



## Planning Committee

**Wednesday 10 February 2016 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**

**Members' briefing will take place at 6.00pm 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		1 - 10
<b>Extract of Planning Code of Practice</b>		
<b>NORTHERN AREA</b>		
3. Garages next to and rear of 13-24, Mead Court and Communal Facility & Laundry, Mead Court, Buck Lane, London NW9 (Ref 15/4604)	Fryent	15 - 36
4. Brent House, 349-357 High Road, Wembley, HA9 6BZ (Ref. 15/4743)	Wembley Central	37 - 72
5. CAR PARK, Montrose Crescent & Land N/T 499 & 509 High Road, Wembley (including existing steps connecting to High Rd, Wembley with Station Grove), HA0 (Ref. 15/4473)	Wembley Central	73 - 108
<b>SOUTHERN AREA</b>		
6. 271-273 Kilburn High Road, London, NW6 7JR (Ref. 15/3695)	Kilburn	109-132
7. Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH (Ref. 15/4226)	Queens Park	133-152
8. 76-78 Salusbury Road, London, NW6 6PA (Ref. 15/4590)	Queens Park	153-174
9. 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 Visit - 6 February 2016

## SITE VISITS – SATURDAY 6 FEBRUARY 2016

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
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## SITE VISITS – SATURDAY 2016

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

REF.	ADDRESS	ITEM	WARD	TIME	PAGE
15/3695	271-273 Kilburn High Road, London, NW6 7JR	6	Kilburn	9:50	109-132
15/4226	Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH	7	Queens Park	10:15	133-152
15/4590	76-78 Salusbury Road, London, NW6 6PA	8	Queens Park	10:40	153-174
15/4604	Garages next to and rear of 13-24, Mead Court and Communal Facility & Laundry, Mead Court, Buck Lane, London	3	Fryent	11:30	15 - 36
15/4743	Brent House, 349-357 High Road, Wembley, HA9 6BZ	4	Wembley Central	12:10	37 - 72
15/4473	CAR PARK, Montrose Crescent & Land N/T 499 & 509 High Road, Wembley (including existing steps connecting to High Rd, Wembley with Station Grove), HA0	5	Wembley Central	12:40	73-108

**Date of the next meeting: Wednesday 9 March 2016**

The site visits for that meeting will take place the preceding Saturday 5 March 2016 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 Wednesday 13 January 2016 at 7.00 pm

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

ALSO PRESENT: Councillors Jones Kelcher, McLennan, Pavey, Perrin and Shaw

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

***Lycee International de Londres, 54 Forty Lane, Wembley HA9 9LY (Ref. 15/4140 and 15/4141)***

Councillor Choudhary declared that he had had general discussions with his constituents but confirmed that he would consider the application with an open mind.

***Roundwood Park, Harlesden Road NW10 (Ref.15/3572)***

All members received correspondence dated 04/01/2016 from Martin Webb, an objector.

***Former Manor School, 3-7 The Avenue, London NW6 7YG (Ref. 15/3616)***

Councillor Colacicco declared that as her friend worked with Hopkins (applicant's architects) she would withdraw from the meeting room and not take part in the discussion or voting.

All members received email and hard copies of a briefing document from the applicants.

#### 2. **Minutes of the previous meeting held on 16 December 2015**

RESOLVED:-

that the minutes of the previous meeting held on 16 December 2015 be approved as an accurate record of the meeting.

#### 3. **Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4140)**

PROPOSAL:

Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice with an additional condition requiring the facility to be ancillary to the school (with the exception of community access), Or, if the

Planning Committee is still minded to refuse, to consider the two possible reasons set out on page 12 of the agenda report.

David Glover (Area Planning Manager) introduced the report. He drew members' attention to the two main reasons for refusal of the application (as set out in the Committee report) and added that since the last meeting Transport for London (TfL) had provided additional information which addressed one of the reasons for refusing the application. With reference to the supplementary report he clarified that as the swimming pool was considered to be ancillary to the school use and would fall within use class D1, it would incur a zero charge for Brent Community Infrastructure Levy (CIL) and exemption from Mayoral CIL. The Area Planning Manager added that the swimming pool would be available for use by the community as part of the community access arrangements for the school and be chargeable to the community at rates comparable to similar local authority facilities.

Robert Dunwell speaking on behalf of Queensbury Area Residents' Association (QARA Group of Associations in support of the application stated that the proposed swimming pool would not adversely impact on the visibility of the listed building.

Andrew Murdoch and Neil Goldsmith (applicants' agents) addressed the Committee and answered members queries. Members heard that additional information received from TfL confirmed that the bus shelter may not be required to be moved and that if the bus cage was moved by up to 4m, there would be adequate space for six cars to be able to stand in front of the bus cage when waiting at the traffic lights. They added that as the site sloped, the obstruction to the views of the listed building would be limited except when immediately in front of the proposed building. The Council's Transportation Unit reconfirmed their advice that the proposal would be acceptable in principal and the Supplementary indicated that the proposed relocation or removal of the public telephone (BT) kiosk would not raise any significant planning or listed building issues.

In the ensuing discussions, members expressed a view that their concerns about the siting of the re-located bus stop and bus cage and the potential impact on pedestrian and highway safety had been addressed by the additional information provided by TfL. However, as their concerns regarding design, size, siting and impact on the Listed Building had not been addressed, members were still minded to refuse the application although they were supportive of the proposal for a swimming pool that could be used by the public. The applicants were encouraged to work with Planning Services to address the concerns raised.

Voting on the recommendation for refusal was recorded as follows:

FOR:	Councillors Marquis, Colacicco, Choudhary and Maurice	(4)
AGAINST:	Councillors Agha, Ezeajughi and Mahmood	(3)
ABSTENSION:	Councillor Mili Patel	(1)

DECISION: Refused planning permission for the first reason relating to the design, size, siting and location of the building and associated impact on the setting and views to the Listed Building.

**4. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4141)**

PROPOSAL:

Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

RECOMMENDATION: Grant listed building consent subject to conditions as set out in the Draft Decision Notice, Or, if the Planning Committee is still minded to refuse, to consider the two possible reasons set out on page 12 of the agenda report.

See minute 3 above.

DECISION: Refused listed building consent for the first reason relating to the design, size, siting and location of the building and associated impact on the setting and views to the Listed Building.

**5. Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley (Ref.15/3599)**

PROPOSAL:

A hybrid planning application for the redevelopment of the site including:-

a) Full planning permission for the demolition of existing building and erection of a 13-storey building comprising a 312-bed hotel (Use Class C1) with ancillary and/or ground uses including a restaurant, bar, offices and gym (Use Classes A1-A4/B1 and/or D2) (referred to as Plot W11), on-site cycle parking and

b) Outline planning permission for the demolition of existing building (The Red House, South Way) and erection of a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved (referred to as Plot W12) and new pedestrian boulevard (outline) with associated service yard, landscaping and infrastructure works.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice or, as set out in the Supplementary, if the Planning Committee is still minded to refuse, to defer the application to a subsequent meeting to allow the applicants to review the supporting information and proposal in the relation to the issues raised previously by the Committee.

David Glover (Area Planning Manager) informed members that following consideration of the application at the last meeting, there had been further discussion between the Event Safety Team and the Safety Advisory Group (SAG)

for Wembley National Stadium relating to the proposal to reduce the width of the existing boulevard for a temporary period to allow for construction to take place. He continued that the applicant had requested a deferral to enable the SAG to re-assess the proposal and to allow the applicant to address the issues raised by the Committee.

Anne Clements (applicant) highlighted the significance of the application to the area and how it would bring economic benefit to the borough and important CIUL contributions and how the proposal would relate to and improve some views of existing buildings. She continued that working in partnership with officers and the GLA, Quintain had achieved a design that appropriately fitted into the Wembley Master Plan and the Area Action Plan.

Councillor McLennan (Lead Member for Housing and Development) addressed the Committee. She informed the Committee that at a recent meeting she attended with Officers of the Council, Quintain gave a detailed presentation of the Master Plan including how the boulevard would appropriately fit into the site. Councillor McLennan also drew members' attention to other benefits of the proposal including employment and income generation. The Head of Planning confirmed that he and other senior officers had attended the presentation meeting.

Members heard that the Master Plan application was due to go out for public consultation however, they felt that they wished to see the document and the model before making a decision on the application. They were minded to defer the application as requested by the applicant so as to enable the applicant to review and reconsider the proposal and the Chair stressed that the applicant should consider all the reasons for which the Committee was minded to refuse and not just focus on the width of the boulevard as raised at the previous meeting and agreed in the minutes for the meeting.

DECISION: Deferred to a subsequent meeting as set out in the Supplementary and at the applicants' request to enable the issues raised by the Planning Committee and set out in the agreed minutes of the previous meeting to be reviewed and reconsidered.

## **6. ROUNDWOOD PARK, Harlesden Road, London NW10 (Ref. 15/3572)**

PROPOSAL: Proposed concrete skatepark within the grounds of Roundwood Park (to the north of Roundwood Youth Centre) with associated seating areas and soft landscaping.

RECOMMENDATION: Grant planning permission subject to conditions as set out in the Draft Decision Notice and as amended in condition 1 as set out in the supplementary report.

Liz Sullivan (Principal Planner) outlined the scheme and with reference to the supplementary report responded to queries raised at the site visit. She informed members that according to consultant's advice, the proposal would not result in a significant impact on nearby dwellings and that potential noise concerns should be mitigated both by the separation distance and as no additional lighting was



proposed which could encourage people to gather later in the evenings. She advised that additional tree planting or landscaping to screen the area would impact on passive surveillance which was considered a positive part of the proposal and that noise attenuation value of trees was limited. In order to minimise visual impact, particularly at a distance, grass bunds were proposed around the edges, drawing members' attention to amended condition 1 as set out in the supplementary report. Liz Sullivan informed members that maintenance and management of the skatepark would be carried out by Brent's Parks warden service operated by Veolia and on a shift basis as they covered all open spaces. She continued that a sign was proposed at the front of the skatepark which would include contact details for users to report maintenance issues.

Anita Murray (objector) stated that the skatepark was likely to lead to increased noise and anti social behaviour to the detriment of the residents of nearby properties and other users of the park including local school children. She also raised concerns about open access to the park and issues relating to floodlighting. In response to a member's question, the objector stated that without warden patrol the location of the skatepark would facilitate and increase anti social behaviour in that part of the park.

*In accordance with the provisions of the Planning Code of Practice, Councillor Kelcher* (member for the adjoining ward), stated that he had had discussions with residents about the proposal. Although he did not oppose to the new amenity for a skatepark, Councillor Kelcher highlighted that residents in houses in Longstone Avenue and Harlesden Road would experience noise nuisance and general disturbance including anti social behaviour particularly as warden patrol scarcely took place. He continued that the loss of that part of the park would impact on several groups including children from local schools who used the park for various activities, joggers and those who used the park for Eid celebrations. Councillor Kelcher requested the Committee to defer a decision for officers to consider alternative sites, further away from residential properties

Rob Anderton (Head of Public Realm) and Rez Cameron (Leisure Client and Projects Manager) attended the meeting to answer members' questions about the application. Rob Anderton stated that alternative sites were considered but not found to be appropriate. He added that as lighting would encourage anti social behaviour, he advised that it would be safer to have the skatepark unlit so as to discourage night time usage. He undertook to look into the suggestion for a mobile CCTV and signage reminding users that they were being filmed for safer security purposes and to have the situation reviewed collectively by ward members and residents after 6 months. Members heard that the parks warden service was operating on diminishing resources, albeit sufficient to ensure that all parks were maintained to an acceptable standard. In order to ensure the site was maintained to a litter free standard, Rob Anderson undertook to have litter bins installed if the need for them arose. He accepted the need to submit a Construction Management Plan as suggested by the Chair.

In bringing the discussion to an end, the Chair noted that consultation on the proposal was conducted long ago and felt that the planning application consultation should have included the adjoining houses. The Chair stressed that

these consultation problems should be avoided in the future by the department. Members were in agreement with her suggestion for additional conditions for the provision and review of CCTV operation, signage to advise its use, provision of litter bins and the submission of a Construction Management Plan

DECISION: Granted planning permission as recommended with additional conditions requiring the initial provision and subsequent review of CCTV operation in addition to signage to advise it is in use; provision of litter bins; and the submission of a Construction Management Plan.

**7. 124A - 124E INC Purves Road, London, NW10 5TB (Ref. 15/4571)**

**PROPOSAL:**

Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free

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

Stephen Weeks (Head of Planning) with reference to the supplementary report for a house at the rear of the existing building clarified the issues raised at the site meeting. Members heard that the application was previously withdrawn as it was unlikely to be supported by officers but that the current application had to be considered on its merits. Any proposal to develop the space to the rear of the existing block of flats would require separate planning permission and be subject to local consultation. He continued that although some waste was evident on site, it appeared not to be of a scale to merit planning enforcement. He however recommended condition 1 be amended to require that the space be used for a laid out amenity space for residents if it was not used for resident's parking.

Caroline Charlton in objecting to the proposal stated that key considerations of clarity or certainty of the use of the space, waste and the impact of off-street parking on residents' safety had not been addressed.

Peter North (applicant's agent) in setting the background context, stated that there had been on-going issues about the site in regards to waste, fly tipping, cleaning and associated costs to the owner of the site. He clarified that the application sought to improve the amenity of the residents due to the site's current under-use brought about by good PTAL and controlled parking (CPZ) for the area. The agent continued that the proposal would also result in an improved boundary fencing and access controls with a lockable gate. In response to questioning he confirmed, after consulting his client, that he was happy for the condition to be changed to require a layout for resident's amenity use including refuse facilities as this reflected the intended use of the land.

In endorsing the recommendation for approval, members agreed an amended condition 1 to require that if the land was not used solely as ancillary resident's parking then it should only be used for ancillary amenity space in accordance with

the submission of a detailed layout plan including appropriate surface treatment, boundary fencing/ access controls, and waste/recycling facilities

DECISION: Granted planning permission as recommended subject to amending Condition 1 to require that if the land is not used solely as ancillary resident's parking then it should only be used for ancillary amenity space in accordance with a detailed layout plan including appropriate surface treatment, boundary fencing/ access controls, and waste/recycling facilities.

#### **8. Former Manor School, 3-7 The Avenue, London, NW6 7YG (Ref. 15/3616)**

##### PROPOSAL:

Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").

##### RECOMMENDATION:

Grant planning permission subject to the conditions set out in the draft decision notice attached to this report and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

Stephen Weeks (Head of Planning) with reference to the supplementary report responded to the issues raised by members and a local resident during the site visit. Members were advised that the replacement of the trees due to be removed as a consequent of the development would be addressed in the proposed condition requiring the further details of hard and soft landscaping to be submitted, approved and implemented. He added that it was not possible to incorporate works relating to the proposed cycle ways into site's highway works as details of this had not been agreed but, the highway works requirement under the Section 106 legal agreement could ensure that future cycle route works were not compromised. The Head of Planning informed members that issues around loss of educational site and affordable housing, which was now supported with an acceptable review mechanism, had been resolved. In reiterating the recommendation for approval, the Head of Planning drew members' attention to amendments to conditions 1 and 7.

Robert Sanger (Chair of Tarranbrae Residents' Association) objected to the proposed development on grounds of inadequate parking facilities and construction access issues.

*In accordance with the provisions of the Planning Code of Practice, Councillor Shaw stated that she had spoken with the applicant and the residents about the application. Councillor Shaw welcomed the scheme in particular as the land had been vacant for over two years but expressed a preference for the scheme to incorporate a community facility. She noted that funding had been secured from the Education Funding Agency (EFA) for a special educational needs (SEN) school on the site. She however requested that additional conditions be added to require the applicant to repair the footway in Christchurch Avenue, control of vehicle lift noise and the retention of existing walls.*

Jim Paul (applicant's agent) confirmed that funding had been secured for an SEN school on site in addition to affordable housing backed by a review mechanism for the scheme. He continued that as a car free development, car parking and vehicular movements would be minimised. The agent added that hours of construction and potential noise generation would be controlled via a Construction Management Plan and that the applicant would accept an amendment to the Section 106 legal agreement requiring the repair of the footway and highway around the site. Jim Paul then responded to members' questions about the party wall, restoration of the footway around the site, parking and congestion.

In response to a suggestion for the applicant to capture by video recording or photographing the footway prior to the start of construction, Stephen Weeks advised that the Council's public realm officers would normally undertake a record particularly for larger development schemes. With that in mind he recommended amendments to conditions 1 (for a revised building layout adjoining Willow Court) and 7 (to delete the requirement for a complete resubmission on any amendment).

Members endorsed the suggested amendments and added additional conditions to cover the control of noise and future maintenance of the vehicle lift and the retention where possible of existing boundary walls. They also added an informative relating to the Party Wall Act.

DECISION: Granted planning permission as recommended with changes to the S106 in relation to highway works as set out in the Supplementary report in addition to further amendments to require the developer to undertake to resurface the footpath and the highway adjoining the development or affected by damage due to the development and, to record the condition and the highway prior to commencing construction work and to amendments to conditions 1 (to require a revised building layout adjoining Willow Court) and 7 (to delete the requirement for a complete resubmission on any amendment) and additional conditions to cover the control of noise and future maintenance of the vehicle lift and the retention where possible of existing boundary walls and to the addition of an informative relating to the Party Wall Act.

## **9. Any Other Urgent Business**

None.

The meeting ended at 10:05pm

COUNCILLOR MARQUIS  
CHAIR

Note: At 10.00pm, the Committee voted to disapply the guillotine procedure to enable all applications to be considered on the night.

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## **EXTRACT OF THE PLANNING CODE OF PRACTICE**

### **Purpose of this Code**

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

### **Accountability and Interests**

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

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

### **Meetings of the Planning Committee**

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.
25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.
29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
  - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
  - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

### **STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE**

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



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

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016

**15/4604**

## SITE INFORMATION

**RECEIVED:** 23 October, 2015

**WARD:** Fryent

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

**LOCATION:** Garages next to and rear of 13-24, Mead Court and Communal Facility & Laundry, Mead Court, Buck Lane, London

**PROPOSAL:** Demolition and replacement of existing derelict garages and laundry building with two pairs of 2 storey three bedroom semi-detached houses with associated car parking spaces, realignment of existing path to proposed dwellings, reinstatement of hard-standing as amenity space, landscaping and lighting to the public realm.

**APPLICANT:** Brent Housing Partnership

**CONTACT:** Pellings LLP

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

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

**When viewing this on an Electronic Devices**

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_124707](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124707)

**When viewing this in Hard Copy**

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/4604" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP

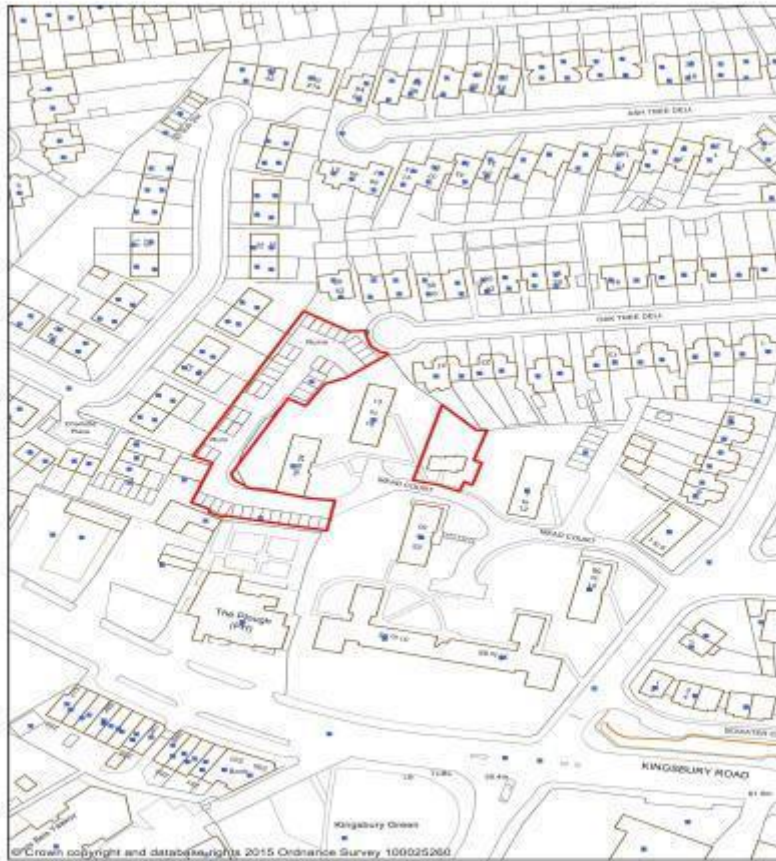


## Planning Committee Map

Site address: Garages next to and rear of 13-24, Mead Court and Communal Facility & Laundry, Mead Court, Buck Lane, London

© Crown copyright and database rights 2015 Ordnance Survey 100025260

This map is indicative only.



1:1250

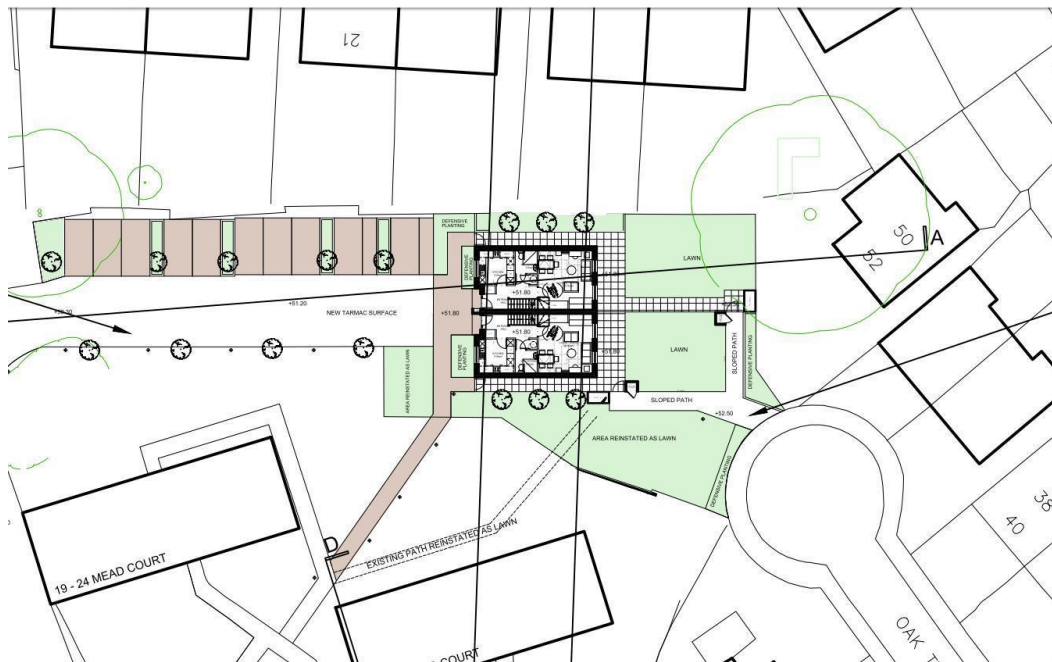
0 0.02 0.04 kilometres



# SELECTED SITE PLANS



Above: Proposed site plan



Above: Proposed houses within garage block:



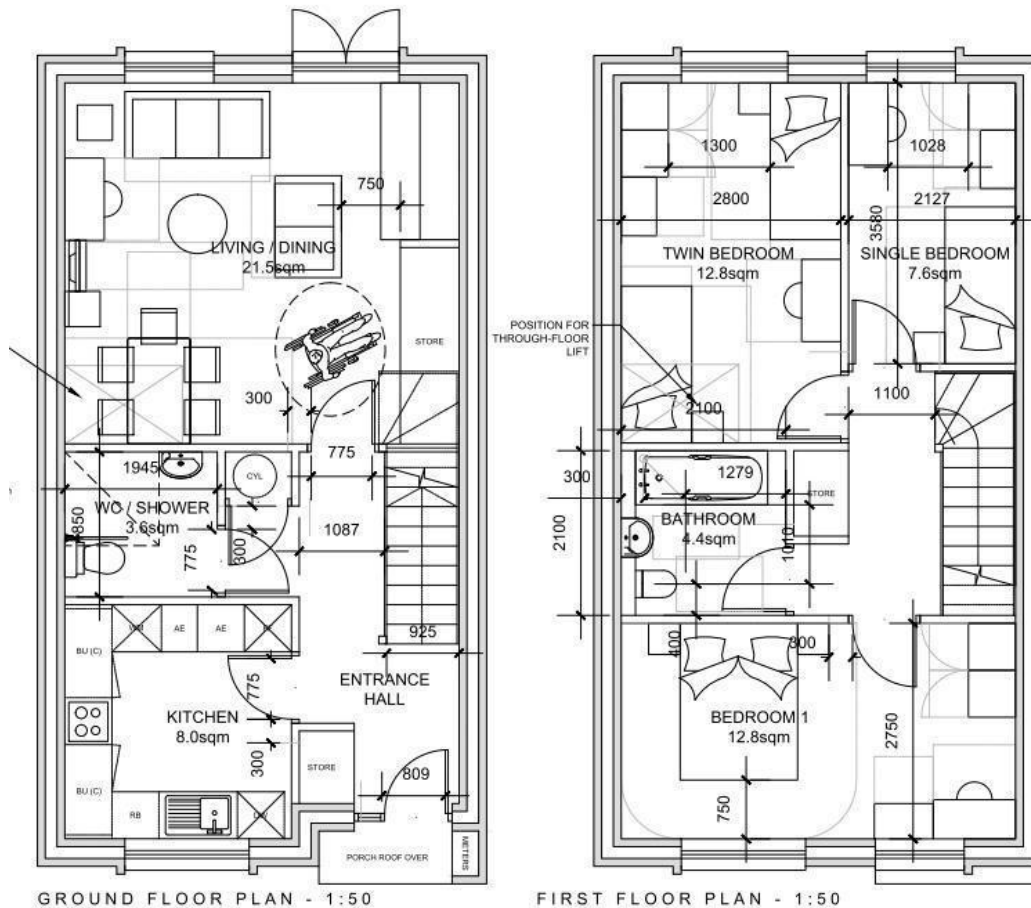
Above: Proposed houses on Laundry Room element of site



Above: Aerial view 1



Above: Aerial View 2



Above: House plans

## RECOMMENDATIONS

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

### A) PROPOSAL

Demolition and replacement of existing derelict garages and laundry building with two pairs of 2 storey three bedroom semi-detached houses with associated car parking spaces, realignment of existing path to proposed dwellings, reinstatement of hard-standing as amenity space, landscaping and lighting to the public realm.

### B) EXISTING

The application relates to two sites located on Mead Court, Buck Lane, Kingsbury. Mead Court is a private road maintained by the applicants, Brent Housing Partnership, and the properties located on the road comprise of 68 flats within 7 residential blocks, of flats which are at a height of 3-storeys, and 29 lock up garages and a disused laundry building, which is part single storey part 2-storey in height.

The two specific areas which are proposed to be re-developed are a single storey laundry building located at the centre of Mead Court, between blocks at 1-12 Mead Court and 13-18 Mead Court, and opposite block at 25-30 Mead Court. This area shares a boundary with residential properties at 25/25A and 27/27A Oak Tree Dell. The second site is currently occupied by 29 lock up garages, which are located to the north-west within Mead Court. These adjacent to residential gardens to 17-28 (inc) Uphill Drive to the west and the front gardens of 50 & 52 Oak Tree Dell to the north, which are all 2-storey residential properties. Oak Tree Dell is a cul-de-sac, which borders this part of the site to the north east. To the south the site shares its boundary with The Plough public house (232-234 Kingsbury Road, now converted into a restaurant/bar) and the rear of commercial premises located off Kingsbury Road.

The site does not contain any listed buildings and is not located within a conservation area.

### C) AMENDMENTS SINCE SUBMISSION

Since the original plans were submitted for this application, the proposed site layout plan, drawing no. 576 001 PL07 F has been superseded by revised drawing no 576 001 PL07 H. The revised plan shows the following:

- location of cycle storage within the rear gardens of the four new dwellings;
- the re-location of the refuse store which had previously been located adjacent to the laundry building;
- the location of proposed bollards to prohibit vehicular access to the proposed dwellings at the north west of the site from Oak Tree Dell

location of proposed double yellow lines on Mead Court

### D) SUMMARY OF KEY ISSUES

The key considerations of the proposal are as follows:

- Principle of development – The sites to be redeveloped are within a residential area and the buildings which are to be demolished are dis-used and in a poor state of repair. The principle of residential development is considered to be acceptable.
- Parking and Transportation - The proposal results in the loss of existing garages but includes the provision of external car parking spaces to meet parking demand.
- Impact on Neighbouring Amenity – The proposal complies with set guidelines within Brent's SPG17 on "Design Guide for New Development" in relation to the adjoining homes and gardens and the potential impact is not considered to be unduly detrimental.
- Design, Layout and Impact on Streetscene – The proposal is considered to be in keeping with the character of the area. Existing trees are to be protected and the new dwellings are to have associated landscaping including new trees for screen planting. The parking areas are also to have tree planting.
- Quality of Accommodation – The proposed houses comply with the London Plan with regard to the internal quality of the homes. They also comply with Brent's SPG17 with regard to the provision of external amenity space.

### 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				398.5	398.5

#### Monitoring Residential Breakdown

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

### RELEVANT SITE HISTORY

Relating to garages next to and rear of 13-24 Mead Court:

10/0374 - Demolition of garages and erection of 2 x 3 bedroom semi-detached two storey dwellhouses and



## CONSULTATIONS

### Public Consultation

Residents of 119 neighbouring properties were consulted by letters dated 18 November 2015. Properties consulted include residential properties at:

- 1-68 Mead Court, Buck Lane (all the existing residential properties on Mead Court);
- 1-3 Charlotte Place;
- 15-27 inc (odds) Oak Tree Dell (this includes all ground floor flats and maisonettes within these addresses)
- 34-52 inc (evens) Oak Tree Dell
- 17-23 Uphill Drive

Also consulted were commercial properties at 232-240 inc (evens) Kingsbury Road. This includes any addressees above the ground floor commercial premises.

3 letters of objection have been received to date from 30 Mead Court; 50 Mead Court and 27A Oak Tree Dell. BHP have also provided separate responses to these residents. The issues raised are summarised as follows:

Issue Raise	Officer Response
Impact of views and privacy from windows and balconies.	This is discussed in detail in paragraphs 43- 44 of the main part of this report.
Impact on the value of existing properties.	This is not a material planning consideration and cannot be considered within a planning application.
Recycling facilities will be removed if the laundry building is replaced. This is the only suitable place for these facilities	This is to be re-provided adjacent to the new proposed dwellings on the laundry site, as shown drawing no.576001PL07 H
The estate is already crowded. Additional residents will only add to this.	The proposal is for 4 additional dwellings which it is considered would not result in an unduly harmful impact on the existing development.
The proposal will result in increased maintenance and repairs costs for current residents, increasing the service charge. Will new tenants will be subject to the service charges as the current occupiers? Query about responsibility for road maintenance, and concerns regarding potential damage during construction.	BHP have confirmed that the costs of this development will not be passed to existing residents of Mead Court and service charges for existing residents will be separate from that for the future occupiers of the proposed new houses.  The applicant (BHP) is responsible for the maintenance of the road (Mead Court).
The demotion of the garages would be costly as they contain asbestos.	As confirmed above, the construction costs will not be passed on to residents.
Queries regarding the tenure of homes (Affordable or private).	The application is made by BHP to provide affordable family housing and the houses are intended to provide Affordable accommodation.

Concern regarding noise and disruption during construction, including impacts on access and parking.	Noise disturbance cannot be avoided for construction works for any development. However, the membership and adherence to the Considerate Contractors Scheme will be conditioned.  Issues relating to emergency and refuse vehicles are discussed in the Highways considerations of this report.
Concern regarding subsidence to existing and proposed buildings due to the location on a hill.	Building works, including foundations are required to building regulations. Structural matters affecting adjoining buildings are addressed through the Party Wall Act. These matters cannot be considered within a planning application.
Concern that a fence that was recently put up by a resident will be affected by the proposal.	The impact on a recently installed boundary fence cannot be considered within this application. However, BHP have advised that they have been in touch with this resident about this matter. In any case, further details of any appropriate boundary treatment, including fences will be required by a standard condition for this type of development
Impact on light and air to residents flats.	The potential impact of the proposal on neighbouring properties, has been discussed in greater detail in paragraphs 43- 44 of the main part of this report.
Emergency vehicles can access the houses quicker through Mead Court than Oak Tree Dell. If not, can a barrier be installed similar to that at the bottom of Buck Lane?	The applicant has advised that they developed their proposals having regard to advice regarding emergency access. Fire access is also covered through the Building Regulations.
It is not clear why it is beneficial to incorporate an access from Oak Tree Dell.	There is to be no vehicular entrance from Oak Tree Dell, only pedestrian. This access point is to facilitate refuse collection for the proposed dwellings in this location
Query regarding the number of spaces proposed and whether a survey has been undertaken looking at both sides of the road.	The submitted transport statement included a survey of existing parking conditions. The impact on parking as a result of the development are discussed in greater detail in paragraphs 9-30 of the main part of this report
Will these parking spaces be allocated and marked out?	A relevant condition requiring the parking spaces to be marked prior to occupation of the proposed new dwellings will be attached to the decision. It was not considered necessary to condition car park allocation as this can be managed by BHP if parking levels become excessive.

Environmental Health – Recommended relevant conditions relating to Construction and Demolition due to the site being within an Air Quality Management Area and located very close to other residential properties. This includes measures to mitigate the impacts of dust and fine particles; best practice in accordance with British Code of Practice BS5228-1:2009; and a condition requiring the provision of details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen do not exceed 30mg/kWh.

Landscape - No objections, subject to tree protection measures and full details of a landscaping scheme

Tree Officer – A Tree Protection Plan and Arboricultural Method Statement in accordance with BS5837:2012 in relation to the protection of trees within and on the boundary of the site throughout the duration of the construction. These details should be conditioned and provided prior to commencement of works

Transportation – No objections, subject to double yellow lines along one side of Mead Court, to provide formalised parking which does not obstruct the footway; double yellow lines on Oak Tree Dell turning circle to retain the turning space for refuse vehicles to be funded by the applicant; adjustments to the proposed footpath onto Oak Tree Dell to either reduce its width to 1.2m wide or provide suitable bollards or gates; and cycle provision for the new dwellings.

## **POLICY CONSIDERATIONS**

### **National Policy and Guidance**

#### National Planning Policy Framework (NPPF) 2012

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 2015. Within those documents the following list of policies are considered to be the most pertinent to the application:

### **Regional Policy and Guidance**

#### 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 to 2031. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications.

#### *Chapter 3 - London's People*

Policy 3.3: Increasing Housing Supply  
Policy 3.4: Optimising Housing Potential  
Policy 3.5: Quality and Design of Housing Development

#### Supplementary Guidance

Mayor's Housing SPG, November 2012  
Draft Interim Housing Supplementary Planning Guidance (May 2015)

### **Local policy guidance**

#### 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's Unitary Development Plan 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

BE5 Urban Clarity & Safety

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.

EP3 – Local Air Quality Management

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 Development", 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

### 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.
3. The application site comprises of two areas within Mead Court, located off Buck Lane in Kingsbury. The first site is the site of a disused laundry block, centrally located within Mead Court, situated adjacent to the two blocks at 1-12 Mead Court and 13-18 Mead Court. Although laundry block has not been used as a laundry facility, it has been used for recycling storage.
4. The second site is located in the north-west corner and along the western boundary of Mead Court. This area is currently occupied by 29 lock-up garages. BHP have stated that all but 6 of these garages had been used, with only 2 of them for parking cars and the others for storage. At the time of submitting this application, all 29 of these garages are now no longer in use.
5. This application seeks to demolish the laundry block and the 29 identified garages and re-develop the two sites to provide a 2 x 3 bedroom houses on each of the sites.

#### Principle of development

6. The laundry building is not used as a laundry room, but has been used for recycling storage. Subject to the re-provision of this storage within the vicinity of the site, the re-development of this site to provide new housing is acceptable.
7. The garage block is largely dis-used, although there had been a five that had been used for storage, but only two for parking cars. BHP have stated that none of these 29 garages are now being used. Despite this, the re-development of the site for new housing would be acceptable in principle, providing there would insufficient parking re-provided which meets the parking demand for both the existing residential properties and the proposed development.
8. Mead Court and most of the immediate surrounding area is residential and as such the introduction of the proposed residential units is appropriate in terms of character and use.

#### Highway Considerations

9. The existing garages would have been originally constructed for the use of the existing residents of Mead Court. However, only 6 of the garages have been used recently. Of those, only 2 had been used for parking a car and the other 4 had been used for storage.
10. The application is accompanied by a Transport Statement, which has been considered by the Council's Transport Officer.

#### *Parking Capacity*

11. Mead Court is a narrow street with the carriageway varying from 3-5m wide. Most of the street only has a footway on one side and aerial view and google view show vehicles parked on the footway due to the narrow width. Assessing parking capacity on the basis that parking is available on one side of the street only, Transportation officers have identified a total kerb length of 97m that can be used for parking, giving a total kerbside capacity of only 16 spaces within Mead Court.
12. Buck Lane has an approx. kerb length of 56m along the Mead Court frontage (allowing 10m clearance from the Mead Court junction), providing a further 9 on-street spaces. Details of the number of vehicles parked on Buck Lane adjacent to the court have not been provided. This would have provided a clearer picture of parking capacity in the immediate vicinity of the site.
13. Nevertheless, adding these nine spaces to the parking capacity for Mead Court raises the total kerbside parking capacity for Mead Court and its Buck Lane frontage to 25 spaces.
14. The above figures do not include the existing 29 garage spaces, which would have provided further off-street parking if used. However, the submitted information demonstrates that only 2 have been used and that the garages are only 2.2m wide and would therefore be difficult to park a modern car within.

15. Nevertheless, the Transport Statement points out that only six of the garages are actually rented to residents of Mead Court, suggesting a low level of usage. This is not unusual for this type of situation, with residents often preferring to park on-street rather than use garage courts.

#### *Parking Demand*

16. The Transport Statement has also examined Census data for the area, but has not broken this down into the smallest output area possible. As such, the data provided is based on a large area with 5000 residents, thus providing only a generalised picture in terms of car ownership.
17. Transportation officers have therefore drilled down more closely to examine data gathered solely for Mead Court and a section of Uphill Drive, containing 120 flats/houses. The data showed average car ownership of 0.65 cars/flat in this area, suggesting car ownership totalling about 45 cars for residents of the 68 flats in Mead Court.
18. Car parking allowances for residential use are given in the Standard PS14 of the UDP. The maximum allowance for 3-bedroom dwellings is 1.6 spaces each, giving a total maximum allowance of 6.4 spaces for the four proposed new dwellings.
19. Mead Court currently comprises 68 units, of which the vast majority are assumed to be 2-bed flats. This would give a total parking allowance of up to 81.9 spaces for the existing estate, with the four proposed 3-bedroom dwellings thus increasing this by 6.4 spaces to 88.3 spaces. It is generally assumed that parking demand averages 75% of the maximum allowance for private housing and 50% for social rented units though. On this basis, car ownership would be estimated to total about 41 vehicles at present, which broadly concurs with the 2011 Census data (45 cars).
20. With the new housing estimated to increase parking demand by 3-4 spaces (50% of the maximum allowance of 6.8 spaces), total parking demand is estimated to increase from 45 vehicles (Census data) to 49 vehicles with this proposal.
21. Drawing number 576001PL03E proposes to demolish the existing garages and replace them with 25 hardstanding parking spaces. This would give a revised total of 41 parking spaces within Mead Court, with nine further spaces along Buck Lane (total 50 spaces).
22. The proposed future parking provision (50 spaces) is therefore considered sufficient to satisfy the likely future parking demand (49 spaces). However, it should also be borne in mind that the removal of the existing garages could result in better utilisation of parking courts within the estate, thus reducing the pressure for kerbside and footway parking in the area.

#### *Refuse and emergency services*

23. The proposal will result in the loss of the existing turning head at the end of Mead Court where two new dwellings are now being proposed.
24. Drawing number 567001PL07G (revised drawing of proposed layout) proposes a new footpath access from the rear of the new dwellings 1 & 2 onto Oak Tree Dell, which residents can use to bring the refuse nearer to the highway on collection day. Refuse can then be collected from the turning circle on Oak Tree Dell and therefore refuse vehicle access into the garage court areas past blocks 13-24 is no longer required.
25. The transport officer had requested that double yellow lines should be provided on the Oak Tree Dell turning circle to ensure to provide sufficient space for emergency and refuse vehicles to turn around. However, given that there are a number of dwellings at this end of the road which already need to be serviced from this location. It would be unreasonable (in planning terms) to require double yellow lines to be provided in association with the proposal which would place two additional homes at the end of this road (with frontage access and parking to Mead Court but rear garden gates to Oak Tree Dell).
26. The applicant has not proposed a new vehicular access onto Oak Tree Dell, which is a Public Highway. However, the proposed footpath to the houses is 3m wide, which could result in vehicles illegally crossing the footway to access parking. The revised drawing number 567001PL07G (revised drawing of proposed layout) shows the location of proposed bollards which would prevent vehicular access from Oak Tree Dell. These will be conditioned to be non-collapsible.

27. Formalised parking along Mead Court would remove any obstructive parking (due to the street's narrow width) and maintain access for emergency vehicles.

#### *Cycle parking*

28. Revised drawing 576 001 PL07 H of the proposed site layout shows the location of cycle parking within the rear gardens for the new dwellings. This is in compliance with PS16 of Brent's Unitary Development Plan (2004). Further details of these will be requested by condition.

#### *Highway mitigation within Mead Court*

29. Double yellow lines have been proposed opposite the new parking spaces and fronting the new proposed dwellings that will be replacing the disused laundry building, which will deter parking on the footways. However, the double yellow lines should be continuous to prevent parking on both sides of the street as well as the turning circle near 13-18 Mead Court. (with reference to the revised drawing no. 576001PL07H). If vehicles only park on one side of the road and footways are retained for pedestrian use as opposed to vehicles parking on them, as parking would be formalised along the rest of Mead Court and therefore the implementation of double yellow lines would ensure vehicles only park on one side of the road. A relevant condition requiring this will be attached should the application be supported.

#### *Conclusion on transport issues*

30. Car parking spaces will be reduced as a result of this proposal, but the existing garages are not currently fully utilised by residents. Parking surveys thus show Mead Court is heavily parked with 23 vehicles parked overnight - the majority in an obstructive manner on the footpath. The removal of the garages and provision of 25 new formalised parking spaces to be used by residents would thus help alleviate the current parking stress on Mead Court, which is welcomed, whilst the level of proposed parking in Mead Court has been shown to be sufficient for the needs of residents of the estate. Kerbside parking needs to be formalised along the rest of Mead Court through the provision of double yellow lines,

#### Design, Layout and Impact on the Streetscene

31. There are a total of four new dwellings proposed, comprising of one pair of semi-detached houses located on the site of the redundant laundry building and the other on the site of the redundant garage site, adjacent to the cul-de-sac of Oak Tree Dell. The two pairs of new dwellings, are to be the same scale height and design.
32. The two houses proposed on the laundry site are to be sited 10m from the opposite block at 25-30 Mead Court and the frontage will face this block, separated by the road. They are to be sited at a distance of 14.75m from the block at 7-12 Mead Court and at a distance of 14.5m from the block at 13-18 Mead Court.
33. They are to be built 2.1m in from the kerbside, with the front elevations facing the road, Mead Court and the rear elevations facing the rear gardens of 25/25A and 27/27A Oak Tree Dell. The depth of the frontage will be 2.1m including a 1.0m deep landscape buffer between the front windows and the hard surfaced area. There are two existing trees located along the new side boundary, adjacent to between 13-18 Mead Court and there are trees shown to be proposed along the other side boundary adjacent to 7-12 Mead Court and also along the rear boundaries with 25/25A and 27/27A Oak Tree Dell.
34. The existing laundry building is part single storey part 2-storey in height. The dwellings are to be 2-storeys in height and located amongst 3-storey blocks of flats and 2-storey residential properties to the rear (north of the site) on Oak Tree Dell, it is considered that the proposed height of the buildings here are in keeping with the surrounding area.
35. The two proposed houses on the garage site adjacent to the cul-de sac at Oak Tree Dell are to be located adjacent to 2-storey residential properties with hopped roofs on Oak Tree Dell and Uphill Drive. Although they replace existing single storey garages, the height of the houses at 2-storey are in keeping with the immediate surrounding area in this location. Adjacent to these houses are the parking area for 25 cars. The spaces closest to the houses are to be allocated parking spaces for the new dwellings.

36. The four new houses will have hipped roofs, and will be constructed in brick with recessed brick panels on the front elevation to add visual interest. Windows are to be finished in grey powder coated composite windows, and the roof tiles are to be smooth grey concrete tiles. The proposed houses do not replicate the existing buildings, but are modern additions within the streetscene, separated from the existing buildings with proposed landscape buffers. They can be viewed as separate elements and the materials are considered acceptable. The proportions of the windows are considered appropriate.

#### Landscaping and Tree Protection

37. There are existing trees in proximity to where the proposed new dwellings on the laundry site are to be located, which will be required to be protected during demolition and construction works. A condition requiring a Tree Protection Plan and an Arboricultural Method Statement to be submitted in accordance with BS5837:2012 in relation to the protection of trees within and on the boundary of the site throughout the duration of the construction will be attached, should the application be supported.
38. Areas to be landscaped include the two sites for the proposed new dwellings and also areas within the newly laid out car parking areas along the western and south western boundaries of the site. The parking areas also include new tree planting. The proposed landscaping makes a positive contribution to Mead Court. Full details of the proposed landscaping scheme within these areas will be required by condition.

#### Quality of accommodation

39. The proposed Gross Internal Area (GIA) for the units meets the London Plan floor space standards as stipulated within table 3.3 of Policy 5.3 (96sqm for 3b5p).
40. Brent's Supplementary Planning Guidance 17 on New Development (SPG17), stipulates that family housing should have a minimum of 50sqm of private amenity space and the proposed units are well above this level. A good quality and quantity of amenity space is provided.
41. All four units are laid out in a similar way with an entrance hall, w.c. and kitchen/diner and living room at ground floor level, two double bedrooms, one single bedroom and bathroom at first floor level. Each habitable room has a good outlook at the front or rear of the property.
42. The units have a clearly identifiable entrance which is recessed in the front elevation. There is sufficient defensible space to the front of the properties with some soft landscaping. This will help provide some privacy to the properties from the street scene without removing natural surveillance. 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.

#### Impact on neighbouring occupiers

43. The proposed dwellings on the laundry site will share rear boundaries with 25/25A and 27/27A Oak Tree Dell. Due to the angle of these shared rear boundaries at 27 and 27A and 25 and 25A Oak Tree Dell, the distance from the rear elevation of these new houses to this shared boundary varies from 16m at its furthest, and 9.3m at its closest. However, the width of the section which measures is site less than 10m between the house and the rear boundary is only 2.5m. The section which is less than 10m is also at a point where the side and rear boundary lines of 27/27A Oak Tree Dell and 25/25A Oak Tree Dell are at a splayed angle from the rear walls of these properties at Oak Tree Dell. The distance between the original rear wall of 27/27A Oak Tree Dell to the proposed rear wall of the new dwellings measures over 20m. There are to be trees proposed to be planted along this boundary to provide screening planting, further details of which will be required by relevant planning condition should the application be supported. As such there is not considered there would be an unacceptable loss of privacy.
44. The submitted drawings demonstrate how both pairs of proposed dwellings would meet the 30 and 45 degree guidance set out in SPG17 in terms of the scale of the proposal in relation to adjacent buildings. It is therefore considered that the proposed new dwellings would have an acceptable impact on adjoining neighbours in terms of their outlook

#### Environmental Health considerations

45. The proposal involves the demolition of 29 existing garages, and therefore relevant conditions requiring



appropriate measures during demolition in relation to dust will be attached to the decision should the application be supported.

#### BHP response to objections received

46. BHP have provided responses directly to the residents who have objected. They have emphasised that the cost of this proposed development, would not be passed to existing residents of Mead Court.
47. The proposed new dwellings would provide new affordable housing, and maintenance costs for the new dwellings will be separate from those of the existing blocks.
48. The proposal will provide landscaped settings for the new buildings which would include screen planting to mitigate the impact of the proposed buildings.

#### Conclusions

49. The proposed pair of semi-detached dwellings will provide increased family sized accommodation within the Borough of an appropriate standard in terms of the quality of the accommodation. The design of the new dwellinghouses is considered acceptable and is not considered to adversely impact on the amenities of adjoining properties. The proposed layout and parking provision for the site is also considered acceptable. For the reasons as outlined above, approval is recommended subject to conditions set out at the end of this report.

### CIL DETAILS

This application is liable to pay **£115,042.41\*** 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): 398.5 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	398.5	0	398.5	£200.00	£35.15	£97,845.98	£17,196.43

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)	275	
<b>Total chargeable amount</b>	£97,845.98	£17,196.43

\*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**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/4604

To: Hedges  
Pellings LLP  
Pellings LLP  
24 Widmore Road  
Bromley  
Kent  
BR1 1RY

I refer to your application dated 23/10/2015 proposing the following:  
Demolition and replacement of existing derelict garages and laundry building with two pairs of 2 storey three bedroom semi-detached houses with associated car parking spaces, realignment of existing path to proposed dwellings, reinstatement of hard-standing as amenity space, landscaping and lighting to the public realm.

and accompanied by plans or documents listed here:

See condition no 2

at Garages next to and rear of 13-24, Mead Court and Communal Facility & Laundry, Mead Court, Buck Lane, 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

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

- 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):

576 001 PL01 B; 576 001 PL02 D; 576 001 PL03 E; 576 001 PL04 C; 576 001 PL07 H; 576 001 PL10 C; 576 001 PL11; 576 001 PL12; 576 001 PL13; Transport Statement by Paul Mews Associates (dated October 2015)

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, as well as around the proposed car parking areas, 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 shall be completed prior to the completion of the development hereby approved.

Such a scheme shall include:-

- (a) all planting including location, species, size, density and number
- (b) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction.
- (c) proposed and any retained boundary treatments both within the site and along the site boundaries including walls, fencing and retaining walls, indicating materials and height
- (d) details of proposed ornamental trees to be planted as part of the scheme, including within the proposed car parking areas

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.

- 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) (England) Order 2015; (or any order revoking or re-enacting that order with or without modification) no development within Classes A, B, D or E 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 Prior to the first occupation of the development, all car parking spaces, footways turning areas shall be constructed and permanently marked out; double yellow lines extending the whole length of Mead Court, including the turning circle near 13-18 Mead Court shall be permanently marked out; and refuse storage shall be provided in accordance with the approved plans, and thereafter 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, include maintain access for emergency vehicles.

- 7 The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation.

This must include:

- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
- (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
- (g) the use of demolition equipment that minimises the creation of dust.

Reason: To minimise dust arising from the operation.

- 8 Prior to the first occupation of the development, non-collapsible bollards shall be installed within the locations shown on drawing no. 576 001 PL07 H hereby approved and thereafter 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.

- 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 any 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.

- 10 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.

- 11 Prior to the commencement of the use the applicant shall provide details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 30 mg/kWh, in writing for the approval of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect local air quality, in accordance with Brent Policy EP3

- 12 Details of all external lighting, baffled so as to avoid glare, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development,

The approved details shall be thereafter be fully implemented prior to first occupation

Reason: In the interests of safety, amenity and convenience.

- 13 Further details of the provision of secure and covered cycle parking spaces (minimum one space to each new dwelling) to the rear gardens of the proposed new dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

#### 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 applicants are reminded of the requirements the British Code of Practice BS5228-1:2009

to minimise the emission of noise from the site.

- 3 The applicant must employ measures to mitigate the impacts of dust and fine particles generated by the operation.

This must include:

- (a) damping down materials during demolition and construction, particularly in dry weather conditions,
- (b) minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- (c) sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- (d) ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- (e) utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- (f) installing and operating a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site.
- (g) the use of demolition equipment that minimises the creation of dust.

Reason: To minimise dust arising from the operation.

Any person wishing to inspect the above papers should contact Avani Raven, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5016

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016  
  
**15/4743**

## SITE INFORMATION

**RECEIVED:** 30 October, 2015

**WARD:** Wembley Central

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Brent House, 349-357 High Road, Wembley, HA9 6BZ

**PROPOSAL:** Proposed demolition of existing office building and erection of two buildings of between eight and ten storeys accommodating 248 dwellings (84 x 1-bedroom, 108 x 2-bedroom, 49 x 3-bedroom & 7 x 4-bedroom units) and flexible commercial space at ground floor (for Use Classes A1, A2, A3, A4 and/or B1(a)), new public square, landscaped communal gardens, associated landscape works, alterations to existing crossover(s) and basement car and cycle parking.

**APPLICANT:** Henley Homes PLC

**CONTACT:** PPM Planning Limited

**PLAN NO'S:** (See Condition 2)

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Devices](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_124851](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124851)

[When viewing this in Hard Copy .](#)

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/4743" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP

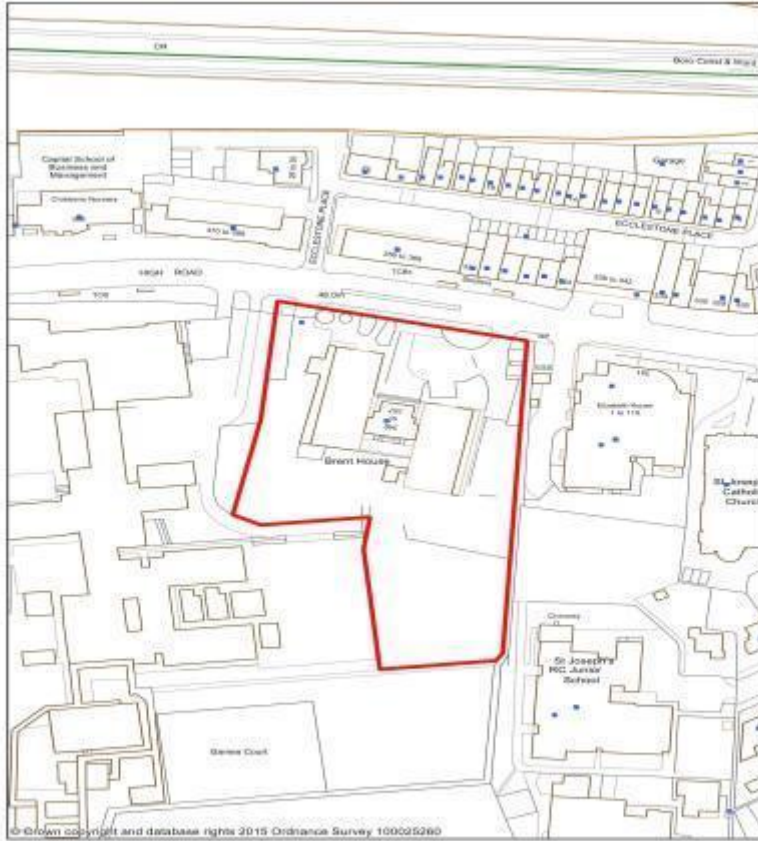


## Planning Committee Map

Site address: Brent House, 349-357 High Road, Wembley, HA9 6BZ

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This map is indicative only.



1:1250

0 0.02 0.04 kilometres



# SELECTED SITE PLANS SELECTED SITE PLANS



Above: Ground floor plan and site layout



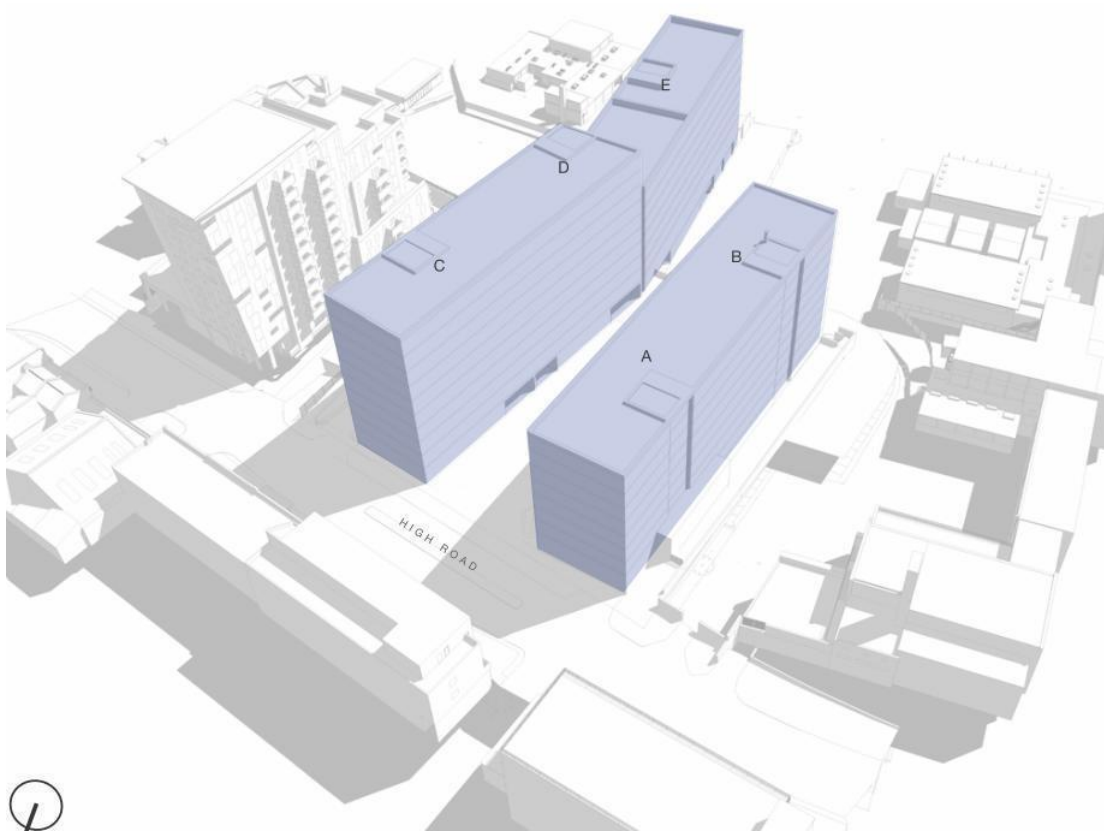
Above: Second floor plan



Above: View looking south from High Road



Above: View looking east from High Road



Above: Aerial view showing form of proposed building



Above: High Road elevation



Above: Eastern elevation

## RECOMMENDATIONS

Resolve to grant planning permission subject to the referral to the Mayor of London, subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer., subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Proposed demolition of existing office building and erection of two buildings of between eight and ten storeys accommodating 248 dwellings (84 x 1-bedroom, 108 x 2-bedroom, 49 x 3-bedroom & 7 x 4-bedroom units) and flexible commercial space at ground floor (for Use Classes A1, A2, A3, A4 and/or B1(a)), new public square, landscaped communal gardens, associated landscape works, alterations to existing crossover(s) and basement car and cycle parking.

### B) EXISTING

Brent House is situated to the south of High Road, Wembley and comprises a vacant ten storey office building which until recently was occupied by Brent Council. The site is bounded by Ark Elvin Academy (former Copland School) to the west and Elizabeth House, a new 13 storey residential development to the east. Playing fields adjoin the site immediately to the south. To the eastern boundary is a public footpath, and south-east of the site is St Joseph's RC Infant School site.

The site levels change across the site. The front part of the site towards the High Road is at a higher level with a significant reduction in gradient as you move south, towards the rear of the site.

The site is within the defined Wembley town centre boundary, and is identified as an opportunity site that is suitable for redevelopment within the Wembley Area Action Plan, Site Specific Allocations DPD.

This is not within a Conservation, nor does it affect any Listed Buildings.

### C) AMENDMENTS SINCE SUBMISSION

Since being submitted the following amendments have been made to the scheme:-

1. Parking layout amended to increase the number of disabled spaces from 16 to 20.
2. Site layout amended to secure 1.8m strip of land along eastern edge of the site to enable the existing public footpath to be widened, so that this is suitable for pedestrian and cyclists to use.
3. Landscaping details altered as a consequence of the above and in response to comments from your Landscape officer.
4. Minor alterations to provide adequate access to block E for fire appliances.

### D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

- The opportunity for new homes, viability of the development and the contribution towards affordable housing on a site within the designated Wembley Opportunity Area and Housing Zone: The proposal accords with the uses set out within the Wembley Area Action Plan and helps to delivery the key objectives set out within planning policy, including the delivery of new homes and the continuation of the High Road retail offer.
- The appropriateness of a mixed use development in this location. The uses accords with the uses set out within the Area Action Plan site designation.
- The transport impacts of the proposed development. The site is in a area of excellent public transport accessibility and has a significantly lower level of impact on the highway than the previous office use.
- The quality of the proposed residential accommodation. The proposal accords with the London Plan standards for residential quality. The external amenity space falls slightly below the Council's standards but the landscape proposals are considered to be of sufficiently quality to mitigate the shortfall.

The impact of the development on the living conditions of neighbouring occupiers. The proposed building is approximately 21 to 29 m from the adjoining Elizabeth House building and a daylight and sunlight assessment has demonstrated that the majority of windows within the adjoining development will meet or exceed BRE levels for daylight.

## 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)
Businesses and offices	12075		12075	-12075	-12075
Dwelling houses				23975	23975

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
EXISTING ( Flats û Social Rented )										
EXISTING ( Flats û Intermediate )										
PROPOSED ( Flats û Market )	60	86	28							174
PROPOSED ( Flats û Social Rented )	8	15	15	7						45
PROPOSED ( Flats û Intermediate )	16	7	6							29

## RELEVANT SITE HISTORY

### **Brent House site:**

#### **15/0649 - Withdrawn**

Temporary change of use of first, second and third floors from offices (Use class B1) into bed and breakfast accommodation (Use class Sui Generis) comprising 66 non-self contained units (occupancy of approximately 120 persons) for a period of 12 months (revised description).

In addition a large number, of what are considered to be relatively minor applications have been determined relating to the former use of the building as offices. These are not listed for the purpose of this report, they are not considered to have any relevance to the proposed development.

### **Adjoining Ark Elvin School Site:**

A recent application gained approval on the neighbouring Ark Elvin Academy school site. In terms of context this has some relevance to the current scheme;-

#### **15/3161 - Granted**

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.

## CONSULTATIONS

Press Notice published on 19/11/15  
Site Notice(s) displayed on 16/11/15

Statutory consultation period of 21 days started on 06/11/15. In total 283 individual properties were notified of the proposal. This included properties at the following locations;-

*High Road, Wembley*  
*Elizabeth House*  
*Cecil Avenue*  
*Chatsworth Avenue*  
*Ecclestone Place*  
*Waverley Avenue (including St Josephs RC Infant School)*  
*Wembley Hill Road*

To date three objections have been received (N.B. Two of the objections are from the same address / flat in Elizabeth House).

Grounds for objection	Response
Loss of privacy and sunlight to existing flat in Elizabeth House.	see paragraphs 53 - 63
Concerned about the proposed demolition works, noise and impact on air quality during construction in view of the proximity to Elizabeth House.	It is inevitable that there would be some degree of disruption, as there would with any large development of this sort of magnitude. A Construction Logistics Plan will be secured by condition, and there is other legislation (outside of planning control) that can be used to control working hours, and minimise noise and disturbance should this be required.  An Air Quality Assessment supports the application, and Environmental Health are satisfied with its findings, subject to the recommended condition.
Projecting balconies to the front pose a risk to passing pedestrians below.	The buildings are set back from the back edge of the existing footway (see paragraph 22). Balconies at the front start at third level and above, and these will oversail the strip of land to be secured as widened footway. The proposed balcony arrangement is not unusual and balconies can be detailed to reduce the likelihood of items being dropped, such as the avoidance of spaces on the edges of balconies where items can be placed.
Proposed building is too close to Elizabeth House.	The separation distances will exceed the minimum distances, required by SPG17 (see paragraph 26)
Will result in loss of view of the High Road from Elizabeth House.	Views of the High Road from individual buildings are not protected by planning policy.  Neighbouring outlook has been duly considered, and as set out in paragraph 26 the separation distances will exceed the minimum 20m. It is also important to take into account the existing outlook from the western facade of Elizabeth House is to Brent House. The height of the proposed building does not exceed that of Brent House.
The development will result in further traffic congestion.	The Transport Assessment does not show this to be the case, as there is a significant reduction in car parking provision within the site, with 20 disabled parking spaces to be provided. This is

	supported by TfL and your Transportation officers (see paragraph 93).
Existing bus routes are at capacity, this development will worsen this.	This need has been identified by TfL in their formal response. A financial contribution is to be secured in the s106 agreement for capacity enhancement. The final level of contribution is subject to agreement between TfL and the applicant.

One general comment has been received from flat 55, Elizabeth House. The resident suggests that the proposed development should include pre-installed blinds, in order to add to the finished quality. The design of the building is important. However, to specify how blinds are provided would go beyond the level of control set out within planning policy and guidance.

St Josephs RC Infant School, on Waverley Avenue has submitted representations. No objection is raised, however further clarity, information and assurances has been sought from the applicant. This is in relation to matters including, confirmation that this development will not give rise to anything which may adversely impact on the health and safety of the staff, pupils and others accessing or working in the school. Assurances have been sought in relation to proposed demolition and construction works, and how such works could be managed / co-ordinated with works to develop the Ark Elvin school permission on a neighbouring site.

(N.B. That a Demolition Method Statement and Construction Logistics Plan will be required as conditions of any approval, further details on the construction methods and programme will be considered when these are submitted for approval)

## STATUTORY CONSULTTEES

### **Transportation;-**

See 'Remarks' section below for detailed discussion.

### **Landscape Design / Principal Tree Officer;-**

There is no objection in principle. But it would have been preferable if the scheme could have retained existing London Plan trees on the frontage. The proposed new trees are not considered to be the most appropriate choice of species, alternative species have been suggested. [Alternative trees have now been proposed and Landscape have commented that these trees are acceptable]

Other comments made relate to proposed new hedge and trees along the footpath boundary, and clarity on who will be responsible for future maintenance of all external areas (including the public piazza).

The shrub species, play facility, private and shared amenity spaces are all considered to be acceptable.

### **Regulatory Services (Environmental Health);-**

Following a review of the Air Quality Assessment this has been found to be acceptable in terms of its findings and recommendations. A condition is recommended to ensure that all recommended mitigation measures, namely the installation of mechanical ventilation within certain units (to reduce the impact of NO2 on future residents) are implemented.

Conditions have also been recommended in relation to the CHP system, managing dust and noise during construction, contaminated land (the need for a site investigation) and remediation and verification of any remedial works carried out, post completion testing of residential units to show that acceptable internal noise levels have been achieved and the removal of asbestos.

### **Sustainability Officer (internal);-**

The energy strategy is very well written This indicates a **31.9%** reduction from the Part L 2013 baseline and therefore falls marginally short of the 35% requirement. It is therefore recommended that a financial carbon off-set contribution of **£16,738** is sought through the Section 106 legal agreement.

### **Thames Water;-**

No objection raised. Conditions have been recommended relating to drainage infrastructure.

### **Network Rail;-**

The proposal is approximately 60+ metres from the Network Rail boundary, as such many of the usual asset protection comments do not apply

### **Transport for London;-**

1. Further clarity sought that the gates to serve the access to the car park and servicing area are to be set sufficiently back within the site to allow a 12m vehicle to stand clear of the highway.
2. Note that the level of 'Blue Badge' disabled parking is less than the 1:1 provision recommended in the London Plan.
3. Level of cycle parking is acceptable.
4. Further clarity sought on visitor cycle parking provision, and access routes to parking storage, given the change in levels across the site.
5. Would like clarification on whether the extended width footway along the front of the site will be adopted by the local Highway Authority.
6. Seek a contribution towards signposting, in the form of 'Legible London' signage to promote Wembley as a Cycle Hub.
7. Further detail requested to demonstrate connectivity, safety and the attractiveness for users of the existing eastern footpath.
8. TfL has assessed the trip generation and modal split data and accepts that traffic generation will be significantly reduced below that which would be experienced were the site to be reused as offices, or indeed compared to the last use of the building and the 155 parking spaces that exist.
9. TfL considers the impact on tube and rail services unlikely to be significant. However is concerned about the implications for local bus services, and the increased use that is predicted. TfL is of the view that this (and other major developments locally) need to contribute towards bus capacity enhancements to accommodate the cumulative impacts. In response the applicant's have offered a contribution, which is being considered by TfL. Further update on this is expected from TfL and will be reported in a supplementary report.
10. A detailed Delivery and Servicing Plan should be secured by condition.
11. A detailed Construction Logistics Plan should be secured by condition.
12. The framework travel plan, for the residential and commercial uses passes TfL's ATTRIBUTE test, and this should be secured through s106 agreement.

In summary TfL supports the principle of development, subject to the above mentioned issues being suitably addressed. These matters have been resolved or have been subject to conditions and the remaining matter to be agreed is the level of the contribution towards bus services

### **Greater London Authority (GLA);-**

The application is referable to the Mayor of London under the provisions of the The Town & Country Planning (Mayor of London) Order 2008. The application is referable under categories 1A and 1C of the Schedule to the Order 2008, namely the development comprises or includes the provision of more than 150 houses, flats or houses and flats, and includes the erection of a building more than 30 metres high, and is outside the City of London.

The Stage 1 report is dated 16/12/15. In their report it is stated that the principle of the proposed development given its designations is supported in strategic terms. However, further information relating to affordable housing, housing mix, design, inclusive design, energy, flooding/drainage and transport are required to demonstrate the scheme is fully compliant with the London Plan.

- Housing & affordable housing;- The results of the independent assessment of affordable housing provision should be shared with the GLA, demonstrating the maximum reasonable amount of affordable housing is being secured. Consideration should also be given to housing mix and the number of 1 bed units in the private mix.
- Urban design;- The overall approach to layout, height, massing and the residential quality is supported. Some further clarity is required to demonstrate the access routes into block E, the treatment along the eastern edge of the site (public footpath), clarity on access to the southern most units, and clarify the materials proposed for the balconies.
- Inclusive access;- Further consideration should be given to the number of blue badge parking spaces, and lift access from the gardens.
- Climate change / energy;- Confirmed that the scheme broadly follows the Mayor's energy hierarchy. Further information has been requested before the strategy can be fully understood. The shortfall in carbon dioxide reductions is also noted, and this reinforces the need to secure a carbon off-set contribution.
- Sustainable Drainage;- Drainage measures proposed require further consideration, and will need to be secured by conditions.
- Transport;- TfL is satisfied the proposal is unlikely to impact upon the operation of the adjacent highway. The proposal is considered to be potentially acceptable from a strategic transport perspective, subject to

the following (a) demonstrating suitable access for servicing vehicles, (b) the proposed level of disabled parking does not represent the 1:1 provision recommended in the London Plan, (c) at least one space dedicated for disabled staff use, (d) further clarity being provided on access routes (from High Rd) to cycle parking, (e) clarity on whether any of the increased footway at the front will be adopted, (f) securing a contribution towards bus capacity improvements through Wembley, (g) demonstrating turning movements within the site for servicing, deliveries and construction vehicles, (h) securing a Construction Logistics Plan through condition, and (i) securing the implementation of the travel plan(s) through legal agreement.

Officers consider that these matters have been adequately addressed. Once Members have resolved to determine the application it is necessary to refer the application back to the Mayor for a decision as to whether to direct refusal, take it over for determination or allow the Council to determine the application itself. This is known as the Stage 2 referral.

**Ward Councillors for Wembley Central and Tokyngton wards;-**

No comments have been received.

**Statement of Community Involvement;-**

The SoCI sets out the level of pre-consultation that was carried out, as required through the Localism Act (2011). The consultation process in full involved the use of a range of methods, set out in detail in the report, comprising of the following methods;- targeted household leaflet drop (+4000), door knocking teams to local residents, consultation website, social media updates, press notices, local site notices, public exhibition event, and email updates to interested residents (including Elizabeth House residents).

## **POLICY CONSIDERATIONS**

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015
- London Plan 2015
- Mayors Housing SPG 2012
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 ('saved' policies)
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's 106 Supplementary Planning Document
- Brent's Site Specific Allocations Development Plan
- Wembley Area Action Plan 2015
- Wembley Link Supplementary Planning Document 2011

## **DETAILED CONSIDERATIONS**

### **Land Use Principles / Context**

1. The site is situated within the designated Wembley Town Centre boundary. The existing site is identified within the adopted WAAP (2015) as Site W5, and is allocated as being suitable for comprehensive mixed use development including commercial retail development. The allocation looks at a redeveloped Brent House and rebuilt school on the adjacent site to the east collectively, however it does allow for an

alternative approach. The allocation states that in the event of the school not coming forward as part of a joint scheme, proposals may be brought forward for the Brent House site as a stand-alone development. Members should note the Ark Elvin Academy has recently received planning permission for a new school (ref; 15/3161), therefore this proposal relates to the redevelopment of Brent House only.

2. The Brent House site is a major development site within the town centre, with the potential to deliver significant regeneration to the eastern end of Wembley town centre. Mixed use redevelopment is supported in policy terms.
3. The Wembley Link SPD (2011) seeks to encourage expansion of the existing town centre eastwards towards Wembley Stadium. Brent House is identified as one of the key sites within this defined area. Through the SPD the Council will seek to create high quality, active frontages to this part of the High Road. It identifies a number of locations which will provide an opportunity for taller buildings, and encourage exemplary standards of design and the provision of family housing where appropriate.
4. London Plan policy identifies Wembley as an opportunity area, and the site is within the designated Wembley Opportunity Area which has been identified as having the capacity to deliver 11,500 new homes and 11,000 jobs.
5. The Council has (in 2015) successfully secured GLA Housing Zone designation for Wembley. The application site is within the designated zone. This designation will help to increase and accelerate the delivery of approximately 660 new homes in Wembley by 2021, including affordable housing. The current proposals will help to deliver a significant number of these new homes.
6. The mix of uses at ground floor being sought are A1, A2, A3, A4 and/or B1(a), along with a large element of residential use. The proposed range of uses are acceptable within a designated major town centre as defined in London Plan policy 2.15. In line with this policy the proposals will sustain and enhance the vitality and viability of the town centre function, accommodate economic and housing growth through intensification.
7. In light of the above, the principle of the proposed intensification of the application site via a residential-led mixed use scheme to provide 248 residential units including commercial floorspace, and associated public piazza and amenity space is supported in accordance with local and strategic planning policy.
8. The proposals sit comfortably with the emerging context in this part of Wembley, and the future redevelopment of Ark Elvin Academy school buildings to the west.

### **Affordable Housing**

9. Policy 3.13 of the London Plan requires affordable housing to be provided on sites which are capable of providing 10 or more homes. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable and in line with London Policy 3.12 the maximum reasonable amount of affordable housing will be sought when negotiating on individual private residential and mixed use schemes, with due regard to a number of factors including development viability.
10. Henley Homes propose 30% affordable housing on the redevelopment of Brent House (74 of the 248 flats.) and have submitted a Financial Viability Assessment (FVA) undertaken by Jones Lang LaSalle (JLL) to demonstrate this level represents the maximum reasonable and viable amount of affordable housing the proposed scheme can deliver.
11. Officers appointed Capita to undertake an independent review of the FVA. The Capita review accepts the approach and the majority of the assumptions in the JLL FVA, with areas of disagreement between Capita and JLL relatively minor. Overall Capita conclude that 30% affordable housing is a viable proposition, and that an increase in affordable housing would render the proposed scheme unviable.
12. Capita do identify that an overage agreement, which secures the council benefit of an additional land payment should sales values exceed a certain level, constrains the ability of the proposed scheme to deliver more than 30% affordable housing. The business case and financing of the new Civic Centre approved by Executive was however predicated upon a target land receipt from the disposal of Brent House, in excess of the receipt and overage assumed in the FVA. Officers therefore take the view that the receipt and any overage payment represent infrastructure contributions to the new Civic Centre until any such time that the target level is exceeded, in which a case any additional overage payment should

then be ring-fenced for the delivery of affordable housing elsewhere in the borough.

### **Housing Mix**

13. The proposed development would provide the following schedule of accommodation within blocks A, B, C, D and E.

<b>Unit type</b>	<b>Unit No.s</b>	<b>Mix (%)</b>
1-bed	84	33.8
2-bed	108	43.5
3-bed	49	19.7
4-bed	7	2.8
<b>TOTAL</b>	<b>248</b>	

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>	<b>Total</b>
<b>Affordable Rent</b>	8 (18%)	15 (33%)	15 (33%)	7 (16%)	45
<b>Intermediate</b>	16 (54%)	7 (25%)	6 (21%)	0 (0%)	29
<b>Private</b>	60 (35%)	86 (49%)	28 (16%)	0 (0%)	174

14. Core Strategy policy CP2 sets out that 25% of all new housing should be family-sized (3+bedroom). The proposed development would provide 22.5% of units as 3 + bedroom units (56 units) and therefore it is slightly short of the Council's Core Strategy target. However, this is a constrained town centre site and this is an important factor to recognise.

15. The proposal provides a mix of market housing and affordable housing. The affordable housing, which represents a 30% proportion (74 units) is proposed to be delivered with a tenure split of 61% affordable rent and 39% intermediate. These affordable units will be contained within blocks A and B.

16. The proportion of affordable housing proposed has been justified through a viability assessment, this has been subject to review by an independent consultant. This review has been carried out in order to assess whether the proportion of affordable housing represents the maximum reasonable amount, in line with London Plan (2015) policy.

### **Loss of existing office floorspace**

17. The existing office building is currently vacant. Its demolition would represent a significant reduction in B1(a) office floorspace in Wembley. In considering its loss it should be noted that the site allocation W5, which envisages wholesale redevelopment does not require an economic assessment of lost office floorspace, nor does it require a re-provision of such floorspace. It is known and accepted that there is a surplus locally of older office stock, and proposals for new modern office floorspace are being directed away from the High Road towards the Wembley Stadium area. In this context there is no policy concern related to the loss of B1(a) office floorspace, nor is there a requirement for re-provision.

### **Density**

18. Given the characteristics of the site, the PTAL rating 6(a), and its central location the London Plan density matrix (policy 3.4, table 3.2) would suggest an indicative residential density of between 650 to 1100 habitable rooms per hectare (hr/ha) and between 215 and 405 units per hectare (u/ha) for this site. The density calculation suggests the proposed development would have a density of 965 hr/ha and 322 u/ha, which is within the appropriate ranges.

### **Urban Design**

#### *Layout -*

19. Following a design process that looked at an arrangement of buildings parallel to the High Road, and an alternative with an open courtyard to the south with buildings on three sides the chosen option was to have two parallel buildings (running north - south), separated by a central amenity space and public piazza. Both buildings are to be mixed use, blocks A and C fronting the High Road are to contain commercial units at the front of the site to ensure a strong active frontage to the High Road. Each commercial unit is to be 197sqm, with access gained either direct from the High Road, or via the public piazza. Each of the residential elements (blocks A, B, C, D and E) would have separate accesses.

Entrances to blocks A - D are all accessed directly from the central amenity court, and block E access which is at lower ground level is also gained by travelling through the central space and down a set of stairs, there is also lift access to ensure this is fully accessible. This arrangement is welcomed, entrances to each residential core will be well overlooked with offer much opportunity for natural surveillance.

20. Ancillary uses, and service areas (at ground and lower ground level) are located so that these can be easily accessed either from the central court area, or the service access for vehicles to the eastern side of the site.
21. The commercial offer is welcomed, it is considered that this will encourage active frontages and help to realise ambitions for the regeneration of the eastern end of the High Road. The public piazza, which is set to the back edge of the footpath will animate the space directly outside these two commercial units and provide a public open space for community use. This represents a significant public realm benefit. The change in levels across the site allows for the creation of defined landscaped zones. The piazza space can be used by the commercial units and visitors. A water feature is proposed in the mid-section of the central court to provide a separation between the public and private areas (discussed in more detail below).
22. Both blocks are set back from the existing High Road footway. Block A (8 storeys) is to be orientated at an angle meaning the set back at its most generous point is 3.2m, reducing down to 1.8m. Block C (10 storeys) which is sited parallel to High Road is set back 1.55m from the existing back edge of pavement. The strip of land in front of the buildings, outside of the adopted highway is to be offered to the Council for adoption and secured through s278 agreement. This will increase the width of the footway to 4.5 m, with the land to be adopted secured through the Section 106 agreement. The provision of a widened footway is considered to be a positive improvement to the High Road, and the proposed scheme also has the added benefit of providing a new public piazza, and this must be taken into consideration in the context of the relationships presented between buildings and existing footway.
23. The flexibility of commercial uses being sought (Use Classes A1, A2, A3, A4 and/or B1(a)) will allow for greater diversity of uses. This flexibility may be beneficial when it comes to letting of these units and reduce the potential for these to lay vacant, but also in terms of contributing to the vitality and viability of the commercial offer at the eastern end of the town centre.
24. The proposed car park is for blue badge residents parking only, in total 20 disabled spaces are proposed at the rear of the site. These are located at lower ground floor level, partly within an undercroft area below block E. Vehicle access to these is to be via a ramp to the east of the site, mirroring the access route into the site currently, and similar to Elizabeth House. Pedestrian access is provided from this parking area to the residential entrances, with ramps and lifts provided to address the level changes across the site.
25. The separation provided by the building forms and parallel arrangement of blocks, means the building separation distances across the central piazza and private amenity court broadly comply with SPG17 distances, and exceed the requirement in part. These range from 23.5m apart at the front of the site between the face of blocks A and C, a minimum of 18.8m at the rear of the site, between the rear section of block D and western facade of block E. Whilst this is below the separation of 20m recommended within SPG17, the shortfall is marginal and only apparent over a relatively small part of the scheme. The two blocks are also splayed which opens up the view from the associated units. The majority of the units benefit from an outlook in excess of 20 m between the blocks. Furthermore the fact this is a scheme on a town centre site, in a designated opportunity area that is seeking to maximise housing potential is an important consideration, whilst the blocks is considerably lower (8- to 10-storeys) than others proposed elsewhere within the Wembley Growth Area. On balance the relationship between the facing elevations is considered to be acceptable as it will not compromise the quality of accommodation for future occupiers.
26. The facing elevations between the eastern facade of proposed blocks C and D to the western facade of neighbouring Elizabeth House are measured to range from 21m to the front of the site, increasing to 29m when measured at the rear of Elizabeth House. This level of separation will ensure that privacy for existing and prospective occupiers is maintained, and is fully compliant with SPG17.

#### *Scale & Massing -*

27. London Plan (2015) policy 7.7 requires that tall buildings relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm. The surrounding area is characterised by varying forms of development which generally move between 3 and 13 storeys high. Immediately to the east is Elizabeth House this recently built residential building sits at 13 storeys high.

West of the site is the existing Ark Elvin Academy school building, which is typically three storeys. Directly opposite, on the northern side of the High Road are five storey buildings.

28. The proposed development seeks buildings that are eight and ten storeys at the High Road frontage (blocks A and C respectively). Behind these block B, which is within the western building will step up to nine storeys, and block D is partly at ten storeys before dropping down to eight storeys, which is also the case for block E.
29. At the point where block D steps down from ten to eight storeys a kink in the building footprint is proposed. This has been introduced as a mechanism to reduce the bulk and massing of a building of this length, and this intervention is strongly supported in urban design terms.
30. The site is located within Wembley town centre, designated Opportunity Area to accommodate housing growth and in a highly accessible town centre location where more dense development can be accommodated in strategic planning policy terms. Within this policy context, and the immediate context that has been created by the recently built Elizabeth House (13 storeys) there are no concerns with the proposed scale and massing.

#### *Elevational Treatment -*

31. The main material chosen is brick, and two different colour bricks are proposed to add some variation and visual interest to the elevations. This approach will also help define the blocks variation in heights. A medium brown multi is proposed, and to contrast this a lighter buff brick will be used. To ensure a high quality finish the final approval of brick will be secured by condition.
32. Stair cores are recessed and defined through the use of different materials, and this helps break up the overall massing of individual blocks. To add further variation terracotta panels, in a light grey are proposed within certain areas across the facades. These are described as 'vertical fins', and do help to break up the use of brick and add interest. The residential entrances are to be defined by use of a different material, which will help to make these entrances legible and will assist for way-finding across the site. A darker and warmer terracotta panel is proposed for this, and there is considered to be a sound rationale behind this approach.
33. External projecting balconies are proposed and these are to be fully glazed, clarification of this was sought by the GLA who questioned the approach from a privacy point of view. In any event final details of balconies will be secured by condition. Design precedents have also been referred to for sites in Wembley Park, and 243 Ealing Road in respect of the proposed balcony treatment.
34. Overall, the elevational treatment of the proposed residential development is considered to be high quality. The use of good quality materials, that add interest is imperative to the overall quality of the design and this will need to be secured by condition. It is crucial to the overall success of the scheme that quality bricks are used, and these will be secured through condition.

#### **Public Realm improvements / Landscaping / Amenity Space & Children's play.**

35. The delivery of a new public piazza will be a positive addition. This will enhance the High Road along this section and it will encourage people to use the space directly outside the commercial units.
36. The section High Road footway along the site frontage is proposed to be widened to 4.5m. This is welcomed as it will improve pedestrian access along this busy, well used route. This widened strip should be offered for adoption under S38 of the Highways Act 1980, and secured as a condition of any approval.
37. The eastern footpath has been identified as being in need of improvement by your Transportation officer. To improve pedestrian and cyclist access it is considered that this footpath should be widened to 3.4m to facilitate use by cyclists as well as pedestrians. These improvement works will be consistent with pedestrian and cycle access improvements that have been secured through the Ark Elvin Academy planning permission on the adjacent site to the south. A strip of land, 1.8m wide is identified within this application site as being required for these access improvements to be delivered. As the existing footpath is adopted highway, any widened area would also need to be adopted through a S38 agreement.
38. Revised plans have been submitted which confirm the layout can accommodate the footpath widening without compromising vehicle access (see 'Transportation' section below for further detailed discussion).



#### *Landscaping;-*

39. Defined landscape zones are proposed which can be used by the public, with other private areas for residents use only.
40. A public piazza is proposed to the front of the site, this will be a new community space for public use and residents alike. The natural change in levels across the site allows the creation of different terrace zones and seating areas for formal and informal use of the space.
41. To provide a clear separation between public and private spaces a water feature is proposed within the central court area. Bridged access is to be provided over this into the private residential court area, and this will be restricted in terms of access. Raised planter areas are also proposed to provide further physical barrier between public and private space. This water feature has the potential to be an interesting and integral feature of the landscaping.
42. The private central court will have more of a residential feel to it, with planted areas and lawn for formal and informal recreation, with outside seating incorporated.
43. An avenue of new trees is proposed through the centre of the site, as well as perimeter tree planting, and associated shrub and other planting.
44. All residential units are to have private amenity space in the form of balconies, or private terraces. The communal roof terrace will be located on blocks D and E, and will help to contribute to the overall amenity space offer. In addition generous areas shared amenity space are proposed around the buildings. The central courtyard is the main feature, however other more intimate shared spaces are located across the site. The change in levels across the site allows for the division of spaces in this way. Lower garden areas are intended to serve residents of blocks B, D and E and these will be more informal spaces. All formal amenity areas across the site incorporate opportunities for play, as discussed below.

#### *Children's play space;-*

45. Using the Mayor's SPG on play and informal recreation it is predicted this scheme will have a child occupancy level of approximately 104 children. In line with the requirements of the SPG, 10 sqm of play space should be provided per child. Following a review the GLA find the landscape strategy, which consists of landscape play zones, with a range of play equipment to be satisfactory, and this is confirmed in the Stage 1 report.

#### **Residential Quality**

46. *Internal* - All of the proposed units have been designed to comply with the minimum sizes set out in the Mayor's Housing SPG, ensuring compliance with London Plan policy 2.5. This is set out in the submitted accommodation schedule.
47. In compliance with London Plan policy, the proposal has a high residential quality with 5-8 units per core and 2.6m floor to ceiling heights. There are no north facing single aspect units and each block has an entrance to each circulation core, that is fully accessible.
48. The proposal is London Plan compliant in respect of policy relating to accessible homes, units will be built to Lifetime Homes standard, and a minimum of 10% of units will be wheelchair accessible.
49. *External* - All units have been provided with private balconies or terraces which meet the Mayor's minimum standards set out in the Mayor's Housing SPG. In addition to this a range of communal amenity spaces are provided at ground level, which form part of the landscape strategy and a large communal roof garden / terrace to blocks D and E.
  - Communal amenity space at ground floor and roof level (blocks D and E = 2500
  - Private amenity space provision through balconies and private terraces = 1674sqm
50. The quantum of external amenity space would be 4174sqm, which does fall short of the minimum amenity space requirement of 20sqm per flat (4960sqm). However it is important to recognise the site constraints that contribute to this shortfall. This is a dense residential development within a town centre location. Delivering the amount of amenity space required to satisfy SPG17 is a challenge, and what is key in this instance is the quality and useability of the overall amenity space offer rather than a strict adherence to the overall quantum. As set out above the landscape concept is considered to be well

thought out, it will offer a range of different spaces, some communal and others more intimate, with opportunities for formal and informal recreation and play. On balance the amenity space provision is considered to be of high quality and broadly acceptable.

51. Balconies are all projecting externally, and range in size from 5 - 11sqm.
52. A Daylight, Sunlight and Shadow Assessment has been submitted to consider the levels of natural light that will be experienced within the proposed units and areas of open / amenity space.

### **Impact on Neighbouring Residents**

53. The site is next to Elizabeth House to the east, the two sites are separated by a public footpath. It is relevant to note that a proportion of the flats within this existing building which face west already look onto the existing Brent House building, which is taller than the proposed replacement buildings.
54. The impact of the proposal on the amenity of these existing occupiers has been duly considered. The respective buildings would be between 21 and 29m apart. With this level of separation there are no concerns about overlooking or loss of privacy, these separation distances exceed the minimum SPG17 requirements.
55. In support of the scheme a Daylight, Sunlight and Shadow Assessment report has been submitted. This considers the effects of the proposal on the levels of daylight and sunlight received by nearby residential properties based on two analyses: Vertical Sky Component (VSC) and Average Daylight Factor (ADF), though the ADF analyses has only been applied to Elizabeth House where room layouts and room types are known. The assessment also gives consideration to 344-354 High Road (floors 1-2 opposite in residential use), and St Joseph's RC Infant School caretaker's house.
56. In terms of the levels of daylight experienced by neighbouring residential properties the assessment finds that all of the south facing windows within no's 344-354 High Road will all either achieve the BRE guide levels for VSC or will experience only marginal breaches. The results show that the school caretaker's house, to the south east will continue to comply with the levels for VSC. The daylight results for the west facing units within Elizabeth House show that a high proportion of the windows assessed will experience VSC above the BRE guide. Overall, more than 80% of these west facing windows will either comply with the BRE guide levels for ambient daylighting or will experience VSC levels only marginally below the guide levels that the reduction would not be seen to cause undue harm to amenity.
57. The ADF analyses also carried out provides a more sophisticated method of calculating the daylight conditions experienced. The ADF results for Elizabeth House demonstrate that 78% of the main habitable rooms / bedrooms assessed will achieve acceptable levels. This is considered to be a good level of compliance for a high density development, in a town centre location. A contributing factor here to those units not achieving compliance is that many of the rooms experiencing daylight levels below the BRE guide levels are set beneath deep projecting balconies, a consequence of the neighbouring scheme design. These projections restrict daylight penetration into the rooms below under existing conditions.
58. An analyses has also been carried out, omitting the projecting balconies from the neighbouring building. This shows that 90% of the rooms would achieve compliance were this the case.
59. The testing of the proposed units shows that a large majority of the windows (64%) will either comply with the guide levels for VSC, or where there is a fail will only experience marginal breaches of the guidance, and not to a level that would be deemed unacceptable. This is common in a dense, town centre location. It should be noted that in many cases the rooms served by windows experiencing lower VSC levels are served by other compliant windows.
60. The ADF analyses of the proposed units demonstrates that 89.4% of the main habitable rooms and bedrooms will achieve acceptable levels. This is considered to be a good level of compliance on such a site.
61. The sunlight analysis has found that there will be no harm to annual and winter sunlight availability to neighbouring properties. The scheme is considered to be compliant in this regard. Of the proposed units 68% and 88% will achieve the BRE guide levels for annual and winter sunlight respectively. Again, these are considered to be good levels of compliance in an urban, town centre site. Many of the windows that are failing are only doing so by marginal effects, and a high proportion are set below existing balconies which is a contributing factor.

62. The overshadowing analysis considered the communal amenity space within the site, and demonstrates that these areas will all comply with BRE guide levels.
63. In summary, the assessment demonstrates neighbouring residential and the proposed units will mostly receive good levels of daylight and sunlight. As referred to above there will be some instances where the BRE daylight and sunlight guidelines will not be achieved, in relation to neighbouring properties and the proposed units. However, it is accepted that this is a normal outcome of a high density, large scale development in a built up urban area.

### Transport

64. The application site has a PTAL level 6 (excellent) and is located on a London distributor road and major bus route. Controlled Parking Zone "C" - 8am - 6.30pm, Mon-Sat (midnight on Wembley Stadium event days) operates. The restrictions also apply to Ecclestone Place, which is opposite the site and parallel to the High Road.

### *Car Parking*

65. This site lies within the Wembley redevelopment Masterplan area. As such, car parking standards for the proposed uses on the site are set out in the Wembley Area Action Plan. The standard for residential use allows up to 0.4 spaces per unit for 1-/2-bed flats and 0.6 spaces per unit for 3-/4-bed flats where the public transport access is good. Applying this standard to the 248 proposed flats within the two proposed buildings gives an allowance of up to 110.4 residential parking spaces.
66. The proposed provision of only 20 disabled spaces for residential use within a partial undercroft car park at the rear of the site would therefore accord with maximum parking standards.
67. However, this provision falls short of satisfying the requirements of standard PS15 of the adopted UDP 2004, by failing to provide a space for each of the 25 proposed wheelchair units in the development. In addition, although a pedestrian route is provided to all building entrances, with ramps and lifts to address level changes, the spaces are located up to about 90m from the entrances to blocks A and C. This exceeds the maximum recommended distance for an uncovered route and a canopy should therefore be provided along the length of the route through the proposed rear amenity space.
68. Adequate headroom (3.5m) is indicated for the spaces to accommodate high-top conversion vehicles for wheelchairs. The applicant also proposes that 20% of spaces are provided with active electric vehicle charging points and 20% with passive charging points, which is welcomed.
69. In line with Policy TRN23 (UDP 2004) consideration also needs to be given to the impact of any overspill parking on highway safety and traffic flow in the area. In this respect, the site fronts a London distributor road and bus route, along which parking is not feasible due to the presence of daytime waiting restrictions and a long central island. The only nearby local access road (Ecclestone Place) is noted as being heavily parked already, so would also not be able to accommodate overspill parking from this development. As such, there is not sufficient spare capacity to accommodate residential parking from a development of this size.
70. The site does have excellent access to public transport services though and is located within a Controlled Parking Zone, so there is the scope to apply a 'parking permit restriction' to the proposed flats, thereby removing the right of future occupants of the development to on-street parking permits. It is recommended that this be secured through a Section 106 Agreement or condition, with an obligation placed on the owner to notify all prospective residents in writing of the restrictions. On this point the applicants are agreeable to such a restriction being imposed.
71. To support the 'parking permit restricted' housing, there are plenty of car club vehicles based in the local area, including a dedicated City Car Club parking space within the adjoining Elizabeth House development. The presence of these operations should be promoted to future residents through the Travel Plan (see below), with dedicated space provided on-site if the car club operators feel that demand warrants it. Given the town centre location, visitors to the proposed homes who do choose to drive can park within the existing town centre car parks.
72. For the commercial units, the maximum standard varies according to the use proposed, with one space per 100m<sup>2</sup> allowed for retail uses and one space per 400m<sup>2</sup> allowed for office uses. The two units would

each be permitted no more than one parking space, but with no allocated commercial parking proposed, standards would be complied with. Given the town centre location with excellent public transport accessibility and town centre parking available in the local area, the proposal is considered to be acceptable.

### *Cycle Parking*

73. Standard PS16 of the adopted UDP 2004 requires at least one secure bicycle parking space per flat, so the proposed provision of 414 secure residential bicycle parking spaces within various secure storage rooms within each block is more than sufficient to satisfy requirements.
74. For the commercial units, standards again vary according to use, but the proposed provision of ten secure bicycle parking spaces for each unit in a secure store room is more than sufficient for any of the proposed uses. It is also recommended that at least four publicly accessible spaces (two 'Sheffield' stands) are provided within the proposed public plaza area at the front of the site for general visitors to the site, and this is secured by condition.

### *Servicing & Access*

75. Standards PS17, PS19 and PS20 of the adopted UDP generally require small retail and café units to be serviced by transit sized vans, with office units requiring servicing by 8m rigid vehicles and public houses by 10m rigid lorries. A loading area is proposed on the eastern side of the site measuring 15m x 6m, which is sufficient to meet requirements for any of the proposed uses clear of both the highway and the access to the undercroft car parking area.
76. In terms of refuse storage, small store rooms are proposed alongside the entrance cores to each residential block, each accommodating two Eurobins and a wheeled bin. These are to be supplemented by a central bin storage area on two levels adjoining and beneath the loading bay, with lift access between the levels. The total capacity of the central bin store is 99 Eurobins and 42 wheeled bins.
77. An on-site facilities management company will be responsible for repositioning the bins between the residential cores, the main bin storage area and the bin holding area using an electric bin tug, which is fine in principle.
78. The facilities management team will also assist with ensuring that the estimated 23-24 daily deliveries to the site are well managed. A pre-booking system is to be operated to allocate timeslots to space is available when required within the loading area, whilst the facilities management team will also take responsibility for assisting with the transfer of goods from the loading area to the unit. These proposals are welcomed to help minimise any risk of loading activity obstructing the site access and should be formalised within a Delivery & Servicing Plan for the site (to be secured by condition).
79. In terms of fire access, the entrances to Blocks A-D are all within 45m of the loading area, although the western building requires access through the eastern building to achieve this. The entrance to Block E at the rear of the site exceeds the 45m distance though and with only 3.5m headroom provided for the undercroft parking, fire vehicles would not be able to turn at the rear of the site.
80. To address this, a strategy has been developed which will allow for fire access to Block E from the eastern facade, and this block will also make use of a sprinkler system. This approach has been discussed with your Building Control officer, who is generally supportive.
81. Vehicular access to the site is shown via a 6m wide driveway with 300mm margins along the eastern side of the site. This is wider than it needs to be (particularly beyond the loading bay towards the rear of the site) and can be reduced if required (see comments below).
82. Gates are shown set 15m into the site, to ensure that only authorised persons can access the loading area and car park, with adequate space provided to allow vehicles to stand clear of the highway whilst waiting for the gates to open. The proposed kerb radii match existing kerb radii and are fine, whilst adequate pedestrian and vehicular visibility will also be maintained.
83. The proposed crossover is shown sited about 2m east of its existing position though, so will need to be adjusted at the developer's expense, whilst the redundant crossover on the western side of the site frontage will need to be removed and reinstated to footway with full height kerbs.

84. Pedestrian access to the commercial units is proposed directly from the High Road footway, whilst access to the residential blocks will be via a central public plaza and gated private courtyard area, with steps/lifts provided as there is a fall in level towards the rear of the site for block E.
85. The High Road footway along the site frontage is proposed to be widened to 4.5m in small element paving slabs laid to adoptable standards (thus matching the existing surfacing treatment). This is welcomed to improve pedestrian access along this busy commercial frontage. Adoption of the widened strip as public highway would also be welcomed and it is recommended that the widened footway be offered for adoption under S38 of the Highways Act 1980 as a condition of any approval.
86. Consideration also needs to be given to the quality of pedestrian and cyclist access to and from the south. At present, there is a narrow public footpath along the eastern boundary of the site, linking High Road to London Road. The recently issued planning consent for the adjoining Ark Elvin Academy site, which included diversion of that footpath across the playing fields to the south, also secured its widening to 3.4m across the school site to accommodate future use by cyclists.
87. An amendment to the site layout was sought to secure the dedication a strip of land of up to 1.8m width along the eastern boundary of the site, in order to be able to increase the footpath width to 3.4m so that this is in line with the upgrade works secured through the Ark Elvin Academy consent. To achieve this, the car park access was amended, retaining sufficient width for vehicles. Transportation advise this amended layout is acceptable.
88. As the existing footpath is adopted as publicly maintainable highway, any works would need to be undertaken through an agreement under S38/278 of the Highways Act 1980.
89. Proposed landscaping materials within the site, including resin bound gravel for the paths in the central courtyard area and granite paving for the public plaza area and café seating areas at the front of the site, are fine.

#### *Trip Generation*

90. Future predicted trips to and from this development have been estimated using comparisons with five residential developments within other areas of London that have very good access to public transport services. The sites chosen are considered to offer an appropriate comparison.
91. No estimate of future trips to and from the commercial units has been provided though, as these are largely expected to attract visitors that are passing the site anyway (due to their size). Whilst this would typically be required, the absence of any parking for the commercial units does mean that staff and visitors would not be travelling to the site by car.
92. The above exercise gives estimated movements to and from the development totalling 32 arrivals/ 122 departures in the morning peak hour (8-9am) and 55 arrivals/42 departures in the evening peak hour (5-6pm).
93. Given the very low level of parking proposed and the constraints on on-street parking in the surrounding area, only 3% of future journeys are assumed to be made by car and this assumption is accepted. On this basis, just 1 arrival/4 departures in the am peak hour and 2 arrivals/1 departure in the pm peak hour are estimated to be by car. On this basis, the actual impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis, with vehicular movements likely to be far lower than for the former use of the site as offices.
94. In terms of public transport trips, the development is estimated to generate 57 additional bus journeys in the am peak hour and 36 journeys in the pm peak hour, whilst 63 additional trips in the am peak hour and 39 additional trips in the pm peak hour are estimated to be made by tube/rail.
95. Transport for London have raised concerns over the number of additional bus journeys generated in relation to the impact on bus capacity in the area. As bus service enhancements cannot be secured through the CIL, they have therefore requested a financial contribution towards the service enhancements being identified through the forthcoming Wembley bus strategy, and a reasonable contribution towards bus service enhancements would be welcomed by the Transportation Unit.
96. TfL have expressed no concerns regarding impact on rail or tube capacity.

97. Future walking and cycling trips to and from the site have been estimated at 19 trips by foot in the am peak hour and 12 trips in the pm peak hour (in addition to the public transport trips which need to travel by foot between the site and the station/stop), whilst 3 and 2 trips by bicycle are anticipated in each peak hour.
98. The widening of the footway along the site frontage to cater for the increased footfall is welcomed, as is the ability to secure footpath widening to improving pedestrian and cyclist routes to and from the south along the footpath adjoining the site.

#### *Travel Plan*

99. To help to manage future trips to and from the site and ensure the development does not have any negative impacts, a Residential Travel Plan and a Commercial Travel Plan Statement have been prepared and submitted with the application. The use of a Travel Plan Statement for the commercial floorspace is acceptable, as the relatively small size of the units mean they would not in themselves warrant a full Travel Plan. These documents set out a range of measures to help to support sustainable travel.
100. However, the proposed measures are very limited and in particular, little support is proposed for Car Clubs in the area. As a minimum, the presence of local Car Clubs should be promoted to future residents and this should include engagement with car club operators to establish whether they would require dedicated parking space for vehicles on the site and the offer of free or subsidised membership of a car club to new residents.
101. The Residential Travel Plan has been assessed using TfL's ATTrBuTE programme, but it has failed the ATTrBuTE test. Aside from the limited measures proposed (which also omit any mention of how the car park would be managed), the proposed targets are weak, offering no targets for reducing or managing car use to the site, but instead proposing a target to reduce public transport usage.
102. In the event that planning consent is to be granted, this should be subject to a S106 requirement or condition to submit and receive approval for a modified Travel Plan prior to occupation of the building.

#### **Construction Management**

103. Further detail is to be secured by condition through the requirements to submit for approval in writing a Demolition Method Statement and a Construction Logistics Plan.

#### **Ecology & Flood Risk**

104. A Phase 1 habitat survey and protected species assessment have both been carried out. This appraises the ecological constraints of the site, and provides recommendations for protecting and enhancing the wildlife value of the site. The assessment findings are that:-
- The site does not form part of any statutory, or non-statutory designated nature conservation site.
  - All buildings on site were found to have negligible potential to support roosting bats, no evidence of roosting was found during the survey of existing buildings. A single London plan tree was identified as having low potential to support roosting bats, as ivy growth may potentially conceal opportunities for roosting. Recommendations have been made to employ safeguards during tree felling works, these will be secured by condition.
  - The site has medium potential to support breeding birds, it has suitable breeding habitat in the form of trees and shrub planting. Recommendations have been made to provide mitigation against this, it is recommended that all vegetation clearance on site should be outside of the main nesting season (march to August inclusive). Where this is not possible, a search for nesting birds up to 48 hours prior to vegetation clearance must take place
  - There are proposed enhancement measures to improve the biodiversity of the site, which are welcomed in the context of London Plan policy 7.19 and Brent Core Strategy policy CP18. To this end green roofs are proposed, areas of wildflower meadow have been incorporated into the landscape layout, areas of amenity grassland will be provided and there is potential for green walls (i.e. trellis structure with climber plants) to be incorporated, and these will be secured by condition. New tree, shrub and hedgerow planting are also part of the landscape strategy.
  - It is recommended that bird nesting boxes and bat boxes be installed on site, and these will be secured by condition.

Provided the above measures are secured through conditions there would be no overriding concerns of an

ecological nature.

*Flood Risk Assessment;-*

105. The site area is less than 1 hectare in size, and is located in Flood Risk Zone 1 meaning it has the lowest risk of flooding. The location of the proposed development, in an area at the lowest risk of flooding is in accordance with the sequential test, as set out in the National Planning Policy Framework (NPPF). No on-site mitigation is therefore required, and floor raising is not considered to be a necessary form of mitigation. Notwithstanding this, it is recommended that the finished floor levels are raised a minimum of 75mm to 100mm above the ground level to prevent in the ingress of floodwater caused as a result of any localised surface water flooding. The Mayor confirms in the GLA's Stage 1 report that the proposals comply with London Plan policy 5.12 in this regard.

*Drainage;-*

106. The Flood Risk Assessment suggests a number of drainage measures are to be incorporated to reduce surface water run-off to a greenfield rate, with restricted flows to the public surface sewer system. Opportunities for this have been identified through reducing the area of impermeable surface, green roofs, rainwater harvesting, swales, rain gardens and underground storage. Further details will be secured through condition.

**Noise Assessment**

107. A Noise Impact Assessment has been undertaken, this assesses the suitability of the proposed scheme for residential development. A noise survey was undertaken at Brent House in order to collect data representative of the worst case levels expected due to all nearby sources. The main source of nearby noise is road traffic noise from the High Road, with some sporadic noise coming from the nearby school(s).

108. To comply with BS8233:2014 "Sound insulation and noise reduction for buildings" and recommended internal noise levels for daytime and night-time the external building fabric would need to be designed accordingly. The brickwork design would contribute to a significant reduction in ambient noise levels, however good quality glazing specification will also be required. The robust glazing specification proposed should achieve suitable attenuation for all elevations in line with BS8233:2014. Your Environmental Health officer has though recommended a condition requiring post completion testing for all residential units to demonstrate all internal noise levels have been met, with scope for mitigation if its turns out not to be the case.

**Microclimate / wind studies**

109. A wind microclimate study has looked at locations around the proposed development and assessed their pedestrian safety and comfort for proposed usages. This study predicts the proportion of time an area will experience wind speeds in excess of threshold values for safety and stability and threshold values associated with a range of typical activities, such as walking, awaiting a bus, or sitting outside a cafe. Wind tunnel modelling was carried out to enable the pedestrian wind environment at the site to be quantified and classified for proposed usage, based on the recognised standard Lawson criteria for pedestrian comfort and safety. The wind environment was assessed at a total of 69 locations.

110. The study finds that at approximately 35m and 45m in height, the proposal does not protrude substantially above neighbouring buildings and does not represent a substantial obstruction to prevailing winds.

111. In terms of pedestrian safety, the wind conditions are rated as suitable all locations.

112. In terms of pedestrian comfort, wind force and conditions at entrances are found to be suitable for short periods of standing. Looking at the outside space (recreational areas) the proposed development is found to be suitable for pedestrian comfort for recreational usage with the exception of three locations. These are in the middle of the two buildings, and the report recommends that further mitigation measures such as trees, planting and / or screening be introduced to improve conditions in these outside spaces. Further details of mitigation will be secured through condition.

113. The study finds that post construction the proposed development has a negligible impact on the suitability of the wind microclimate relative to existing surrounds.

114. It concludes that post development wind conditions are predominantly suitable for existing and

planned uses. Some minor exceptions exist, though mitigation against this can be provided through further development of localised landscaping conditions.

## Waste

115. A detailed waste management strategy has been prepared, in accordance with Brent's own waste planning guidance (2013). This takes account of commercial and residential waste requirements. As discussed in the above 'Transport' section this is considered acceptable in terms of the on-site management and collection arrangements proposed. No comments have been provided by the Council's Recycling and Waste team in respect of the overall strategy, and any response provided will be reported in a supplementary report.

## Update on the GLA position - post Stage 1 report

116. In issuing its Stage 1 report the GLA advised that the principle of development was acceptable in strategic terms. Further information was required in relation to housing, design, inclusive design, energy, flooding, drainage and transport in order to demonstrate the scheme is fully compliant with the London Plan. The table below provides a further update on each item.

<b>Issue raised by GLA in Stage 1 report</b>	<b>Post Stage 1 report update</b>
Housing	<p>The GLA has requested that the results of the independent FVA be shared, demonstrating that the maximum reasonable amount of affordable housing is being secured.</p> <p>This information will be shared with the GLA when the application is formally referred to them for its Stage 2 response (post planning committee resolution).</p>
Design	<p>Further response was provided by the applicant.</p> <p>The GLA has confirmed that;</p> <ul style="list-style-type: none"> <li>• The use of external lifts is acceptable given the need to provide fully inclusive access across the site's varying levels.</li> <li>• The stepped access route to block E is welcomed and the animation of this route with regular entrances is also welcomed.</li> <li>• Further clarity has been provided which provides sufficient comfort that the eastern footpath access will be safe, secure and allow for passive surveillance.</li> <li>• Reservations exist with regards the glazed balcony treatment. The applicant is encouraged to strike an appropriate balance of glazing to ensure an appropriate level of privacy is maintained.</li> </ul>
Inclusive access	See comments above.
Energy	The applicant has provided the further information requested in relation to management arrangements proposed for the CHP system. Based on this the GLA confirm there are no outstanding issues on energy.
Drainage	Further details of detailed drainage arrangements will be secured by an appropriate condition, as the GLA's stage 1 report indicates.
Transport	<p>The GLA notes the parking layout revisions that increase the number of disabled spaces from 16 to 20.</p> <p>TfL stresses that ultimately the decision on levels of parking provision rest with the Local Authority.</p>



	<p>Whilst they support the increase to 20 spaces in principle they have commented that this results in a layout which is not as as preferable as the original layout with 16 spaces, for the purposes of inclusive access. On balance they would support the original layout with 16 spaces.</p>

117. Subject to confirmation of the affordable housing position (to be confirmed in the Stage 2 referral) and the securing of an appropriately worded condition in respect of drainage details there are no outstanding issues, that need to be addressed for the GLA's purposes.

118. On the issue of parking, the updated position provided is noted, as is the fact the GLA confirms they are happy to defer to the Local Authority to determine what an appropriate level of parking is on site. In this case officers consider that it is preferable to secure additional on site disabled parking to bring the development closer in line with the policy requirement for 10% of spaces (25 in total). To this end the increased offer would see 20 disabled spaces being provided on site. This is still less than 10% requirement, therefore the applicants have sought to justify the provision, and comparisons have been made with a number of large residential schemes in London with less than 10% provision. These schemes used census data to identify the likely local demand for disabled parking, and the same has been done for Brent House which indicated that 12 spaces would be the likely demand. With a car park management plan secured by condition, which will ensure bays are assigned to Blue Badge holders as required, on balance this justification is considered to be acceptable in this location.

119. TfL has identified a need for bus capacity enhancements in the Wembley area due to a number of existing routes through Wembley being at capacity. Their evidence base has lead them to seek a contribution of £319,000. This level of contribution is subject to further discussion between TfL and the applicant. At this stage a final level of contribution has not been agreed. Members are therefore requested to make a resolution on the application and to delegate authority to officers to agree upon a final level of contribution, pending further discussion between TfL and the applicant.

### **Conclusion**

120. The proposed development would deliver the following benefits

- 1) The delivery of much needed new housing, including 30% affordable housing within the designated Wembley Housing Zone
- 2) The delivery of a new public piazza and widened public footpath(s)
- 3) Help to regenerate the eastern end of Wembley town centre
- 4) The re-use of a vacant office building with a residential led, mixed use development
- 5) A CIL contribution of approximately £3.5M towards local infrastructure improvements.

Officers consider that on balance the scheme would make a positive contribution and recommend the application for approval subject to the conditions and obligations set out in this report.

## **SUSTAINABILITY ASSESSMENT**

### **ENERGY**

The applicant has supplied an energy statement as part of the submission which indicates measures that will achieve a 31.9% reduction in CO2 emissions beyond the requirements of Part L of the 2014 Building Regulations. This is not strictly in compliance with policy 5.2 of the London Plan, falling short of the target 35%. The energy statement has been reviewed by the Council's Sustainability Officer and is considered that a carbon off-set contribution should be secured to make up for the identified shortfall. Compliance with this target and the wider sustainability measures should be secured in a s106 agreement, or by condition as part of any permission.

In the Mayor's Stage 1 report it was confirmed that scheme has broadly followed the energy hierarchy. Further information is required in respect of the management arrangements proposed for the site heat network (CHP system) before the final proposals can be understood. The short fall in carbon dioxide reductions was also noted, and the GLA re-iterated that this should be met by a carbon off-set contribution.

A post Stage 1 response from the GLA (dated 19/01/16) does confirm that the applicant has provided sufficient information now on the management arrangements (including anticipated costs for the CHP

system), and that there are now no further outstanding issues.

## 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
- Affordable Housing - 30% proportion (45 affordable rented units and 29 shared ownership flats) and to ring-fence for affordable housing any overage payment in excess of target level receipt and overage payment required to finance Civic Centre.
- Car-Parking Permit Free development to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site.
- Join and adhere to Considerate Constructors scheme
- Energy - Achieve a 31.9% reduction in CO2 emissions beyond the 2013 Building Regulations and to provide a carbon off-set contribution of £16,738 to be used towards on / or off-site improvements related to carbon reduction to off-set the shortfall below the target 35%.
- Submission and approval of a revised Travel Plan to score a PASS rating under TfL's ATTruTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
- Undertaking of highway works along the High Road site frontage and the footpath along the eastern side of the site through an agreement under S38/S278 of the Highways Act 1980, in order to (i) widen the footway along High Road frontage to at least 4.5m; (ii) widen the footpath along the eastern boundary of the site to at least 3.4m; (iii) remove the existing vehicular access to the site and replace them with footway with full height kerbs; and (iv) provide a new crossover for vehicular access to the site; together with any necessary ancillary or accommodation works and any works to statutory undertakers' equipment rendered necessary by these works, in accordance with detailed plans to be approved by Brent Council's Transportation Unit
- TfL contribution towards bus capacity enhancements in Wembley .

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 **£3,542,690.67\*** 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): 12075 sq. m.

Total amount of floorspace on completion (G): 24543 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	23975		12179.4523 896834	£200.00	£35.15	£2,990,490.54	£525,578.71
Shops	568		288.547610 316587	£40.00	£35.15	£14,169.75	£12,451.67

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)	275	
<b>Total chargeable amount</b>	<b>£3,004,660.29</b>	<b>£538,030.38</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**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/4743

To: Mr Pender  
PPM Planning Limited  
185 Casewick Road  
West Norwood  
London  
SE27 0TA

I refer to your application dated 30/10/2015 proposing the following:  
Proposed demolition of existing office building and erection of two buildings of between eight and ten storeys accommodating 248 dwellings (84 x 1-bedroom, 108 x 2-bedroom, 49 x 3-bedroom & 7 x 4-bedroom units) and flexible commercial space at ground floor (for Use Classes A1, A2, A3, A4 and/or B1(a)), new public square, landscaped communal gardens, associated landscape works, alterations to existing crossover(s) and basement car and cycle parking.  
and accompanied by plans or documents listed here:  
(See Condition 2)  
at Brent House, 349-357 High Road, Wembley, HA9 6BZ

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 2012  
London Plan 2015  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance  
Wembley Area Action Plan 2015

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  
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness  
Transport: in terms of sustainability, safety and servicing needs

- 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:-

01-03 revB  
01-06  
02-03 revB  
02-06  
03-03 revB

Proposed:-

400 revP0  
401 revP0  
402 revP0  
403 revP0  
404 revP0  
405 revP0  
406 revP0  
407 revP0  
408 revP0  
409 revP0  
410 revP0  
411 revP0  
412 revP0

500 revP0  
501 revP0

P002 revP0  
P100 revP3  
P101 revP4  
P102 revP0  
P103 revP0  
P104 revP0  
P105 revP0  
P106 revP0  
P107 revP0  
P108 revP0  
P109 revP0  
P110 revP0  
P111 revP0  
P112 revP0  
P200 revP0  
P201 revP0  
P202 revP0  
P203 revP0  
P300 revP0

Landscaping:-

692.3F  
692.4F  
692.5C  
692.6C  
692.2H

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

- 3 All disabled parking spaces (which shall be used exclusively by Blue Badge residents), cycle parking stands, loading / servicing turning area and refuse and recycling facilities shall be provided and permanently marked out prior to occupation of any part of the approved development in full accordance with approved plans, and thereafter retained in accordance with the approved details throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Furthermore, a minimum of 20% of parking spaces shall be provided with active electric vehicle charging points and 20% with passive charging points, and thereafter retained in accordance with the approved details throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic, or the conditions of general safety within the site and along the neighbouring highway & amenity and to provide sufficient vehicle parking, cycle parking facilities and refuse and recycling facilities.

- 4 Development shall not commence (save for demolition) until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed in full thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

- 5 The uses hereby approved shall not commence until a detailed Delivery and Servicing Plan (including details of a pre-booking system for servicing vehicles) has been submitted to and approved in writing, by the Local Planning Authority which shall include further details to demonstrate how the different servicing demands will be appropriately managed on site. Thereafter the approved plan shall be implemented in full for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety

- 6 Notwithstanding the plans hereby approved the development shall not be occupied unless a further four visitor cycle parking spaces (x 2 "Sheffield" stands) have been provided within the public piazza area, and thereafter retained throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason;- To ensure adequate visitor cycle parking.

- 7 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 8 Prior to any demolition works, a qualified asbestos contractor shall be employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

Reason: To ensure the safe development and secure occupancy of the site proposed for use.

- 9 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 is required to be deleted 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).

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

Reason: In the interests of traffic and pedestrian safety.

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

Reason: To protect the amenity of nearby residents

- 12 (a) No development shall commence on site (save for demolition) 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 for the lifetime of the construction of the development.

- (b) The 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.

- 13 Prior to any felling of the existing London Plan tree, located in the north-east corner of the site (identified as TN4 in the Phase 1 habitat survey) further survey work shall be carried out by an experienced ecologist for any bat roosts. If roosts are found to be present appropriate mitigation measures shall be submitted to and approved in writing by the local planning authority prior to the carrying out of any works to this tree, and thereafter works shall be fully implemented in accordance with the details so approved.

Reason: In the interest of biodiversity and in accordance with the Wildlife & Countryside Act

- 14 Not less than 10% of residential units shall be wheel chair accessible (in the case of Affordable Rented units) or Easily Adaptable (in the case of Private and Intermediate units) unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

- 15 The area denoted as "public plaza" within the plans hereby approved shall be provided upon first use of the buildings hereby approved, shall be made publicly accessible (save for temporary closures of parts of the space that are required for maintenance purposes) and shall be permanently maintained thereafter for the lifetime of the development.

Reason: In the interests of amenity and the environment for residents and other users of the development and the High Road.

- 16 Notwithstanding the contents of the Design & Access Statement further details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction work is commenced (save for demolition). The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority .

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

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

(a) the identification and means of protection of existing trees and shrubs not directly affected by the building works and which are to be retained, this shall make reference to the existing trees along the southern site boundary;

(b) proposed walls and fences and other means of enclosure indicating materials and heights;

(c) screen planting along the eastern and western boundaries

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

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

(f) provision for satisfactory safety features around the water feature

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

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



(i) further details of all outside seating and childrens play equipment.

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

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

- 18 Prior to the commencement of any works on the site a Construction Logistics Plan, including but not limited to detailed measures of how construction related traffic is to be managed, shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to mitigate the impact of the development on local highway conditions during the works.

- 19 Prior to the occupation of any part of the residential development, the applicant shall submit a verification report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment have been implemented in full. The verification report is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 20 The Combined Heat and Power unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Assessment. Tests shall be undertaken on the installed unit to demonstrate that the emissions standards have been met, and a report setting out the results and conclusions of that test shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use. The CHP unit shall thereafter be maintained in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality, in accordance with Brent Policies.

- 21 Following the demolition of the buildings and 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 in writing by the Local Planning Authority prior to the commencement of construction works, 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.

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

- 22 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. A verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating 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

- 23 Prior to occupation of any of the residential units a post-completion test shall be carried out to demonstrate that the required internal noise levels for residential units as recommended within BS8233:2014 have been met and the results of this shall be submitted to and approved in

writing the Local Planning Authority prior to first residential occupation. Should the results show that the required internal noise levels have not been met, for any of the residential units then a scheme of mitigation works shall be submitted to and approved in writing by the Local Planning Authority, and the approved works fully implemented prior to first occupation of those affected residential units.

Reason: To obtain required sound insulation and prevent noise nuisance in the interests of prospective occupiers residential amenity.

- 24 Prior to commencement of works (save for demolition) further details of mitigation measures, to ensure an acceptable environment is maintained in terms of pedestrian comfort and wind force conditions for the central amenity space, are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented fully in accordance with these approved details, and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure the safe occupancy of the site.

- 25 Prior to commencement of works (save for demolition) further details of all external lighting, (and CCTV) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented thereafter, and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety, amenity and convenience.

- 26 A Parking Management Plan shall be submitted to and approved in writing prior to first occupation of the development. The plan shall demonstrate how the disabled only parking spaces on-site will be allocated only to residents who possess a Blue Badge parking permit, with a mechanism for the allocation of spaces to be reviewed on a regular basis to ensure the needs of disabled occupiers are properly considered for the lifetime of the development. The approved plan shall be implemented in full, and maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure adequate provision is made on site for disabled parking.

- 27 Notwithstanding the plans hereby approved a revised landscape plan shall be submitted to and approved in writing demonstrating how "play zone 4" (previously depicted on drg 692.4F) will be re-located on site, and the development shall be carried fully in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason; To ensure satisfactory provision for child play space on site.

- 28 Within 3 months of the date of commencement of works on site, details of proposed bird and bat nesting boxes shall be submitted to and approved by the Local Planning Authority. The installation of the approved nesting boxes shall be undertaken in full in accordance with the Phase 1 habitat survey and prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of wildlife preservation

- 29 A Demolition Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any demolition or construction works on site. The approved Statement shall be fully implemented thereafter in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the detrimental effects of noise and disturbance from demolition / construction works on adjoining sites and nearby residential occupiers.

## INFORMATIVES

- 1 If the development is carried out it will be necessary for existing crossing(s) to be altered over

the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

- 2 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
  
- 3 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 Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016

**15/4473**

### SITE INFORMATION

**RECEIVED:** 14 October, 2015

**WARD:** Wembley Central

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** CAR PARK, Montrose Crescent & Land N/T 499 & 509 High Road, Wembley (including existing steps connecting to High Rd, Wembley with Station Grove), HA0

**PROPOSAL:** Proposed redevelopment of Montrose Crescent car park and land n/t 499 and 509 High Road, Wembley to include a part 3, 6, 13 and 18 storey development on Curtis Lane and a part 4 and 6 storey building on the High Road, Wembley comprising of 186 residential units (43 x 1 bed, 108 x 2 bed and 35 x 3 bed), 1,312 sqm of commercial space comprising A1, A2, A3, A5, B1(a) and/or D1 uses, replacement public car park comprising of 89 public car parking spaces, associated amenity space, landscaping, cycle parking, new lift access to High Road together with alterations to existing stepped access from the High Road to Curtis Lane and Station Grove and public realm improvements.

**APPLICANT:** Ares Properties Limited

**CONTACT:** Maddox and Associates Ltd

**PLAN NO'S:** (See Condition 2)

#### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Devices](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_124568](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124568)

[When viewing this in Hard Copy](#) .

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/4473" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: CAR PARK, Montrose Crescent & Land N/T 499 & 509 High Road, Wembley (including existing steps connecting to High Rd, Wembley with Station Grove), HA0

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This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS



Above: Site plan



Above: CGI from Station Grove



Above: CGI from Copland Road



Above: CGI from High Road

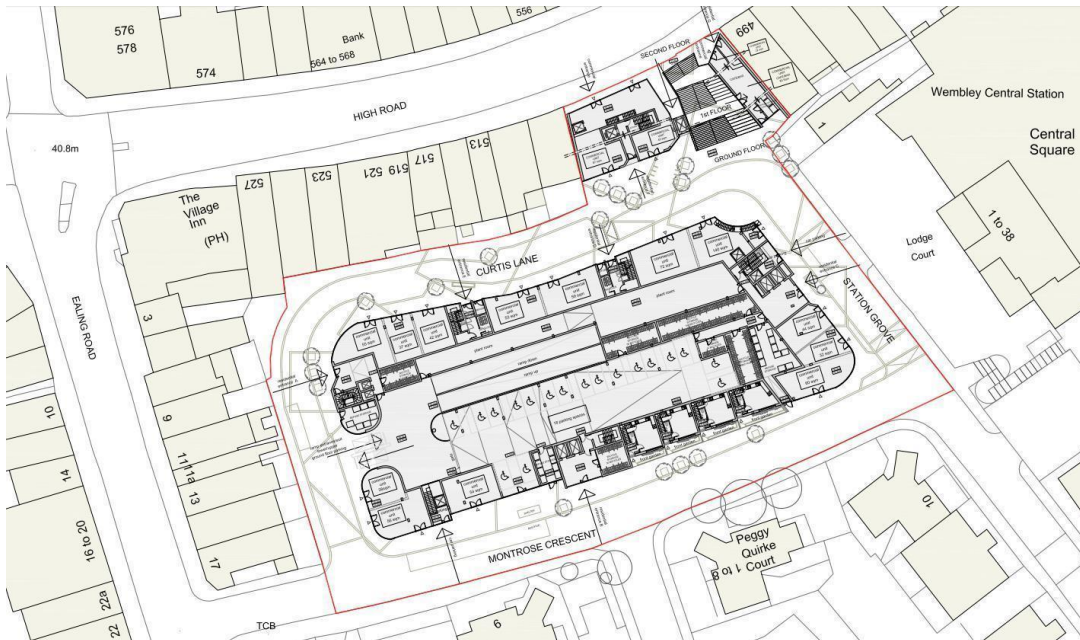




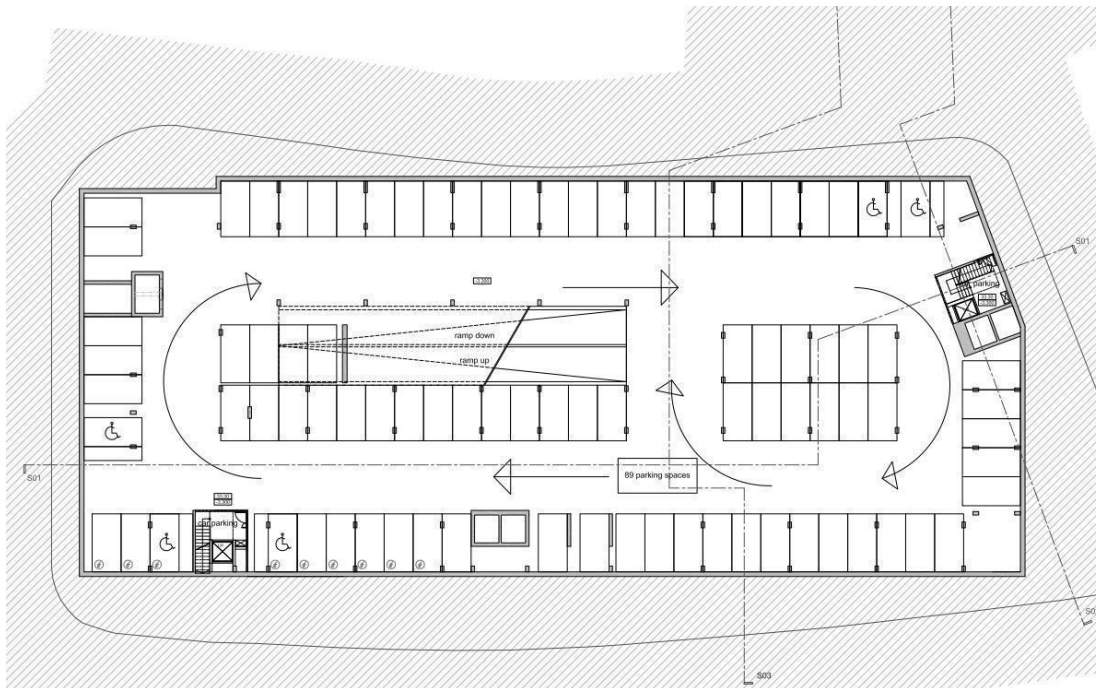
Above: CGI from High Road



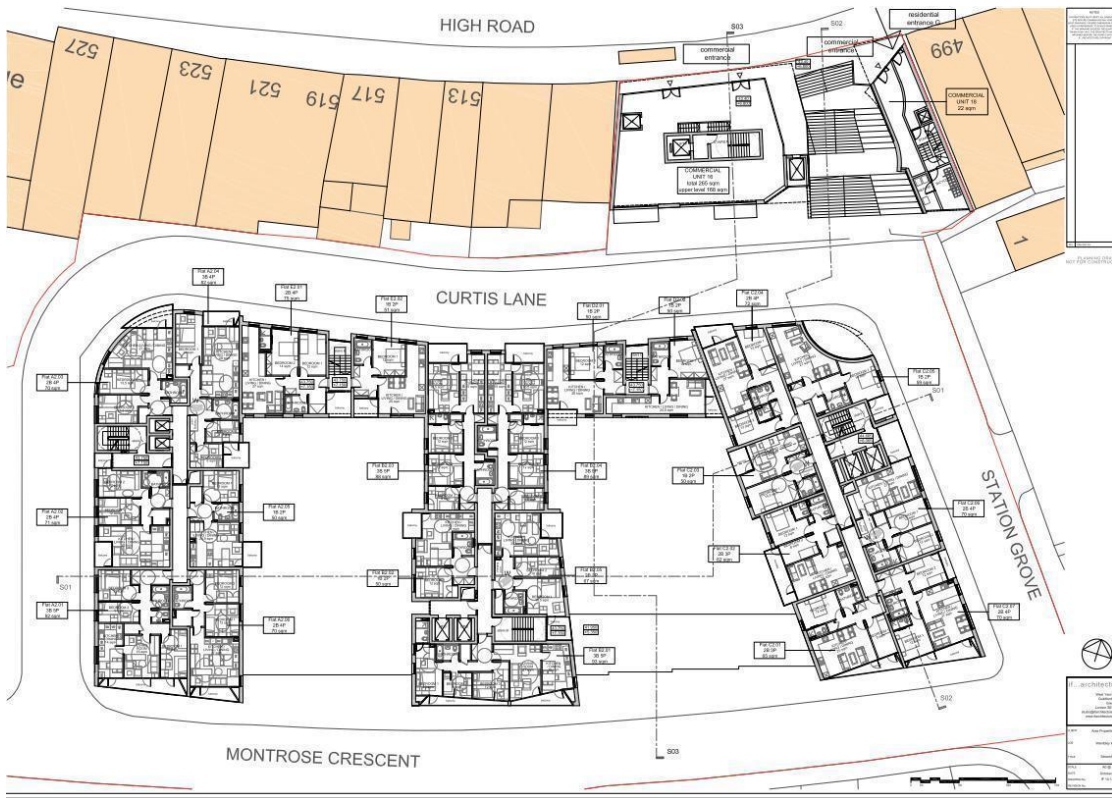
Above: Landscape plan



Above: Ground floor plan



Above: Basement car park plan



Above: Second floor plan



Above: High Road elevation



Above: South elevation (Montrose Crescent)

## RECOMMENDATIONS

Resolve to grant planning permission subject to the referral to the Mayor of London, and subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer., subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

Proposed redevelopment of Montrose Crescent car park and land n/t 499 and 509 High Road, Wembley to include a part 3, 6, 13 and 18 storey development on Curtis Lane and a part 4 and 6 storey building on the High Road, Wembley comprising of 186 residential units (43 x 1 bed, 108 x 2 bed and 35 x 3 bed), 1,312 sqm of commercial space comprising A1, A2, A3, A5, B1(a) and/or D1 uses, replacement public car park comprising of 89 public car parking spaces, associated amenity space, landscaping, cycle parking, new lift access to High Road together with alterations to existing stepped access from the High Road to Curtis Lane and Station Grove and public realm improvements.

### B) EXISTING

The application site comprises of two parcels of land within Wembley Town Centre, one is south of Wembley High Road and bound by Curtis Lane and Montrose Crescent. This is Montrose Crescent surface car park, which is a public pay and display car park that primarily serves shoppers and visitors to Wembley Town Centre, and the northern section of Ealing Road. The car park has 130 spaces, including 3 disabled spaces. This car park is situated to the rear of buildings fronting High Road, Wembley and is set at a significantly lower level to the High Road.

In addition the site also comprises a vacant, cleared plot of land between 499 and 509 High Road. The existing stepped access which links High Road with Curtis Lane, Station Grove, Montrose Crescent and beyond is part of the application site, and upgrade works are proposed to this stepped access as part of the proposals. There is a significant levels difference between the two sites.

Wembley Central station is immediately adjacent to the site to the east.

This is not within a Conservation Area, nor does it affect any Listed Building's.

### C) AMENDMENTS SINCE SUBMISSION

Since its submission the scheme has been amended in the following ways:-

- Minor alterations to the design / materials
- Minor changes to the commercial unit / shopfront designs to introduce ventilation louvres
- Alterations to the ground floor layout in response to Secure by Design feedback
- Setting back of the car park entry barrier
- Revisions to the highway layout and the location of dedicated on-street loading bays

## D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

- The opportunity for new homes, new commercial floorspace and a significant contribution to the regeneration of the western end of Wembley town centre.
- The contribution towards affordable housing on a site within the designated Wembley Opportunity Area.
- The appropriateness of a dense, residential led mixed use development in this location.
- The replacement town centre shoppers car park.
- The transport impacts of the proposed development.
- The quality of the proposed residential accommodation.
- The impact of the development on the living conditions of neighbouring occupiers.

The wide range of public realm improvement proposed, including improvements to the existing High Road stepped access.

## 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				18782	18782
Shops	0		0	2681	2681
Sui generis				1312	1312

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
EXISTING ( Flats û Social Rented )										
EXISTING ( Flats û Intermediate )										
PROPOSED ( Flats û Market )	32	97	23							152
PROPOSED ( Flats û Social Rented )	5	9	12							26
PROPOSED ( Flats û Intermediate )	6	2								8

## RELEVANT SITE HISTORY

There is no recent planning history relevant to the Montrose Crescent car park site, or the vacant land situated between 499 and 509 High Road, Wembley.

## CONSULTATIONS

Press Notice published on 05/11/15  
Site Notice(s) displayed on 16/11/15

Statutory consultation period of 21 days started on 29/10/15. In total 909 individual properties were notified of the proposal. This included properties at the following locations;-

*Central Square*  
*Manor Court, Central Square*  
*Ramsey House, Central Square*  
*Metro Apartments, Central Square*

*Document Imaged*

*DocRepF*  
*Ref: 15/4473 Page 3 of 35*

Chaplin Road  
 Copland Road  
 Ealing Road  
 High Road, Wembley  
 Lancelot Road  
 Montrose Crescent  
 Ranelagh Road  
 Station Grove  
 Turton Road, and  
 Union Road

To date a petition raising objection has been received, this is signed by 65 signatories. In addition two individual objections have also been received.

One representation in support of the proposal has been received. It is stated this proposal will be a positive addition to the area, provided it does not worsen existing traffic congestion problems in the area.

<b>Grounds for objection</b>	<b>Response</b>
The proposal will cause further traffic congestion in the area, and it should be retained as a car park.	see paragraph's 45 - 54
Loss of view	One's view is not protected in planning terms. Notwithstanding this Lodge / Manor Court is sited some 26m away from the tallest element fo the proposal and due consideration has been given to the impact on neighbours outlook, daylight and sunlight, as discussed in paragraph 102
What will happen to the existing car park, and where will these cars go in future?	A public pay and display car park is being re-provided at basement level. This is discussed further in paragraph's
Where will future residents park?	The scheme is parking permit free. Residents will not be eligible for on-street parking permits in the vicinity of the site.  The residents parking spaces at ground floor are for Blue Badge holders only.
What will happen to the existing H17 & 223 bus stop on Montrose Crescent?	This will be temporarily relocated along Station Grove, and this will be confirmed in a Construction Logistics Plan to be secured by condition.
The 18-storey block is out of context to the existing buildings.	see paragraph's 71 - 74  The tallest element of the development is comparable to the the height of Lodge Court  It should be noted that the height was not raised as a concern following the CABA review, nor has it been raised by the GLA in the Mayor's Stage 1 report.
Loss of natural light to Lodge Court.	See paragraph 102
Will increase pressure on schools, doctors and dentists	The Community Infrastructure Levy (CIL) will be charged on the development. This will secure significant funds to make infrastructure improvements. This money can be used to fund new schools, doctors and dentists.
Disruption to residents during construction due to noise, construction vehicles, dust and dirt.	It is inevitable that there would be some degree of disruption, as there would with any large development of this sort of magnitude. A Construction Logistics Plan will be secured by condition, and there is other legislation (outside of planning control) that can be used to control working hours, noise and disturbance should this be required.

<p>Will result in poor air quality in the surrounding area due to increased traffic congestion that would follow.</p>	<p>Mitigation measures are proposed for air and noise quality to minimise impacts during construction. These will be secured in a final Construction Management Plan.</p> <p>Air quality impacts in relation to traffic associated with the development are predicted to be negligible.</p>
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## STATUTORY CONSULTEES

### **Transportation;-**

See detailed comments below in 'Remarks' section

### **Urban design;-**

No objection has been raised, further clarity was sought on fenestration and external materials

### **Landscape Design / Principal Tree Officer;-**

No objection has been raised, observations have been made in respect of the proposed public realm improvements, namely the palette of materials and tree planting methods. In any event it is noted this will be captured through the S38/278 agreement. Further clarification is sought on planting and tree planting details, which is secured through a landscape condition.

### **Regulatory Services (Environmental Health);-**

No objection raised, but conditions have been recommended relating to air quality impact assessment, demolition and construction on site, and verification of the implementation of noise mitigation measures as recommended in the submitted noise assessment.

### **Sustainability Officer (internal);-**

The energy strategy is of high quality. It considers Lean, Clean and Green measures as required by the London Plan and shows how it meets the 35% reduction over Part L 2014. No further information is required.

### **Thames Water;-**

No response.

### **Transport for London;-**

- Require an increase in electric vehicle charging points
- Require the development to permit free for future residents
- Sought clarity on cycle parking for commercial units
- Secure all highway and public realm works through legal agreement
- Reviw and revise the initial travel plan in order to pass the ATTrBute assessment
- Secure the provision of a Delivery & Servicing Plan and Construction Logistics Plan by condition.

### **Greater London Authority (GLA);-**

The application is referable to the Mayor of London under the provisions of the The Town & Country Planning (Mayor of London) Order 2008. The application is referable under category 1A of the Schedule to the Order 2008, namely the development comprises or includes the provision of more than 150 houses, flats or houses and flats.

The Stage 1 report is dated 08/12/15. In their report it is stated that the principle of a proposed residential-led, mixed use development is supported in accordance with local and strategic planning policy. However, specific issues relating to housing, affordable housing, play space, inclusive design, sustainable development and transport should be resolved prior to the final decision making stage to ensure compliance with the London Plan.

- Housing & affordable housing;- The proposed housing mix, density and quality standards are generally supported, subject to the submssion of a detailed residential schedule. However, further discussion is welcomed pending the outcome of the independent assessment of the applicant's viability appraisal regarding the maximum reasonable amount of affordable housing and how the proposed tenure split has been arrived at.
- Children's play space;- Further clarification is required with regards to the proposed child yield of the development, and the size of the dedicated play areas and how this correlates with the overall child yield and and the access arrangements. The applicant should also demonstrate how the needs for older

children will be met.

- **Urban design**;- Following the positive engagement with GLA officers and design revisions made the scheme is now supported in strategic urban design terms.
- **Inclusive design**;- It should be confirmed that the 10% wheelchair accessible units will be provided across all tenures. It should also be demonstrated how the shared surfaces around the building will be safe, accessible and provide clearly defined and safe crossing points for those who are visually impaired.
- **Sustainable development**;- The carbon dioxide savings meet the target set within policy 5.2 of the London Plan. Further information is sought to support the carbon savings before compliance can be verified.
- **Transport**;- Further discussion, clarification and / or commitments are required to address those issues regarding electric vehicle charging provision, securing pedestrian improvement measures, provision of staff cycling facilities, a cycling audit, financial contributions towards bus capacity improvements, submission of a revised travel plan and the provision of a construction logistics plan.

Once Members have resolved to determine the application it is necessary to refer the application back to the Mayor for a decision as to whether to direct refusal, take it over for determination or allow the Council to determine the application itself. This is known as the Stage 2 referral.

#### **Ward Councillors for Wembley Central;-**

No written responses have been received.

## **POLICY CONSIDERATIONS**

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015
- London Plan 2015
- Mayors Housing SPG 2012
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 ('saved' policies)
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's106 Supplementary Planning Document
- Brent's Site Specific Allocations Development Plan
- Wembley Area Action Plan 2015
- Wembley West End SPD 2006

## **DETAILED CONSIDERATIONS**

### **Land Use Principles**

1. The site is situated within the designated Wembley Town Centre boundary. The existing site is identified within the adopted WAAP (2015) as Site W1, and is allocated as being suitable for comprehensive mixed use development including retail or other town centre uses. A replacement town centre car park and amenity space should be provided.
2. Due to the complexity of the site, the change in levels between High Road and Montrose Crescent and the multiplicity of ownership a series of developments have not been progressed over previous years. Due to ownership the ambitions for a comprehensive approach have not been realised to date, and mean



that it is highly unlikely they ever will. The extremely fragmented ownership is the main reason why this application comes forward involving part of, but not all of the allocated site outlined in allocation Site W1. When the scheme was initially discussed at pre-application stage it was acknowledged by officers that the phased redevelopment of the site could be supported in principle, due in part to the fragmented ownership and related issues, and subject to the current proposals not prejudicing the remainder of the site, should this come forward in the future for development. It is officers view that the current scheme would not be prejudicial to the later redevelopment of the wider W1 were this to come forward.

3. The Wembley West End site is a major development site within the town centre, and could deliver significant regeneration to the western end of Wembley town centre. Mixed use redevelopment is supported in policy terms on this gateway site to the town centre.
4. The Wembley West End (South) SPD was adopted in 2006, it has in part been superseded by the more recent WAAP document. This SPD supports the comprehensive redevelopment of the wider site, requires a replacement town centre car park, supports new retail / commercial uses and deems higher density development to be appropriate. In design terms it identifies that a higher scale towards Station Grove may be acceptable, provided proposals attempt to mitigate any potential negative impacts of a taller building through exemplary design. This SPD is evidence of the policy support for the redevelopment of this key town centre site, and the more recent site allocation W1, identified in the WAAP reinforces this.
5. London Plan policy identifies Wembley as an opportunity area, and the site is within the designated Wembley Opportunity Area which has been identified as having the capacity to deliver 11,500 new homes and 11,000 jobs.
6. London Plan policy 2.15 promotes London's network of town centres as the main foci beyond the Central Activities Zone for commercial development and intensification including residential development and that development in town centres should seek to sustain and enhance their vitality.
7. In light of the above, the principle of the proposed intensification of the application site via a residential-led mixed use scheme to provide 186 residential units including commercial floorspace, a replacement shoppers car park and associated amenity space is supported in accordance with local and strategic planning policy.

#### **Affordable Housing**

8. Policy 3.13 of the London Plan requires affordable housing to be provided on sites which are capable of providing 10 or more homes. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable and in line with London Policy 3.12 the maximum reasonable amount of affordable housing will be sought when negotiating on individual private residential and mixed use schemes, with due regard to a number of factors including development viability.
9. The proposed scheme was initially to provide for 34 of the 186 flats to be delivered as affordable housing (18.28%) and the applicant has submitted a Financial Viability Assessment (FVA) undertaken by HEDC to support that position in line with planning policy. The FVA contends that 18.28% affordable housing represents the maximum reasonable and viable amount of affordable housing the proposed scheme can deliver, with the residual value of the scheme in deficit against the benchmark land value.
10. Officers appointed BNP Paribas to undertake an independent review of the HEDC FVA. BNP Paribas have confirmed that the private residential sales values are reasonable, and their quantity surveyor has confirmed the base build costs are reasonable. There has however been lengthy dispute over a number of the other FVA assumptions, including the developer profit margin, Existing Use Value (EUW) of the site, affordable housing values, construction timetable and some other costs. The applicant and HEDC in the course of the FVA review have conceded on some matters, including a reduction in the developer profit margin from 20% to 17%, and provided additional evidence to support other elements of the FVA.
11. BNP Paribas have confirmed that 18.28% does represent the maximum reasonable and viable amount of affordable housing the proposed scheme can deliver, however on the basis of an appraisal of proposed scheme where the residual value deficit against the benchmark land value is de minimis.
12. Sensitivity analysis undertaken as part of the review also indicates that in the circumstances of reasonable residential sales values growth over the course of the development, there would be the scope for the scheme to deliver additional affordable housing planning obligations. Given the relatively low level of affordable housing proposed against the Local Plan target, and these reasonable prospects, Officers

therefore recommend that a s106 review mechanism reassess scheme viability post implementation and prior to practical completion, such that a reasonable proportion of any surplus generated over the agreed developer profit margin (but capped at a level commensurate with 50% affordable housing delivery on the scheme) be ringfenced for affordable housing delivery elsewhere in the borough.

13. Following further negotiation with the applicant, and despite the FVA demonstrating that only 34 flats (18.28%) is currently the maximum reasonable amount of affordable housing the scheme can viable bear, the applicant has in good faith offered to provide in total 38 flats (20.43%) as affordable housing on a broadly policy compliant 69:31 tenure split. This revised offer is welcomed and officers consider there to be sound justification behind the proportion of affordable housing proposed. The review mechanism will still be captured through the s106.

### **Housing Mix**

14. The proposed development would provide the following schedule of accommodation.

Unit type	Unit No.s	Mix (%)
Studio	0	
1-bed	43	23
2-bed	108	58
3-bed	35	18.8
<b>TOTAL</b>	<b>186</b>	

15. Core Strategy policy CP2 sets out that 25% of all new housing should be family-sized (3+bedroom). The proposed development would provide 18.8% 3-bedroom units and therefore it is short of the target. Notwithstanding this officers recognise this is a high density residential scheme, in a town centre location and inevitably it will not always be possible to achieve 25% of units as family units when individual site circumstances are taken into account, and when balanced against the suitability of the site, the need to maximise housing output and the proportion of affordable housing.
16. The proposal provides a mix of market housing and Affordable Housing. The Affordable Housing is proposed in the form of affordable rented units (all of Core A, 26 units) and 12 units as shared ownership (in Cores D, E and H). The 38 affordable units equates to 20.4% affordable housing provision.
17. The proportion of affordable housing proposed has been justified through a viability assessment, this has been subject to review by an independent consultant. This review has been carried out in order to assess whether the proportion of affordable housing represents the maximum reasonable amount, in line with London Plan (2015) policy 3.11.

### **Density**

18. Given the characteristics of the site, the PTAL rating, and its central location the London Plan density matrix (policy 3.4) would suggest an indicative residential density of between 650 to 1100 habitable rooms per hectare. The density calculation suggests the proposed development would have a density of 1490 habitable rooms per hectare (hr/ha) or 504 units per hectare. The proposed development has a density that exceeds the appropriate range, in the Mayor's Stage 1 report this is acknowledged by the GLA, who state the density ranges set out in table 3.2, of policy 3.4 of the London Plan should not be applied mechanistically and that PTAL alone is not an appropriate measurement for density. Other factors such as local context, design, transport capacity, infrastructure and amenities such as open space and play space are all factors to be taken into consideration when optimising housing potential. It should also be acknowledged the site is in an identified Opportunity Area, and is a location where residential densities and output should be optimised and one where development proposals should contribute towards meeting, or where appropriate, exceeding the minimum guidelines for housing, in accordance with London Plan policy 2.13.

### **Transport**

19. The application site has a PTAL level 6 (excellent). Wembley Central station is adjacent to the site, to the east. It is also well served by a number of bus routes along High Road, Ealing Road and Montrose Crescent.
20. Montrose Crescent is a local access road and bus route. Curtis Lane is an adopted rear service road and

Controlled Parking Zone "C" - 8am - 6.30pm, Mon-Sat (midnight on Wembley Stadium event days) operates.

### Residential

21. Residential car parking is proposed for blue badge holders only (Wheelchair Accessible parking). Car parking standards for the proposed uses are set out in the adopted WAAP (2015). The standard for residential use allows up to 0.4 spaces per unit for 1/2-bed flats and 0.6 spaces per unit for 3-bed flats where the public transport access is good. Applying these standards the 186 proposed flats would be permitted up to a maximum 81.4 car parking spaces and therefore the proposed provision of 19 disabled spaces at ground floor level would accord with standards, whilst also providing a disabled parking space for 10% of the units to satisfy Brent's adopted standard PS15 and London Plan 2015 policy. Access to the residential spaces will be via a vehicular gate, and separate from the basement level town centre car park which will allow access to be restricted to only those residents with 'Blue Badge' parking spaces.
22. However, UDP (2004) Policy TRN23 also requires consideration to be given to the impact of any overspill parking on traffic flow and road safety in the area. Although the adjoining streets are not heavily parked at night, there is not considered to be sufficient spare capacity to accommodate residential parking from a development of this scale. The site does have very good access to public transport services (PTAL 6) though and is located within a Controlled Parking Zone, so there is the scope to apply a 'parking permit restriction' to all of the proposed flats, thereby removing the right of future occupants of the development to on-street parking permits. It is recommended that this parking permit restriction be secured through a Section 106 Agreement, with an obligation on the owner to notify all prospective residents in writing of the permit restrictions. This would provide an effective form of mitigation against future overspill parking on surrounding roads.
23. To support the 'parking permit restricted' housing, a Car Club bay is proposed to be provided on-street along the western side of Station Grove fronting the site. This is welcomed in support of the Travel Plan measures and the Traffic Regulation Order for the bay will form part of the approved S278 works.

#### *Cycle Parking;-*

24. Standard PS16 of the adopted UDP 2004 requires at least one secure bicycle parking space per flat, so the proposed provision of 372 secure bicycle parking spaces within various secure storage rooms is more than sufficient to satisfy requirements. This is confirmed by Brent officers, and the GLA.

### Commercial

25. For the commercial units, maximum standards vary according to the use proposed, with one space per 100m<sup>2</sup> allowed for retail uses and one space per 400m<sup>2</sup> allowed for office uses. Both the size and use of the various units within the site is proposed to be flexible, with unit sizes potentially varying between 32m<sup>2</sup> and 265m<sup>2</sup>. Nevertheless, with no allocated parking proposed for any of the commercial units, maximum standards would be complied with.

#### *Cycle Parking;-*

26. For the commercial units, standards again vary according to use, but as a rule of thumb, it is recommended that at least ten publicly accessible spaces are provided within or alongside the site. To this end, eight 'Sheffield' stands (16 spaces) are proposed within the re-landscaped length of Curtis Lane close to the steps to the High Road, which is welcomed.

### Replacement Town Centre Car Park

27. It is a requirement of Core Strategy site allocation W1 that a replacement town centre car park is provided. The site currently comprises a public car park, comprising of 130 spaces (including 3 disabled spaces) which is fairly well used. This parking offer is proposed to be reduced in size and re-provided within a new basement level, comprising of 89 car parking spaces.
28. To support the basement parking proposal, a Car Parking Assessment has been submitted with the application which includes detailed surveys of existing car park usage across the course of a week and weekend in July 2015. These surveys showed parking demand peaking at 106 vehicles between 1.30-2pm on a weekday lunchtime, with the only other period during which demand exceeded 90 vehicles being between 1.15-2pm on a Sunday.

29. As such, there would be a potential shortfall in parking provision within the basement car park at the mid-point of the day if the car park is reduced in size to 89 spaces.
30. However, the survey also identifies a total of 155 on-street pay and display bays within 200m of the site, principally on Station Grove but also on Montrose Crescent, Union Road, Copland Road, Ealing Road, Lancelot Road and Turton Road. On cross-checking capacity, your Transport officers advises that a figure closer to 135 bays appears to be available in practice, with the number of bays in Station Grove in particular being overestimated in the submitted assessment.
31. Four surveys undertaken on a weekday, Saturday (non-event), Saturday (Stadium event) and Sunday in July identified peak occupancy of 84 cars in these bays on the Sunday survey, leaving a minimum of 51 unused pay and display spaces in the vicinity of the site. This is evidence of spare parking capacity existing on surrounding streets within the vicinity of the site.
32. On this basis, there is considered to be sufficient parking available on- and off-street to meet the current peak demand for public car parking on this site. On this basis town centre parking provision will not be unduly affected by the parking offer.
33. Nevertheless, previous Council surveys of car park usage in Wembley town centre generally show that other car parks offer plenty of spare capacity, with Wembley Central and Elm Road car parks in particular being consistently less than 50% occupied. As such, evidence suggests there is no general shortage of on- or off-street pay and display parking in Wembley town centre, so the advice from your Transport officer is that any reduction in the capacity of this car park could be comfortably absorbed in the local area.
34. To ensure the basement car park is welcoming and attractive for users it is essential the design and layout is well considered and safe for users. To this end your Transportation officers have stated that the car park must be designed to obtain 'Park Mark' accreditation, and confirmation of this being achieved is to be secured through condition. In terms of the practical aspects of the car park design, your Transportation officer has advised that suitable dimensions are shown for parking spaces and the aisle widths, with a suitable proportion of disabled (5%) and electric vehicle charging points (10%) shown. It has been confirmed that headroom within the car park will provide the necessary head height (at least 2.6m) for access to the wheelchair parking spaces, to allow higher vehicles to access those spaces. This is welcomed by Transportation
35. Access to the basement car park is proposed via a 6.6m wide, two-way straight ramp to a gradient of 9.65%, which is in line with recommended design guidance, subject to the provision of 300mm kerbed margins on either side.
36. The access into the car park from Curtis Lane is otherwise shared with the access to the disabled residential car parking spaces, with an entry/exit arrangement with 2.9m lanes separated by a 400mm island with a ticket machine and barriers. The entry barrier has, at the request of Transportation officers been moved further back into the site to allow the residential parking area to be accessed independently of the town centre car park barrier.
37. Pedestrian access to the town centre car park is proposed in the NE and SW corners of the site from Station Grove and Montrose Crescent respectively and will comprise stairs and lifts, which is fine. These entry / exit points are considered to be the most legible locations for pedestrians and will assist in terms of pedestrian wayfinding for the car park.
38. A Car Park Management Plan setting out charging structures and enforcement measures should also be submitted for approval, and this is to be secured by condition. In addition, car park directional signage is fairly limited at present, with only small car park direction signs located on Ealing Road. As a minimum these should be enlarged and supplemented by a sign on Montrose Crescent opposite the Curtis Lane junction. Further details of both will be secured through condition.

*Servicing & Access;-*

39. Standards PS17, PS19 and PS20 of the adopted UDP generally require small retail, café and office units of under 100m<sup>2</sup> to be serviced by transit sized vans, with larger units requiring servicing by 8m rigid vehicles.

40. As with the parking assessment though, the proposed flexibility in terms of the size and the use of the commercial units means a firm assessment of servicing requirements is not possible, but as an average your Transportation officers advise, provision of about six transit sized bays would be broadly in line with standards for retail uses.
41. No off-street servicing is proposed within the site in any case though. Instead, the building is to be set back from the existing highway along the Curtis Lane and Station Grove frontages of the site in order to allow a new footway of between 2.4m – 3m width to be provided around the eastern, northern and western sides of the site, with the footways along the Montrose Crescent frontage and on the opposite side of Curtis Lane also widened. Alongside the provision of new and widened footways, Curtis Lane itself is proposed to be enhanced with new surface treatment to make the street more attractive, more pedestrian friendly whilst introducing vertical deflection and selective carriageway narrowing down to 3.7m to keep traffic speeds low through here.
42. Incorporated into the highway design will be on-street loading bays for use by this development and the existing units fronting High Road and Ealing Road opposite. This layout has been amended to satisfy Transportation. In total four on-street loading bays are proposed around the site, and tracking has been carried out to confirm that a refuse / emergency vehicle can travel around the site with the servicing bay locations as proposed.
43. The new loading bays will also need to serve existing shops and businesses at 509-527 High Road and 1-17 Ealing Road as well as the new commercial and residential floorspace proposed. Surveys of vehicle delivery movements in Curtis Lane suggest that the road currently carries up to 4 movements per hour. On this basis, and following examination of survey delivery movements for comparable sized developments in London the provision of four bays is considered to be sufficient, and will ensure the High Road infill building can be also serviced at the rear, clear of High Road which is welcomed.
44. A Delivery & Servicing Plan has also been produced to accompany this application. This proposes that deliveries are scheduled between commercial operators, with delivery times planned one day in advance. Deliveries at peak times will be avoided where possible. Requests will also be made to commercial operators and to residents to only use companies that use 8m rigid lorries or smaller
45. To ensure that a quick turnover of loading bay occupancy is maintained, it is suggested that a 20 minute time limit be applied to each bay. This will need to be reflected in the Traffic Regulation Order, but is certainly feasible.
46. The length of the road between Montrose Crescent and the car park entrance is also proposed to be made two-way, to improve egress from the basement public car park.
47. In addition, the buildings fronting High Road are also to be set back at street level by about 1.2m to increase the footway width along this section to about 4.5m. This is welcomed in this busy stretch of highway, where the presence of a bus stop adds to footway congestion. The applicants have confirmed that they are also agreeable to an obligation requiring them to upgrade the existing pavement along this stretch. This will be captured through the S38/278 agreement.
48. As part of the public realm / highway works raised tables are proposed on Curtis Lane at the foot of the steps from the High Road and from Wembley Central Square to provide level pedestrian crossing surfaces to better link the development with Wembley town centre.
49. The provision of new and widened footways and raised tables is welcomed as a necessary requirement to provide safe and convenient access to the proposed commercial units along Curtis Lane and need to be constructed to an adoptable standard and offered for adoption as public highway under S38 of the Highways Act 1980. Such works also need to include the footway fronting 1 Station Grove, which is outside the red line of the application site.
50. It is noted that the building is proposed to oversail the new footway around much of the site perimeter, but headroom above the footway of at least 3m is provided in all locations, increasing to 4.5m where the building is within 1.5m of the carriageway. With these clearance heights achieved Transportation have confirmed, the oversailing of the building is fine in principle and will require a S177 oversailing licence from Brent's Transportation Unit, alongside the S38 approval process.

*Transport Assessment / Trip Generation;-*

51. Future predicted trips to and from this development have been estimated using comparisons with three residential developments and seven food retail units within areas of London that have very good access to public transport services. The sites chosen are considered to offer an appropriate comparison.
52. Totalling residential and retail trips together gives estimated movements to and from the development totalling 83 arrivals/125 departures in the morning peak hour (8-9am) and 163 arrivals/144 departures in the evening peak hour (5-6pm). Saturday lunchtime retail trips have also been estimated as 136 arrivals/132 departures between 1-2pm.
53. Of the above trips, 9 arrivals/23 departures in the am peak hour and 29 arrivals/27 departures in the pm peak hour are estimated to be by car.
54. However, these predicted flows are very much a worst case. In respect of the proposed development the highly constrained level of residential parking (just 19 disabled spaces) would be likely to further restrain residential car trips, whilst the retail trips have been based upon a worst case of a small food retail store. The occupancy of the retail units is not known, but would be likely to comprise a mixture of small units with generally lower levels of trip generation. In addition, it is anticipated the retail units will draw a great deal of their trade from customers that are visiting the town centre anyway, so many of the trips will not be new. In terms of car trips, many would therefore be using the public car park on the site already.
55. As such, the actual impact of the development on the local road network is not considered to be significant enough to warrant further junction analysis, with the junctions of the one-way Montrose Crescent and Union Road onto Ealing Road not being known to suffer any particular congestion problems. Additional flows on roads and junctions further field would be insignificant in comparison with existing flows.
56. In terms of public transport trips, the development is estimated to generate 6-7 additional bus journeys in the two peak hours and 36-49 additional tube/rail journeys. Although the restraint on parking within the site may mean these figures are underestimated.
57. TfL has in its formal response identified that existing bus routes through Wembley are currently exceeding capacity. With the number of large developments planned in Wembley, and the uplift in residential units that would follow were these all to be implemented then there is an approach to seek contributions from these to go towards bus capacity enhancements. The need for a financial contribution has therefore been highlighted. TfL has requested £109,000 however the amount is subject to further discussion between TfL and the applicants and the agreed level of contribution will be secured through legal agreement, and agreed prior to the application being reported to the Mayor for his Stage 2 report. In this situation Members are requested to make a resolution on the application and to delegate authority to officers to agree the final level of contribution, pending further discussion between TfL and the applicant.
58. In terms of walking and cycling routes the additional trips are considered to be significant. To help to establish the impact of these trips, a PERS audit of the local pedestrian network has been undertaken. This has identified problems with the lack of footways along Curtis Lane and vegetation on Station Grove adjoining the site, which will be addressed by the proposed S278 highway works. In addition, restricted footway width along Montrose Crescent with obstruction by bus stops, street furniture and trees was identified as a significant issue that would be addressed through the provision of a wider footway.
59. The applicant suggests that the works to the steps and Curtis Lane will help to redirect pedestrian movement away from the High Road frontage to help address footway congestion issues. This is not entirely accepted as being sufficient to address the issues raised, but these will be further considered through Brent's Wembley High Road corridor study, which is currently in progress.
60. Road safety has been considered, and personal injury road accidents in the vicinity of the site have been examined. This showed no recorded incidents on the roads immediately adjoining the site.

*Travel Plan;-*

61. To help to manage future trips to and from the site and ensure the development does not have any negative impacts, a Travel Plan has been prepared and submitted with the supplication.
62. This sets out a range of measures to help to support sustainable travel, including provision of Travel Packs to residents and staff, promotion of walking and cycling initiatives and promotion of public transport, to be managed by a Travel Plan Co-ordinator and monitored over a period of five years.

63. One important further measure is the establishment of a Car Club for the development, which an operator has agreed to establish in a future marked bay on Station Grove. Three years free membership is proposed to be offered to residents, whilst the Car Club operator has offered a free one year business account to future commercial units. This initiative is welcomed and the TRO costs for the bay will need to be wrapped up in the S278 works agreement.
64. The Travel Plan has been assessed using TfL's ATTrBuTE programme and although it is almost a model plan, it was lacking in consideration of future targets against which the success of the plan can be measured. As such, it initially failed the ATTrBuTE test. Modifications have subsequently been made to the plan, and TfL have been able to since confirm that the revised plan is now acceptable. Implementation of this will be secured through the s106 legal agreement.

### Construction Management

65. A Construction Management Plan has been submitted with the application, setting out arrangements for the management of the construction works and associated traffic over the programmed two year period.
66. It is anticipated all construction materials will be stored within the site, with 'Just-in-Time' principles used to minimise on-site storage requirements, which is welcomed. A delivery booking system will also be used to further minimise congestion locally.
67. Construction works will entail the closure of adjoining footways, particularly along Montrose Crescent where the existing bus stop will also need to be closed and relocated elsewhere. The temporary site for this has been agreed with TfL following a site meeting on 26/01/16 and it is understood this is now broadly acceptable to the GLA / TfL. Footway closures will require a temporary Traffic Regulation Order and hoarding licence from Brent's Transportation & Environmental Protection teams.
68. Delivery vehicles will need to approach the site via the Ealing Road/Montrose Crescent junction, but wider routing strategies are not known at present and will need to be agreed at a later date. This will include agreeing abnormal load deliveries with Brent Council and the Police.
69. The above principles will need to be incorporated into a detailed Construction Logistics Plan (CLP) for the development as a condition of any approval.
70. In summary there are no objections on transportation grounds to this development. Subject to a s106 legal agreement to secure undertaking of highway works in Station Grove, High Road, Montrose Crescent, Curtis Lane and the steps linking Station Grove and High Road through an agreement under S38/S278 of the Highways Act 1980. In addition the development would need to secure its status as 'car free' through legal agreement, which will also secure the Travel Plan, and provision of subsidised Car Club membership for future residents. Conditions will secure the submission and approval of a Construction Logistics Plan (CLP) and Car Park Management Plan (CMP).

### Urban Design

#### *Layout -*

71. The proposed development is arranged as two separate buildings, one building sited on the existing car park site, the other on the vacant plot of land fronting Wembley High Road (between no's 499 and 509). Both buildings are to be mixed use, the car park site building will comprise of basement car parking in the form of a replacement town centre car park for public use, with residents parking, commercial and residential uses at ground floor level and residential units above. The High Road infill building will have commercial uses at Curtis Lane and High Road levels, with residential units above. In total the car park site building will have 13 commercial units, with 5 on the smaller High Road site, and these units range in size from 22sqm to 140sqm. The residential elements would have separate accesses (eight in total) from Curtis Lane, Montrose Crescent and Station Grove. Likewise the basement car park will also have separate accesses in the south-west and north-eastern corners of the building, accessed from Montrose Crescent and Station Grove respectively. The commercial units wrap around the car park site building at ground floor, providing active frontages around much of the building and will have level access from Curtis Lane, Montrose Crescent and Station Grove. This approach of wrapping the ground floor with active uses is strongly supported in urban design terms and has the support of the GLA. In the Mayor's Stage 1 report the GLA has confirmed that this layout has positively responded to their earlier concerns about stretches of blank frontages. Commercial units that form part of the High Road building will also

address Curtis Lane, as well as the stepped access (proposed to be widened) and the High Road, which is also welcomed.

72. The commercial offer is strongly supported, it is considered that this will encourage active frontages around the building and to Curtis Lane and will potentially draw pedestrians down from High Road. The activity proposed at ground floor is considered crucial to attracting pedestrian footfall, and the flexibility of commercial uses being sought (Use Classes A1, A2, A3, A5, B1(a) and/or D1 uses) will allow for greater diversity of uses. This flexibility may be beneficial in terms of letting of these units and reduce the potential for these to lay vacant, but also in terms of vitality and viability of the commercial offer at the western end of the town centre.
73. The proposed car park site building would build over the entirety of the existing car park. At first floor level and above the building comprises the residential accommodation in three distinct linear blocks that sit on top of a podium that accommodates the parking and servicing, with the large majority of residential units benefiting from an east-west aspect. These three elements rise to 17, 12 and 5-storey's high (plus ground level). The arrangement proposed ensures that the three distinct elements are arranged around communal courtyard gardens, with an open aspect to the south to maximise daylight and sunlight. The buildings are linked to the north with a horizontal element that is part 2 and part 3 storeys. The separation provided by the courtyard arrangements, means the building separation distances range from 17.6m - 24m, which is broadly compliant with guidance contained in SPG17 and would provide suitable amenity, privacy, outlook and light for future occupiers. Despite the minor shortfall in part across the courtyards it is recognised that this is a dense development, and is seeking to maximise housing potential, in line with London Plan policy. In a high density scheme such as this, within an urban setting it is not unusual to experience some tighter relationships than those that would typically be sought in applying SPG17. Across Curtis Lane the facing elevations of the car park site building (north eastern corner) and south facing units within the High Road building partly overlap, the elevations are 12.6m apart. This relationship will affect nine units, at third, fourth and fifth floors, which equates to 4.8% of all units. Furthermore six of the nine units, those within the car park site building are all dual aspect also, this helps to further mitigate the relationship. This does require further consideration in terms of the relationship between these two buildings, and the quality of residential accommodation (discussed in more detail in the 'Quality of Accommodation section of this report).
74. The car park building is generally not set back from the back edge of pavement at ground floor, however new improved and widened footways are to be provided around the site, and secured under a S278 agreement. Some set back of the building and defensible space is included to the south, along Montrose Crescent. The improvements to the highway and public realm that are proposed around Curtis Lane, Montrose Crescent and Station Grove give scope for new tree planting to soften the environment. As discussed in the 'Transport' section of this report above the High Road block is set back by about 1.2m to increase the footway width along this section of High Road to about 4.5m. This is welcomed in this busy stretch of highway, where the presence of a bus stop adds to footway congestion.
75. Two smaller blocks are proposed to be located on the High Road site, with commercial units at ground and residential above. These blocks will be sited either side of the improved pedestrian stepped access.
76. As discussed below in further detail the existing stepped access connecting High Road and Station Grove is proposed to be widened by approximately 4.5m to improve pedestrian legibility. At the mid point the steps will be 9m wide, increasing to 12m at the widest point, which is at Curtis Lane level, this represents a significant public realm improvement. In addition active uses are proposed to frame the widened steps, a cafe use is proposed to the eastern side of the steps. This commercial unit is entered at the half-way point of these steps to exploit the new extended steps / outside seating area. It is hoped this arrangement will bring activity to this route, and a new fully accessible glazed lift is also proposed within the High Road building to ensure this is fully accessible for all users.

#### *Scale & Massing -*

77. London Plan (2015) policy 7.7 requires that tall buildings relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm. The surrounding area is characterised by varying forms of development which generally move between 3 and 13 storeys high. A cluster of existing tall buildings are evident at Wembley Central. Immediately to the east of the site is Lodge Court, this residential building sits at 13 storeys, further east of this is the more recent Wembley Central development and the tallest element of this is broadly the same height as the proposed 17 storey element. Lower flatted buildings to the south along Montrose Crescent are 3/4 storeys high and the buildings to the north (High Road) and west (Ealing Road) typically range from 3/4 storeys high at Curtis



Road level and 2 storeys high to the High Road and Ealing Road frontages.

78. The proposed development seeks to exploit the level difference across the site in order to place taller elements where they will have less impact. As previously described the car park site building will be 17 storeys (plus ground) to the eastern end, stepping down to 12 and 5 storeys (plus ground) as you move east - west across the site. The High Road infill building will be 4 storeys at this level, adjacent to two storeys. In the context of surrounding built forms, and historic building heights locally in Wembley Central and along the High Road the proposed development is consistent, and appropriate with its local context. The site is located within Wembley town centre, and designated Opportunity Area to accommodate housing growth and in a highly accessible town centre location where more dense development can be accommodated in strategic planning policy terms.
79. A protected views assessment has been carried out to test the impact of the proposed development on Wembley Stadium views that are protected through policy. It is identified that two protected views have the potential to be impacted. These protected views, identified in Core Strategy policy WEM6 are from Horsenden Hill, Perivale (London Borough of Ealing) and One Tree Hill, Alperton (Brent). The assessment demonstrates that the proposed development would partly breach the line of the existing Lodge Court residential block (Wembley Central), and part of the view to the eaves of the southern roof canopy to the Stadium. The Stadium arch would be visually unaffected. The overall impact is therefore considered to be minor and not significant. With regards the second protected view the proposed development would not impact on the Stadium view. On balance it is considered that the visual impact of the proposed development would be acceptable in the context of these two strategic views.
80. Subject to further detailed consideration of the relationship to existing buildings and neighbouring residential amenity (see below section 'Impact on Neighbouring Residents') there are no concerns with the proposed scale and massing of the development.
81. The GLA have set out in their Stage 1 report that the height and massing do not raise any strategic issues, and as a result of the revisions made in response to the GLA pre-application advice, the scheme is supported in strategic urban design terms.

#### *Elevational Treatment -*

82. Despite being located in two separate buildings the development would have a consistent architectural language, reflected in the consistency of materials across both buildings. The elevations are generally simple in design with well proportioned and generous openings, including recessed balconies and deep window reveals. Elevations would predominantly be finished in brick. At the lower levels a darker brick is proposed, the upper levels would be finished in a lighter brick. This approach which makes use of two bricks will add interest to, and break up the elevations and therefore the quality of the brick used will be imperative to the overall quality of the design and this will need to be secured by condition. The brick elevations will be complemented by recessed and projecting balconies, perforated metal balconies and screens, in a bronze colour which has the potential to be a very interesting architectural detail. At ground level the treatment proposed is to use large amounts of clear and coloured glazing (Reglit vertical panels are proposed for the coloured elements), these will complement the brick, add colour and interest to the elevations. To break up the brick treatment as you get higher up the building the design proposes to carry elements of these coloured panels up the facade of the building, which is welcomed. This material will be used on both buildings, and also to frame the stepped access connecting High Road to Station Grove which helps to provide an easily identifiable connection across the site.
83. Overall, the elevational treatment of the proposed residential development is considered to be high quality. The layering of the different materials in a horizontal form helps to provide a consistency throughout and adds interest, which in turn helps break down the massing.
84. Members should be aware that as part of the pre-application work the scheme underwent a CABE Design Review process. CABE was broadly supportive and recognised the opportunities that this site presents. The scheme was largely well received, and it was noted by CABE that the sensitive massing and green courtyards allow for a scheme that benefits from good natural light. CABE challenged the applicants to think further about the scheme's integration into the public realm, strengthening connectivity and further animating the streetscapes. All of which have been considered, developed further and responded to in the final proposals.

#### **Retail Demand Study**

85. This was commissioned with the sole purpose of investigating if the nature of the retail and commercial accommodation proposed is likely to attract occupiers. To inform this a review of the local market has been undertaken, consideration on the likelihood of letting the proposed floorspace and a potential 'meanwhile' strategy in the event that there is no demand for the proposed units.
86. The local market review looked at take-up levels of retail floorspace over the last 5 years, and average annual take-up equates to 80% of the total retail floorspace currently being marketed. It concludes that the market signals support the view that there will be demand for the quantum of retail floorspace proposed.
87. The study has found that letting demand for retail units locally is demonstrably high, as shown by the high take-up rate and low vacancy rates for retail floorspace locally. The fact the site is located very close to Wembley town centre and Ealing Road will only be a benefit in this regard. In this instance, and due to local market demand the site location, set behind the High Road is not seen to be a barrier to letting these units.
88. The 'meanwhile' strategy will allow for alternative uses in the event that the units remain empty, despite reasonable marketing efforts. The strategy submitted is however lacking in detail and further details of a revised strategy will be secured through condition.

### **Public Realm improvements / Landscaping and trees**

89. A wide range of public realm improvements are proposed at ground level around the site and the existing stepped access linking High Road and Curtis Lane. These works are designed to improve the physical environment, improve pedestrian safety and legibility, slow down the movement of vehicles around the site and facilitate pedestrian priority on the routes around the site.
90. Works will comprise of defined hard landscape surfaces with designated pedestrian routes / zones. New hard landscaping will seek to integrate with the development through the proposed palette of materials and the concept to introduce patterns within the hard landscape around the site to add interest. The introduction of raised tables across Curtis Lane and Station Grove, to slow down vehicles and give priority over to pedestrians is welcomed.
91. New street lighting, signage, street furniture and planting (including new trees) all make up the proposed public realm works. New street tree planting is proposed around the site, in the order of twenty new trees, further details of which will be secured through condition and / or S38/278 agreement.
92. These improvement works are welcomed in principle, though your Landscape officer has expressed some reservations in terms of the palette of hard landscape materials to be used (in part), and the tree planting methods. In any event the final detail will be secured either through condition and / or under a S278 agreement. Detailed S278 design drawings will need to show appropriate surfacing materials, particularly for the raised table areas which will need to be surfaced in modular/block paving, along with suitable waiting and loading restrictions, street lighting, signing, drainage, street furniture and planting.

### **High Road steps**

93. The development proposes to widen the existing 3.5m wide publicly adopted steps connecting Station Grove to High Road to an overall width of 6.8m -11.6m. The eastern width of the proposed steps are shown as level terraced areas though, rather than steps. In urban design terms this is a very important element of the proposal, and will give this route greater prominence and legibility. By keeping it open to the sky this responds directly to the GLA's pre-application comments, and also ensures the route will be attractive to users and will afford clear sight lines from High Road down to Station Grove and Curtis Lane, which in turn will help attract people down to the proposed commercial offer. As an additional feature to help emphasise this route a light tensile fabric / canopy is proposed over the steps. This could add an interesting detail to the scheme, and further details of this will be secured through condition.
94. The widening of the steps is proposed to comprise 40 steps with 150mm risers and 300mm treads, which is within the recommended design parameters for public stairs.
95. The proposals to widen the existing stepped connection between High Road and Curtis Lane are strongly supported, and represent a significant improvement for pedestrian legibility. Details for the steps will need to be secured to include materials, lighting, corduroy tactile paving, handrails and wayfinding signs.

96. A new public lift is also to be incorporated into the building on the western side of the steps and this is welcomed, providing a new step-free route connecting Curtis Lane and High Road. This would not be accepted for adoption as part of the highway though.

### **Residential Quality**

97. *Internal* - All of the proposed units have been designed to comply with the minimum unit sizes set out in the Mayors Housing SPG. Compliance with this is confirmed by GLA officers.

98. There are no single aspect north facing units included, and it has been confirmed that the proposed floor to ceiling heights are 2575mm, in accordance with the Mayor's Housing SPG.

99. Nineteen wheelchair accessible flats are proposed, within blocks A, B and C and will be delivered across the mix of units in both the affordable and private elements. This is preferable to the GLA, and the level of provision (10%) is in line with London Plan policy.

100. It has been demonstrated the units will meet Lifetime Homes Standard criteria. Furthermore the scheme has been designed to ensure that the most flats accessed from a single core is seven, this is in accordance with the Mayor's Housing SPG which sets a limit on the number of units accessed from a single core at eight.

101. *External* - The quantum of external space would meet the minimum amenity space requirements as set out in SPG17 and the London Plan through the provision of communal terraces, private balconies and communal gardens/courtyards. It will provide 1100sqm of communal amenity space overall in three different areas. The private balconies and terraces will provide a further 2670sqm. Overall this amounts to 3770sqm, this satisfies the SPG17 requirement for 3720sqm in total.

102. Revised child yield calculations have been calculated in response to the GLA Stage 1 report. These show that overall the proposals are likely to yield 52 children, of which 25 will be under five years old. This generates an overall playspace requirement of 520sqm, of which 250sqm should be provided on site. To address the proposals will provide 226sqm of formal play space, with a further 165sqm of informal play space on site for children under five. These play spaces will be distributed across the communal amenity areas to give maximum access, and this welcomed. In addition it should be noted that the inclusion of outdoor gym equipment on the second floor mezzanine level will help meet the needs of older children.

103. On balance the scheme will comply with local and strategic policy in relation to amenity and children's play space.

### ***Noise Assessment:-***

104. An assessment has been undertaken to establish whether existing noise levels at the site pose a constraint to the proposed residential units. Measurements of baseline noise conditions have been recorded, and levels used to determine the noise levels at the closest facades of the proposed development to the High Road and car park sites. As a response to the surrounding environment good acoustic design and a range of mitigation measures should be used to achieve appropriate internal noise levels for residential occupation, to ensure noise from road traffic does not present a risk.

105. It is stated that noise egress from commercial units will be mitigated to comply with BS8233, and the separating floor between upper ground commercial use and residential will be designed to certain specification, as set out in the report. Any building services plant associated with the commercial use will be designed to ensure that the rating level is 10dB below the background noise level, which is acceptable.

106. Mitigation measures proposed relate to glazing specification for attenuation purposes, facade construction and adequate ventilation provisions. Further details of this can be secured by condition.

107. The Environmental Health officer has reviewed the findings of the Noise Assessment report and is satisfied with the findings. Conditions are recommended to ensure that all proposed mitigation measures are incorporated, and a post completion assessment conducted to confirm that internal noise levels have been achieved.

### **Impact on Neighbouring Residents**

108. The siting of the buildings and existing built forms in the vicinity mean that there are adjacent residential buildings in close proximity. Daylight and sunlight analyses have been carried out for surrounding residential property. The impacts of the proposal on the living conditions of adjoining residents is discussed below.

Summary of how daylight and sunlight are considered for planning;-

- BRE Guidelines are used to determine the acceptability of proposals in terms of their internal daylight and sunlight and the impact on daylight and sunlight to the surrounding properties.
- BRE Guidelines specify that daylight and sunlight results be considered more flexibly in the context of an urban site.
- According to BRE Guidelines a surrounding existing building to a proposed scheme will retain the potential for good daylighting if the Vertical Sky Component (VSC) is in excess of 27%, or is reduced by less than 20% from its existing level. Furthermore, if the area of the room that can see the sky at desk height (known as daylight distribution or no sky contour) is reduced by less than 20% of its existing area, then the loss of daylight will probably be unnoticeable according to the BRE Guidelines.
- Average Daylight Factor (ADF) is used by the BRE Guidelines as a measure of internal daylight levels achieved.
- The test for sunlight to neighbouring properties looks at south facing windows to habitable rooms, and is expressed as annual probable sunlight hours (APSH). If the retained total APSH is reduced by less than 4% or the change from the existing is less than 20% for the total and winter levels of APSH then this would meet the BRE Guideline levels.
- The method for assessing internal new build criteria for daylight and sunlight is ADF and APSH.

#### High Road properties to the north

No's 509 - 527 High Road are immediately north of the proposed development, the rear elevations of these face the proposed development. These comprise a mix of entirely commercial uses, and some with commercial uses on the lower floors with flats above. Due to the staggered building line the separation between this existing terrace of buildings and the proposed development ranges between 15.4m and 10m, across Curtis Lane.

#### Ealing Road properties to the west

Existing buildings along this frontage are a mixture of commercial and some with commercial at lower floors and flats above. From the rear facade of these buildings a separation of 14.9m is to be achieved.

#### Plaza Parade, Ealing Road and No's 1 - 8 Montrose Crescent to the south-west

At the closest point these two buildings will be 20m apart. In daylight terms, the testing shows all windows serving habitable rooms meet BRE Guidelines in terms of VSC. In sunlight terms all windows within 90 degrees of due south meet BRE Guidelines for APSH. Overall this building is fully compliant with BRE Guidelines for daylight and sunlight with the proposed building in situ.

#### Residential properties on at 9 Montrose Crescent and 45 - 79 Copland Road to the south

No 9 Montrose Crescent is a flatted block 3/4 storeys high and separation distances range between 18.4m and 16.8m away from the southern facade of the proposed building.

45-79 Copland Road (not 39-65 as referred to in the study) is a flatted block 3/4 storeys high to the south of the proposed building. In part this faces the open car park, so the change in VSC will inevitably be larger than 20% of its existing level. Notwithstanding this all rooms tested meet the BRE guide for daylight distribution with the proposal in place, indicating an acceptable level of amenity.

#### Peggy Quirke House on Montrose Crescent to the south

Sited south of the proposed development, this 3/4 storey flatted building will be situated 18.4m from the southern facade of the proposed building. This currently faces the open car park, in daylight terms all windows experience greater than 20% reductions in VSC. However, all rooms tested meet or come sufficiently close in daylight distribution for the proposal to be considered acceptable. In sunlight terms, all windows which face within 90 degrees of due south comply with BRE Guidelines for APSH

#### 10 Station Grove (No's 1 8 Marylebone Court) to the south east

Currently facing the open car park, all windows experience a loss of more than 20% VSC in the proposed situation. However a large majority of rooms (including all living rooms), meet or come sufficiently close to the BRE Guidelines for daylight distribution to be considered acceptable. In terms of sunlight all windows facing the site do not require testing, as these do not face within 90 degrees of due south.

### Lodge Court (No's 1 - 38) and No 1 Station Grove to the east

Lodge Court, which is an existing 13 storey residential block will be sited 26m away from the eastern facing facade. Its neighbour, 1 Station Grove, a two storey dwelling will be some 18.3m away at its closest point.

Lodge Court currently faces the open car park, so when comparing existing and proposed situations there will be reductions above 20% in VSC to certain windows. However the daylight distribution for all windows meets the BRE Guidelines, indicating an acceptable internal environment will continue to be maintained. In sunlight terms, all windows meet the BRE Guidelines in terms of APSH with the proposed building in place. Overall, the analysis demonstrates, this building is considered compliant with BRE Guidelines on daylight and sunlight with the proposal in place.

1 Station Grove currently faces an open car park, so when comparing existing and proposed situations there will be reductions above 20% in VSC to all windows. However, the daylight distribution for all three facing windows comes sufficiently close to the BRE Guidelines to be considered acceptable. The results show the first floor living room meets the BRE Guidelines, whilst the BRE Guidelines for the ground floor come sufficiently close to the Guidelines to be considered acceptable, receiving 21% annual APSH compared to the 25% recommended.

### Moore Court to the south-east

South-west of the proposed building, at the closest point the existing and proposed buildings will be approximately 40m apart. The results show that over half of the windows analysed meet BRE Guidelines in terms of VSC, and that all rooms meet or come sufficiently close in terms of daylight distribution to be considered acceptable. In sunlight terms all rooms contain at least one window which meets or comes sufficiently close to BRE Guidelines for APSH to be considered acceptable with the proposal in place.

**109.** The analyses, based on methods laid out in the BRE guide shows that a number of surrounding residential properties will experience reductions in Vertical Sky Component greater than 20%, however this is a reflection of the current open nature of the site. However this is not the only measure of daylight and sunlight. Daylight distribution has been used to measure the impacts, and a significant majority of habitable windows and rooms to existing surrounding properties either meet the BRE guidelines, or come sufficiently close to be considered acceptable, which is to be expected in an urban environment surrounded by existing properties. VSC alone is not an appropriate method of testing due to the open nature of the site. On balance the results are considered to be acceptable and demonstrate that neighbouring amenity will not be unduly harmed

### Air Quality Assessment

**110.** The site is within a designated Air Quality Management Area (AQMA), as such an assessment of potential air quality impacts was undertaken. This looks at the impacts during construction and operation phase.

**111.** Due to the proposed reduction in parking numbers the proposal is not expected to increase traffic, therefore it follows that the traffic impacts on local air quality would be negligible. There is the potential for impacts on local air quality during the construction phase, but with mitigation this can be addressed.

**112.** Your Environmental Health officer is satisfied with the findings and recommendations set out in the assessment. Conditions are recommended to demonstrate proposed air quality mitigation measures have been implemented.

#### *Ventilation / Extraction Strategy:-*

**113.** This sets out the strategy for providing mechanical ventilation to the commercial uses, for which flexible uses are sought for uses A1, A2, A3, A5, B1(a) and / or D1. Ventilation is required for the removal of any odours from kitchens associated with possible A3 / A5 uses.

**114.** To minimise the visual impact often associated with ventilation equipment the shop fronts have been designed to include high level louvers for general ventilation purposes. To aid with the extraction of kitchen odours associated with A3 and A5 uses a dedicated route from the rear of each unit, through the building will be provided. Risers will be provided in cores A, B and C. The approach set out will minimise the visual impact, however further details of the system (including noise details) will need to be secured by condition.

### Wind Assessment

*Document Imaged*

**115.** As part of the consideration of the microclimate effects of the proposed development a pedestrian wind assessment has been carried out. Consideration of the impact of development on wind and microclimate is set out in London Plan policies 7.6 and 7.7. The assessment uses the Lawson criteria, which is a widely accepted environmental criteria for the assessment of pedestrian comfort and safety. The result of the assessment indicates that the site and its immediate surroundings remain within the recommended criterion on the basis that the wind velocity is unlikely to exceed 14.1m/s for more than 0.01% of the time. This is in line with the Lawson criteria for pedestrian safety.

**116.** Some localized zones of wind acceleration have been observed at the south-west corner of Lodge Court (Station Grove) and near the junction of Ealing Road and High Road. The latter is the result of funnelling of westerly winds along Curtis Lane. It is noted in the assessment that the frequency of north and NNE winds is only limited to 6.3% and 9.4% of the time, respectively, indicating a low level of frequency. Results also show that the proposed development will reduce the zone of wind exceedance around south western corner of 10-18 Station Grove.

**117.** To provide mitigation against wind acceleration around the north-eastern corner of the proposed development the landscape plan has been developed with this in mind. Appropriate landscape features, such as street tree planting, bike stands and street furniture have all be included. These will all help to act as wind breakers.

### **Flood Risk**

**118.** The site is not in an area of flood risk, nor is the site area greater than 1 hectare, as such the Environment Agency are not a statutory consultee. Given these site characteristics the proposal would not present an unacceptable risk from flooding.

### **Update on the GLA position - post Stage 1 report**

**119.** The GLA has confirmed in writing that Stage 1 issues highlighted relating to housing, childrens play space, design, inclusive design, energy and transport have all been addressed. There are no outstanding issues to be addressed.

### **Conclusion**

**120.** The proposed development would deliver the following benefits

- 1) The delivery of much needed new housing, including 20% affordable housing.
- 2) The delivery of a replacement town centre shoppers car park.
- 3) Significant public realm improvements within the vicinity of the site, including substantial widening of the heavily used pedestrian steps connecting High Road and Station Grove.
- 3) Regenerate a key site to the western end of Wembley town centre
- 4) Provide a mixed use development that contributes to the overall town centre / High Road offer
- 5) A substantial CIL contribution towards local infrastructure improvements.

Officers consider that on balance the scheme would make a positive contribution to Wembley town centre and help to realise long held ambitions for the redevelopment of the existing car park site, and vacant High Road site. The proposal has strategic support from the GLA. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

## **SUSTAINABILITY ASSESSMENT**

### **ENERGY**

The applicant has supplied an energy statement as part of the submission which indicates measures that will achieve the 35% reduction in CO2 emissions beyond the requirements of Part L of the 2014 Building Regulations in compliance with policy 5.2 of the London Plan. The energy statement has been reviewed by the Council's Sustainability Officer and is considered to be done to a very high level and to be robust. However, compliance with this target should be secured in a s106 agreement as part of any permission.

In the Mayor's Stage 1 report it was confirmed that the carbon dioxide savings meet the target set within policy 5.2 of the London Plan. Some further informaton has been sought to support the carbon savings from energy efficiency measures alone, how the demand for cooling will be minimised and confirmation that all domestic and non-domestic uses will be connected to the site heat network, before full compliance with London Plan energy policy can be verified.

It has since been confirmed in post Stage 1 comments that the additional information sought by the GLA has been provided, and that there are no outstanding issues in terms of energy.

### 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
- Affordable Housing - 34 units in total - 26 as Affordable Rent and eight as Shared Ownership, with a review mechanism
- Car-Parking Permit Free development to remove the rights of residents to apply for parking permits in the surrounding roads
- Join and adhere to Considerate Constructors scheme
- Energy - Achieve a 35% reduction in CO2 emissions beyond the 2013 Building Regulations
- Submission, approval and implementation of a Travel Plan to score a PASS rating under TfL's ATTrBuTE programme prior to first occupation, and to fully implement the approved plan for the lifetime of the development .
- Undertaking of highway works in Station Grove, High Road, Montrose Crescent, Curtis Lane and the steps linking Station Grove and High Road through an agreement under S38/S278 of the Highways Act 1980, to:- (i) provide widened and repaved footways along the four frontages of the main development, along the High Road frontage of the site and along the northern side of Curtis Lane; (ii) amend the traffic management of the length of Curtis Lane between Montrose Crescent and the future car park entrance to operate with two-way traffic flow; (iii) realign the kerbs along the northern length of Curtis Lane to reduce the carriageway width to 3.7m with at least three 12m long parallel loading bays to a design to be agreed with Brent Council's Transportation Unit; (iv) provide raised block-paved tables along the length of Curtis Lane and in particular at the foot of the steps between High Road and Station Grove and at the junction of Station Grove and Montrose Crescent; (v) amend waiting and loading restrictions in the vicinity of the site, to include a Car Club bay and a transit sized loading bay along the Station Grove frontage; (vi) widening of the steps linking Station Grove and High Road (with the adjoining terraces narrowed by up to 800mm so as not to encroach over the line of the existing steps); together with associated paving, street lighting, street furniture, lining, signing (incl. car park direction signing on the wider network), planting and drainage, in accordance with detailed plans to be approved by Brent Council's Transportation Unit;
- TfL contribution towards bus capacity enhancements in Wembley

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the London Plan, Core Strategy, Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

### CIL DETAILS

This application is liable to pay **£5,790,543.95\*** 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): 22775 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	18782	0	18782	£200.00	£35.15	£4,611,651.79	£810,497.80
Shops	3993	0	3993	£40.00	£35.15	£196,084.82	£172,309.54

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)	275	
<b>Total chargeable amount</b>	<b>£4,807,736.61</b>	<b>£982,807.34</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.**

Should also be noted that the Gross Internal Area of the development and the associated CIL contributions specified are based on the area of both the fully enclosed spaces and also balconies that are either fully recessed within the main fabric of the building, or partly recessed. The applicant is of the view that the calculation should not include balconies for the purposes of GIA, and they have sought further clarification on this from RICS. Your officers have been discussing this point with the applicant and there is a difference of opinion on what constitutes GIA for the purposes of CIL. Your officers do not consider that the RICS opinion provided is categorical in this regard.

The level of CIL contribution is a straight calculation based on floorspace which is not negotiated for individual schemes in the same way that Section 106 contributions are. The calculation is based on the RICS code for measuring practice, and also with the GLA CIL guidance also referring to the Valuation Office Agency Guidance relating to Gross Internal Area. For the avoidance of doubt, floorspace figures have been checked and agreed for the various elements of the scheme, excluding the balconies. The applicant calculates a total GIA of 21,653sqm (excluding balconies), which is agreed so that the only remaining matter to be determined is whether the balcony spaces constitute GIA, which your officers consider do. Inclusion of the balconies which are considered to have a gross internal floor area results in a total GIA of 22, 775. The difference in opinion therefore comes down to 1122sqm of floorspace.





DECISION NOTICE – APPROVAL

=====

Application No: 15/4473

To: Ms Dimond  
Maddox and Associates Ltd  
23 Hanover Square  
London  
London  
W1S 1JB

I refer to your application dated 20/10/2015 proposing the following:  
Proposed redevelopment of Montrose Crescent car park and land n/t 499 and 509 High Road, Wembley to include a part 3, 6, 13 and 18 storey development on Curtis Lane and a part 4 and 6 storey building on the High Road, Wembley comprising of 186 residential units (43 x 1 bed, 108 x 2 bed and 35 x 3 bed), 1,312 sqm of commercial space comprising A1, A2, A3, A5, B1(a) and/or D1 uses, replacement public car park comprising of 89 public car parking spaces, associated amenity space, landscaping, cycle parking, new lift access to High Road together with alterations to existing stepped access from the High Road to Curtis Lane and Station Grove and public realm improvements.  
and accompanied by plans or documents listed here:  
(See Condition 2)  
at CAR PARK, Montrose Crescent & Land N/T 499 & 509 High Road, Wembley (including existing steps connecting to High Rd, Wembley with Station Grove), HA0

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 2012  
London Plan 2015  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance

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

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Employment: in terms of maintaining and sustaining a range of employment opportunities  
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness  
Transport: in terms of sustainability, safety and servicing needs  
Site-Specific Policies

- 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):

IF 14-12-001  
IF 14-12-002 revA  
IF 14-12-003  
IF 14-12-100 revA  
IF 14-12-101 revE  
IF 14-12-102  
IF 14-12-103 revA  
IF 14-12-104 revA  
IF 14-12-105 revA  
IF 14-12-105 revA  
IF 14-12-106 revA  
IF 14-12-107 revA  
IF 14-12-108 revA  
IF 14-12-109 revA  
IF 14-12-110 revA  
IF 14-12-111 revA  
IF 14-12-112 revA  
IF 14-12-113 revA  
IF 14-12-114 revA  
IF 14-12-115 revA  
IF 14-12-116 revA  
IF 14-12-117 revA  
IF 14-12-118 revA  
IF 14-12-119 revA  
IF 14-12-120 revA  
IF 14-12-200 revC

IF 14-12-201 revA  
IF 14-12-202 revB  
IF 14-12-203  
IF 14-12-204 revA  
IF 14-12-205 revA  
IF 14-12-206 revA  
IF 14-12-207 revA  
IF 14-12-208 revA  
IF 14-12-209 revA  
IF 14-12-300 revA  
IF 14-12-301  
IF 14-12-302  
IF 14-12-500

#### Design & Access Statement

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

- 3 The basement car park shall not be used unless details have been submitted to demonstrate that the car park design has achieved Park Mark accreditation unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure the car park is safe for end users.

- 4 The basement car park shall not be used unless a Parking Management Plan has been submitted to an approved in writing by the Local Planning Authority. The plan shall include details of charging structures, enforcement measures and shall confirm how the charging structure will target town centre car park users and discourage residential occupiers (with the exception of blue badge holders) and how it will discourage parking for Wembley Stadium events. The approved plan shall be fully implemented for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure adequate parking arrangements are provided on site.

- 5 All parking spaces (including disabled bays), Electric Vehicle Charging Points (including passive provision), cycle parking stands, loading bays and refuse and recycling facilities shall be provided and permanently marked out prior to occupation of any part of the approved development in full accordance with approved plans, and thereafter retained in accordance with the approved details throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic, or the conditions of general safety within the site and along the neighbouring highway & amenity and to provide sufficient cycle parking facilities and refuse and recycling facilities.

- 6 Prior to the occupation of the development, the applicant shall submit a report to the Local Planning Authority for approval in writing, which provides evidence that the mitigation measures as described in the 'Noise Assessment' have been implemented in full, and also, that the indoor ambient noise levels as recommended by BS8233:2014 ('Guidance on sound insulation and noise reduction for buildings') have been met within the residential properties. In the event that the report finds these levels have not been achieved then a scheme of mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and fully implemented thereafter.

Reason: To obtain required sound insulation and prevent noise nuisance

- 7 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 8 Prior to the commencement of works on site further details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that a minimum headroom of 2.6m will be achieved within the basement car park to all designated disabled spaces, and the development shall be completed in accordance with the approved details.

Reason; To ensure suitable access for disabled parking spaces.

- 9 Prior to the commencement of construction works above ground level further details of a scheme of improved car park directional signage shall be submitted to and approved in writing by the Local Planning Authority, and the approved signage shall be installed prior to first use of the car park hereby approved

Reason; To ensure the car park is legible for prospective occupiers.

- 10 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species
- (b) details of the layouts of the courtyards and shared amenity space, including details of play equipment for formal and informal play within the courtyards
- (d) details of the provision of artificial bird and bat boxes
- (e) areas of all 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
- (f) the location of, details of materials and finishes of, all street furniture, drainage and external cycle stands
- (g) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height
- (h) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.
- (j) details of materials, lighting, tactile paving, handrails and wayfinding signs related to the steps connecting High Road with Station Grove
- (k) details of all tree planting pits (including surfacing)

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.

- 11 Further details of the roof plan, confirming the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and the development shall thereafter be completed in accordance with the approved details.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

- 12 Prior to the occupation of the development a report which provides demonstrates that the mitigation measures described in the approved Air Quality Impact Assessment have been

implemented in full shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 13 Prior to the operation of any externally audible plant equipment installed pursuant to this consent (such as air handling units, generators, ventilation/extraction systems, with the exception of operation to test that equipment), an assessment of the noise level from the installed plant together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority . The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

- 14 Prior to commencement of works a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority, the plan shall include further details of temporary bus stop measures along Montrose Crescent and the plan shall be implemented in full thereafter for the lifetime of the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason;- To ensure the free flow and safe movement of vehicles.

- 15 Prior to commencement of works further details of all external lighting, including the siting of the lighting units, type and specification of units and light contour plans, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented thereafter, and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety, amenity and convenience.

- 16 Prior to first occupation of the commercial units hereby approved, a Deliveries and Servicing Management Plan setting out delivery arrangements, shall be submitted to and approved in writing by the Local Planning Authority, and the servicing of the commercial units shall thereafter be undertaken in accordance with the approved details.

Reason: In the interests of providing sufficient servicing facilities on site.

- 17 Notwithstanding the Meanwhile Strategy referred to in the submitted Retail Demand Study (sec 8.0) and prior to commencement of works further details of a revised strategy shall be submitted to and approved in writing by the Local Planning Authority, and implemented in full thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of proper planning

- 18 Prior to the commencement of works on site details of the glazing specification to demonstrate that all habitable rooms adjacent to the High Road will provide attenuation in accordance with Table 6 of the *entran* Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed fully in accordance with these details thereafter.

Reason; In the interest of the amenity and health of future occupants.

## 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 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
  
- 3 During demolition and construction on site:
  - 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;
  - 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;
  - 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 any demolition;
  - A suitable and sufficient means of suppressing dust must be provided and maintained.
  - A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance and pollution

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016  
**15/3695**

## SITE INFORMATION

**RECEIVED:** 25 August, 2015

**WARD:** Kilburn

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

**LOCATION:** 271-273 Kilburn High Road, London, NW6 7JR

**PROPOSAL:** Demolition of existing building and erection of a part four, part five storey building comprising an A3 unit (restaurant/cafe) on the ground floor and 7x self-contained flats (7 x 1 bed) on the upper floors with associated bin and cycle storage

**APPLICANT:** Ms Taylor

**CONTACT:** ROH Architects

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

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

**When viewing this on an Electronic Devices**

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_123755](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_123755)

**When viewing this in Hard Copy**

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/3695" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

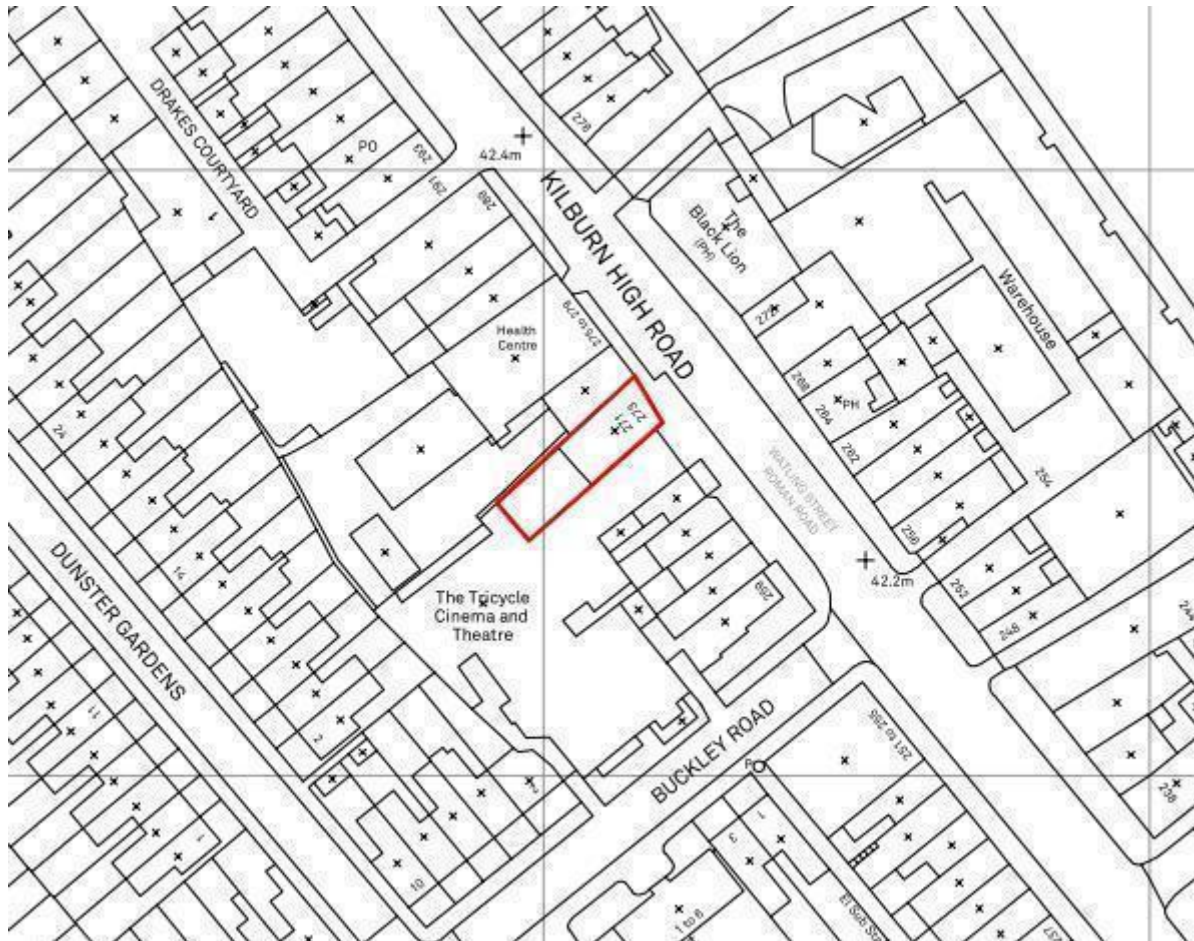
Site address: 271-273 Kilburn High Road, London, NW6 7JR

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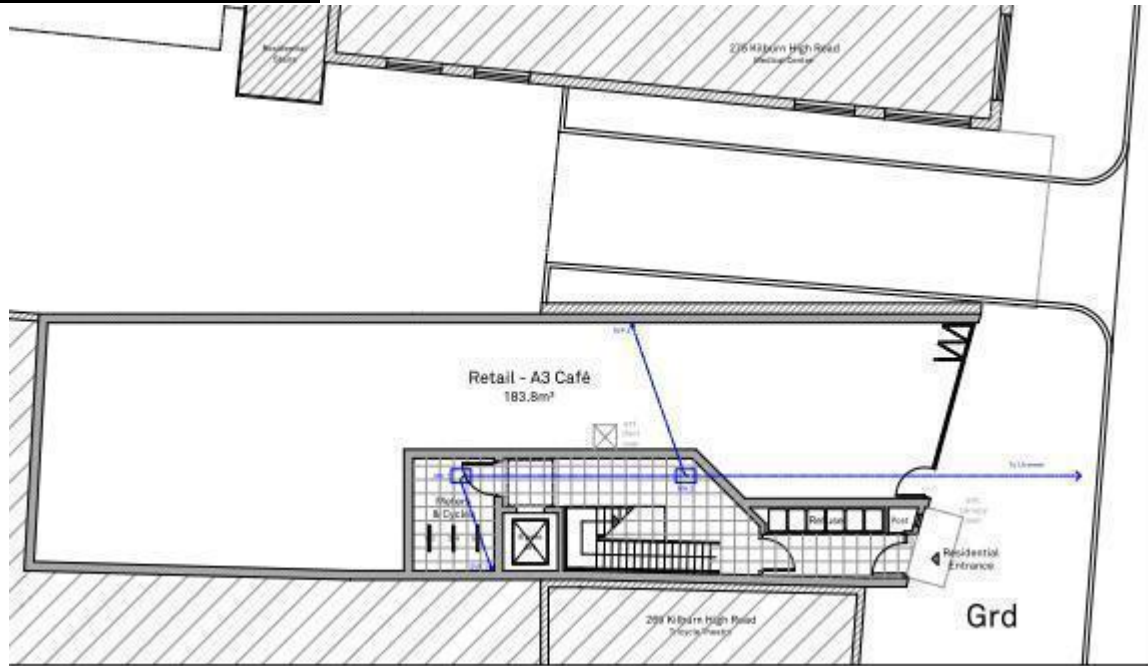
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

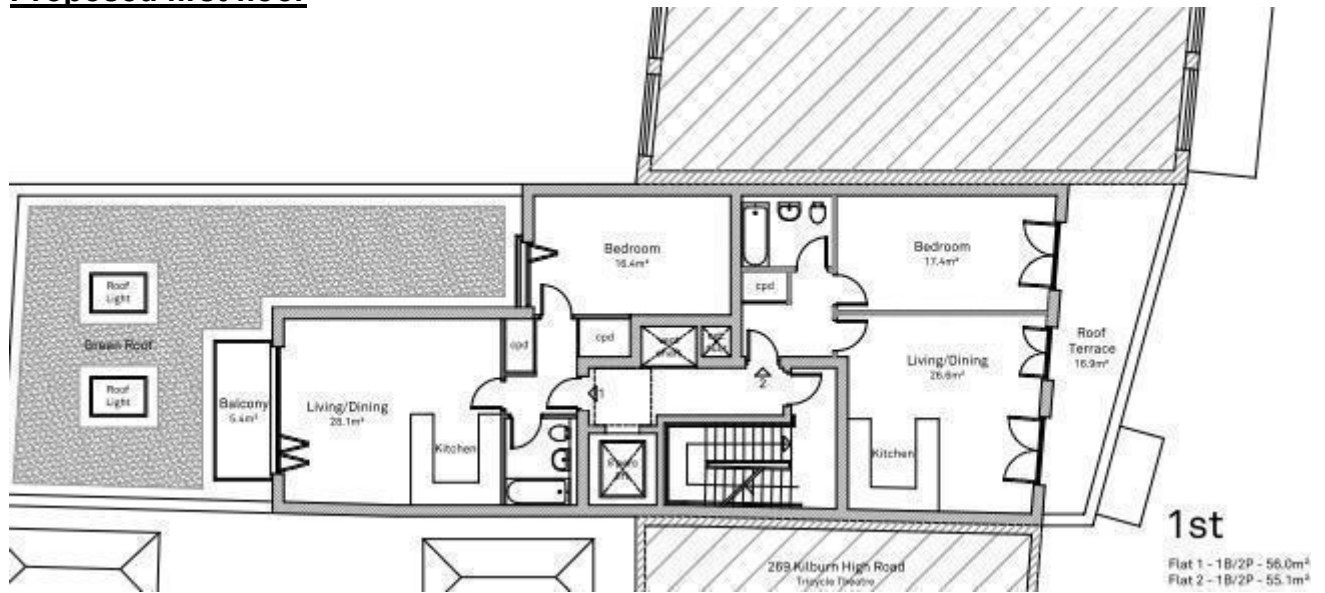
## Location plan



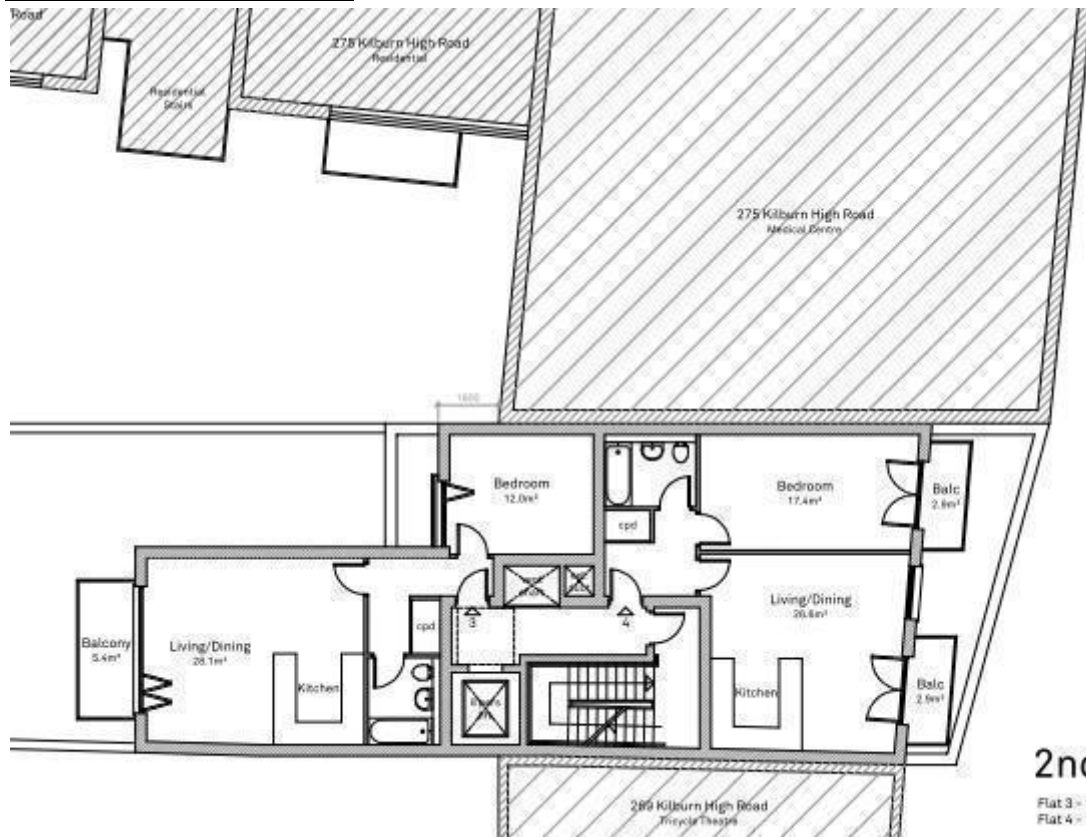
## Proposed ground floor



## Proposed first floor



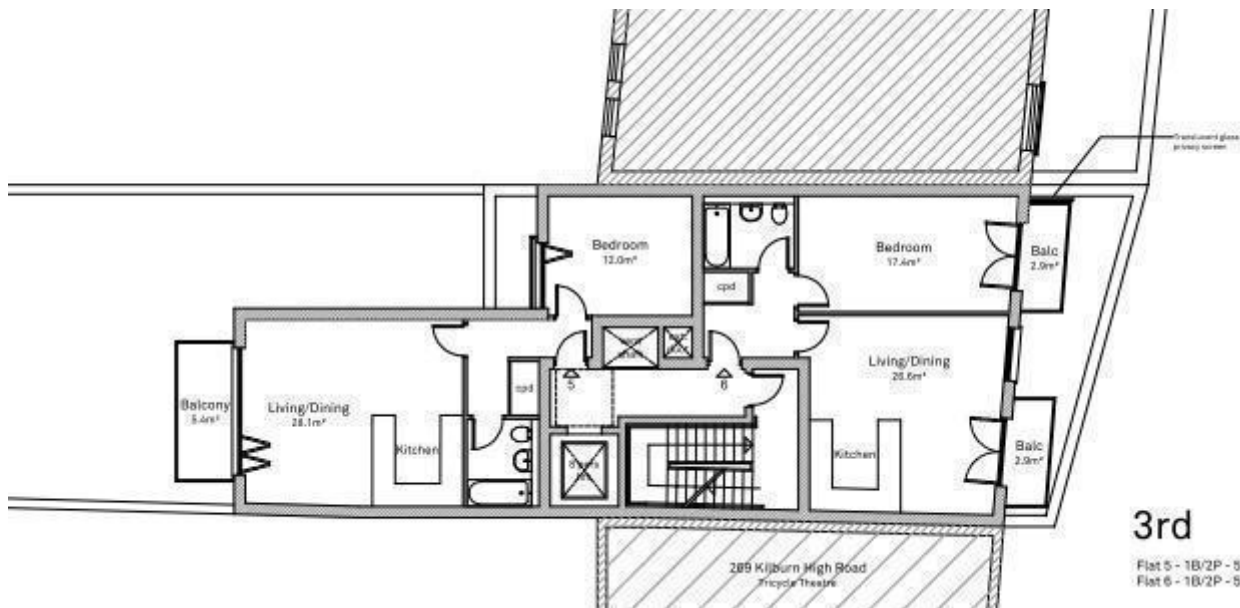
**Proposed second floor**



**2nd**

Flat 3 - 1B/2P - 51.5m<sup>2</sup>  
 Flat 4 - 1B/2P - 55.1m<sup>2</sup>

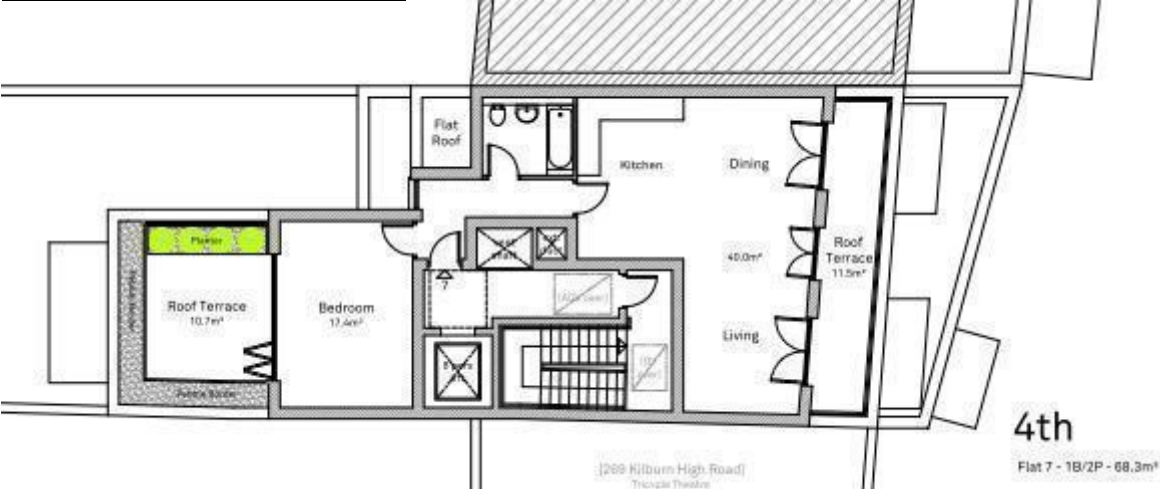
**Proposed third floor**



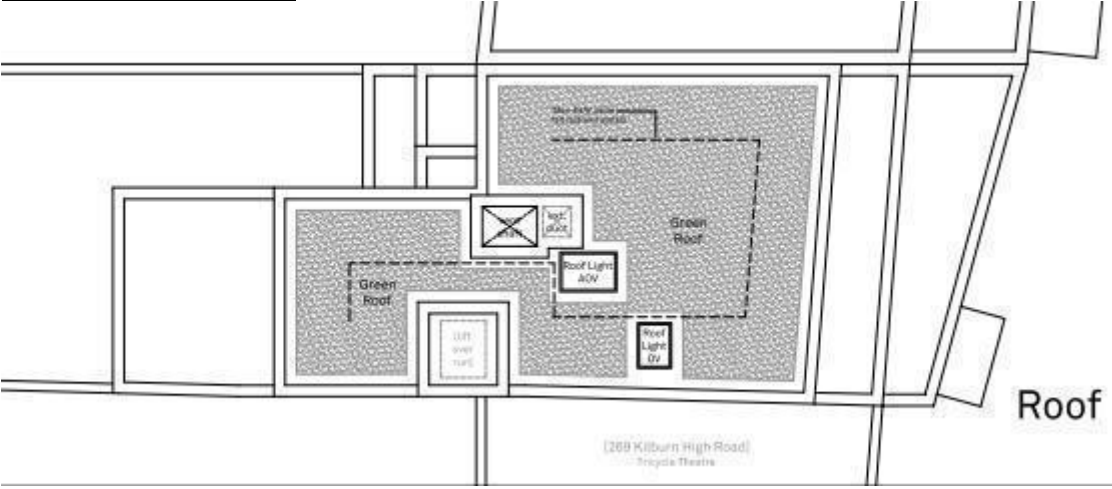
**3rd**

Flat 5 - 1B/2P - 51.5m<sup>2</sup>  
 Flat 6 - 1B/2P - 55.1m<sup>2</sup>

**Proposed fourth floor plan**



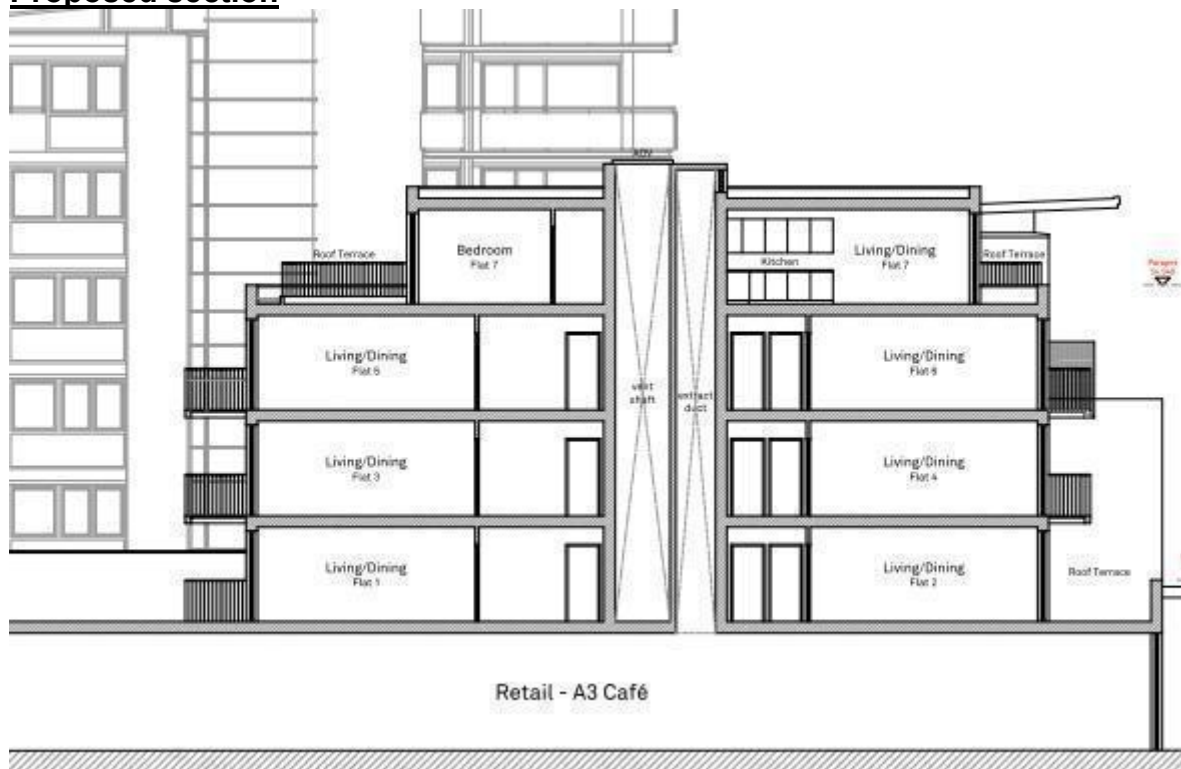
**Proposed roof plan**



## Proposed front elevation



## Proposed section



**Proposed rear elevation**





**CGI from rear**



## CGI from Kilburn High Road



## RECOMMENDATIONS

### Approval with conditions

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

### A) PROPOSAL

Demolition of existing building and erection of a part single storey part four and part five storey building comprising an A3 unit (restaurant/cafe) on the ground floor and 7x self-contained 1 bed flats on the upper floors with associated bin and cycle storage

## **B) EXISTING**

The proposal relates to a three storey-mid terrace property with commercial use (A3 cafe) on the ground floor and has previously had 2 x residential units on the first floor however it is unknown when these were last used. The building is finished in brick and is believed to date from the early C20. Kilburn High Road is a busy commercial thoroughfare and the street scene in the immediate area is characterised by 3-4 storey terraced properties dating from the Victorian and Edwardian eras with commercial uses on the ground floor which gives a strong character to the street scene. The building to the north of the site is a relatively recent mixed use redevelopment from the early 2000s (LPA ref: 98/1243) comprising a four-storey medical centre on the site frontage rising to a seven-storey residential element to the rear. The building to the south is an attractive two-storey building housing the Tricycle theatre entrance and cafe. The host building is not listed nor is it within a Conservation Area. The proposal site is within a designated Secondary Shopping Frontage. The site is in a highly accessible location (PTAL 6a).

## **C) AMENDMENTS SINCE SUBMISSION**

### **Amendments**

Reduction of massing to the rear of the scheme

Reduction of height by alteration of floor levels

Further details of cycle storage, refuse collection and roof maintenance have been submitted.

### **Documents revised after submission;**

- Construction Management Plan
- Sedum roof details
- Screening to terraces
- Privacy glass details
- All amended plans and elevations
- 

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

The key considerations are:

- The effect of the development on the living conditions of neighbouring residents and other businesses; and
- The effect of the development on the character and appearance of the area.

## **RELEVANT SITE HISTORY**

Recent history of this site includes two refused planning applications for a larger scale development to the one currently before Members:

15/4364 - Outline planning permission for demolition of existing building and erection of a part 3, part 5, and part 6 storey mixed used building comprising a ground floor cafe (Use class A3), 22 self-contained student accommodation units (22 x studios) on the ground to fourth floors and 1 self-contained flat on the fifth floor (1 x 1bed) with associated cycle parking spaces and bin stores – Refused

15/1971- Outline planning permission for demolition of existing building and erection of a part 3, part 5, and part 6 storey mixed used building comprising a ground floor cafe (Use class A3), 20 self-contained student accommodation units (20xstudios) on the upper floors and 1 self-contained flat on the top floor (1x1bed) with associated cycle parking spaces and bin stores- Refused

15/1381 - Demolition of existing building and erection of part 4 to 5 storey building comprising a ground floor cafe (Use class A3) and 7x self-contained flats (3x1bed and 4x2bed) on the upper floors with associated cycle parking spaces and provision for bin stores – Withdrawn

## CONSULTATIONS

### CONSULTATIONS:

Statutory neighbour consultation period (21 days) started on 16/09/2015. In addition, Transportation, Environmental Health and the London Borough of Camden was also consulted.

In total, 14 comments were made on the application. Below are the concerns and the responses are outlined in the main body of the report. Objectors include the Peabody Trust and the Tricycle Theatre who own/have material interests in the adjacent premises.

Objection	Response
Reduced natural light to the adjacent flats and reduced outlook from the rear and side facing properties of 275 Kilburn High Road	See point 3.3
Increased noise from the roof terraces and balconies	See points 3.7 and 3.8
Roof terrace and balconies create loss of privacy to neighbouring properties	See points 3.7 and 3.8
Increased unofficial parking- increase in parking around the site	See point 5.1
Cooking and smoke smells from the proposed café	See point 3.10
General overdevelopment- the entire plot will be lost to this development	See point 1.3
KHR does not need another Café	See "Existing"
Reduction of the quality of working environment in the medical centre	See 3.3.3
Deliveries to and from the A3 use	See point 5.3
Noise from the extract ducts	See point 3.1.10
Proposed development will not allow an expansion of the Medical Centre	See point 6.3
Noise and vibration from the development will impact on shows held at the Theatre both in the evening and during the daytime	See point 3.15
The development potential of the theatre is restricted	See point 6.2
Concerns that the green roof(s) will be used as large terraces	See point 3.9
Proposed development does not address local housing needs	See point 1.4
Party Wall notices have not been	This has been noted however is not a planning consideration. Any future approval will include a informative to the applicant reminding them that a Party Wall notice may be required for works.
Proposed façade fronting Kilburn High Road is out of character of the rest of the street	See point 2.2

**Transportation:** No objection, subject to two conditions to ensure the development is "permit-free" and to approved further details of refuse and cycle storage.

**Environmental Health:** No objections, subject to a condition requiring approval of further details of plant including noise and vibration.

**London Borough of Camden** (Neighbouring Authority): No comments received.

## POLICY CONSIDERATIONS

### POLICY CONSIDERATIONS:

*National Planning Policy Framework (2012):*

Section 6 – Delivering a Wide Choice of High Quality Homes

Section 7 – Requiring Good Design

*The London Plan (2015):*

Policy 3.5 – Quality and Design of Housing Developments

Policy 3.8 – Housing Choice

Policy 5.2 – Minimising Carbon Dioxide Emissions

Policy 7.4 – Local Character

Policy 7.6 – Architecture

*Core Strategy (2010):*

CP2 – Population and Housing Growth

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP19 – Brent Strategic Climate Change Mitigation and Adaptation Measures

CP21 – A Balanced Housing Stock

*Brent's UDP (2004):*

BE2 – Townscape: Local Context and Character

BE7 – Public Realm: Streetscape

BE9 – Architectural Quality

SH9 - Secondary Shopping Frontages

TRN3 – Environmental Impact of Traffic

TRN23 – Parking Standards – Residential Developments

TRN24 – On-Street Parking

*Supplementary Planning Guidance:*

SPG 5 – Altering and Extending Your Home (2002)

SPG17 – Design Guide for New Development (2001)

The London Plan Housing SPG (2012)

## DETAILED CONSIDERATIONS

### 1. Principle of Development:

1.1. The immediate area is typified by ground floor A1, A2 and A3 uses and upper floor residential. The principle of a A3 usage on the ground floor plus upper floor self contained accommodation is generally acceptable due to its location on a Secondary Shopping Frontage and its high accessibility to public transport and local amenities.

1.2. The existing building clearly has some value and contributes towards street scene in terms of its quality, interest and features. The majority of the existing building is derelict/demolished and applications which seek to revive this plot are encouraged to address the current blank on the street scene. The existing building also has 2 x residential units on the 1st and 2nd floors.

1.3. In urban environments, it is often the case that small parcels of land are developed to make better use of them. In this case, the existing plot of land is bordered on all sides and an intensification of use is, in principle, acceptable.

1.4. This development falls below the threshold for policy CP21 (10 units or more to provide family accommodation). The location would suggest that family accommodation (3 bed property) is not appropriate in this instance and Officers are able to support this.

1.5 The utilisation of this site for mixed commercial and residential uses is welcomed as both an efficient use of land and encouraging activity in town centres outside of usual opening hours. Your officers have given significant weight to the planning merit of providing residential accommodation in a sustainable location. Notwithstanding this, the proposal must be deemed to have an acceptable standard of accommodation, respect the character of the local area and have an acceptable impact on the neighbouring amenity along

with conforming to appropriate transport, refuse and amenity requirements to be given a positive recommendation from Officers.

## **2. Impact on Character of the Area:**

2.1. The proposed building is considered by your officers to be an acceptable form of development, the design, scale and massing of which would not materially harm the character and appearance of the area.

2.2. The proposal relates to a three storey-mid terrace property with commercial use on the ground floor. The building is finished in brick and is believed to date from the early C20. Although the building has some architectural merit the building is not considered worthy of retention in its own right. Any proposed replacement building would however need to be of a good standard of design to compensate for the loss of the existing building and to respect the character of the street scene.

2.3. Kilburn High Road is a busy commercial thoroughfare and the street scene in the immediate area is typically characterised by 3-4 storey terraced properties dating from the Victorian and Edwardian eras with commercial uses on the ground floor which gives a strong character to the street scene. The neighbouring building at No.275-279 Kilburn High Road is anomalous in the street scene as it is a relatively large and modern building four storeys in height with the upper floor stepped-back and a seven storey element to the rear which is consequently not prominent in the street scene.

2.4. The proposed building would be part 4 and part 5 storeys in height, approximately 6.2m higher than the adjacent theatre and the same height as the front element of the adjacent building at No.275-279 Kilburn High Road but lower than the rear element. The proposed building has a similar massing to the majority of buildings in the surrounding area and whilst it is taller than 269 Kilburn High Road it follows a general accord with the neighbouring building at 275 Kilburn High Road. The 5<sup>th</sup> floor has a substantial setback.

2.5. The submitted plans identify the building to be finished London Stock Brick with stainless steel balconies and aluminium framed glazed windows. These are common materials in the area. The design detailing of the façade is simple but does generally accord with the neighbouring building. It is acknowledged that the finished floor levels are slightly different; however this is likely to do with the uses of the neighbouring property on the ground and first floors (medical centre).

2.6. The applicant has submitted details of the brickwork which to provide interest to the brick finish have confirmed that there will be blind openings with recessed reveals on the side elevations. The London Stock Brickwork will have a Flemish bond finish. The windows to the front have deep reveals and provide some interest to the street.

2.7. To the rear of the proposal, there is a mismatch of building types and materials however the proposed buildings has an acceptable scale and mass when compared to the adjacent buildings and is significantly smaller than the seven storey element of 275 Kilburn High Road. The materials and size of the proposals are in general accord with the area.

2.8. At ground floor level an A3 unit would be retained with the entrance to the flats and associated bin storage provided on the ground floor accessed from Kilburn High Road. 6.3m of the 9.5m of the façade is given over to the A3 use with the rest taken up by the entrance to the flats and bin/cycle stores. Kilburn High Road is commercial in character with a variety of commercial units at ground floor level. The proposal would reduce the amount of active frontage on Kilburn High Road but retains enough to become acceptable. The residential entrance has been enhanced since the first submission with stainless steel post-box and numbering, Iroko cladding to the surround and an entrance canopy to aid in creating a sense of arrival to the residential entrance and to make it distinctive to the neighbouring commercial use.

2.9. Overall the proposal is considered to be appropriate in its relationship with neighbouring buildings, showing a significantly reduced massing compared to previously refused schemes which has convinced Officers that the impact on the surrounding area would be negligible, subject to a condition relating to the design and appearance of the signage for the commercial unit.

## **3. Living conditions of neighbours:**

3.1. Your officers are satisfied that the proposed development would not materially harm the living conditions of neighbouring occupants. Two recently refused schemes on this site were significantly higher and deeper than this proposal and this reduced scale and improved massing has overcome your officers concerns in this regard. Your officers have also taken into account the generally higher density nature of development in the

area and the corresponding need to be flexible in the application of SPG17 guidance.

3.2. The relationship between this development and the neighbouring building at No.275-279 Kilburn High Road (275 KHR) is a key consideration. 275 KHR is roughly 'T-shaped' and features a medical centre on the ground and first floor levels with flats above. Particular consideration needs to be given to the impact on outlook and privacy of the rear projecting element of this proposed scheme. Some of the rooms in a small number of the neighbouring flats are single aspect with habitable room windows and balconies positioned directly opposite and facing the proposal site. The nearest habitable windows of the adjacent residential building - directly opposite the flank of the proposal - are 7.6m however this is only for a small section of the building and the majority of the flank is positioned 11-11.25m from the nearest habitable windows (the minimum required is 10m). These relationships are illustrated on the extract of the second floor plan shown overleaf. The rear elevation of this neighbouring building which adjoins the proposal site also feature habitable room windows facing to the rear at second and third floor level (these floors do not equate to the floors of the proposed building due to the overheight nature of the ground and first floors of the Medical Centre).

3.3. The proposed development would fill its plot at ground floor and increase the height of the existing building to four and five storeys with a projection beyond the existing rear building line. This four storey element to the rear would have a height of 12.3m and the five storey element 14.8m high. The five storey element would have a depth of 9.2m and would be situated adjacent to No.275-279 and thus only would only project beyond the rear most section of 275 KHR by 1.6m on the 2<sup>nd</sup> and 3<sup>rd</sup>. The 4 storey element would be a further 5.4m in depth with an additional 4.2 m deep balcony.

#### **Impact on daylight and sunlight**

3.4. Neighbouring residents have expressed concerns as to the impact on their properties. To this end, the applicant has submitted a daylight/sunlight assessment in accordance with BRE 2011 to address lighting concerns from both Officers and Local Residents. Whilst this is not designed to confirm the issue of impact on neighbouring amenity in terms of light/outlook, it gives a good indication as to the potential harmful effects on neighbouring properties.

3.5. The results from these assessments—which have had their methodology confirmed to be acceptable by your Officers—demonstrates that the proposed development will have little effect on the neighbouring buildings or dwellings in terms of daylight and sunlight.

3.6. With regard to the main assessments for Daylight/Sunlight, all windows and rooms have shown full compliance with the BRE criteria for all levels of assessments. The assessment did not include balconies, which is a commonly deployed methodology in urban environments. The proposed scheme is in line with the intentions of the BRE guidelines and relevant planning guidance in terms of daylight and sunlight.

#### **Impact on outlook**

3.7. With regards to outlook, the proposal complies with Brent's guidance with regards to how deep an extension should be in relation to neighbouring rear facing habitable room windows. The proposal is also in general accordance with Brent's guidance on the distance between dual aspect and sole habitable rooms and flank boundaries and buildings. In particular, there are 2 flats (at 2<sup>nd</sup> and 3<sup>rd</sup> floor level) located in 275 KHR which have two habitable room windows facing the site and to some extent reliant on it for their outlook. One of those windows serves a dual aspect kitchen/living/dining room and that room benefits from outlook to the north in addition to the south, and the other window is the sole window serving the sole bedroom of the flat. The distance from the kitchen/living/dining room window to the boundary and the proposed flank of the development is a minimum of 7.8m but this is only for a distance of 1.6m after which point, the proposed development steps away from 275KHR so that most of the proposed building is a maximum of 11.2m from that window. As the building steps away, the distance from the bedroom window to the proposed flank of the development is also 11.2m.

3.8. On the first floor that the proposal extends by 3m instead of 1.6m however the rear facing windows here are for the medical centre and are not considered to be habitable rooms and so this is considered to be acceptable.

3.9. There were initial concerns as to the view of neighbouring residents towards initially large expanses of blank facades however there has been quelled by the detailing of the elevations concerned with blind openings with recessed reveals on the side elevation.

3.10. The proposal has a substantial decrease in massing on the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors to the rear of

the proposal when compared to the previously refused plans. The sections closest to the 275 KHR have been removed increasing the distance between habitable room to façade to 11.26m which complies with guidance outlined in SPG17.

### **Impact on privacy**

3.11. The development does not have any side facing windows at any level. Whilst there are no windows, there are roof terraces and balconies which could amount to the same issue of loss of privacy. To this end, the applicant has submitted details of translucent glass finish to flat 6's balcony and a landscaping scheme on the 4<sup>th</sup> floor roof terrace which will aid both visual impacts and the privacy concerns of the neighbouring property. The balconies located towards the very rear of the proposals are opposite the residential stair core and not facing any habitable rooms.

### **Impact of noise**

3.12. Neighbours have expressed concerns as to the noise omitted from balconies. All of the roof terraces are of a size which do not encourage congregation of people on them. It is not expected that the balconies will be the cause of unacceptable amounts of noise and nuisance and a certain amount of activity is to be expected when living in a dense, town centre location. There are many balconies within the immediate vicinity and is a common and appropriate way of ensuring all flats have at least a small amount of outdoor amenity space within a denser urban setting.

3.13. The applicant has confirmed that a landscaping scheme will be submitted for the green roofs and these roofs will only be available for maintenance purposes and not by future residents. These are detailed on amended plans. The applicants have submitted details of potential sedum roofs which will be conditioned.

3.14. The applicant has produced drawings of ventilation of the café premises which is acceptable. Further details of these will be conditioned to ensure the method of extraction is appropriate and that the noise impacts are in line with BS4142:2014.

3.15. Due to the close proximity of neighbours the construction phase of the development, a Construction Method Statement would be conditioned requiring measures to be taken to minimise disruption to neighbours to be submitted and approved prior to the commencement of any works including demolition. This shall also include measures to ensure the works are carried out in such a way as to accommodate the Tricycle theatres performances, as far as is reasonable: it may prove that some disruption is unavoidable. The preliminary Construction Method Statement which has been submitted by the applicant suggests that amongst many other details that:

- A site Newsletter will be circulated to inform neighbours of all major works, timing etc. and to keep neighbours informed of progress.
- Works that will cause noise and vibration such as piling will be restricted to times that will not affect performances at the Theatre. In particular no such works will take place on Wednesday, Thursday or Friday afternoons (2.00pm onwards). No works will take place after 5.30pm or on Saturday afternoons, or on Sundays or Bank Holidays.

### **Summary of impact on living conditions**

3.16. The previous reasons for refusal were based on detrimental affects on outlooks to the proposal. Whilst your officers acknowledge that this development will have an effect on the living conditions of the occupants of those flats, it is not to the extent that their living conditions would become unacceptable. Significant weight has been given to the dense nature of the built environment in this location.

## **4. Standard of Accommodation:**

4.1. Your officers are satisfied that the proposal would offer an acceptable standard of accommodation for future occupants. The proposal is for 7x one bedroom flats. The sizes of these units are below;

Flat 1 - 1 <sup>st</sup> 1B/2P Flat	56.0 sqm with 5.4sqm terrace
Flat 2 - 1 <sup>st</sup> 1B/2P	55.1sqm with 17sqm terrace
Flat 3 - 2 <sup>nd</sup> 1B/2P	51.5 sqm with 5.4sqm terrace
Flat 4 - 2 <sup>nd</sup> 1B/2P	55.1 sqm with 5.8sqm terrace
Flat 5 - 3 <sup>rd</sup> 1B/2P	51.5 sqm with 5.4sqm terrace
Flat 6 - 3 <sup>rd</sup> 1B/2P	55.1 sqm with 5.8sqm terrace
Flat 7 - 4 <sup>th</sup> 1B/2P	68.3 with 22 sqm terrace



4.2. The sizes of the units as demonstrated above are all slightly larger than London Plan/National Housing Standards. All habitable rooms have outlooks either to the front or rear and have large aluminium glazed windows which will allow ample light across all floors. Whilst they are single aspect units, it must be stressed that this is an dense urban location and all of the flats are either East or West facing and will be getting either the morning or evening sun.

4.3. The floor to ceiling heights of the proposals are at least 2.5m across all floors.

4.4. As per the National Housing Standards, there is ample storage space in the flats.

4.5. The residential density for the site (without the commercial unit) is 250 units per ha and 500 habitable rooms per HA This is within the suggested remits of an urban location with a PTAL rating of 6.

## **5. Transportation Impact:**

5.1. Kilburn High Road is a major London Distributor Road and bus route and parking/stopping to the frontage is prohibited at all times due to the proximity of a pedestrian crossing. The site is in a highly accessible to public transport (PTAL 6a). No vehicular access or parking is proposed as part of the scheme and a Car Free Scheme is supported. Car parking allowances for the existing and proposed uses on this site are set out in standards PS9 and PS13 of Brent's UDP (2004).

5.2. An A3 use exists currently and terms of servicing, standard PS20 requires the proposed café to be serviced by transit sized vans. No off-street servicing provision is proposed within the site and to provide any would in practical terms be impossible, given the absence of any vehicular access to the rear. The nearest kerbside space available for off-peak loading being about 20m north of the premises. However, the proposed café is no larger than the existing premises and as such existing servicing shortcomings would not be worsened by this proposal and it would be inappropriate to retrospectively insist on servicing arrangements given the use is able to continue without planning permission.

5.3. Your officers are alive to concerns with regards to the potential impact of construction works, especially deliveries, on the safety of the highway and pedestrians. To that end, should Members be minded to grant consent, your officers propose a condition be added requiring the submission and approval of a Construction Logistics Plan prior to commencement of any works including demolition.

## **6. Other**

6.1. A bin store and cycle store is shown on the ground floor; further clarification would be needed with regards to the capacity of these however this could be dealt with by condition as there is ample storage room for 7 flats on the ground floor. With small scale developments on major routes such as Kilburn High Road, residents who live above commercial premises are entitled to place their waste out along with the commercial waste as per the prescribed times below.

6.2. With regards to the Commercial arrangements, collection times on Kilburn High Road are twice daily between 7.00am and 8.00am and 7.00pm and 8.00pm. The Commercial unit will be required to keep waste within their premises until just before these times and then bags are placed on the street. This is the same arrangement for every commercial unit along Kilburn High Road.

6.3. The neighbouring property (Tricycle Theatre) suggests that the development would restrict their future expansion plans. Officers feel that the development has been designed to allow for future development by 269 KHR. There are no side facing windows to compromise expansion and it would be unreasonable to suggest that the rear facing windows/balconies could affect development to the rear.

6.4. Any proposed expansion of the medical centre should not be affected as there are no habitable room windows on the side elevations.

## **Conclusion:**

Your officers recommend approval of this scheme, subject to a number of conditions particularly in relation to mitigating the potential harm to neighbours and the highway network of the construction works. The proposed building is of an appropriate scale and design for the location and its scale and massing would not result in unacceptable harm to the living conditions of neighbouring occupants nor to the operation, current or future, of the neighbouring uses. Significant weight is given to the provision of seven residential units in a sustainable location which would also serve to enhance the vitality of this town centre location.

## CIL DETAILS

This application is liable to pay **£122,752.20\*** 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): 756 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
Restaurants and cafes	184	152	32	£40.00	£35.00	£1,571.43	£1,375.00
Dwelling houses	572	157	415	£200.00	£35.15	£101,897.32	£17,908.45

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)	275	
<b>Total chargeable amount</b>	<b>£103,468.75</b>	<b>£19,283.45</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**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/3695

To: Mr OHara  
ROH Architects  
25-29 Lonsdale Road  
London  
NW6 6RA

I refer to your application dated 25/08/2015 proposing the following:  
Demolition of existing building and erection of a part four, part five storey building comprising an A3 unit (restaurant/cafe) on the ground floor and 7x self-contained flats (7 x 1 bed) on the upper floors with associated bin and cycle storage  
and accompanied by plans or documents listed here:  
See condition 2  
at 271-273 Kilburn High Road, London, NW6 7JR

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 areas so designated within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works with the exception of demolition workse. The landscape works shall be completed in accordance with the approved details prior to the occupation if the building and shall be retained for the lifetime of the Development.

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

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

- 2 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.

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

P100 P8 Ground Floor Plan

P101 P6 First Floor Plan

P102 P5 Second Floor Plan

P103 P5 Third Floor Plan

P104 P5 Fourth Floor Plan

P301 P6 Front Elevation

P302 P7 Rear Elevation

P303 P7 NW Elevation

P304 P5 SE Elevation

P201 P2 Section

P-Screen

CGI Front

CGI Rear

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

- 4 Prior to first occupation of the residential units hereby approved, an assessment of the noise level from any installed plant (such as ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance

with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

- 5 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 and a plaque in the entrance lobby to the development. 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.

- 6 The sedum roof(s) as detailed in the approved plans shall not be accessed unless for maintenance reasons.

Reason: For the safety of future occupants and to safeguard neighbouring amenity

- 7 No works at all shall commence on site until a Construction Management Plan (CMP) have been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (i) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies (Tricycle Theatre) and the general public.
- (ii) Working Hours: works will be restricted Monday to Friday 08:00 to 17:30 hours, Saturday 08:00 to 12:00 hours, with no working on Sundays or Bank Holidays to no works which would result in noise or vibration will be carried when performances are held at the Tricycle Theatre and in particular no such works will be carried out after 14:00 Wednesday to Friday.
- (iv) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (v) Screening: The use of site hoardings, enclosures, portable screens and/or screening noisier items of plant from NSRs, where reasonably practicable.
- (vi) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (vii) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (viii) Piling: Ensuring that piling is undertaken using most appropriate technique such as CFA as opposed to driven piles, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with local planning authority, prior to work commencing.
- (ix) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (x) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (xi) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed

wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.

- (xii) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (xiii) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

The development shall be carried out strictly in accordance with the agreed details.

Reason: To minimise the noise and air quality impact of the demolition and construction works on sensitive receptors and to ensure demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

- 8 No works shall commence, including any works of demolition or site clearance, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the local planning authority. The approved CLP shall be adhered to throughout the construction period. The CLP, which shall be accompanied by a site layout plan showing the following elements, shall include details of:

- (i) the construction vehicle access;
- (ii) timing of deliveries (to avoid peak hours and to comply with local road restrictions)
- (iii) and the control of traffic entering the site;
- (iv) the parking of vehicles of site operatives and visitors;
- (v) loading and unloading of plant and materials;
- (vi) storage of plant and materials used in constructing the development;
- (vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (viii) wheel washing facilities to be installed prior to commencement of any works;

Reason: In the interests of the amenity of adjoining occupants and the interests of the free flow of traffic and highway and pedestrian safety, to ensure the footway and carriageway is not blocked during the works and in the interests of local Air Quality Management Area objectives.

- 9 Notwithstanding the plans hereby approved, the development shall not be occupied until further details of cycle and refuse storage are submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plans. Such facilities shall be retained for the lifetime of the development.

Reason;- To ensure an adequate amount of refuse and cycle spaces are available for future occupants

- 10 The hours of operation for the ground floor A3 use (Cafe) shall be from 07.00- 23.00 Monday-Sat and 8.00-22.00 on Sunday/Bank Hols.

Reason: To safeguard neighbouring residential amenity above.

- 11 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 with the exception of demolition work. The Development shall be carried out in accordance with the approved details.

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

- 12 Notwithstanding the approved plans, details of the ventilation and extract system for the

commercial unit - including any internal and external ducting - shall be submitted and approved in writing prior to their installation by the Local Planning Authority.

Reason: To safeguard neighbouring amenity

#### 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 foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

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



## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016

**15/4226**

## SITE INFORMATION

**RECEIVED:** 30 September, 2015

**WARD:** Queens Park

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

**LOCATION:** Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH

**PROPOSAL:** Details pursuant to condition 17 (Construction Logistics Plan) relating to planning application reference 13/3682 dated 04/02/2015 for full planning permission sought for demolition of all existing buildings and erection of a part 7/part 6/part 5/part 4-storey building with 9293sqm of Sports and Leisure Centre (Use Class D2), 56 flats ( 22 x 1-bed, 34 x 2-bed) and 240sqm of retail floor space (Use Class A1/A2/A3) and erection of 15 terraced townhouses (15 x 4-bed) with associated car and cycle parking and landscaping and subject to a Deed of Agreement dated 02 February 2015 under Section 106 of the Town and Country Planning Act 1990, as amended

**APPLICANT:** City of Westminster Sports, Leisure and Wellbeing and Willmott Dixon Regen Ltd

**CONTACT:** Daniel Watney

**PLAN NO'S:** Construction Management Plan  
Appendix A: Logistics Drawings SL1-5 rev 07  
Appendix B: Traffic and Pedestrian Management drawings G577 TMP1-6 rev 02  
Appendix C: Willmott Dixon Fleet Operators Recognition Scheme statement  
Appendix D: Willmott Dixon Occupational Health and Safety Management System register of forms  
Appendix E: Robert West Drawing 3141 001 C 100 P3: Proposed off-site delivery system  
Appendix F: Robert West drawing: Construction vehicle routing  
Appendix G: Robert West drawing: Construction vehicle routing - local road network  
Appendix H: Delivery schedule

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Devices](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_124302](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124302)

[When viewing this in Hard Copy](#)

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/4226" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH

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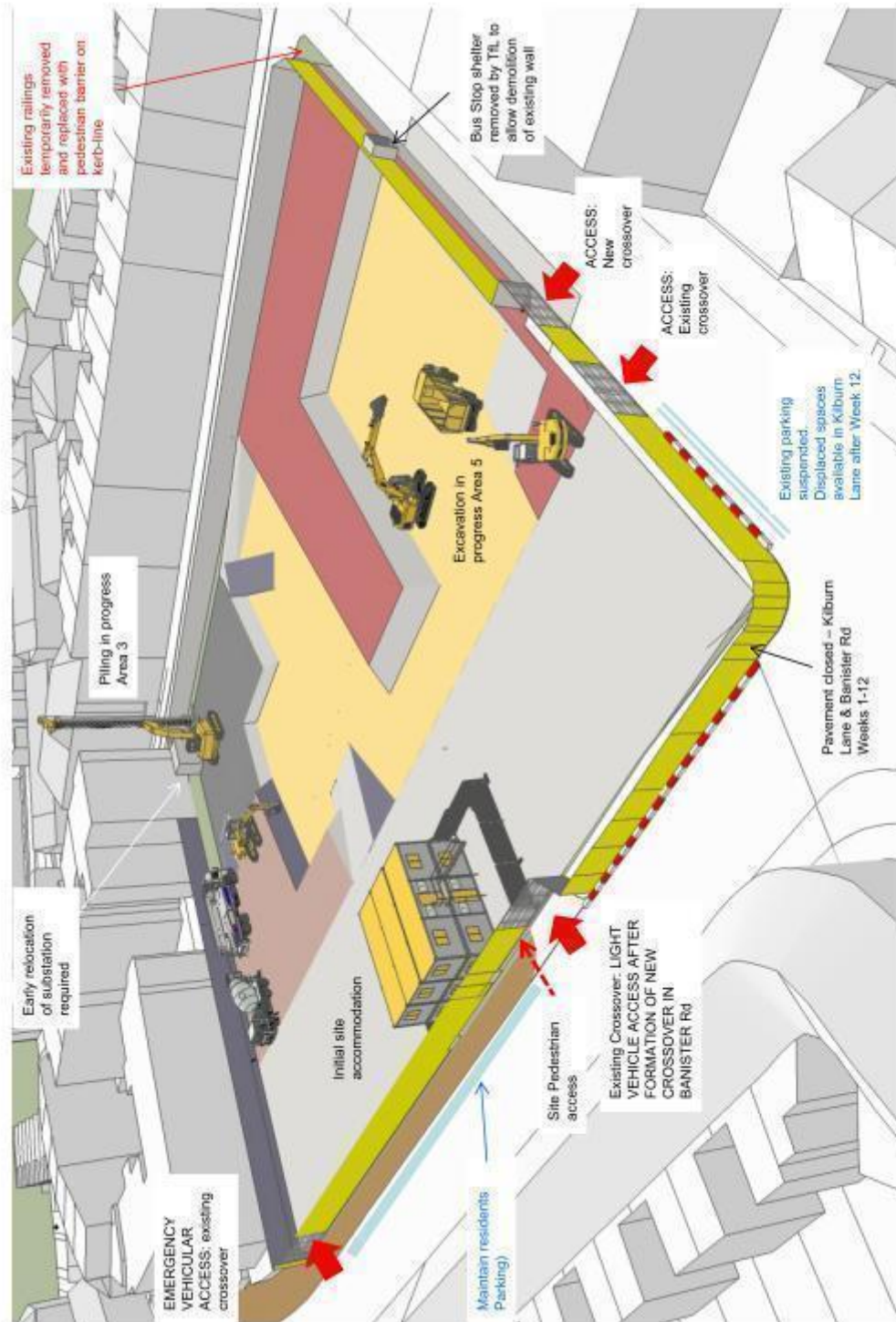


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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

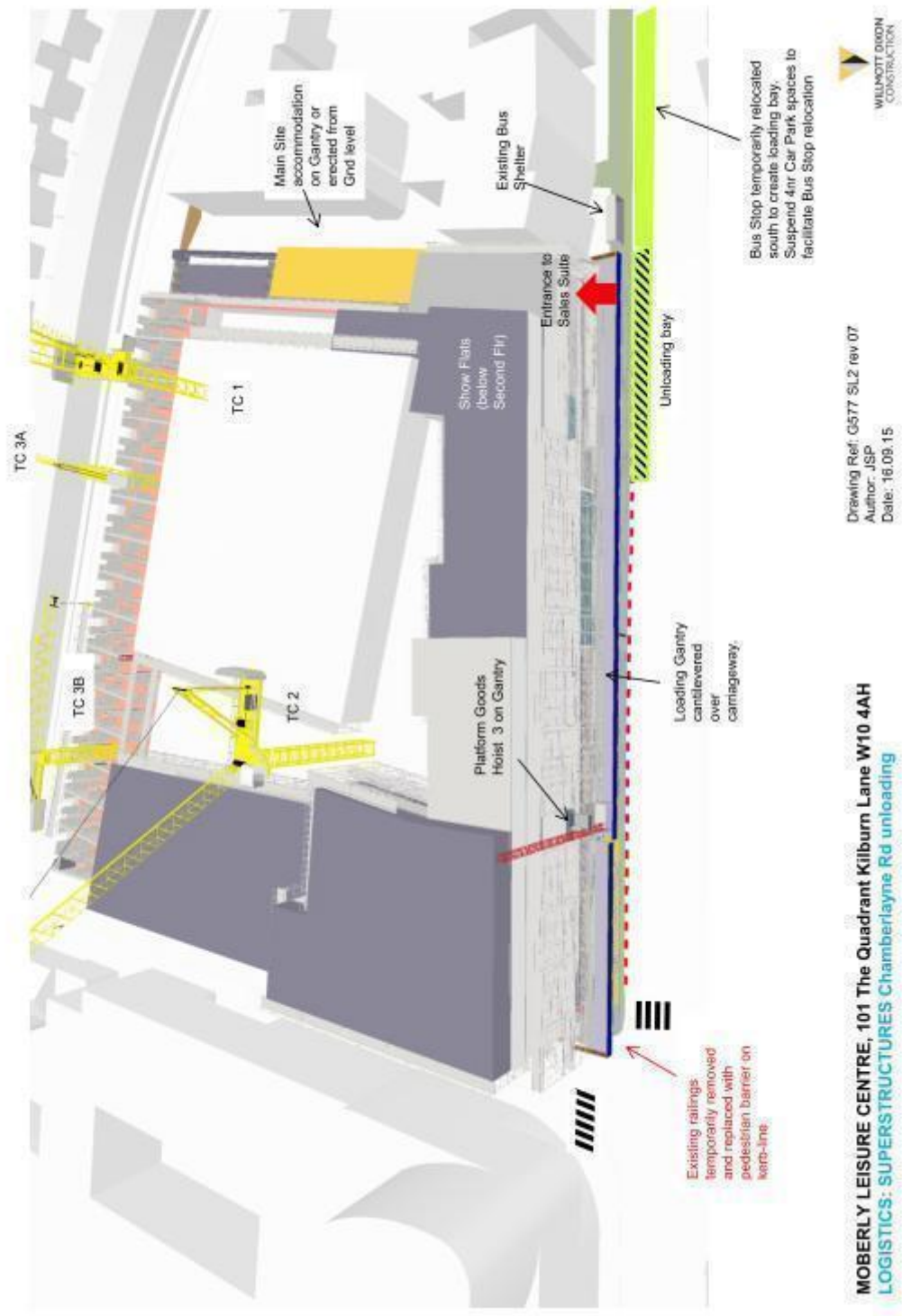
## Appendix A: Logistics Drawings G577 SL1-5 rev 07

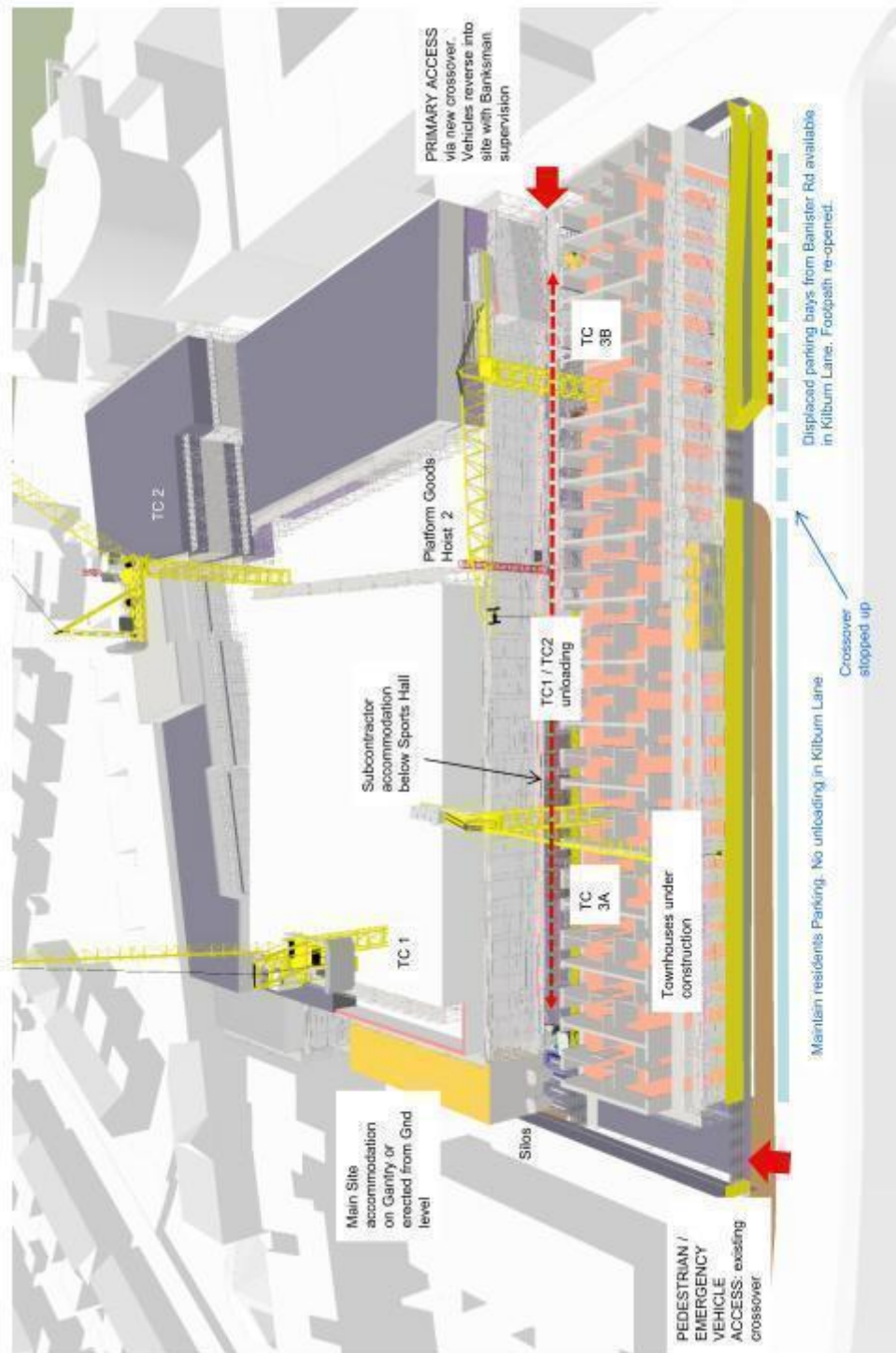


Drawing Ref: G577 SL1 rev 07  
 Author: JSP  
 Date: 16.09.15

**MOBERLY LEISURE CENTRE, 101 The Quadrant Kilburn Lane W10 4AH**  
**LOGISTICS: DEMOLITIONS / SUBSTRUCTURES**  
 Substructures Weeks 12-30

**Appendix A: Logistics Drawings G577 SL1-5 rev 07....cont'd**



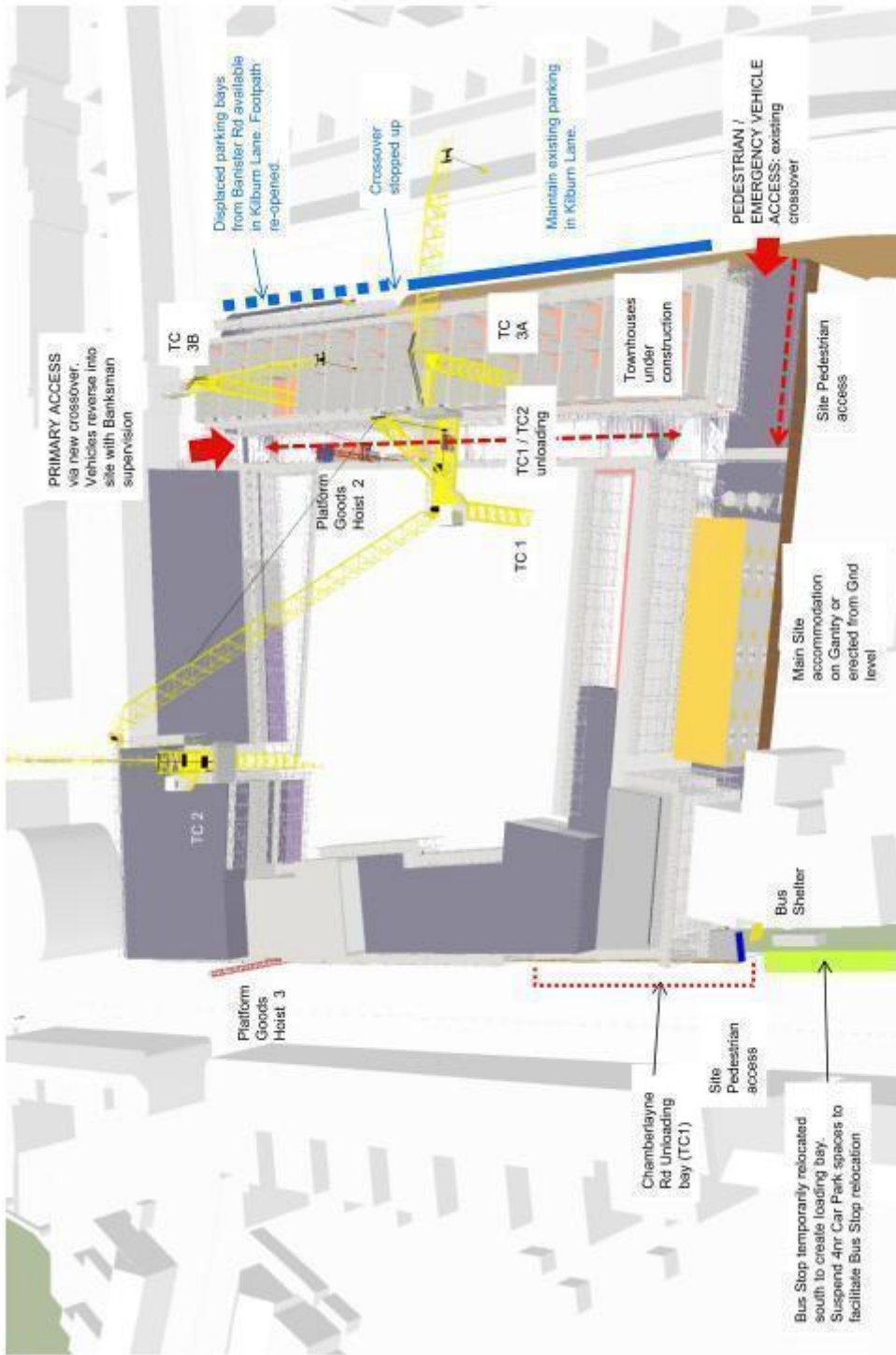


**MOBERLY LEISURE CENTRE, 101 The Quadrant Kilburn Lane W10 4AH**  
**LOGISTICS: SUPERSTRUCTURES**  
 View from Kilburn Lane

Drawing Ref: G577 SL3 rev.07  
 Author: JSP  
 Date: 16.09.15



**Appendix A: Logistics Drawings G577 SL1-5 rev 07....cont'd**

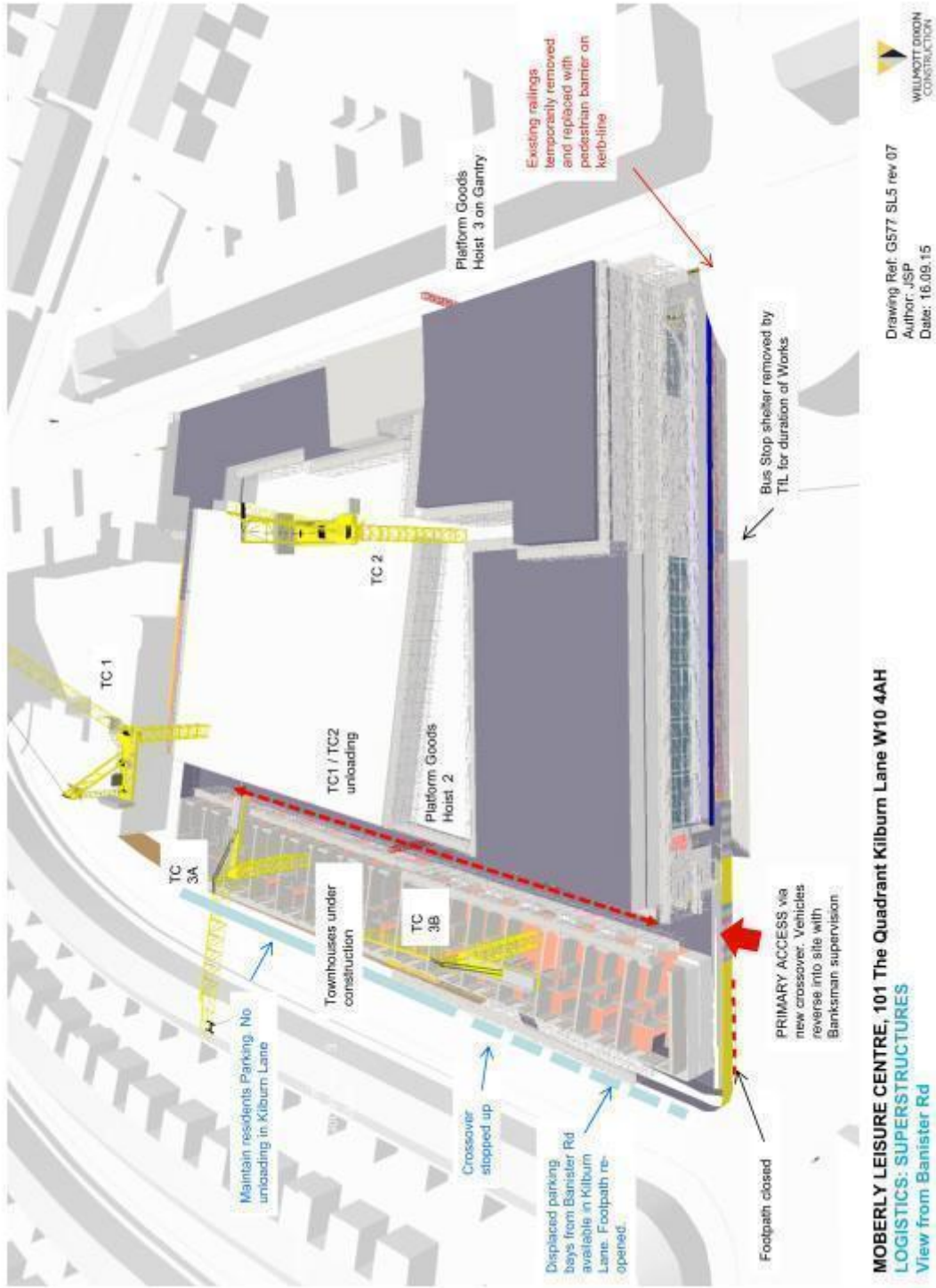


**MOBERLY LEISURE CENTRE, 101 The Quadrant Kilburn Lane W10 4AH**  
**LOGISTICS: SUPERSTRUCTURES**  
 View from South boundary

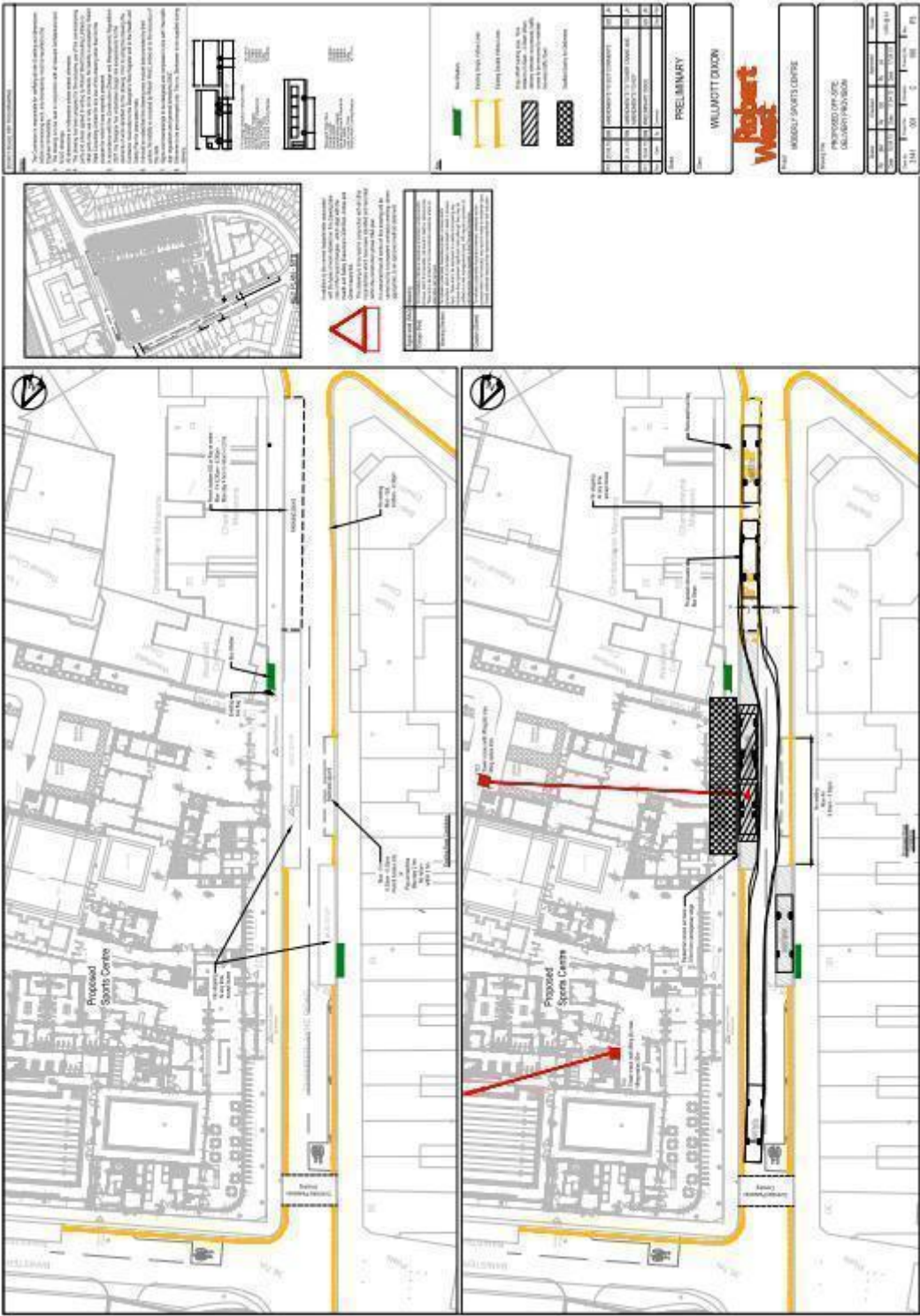
Drawing Ref: G577 SL4 rev 07  
 Author: JSP  
 Date: 16.09.15



**Appendix A: Logistics Drawings G577 SL1-5 rev 07....cont'd**

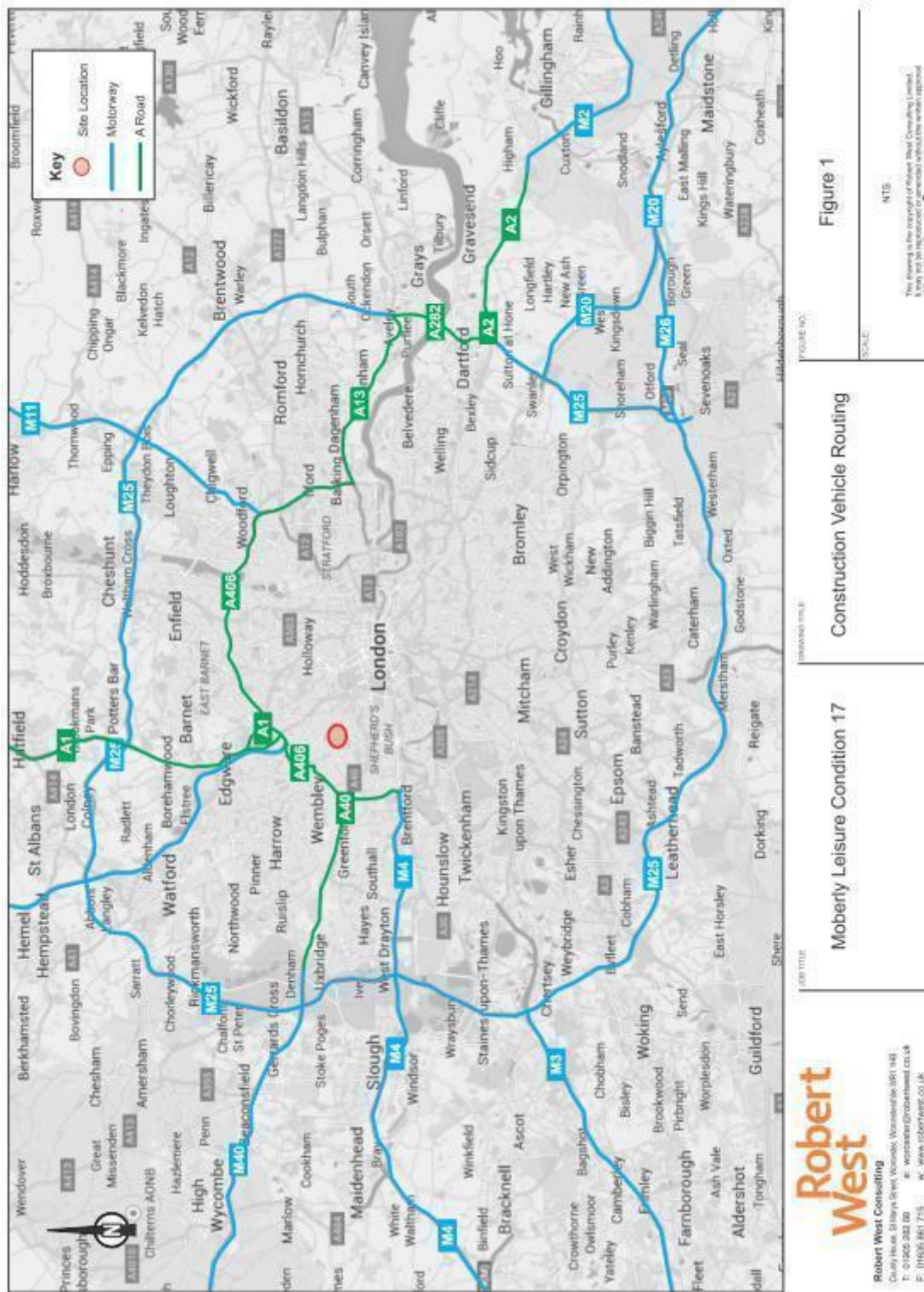


**Appendix E: Robert West Drawing 3141 001 C 100 P3: Proposed Off-Site delivery Provision**

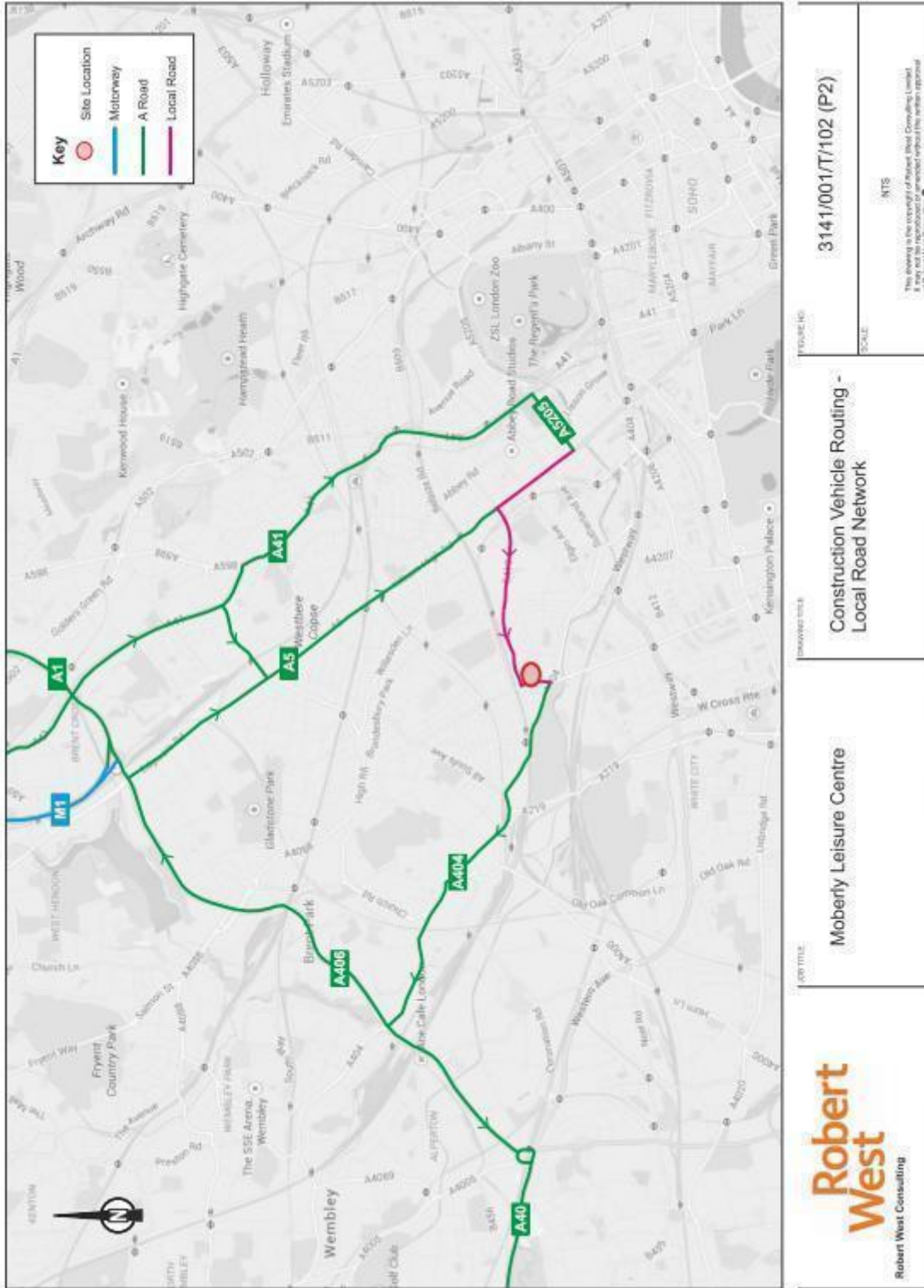




**Appendix F: Robert West drawing: Construction Vehicle Routing**

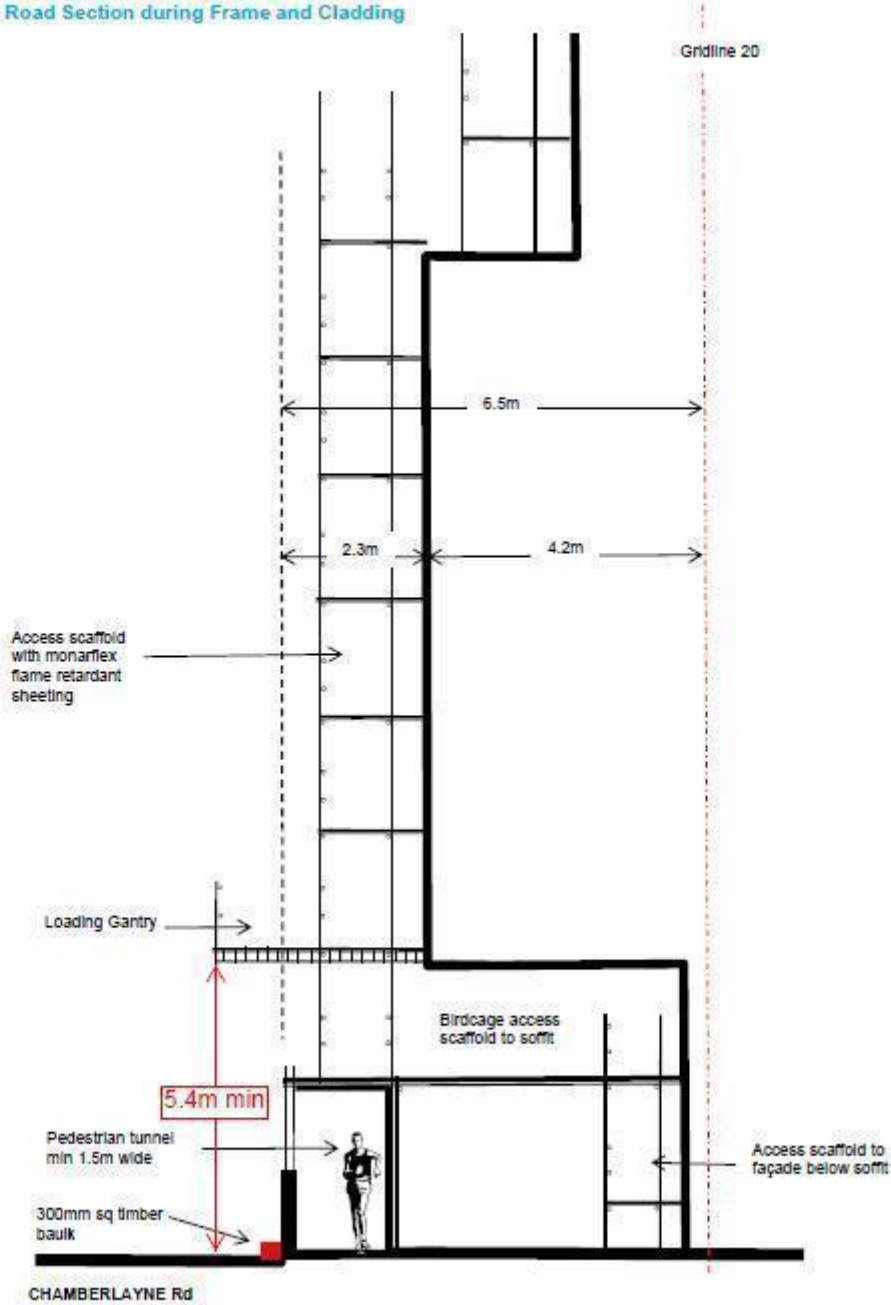


**Appendix G: Robert West drawing: Construction Vehicle Routing – local road network**



**Fig 4 G577 TMP1 rec 02 Chamberlayne Road scaffold - revised drawing which shows the gantry is now 5.4m above the road**

MOBERLY LEISURE CENTRE, 101 The Quadrant Kilburn Lane W10 4AH  
TRAFFIC & PEDESTRIAN MANAGEMENT  
Chamberlayne Road Section during Frame and Cladding



**FIG 4 G577 TMP1 rev 02 Chamberlayne Rd scaffold**

## RECOMMENDATIONS

### Approval

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

#### **A) PROPOSAL**

The proposal is to discharge Condition 17 of planning permission 13/3682 which requires further details on the Construction Logistics Plan (CLP). The condition is as follows:

No works shall commence, including any works of demolition or site clearance, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the local planning authority. The approved CLP shall be adhered to throughout the construction period. The CLP, which shall be accompanied by a site layout plan showing the following elements, shall include details of:

- (i) the construction vehicle access;
- (ii) timing of deliveries (to avoid peak hours and to comply with local road restrictions)
- (iii) and the control of traffic entering the site;
- (iv) the parking of vehicles of site operatives and visitors;
- (v) loading and unloading of plant and materials;
- (vi) storage of plant and materials used in constructing the development, to avoid the root protection zones of retained trees either on or off the site;
- (vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (viii) wheel washing facilities to be installed prior to commencement of any works;
- (ix) measures to control the emission and mitigate the against the impacts of dust and fine particles during construction; and
- (x) a scheme for recycling/disposing of waste resulting from demolition and construction works

The demolition/site clearance/building works hereby approved shall not commence until the vehicle wheel washing facilities have been provided on site in accordance with the approved details and such facilities shall be installed prior to the commencement of the development and used by all vehicles leaving the site and shall be maintained in working order until completion of the appropriate stages of development or such other time as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of adjoining occupants and the interests of the free flow of traffic and highway and pedestrian safety, to ensure the footway and carriageway is not blocked during the works and in the interests of local Air Quality Management Area objectives.

#### **B) EXISTING**

The existing site has an area of approximately 6600sqm. There are no listed buildings on the site nor is it within a Conservation Area. It is however adjacent to the Queens Park Conservation Area, which is within the Westminster City Council Area. The site has a ptal rating of 6a.

The existing sports facilities include:

- an existing sports hall on the west boundary of the site with Chamberlayne Road;
- a two-storey former Victorian School Building fronting onto Kilburn Lane;
- a single storey infill building linking the sports hall with the nursery/former Victorian School Building
- 2-storey Victorian former school-masters lodge currently occupied as temporary accommodation and fronting onto Bannister Road.
- MUGA to the north edge of the site next to Bannister Road.
- The frontage of the existing site on Chamberlayne Road and Banister Road is formed by a 2m high brick wall which restricts views of the site and limits informal surveillance of the surrounding streets.

These facilities are located within Brent but owned and run by Westminster City Council. The Borough boundary runs along the south east edge of the site along the centre of Kilburn Lane. The site also forms the western edge of the South Kilburn Growth Area and is within the HS2 safeguarding zone.

Planning permission was granted in 2014 (13/3682) for:

*Demolition of all existing buildings and erection of a part 7/part 6/part 5/part 4-storey building with 9293sqm of Sports and Leisure Centre (Use Class D2), 56 flats ( 22 x 1-bed, 34 x 2-bed) and 240sqm of retail floor space (Use Class A1/A2/A3) and erection of 15 terraced townhouses (15 x 4-bed) with associated car and cycle parking and landscaping and subject to a Deed of Agreement dated 02 February 2015 under Section 106 of the Town and Country Planning Act 1990, as amended.*

### C) AMENDMENTS SINCE SUBMISSION

- The CLP has been revised to include a spreadsheet which outlines the proposed daily level of the on-street servicing bay on Chamberlayne Road over the 111 weeks of construction works.
- 'Fig 4 G577 TMP1 rev 01 Chamberlayne Rd scaffold' has been amended to provide a clear headroom of at least 5.4m beneath the proposed loading gantry.

### D) SUMMARY OF KEY ISSUES

The key consideration is the provision of a temporary off-site loading bay on Chamberlayne Road and the potential impact on traffic and public transport as a result.

### RELEVANT SITE HISTORY

This condition is pursuant to the recent planning permission to redevelop the site for mixed uses:

**13/3682 - Granted** Demolition of all existing buildings and erection of a part 7/part 6/part 5/part 4-storey building with 9293sqm of Sports and Leisure Centre (Use Class D2), 56 flats ( 22 x 1-bed, 34 x 2-bed) and 240sqm of retail floor space (Use Class A1/A2/A3) and erection of 15 terraced townhouses (15 x 4-bed) with associated car and cycle parking and landscaping and subject to a Deed of Agreement dated 02 February 2015 under Section 106 of the Town and Country Planning Act 1990, as amended.

### CONSULTATIONS

Four representations have been received objecting to the CLP including objections from Ward Councillor Southwood, Kensal Rise Residents Association, Kensal Triangle Residents Association and Aylestone Residents and Tenants Association.

The representations raised the following concerns.

Objection raised	Response
Revised CLP does not justify the use of Chamberlayne Road for deliveries and loading and unloading should take place within the curtilage of the site	See section 2 & 3
Inclusion of a delivery schedule does not address the chaos and congestion likely to be caused	See section 2 & 3
Even if only 3 or 4 deliveries a day, disruption will be caused for the whole time take to unload and time taken for tailbacks to clear	See section 2 & 3
There is nothing to show what time of day the deliveries will take place; in any case vehicles will be reaching the site from the A406 North Circular, the A404 Harrow Rd and A5 Edgware Road all of which are heavily congested so it would be impossible to come up with a meaningful timetable.	See section 2 & 3
Drawings provided show that a tower crane can access vehicles and other part of the site, therefore the need for a loading bay on Chamberlayne Rd is superfluous.	See section 2 & 3
Drawings show an unloading gantry at an unspecified height, which may not clear a double decker bus	See paragraph 2.8
Chamberlayne Road is an arterial route with heavy bus use as such the use of Chamberlayne Road would cause massive disruption to the buses	See paragraph 3.4
Site located with a 7.5T lorry ban zone. HGV will be required to deliver to site but the Council should enforce that they do not travel north from the site	See paragraph 4.9
Care and consideration of local residents should be made a priority. Local	See section 4

*Document Imaged*

DocRepF  
Ref: 15/4226 Page 5 of 20

residents should be informed of noise, dirty phases of work, road closures, parking bay suspensions and must be given a clear point of contact.

## **POLICY CONSIDERATIONS**

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

#### **London Plan 2011**

- 2.14 - Area for Regeneration
- 3.2 - Improving Health and Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Persons Play Space
- 3.8 Housing Choice
- 3.12 Affordable Housing Provision
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.19 Sports Facilities
- 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

### **Mayor's Housing SPG 2012**

### **Brent's Local Development Framework**

### **Site Specific Allocations 2011**

#### **Core Strategy 2010**

- CP1 Spatial Development Strategy
- CP2 Housing Growth
- CP5 Placemaking
- CP6 Design and Density in Place Shaping
- CP9 South Kilburn Growth Area
- 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
- BE25 Development in Conservation Areas.
- H11 Housing on Brownfield Sites
- H12 Residential Quality – Layout Considerations
- H13 Residential Density
- TRN3 Environmental Impact of Traffic
- TRN10 Walkable Environments
- TRN11 The London Cycle Network
- TRN22 Parking Standards – Non-residential Developments
- TRN23 Parking Standards – Residential Developments

## **DETAILED CONSIDERATIONS**

### **1. Background and context**

1.1 Planning consent was granted in 2014 for a Sport and Leisure Centre, 56 flats including 22 one bedroom flats and 34 two bedroom flats, 240sqm of retail floor space and 15 terrace townhouses.

1.2 The permission attaches several prior to construction/demolition conditions that require the applicant to submit further details to be approved by the Local Planning Authority. So far, 11 of 12 pre-construction/demolition conditions have been discharged, with condition 17 (Construction Logistics Plan) remaining, before the applicant can start construction.

1.3 An earlier Construction Logistics Plan (CLP) was submitted in early 2015 and was subsequently withdrawn as the applicant was unable to revise it within the specified time frame to provide further details and justification for the use of an off-site unloading area on Chamberlayne Road.

1.4 A revised CLP has been submitted to the Council following discussions between the applicant and Brent's Transport Officers. Further revisions to the CLP include a delivery schedule to illustrate how often the off-site loading bay on Chamberlayne Road would be utilised. Your Transport Officers have reviewed the revisions and now consider the CLP acceptable and suitable to discharge.

1.5 Ward Councillor Southwood and local residents groups have raised concerns regarding the CLP and remain unconvinced by the revised version. The primary concern relates to the provision of an off-site loading bay on Chamberlayne Road and the impact this could have on traffic flow in this area. The report will therefore begin by first reviewing why an off-site loading bay is required and to what extent it would be utilised.

### **2 Off-site loading bay on Chamberlayne Road discussion**

2.1 A temporary on-street loading bay operating only between 9.30am-3.30pm would be provided on Chamberlayne Road alongside the frontage of the site in the position of the existing bus stop, which would be re-provided to the south. This arrangement has been agreed in principle following a meeting with Brent Council's Network Management Team and London Buses. This would be achieved through a temporary Traffic Management Order (TMO), which would be at the expense of the developer.

2.2 The loading bay would require the removal of six on-street parking bays from the eastern side of Chamberlayne Road to allow the southbound bus stop on Chamberlayne Road to be moved southwards, in order to free up kerbside space for the loading bay in the position of the existing bus stop. Three parking bays opposite the loading area on the western side of Chamberlayne Road are also to be temporarily removed, with parking suspended between 9.30am and 3.30pm, to maintain two-way traffic flow along the road whilst the loading bay is in operation.

2.3 The operational hours of the off-site loading bay will be restricted to 9.30am-3.30pm to avoid interference with peak hours on the highway network, with deliveries pre-booked 24-hours in advance to ensure they are scheduled so that there is space available for unloading. The applicant has stated within the CLP that vehicles that arrive without booking in advance will be turned away from the site.

2.4 Predicted daily and weekly delivery vehicle volumes have now been provided throughout the period of the construction works. This predicts up to 206 vehicles a week (41 per day), but with the vast majority of these deliveries being unloaded within the site. Over the course of the contract, 95.5% of deliveries are proposed to be unloaded within the site, leaving 4.5% or 882 of deliveries making use of the proposed loading bay on Chamberlayne Road.

2.5 Primarily, the loading bay will be used by heavy goods vehicles (HGV) that cannot be accommodated on site; delivering items such formwork, scaffold, steel and roofing material. These deliveries cannot be accommodated on site, as the proposed development would involve building close to the boundary with Chamberlayne Road, Banister Road and Kilburn Lane with a small access road between the proposed leisure centre and townhouses. This access road is too small to practically and safely accommodate large vehicles

and as such an off-site loading bay is essential to provide deliveries that cannot be accommodated on site.

2.6 The profile over the course of the contract shows that no vehicles will use the loading bay until the 20th week of the works. Estimated daily use of the bay will then remain at one vehicle per day for 16 weeks, before rising steadily to a peak of 4-5 vehicles a day. Overall peak usage of the bay will occur over 19 weeks from weeks 54-72, when more than three deliveries per day are anticipated per day.

2.7 As the loading bay on Chamberlayne Road is not required until the 20th week of the contract, the introduction of the temporary bay will be postponed until a suitable agreed date four months into the contract (it was originally proposed to come into operation in October 2015, but delays to the start of the project meant this did not proceed). At least eight weeks notice will be required to bring the bay into operation.

2.8 One further matter that has come to light is the introduction of a loading gantry over the carriageway of Chamberlayne Road at a height of 4.5m, which was not proposed on the original plans. This has now been revised to a height of 5.4m above carriageway level to mitigate against issues of potential strikes by high sided vehicles. This will in any case need to be agreed through the scaffolding licence for the site, which is issued by Brent Environment & Protection Team.

### **3 Possible alternatives**

3.1 Objections to the use of Chamberlayne Road suggest that other less heavily trafficked streets could be used instead for off-site loading, but your Officers do not consider this to be practical. The site also has frontages along Kilburn Lane and Banister Road. Kilburn Lane is a relatively narrow road with on-street parking opposite the site and curved alignment to the south. To provide an on-street loading bay in this area would require suspension of a large number of residents' parking bays. With regards using Banister Road, this too is considered impractical as the site has relatively short frontage to Banister Road coupled with the fact there are bus stops on both sides with traffic signals to the north west corner of the site. On balance, while Officers appreciate some disruption will be caused at times to traffic along Chamberlayne Road, it is considered the most appropriate location for an off-site loading bay.

3.2 As stated above, the provision of an off-site loading bay has therefore been accepted in principle by Brent's Network Management team, as long as it is used sparingly. A limitation on the operating hours of the bay to 9.30am-3.30pm to avoid morning and evening peak hours was also agreed to minimise impact.

3.3 It has also been suggested by local residents that any deliveries taking place to shops on the western side of Chamberlayne Road from the area of the suspended parking bays could adversely affect traffic flow along the street if the loading bay is in use at the same time. Your Officers have noted this point and an amendment to the temporary Traffic Regulation Order to prohibit loading in that area is to be progressed. This will also need to be at the developer's expense.

### **4 CLP summary**

#### **General operation hours**

4.1 The CLP provides details on working hours which will be limited to  
Monday to Friday: 08:00 to 18:00  
Saturdays: 08:00 to 13:00  
Sundays and Public Holidays: No work

4.2 However certain operations will require deliveries outside of the hours above such as heavy lifting for the extraction of tower cranes not possible within the site which are likely to take place at the weekend or at night. This may require road closures. A licence to do so will be secured in advance with Brent Council, the Police and TFL buses.

#### **Neighbourliness**

4.3 The site will be registered with a Considerate Contractors Scheme. Signage will be erected at key points around the site with information on site activities and contact details for the site management team to deal with concerns and complaints. Regular meetings between Willmott Dixon, Brent and Westminster Council will discuss concerns and complaints regarding construction activities and actions to mitigate impact on local residents.

#### **Public safety**

4.4 The CLP also outlines appropriate measures to ensure the safety of the public during construction. This will be in the form of solid hoarding around the site. Where possible the hoarding would be positioned to



maintain a 1.5m pavement width, at times the hoarding will be adjusted in width to accommodate operations within the site which would take place close to the pavement. The exiting railing on the corner of Chamberlayne Road and Banister Road will be increased in width.

### **Temporary Highway works**

4.5 Construction will also involve alterations to existing bus stops. The bus stop on Banister Road will be kept in its current position but the applicant intends to make a request to TFL Buses to temporarily remove the shelter. An application will also be made to TFL Buses in respect of a bus stop at Chamberlayne Road. It is proposed that this would be temporarily moved to create an unloading bay. The issues surrounding the unloading bay will be discussed further in section 3.

4.6 Construction access will initially be via existing crossovers from Banister Road and Kilburn Lane. The southern crossover to Kilburn Lane is to be reserved for emergency use only. A permanent crossover from Banister Road will be constructed with the first 3 months of the project and will become the primary access in and out of the site. Full time staff will supervise construction access with traffic marshals overseeing vehicles entering and emerging from the site.

### **Deliveries**

4.7 Unloading within the site area will take place during normal working hours. Unloading from the vacated bus stop on Chamberlayne Road will take place between 9:30 and 15:30 to avoid peak traffic hours.

4.8 The CLP states delivery vehicles will not be allowed to queue in surrounding streets and all subcontractors will be made aware of the delivery arrangements. Delivery vehicles which arrive on site without booking 24 hours in advance will be turned away.

4.9 Appendix F and G illustrates the Construction Vehicle Routing. Figure no. 3141/001/T/102 shows the construction vehicles will only drive along Chamberlayne Road as far as Banister Road, they will not continue north but will either take the A5205 or A404.

### **Contractor parking**

4.10 The site is well served by public transport as such a strict 'No parking on site' will be enforced. With regards public parking the existing 4 bays on Banister Road will be relocated permanently to the north end of Kilburn Lane. The existing permit parking on Kilburn Lane will be preserved. Four parking bays at the south end of Chamberlayne Road will be suspended for around 10 months in order to relocate the adjacent bus stop.

### **Dust, waste**

4.11 Dust and dirt will be managed through measures such as damping down techniques and wheel washing. Noise will be regularly monitored by Willmott Dixon and will not exceed limits agreed with Environmental Officers at Brent and Westminster Council.

4.12 A Site Waste Management Plan (SWMP) will be utilised on site. All waster will be removed appropriately with the intention 90% of waste will be recycled.

## **5 Conclusion**

5.1 Considering the points discussed above, the Construction Logistic Plan is considered to satisfy the requirements of Condition 17 and is accordingly recommended for approval.



DECISION NOTICE – APPROVAL

Application No: 15/4226

To: Mr Holloway  
Daniel Watney  
165 Fleet Street  
London  
London  
EC4A 2DW

I refer to your application dated 30/09/2015 proposing the following:  
Details pursuant to condition 17 (Construction Logistics Plan) relating to planning application reference 13/3682 dated 04/02/2015 for full planning permission sought for demolition of all existing buildings and erection of a part 7/part 6/part 5/part 4-storey building with 9293sqm of Sports and Leisure Centre (Use Class D2), 56 flats ( 22 x 1-bed, 34 x 2-bed) and 240sqm of retail floor space (Use Class A1/A2/A3) and erection of 15 terraced townhouses (15 x 4-bed) with associated car and cycle parking and landscaping and subject to a Deed of Agreement dated 02 February 2015 under Section 106 of the Town and Country Planning Act 1990, as amended

and accompanied by plans or documents listed here:

Construction Management Plan

Appendix A: Logistics Drawings SL1-5 rev 07

Appendix B: Traffic and Pedestrian Management drawings G577 TMP1-6 rev 02

Appendix C: Willmott Dixon Fleet Operators Recognition Scheme statement

Appendix D: Willmott Dixon Occupational Health and Safety Management System register of forms

Appendix E: Robert West Drawing 3141 001 C 100 P3: Proposed off-site delivery system

Appendix F: Robert West drawing: Construction vehicle routing

Appendix G: Robert West drawing: Construction vehicle routing - local road network

Appendix H: Delivery schedule

at Moberly Sports Centre, Kilburn Lane, North Kensington, London, W10 4AH

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission.

Date:

Signature:

Head of Planning, Planning and Regeneration

**Note**

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

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Any person wishing to inspect the above papers should contact Katrina Lamont, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1905

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 February, 2016

**15/4590**

## SITE INFORMATION

**RECEIVED:** 22 October, 2015

**WARD:** Queens Park

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

**LOCATION:** 76-78 Salusbury Road, London, NW6 6PA

**PROPOSAL:** Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 8 self-contained flats ( 3 x 1bed, 3 x 2bed and 2 x 3bed) together with associated alterations to include removal of rear dormer window, new 2nd floor rear extension, stairwell extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening, cycle parking spaces and bin stores

**APPLICANT:** Ashcross Ltd

**CONTACT:** Icen Projects Ltd

**PLAN NO'S:** 5332 22 C  
5332 23 C  
5332 24 C  
5332 25 C  
5332 26 C  
5332 27 C  
5332 28 C  
5332 29 C  
5332 30 C  
5332 21 C  
Design and Access Statement

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

[When viewing this on an Electronic Devices](#)

Please click on the link below to view **ALL** document associated to case

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_124692](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_124692)

[When viewing this in Hard Copy](#)

Please follow the following steps

1. Please go to [www.brent.gov.uk/pa](http://www.brent.gov.uk/pa)
2. Select Planning and conduct a search tying "15/4590" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

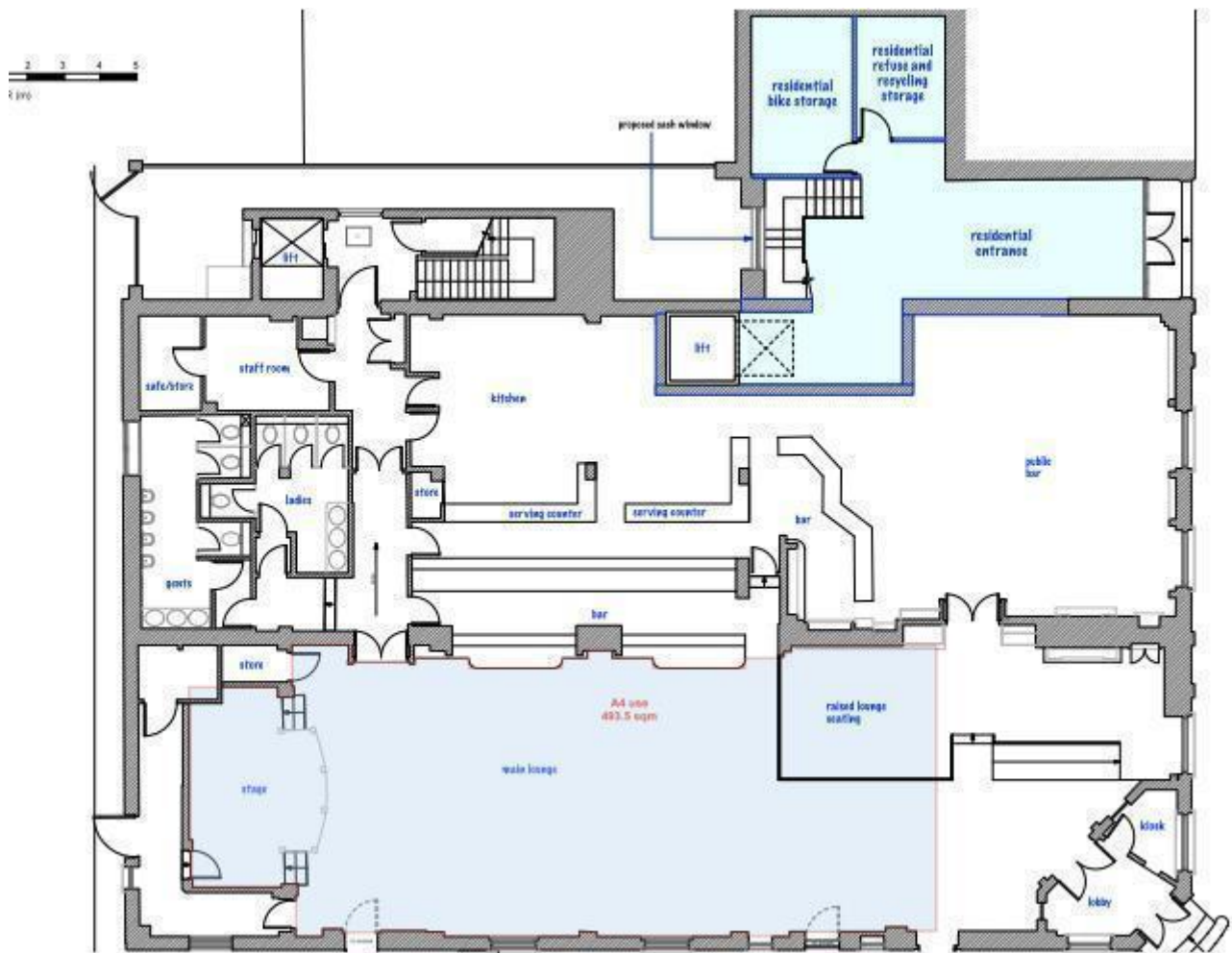
Site address: 76-78 Salusbury Road, London, NW6 6PA

© Crown copyright and database rights 2011 Ordnance Survey 100025260

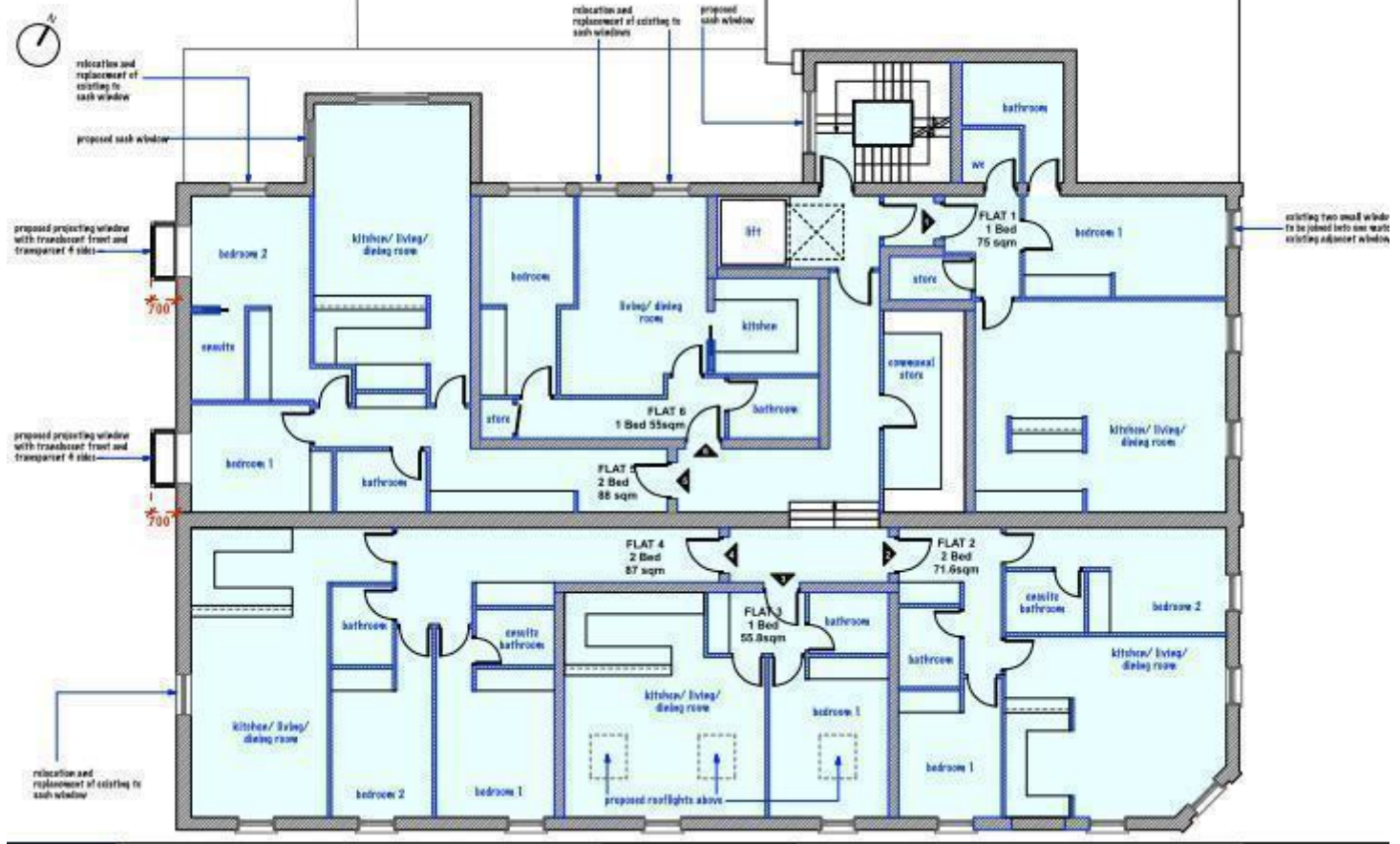
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## Proposed ground floor plan with community area marked

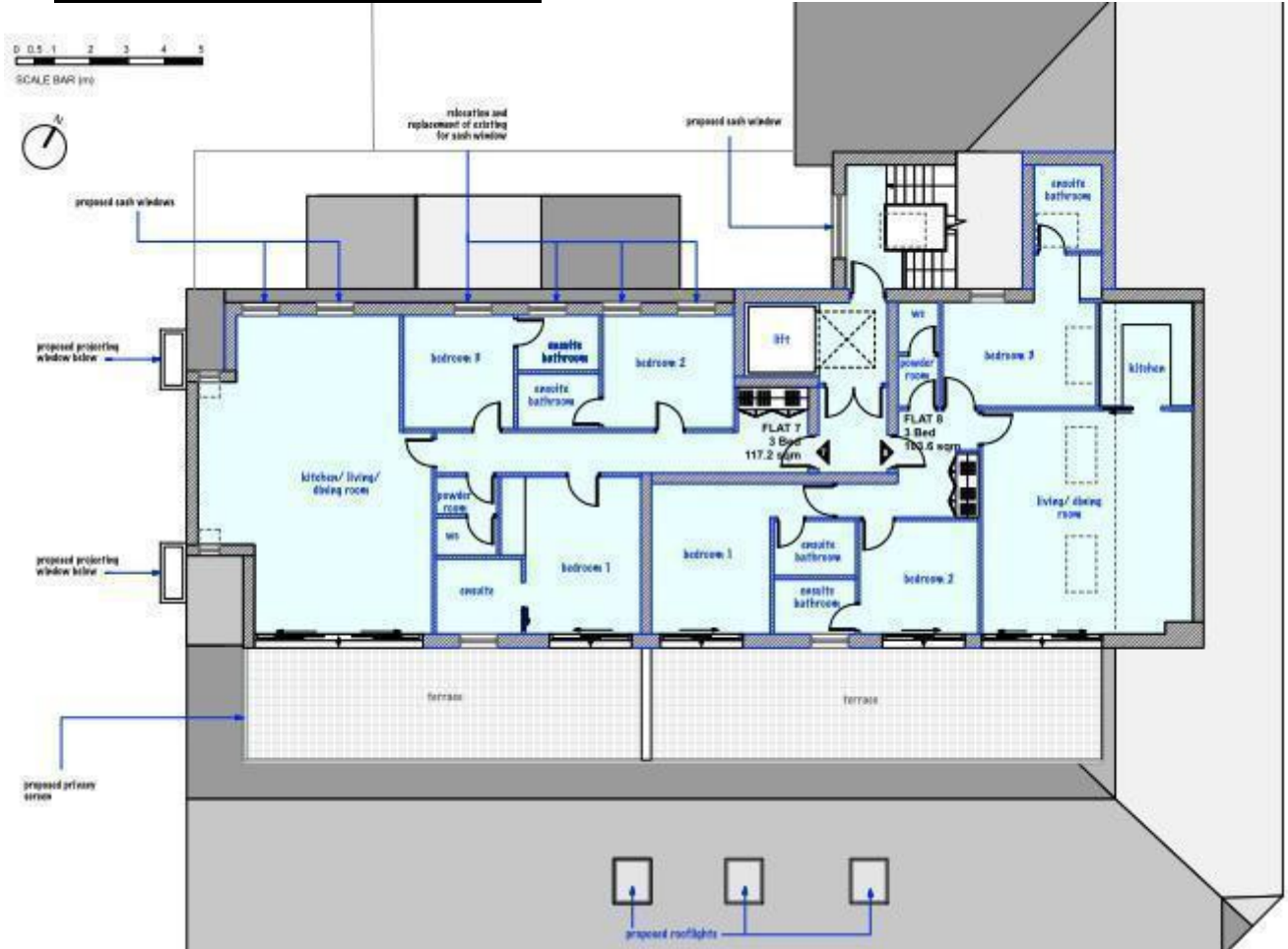


# Proposed first floor

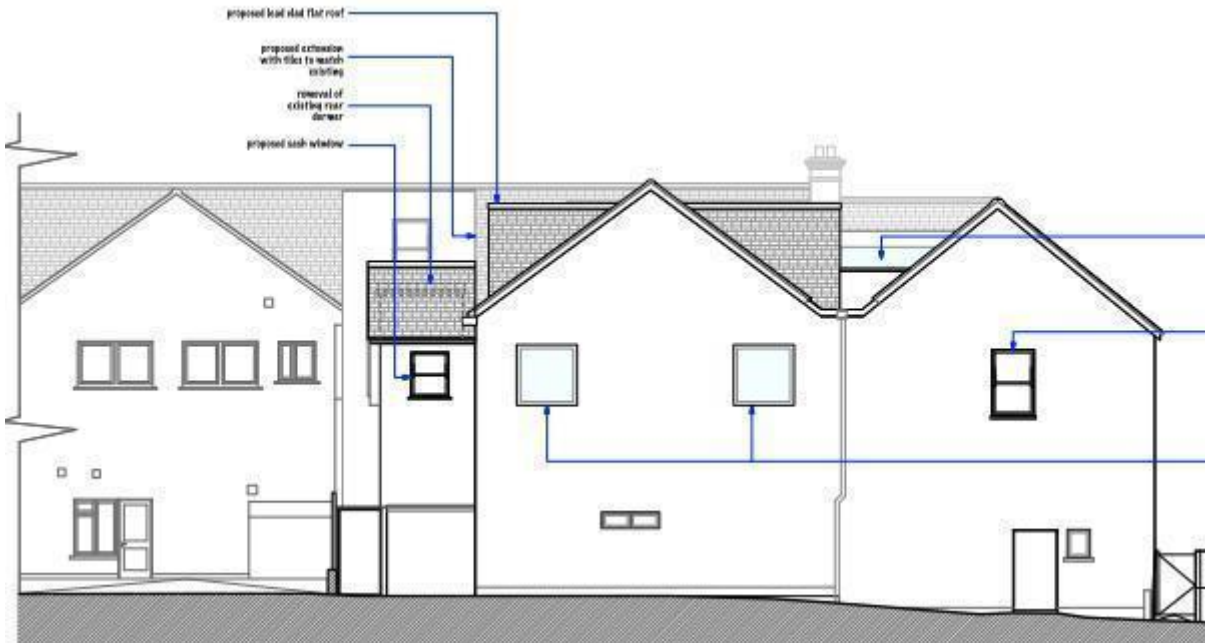




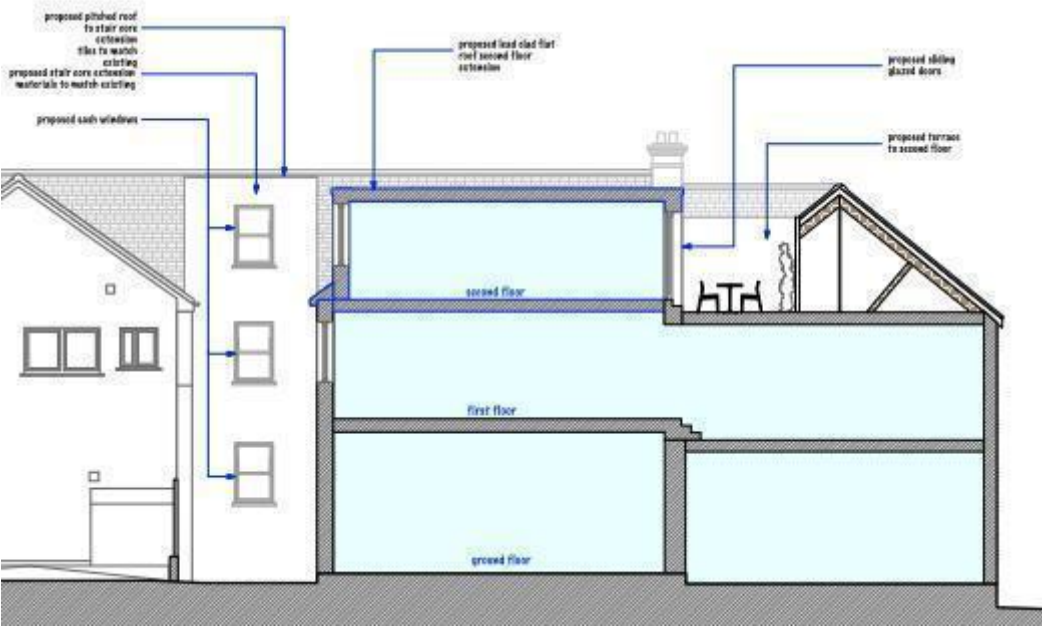
## Proposed second floor/roof plan



## Proposed rear elevation



**Proposed section**



**Proposed internal side elevation**



## Proposed CGI from Hopefield Avenue



## RECOMMENDATIONS

### Recommended for refusal

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

#### A) PROPOSAL

The proposal is for the upper floors of the Public House to be converted into flats (C3 use) and the ground floor to be retained as a Public House (A4 use). There is a small section on the ground floor which will be used for an entrance lobby, lift and residential cycle and refuse storage.

A revision to the proposal also includes an area identified be available for use by the Community on the ground floor. This will be regulated under a proposed S106. The proposed heads of terms are described later in this report.

There are external alterations including new/related roof lights, a second floor extension, creation of new roof structure/dormer, relocation of windows and two projecting windows on the western elevation.

The ground floor is generally staying as existing with a 'community' area marked out on the ground floor.

#### B) EXISTING

The application site is the Corrib Rest Public House, 76-78 Salusbury Road, London, NW6 6PA. The building as a whole occupies a large plot between Hopefield Avenue and Windermere Avenue however the Public house, and associated upper floors, is on the corner of Salusbury Road and Hopefield Avenue.

The building is not listed and is not located within a conservation area however, the site is located on the boundary of the Queen's Park Conservation Area.

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*DocRepF  
Ref: 15/4590 Page 3 of 21*

The building at present accommodates the Corrib Rest public house (Class A4) at basement, ground and first floor levels, with an ancillary residential unit at second floor level, which appears to be used as staff accommodation.

The ground floor has been used for traditional public house uses and the first floor comprises of a 2 x large function rooms which have been used for everything from swing dancing classes to choirs over the past 15 years. Further details of these uses will be below.

Saulsbury Road is made up of mainly ground floor commercial and upper floor residential uses with the side streets (such as Hopefield Avenue) being of traditional Victorian terraces.

Salisbury Road has very good access to amenities with bars, shops, restaurants and parks being located within walking distance of the site.

Queen's Park and Brondesbury Park are the closest stations and there are regular busses travelling up and down Saulsbury Road. The site has a PTAL rating of 4.

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

The applicants have made some amendments following Officer feedback. These are:

- Amendments to the Heads of Terms/Section 106 to include more specific timings
- Revision of ground floor plan to mark out a community area in blue
- Minor revisions to first and second floor plans to improve layout
- Revision of West elevation to remove large 'box window'
- Revision of roof extension to set it up from the eaves
- Minor design details including the relocation of a sash window and addition of small rooflights in north and south elevations

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

The key considerations are:

- Whether sufficient mitigation is provided for any loss of community or cultural facilities;
- Whether the proposal would harm the viability of the pub to the extent that it may be lost;
- Whether the proposed residential units provide an acceptable quality of residential accommodation and amenity for future occupiers;
- Whether any proposed alterations to the existing building are in keeping with the character and appearance of the existing building and adjacent Conservation Area; and
- Whether the proposals would have an acceptable impact on the amenity of adjoining residents.

## **RELEVANT SITE HISTORY**

History (for the building as a whole)

15/1612- Application to determine whether property is designated an 'Asset of Community Value' as required by Class A, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015- Prior Approval Required

07/2496- Covered seating area with bollards and screens for use of seating area facing Salisbury Road accompanied by (4 x A4 Sheets of proposed awnings/screens, 10 x A4 colour photo sheets and 1 x A4 image of proposed seating area and awnings)- GTD

98/0315- Use of ground floor as public house (A3 Use), use of function rooms on first floor as A3 use, ancillary to ground floor including availability for community use and provision of disabled access, staff accommodation on 2nd floor, extension of hours on Friday and Saturday nights, New Year's Eve and St Patrick's Day until 1 a.m. for first-floor large function room and until midnight for ground-floor large bar, and retention of improved façade- GTD

96/1348- Partial Change of use from community use to residential comprising 24 units and use of rest of

premises as community centre with ancillary and associated bar, with offices and training facilities (as revised by plans received 25/09/96 and additional information submitted 16/10/96)- GTD

95/1725- Change of use from cultural and welfare centre (Class D1) to Offices (Class B1)- GTD 19/12/1985

DC/841974- Change of use to Irish Cultural and Community Centre- GTD- 19/12/1984

## CONSULTATIONS

The application was advertised in the paper and 2 x site notices were put up on 19/11/2015. Letters were sent to 66 addresses.

There has been a large amount of interest in the proposals with a large petition (Irish Pensioners Group) objecting to the proposals. In addition, the Queens Park Residents Association have objected to the proposals. The Hopefield Ave QPARA street rep has also submitted comments supporting the proposals. Tulip Siddiq, the MP for Hampstead and Kilburn has been made aware of the proposals as have local Councillors.

Supporting	Response
The retention of the Public House and upper floor flats is what should happen to the premises.	See section 2.17
There should be no replacement of function space on the first floor.	See section 2.17

Neutral	
The side door which leads in to Hopefield Avenue should be permanently closed and relocated to the front of the building.	See point 3.1
That no drinking of alcohol and congregating in Hopefield should be permitted.	See 3.3 and 2.16
That additional sound proofing to the downstairs pub area be installed since noise from that area.	See 1.4, 2.11 and 4.6
That there should be restricted opening hours ie until 11pm during the week and midnight on Fridays and Saturdays.	See 1.4 and 3.2
Increase in windows and terraces affecting privacy.	See 4.5 and 6.3

Objecting	
Loss of a community/cultural facility	See section 2 in general
The obligations in the existing S106 must be upheld	See 2.7, 6.1 and 6.2
The upper floors have been used for many activities over the past 15 years and the change of use would lose these function rooms.	See section 2.3

## 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. It 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.

## **NPPF**

- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
  - Chapter 70- Delivery of social, recreational and cultural facilities for the community
- Section 12 Conserving and enhancing the historic environment

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**

## **1. Principle**

1.1. Your officers consider it essential that the community use aspect of the existing ancillary function rooms be re-provided in any proposed re-development, to reflect the historic use of the premises by community groups as evidenced by representations made during this application and the recent listing of the property as an Asset of Community Value (ACV). Your officers have attached significant weight to the merit of

re-providing this community use. At present, the Applicant has not been able to provide your officers with sufficient information that the proposal would adequately retain or re-provide a community use element. As such your officers are of the view that this proposal would result in the loss of a community facility and thus would be contrary to policy CP23 of the Brent Core Strategy and section 70 of the NPPF.

1.2. The proposal does include retention on the ground floor of the A4 Use and the change of use will not affect the whole premises. The principle of a change of use of part of the building from A4 (Public House) to C3 (Residential) could be supported if the resulting pub remains viable (in accordance with the emerging policy DMP21 "protection of public houses" within the Council's Development Management Policies Plan) and if there is a good standard of accommodation for future occupants which do not adversely impact on neighbouring amenity. However, the weight that can be given to the retention of the pub is substantially limited by the lack of clarity surrounding how the pub and the community element would work together to create a viable business. As such your officers feel unable to give any weight to the merit of retaining the pub use and instead conclude that it is likely that the viability of the retained pub may be harmed by the proposal for the community use area and may be lost, contrary to Brent's emerging policy on the protection of public houses, to which some weight can be given at this stage (submitted 2015 with no objections).

1.3. Your officers have given some weight to the merit of providing new homes in a sustainable location, however the weight given is tempered by the fact the proposed residential units are compromised in their layouts, resulting in a standard of accommodation that is acceptable only when balanced against that merit and against the difficulty of converting an existing building in a dense urban environment.

1.4. Your officers have also given limited weight to the merit of removing a nuisance to neighbouring residents on the basis of representations from residents of Hopefield Avenue, some of whom have expressed support for this proposal on the basis of historic noise disturbance and anti-social behaviour arising from the operation of the pub and the first floor function rooms as a party venue. Whilst this is material consideration, the weight officers have given it is limited as the pub, were it to reopen without redevelopment, would be subject to restrictions on opening hours laid out in the original permission LPA ref 98-0315 (Monday to Thursday 10:00 to 23:00; Friday to Saturday 10:00 – 00:00; and Sunday 12:00 – 23:00, extended hours until 01.00 on Sat/Sunday, NYE and St. Patricks Day for function rooms) and the harm from noise and disturbance, which can be properly addressed through Environmental legislation, from a long-established use is not considered to outweigh the harm of the loss of the community use.

1.5. As mentioned above, the Public House is now considered to be an Asset of Community Value. This was confirmed on the 30<sup>th</sup> July 2015 when a nomination by the Queens Park Residents Association proved to be successful. Whilst an ACV is not the same legislation as the planning process, it does become a material consideration and does hold weight in how an application should be viewed. It is understood that there is a current appeal on the status of the ACV currently however the current situation is that an ACV is in place on Public House, which includes all floors.

## **2. Community Operation**

2.1. As discussed above, this is one of the key considerations in reaching a recommendation and your officers are not satisfied that the application as it stands would satisfactorily re-proved adequate community facilities to reflect historic use here.

2.2. The Applicant has suggested that the function rooms and pub did not have a significant community element; details submitted by the applicant state that there is *"no evidence to suggest that the first floor has been used for regular meetings of community groups over the past 15 years as no records exist detailing who and when have hired the first floor space or for what kind of use"*. Further submissions from the Applicant state that *"from speaking to Local Residents that in the majority of cases, the first floor of the premises has either been empty and not used or has been used for large drinking and dining events, including birthday celebrations, disco's and wedding receptions and associated with the primary use of the building as a drinking establishment (Class A4)."*

2.3. The above statements are in conflict with representations made to the Council from both local groups and local residents throughout the consultation period on the application. In addition to the ACV listing, there is evidence that the function rooms served an important community use with evidence suggesting the below activities occurred on the first floor on a regular basis for several years previously right up until the Corrib Rest closed on in early 2015:

- Swing Dancing Classes

- Zumba Classes
- Salsa Dancing Classes
- Choir rehearsals and concerts
- Irish Dancing Evenings

2.4. Further investigation by Officers, including speaking with the instructors/organisers of the classes/clubs, has confirmed this and the activities outlined above were in regular operation. There has also been collection of data by Officers to find out where these activities have been relocated to since the closing of the Pub. In general, it appears that activities such as Swing Patrol and Salsa classes have relocated out of Brent. The Park Life Singers (Choir) use the nearby school hall and smaller societies such as the MS Society and Irish Pensioners have also relocated out of the Borough.

2.5. In addition, an extract from the report listing the ACV reads;

- “It is clear that the Corrib Rest Pub was intended to be a valued community facility and its actual use in the past lived up to that expectation.”
- “The first floor function room establishes a strong link between the pub and the activities the function room was used for. It demonstrates that the actual and main use of the function room also furthered the social wellbeing and social interests of the local community.”
- “The Corrib Rest Pub has for many years had a community use. In addition to the pub which has been a meeting place for local people, there is an upstairs room that has been used for classes – Irish Dancing, Salsa being the most recent uses. The classes have been attended by local families plus people who work in the area. The upstairs room was also regularly rented out for local wedding, christening and similar family parties”

2.6. The applicants were advised of the value which your officers would attach to the community element in pre-application discussions, on the basis of national, regional and local planning policies that seek to protect community facilities, and that a community element needed to be retained or re-provided.

2.7. The proposal seeks to retain the ground floor use as a Public House however there would not be a direct re-provision of a specific room or area for “Community Use”, however an area highlighted in blue on the ground floor plan (approximately 150sqm, shown in the ‘relevant documentation’ section of the report) would be available for the use of the public. The operation of this space would be controlled by S106 planning obligation and to that end the Applicant has proposed the following Heads of Terms:

- Community space as shown on ‘plan annexed hereto’.
- Available for 15 hours per week.
- Available at comparable rates to other local authority space.
- Booking to be done at least 2 weeks in advance.
- A limit of the number of community users.
- Not to be used at peak times.
- Not to detrimentally affect the running of the ground floor business / interfere with the operator etc.
- Uses to be community groups and voluntary organisations as defined in previous s106.
- A mechanism for the owner to keep records of how well the community space is use.
- A review mechanism to stop access to the community space or reduce it in the event no one wants it / uses it.

2.8. What constitutes a community facility in respect of a pub use is not strictly defined. In some pubs, it is merely the fact that the premises are a pub, the heart of a community and an area where people come together to relax, to engage socially and perhaps to participate in formal group activities be it the local darts or cricket team or an NCT group meeting each week. These more traditional pubs are in and of themselves community facilities to a certain degree.

2.9. In this particular case, however, the community element of the pub is enhanced greatly by the two function rooms on the first floor. Originally these would have provided a valuable community facility for the local Irish community and clearly these rooms were envisaged to be places where people could have birthday parties, weddings and other large functions. Over time the local community has changed and some different groups also used the rooms for different activities until its closure, and so your officers conclude that those ancillary function rooms have a clearly established pattern of community use over many years and merit



protection. In respect of the proposal, it cannot be argued that the provision of the pub without a separate function room would necessarily result in the same type of community use as other more traditional pubs, let alone provide the level of community activity that the premises have accommodated in the past.

2.10. Retaining or re-providing a separate function room, ancillary to a viable pub, is likely to be the correct solution and together the pub and the function room would be an asset to the community. The function room would serve a dual purpose as a community facility and an extension to the pub: it would be a community facility when made available to the community at rates comparable to local authority community facilities and when made available more generally on a commercial basis to community groups.

2.11. As such your officers would not envisage that the time space is available for community groups being limited to 15 hours, rather this would be the minimum time the room would be available at reduced rates. At other times it would be expected that the room would be available for community groups at commercial rates (it may prove necessary to stipulate this amount of time as well) and at other times it would be used in support of the primary use of the business as a pub, e.g. as an overspill from the pub below or a venue to be hired out for parties or dinners (subject to suitable controls on noise, hours of operation and which exits are to be used).

2.12. Whilst it is recognised that use of any room during peak hours will have an effect on viability, this must be balanced with the expectation that some if not all community groups are likely to want to use the room at those perceived peak hours: for instance in the evening for dance classes.

2.13. Officers have assessed the offer and compared the type of space proposed to the existing situation on the first floor. Your officers are of the view that the type of activities that have occurred in the past would not be able to take place on the ground floor of the premises due to various reasons including the below:

- The space is not distinct from the pub by means of physical separation: it is therefore difficult to see how active groups or groups requiring a degree of privacy would be accommodated without causing significant disruption to the remainder of the pub or without being unattractive to those groups so that it would be unused.
- Some groups that have used the space in the past require large, open areas of space which would not be afforded by the area marked in blue, given this encompasses level differences including a stage and another raised platform area
- The Applicant has not indicated how the space would operate when not is use by community groups and without this it is difficult to envisage how the two uses would interact in a successful way
- The amount of floorspace marked blue given over to community uses is a larger area than the pub, when the kitchen, toilets, residential entrance and bar are deducted from the remaining floor area. This raises questions as to how likely it is that this pub would be viable and therefore whether this is a serious, implementable solution or merely a sop to your officers concerns.

The proposed Heads of Terms, combined with the above concerns, would not, in your officers' opinion, give community groups the amount or type of access to a community space that could compare to the original community provision, even when taking into account that a slight reduction on the existing provision is necessary to accommodate the residential element.

2.14. It is of course not essential that the community space serve exactly the same groups as before, but the existing function rooms, given their size, internal height and location (as being distinct from the main pub below) are unusual for a pub and have clearly attracted groups that require such space: for instance dance and exercise classes and choirs. As such your officers are of the view that every effort must be made to ensure a similar space is re-provided (or retained) within any redevelopment, especially since there is a lack of alternative facilities in the local area. Evidence collected through various means suggests that many established groups have moved into facilities within other Boroughs (Irish Pensioners Society, SwingPatrol and Salsa) whilst others are using substandard function space within local primary schools for their activities (ParkLife Singers).

2.15. At this point, it must be made clear that there are many Hopefield Avenue residents who have some concerns about the current/former operation of the premises and have reported the following:

- Late night operation of the premises
- Drinking in the street and in residents front gardens
- Broken bottles and glasses left lying around and with fights and other anti social

behaviour.

- Parties going on until 4am in the first floor function rooms.
- Parking in Hopefield Avenue
- Residents spat at and threatened with physical violence

2.16. The representative from Hopefield Avenue has stated that *not all necessarily wholeheartedly support this planning application but that are vehemently opposed to the reinstatement of a large events room on the first floor and any pub licence beyond 11pm during the week and 12pm on Fridays and Saturdays*. The current approved hours as per variation of conditions application to the original consent- LPA ref- 01/1887 are until 12pm for the ground floor use on Friday, Saturday, NYE and St. Patricks Day and 1am for the first floor function room on the aforementioned days too.

2.17. Generally, residents in Hopefield Avenue would like to see housing on the 1<sup>st</sup> and 2<sup>nd</sup> floors however they feel that the small pub area on the ground floor should be allocated to community groups. Your officers are of a similar but not identical mind: acceptable proposal that balances the retention of a viable pub, the provision of residential accommodation and the retention of a meaningful community use may require part of the first floor to be retained as a function room; however this does not necessarily mean that the problems reported by Hopefield Avenue residents would resume. The Applicant is not a pub operator and so it is not possible at this juncture to speculate on the nature of the pub operator who may wish to take this business on beyond the Applicant's suggestion in their Operation Management Plan that it would be "high quality gastropub style establishment" and whilst previous operators may have carried out their business without regard to the amenity of their neighbours, that is not to say that it will be necessarily be repeated in the future.

2.18. Your officers recognise that there is an inherent difficulty in attempting to create the sort of mixed use pub which becomes a community asset in its own right by regulatory control: these businesses grow organically and reflect the communities they serve. However, there is a greater likelihood that this pub would retain its community element if there was a physically distinct room, to which the Owner is obliged to give minimum levels of access to community groups under a Planning Obligation backed up by a willing pub operator who can articulate their vision for how the pub and function rooms would interact so that the whole is greater than the sum of the parts. At present all these conditions for success are lacking and as a consequence your officers cannot recommend that Members approve this application, on the grounds of loss of a community facility.

### **3. Public House Operation**

3.1. The public house would be accessed from the corner of Saulsbury Road and Hopefield Avenue. It is well documented in responses from local residents that this is not the preferred location, however from a planning perspective, the secondary entrance on Salusbury Road is directly below a neighbouring windows and this would be an inappropriate solutions no matter what existing arrangements are.

3.2. The pub, according to the Operational Management Plan suggests it will be a '*high quality, gastropub style establishment*'. Whilst this could never be conditioned or enforced, it gives some idea about the future operation. Hours of use would be conditioned, however the existing hours of operation for the ground floor bar are below:

- Monday to Thursday 10:00 to 23:00;
- Friday to Saturday 10:00 – 00:00; and
- Sunday 12:00 – 23:00.

3.3. These hours are not proposed to change and the existing licence conditions will be adhered to. Security would be placed on doors at closing time.

3.4. The majority of deliveries would take place through the rear entrance access via the private road to the rear of the property. The impact of public deliveries on shared residential / public house space should be kept to a minimum and the respective amenity of both residents and the pub would be preserved.

3.5. The existing kitchen would continue its use under the operation of the ground floor Public House and there will probably a decrease in its use given the reduction in floor area.

3.6. The waste and recycling arrangement for public house would remain as existing. Waste and recycling

would be secured within eurobin containers located on the private road to the rear of the property.

3.7 As discussed above, officers are concerned that the proposed arrangements would not result in a viable public house operation and the pub may be lost as a result of these proposals, therefore officers suggest this is included as a reason for refusal.

#### 4. Quality of Accommodation

4.1. As discussed above, your officers are of the view that the proposed residential accommodation would provide an acceptable standard of accommodation only on the basis of giving weight to the difficulties of converting an existing building in a dense urban location and giving significant weight to the merit of providing residential accommodation in a sustainable location. As such the weight officers feel able to give to the overall provision of residential units is limited.

4.2. The proposal seeks to create 8 flats comprising of 3 x 1 bed, 3 x 2 bed and 2 x 3 bed in the first floor of the flats. The proposals are in a sustainable location with a PTAL rating of 4 and close to local amenities such as schools and shops. There is outdoor amenity space, in the form of private balconies, for the 2 x 3 bed flats (approximately 32sqm) however the other 6 flats will not have access to any private amenity space. All of the proposed flats have a floor space which is larger than the London Plan/National Housing Standards and weight can be given to this to offset the lack of outdoor provision.

Flat 1	1b 2p flat. No external amenity space.	75.0 sqm
Flat 2	2b 3p flat. No external amenity space.	71.6 sqm
Flat 3	1b 2p flat. No external amenity space.	55.8 sqm
Flat 4	2b 4p flat. No external amenity space.	87.0 sqm
Flat 5	2b 3p flat. No external amenity space.	88.0 sqm
Flat 6	1b 2p flat. No external amenity space.	55.0 sqm
Flat 7	3b 5p flat. With terrace for external amenity space.	117.2 sqm (32sqm terrace)
Flat 8	3b 5p flat. With terrace for external amenity space.	103.6 sqm (32sqm terrace)

4.3. Three flats are single aspect, with flat 6 facing North. This is not considered ideal, however this is a conversion scheme and the opportunity for new windows/outlooks are very limited on the Western elevation.

4.4. The proposal includes the addition of new/replacement sash windows on the flank Northern elevation. They will, on balance, provide adequate light and outlook to future occupants.

4.5. During pre-application discussions regarding design, it was advised that windows on the Western elevation would present privacy concerns for No.1 Hopefield Avenue. As a solution to this, there are now projecting windows with a translucent front and transparent sides providing light into bedroom 1 and 2 of Flat 5 which will not result in any overlooking/loss of privacy. These are nevertheless not an ideal solution for the occupants of those rooms and only considered acceptable for the reasons set out at the start of this section. In addition, the 3 bed units on the second floor, whilst being large and whilst receiving plenty of light from the open terraces and flat roof lights, do not have ideal outlooks as they are effectively boxed in by the roof.

4.6. Should Members be minded to grant consent a condition would be sought to ensure post completion sound testing was carried out to ensure the living conditions of future residents would not be materially harmed by noise, especially from the pub below but also from vertical and horizontal noise transmission between other residential units.

#### 5. Impact on character and appearance of the area

5.1. In order to modify the building to allow for conversion to residential use, there are external alterations proposed. Whilst the site location is only adjacent to Queens Park Conservation Area, it is considered that the building, being predominant on Saulsbury Road and clearly visible from streets and properties within the Conservation Area will need to be seen to protect or enhance the existing environment.

5.2. The existing building has a poorly positioned roof extension/dormer and the host building and immediate surroundings would benefit from its removal and replacement. The Public House, which is only one half of the 'horseshoe' of the entire building footprint, is on the whole very attractive and a unique contribution to the townscape. There are significant alterations to other parts of this building, presumed to be in different ownerships, and this will be reflected in any assessment. The exterior of the building is weary and would

benefit from investment.

5.3. There are some additions, such as the rooflights and slight relocation of some windows which do not materially change the appearance of the building. The front (east) and side (south) elevations are effectively untouched - aside from a fascia uplift - and this is welcomed from both architectural viewpoint and conservation one.

5.4. The proposals include the creation of a larger dormer – set up and in from the eaves - and an extension to the existing stair core with a pitched roof. These changes and alterations to the roofline are on the northern elevation which faces away from Saulsbury Road and Hopefield Avenue.

5.5. The acceptability of these alterations rests on their ability to be subservient to the building that they relate to and being of a design and appearance which is acceptable in terms of the local context. It is considered that, on balance, given their location away from a public highway, not directly facing onto the adjacent Conservation Area and the fact there are other extensions to the building, the alterations have an acceptable impact on the surroundings.

5.6. The revival of the facades is welcomed and the general materials - which are to broadly match the existing- are also acceptable.

5.7. It can be considered that the alterations described above maintain the important and unique aspects of the building, whilst the retention, replacement and addition of sash windows further maintains the design integrity of the original building. Only limited weight is given to the retention of all existing rooflines as significant alterations have been undertaken on other parts of the building as a whole.

## **6. Impact on Neighbouring Amenity**

6.1. Your officers are satisfied that there is an existing S106 on the site which was in part intended to control the operation of the function rooms so that the premise would become overcrowded with attendant problems for local residents. There is a perception among some residents that this was not enforced however it is not clear from the Council records whether complaints of breaches were received and if so, whether these were acted upon. The S106 required the owner to send an annual report on the use of the function rooms and there is no evidence that this was done, however that would not in itself help address much of the day-to-day anti-social behaviour that afflicted local residents in the past, rather there is other legislation available to tackle these issues: pubs which operate outside of their licensed hours can be investigated and have those licenses removed and the licensees prosecuted. Similarly, pubs which cause noise disturbance can be served with Notices under the Control of Pollution Act 1974. Criminal activity should be reported to the Police.

6.2. Notwithstanding the problems with the past running of the building, any new permission would be accompanied by S106 or conditions to a similar effect of the existing S106 with regards to hours of operation and the Community use. Whilst there have been many suggestions that if this proposal was to be approved, the existing S106 would be required to continue, this is not the case. The existing S106 would cease to have effect when any new permission is implemented and a new set of either planning or licencing controls would need to be set and adhered to.

6.3. With regards protecting the immediate surrounding uses, the windows have been omitted on the flank elevations facing Number 1 Hopefield Avenue. These have been replaced by box lights which have obscure glazing on the Western elevation.

6.4. The proposal does look out onto the rear of St Eugene's Court (adjacent building) to the north and the increase in habitable windows in the northern elevation, whilst not giving rise to immediate concerns with regards to overlooking does limit the weight that Officers can give to the acceptability of these units, especially the ones which are single aspect.

6.5. It is acknowledged that this is a relatively dense urban environment and there will not be complete immunity to short or restrictive outlooks and this arrangement is broadly acceptable as no habitable rooms or formal private amenity space adjoining the subject property are detrimentally affected.

## **7. Transportation**

7.1. The site has good access to public transport services and is located within a CPZ, reduced residential

allowance applies and the scheme becomes eligible to be 'Car Free'.

7.2. The existing public house is permitted one space for the first 400m<sup>2</sup> floor area plus one space per 100m<sup>2</sup> thereafter, giving a total allowance of 8.85 off-street parking spaces. The existing provision of three spaces alongside the rear service road is within the maximum permitted allowance. The public house also requires servicing by 10m rigid lorries, which can also make use of the rear service road.

7.3. This proposal will remove the first floor function room area from the public house and in so doing, reduce the car parking allowance for the pub to 2.25 spaces which is strongly encouraged due to the surrounding streets being heavily parked.

7.4. The applicant proposes to retain two of the off-street parking spaces for use by the larger 3-bedroom flats and to designate the other for use as a Car Club bay. However, the surrounding area is already very well served by Car Club bays, with at least five vehicles stationed on-street within a 500m radius of the site. If an operator is interested in a further space on this site, then all well and good, but it is not considered necessary to secure this by condition, given that the size of the development would not by itself support a viable Car club vehicle.

7.5. Standard PS16 requires the provision of a secure bicycle parking space per flat. An internal storage room with space to comfortably accommodate at least 10 bicycles has been shown alongside the ground floor entrance lobby, which provides a suitable level and standard of provision. Similarly, a room is also shown for refuse storage alongside the entrance lobby, with sufficient capacity to accommodate the required number of bins within 10m of the front of the building, allowing easy collection from Salusbury Road.

7.6. Should this application be minded for approval, it is advised to secure a Car Free scheme via condition to restrict the flats applying for on street permits on the surrounding streets which are known to be heavily parked.

## 8. Summary

8.1 Your officers have taken into consideration and given appropriate weight to the following aspects of the proposal;

- The provision of 8 x residential units in a sustainable location – along with that standard of accommodation.
- The re-provision of a 'community space' on the ground floor of the Public House and the proposed way it will function
- The external alterations of the building and the subsequent appearance of the area
- The impacts of the proposal on the local community as well as any immediate neighbours.

8.2. Officers, through analysis of the extensive consultation process, their own investigations and details of the applicants submission have given substantial weight to the need of re-providing a meaningful community facility which, some activities aside, reflects the former uses.

8.3. The weight given to the provision of residential units is limited as, although acceptable in principle, the standard of accommodation future occupiers of some units could expect is restricted due to the reasons outlined in section 4.

8.4. Whilst the renovation and investment in the building is welcomed, it is felt that this can be achieved in tandem with a more appropriate proposal and subsequent permission on the premises.

8.5. In summary, the proposals have not convinced your officers that there is a substantial, viable and meaningful re-provision of a well used, functional and established community space. As alluded to above, this holds significant weight given its historical and cultural importance to the immediate and wider community and refusal of this proposal is accordingly recommended.

## CIL DETAILS

This application is liable to pay **£15,300.49\*** 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): 1346 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
Drinking establishments (2004)	493	493	0	£5.00	£35.15	£0.00	£0.00
Dwelling houses	853	800	53	£200.00	£35.15	£13,013.39	£2,287.10

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)	275	
<b>Total chargeable amount</b>	£13,013.39	£2,287.10

\*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 – REFUSAL

Application No: 15/4590

To: Mr Hodgson  
Iceni Projects Ltd  
Flitcroft House  
114-116 Charing Cross Road  
London  
WC2H 0JR

I refer to your application dated 22/10/2015 proposing the following:

Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 8 self-contained flats ( 3 x 1bed, 3 x 2bed and 2 x 3bed) together with associated alterations to include removal of rear dormer window, new 2nd floor rear extension, stairwell extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening, cycle parking spaces and bin stores

and accompanied by plans or documents listed here:

- 5332 22 C
- 5332 23 C
- 5332 24 C
- 5332 25 C
- 5332 26 C
- 5332 27 C
- 5332 28 C
- 5332 29 C
- 5332 30 C
- 5332 21 C

Design and Access Statement

at 76-78 Salusbury Road, London, NW6 6PA

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

## REASONS

- 1 The applicant has failed to demonstrate that the proposed works would adequately re-provide a sufficient quality and quantum of community space with appropriate minimum access arrangements to compensate for the loss of the community use of the Asset of Community Value first floor function rooms and in the absence of this and a legal agreement or other means to secure the community access arrangements the proposals would result in the loss of a community facility, contrary to policy CP23 of Brent's Core Strategy 2010, policy 3.16 of the London Plan and paragraph 70 of the National Planning Policy Framework 2012.
- 2 The applicant has failed to demonstrate how the proposed community access to the area marked on the refused ground floor plan would operate and interact with the remaining Asset of Community Value public house and as a result it is likely that the proposal would harm the viability of the public house to the extent that it may become lost, contrary to policy CP23 of Brent's Core Strategy 2010, emerging policy DMP21 of Brent's Submitted Development Management Policies Document 2015, policy 3.16 of the London Plan and paragraph 70 of the National Planning Policy Framework 2012.

## INFORMATIVES

- 1 The applicant is advised that this development would be liable to pay the Community Infrastructure Levy if approved. In the event of a successful appeal, a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).



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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