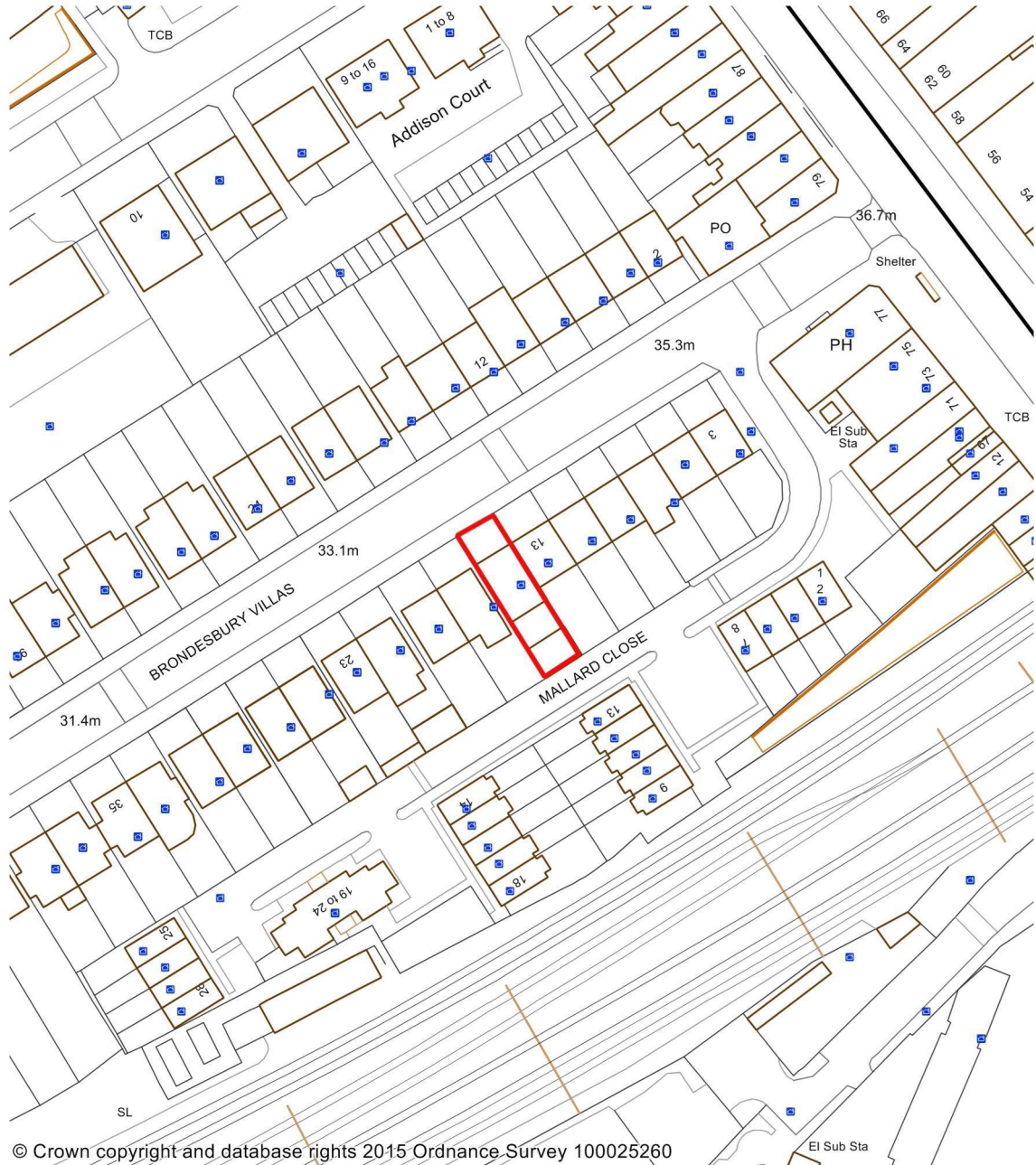
# SITE MAP



## Planning Committee Map

Site address: 15 Brondesbury Villas, London, NW6 6AH

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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Existing Rear Elevation

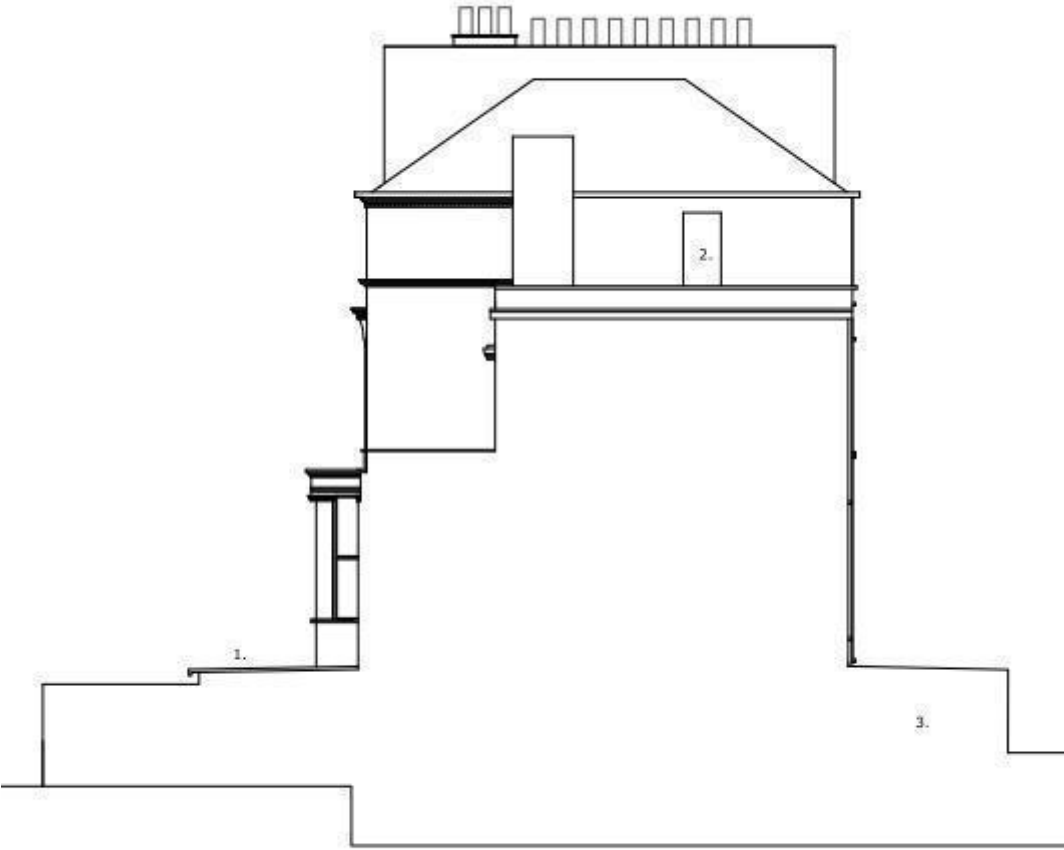


## Proposed Rear Elevation

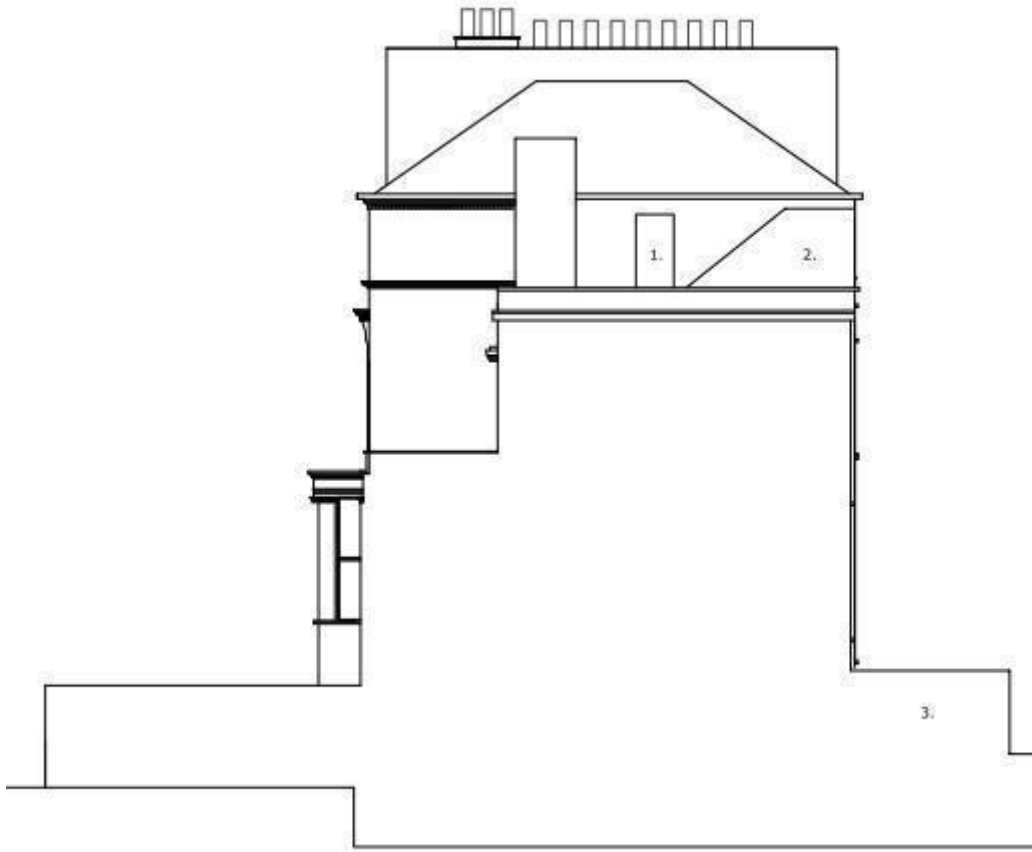




**Existing Side Elevation**



**Proposed Side Elevation**



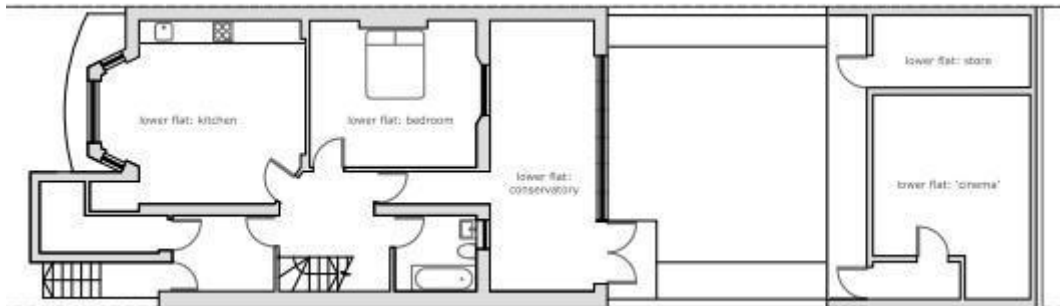
**Existing Front Elevation**



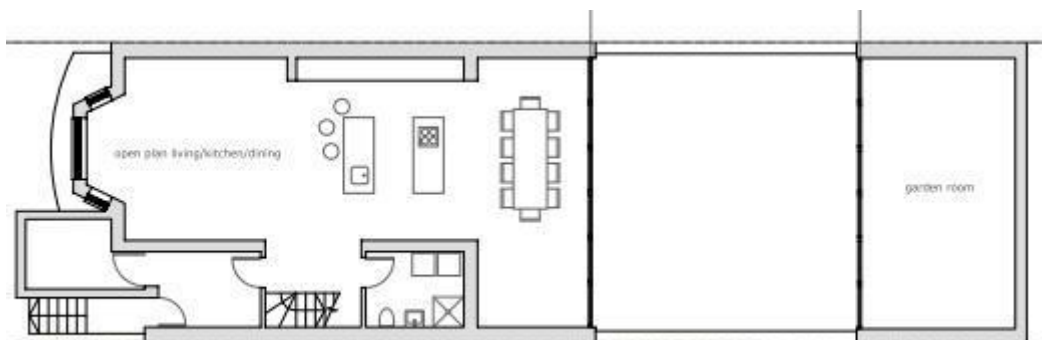
**Proposed Front Elevation**



## Existing Ground Floor Plan



## Proposed Ground Floor Plan



## **RECOMMENDATIONS**

GRANT planning permission subject to conditions.

, subject to the conditions set out in the Draft Decision Notice.

### **A) PROPOSAL**

The proposal is for the conversion of the property from two 2x bedroom flats to a single 4x bedroom dwellinghouse plus erection of single storey rear extension following demolition of existing single storey rear extension, erection of glazed side extension and re-location of access door at second storey level, replacement of UPVC windows with timber windows, alterations to existing outbuilding including insertion of bi-fold doors and replacement of roof with glazed roof and removal of front canopy structure.

### **B) EXISTING**

The proposal relates to a large semi-detached four storey villa dating from the Victorian era. The property features an original three storey side projecting element containing the entrance to the property and the property is finished in brickwork painted white and white stucco to the lower floors on the rear elevation. The rear garden features a relatively modern single storey outbuilding finished in brickwork. This part of Brondesbury Villas is characterised by similar pairs of villas and forms part of the Kilburn Conservation Area.

### **C) AMENDMENTS SINCE SUBMISSION**

Revised plans were received on 25/09/2015 which made the following amendments:

- The first floor element of the rear extension and roof terrace was removed
- The excavation of the basement to the frontage was removed

Neighbours were re-consulted for 14 days on the amended plans and the proposal has been assessed based on these plans.

## D) SUMMARY OF KEY ISSUES

The key planning considerations in this case are as follows:

- Impact on Character – The proposal is considered to result in a visually acceptable development which has an acceptable impact on the character of the area and preserves the special character of the Conservation Area
- Impact on Neighbouring Amenity – The proposal is considered to form an acceptable relationship with neighbouring occupiers
- Transportation Impact – The proposal is considered acceptable in transportation terms

## RELEVANT SITE HISTORY

None.

## CONSULTATIONS

Statutory neighbour consultation period (21 days) started on 22/07/2015. Neighbours were re-consulted on 01/10/2015 for a period of 14 days on amended plans. In total, 5x representations have been received objecting to the proposal and the concerns raised are summarised below.

Objection raised	Response
The proposed extensions would cause loss of light	See paragraphs 11-13
The outbuilding could be used as habitable accommodation	See paragraph 9
The excavation of the front basement would cause disruption and damage to neighbouring properties	Officer note: this comment relates to a feature which is no longer proposed
The proposed roof terrace would cause loss of privacy	Officer note: this comment relates to a feature which is no longer proposed
Planning permission appears to have not been granted for the extension and outbuilding	Aerial photography records suggest that the rear extension and outbuilding have been in place for between 10 and 15 years and there has been no enforcement history or planning applications

A site notice displayed at the site on 05/06/2015 for at least 21 days and the application was advertised in the local press as it affects a Conservation Area.

## POLICY CONSIDERATIONS

**National Planning Policy Framework (NPPF) (2012):**

Section 7 – Requiring Good Design

Section 12 – Conserving and Enhancing the Historic Environment

**The London Plan (2011):**

Policy 7.8 – Heritage Assets and Archaeology

## **Brent's Unitary Development Plan (UDP) (2004):**

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

BE25 – Development in Conservation Areas

BE26 – Alterations and Extensions to Buildings in Conservation Areas

TRN23 – Parking Standards – Residential Developments

## **Supplementary Planning Guidance:**

SPG5 – Altering and Extending Your Home

SPG17 – Design Guide for New Developments

## **DETAILED CONSIDERATIONS**

### ***Principle of Development:***

1. The proposal site is understood to have been historically divided into 2x two bedroom flats. The proposal is to convert the property back into a single dwellinghouse with four bedrooms. Core Strategy (2010) policy CP21 identifies a clear need in the borough for family housing and for larger units to cater for the larger household sizes found in Brent. Despite resulting in the net loss of one dwelling, the proposal would create a larger four bedroom dwelling appropriate for family occupation and with sole access to a garden which is considered consistent with the aims of policy CP21. As the existing flats feature fewer than three bedrooms each, they would not be regarded as family units for the purposes of policy CP21. The proposal is therefore considered acceptable in principle.

### ***Impact on Character:***

2. The proposal includes a number of extensions and external alterations to the property. These changes would need to have an acceptable impact on the character of the host building and preserve the special character of the surrounding area in order to be considered acceptable. As explained above, neighbours originally expressed concern about certain elements of the proposal that have now being removed from the scheme at the request of Officers.

### **Extensions:**

3. The proposal includes the erection of a single storey rear extension and a second floor side extension. The property benefits from an existing single storey rear extension with a glazed roof which would be demolished and replaced. The proposed single storey extension would be 3.5m in height and 3m in depth to match the existing extension to be demolished. The rear face of the extension would be predominately glazed with b-fold doors and would be finished in matching materials. The proposed extension would be similar in scale to the existing extension and overall is considered a visually acceptable and proportionate addition to the host building.
4. The proposal includes an extension at second storey level which would be positioned on the flat roof of the existing smaller three storey side-projecting element. The extension would accommodate an internal staircase leading to the top floor of the property. The existing internal staircase at this level would be removed to allow for internal layout changes. The extension would have an angled front face and would be set-back 3.8m from the edge of the flat roof and set-back 6.3m from the principal front elevation of the host building. Given the set-back and position of the extension, it would not be easily appreciable from ground level in the street scene. The relatively narrow gap of approximately 3.5m with the neighbour at No.17 means the extension would also not be easily appreciable from the side in between buildings.
5. The relatively modest scale of the extension and its discreet positioning is considered to preserve the visual spacing between properties and the symmetry of the semi-detached pair of villas at No.13 and No.15. Some properties nearby have achieved side extensions at this level and some similar flat roof areas nearby are used as roof terraces. The proposed extension would have a side wall finished in matching brickwork and the rest of this element would be glazed. This would give a contemporary appearance however this in itself is not considered harmful to the character of the host building. Overall the structure is considered relatively modest and lightweight in appearance. The rear of the extension would be visible from the rear of the property however the extension would remain subservient in appearance to the main dwelling. There is an existing access door to the flat roof at this level which would be re-positioned by 1m; this is considered visually acceptable compared to the existing situation.
6. Overall the proposed extensions are considered to have an acceptable impact on the character of the

host building and would preserve the special character of the Conservation Area.

Outbuilding:

7. The property features a single storey flat-roofed building in the rear garden which appears to be relatively modern and is finished in brickwork. Aerial photography records suggest that the building was erected between 10 and 15 years ago. The building is not considered to contribute positively to the character of the host building or surrounding Conservation Area and so alterations to this building can be considered acceptable providing they are visually acceptable.
8. The proposal would replace the front elevation of the building with glazing in the form of bi-fold doors. The roof would also be replaced with a predominately glazed roof and a section of green roof. The alterations would give a more contemporary appearance to the outbuilding however this is considered an improvement on the existing situation and is considered to preserve the special character of the Conservation Area.
9. The outbuilding is identified as a 'garden room'. Considering the absence of any facilities such as a bathroom or a kitchen and the fact that the building can only be accessed from the host property, the use of the outbuilding is considered intrinsically linked to the main dwelling and its proposed use as a single family dwellinghouse and is therefore considered unlikely to be occupied independently of the main dwelling.

Replacement windows:

10. Most of the windows in the host building are modern UPVC windows. The proposal is to replace all these windows with timber sash windows. Replacing UPVC windows with timber is considered to positively enhance the character of the host building and the character of the Conservation Area and is considered acceptable in principle. Further detailed section drawings of the windows to be installed can be secured by condition in order to ensure appropriate window designs are installed. The proposal also includes the insertion of a rooflight on an existing area of flat roof on the original dwelling; this however would not be appreciable from ground level and is considered acceptable.

***Impact on Neighbours:***

11. The neighbour at No.17 features side-facing windows which would face towards the proposed second floor extension. The Officer's site visit to this neighbour confirms that the side-facing windows on the upper floors serve bathrooms and landings and not therefore main habitable rooms. The extension is not therefore considered to result in an undue overbearing or loss of light impact. The side wall of the extension would be finished in brickwork and so is not considered to have an undue overlooking impact.
12. The single storey rear extension would be positioned on the boundary with No.17 however the proposal would match the height and depth of the flank wall of the existing extension. This neighbour features a lean-to structure adjacent to the boundary which appears to be used as utility/storage space and a rear conservatory. The proposed extension would not project beyond the rear elevation of this structure. Similarly the proposed extension would have a similar presence when viewed from the attached neighbour at No.13 and is not considered to result in an unacceptably worse loss of light or overbearing impact compared to the existing situation.
13. Overall the proposal is considered to have an acceptable impact on the amenities of neighbours.

Removal of Front Canopy:

14. To the frontage of the property there is a canopy structure leading to the secondary entrance to the property at lower ground floor level. This structure has a corrugated metal roof and is considered to detract from the character of the host property and its removal is therefore considered a positive enhancement to the character of the Conservation Area.

***Transportation Impact:***

15. The site has excellent access to public transport (PTAL 6a) which means a reduced parking standard of 0.7spaces per 1-2xbed property and 1.2spaces for 3x+bed properties apply. The proposed development would reduce the parking standard of the site from 1.4spaces to 1.2spaces. The site benefits from a vehicle crossover and off-street parking which would be retained as part of the proposal. There is sufficient opportunity on the site for bin and cycle storage. Overall the proposal is therefore considered to have an acceptable transportation impact compared to the existing situation.

***Conclusion:***

16. Overall the proposal is considered to have an acceptable impact on the character of the host dwelling



and surrounding area and on the amenities of neighbours and would preserve the special character of the Conservation Area. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, BE25 and BE26, Core Strategy (2010) policies CP17 and CP21, SPG5 'Altering and Extending Your Home' and the NPPF (2012) and is recommended for approval.



**Brent**

DECISION NOTICE – APPROVAL

=====  
Application No: 15/2809

To: Mr Jack Woolley  
Jack Woolley  
38 Thornhill Square  
London  
N1 1BE

I refer to your application dated 29/06/2015 proposing the following:  
Proposed conversion of property from two 2x bedroom flats to a single 4x bedroom dwellinghouse plus erection of single storey rear extension following demolition of existing single storey rear extension, erection of glazed side extension and re-location of access door at second storey level, replacement of UPVC windows with timber windows, alterations to existing outbuilding including insertion of bi-fold doors and replacement of roof with glazed roof and removal of front canopy structure (amended plans and description) and accompanied by plans or documents listed here:  
See Condition 2.  
at 15 Brondesbury Villas, London, NW6 6AH

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposal is considered to have an acceptable impact on the character of the host dwelling and surrounding area and on the amenities of neighbours and would preserve the special character of the Conservation Area. The proposal therefore accords with saved UDP (2004) policies BE2, BE7, BE9, BE25 and BE26, Core Strategy (2010) policies CP17 and CP21, SPG5 'Altering and Extending Your Home' and the NPPF (2012).

- 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):

1020\_01\_P3: Location Plan  
1020\_02\_P3: Site Plan (existing)  
1020\_03\_P4: Site Plan (proposed)  
1029\_04\_P3: North Elevation (existing)  
1029\_05\_P4: North Elevation (proposed)  
1029\_06\_P3: South Elevation (existing)  
1029\_07\_P4: South Elevation (proposed)  
1029\_08\_P3: West Elevation (existing)  
1029\_09\_P4: West Elevation (proposed)  
1029\_10\_P4: Second Floor Plan (existing & proposed)  
1029\_11\_P4: First Floor Plan (existing & proposed)  
1029\_12\_P4: Ground Floor Plan (existing & proposed)  
1029\_13\_P4: Lower Ground Plan (existing & proposed)  
1029\_14\_P3: Section AA (existing)  
1029\_15\_P4: Section BB (proposed)

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

- 3 The outbuilding to the rear of the property shall only be used for purposes incidental to the hereby approved use of No.15 Brondesbury Villas as a single family dwellinghouse and shall not be used as separate residential accommodation at any time.

Reason: To ensure the site is not subject to unregulated intensification of use.

- 4 Prior to the application of any external materials, details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.

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

- 5 Prior to the installation of the replacement windows hereby approved, further details of the windows including detailed section drawings at 1:50 scale, shall be submitted to and approved in writing by the Local Planning Authority. The work shall thereafter be carried out in accordance with the approved details.

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

## 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](http://www.communities.gov.uk)

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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## COMMITTEE REPORT

Planning Committee on 22 October, 2015  
Item No 07  
Case Number 15/3094

## SITE INFORMATION

**RECEIVED:** 15 July, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 33A Wrentham Avenue, London, NW10 3HS

**PROPOSAL:** Proposed erection of single storey rear and side extension and separate access to ground floor flat

**APPLICANT:** Ms Clarke

**CONTACT:** Atelier Woodman

**PLAN NO'S:** D205 Proposed Ground Floor Plan  
D206 Proposed Rear Elevation  
D206 Proposed Section  
D209 Proposed Flank Elevation  
D201 Location Plan  
D208 Existing and Proposed Section  
Design and Access Statement

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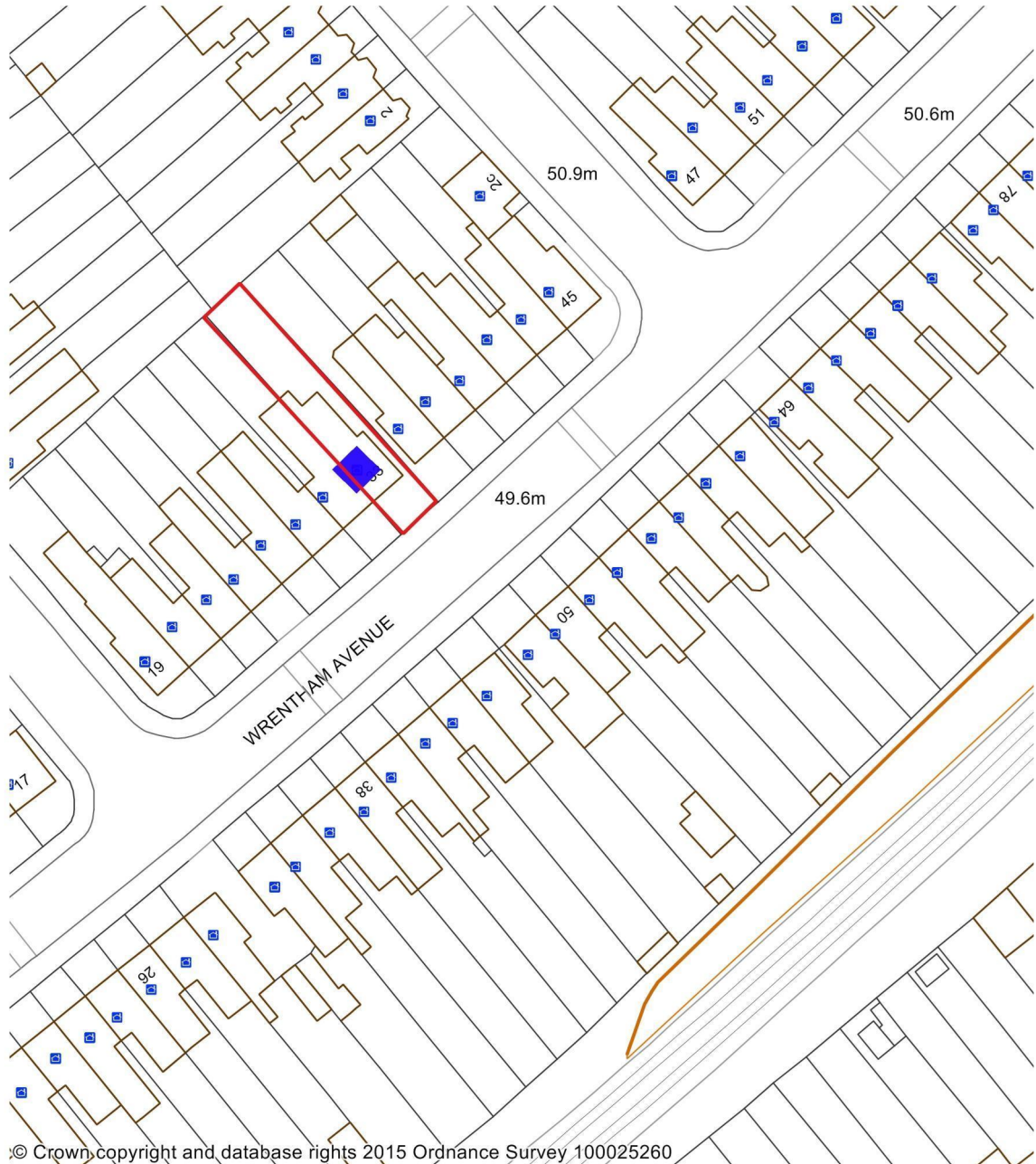
# SITE MAP



## Planning Committee Map

Site address: 33A Wrentham Avenue, London, NW10 3HS

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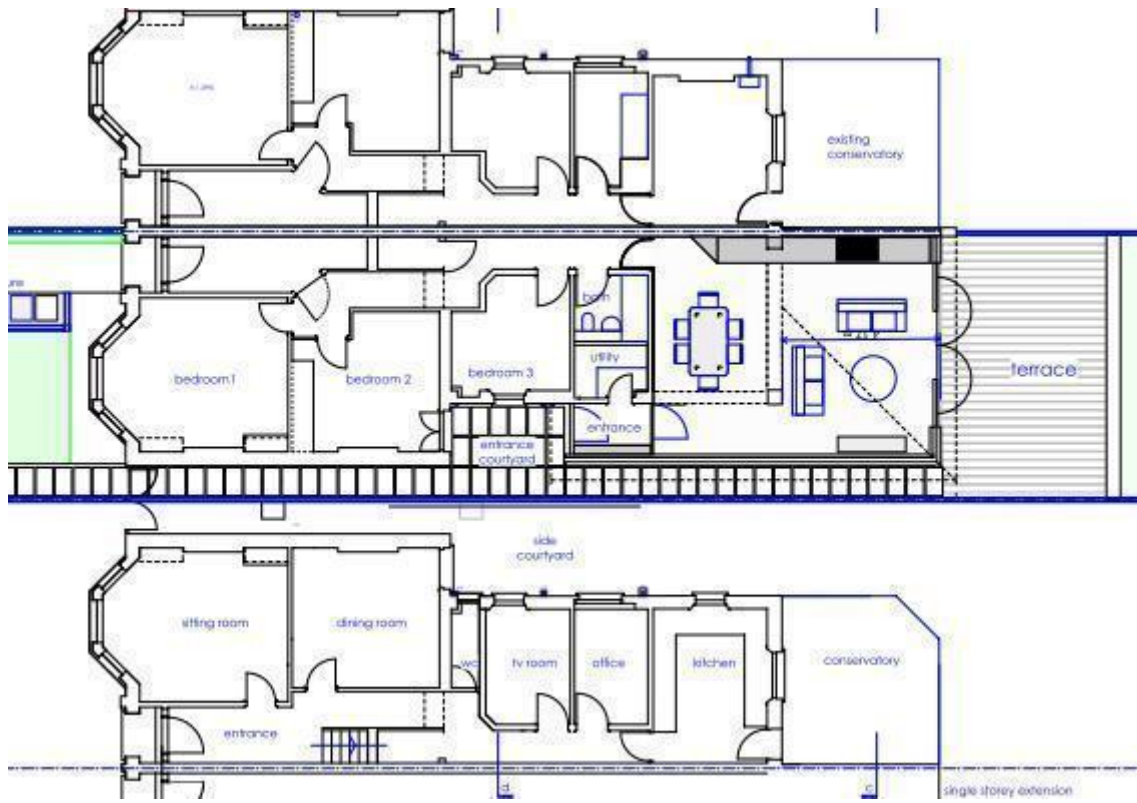
This map is indicative only.



# SELECTED SITE PLANS

## SELECTED SITE PLANS





35

33

31



photomontage of proposed scheme from the rear garden of number 35, looking towards the rear of No 33 (above)

## RECOMMENDATIONS

**Refusal**, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

As described.

### B) EXISTING

33a is a ground floor flat which does not have any external alterations. This property is not in a Conservation Area and is not a listed building. The property is, however, within one of the Council's Areas of Distinctive Residential Character (ADRC). The property is split into three self contained flats.

## C) AMENDMENTS SINCE SUBMISSION

## D) SUMMARY OF KEY ISSUES

This proposal conflicts with the guidance set out in SPG5.

- The proposal incorporates a wrap around extension which relates unacceptably to the existing building in design terms,
- The size, bulk and siting of the proposed extension would have an adverse impact on residential amenity

## RELEVANT SITE HISTORY

15/1343- Erection of single storey rear and single storey side extension to ground floor flat- *Granted*.  
- *This scheme is very similar however did not incorporate a 'wrap around'.*

15/3285- Proposed erection of replacement garden shed to rear for ground floor flat- *Granted*

1982- Conversion of single dwelling house into 3 x self contained flats

*There is no other recent or relevant planning history.*

## CONSULTATIONS

Neighbourhood consultee letters were dispatched on 22/07/2015. To date, there have been no responses.

This application has been called in by Councillor Denselow, Councillor Hector and Councillor Southwood.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012)

All development has a presumption in favour of sustainable development. Brent's planning policies are found to be compliant with the NPPF

### Local Policy

For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the statutory development plan for the area is the Unitary Development Plan (UDP), which was formally adopted in 2004, and the Core Strategy, adopted in 2010.

#### *Core Strategy 2010*

**CP17** - Protecting and Enhancing the Suburban Character of Brent

#### *Brent UDP Saved Policies 2004*

**BE2** - Townscape: Local context & Character

**BE7** – Public Realm: Street scene

**BE9** – Architectural Quality

**BE29** - Area of Distinctive Residential Character.

#### *Brent Supplementary Planning Guidance (SPG)*

**SPG 5** – Altering and extending your home

The above policies seek to ensure that development: does not significantly affect the amenities of neighbouring properties; should be in keeping with the design, scale and character of the existing dwelling; preserve or enhance the character and appearance of the existing dwelling and the surrounding area.

## DETAILED CONSIDERATIONS

### 1. Principle

1.1 Alterations and extensions to residential properties are generally considered acceptable provided that there is no detrimental impact on the amenity of neighbouring residents, and that they are in keeping with the character and appearance of the property and its surroundings. The reasons for this proposal is to create a 3 bedroom ground floor flat and increase the floor area of the unit. Whilst three bedroom flats are supported in principle (Core Strategy CP21) this cannot come at the expense of the amenity of neighbours and the character of the area.

### 2. Impact on Residential Amenity:

2.1. From the site visit, rear extensions are a common feature of the properties in the immediate vicinity of 33a Wrentham Avenue. It is acknowledged that the Council usually only accepts 3m rear extensions, however because of the depth of existing rear extensions adjacent to the proposed, it is considered that a deeper extension could be acceptable in this instance.

2.2- The Councils adopted guidance SPG5 resists extensions within the side return of terrace dwellinghouses owing to the overbearing impact they can have in already quite confined areas. The site is also located within one of the Council's ADRC's which provides further policy guidance steering all development towards high quality design.

2.3- The proposed side return would progress past the outrigger by approximately 4.2m. This section would run parallel to the boundary of 35 Wrentham Avenue at a distance of 0.84m, which is considered to be very close and would have an overbearing impact on views from both the rear amenity space and the conservatory. The conservatory of 35 Wrentham Avenue is 3.36m away, which for the size and bulk of the proposal would have a detrimental impact on the amenity of the neighbouring occupants. The previously approved scheme had the 4.2m extension which did not extend past the side wall of the outrigger and was 5.1m away, which is a considerably greater distance and therefore acceptable. This will be expanded upon in the following section.

### 3- Impact on the Character and Appearance of the Area

*To analyse this section in detail, the extension has been split into three parts- Side Infill Extension, Rear Extension and the "Wrap Around".*

#### 3.1 Side infill extension

3.1.1 As in the section above, although the Council's SPG no. 5 resists extensions within the side return, the Council has modified this approach over time and developed the following set of parameters to ensure such extensions maintain a height and mass that is not overbearing to neighbouring owners or occupiers, while also allowing for the enlargement of a home.

- The side/infill extension should terminate at the rear elevation of the outrigger
- The side/infill extension should have a height no greater than 2m at the eaves and 3m where it adjoins the flank of the outrigger, measured from the adjoining neighbours external ground level. Any part of the extension on the boundary must not exceed this parameter.
- All guttering must be kept within the site curtilage.
- Any glazing on the roof of the extensions that fall within 3m of the rear elevation of the building must be specified on the plans as being obscure glazed and non opening.
- Materials should be in keeping with those in the existing dwellinghouse, in particular the wall material should use brick that matches the existing building.

3.1.2 In this case, the proposal extends past the rear elevation of the outrigger- the majority of the side infill

proposal is acceptable. The eaves height of the side infill extension is at 2.45m however at the neighbouring boundary it is 2m, therefore considered acceptable.

### *3.2 Rear extension*

3.2.1- The Council's Supplementary Planning Guidance (SPG) no. 5 is applied to full planning applications for household extensions and represents a test of whether proposed extensions and alterations will have an unduly detrimental impact on the amenities of the adjoining occupiers. As this SPG was adopted following public consultation, it represents the views of local people regarding the size of extensions that are typically considered to be acceptable within the London Borough of Brent.

3.2.2- The proposed extends 4.22m beyond the rear elevation of the outrigger which is significantly greater than SPG5 guidance allows for however as neighbouring dwellings have extensions which project further than 3m, this is acceptable to bring them into line.

3.2.3- The height of the rear extension is 3.57m (ridge) and 2.27m (eaves) which brings the average height of the roof to just under 3m. This is considered acceptable.

3.2.4- A rooflight is included, as well as a door on the side elevation.

### *3.3- Wrap Around*

3.3.1- .In their separate elements (rear extension and side return as per application 15/1343), the proposals would be acceptable. However, the wrap around is a concern as it significantly increases the mass of the extension when viewed from the neighbouring garden and rear rooms.

3.3.2- According to SPG5, to protect neighbouring amenity, any additions or alterations must be subservient to the host property which this application fails to do. The rear extension extends past the outrigger of the property and the side return extends past the original house. It has been considered that the rectangular element of this proposal (5.25sqm) which is subject to the 'infill' would have a detrimental effect on the neighbouring property in terms of its appearance and impact on the neighbouring amenity.

3.3.3-The boundary to the neighbouring property is set away by 840mm however this does not militate against the perceived size and mass of the extension and the impact this would have. The proposal seeks to create a new entrance to the flat which will enable light to access the existing windows whilst not being detrimental to the amenity of the character of the property.

## **4- Design**

4.1- The proposal, as well as being detrimental to neighbouring amenity, has a poor relationship with the host building. The roof, and the way this connects via the wrap around to the outrigger and side return, does not create good consistency in design.

4.2- The proposed materials are painted rendered masonry walls which is at odds with the host building. A previous permission had a condition stating that materials should be the same as the existing. The large expanses of glass are considered acceptable, as are the steel windows and doors.

4.3- Whilst it is not necessary in every instance for an extension to match the existing building in terms of materials and design, in this case, it reinforces the concerns over the poor relationship between the proposal, neighbouring amenity and the general character of the area.

# DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – REFUSAL

Application No: 15/3094

To: Mr Woodman-Smith  
Atelier Woodman  
40 Canynge Square  
Clifton  
Bristol  
BS8 3LB

I refer to your application dated 15/07/2015 proposing the following:  
Proposed erection of single storey rear and side extension and separate access to ground floor flat

and accompanied by plans or documents listed here:

- D205 Proposed Ground Floor Plan
- D206 Proposed Rear Elevation
- D206 Proposed Section
- D209 Proposed Flank Elevation
- D201 Location Plan
- D208 Existing and Proposed Section
- Design and Access Statement

at 33A Wrentham Avenue, London, NW10 3HS

The Council of the London Borough of Brent, the Local Planning Authority, hereby REFUSE permission for the reasons set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

#### Note

Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

DnStdR

PROACTIVE WORKING STATEMENT

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service.

REASONS

- 1 The proposed development, which incorporates a 'wrap around extension', by reason of its excessive size, appearance, mass and siting close to the boundary of number 35 Wrentham Avenue, would have a detrimental impact on the visual amenity, and outlook of, neighbouring residents. Furthermore, the proposed overall bulk of the extension, its roof form and the materials relate poorly to the existing building and the surrounding area which is within one of the Council's Areas of Distinctive Residential Character (ADRC). As a result, it is contrary to Council policies BE2, BE7 BE9 and BE29 of the adopted Unitary Development Plan 2004, Core Strategy Policy CP17, and Brent's SPG5 on 'Altering and extending your home'.



## MEMBERS CALL IN PROCEDURE

In accordance with Part 5 of the Constitution and Section 10 of the Planning Code of Practice, the following information has been disclosed in relation to requests made by Councillors for applications to be considered by the Planning Committee rather than under Delegated Powers

### **Name of Councillor**

Councillor Southwood

### **Date and Reason for Request**

04/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

### **Name of Councillor**

Councillor Denselow

### **Date and Reason for Request**

04/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

### **Name of Councillor**

Councillor Hector

### **Date and Reason for Request**

03/09/2015

No reason given for call in request

### **Details of any representations received**

None given.

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726

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## COMMITTEE REPORT

Planning Committee on  
Item No

22 October, 2015

Case Number

15/2382

## SITE INFORMATION

**RECEIVED:** 29 June, 2015

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** 143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL

**PROPOSAL:** Demolition of existing synagogue and erection of a new three storey synagogue with basement level with ancillary prayer hall, youth room, community hall and nursery

**APPLICANT:** The United Synagogue

**CONTACT:** dMFK Architects

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: 143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL

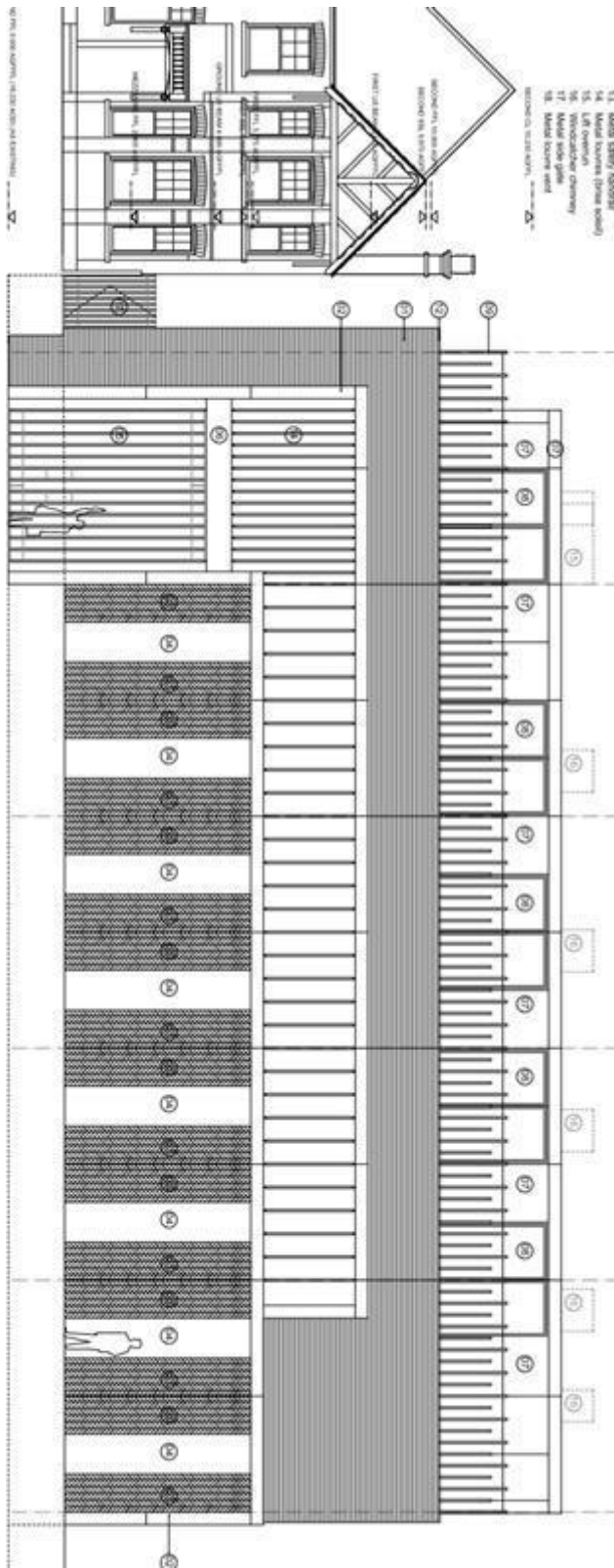
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This map is indicative only.

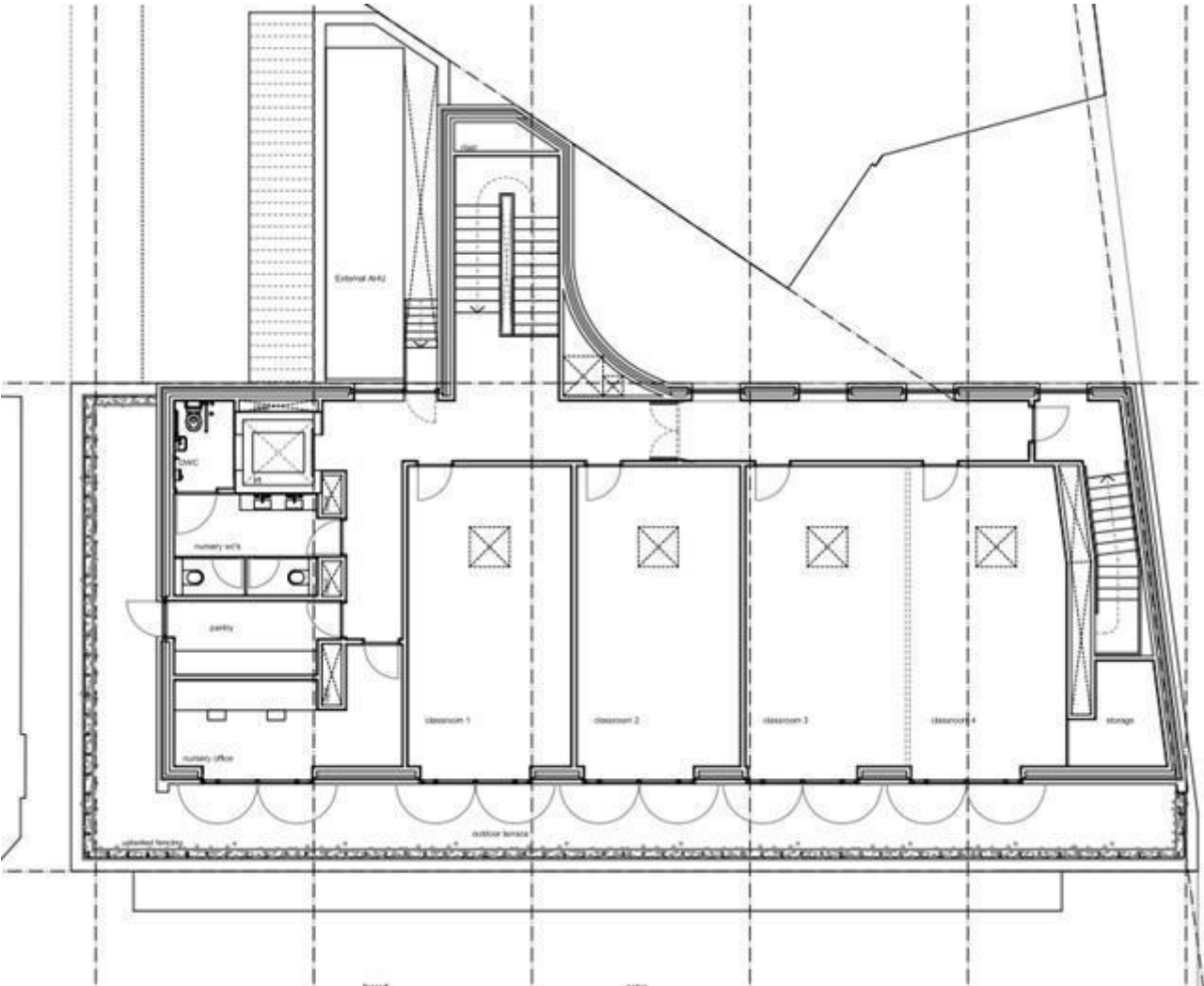
# SELECTED SITE PLANS SELECTED SITE PLANS

## Proposed Front Elevation

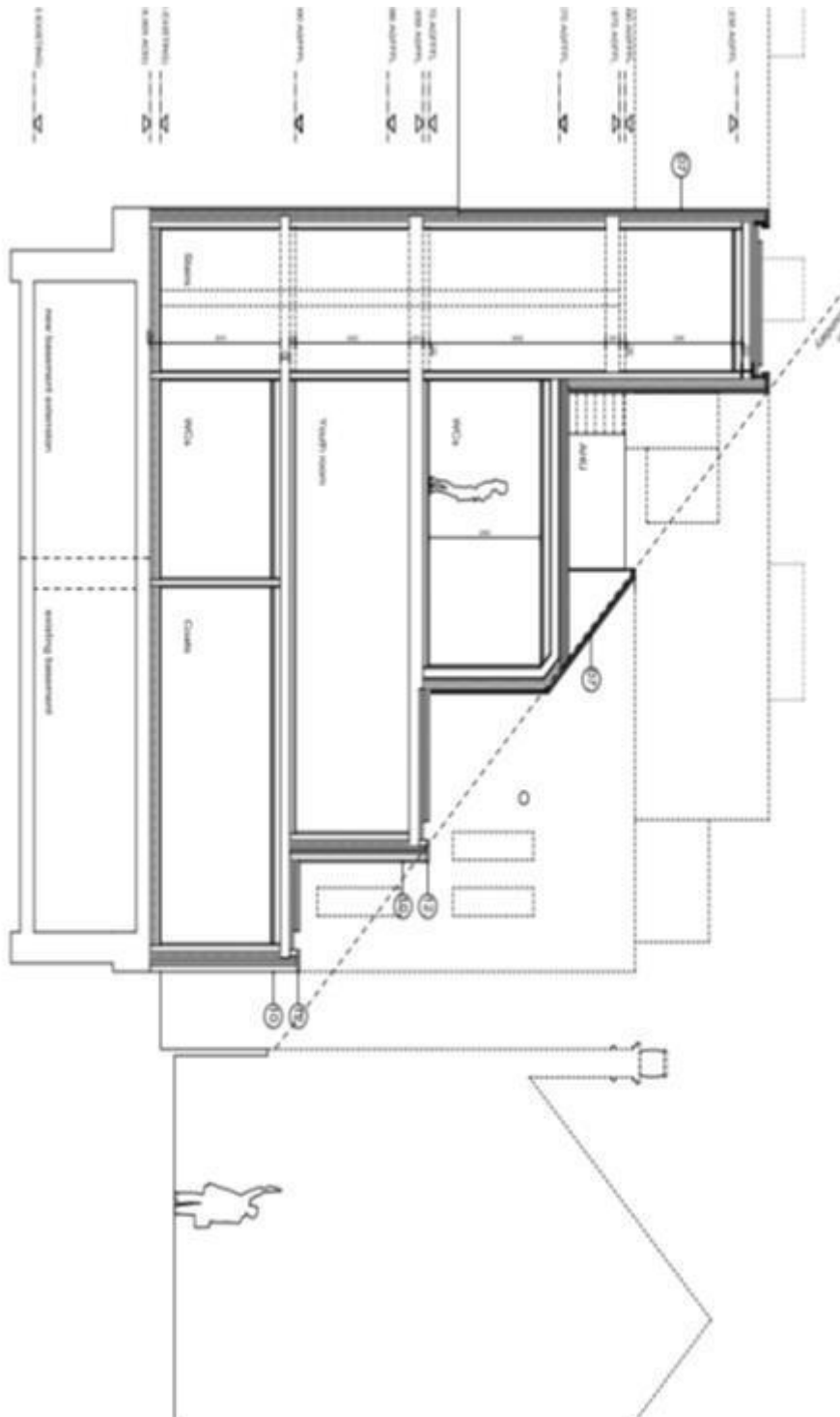




Proposed Second Floor



Section with 147 Brondesbury Park



## RECOMMENDATIONS

Grant planning permission subject to the 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 Director of Legal Services and Procurement., subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

See description above

### B) EXISTING

Brondesbury Park Synagogue is a Locally Listed building situated within the Willesden Green Conservation Area.

The part of the building known as 143 & 145 Brondesbury Park has its front elevation on this road and is



almost opposite Alverstone Road. The original synagogue is to its rear (to the north) accessed from Heathfield Park, Brondesbury open space is to its east, this contains a play area, grass and trees, and to its west are detached houses. The site is about 250m from Willesden Green Library.

The subject building was constructed in 1959 by Shaw and Lloyd architects as an extension to the original 1936 Synagogue which is located behind it and is now used by a different religious denomination. The site is signified as important within the Willesden Green Conservation Area Character Appraisal, but mainly for the original buildings modernist architectural significance.

## D) SUMMARY OF KEY ISSUES

A number of key issues are relevant to the consideration of this application including:

- The demolition of a locally listed building within a conservation area - the redevelopment of this building will have a positive impact on the streetscene and conservation area.
- Transportation - the detail provided demonstrates that the highways impact of the development is acceptable, a travel plan will be secured and a contribution to enable the review of the CPZ.

## E) MONITORING

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 (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	819		819	469	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

## RELEVANT SITE HISTORY

13/0447 Granted 20th June 2013

Single storey front extension, relocation of the main front entrance door and removal of 2 car parking spaces from a total of 4 car parking spaces currently on site

09/1480 Granted 4th August 2009

Erection of railings to front boundary of synagogue

## CONSULTATIONS

64 neighbouring properties were consulted by letter on 30th June 2015. A site notice and press notice were published advertising the application as a departure from policy.

1 objection has been received and 48 responses in support of the application, it is noted that those in support are from a much wider area than was directly consulted.

The objection raises the following concerns:

- disagree that the existing building is an eyesore and rather than demolish it a new site should be found which is fit for purpose
- the redevelopment of the Library has caused major inconvenience during construction in terms of traffic, parking and noise and it is too soon for another major build to go ahead on this road
- there are no plans to show how the huge disruption will be managed

The comments in support highlight that:

- the existing congregation has outgrown the existing facility
- the existing building is unattractive and the replacement appears to be well thought through and will be an improvement
- Brent supports all faiths and this development will help it continue to do so

Statutory consultees including ward councillors and other areas of the council were also consulted.

Cllr Shaw has responded to support the application.

#### CONSULTEES

Highways - no objection, baseline information including a survey of people attending the site shows that the level of car use is acceptable. A condition/legal agreement should require a Travel Plan to manage the space which can be hired.

Tree officer - information submitted is acceptable and a condition is recommended

Conservation officer - the principle of the demolition is acceptable and the quality of the proposed building is considered to be good, the quality of materials should be secured by condition.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The development plan for the purpose of S38 (6) The Planning & Compulsory Purchase Act 2004 is the Brent Unitary Development Plan 2004, Core Strategy 2010 and the London Plan 2011. Within those documents the following list of policies are considered to be the most pertinent to the application:

London Plan (FALP)

Brent Unitary Development Plan 2004

Built Environment

BE2: Townscape: Local Context & Character

BE3: Urban Structure: Space & Movement

BE5: Urban Clarity & Safety

BE6: Public Realm: Landscape Design

BE7: Public Realm: Streetscape  
BE9: Architectural Quality  
BE24: Locally Listed Buildings  
BE25: Development in Conservation Areas  
BE27: Demolition & Gap Sites in Conservation Areas

TRN1: Transport Assessment  
TRN22: Parking Standards - Non Residential Developments

SPG17

## **DETAILED CONSIDERATIONS**

### **Principle of Demolition**

1. The redevelopment of the site necessitates the demolition of the existing building. As it is within a conservation area this requires some detailed consideration. Policy BE27 of Brent's UDP sets the context for the consideration of the demolition of buildings in the borough's conservation areas stating that demolition will only be given consent where a building positively detracts from the character or appearance of the conservation area. It is important to note that the Willesden Green conservation area runs along High Road, Walm Lane and Heathfield Park and the subject site is the only building in the conservation area that fronts Brondesbury Park while the original building to its rear is part of Heathfield Park. Heathfield Park is otherwise characterised in the Willesden Green Conservation Area Character Appraisal as 'a definite independent residential area of large well designed town houses and villas'.

2. While it is agreed that the local listing primarily relates to the original part of the building facing onto Heathfield Park the post-war extension is not without some architectural merit though typical rather than special. It also has significant stained glass art-work by David Hillman. The building is important to the history and association with the Jewish community in this part of London and should not be demolished without a suitably designed replacement.

3. Whilst having regard to the policy there is no objection to the demolition of the existing building; it is not of such architectural or historic significance that it should be retained and has a neutral presence within the Conservation Area. The architectural and historic significance is in the original part of the building fronting Heathfield Park. However as a visible site and a public building, it is in need of careful redevelopment and the merits of the proposed redevelopment are set out below.

4. Brent's Conservation Officer, while accepting the principle of demolition, has recommended that the building be properly recorded for the Historic Building Environment Record and an appropriate condition is recommended.

### **Proposed Design**

5. The new building is stepped forward from the established building line otherwise the plan-form is generally the same as existing. It has been designed so that the entrance aligns with the bay window of the adjoining property, but it is then stepped forward at ground floor with set backs at first and second. The principle of the ground floor projection beyond the front building line was accepted under the 2013 application for a single storey front extension, the building is unique in its character and function in the street and adjacent to a park to the east which breaks the building line, with a high quality of design and materials this proposal continues to be considered acceptable. Other than this the building is integrated with the plot as existing.

6. The new building will be higher and have a greater massing than existing, but any potential bulkiness is softened by the set back at first and second floor levels. It deals with the sloping site and in height appears to relate to the prevalent roofline of nearby houses, exceeding the ridge height of the neighbour by about 1m.

7. The scale of the building is not significant enough that it would cause harm to the conservation area or the significance of the original building behind.

8. A contemporary design is proposed, but it is not 'high-tech' rather it is predictable and reflects the design of the existing building. The design is animated by the interplay between the brickwork panels and the other finishes and use of materials. Therefore the materials and how they are laid and fixed will be key. It is finished in a mixture of fibre cement panels, brickwork and 'rainscreen' fibre cladding. The alternating metal screens and single herringbone brick bond against the vertical brise soleil, topped with metal posts the

decorative features. The main entrance is prominent, and legible.

9. The overall design could be let down if the materials are not of quality and the use and quality of the facing brickwork is especially important. A sample panel will be conditioned.

10. The designation of a conservation area does not prevent change from occurring. Instead it helps to manage change in order to enhance the area, and ensures that new developments do not harm the existing character. There is already a modern building in this part of the heritage asset which does not form part of the succession of large well designed town houses and villas. It would therefore be difficult to argue that a replacement building of a similar nature would adversely harm the conservation area. Although taller and set forward, it has been softened by set backs at the upper floors and materials. The material palette is similar to existing, certainly the main elevation which is predominantly brickwork. The east elevation has long views along the street and across Brondesbury Park open space. However, this elevation is masked by an existing building and trees. The bulk, height and grey panels could not be said to harm the conservation area. It is a good design that will sustain the appearance of this part of the conservation area.

### **Neighbouring Amenity**

11. The adjacent property, 147 Brondesbury Park, is the closest residential property and the most likely to be affected by the redevelopment of the synagogue. The main and tallest part of the building has a similar footprint to the adjacent dwellings, this is maintained in the redevelopment so that whilst the building is proposed to increase in height this is mainly contained in the frontage of the building will not impact on outlook to the rear.

12. The building currently projects beyond the main rear elevation with a single and 2-storey structure, the first floor is set off the side boundary by approximately 3.5m. The proposal seeks to increase the amount of floorspace accommodated to the rear resulting in a larger projection to the rear. The depth of the single storey part of the building will increase by 2m, above this the upper floors have been designed so that they fall below an angle of 45 degrees set at the side boundary wall. The proposal adds a second floor to the rear meaning that it is a storey higher than the existing building, this is specifically to accommodate the stairwell to the top floor where the classrooms are accommodated. Again, importantly, this falls below the 45 degree angle and is 10.5m from the side boundary. The 45 degree angle is set out in SPG17 in the interest of protecting neighbouring amenity and in summary, while the proposed building is larger in scale than the existing, the building follows SPG17's guidance to ensure the relationship is acceptable and not overbearing.

13. To support this assessment a daylight sunlight report has been submitted which finds that the amenity of neighbouring residents would not be unacceptably affected.

14. The relationship is assessed in a daylight sunlight report which finds that the Vertical Sky Component (VSC) at ground floor is slightly below the benchmark of 27% VSC. In the existing situation it is 26.1% and following the development it would be 24.96%. Whilst the level is lower than recommended the second consideration is the significance of the change between existing and proposed, the existing value is 0.96 of the existing and BRE advises that a reduction would be noticeable and detrimental if this figure was 0.80 or less. On this basis it is considered that the reduction is minor and on balance the relationship is considered to be acceptable. At first floor the adjacent window retains over 32% VSC.

15. Sunlight has not been assessed as the windows are north facing. An overshadowing analysis of the rear garden, set to represent conditions on 21 March, shows that it would not significantly alter the amount of overshadowing experienced by the rear garden and the BRE criteria are satisfied.

### **Landscaping**

16. Improvements to forecourt have been discussed with the agent and a condition is recommended to achieve an improvement to the softlandscaping covering in support of the London Plan Urban Greening policy and to provide an appropriate setting for the building in the streetscene.

17. It is envisaged that this landscaping may include 2 small trees to either front corner as well as a planting bed of low shrubs to the front and rear of the front curtilage.

18. An arboricultural report has been submitted and considered by the council's tree officer. The proposal will result in minimal disturbance to the 2 London Planes situated in front of the site. The report proposes cellular confinement systems and no-dig options which officers do not think are vital to this situation although where strip footings are dug within the root protection areas (RPA's), due diligence should be observed and any

roots encountered carefully cut back to a suitable location with sharp secateurs or pruning saw.

19. Where RPA's are compromised elsewhere on site, heras type fencing as specified by report should be erected and remain in situ throughout the development. An Arboricultural method statement and tree protection plan will be conditioned to ensure boundary trees are given sufficient protection throughout the scheme.

### **Existing and Proposed Capacity**

20. Currently the synagogue has over 500 members of whom 380 are active attending for prayers and events through the week and up to 200 attending on Saturday's. A nursery operates from the first floor. The prayer hall as approved under the earlier extant application would accommodate up to 380 people, this permission was subject to a condition for a travel plan. The current application intends to create the same size prayer hall as previously agreed, along with a community hall, space for youth groups and the reprovision and improvement of the nursery classrooms.

21. There is no in principle objection to the increase in the scale of the facilities on site however the highways implications need to be fully considered and this is set out below.

### **Highways**

22. Car parking allowances for places of worship, community and educational facilities are all set out in standard PS12 of the adopted UDP 2004. This allows up to two parking spaces per five visitors for places of worship and one space per five staff for community facilities and nurseries, plus additional parking for visitors.

23. The maximum capacity of the various elements of the building is 380 for the prayer hall, 180 for the community hall, 50 for youth groups and 40 for the nursery, with a total of four full-time staff employed. In general though, actual attendance would typically total little more than half of the maximum capacity. Nevertheless, based on maximum building capacities, the parking standard would allow up to 152 spaces for the synagogue, nine spaces for the community hall and two spaces for the nursery

24. With on-site parking provision proposed to fall from four spaces to two disabled spaces consideration needs to be given to the potential impact of overspill parking from the site on traffic flow and highway safety though.

25. To help to assess this, the use of the building across the course of a typical week has been set out. Weekday use of the building will comprise early morning and evening use of the prayer hall for services, with the nursery and small community groups using the building during the day. The primary use of the synagogue will take place on Saturdays, with some overlap with youth groups, community use and the nursery. Sunday use will largely comprise youth and community use.

26. To assess impact, a Transport Statement has been submitted which includes surveys of existing visitors to the synagogue. During the week, the maximum surveyed attendance for prayers was 31 on a Friday afternoon, increasing to 45 on a Friday evening and 200 on a Saturday morning.

27. However, as an Orthodox Jewish synagogue, members are forbidden from using a motor vehicle from dusk on a Friday until dusk on a Saturday. Members attending the synagogue at the busiest times would therefore all walk, thus ensuring parking problems are not caused on a Friday evening or Saturday when the building is at its busiest.

28. With 26% of members driving during the week, the maximum existing parking accumulation for the synagogue has therefore been calculated at eight vehicles, which can be safely accommodated on-street in the wider area. Attendance for the synagogue is not anticipated to rise significantly with this proposal as the main aim is to more comfortably accommodate the existing uses.

29. The proposal does include the addition of a community hall as a new facility though, with anticipated use for private hire by 50-100 people at any time on 15-20 occasions per year. These events are to be kept separate to the synagogue prayer times though to regulate peak attendance within the building.

30. The proposal will also accommodate an increase in the capacity of the nursery on the site, with the maximum number of children climbing from 25 to 40. A survey of existing parents suggests that 62% currently bring their children to and from the site by car.

31. To help to mitigate any impact arising from the increased use of the building through the expansion of the nursery and community facilities, a Travel Plan is proposed. At the present time the outline of a number of measures has been provided (including provision of travel information through travel packs, noticeboards, newsletters etc. and provision of cycle parking and training), to be managed by a Travel Plan Co-ordinator.

32. A full Travel Plan will need to be developed and approved prior to occupation of the development, of sufficient quality to score a PASS mark using TfL's ATTrBuTE system. This will need to include SMART targets for minimising and reducing car use amongst staff and visitors to the site, to be monitored and reviewed over a period of five years. Other specific requirements will include parking beat surveys on surrounding streets for key periods such as morning and evening, plus setting down/pick up periods for the nursery and for weekend lunchtime and evenings for the community use. Highways officers have identified nearby pay and display bays and capacity for additional parking on surrounding streets in the evenings, however a contribution is sought to enable a review of the hours of the CPZ should the situation change and require further controls in the evening.

33. In terms of cycle parking, only the nursery has a specific requirement within the UDP for one staff space. Nevertheless three 'Sheffield' stands (six spaces) are to be provided on the site frontage to encourage greater use of cycling and these are welcomed.

34. Otherwise, the site is located close to Willesden town centre and therefore has good access to public transport services to provide alternative means of access to the site for visitors. Those that do still drive to the site can make use of the nearby pay and display bays along Alverstone Road and Brondesbury Park to the east of the site, whilst the local area in general is not heavily parked.

35. The provision of two disabled parking spaces within the site is also welcomed and the existing vehicular access and sliding gates will remain in situ.

**Conclusion**

36. The new development will make a positive contribution to local character and distinctiveness and will sustain the significance of the heritage assets and the streetscene. A good baseline of information has been provided to support the development of a Travel Plan and particularly due to the main congregation on Saturdays not using cars to access the site the impact of the development on the public highway will be entirely manageable.

**Neighbours comments**

Resident's comments	Response
Disagree that the existing building is an eyesore and rather than demolish it a new site should be found which is fit for purpose	Officers agree that the appreciation or otherwise of the architectural merit of the existing building is somewhat subjective but this is fully considered in para's 1-3 above. The principle of the demolition and redevelopment of the site has been assessed and is acceptable in terms of the heritage assets affected and the streetscene in Brondesbury Park- Para's 5-10.
The redevelopment of the Library has caused major inconvenience during construction in terms of traffic, parking and noise and it is too soon for another major build to go ahead on this road  There are no plans to show how the huge disruption will be managed	Disruption caused by construction is temporary while the building work is being undertaken and as such is not a material consideration in the determination of planning applications, however officers are able to require that those working on the site sign up to 'considerate constructors' and a construction management plan can be sought to agree details of how the development will impact on the public highway during construction.

## SUSTAINABILITY ASSESSMENT

The proposal has included a summary of a BREEAM pre-assessment produced for the site and the Core Strategy seeks for BREEAM 'Excellent' to be required from major developments.

The requirements of the London Plan still stand and the development will need to achieve the carbon reduction target of 40% improvement on Building Regulations. While not shown at present the applicant has indicated that PV panels on the roof will be utilised to make the greatest contribution to this.

Brent's sustainability checklist has been submitted and a score of 50 or more is sought.

## S106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- BREEAM Excellent and to achieve London Plan Carbon Reduction target
- Provide a full Travel Plan to score a PASS mark using TfL's ATTrBuTE system prior to occupation
- Financial contribution towards the cost of reviewing the CPZ operating hours
- Considerate constructors scheme

And, to authorise the Head of Area 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 policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

## CIL DETAILS

This application is liable to pay **£18,760.00\*** under the Community Infrastructure Levy (CIL). However the CIL form states that the applicant is a charity and will be able to claim a charitable exemption. Brent does not have a CIL charge for D1 so only the mayor's CIL is applicable.

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 1288 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Non-residential institutions	1288	819	469	£35.00	£0.00	£18,760.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
<b>Total chargeable amount</b>	<b>£18,760.00</b>	<b>£0.00</b>

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

DECISION NOTICE – APPROVAL

=====  
Application No: 15/2382

To: Mr Wong  
dMFK Architects  
The Old Library  
119 Cholmley Gardens  
LONDON  
NW6 1AA

I refer to your application dated 05/06/2015 proposing the following:  
Demolition of existing synagogue and erection of a new three storey synagogue with basement level with ancillary prayer hall, youth room, community hall and nursery

and accompanied by plans or documents listed here:  
See condition 2  
at 143 & 145 Brondesbury Park, Brondesbury, London, NW2 5JL

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG



SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
Brent Unitary Development Plan 2004  
  
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  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services
  
- 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):  
  
A001  
A095  
A099 B  
A100 D  
A101 D  
A102 D  
A103 D  
A104  
A150 A  
A151 A  
A155 A  
A160 A  
A161 A  
A165 A  
A166 A  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Details of materials for all external work, including samples, 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.
  
- 4 Prior to the commencement of the demolition, the building shall be recorded in accordance with an Historic England level 2 photographic and drawn record (Understanding Historic Buildings: A guide to good recording practice - English Heritage 2006) and the record shall be submitted to the LPA to be lodged in the local Historic Environment Record.  
  
Reason: To retain a record of the special interest of the building. This is required prior to the commencement of demolition because of the need to retain a record of the building before demolition.
  
- 5 No work shall commence on site until an Arboricultural method statement and a tree protection

plan have been submitted to and approved in writing by the LPA. Works shall be carried out in full accordance with the approved details.

Reason: To protect existing trees during the course of construction works in order to ensure that the character and amenity of the area are not impaired.

- 6 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 7 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 8 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed prior to occupation of the building(s).

Such scheme shall specifically indicate:-

(i) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(ii) Soft landscaping to the front of the site

Behind the front boundary and against the front elevation, plus the inclusion of 2 trees.

(iii) Upper floor planters

Demonstration of size to confirm that plants will establish

Detail of proposed plants

Extension of planters into terrace area adjacent no. 147 Brondesbury Park to prevent use of the rear most 4m of the terrace

(iv) Maintenance details

Details of the proposed arrangements for maintenance of all landscaping.

(v) Hardstanding

Details of materials and demonstration of SUDS through the site

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.

## 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](http://www.communities.gov.uk)



Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

## COMMITTEE REPORT

Planning Committee on  
Item No

22 October, 2015

Case Number

15/3218

## SITE INFORMATION

**RECEIVED:** 5 August, 2015

**WARD:** Dollis Hill

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** Car Park, Ainsworth Close, Neasden, London

**PROPOSAL:** Erection of three 2 storey terraced dwellinghouses (1 x 2bed and 2 x 3bed) including formation of off street parking, bin and cycle stores and associated hard and soft landscaping

**APPLICANT:** Brent Housing Partnership

**CONTACT:** mae LLP architects

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: Car Park, Ainsworth Close, Neasden, London

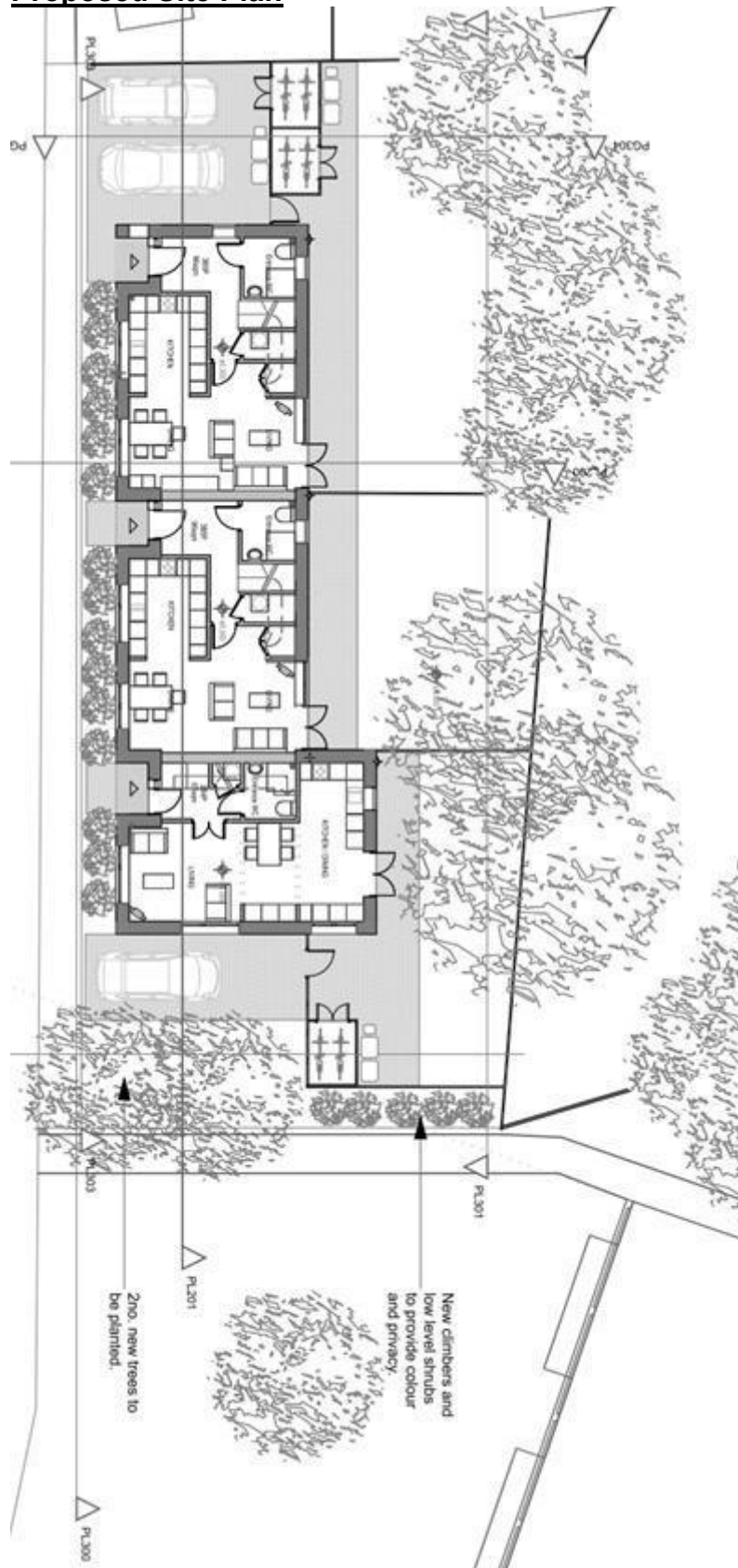
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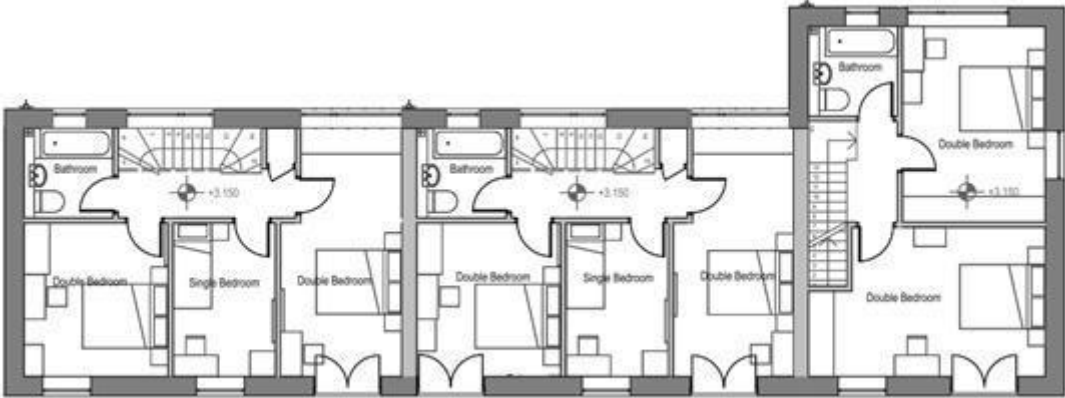
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Proposed Site Plan



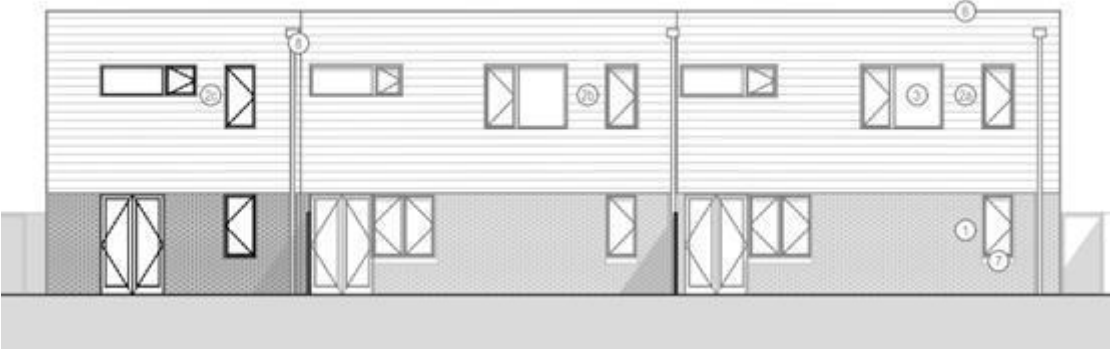
**Proposed First Floor**



**Proposed Front Elevation**



**Proposed Rear Elevation**



**RECOMMENDATIONS**



**Approval**, subject to the conditions set out in the Draft Decision Notice.

## A) PROPOSAL

See description above

## B) EXISTING

The site is a small car park on the northern side of Ainsworth Close, NW10 at the western entrance to the estate.

## D) SUMMARY OF KEY ISSUES

The issues most pertinent to the consideration of this application are:

- Parking - to supplement the census information a parking beat survey has been undertaken including a review of the subject site as a car park. It is demonstrated that the proposal can be accommodated without detriment to highway safety.

Neighbouring amenity - the relationships between the proposal and neighbouring occupiers is in accordance with the council's guidance ensuring neighbouring amenity is protected.

## E) MONITORING

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 (sqm)
Dwelling houses	0	0	0		

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses û Social rented )										
PROPOSED ( Houses û Social rented )		1	2							3

## RELEVANT SITE HISTORY

14/4076 Refused at Planning Committee 30th January 2015

Erection of 3 (x3 bed) two storey terraced dwellinghouses including formation of off street parking, bin and cycle stores and associated hard and soft landscaping was refused for 2 reasons:

*The proposal would, by reason of its size, height, siting and proximity to existing boundaries, result in an unacceptable visual impact on the amenities of existing residents, in particular those living in Bell House. The development would have a significant impact on outlook from existing properties resulting in an overbearing impact on the occupiers of those properties. As a result, the proposal would be contrary to policy BE9 of the adopted Brent UDP, as well as the guidance set down in SPG17 "Design Guide for New Development".*

*The applicant has failed to demonstrate that the proposal to lose the existing car park, and provide additional residential units on the site, would not result in conditions prejudicial to highway and pedestrian safety within the vicinity of the site. As a result the proposal is contrary to UDP policies TRN23 and PS14, as well as SPG17 "Design Guide for New Development".*

## CONSULTATIONS

Residents of 141 neighbouring properties were consulted on 6th August 2015. Officers widened the consultation to include all properties on the west side of the CAMS estate and also notified all residents who lived elsewhere who had expressed interest in the earlier application.

An error with the addresses at 2 properties were pointed out and a letter was resent on 20th August. A site notice was put up at the application site on 11th August and following comments received regarding the extent of consultation a site notice was put up on Comber Close which is the eastern vehicular entrance to the estate on 9th September.

10 objections have been received raising the following concerns:

- Ainsworth is a very narrow road so any vehicles pulling out of the new houses will cause obstruction and collision risks
- Approximately 80 homes rely on this single road
- One off road space per house is not enough and the homes will give rise to more on-road parking
- BHP wrongly state the car park is redundant
- Signs forbidding use by non permit holders were removed from the car park in June and it is now used
- There is a shortage of parking on the estate exacerbated in bad weather
- The number of cars belonging to Banting House, Comber Close, Bell House and Mackenzie House have been grossly underestimated
- The parking calculation is flawed e.g. spaces on Sienna Terrace have been included while CAM residents are not permitted to park there, also the car parking survey makes reference to permit holders but there is not resident parking scheme
- There is a shortage of car parking
- There are no allocated disabled bays in the estate for disabled badge holders
- A similar development at the end of Comber Close increased the amount of traffic and provided insufficient parking
- The survey was done on the day after a bank holiday and on a Saturday so cannot be taken as being properly representative
- In snow or ice comber close is often inaccessible from Alder Grove making Ainsworth Close the sole vehicular access and at such times access for emergency and refuse collection vehicles etc is severely compromised
- Family houses are proposed with no provision for children - gardens are minute
- The estate has only a small play area for young children but nothing for older children contributing to prevalent ASB
- The estate is already overpopulated
- The application was refused on the impact on 80 Brook Road and Bell House and the new application has not addressed these issues.
- Impact on view from 80 Brook Road
- The site is next to an underground reservoir above tunnels built in 20s/30s and building works which have encountered them have caused substantial damage to local properties.
- The plans have not been sufficiently improved compared to the refused application
- The proposal could be a socially harmful error blocking the route to better homes and healthy growth
- The consultation is insufficient and incomplete
- BHP did not consult all properties despite promises made, residents in non BHP properties contained in the estate were not consulted by BHP

Thames Water -

Recommended condition: 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. 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

Our preferred option would be for all surface water to be disposed of on site using SUDs as per policy 5.13 of the London plan.

Highways comments - No objection, set out in remarks section

Tree officer - recommendations discussed in remarks section.

#### Brent Housing Partnership Community Engagement

Prior to the initial application BHP say that they engaged with residents of the estate by various means.

The approach taken by BHP was to seek to engage with local residents adjacent to and within the sight line of the proposed new development. A site-specific letter drop and door knocking exercises were undertaken in late July 2014, followed by a public meeting held with the lead member for Regeneration and Housing to

explain the proposals. Further to this a meeting was held with the Residents Association of the CAM estate on the 1st of October 2014.

Over the course of the development of the current application, two drop-in meetings have been held locally in order to discuss the proposals with the residents from the surrounding CAM estate. The drop-in sessions were held in the evenings of the 28th of May and the 4th of June and were attended by a total of 17 residents, of which 14 were from the estate and 3 were adjacent neighbours.

Comments were made in relation to the following issues:

- the impact of the development on increasing the population of the estate.
- anti social behaviour and crime within the CAM estate.
- potential increase in demand for car parking spaces from additional residents in the proposed development.

concerns raised by some residents from the nearby Bell House block that their view and the amount of daylight would be compromised due to the designs.

## **POLICY CONSIDERATIONS**

### National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The development plan for the purpose of S38 (6) The Planning & Compulsory Purchase Act 2004 is the Brent Unitary Development Plan 2004, Core Strategy 2010 and the London Plan 2011. Within those documents the following list of policies are considered to be the most pertinent to the application:

#### London Plan 2011

Policy 3.5 Quality and Design of Housing Developments

#### Brent Core Strategy 2010

CP 2 Population and housing growth

Sets out the appropriate level of growth across the borough, including the number of new homes and proportion of affordable housing sought

CP 17 Protecting and enhancing the suburban character of Brent

Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.

CP 21 A balanced housing stock

Seeks to maintain and provide a balanced dwelling stock to accommodate the wide range of Brent households by: ensuring appropriate range of dwellings and mix; defining family accommodation as units capable of providing three or more bedrooms; requiring new dwellings be 100% Lifetime Homes and 10% wheelchair accessible; contributes to non-self contained accommodation and care & support housing where needed.

#### Brent UDP 2004

BE2 Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area.

BE3 Proposal should take regard for the existing urban grain, development pattern and density in the layout of development site.

BE4 Access for disabled people

- BE6 A high standard of landscape design is required as an integral element of development schemes.
- BE7 A high quality of design and materials will be required for the street environment.
- BE9 Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.
- H11 Housing will be promoted on previously developed urban land which the plan does not protect for other uses.
- H12 Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and public landscaped areas appropriate to the character of area and needs of prospective residents.
- H13 The appropriate density should be determined by achieving an appropriate urban design, make efficient use of land and meet the amenity needs of potential residential, with regards to context and nature of the proposal, constraints and opportunities of the site and type of housing proposed.
- TRN23 Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.
- PS14 Parking standards for residential uses

#### Brent Supplementary Planning Guidance

##### SPG17 Design Guide for New Developments

Sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

## DETAILED CONSIDERATIONS

### Background

1 Brent Housing Partnership (BHP) has been looking at ways in which it can increase its stock of affordable family housing, which is housing with 3 or more bedrooms, across the Borough. This reflects the significant existing shortage and the demand arising from Brent's larger than average family sizes.

2 A survey of BHP properties and estates has led to the identification of a number of infill opportunities to contribute to increasing the BHP housing stock. The subject site is a small car park located on the northern side of Ainsworth Close and the proposal seeks permission for the erection of 2x3-bed and 1x2-bed social rented houses and 3 off street parking spaces. As set out above a similar application has previously been considered by Committee earlier this year and was refused for 2 reasons. The applicant has sought to address the issues since that time, with the main differences between the previous scheme and the current proposal (1) the separation between the proposal and Bell House and (2) the collection of more detailed information regarding parking in the wider estate.

### Key considerations

3 The key considerations of this proposal are, therefore, as follows:

- Principle of development & parking
- Impact on neighbouring amenity

4 A number of other issues are also relevant to the application and were considered previously. This information is also set out below including Design, Layout & Impact on Street Scene, Standard of accommodation and Landscaping for the information of Members.

### Principle of development & Parking

5 Ainsworth Close and its surrounding area is residential and as such the introduction of the proposed

residential units is appropriate in terms of the character and use.

6 Parking is one of the significant issues which needs to be acceptable for the principle to be supportable. The existing site as set out above, is a small car park presumably originally intended for surrounding residents, however aerial photos back to 1995 demonstrate extremely limited use with no more than one vehicle in situ and often none. At the time of the earlier application the area hadn't been available for use for parking at all but has been used for storage, possibly associated with work going on in the estate. The car park has since been reopened.

7 Members previously felt that the applicant had not undertaken an extensive enough review of parking in the estate and had failed to demonstrate that the loss of the car park and the construction of 3 houses would not result in conditions prejudicial to highway and pedestrian safety within the vicinity of the site. The applicant has commissioned parking beat surveys to provide further information in support of the proposal as required by the reason for refusal.

8 With regard to the application site itself page 26 of the Design and Access statement shows parking figures of the car park and this was carried out by Brent Parking Wardens. The data shows that of the 30 days the beat was carried out for in May and June 2015, there were no vehicles parked in the car park for 26 of these days and only on 4 of those days there was 1 vehicle parked in the car park. This demonstrates a very low average usage of the car park and the loss of the car park will not result in the displacement of vehicles which cannot be safely accommodated on Ainsworth Close.

9 In order to assess the level of parking across the wider estate the applicant has commissioned parking beat surveys, carried out on Saturday 2<sup>nd</sup> May 2015 and Tuesday 5<sup>th</sup> May 2015.

10 The survey counted 159 available spaces in the form of marked bays, unrestricted parking and dropped kerbs for off-street parking. The survey was carried out for 24 hours and the highest occupancy rate was overnight between midnight and 5am. The figures for both surveys, overnight, showed a parking occupancy of 82-85 spaces. This indicates a 52% parking occupancy overnight (based on the consultants figures) which is not defined as heavily parked. However, the street is narrow and parking can only be accommodated along one side of the street as such Brent officers have assessed the parking capacity at approximately 70 off street parking spaces in garages, parking courts and undercroft areas, plus about 50 on-street parking spaces, giving a total capacity of 120 spaces. This increases the overnight parking occupancy rate to 70%, which still not defined as heavily parked.

11 As previously discussed, Ainsworth Close comprises of 116 units, of which the vast majority are 2-bed flats, giving a total parking allowance of up to 139 spaces. It is generally accepted that parking demand averages 75% of the maximum allowance, although for social rented units, the trend is that this tends to fall towards 50% of the maximum allowance, as acknowledged in the parking standard. On this basis it would be anticipated that between 70 and 105 cars would be owned by residents of the estate, which is consistent with the results of the overnight parking beat surveys.

12 Data gathered from the 2011 Census for 108 flats in this area (which excluded Mackenzie House but included flats served from Comber Close) showed lower average car ownership of 0.435 cars per flat, giving a total of about 50 cars owned by residents of Ainsworth Close. It is noted that this falls below the observed volume of cars recorded in the parking beat surveys suggesting non residents may park in the area.

13 The parking beat which is an accurate representation of the numbers of cars parked has shown that additional cars, not revealed in the census, park within the estate. However the number still fall at the low end of the Brent's parking standard and only 70% of the capacity in the estate which is not Heavily Parked.

14 The availability of parking within the estate is far higher than actual vehicle ownership as revealed by the census and backed up by parking beat survey and by aerial photographs captured 2013, which show approx. 50 parked cars. With the estate able to accommodate more than 120 parking spaces, there is sufficient space to satisfy demand following the loss of this car park without overspill parking occurring onto the nearest public highway.

15 The maximum parking standard (PS14) for a 2-bed house is 1.2 spaces and 1.6 spaces for a 3-bed, resulting in a total of 4.4 spaces. However as affordable housing units the usual take up is only 50% of the standard. Each unit has an off-street parking space which is likely to accommodate the parking demand created by the site, however in the event of additional parking demand arising for example from visitors or deliveries the parking beat survey, the census and aerial photos show that there is capacity to accommodate this without prejudice to existing residents and pedestrian safety.

16 Manoeuvring space in and out of the off-street parking spaces on Ainsworth Close is acceptable and similar to the existing car park arrangement.

#### Impact on neighbouring amenity

17 Members were concerned that the previous proposal would have an unacceptable visual impact on the amenities of existing residents and in particular on Bell House to the east.

18 Bell House is angled towards the application site because of the bend in the road, which creates an unusual relationship and it was at this end of the site that members felt the proposed garden boundary and flank wall would have an overbearing impact on outlook, to address the reason for refusal the third unit has been significantly altered.

19 The third unit has been re-orientated so that it is increased in depth but decreased in width allowing a large set in of 6.7m from the eastern boundary, as such it will not impact on the open outlook across Ainsworth Close from Bell House. The garden boundary treatment is also set in from the site boundary by 0.7m which allows for the inclusion of climbers and low level shrubs. To enhance the site, screen the parking space and provide a green setting for the development when viewed from the east 2 trees are proposed at the eastern end of the site. In summary the third unit and its garden boundary have been designed to respect and protect outlook from Bell House, and new softlandscaping will provide an attractive setting and buffer for the development.

20 The other closest neighbouring houses are to the west of the site on Brook Road and are over 15m away from the proposed flank wall. 80 Brook Road has a rear garden depth of 10m and the proposed building is set in from the site boundary by 5.5m. From the end of the rear garden the proposed house falls below an angle of 45 degrees which is the guidance set out in SPG17 for new development to ensure that the impact of a new development on amenity of existing residents is acceptable. From the rear of the house the proposed development also falls below an angle of 35 degrees. SPG17's guidance is specifically designed to protect residential amenity and ensure that light and outlook are not compromised, by complying with this guidance it is confirmed that the relationship between the development and the existing houses is acceptable.

21 Whilst neighbour's views will change Members will be aware that views are not something that can be protected, in planning terms light and outlook are assessed and in this instance neither is unacceptably affected.

22 The rear of the site abuts the side of the rear garden of 76 Brook Road. The living room window of the western most unit is 8.7m from the boundary and 5m at the eastern unit. The boundary treatment will be 2m high which will prevent any overlooking of the garden to the rear. The houses are designed so that no habitable rooms rely on outlook to the rear at first floor protecting neighbouring privacy. Officers are satisfied that the design mitigates any potential impact on privacy.

23 The proposed development falls under an angle of 45 degrees set at 2m at the garden boundary with 76 Brook Road and would therefore have an acceptable relationship in accordance with SPG17.

24 The proposal has responded carefully to the reason for refusal with the result that the scheme meets the guidance of SPG17 and will not harm neighbouring amenity.

#### Design, Layout & Impact on Street Scene

25 As explained above, this was not raised as an issue when the earlier scheme was refused planning permission. The proposal is for a row of 2-storey terrace houses similar to the scheme refused earlier in the year. The dwellings face south onto Ainsworth Close, to their west are the rear gardens of 78 and 80 Brook Road, to the north is the rear garden of 76 Brook Street and to the east is 1-7 Bell House.

26 The site is approximately 37m wide, 17.3m deep at its western end and 13.7m at its eastern end. The only existing building which fronts onto this part of Ainsworth Close is Bell House which is set over 16m back from the pavement edge behind an open grassed area. The depth of the subject site doesn't allow for this to be reflected however the proposal seeks to establish its own character with a strong front building line.

27 The estate isn't characterised by private front gardens but the proposed houses are provided with a 1.4m wide set back from the pavement which will be planted with shrubs to provide a green setting. As large a set back as possible is sought in all developments to improve the visual impact of the development and also to

protect amenity for future occupiers. A minimum 2m setback is usually required for taller buildings to prevent the development appearing overbearing in the street as well as providing a defensible space in front of windows. The limited depth of the site here would not easily allow for the front curtilage to be widened and on balance, as the development is only 2-storeys and taking into account the character of the estate, the relationship between the street and the proposed houses is considered to be acceptable. 2 parking spaces are proposed to the west of the houses along with cycle and refuse storage space for 2 of the houses, the parking space and storage facilities for the third house are to the eastern end of the site. In terms of its appearance in the street scene the development is considered to sit comfortably within the plot.

28 The elevational design is simple but is considered to be successful. The houses have a similar arrangement of fenestration but with slight variation to add interest. The proposed materials are brick at the ground floor level and the first floors will be clad with tiles with each house having a different shade of tile, this continues around the side and rear elevations. Bell House which is the neighbouring building on Ainsworth Close consists largely of brick and hanging tiles so this treatment is appropriate.

29 Bell House is a 2-storey flat roof building, so the flat roof design of the subject site ties into to the local character.

30 Fenestration is proposed in the flank walls at ground floor (one window to each side) adjacent to the parking spaces which provides a sense of surveillance of these spaces. A window is also proposed at first floor in the eastern flank wall, the lower part of which would be obscure glazed, and as well as providing an element of interest within the tile cladding, it also gives a suggestion of overlooking of the space to the side of the house which is welcomed.

#### Standard of Accommodation

31 As explained above, this was not raised as an issue when the earlier scheme was refused planning permission. The units have a clearly identifiable entrance which is recessed in the front elevation.

32 As set out above the units have a limited set back from the street where the kitchen and dining room windows are positioned, details of planting in the front curtilage will be required to enhance the separation distance. While the privacy of these rooms is a consideration they form only a part of the habitable space in the units and the quality of the accommodation isn't considered to be compromised. The living area is to the rear of the ground floor and as such looks on to the rear garden which is a private area to each unit. At first floor all bedroom windows have outlook to the front and the largest double bedroom has a high level window to the rear.

33 The 3 bed houses provide 100sqm of internal space and the 2 bed unit is 87sqm; a kitchen, dining and living room are provided at ground floor along with a bathroom and storage cupboards, while the first floor accommodates another bathroom and the bedrooms (2 doubles and 1 single/2 doubles). The minimum space standard in the London Plan for 3b5p dwelling houses is 96sqm and for 2b4p dwelling houses is 83sqm, both of which are achieved.

34 Each unit has a private rear garden each of which is over 70sqm and around 60sqm for the 2 bed unit. This represents a good quality and quantity of amenity space for future occupiers, above SPG17 guidance of 50sqm.

#### Landscaping

35 There are 2 trees in the frontage of the site which will be removed to enable the construction of the 3 houses. The trees are a Red Oak and a Maple and the tree officer has no objection to their loss subject to replacement within the site. The pavement in front of the proposed houses is insufficiently deep to accommodate replacement trees within it and instead it is specifically suggested that native trees are provided in the rear gardens, with 2 new trees also proposed at the eastern end of the site as set out above.

36 The small front curtilages of the site require good quality dense planting to enhance the green value of the site, this could include a privet hedge and further details will be required by condition.

37 The council's tree officer has appraised the trees to the rear of the site and provided recommendations, a tree report and method statement will be conditioned detailing which trees will be removed and for those to be retained, how the work will be carried out to prevent damage to their roots. Replacement trees will be required in the rear gardens. The retention of trees identified as T4 and T5 is recommended though given the reduced depth of the third garden in the current proposal this relationship needs to be considered further

and will be reviewed within the condition. Retained and replacement trees will be required to ensure an attractive screen is retained between the neighbouring garden and the application site.

### Conclusions

38 It is considered that the applicant has taken account of the earlier refusal and has amended the scheme accordingly, as explained above. Overall the proposal is considered to result in a good quality of accommodation which will have an attractive appearance in the street and will not be detrimental to neighbouring amenity. Importantly, the development provides family accommodation in two storey houses, with outside space, that is recognised as being in short supply in the Borough. The existing car park is underused while actual surveys have demonstrated that parking capacity within the estate far exceeds car ownership and parking demand. Further detail is required by condition in order to ensure the quality of materials, landscaping and tree protection.

### Neighbours Comments

Neighbour comments	Response
Ainsworth is a very narrow road so any vehicles pulling out of the new houses will cause obstruction and collision risks	The manoeuvring arrangement is similar to the existing car park and while narrow the road is of a sufficient size to accommodate vehicular movements
Approximately 80 homes rely on this single road	The proposal provides 3 off-street parking spaces and does not involve any development which would obstruct the road
One off road space per house is not enough and the homes will give rise to more on-road parking	Para's 13-14
BHP wrongly state the car park is redundant - Signs forbidding use by non permit holders were removed from the car park in June and it is now used	Para 7. It has been acknowledged that the car park has been reopened and surveys of its use reveal under use
There is a shortage of parking on the estate exacerbated in bad weather - In snow or ice comber close is often inaccessible from Alder Grove making Ainsworth Close the sole vehicular access and at such times access for emergency and refuse collection vehicles etc is severely compromised	Para's 8-13  Officers note the issue of roads being difficult to navigate in icy conditions. About 20% of roads in Brent are treated for ice though gritting is concentrated on main roads and steep gradients. A request could be put to the Head of Recycling and Waste for roads in the estate to be considered for the list.
The number of cars belonging to Banting House, Comber Close, Bell House and Mackenzie House have been grossly underestimated	An actual survey has been undertaken to supplement the census information
The parking calculation is flawed e.g. spaces on Sienna Terrace have been included while CAM residents are not permitted to park there, also the car parking survey makes reference to permit holders but there is not resident parking scheme	BHP have advised that they will review the parking control measures on the estate and would carry out consultation with all the residents to establish whether they would like BHP to introduce controlled parking.
The survey was done on the day after a bank holiday and on a Saturday so cannot be taken as being properly representative	This week was not a school half term and therefore it is not considered that this information should be unreliable.
There are no allocated disabled bays in the estate for disabled badge holders	A request could be made directly to BHP.



A similar development at the end of Comber Close increased the amount of traffic and provided insufficient parking	Officer's aren't certain to what this refers. The development of Sienna Terrace may be the most recent development, this was allowed by appeal under an application made in 1994. It is understood that it has private parking.
Family houses are proposed with no provision for children - gardens are minute	The garden's are in facet larger than SPG17 requires. Para 25.
The estate has only a small play area for young children but nothing for older children contributing to prevalent ASB	During the last year June 2014 to June 2015 BHP have confirmed that we have no recorded cases of ASB between residents and BHP received 11 call outs for our warden service to address issues such as loitering, ball games and moped riding and general communal area misuse.
The estate is already overpopulated	The application for three houses represents a maximum increase in residents of 14 people. The estate itself has currently 163 properties, calculated by the agent to have a maximum occupation level of 620 residents therefore the development represents an increase of 2% in terms of housing numbers and residents.
The application was refused on the impact on 80 Brook Road and Bell House and the new application has not addressed these issues.	Para's 26-33
The site is next to an underground reservoir above tunnels built in 20s/30s and building works which have encountered them have caused substantial damage to local properties.	Thames Water have commented and have not expressed onjections on this issue. Any development would be required to accord with Building Regulations.
The proposal could be a socially harmful error blocking the route to better homes and healthy growth	As set out in the report the proposal is in accordance with the councils and London wide guidance providing a good quality of accommodation.
The consultation is insufficient and incomplete	Officer corrected 2 addresses in response to this comment and re-sent consultation letter, as set out in the consultation section a second site notice was also put up at the eastern vehicular entrance to the estate.
BHP did not consult all properties despite promises made, residents in non BHP properties contained in the estate were not consulted by BHP	The engagement carried out by BHP is set out in the consultation section. Under the planning application officers have undertaken consultation well beyond SPG2 advice

## CIL DETAILS

This application is liable to pay **£79,816.62\*** under the Community Infrastructure Levy (CIL) however as social housing is proposed the applicant will be able to apply for an exemption.

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 297 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
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Dwelling houses	297	0	297	£200.00	£35.15	£67,885.71	£11,930.91
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BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
<b>Total chargeable amount</b>	£67,885.71	£11,930.91

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\***Eligible** means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.**



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====  
Application No: 15/3218

To: Mr Daniel Pan  
mae LLP architects  
1 Naoroji Street  
London  
London  
WC1X 0GB

I refer to your application dated 15/07/2015 proposing the following:  
Erection of three 2 storey terraced dwellinghouses (1 x 2bed and 2 x 3bed) including formation of off street parking, bin and cycle stores and associated hard and soft landscaping and accompanied by plans or documents listed here:  
See condition 2  
at Car Park, Ainsworth Close, Neasden, London

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
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  
Housing: in terms of protecting residential amenities and guiding new development
  
- 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):  
  
PL100  
PL110A  
PL111A  
PL112A  
PL200A  
PL201A  
PL300A  
PL301A  
PL302A  
PL303A  
PL304A  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The areas so designated within the site, between the building elevations and garden boundaries and the site edge, shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. 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 in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.  
  
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.
  
- 4 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development ) Order 1995 (or any order revoking or re-enacting that order with or without modification) no development within Classes A, B, C or D of Part 1, Schedule 2 to the said Order shall be carried out to the proposed houses without the prior permission of the local planning authority obtained through the submission of a planning application.

Reason : To enable the local planning authority to maintain strict control over the extension and alteration of any of the dwellinghouses hereby permitted on restricted sites in the interests of maintaining the appearance and integrity of the development and the visual and general amenities of the locality and to safeguard the amenities of the occupiers of neighbouring properties.

- 6 All 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 first occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- 7 All car parking spaces and footways shall be constructed and permanently marked out prior to first occupation of the development, and permanently maintained for such purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity and highway safety.

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

(a) materials (samples of which shall be submitted for approval by the Local Planning Authority) to be used on all external surfaces of the building(s);

(b) the treatment of the areas of hardstanding to include SUDS;

(c) the proposed boundary treatment to consist of a fence 2m high from the ground level of the site and a section drawing showing the ground level of 76 Brook Road;

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

- 9 Notwithstanding the plans hereby approved, a tree protection plan, arboricultural method statement and construction method statement for the proposed works, specifying the method of tree protection in accordance with BS 5837:2005 shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing on site. Works shall not commence on site until the Local Planning Authority has been on site and inspected the required tree protection measures. The approved tree protection measures shall be in place throughout the construction period.

- This shall include the identification of trees which will be removed as well as appropriate replacement trees (of a minimum stem girth of 12-14cm) and details of the future management of retained and new trees.

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.



Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

22 October, 2015  
  
**15/3819**

## SITE INFORMATION

**RECEIVED:** 4 September, 2015

**WARD:** Kensal Green

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA

**PROPOSAL:** Variation of condition 5 (cycle parking and refuse recycling storage) to allow the location of cycle parking and refuse stores at ground floor level, of full planning permission reference 14/0846 dated 11/11/2014 for Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m<sup>2</sup> community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

**APPLICANT:** Mr K Sagar

**CONTACT:**

**PLAN NO'S:** See condition 2

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# SITE MAP



## Planning Committee Map

Site address: Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA

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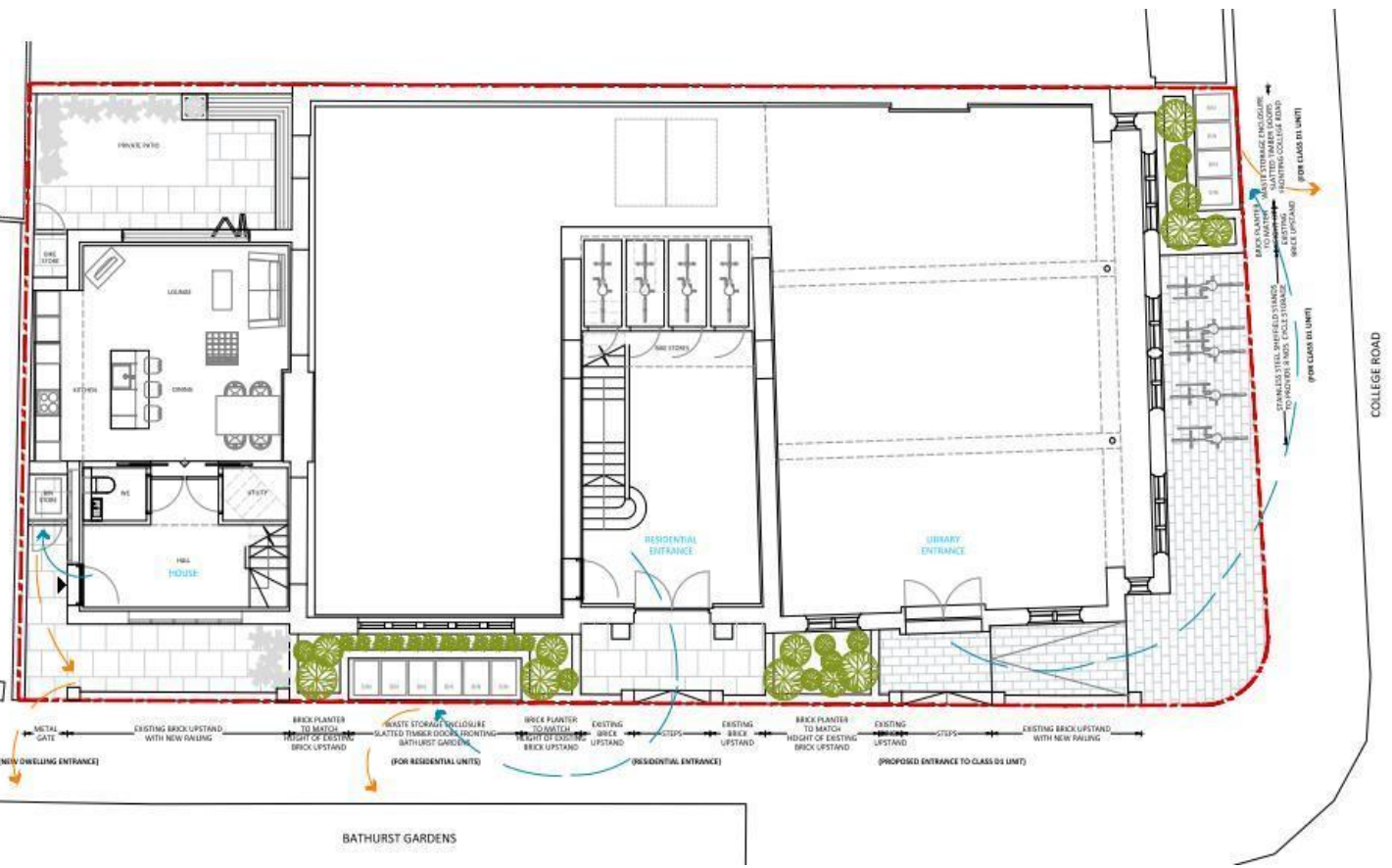
This map is indicative only.

# SELECTED SITE PLANS

# SELECTED SITE PLANS

## Front Elevation





## RECOMMENDATIONS

**Approval**, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Variation of condition 5 (cycle parking and refuse recycling storage) to allow the location of cycle parking and

refuse stores at ground floor level, of full planning permission reference 14/0846 dated 11/11/2014 for Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m<sup>2</sup> community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

## **B) EXISTING**

The subject site, located on the north-western corner of the junction between College Road and Bathurst Gardens, is occupied by a part single, two and three storey detached building. The building has been vacant since 2011 before which time it was most recently used as a public library. The building is not Statutorily Listed nor does it appear on the list of locally listed buildings published within Brent's Unitary Development Plan 2004.

However, in December 2012 the building was listed, under the provisions of the Localism Bill 2011, as an Asset of Community Value (ACV).

## **C) AMENDMENTS SINCE SUBMISSION**

None.

## **D) SUMMARY OF KEY ISSUES**

The key issues in relation to this application are as follows:

1. The design of the refuse storage areas in the context of the building and streetscene
2. The impact of the refuse storage on highway and pedestrian safety.

As explained below, there have been objections here to aspects of the overall development that do not form part of this application and were previously considered at the time of the granting of the main planning application for this building. These are:

3. The impact of the roof terrace with regard to overlooking (this formed part of a previous application that was granted permission).
4. The impact of the western extension on the neighbouring property (this formed part of a previous application that was granted permission).

## **RELEVANT SITE HISTORY**

### **15/3580 – GTD**

Non material amendment as follows:

- \* omission of basement level extension
- \* minor internal layouts changes to the flats
- \* insertion of x4 additional rooflights to the front, side and rear roofslope and enlargement of x1 approved rooflight

of full planning permission reference 14/0846 dated 11/11/2014 for Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m<sup>2</sup> community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College

Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

**14/0846 – GTD**

Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m2 community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

**13/2058 – REF**

Conversion of the existing vacant building to provide 7 residential units (3 x one-bed flats, 3 x two-bed flat & one x two-bed house) on the ground and upper floors and 175m2 multi-functional community space (Use Class D1) on ground floor and basement. Alteration to roof pitch over and increase in height of rear wall of central section of main building, proposed new roof with flank wall windows to existing west wing. Provision of new entrance doors on College Road and replacement rear and flank wall windows with associated waste storage, cycle parking and solar panels.

**CONSULTATIONS**

A total of 29 neighbouring properties were consulted. To date there have been three objections to the proposal. The representations raised the following concerns:

Objection	Response
Communal roof terrace would result in overlooking	See Paragraph 9
No drawings have been submitted of the College Road frontage	See Paragraph 6
Impact of the west extension on privacy and property	See Paragraph 8

**Internal consultation**

Transport & Highways – no objections

**POLICY CONSIDERATIONS**

The following planning policies and guidance are considered to be of particular relevance to the determination of the current application.

**National Planning Policy Framework 2012**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. Its includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of

land and buildings are required.

Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

#### **London Plan 2011**

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and enhancement of Social Infrastructure
- 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
- 8.2 Planning Obligations

#### **Core Strategy 2010**

- CP2 Housing Growth
- CP14 Public Transport Improvements
- CP15 Infrastructure to Support Development
- CP17 Protecting and Enhancing the Suburban Character of Brent
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP21 A Balanced Housing Stock
- CP23 Protection of existing and provision of new Community and Cultural Facilities

#### **UDP 2004**

- 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
- H12 Residential Quality – Layout Considerations
- H18 Quality of Flat Conversions
- 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

#### **SPG17: 'Design Guide for New Development'**

## **DETAILED CONSIDERATIONS**

### Introduction

1. As outlined in the 'History' section of this report Members will be aware that following a long period of discussion, and the refusal of a controversial conversion scheme here, permission was granted under planning reference 14/0846 for the conversion of the vacant building to provide five residential units on part of the ground floor and upper floors and the provision of replacement community space on the ground floor. Following this a number of non-material amendments have been agreed and approved by the Council which sought to omit the originally approved basement level, to change the internal layout of the flats and to insert additional rooflights to the rear of the building.

2. There was much discussion about this at the time, but it was originally proposed that bicycle and refuse storage be contained in the proposed basement of the building. However as the basement feature has now been removed the applicant has sought to vary one of the previous conditions and as a consequence locate

the cycle and refuse storage at ground floor level. Refuse storage is now proposed to be located in two separate locations fronting Bathurst Gardens and College Road respectively. Cycle storage is now proposed beside the proposed refuse storage fronting College Road.

#### Location of refuse and cycle storage

3. As the majority of the ground floor will be used as a community feature it is unrealistic, and not welcomed, to place the refuse storage inside the building at ground floor level as this would detract from the community use and reduce the area available in the future. Therefore the location of the refuse storage outside the building and at street level which will allow easy access and collection is the most logical option.

4. In total there are two refuse storage enclosures proposed with capacity for ten wheeled bins. Six bins will serve the five flats and will be located on the Bathurst Gardens frontage and four bins will be located on the College Road frontage for the ground floor community use. The location of the refuse stores from the basement to street level will allow easy collection from the adjoining highways and is an improvement in terms of accessibility from the previous location within the basement.

5. Cycle storage for the residents of the flats is now proposed in the entrance hall of the building by means of four bicycle lockers with a further store in the rear garden of the ground floor flat on the western side of the building. This provides an adequate number of spaces in a secure and sheltered manner to satisfy standards and also provides a more convenient location for bicycle storage than the previous provision in the basement. Cycle storage for visiting members of the public who wish to avail of the community facility can be found on the eastern side of the site by means of four 'Sheffield' stands located in a convenient and accessible location.

#### Design

6. With regard to the proposed design sliding timber doors are proposed which will help to conceal the refuse storage units from view and help these features to blend in with the streetscene. Planting is also proposed around the edges of the refuse storage units which will again help to improve the aesthetics of the units. Concerns regarding the appearance of the refuse storage units have been raised by an objector as originally the applicant has not submitted elevations detailing the units on College Road however these have been requested and will have the same appearance as the ones detailed on Bathurst Gardens. It is of course acknowledged that structures of this nature can have an unfortunate visual impact. However, in this case, it is considered that the structures are well designed and that the alternative, of providing the stores internally at the expense of community space, needs to be considered. On that basis, the proposal is supported.

#### Transport Considerations

7. The refuse stores will be positioned clear of the highway and footpath and sliding doors are proposed which will ensure that they do not open outwards over the footpath. This has been assessed by Transport & Highways and is deemed to be acceptable as it will not prejudice either vehicular or pedestrian movement in the area.

#### Other concerns

8. Concerns have been raised by an objector about the extension on the western side of the building. However this extension was granted planning permission in the previous application 14/0846. When considering this application previously the proposed western extension was deemed to be acceptable due to the fact that the flank wall of 2 Bathurst Gardens did not contain any habitable room windows. Therefore it was considered that there would not be any unreasonable adverse impact on this property.

9. Similarly concerns have been raised by an objector about the roof terrace which again was granted permission under the previous application 14/0846. When this feature was considered previously it was not considered that it would result in any increased overlooking. Taking the distance of approximately 18 metres between the objector's property and the location of the roof terrace into consideration it is not considered that this feature would result in a detrimental impact on the amenity of the residents living there.



## Conclusion

10. The proposed variation of condition 5 to move the cycle and refuse storage to the ground floor street level area is deemed to be acceptable and is the most logical place to locate these features due to the removal of the basement. With regard to design the proposed materials and planting will help to improve the aesthetics of these features in the context of the building and street scene. The cycle and refuse storage has also been assessed from a safety, and operational, point of view and are deemed to be acceptable.



**Brent**

DECISION NOTICE – APPROVAL

Application No: 15/3819

To: Mr K Sagar  
BEAUFORT HOUSE  
15 ST BOTOLPH STREET  
EC3A 7BB

I refer to your application dated 04/09/2015 proposing the following:  
Variation of condition 5 (cycle parking and refuse recycling storage) to allow the location of cycle parking and refuse stores at ground floor level, of full planning permission reference 14/0846 dated 11/11/2014 for Conversion of the existing vacant building to provide 5 residential units (2 x studios, 1 x 1 bed duplex flat and 2 x 2 bed duplex flats) on part ground and upper floors and 186m2 community space (Use Class D1) on the ground floor. Single storey ground floor extension to west elevation, provision of roof extension and communal residential roof terrace fronting onto Bathurst Gardens and creation of basement for bin/cycle store. Provision of new entrance door on Bathurst Gardens serving D1 space, with associated cycle parking and landscaping to Bathurst Gardens and College Road. Erection of temporary site hoarding to protect site for period of vacancy, and subject to a deed of agreement dated 05 November 2014 under section 106 of the Town and Country Planning Act 1990, as amended.

and accompanied by plans or documents listed here:  
See condition 2  
at Former Kensal Rise Branch Library, Bathurst Gardens, London, NW10 5JA

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004

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

Transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

- 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):

P-SK01

P-SK02

P-SK03

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

- 3 The use of the D1 space hereby approved shall only be permitted between:

Mon-Fri: 0800 - 2200 hours

Saturday: 09:00-2100 hours

Sundays and bank holidays: 1000-1800

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 4 No amplified sound systems shall be used unless details of the proposed system and associated insulation measures are submitted to and agreed in writing by the Local Planning Authority prior to the installation, and thereafter such a system shall be installed and maintained in accordance with the approved details

Reason: To prevent noise nuisance to adjacent occupiers.

- 5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987(or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the use hereby permitted shall only be for the purpose of public hall/community

type activities (excluding places of worship and such other religious activities) within Use Class D1.

Reason: No separate use should commence without the prior approval of the Local Planning Authority in order to ensure that the use does not prejudice the amenity of the area and complies with the Council's adopted policies.

- 6 The cycle parking spaces and refuse recycling storage facilities shall be fully installed in accordance with details to be submitted to and approved in writing by the local planning authority prior to the commencement of the proposed community space or the first occupation of a residential flat. Thereafter the cycle parking spaces and refuse recycling storage facilities shall be retained and used solely for the specified purposes in connection with the development hereby approved and shall not be obstructed or used for any other purpose/s.

Reason: To ensure safe, efficient and adequate servicing of the site and to ensure satisfactory facilities for cyclists in accordance with the Council's policy TRN11 of the adopted Unitary Development Plan 2004

- 7 The last remaining residential unit shall not be occupied until the D1 space has been completed in accordance with the planning application and the search for a suitable D1 occupier has commenced.

Reason: To ensure that all reasonable action is undertaken to secure a community use within the site.

- 8 During demolition and construction works on site:

- The best practical means available in accordance with British Standard Code of Practice B.S. 5228: 1997 shall be employed at all times to minimise the emission of noise from the site.
- The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800 – 1800 Mondays-Fridays, 0800 -1300 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- Vehicular access to adjoining and opposite premises shall not be impeded.
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only. A barrier shall be constructed around the site, to be erected prior to demolition.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance caused by construction and demolition works.

- 9 The existing security hoarding around the site shall be removed prior to the occupation of the first residential unit hereby approved.

Reason

To ensure that the proposed development has a satisfactory impact on the character and appearance of the building within the streetscene.

- 10 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the

buildings are occupied. Such details shall include:-

- (a) materials (samples of which shall be submitted for approval by the Local Planning Authority) to be used on all external surfaces of the building(s);
- (b) the proposed boundary treatment including all fences, walls and gateways;
- (c) proposed planting including (plant species, sizes and number)

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

- 11 No development shall take place before a scheme for adequate sound insulation to walls and/or floors between units in separate occupation hereby approved has been submitted in addition to BRGs and approved in writing by the Local Planning Authority. Thereafter none of the flats shall be occupied until the approved scheme has been fully implemented.

Reason: To safeguard the amenities of the occupiers.

- 12 Notwithstanding the plans hereby approved revised details showing a widened proposed entrance door and details of signage for the proposed community use identified on the Bathurst Road elevation, shall be submitted to and approved in writing by the LPA prior to commencement of use.

Reason: To ensure that the proposed details preserve the character and appearance of the building

- 13 Development shall not take place until a refuse management strategy for the moving of bins to and from a collection point, to be agreed in writing with Highways, no further than 9m from the site, is submitted to and approved in writing by the local planning authority. This shall include the provision of waste storage at the ground floor level. Once the strategy has been approved it must be fully implemented.

Reason: To ensure that the proposed development has adequate standards of hygiene and refuse collection are provided.

Any person wishing to inspect the above papers should contact Barry Henn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5232