



Planning Committee

Wednesday 8 June 2016 at 7.00 pm

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

Membership:

Members

Councillors:

Marquis (Chair)
Agha (Vice-Chair)
Hylton
Long
Maurice
Moher
J Mitchell Murray
Pitruzzella

Substitute Members

Councillors:

A Choudry, Colacicco, Daly, Ezeajughi, Hoda-Benn, Kabir, Khan and Naheerathan

Councillors

Colwill and Kansagra

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

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.00pm in Boardrooms 7 and 8

Please note that there will be no prior site visits for this meeting.

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 personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.		
2. Minutes of the previous meeting - 9 May 2016 (to follow) Extract of Planning Code of Practice NORTHERN AREA		
3. All Units, Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB (Ref. 15/3639)	Fryent	5 - 36
4. 163 Preston Hill, Harrow, HA3 9UZ (Ref. 15/0287)	Barnhill	37 - 58
5. 154 Watford Road, Wembley, HA0 3HF (Ref. 15/4960)	Sudbury	59 - 70
6. 2 Atlip Road, Wembley, HA0 4LU (Ref. 15/2061)	Alperton	71 - 102
7. Land Adjacent to Morrith House, Talbot Road, Wembley, HA0 (Ref. 16/0120)	Wembley Central	103-116
SOUTHERN AREA		
8. 1A-C, 3, 5A-D Deerhurst Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2 (Ref.15/4998)	Brondesbury Park	117-162
9. 76 Burnley Road, London, NW10 1EJ (Ref. 16/0857)	Dudden Hill	163-182
10. 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.		

Date of the next meeting: Tuesday 28 June 2016

The site visits for that meeting will take place the preceding Saturday 25 June 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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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

8 June, 2016

15/3639

SITE INFORMATION

RECEIVED: 20 August, 2015

WARD: Fryent

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: All Units, Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB

PROPOSAL: Demolition of existing four storey building used as offices (Use class B1) and adult learning centre (Use class D1) and erection of part 5, 6 and 7 storey building providing 43 residential units (21 x 1bed, 12 x 2bed and 10 x 3bed) and office space (Use class B1) on the ground floor with associated basement level car parking, cycle parking spaces, alterations to existing vehicular crossover, landscaping and amenity space

APPLICANT: Handover Ltd

CONTACT: Churchill Hui Architects

PLAN NO'S: 5475 P500 - Location Plan

5475 EX2 101 - Existing Basement Floor Plan
5475 EX2 102 - Existing Upper Ground Floor Plan
5475 EX2 103 - Existing First Floor Plan
5475 EX2 104 - Existing Second Floor Plan
5475 EX2 105 - Existing Third Floor Plan
5475 EX3 101 - Existing Site Elevation North East
5475 EX3 102 - Existing Site Elevation North West
5475 EX3 103 - Existing Site Elevation South West
5475 EX3 104 - Existing Site Elevation South East

5475 P501 Rev A - Site Layout & Roof Plan
5475 P502 Rev A - Contextual Elevations
5475 P503 Rev A - Contextual Sections
5475 P504 Rev A - Floor Plan Basement (Level 0)
5475 P505 Rev A - Floor Plan Ground Floor (Level 1)
5475 P506 - Floor Plan First Floor (Level 2)
5475 P507 - Floor Plan Second & Third Floors (Levels 3-4)
5475 P508 - Floor Plan Fourth Floor (Level 5)
5475 P509 Rev A - Floor Plan Fifth Floor (Level 6)
5475 P510 Rev A - Floor Plan Sixth Floor (Level 7)
5475 P511 Rev A - Roof Plan

Accompanying documents

Environmental Noise Report - prepared by Sharps Redmore Acoustic Consultants
Travel Plan prepared by TTP Consulting
Residential Travel Plan prepared by TTP Consulting
Car Park Amendments prepared by TTP Consulting
Contaminated Land Risk Assessment - Phase 1 Desk Top Study prepared by Soil Environment Services Ltd with Appendix A and B
Air Quality Assessment prepared by Air Quality Consultants

Energy Statement prepared by energy test
Sustainable Drainage Assessment prepared by Fairhurst Consulting Engineers
Summary of Compliance Criteria for Building Regulation Part G prepared by energy test

**LINK TO
DOCUMENTS
ASSOCIATED TO
THIS
APPLICATION**

When viewing this on an Electronic Device

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_123699

When viewing this as an Hard Copy

Please use the following steps

1. Please go to pa.brent.gov.uk
 2. Select Planning and conduct a search tying "15/3639" (i.e. Case Reference) into the search Box
 3. Click on "View Documents" tab
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SITE MAP



Planning Committee Map

Site address: All Units, Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB

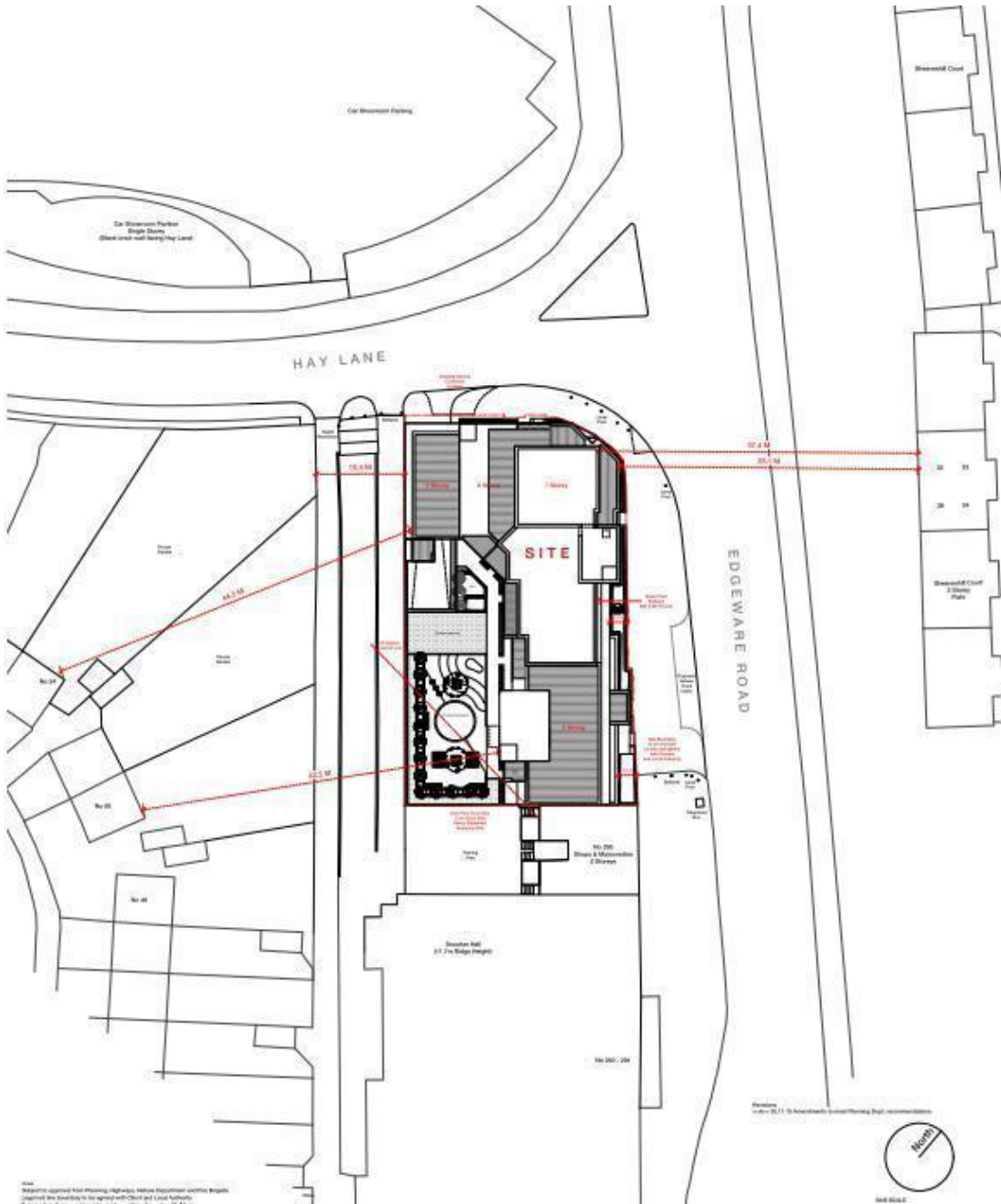
© Crown copyright and database rights 2011 Ordnance Survey 100025260



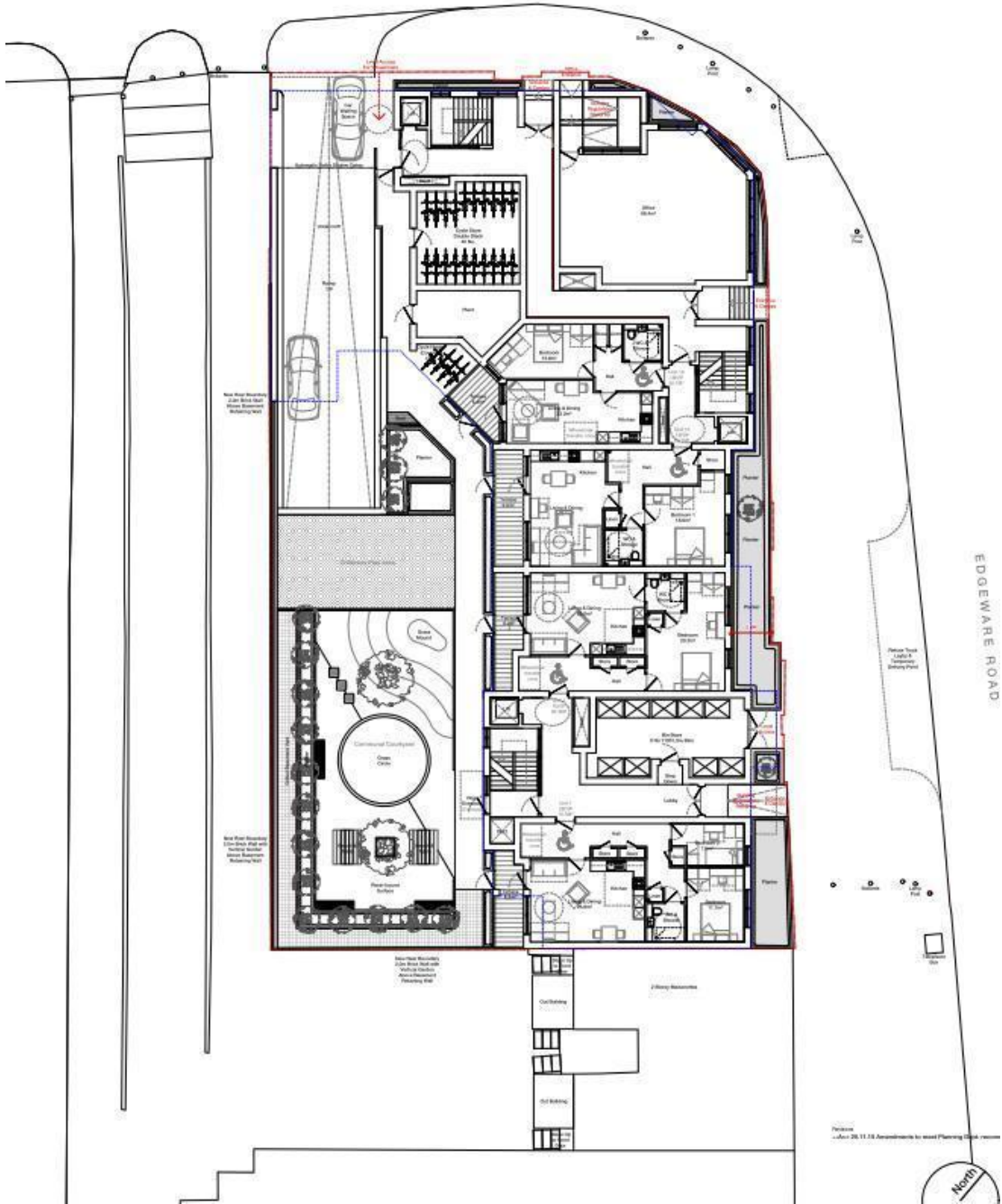
This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS

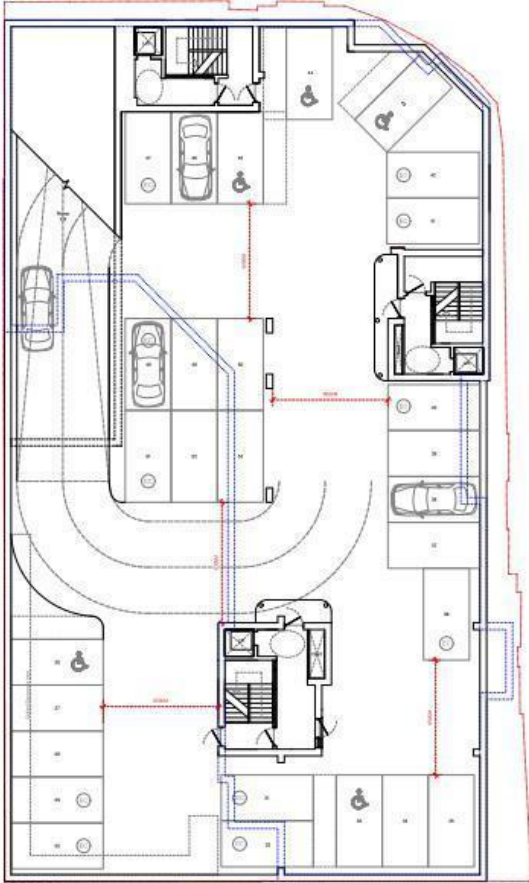


Site Layout plan

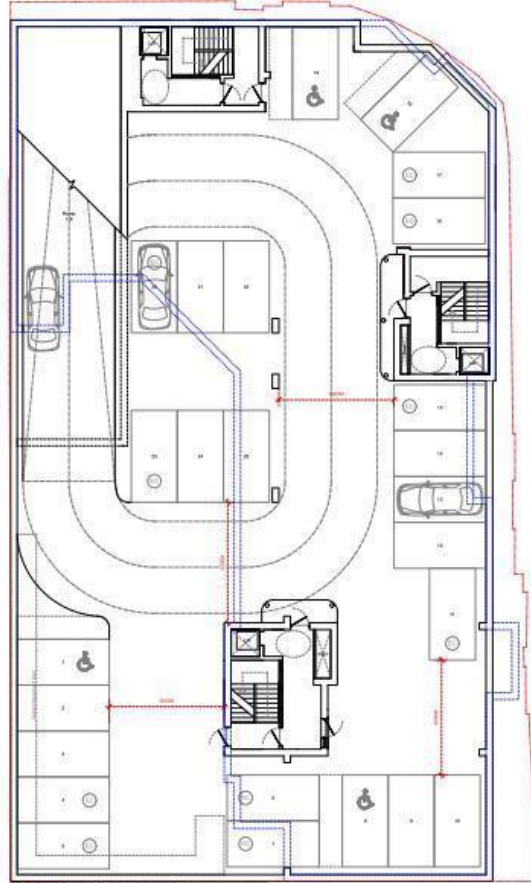


Proposed ground floor and site plan

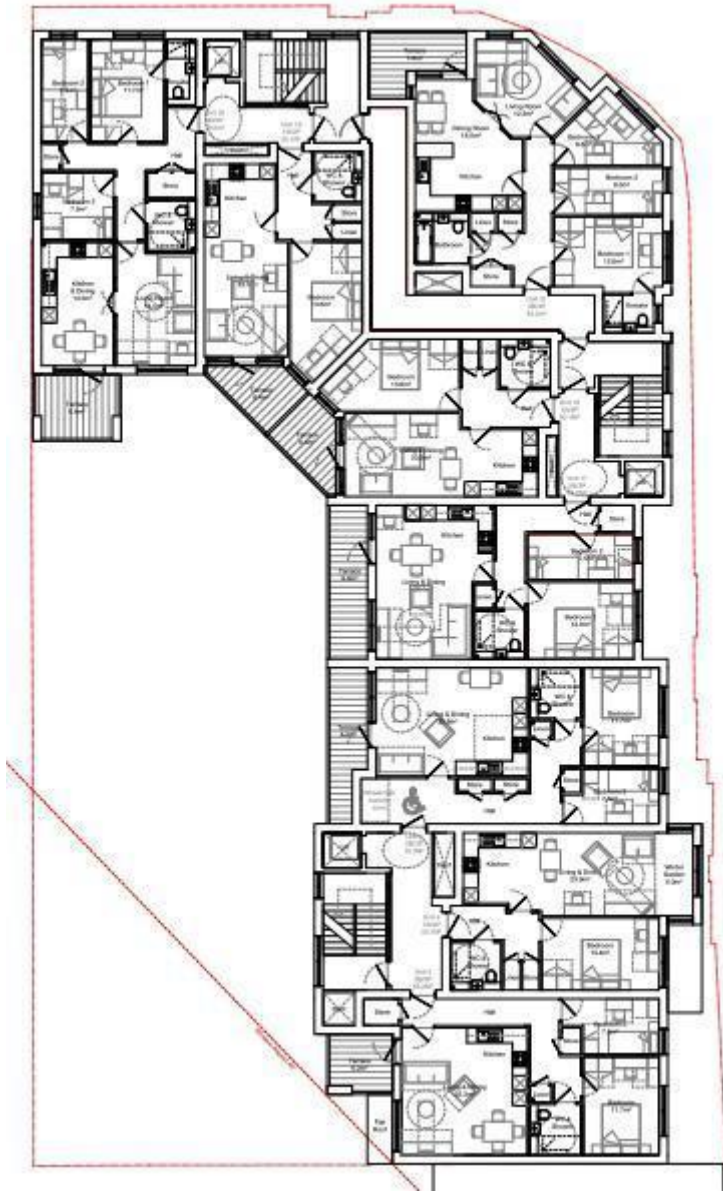
BASEMENTS 2 (LEVEL -1)



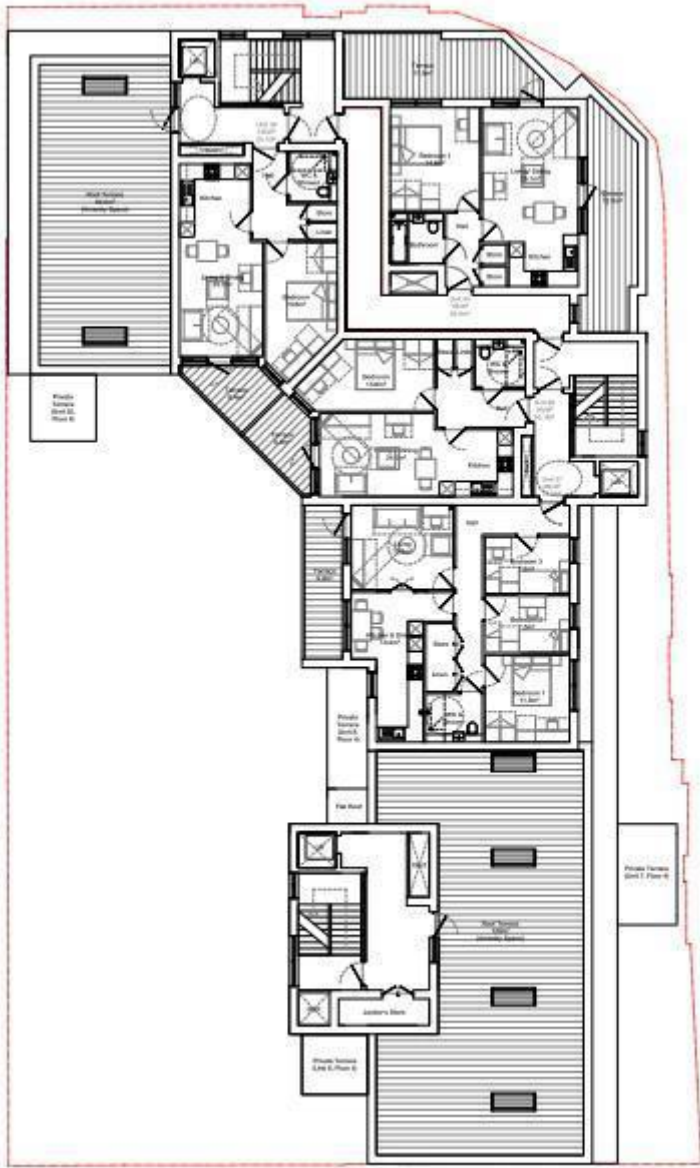
BASEMENTS 1 (LEVEL 0)



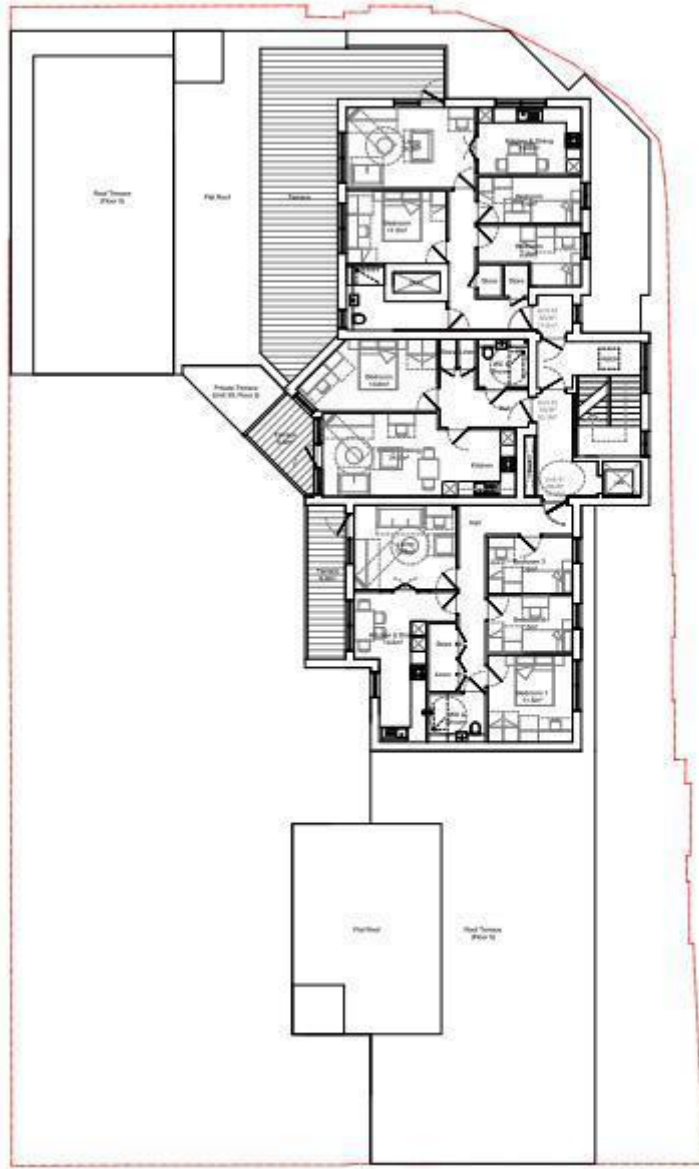
Proposed basement plans (Level -1 and Level 0)



Proposed first floor plan



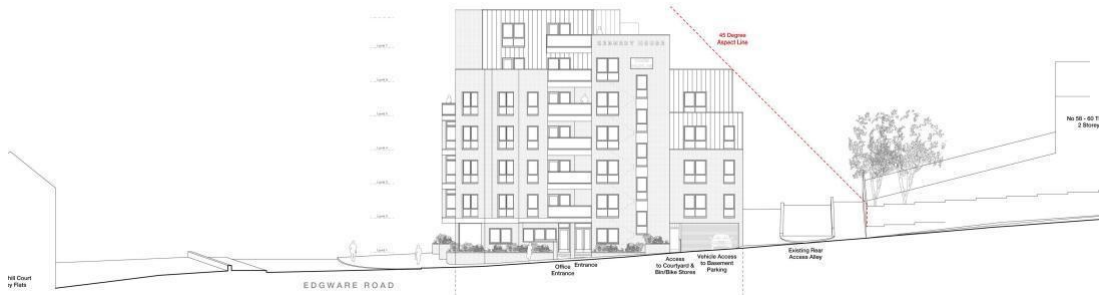
Proposed fifth floor plan



Proposed sixth floor plan



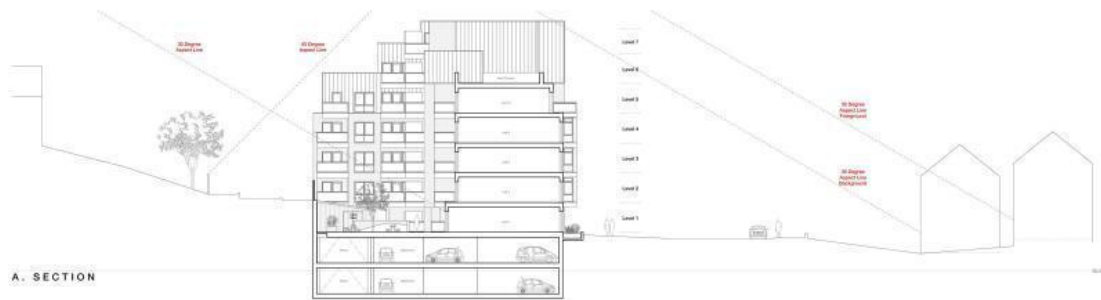
Proposed east (front) elevation



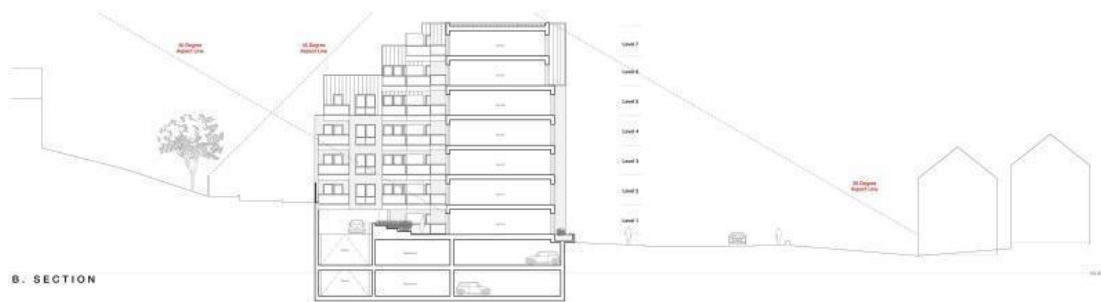
Proposed north elevation



Proposed west elevation

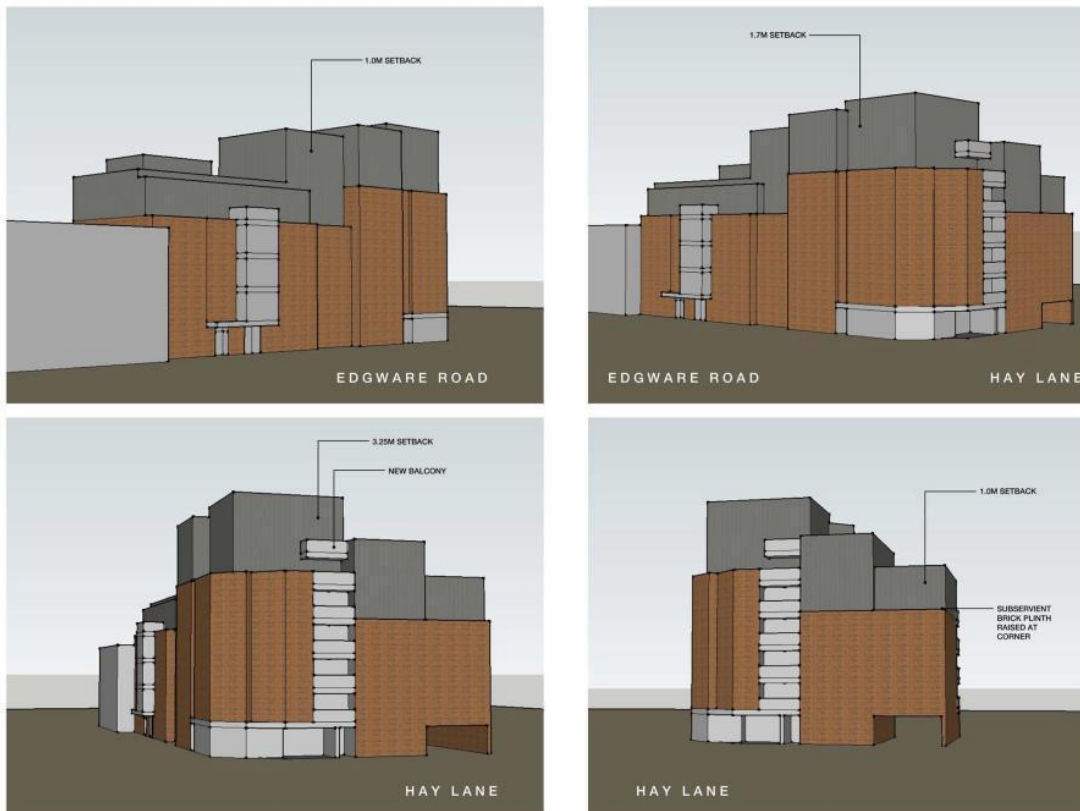


A. SECTION



B. SECTION

Proposed sections



Massing model

RECOMMENDATIONS

That planning permission is refused for the reasons set out in the draft decision notice.

A) PROPOSAL

Demolition of existing four storey building used as offices (Use class B1) and adult learning centre (Use class D1) and erection of part 5, 6 and 7 storey building providing 43 residential units (20 x 1bed, 13 x 2bed and 10 x 3bed) and office space (Use class B1) on the ground floor with associated basement level car parking, cycle parking spaces, alterations to existing vehicular crossover, landscaping and amenity space

B) EXISTING

The application site comprises Kennedy House (also known as Watling Gate) located on the corner of Edgware Road and Hay Lane. The site contains a part 3 part 4 storey building with basement car park that was originally built for 6 business units falling in use class B1. Some of the units have since been subdivided into smaller units and part of the building has changed to an Adult Learning College (use class D1) - see planning history below.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

Principle of development: The development proposes a residential led mixed use scheme and results in the loss of an employment use (offices). The submission fails to demonstrate that there is no reasonable prospect of the site being used for employment use.

Design and Scale of development: Whilst the general scale of the development is appropriate for its context, there are concerns with the quality of the design and massing of the building.

Transportation: The scheme provides 53 car parking spaces, which is considered an acceptable level of car parking for this scheme. Sufficient cycle parking is provided together with storage for refuse. Concerns have however been raised regarding the layout of the basement car park and safe access for both vehicles and pedestrians.

Quality of the proposed residential accommodation: The proposal accords with the London Plan

standards for residential floorspace. However, the overall quality of residential accommodation is not considered to be sufficient due to concerns regarding the quality of the communal amenity space, disabled access and access to the communal bin store.

Impact on neighbouring occupiers: The proposal is considered to maintain acceptable levels of amenity for existing residential occupiers.

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	2833	69	2764	0	-2764
Dwelling houses	0	0	0	5134	5134
Non-residential institutions	237	0	237	0	-237

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats ú Market)										
PROPOSED (Flats ú Market)	20	13	10							43

RELEVANT SITE HISTORY

Relevant planning history

15/1667: Prior approval for change of use of Units 3 to 5 from office (Use Class B1) to residential (Use Class C3) involving the creation of 14 residential units (7 x 2bed and 7 x 3bed) - Prior approval required and Granted, 18/06/2015.

15/1666: Prior approval for change of use of Unit 2 from office (Use Class B1) to residential (Use Class C3) involving the creation of 3 residential units (3 x 2bed) - Prior approval required and Granted, 18/06/2015.

15/0381: Full Planning Permission sought for Demolition of existing four storey building used as offices (Use class B1) and adult learning centre (Use class D1) and erection of part 3, 5, 6 and 7 storey building providing 49 residential units (22 x 1bed, 17 x 2bed and 10 x 3bed) with associated basement level car and cycle parking space, alterations to existing vehicular crossover, landscaping and amenity space - Withdrawn, 15/04/2015.

14/4417: Prior approval for change of use from offices (Use Class B1) to residential (Use Class C3) involving the creation of 25 residential units (11 x 1bed and 14 x 2bed) - Prior approval required and refused, and unlawful, 31/12/2014.

10/1373: Change of use from office (Use Class B1) to an adult learning centre (Use Class D1) at 1 & 2 Watling Gate - Granted, 19/08/2014.

88/1396: Full Planning Permission sought for demolition of existing buildings and formation of basement car park, erection of 6 part 3/storey of part 4/storey business units (use class B1) - Granted, 02/11/1989.

CONSULTATIONS

Initial Consultation letters (207) sent out on 24/09/2015 - 15/10/2015

Site Notice Displayed on 30/09/2015 - 21/10/2015

Application advertised in the press on 01/10/2015 - 22/10/2015

Re-consultation letters sent out on 08/03/2016 -29/03/2016 and 17/03/2016 - 07/04/2016

Public Consultation

Three objections received on the following grounds:

- Scale and proportions of the building out of character with the street
- Loss of privacy to neighbouring occupiers.
- Loss of natural light to neighbouring occupiers
- Housing will not be priced at affordable rates so will not need meets of people on low incomes
- Consideration needs to be given to construction vehicles including loading and unloading of materials/goods and construction worker parking. They should not park on neighbouring residential streets.
- Construction hours needs to be controlled
- Insufficient parking in the area to accommodate the new residents. Parking problems already exist in the area as a result of the Ford garage
- Structural damage to neighbouring properties during the construction works
- House prices affected by the development

Internal consultation

Transportation - Initial comments: Raised concern with overspilling parking on Hay Lane and the need to provide sufficient off street parking with the development.

Comments on revised proposals: The number of parking spaces is acceptable. However, concern is raised regarding the revised layout of the car park and associated accesses.

Landscape Team - External amenity space needs to be usable and meet SPG17 requirements.

Design Team - The proposal is considered to be of poor design that fails to take opportunities available for improving character and quality of an area. Concerns are raised with the bulk, scale and mass of the building.

Environmental Health - no objections raised subject to conditions being secured on contaminated land, air quality and noise.

POLICY CONSIDERATIONS

National policy guidance

National Planning Policy Framework 2012

This sets out 12 core planning principles, of which the following are relevant. Planning should:

- be genuinely plan-led, empowering local people to shape their surroundings;
- proactively drive and support sustainable economic development to deliver the homes, infrastructure and thriving local places.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production); and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

Regional policy guidance

Document Imaged

*DocRepF
Ref: 15/3639 Page 5 of 31*

Minor Alterations to the London Plan (dated March 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
Policy 3.6: Children and Young People's Play and Informal Recreation Facilities
Policy 3.8: Housing Choice
Policy 3.9: Mixed and Balanced Communities
Policy 3.10: Definition of Affordable Housing
Policy 3.11: Affordable Housing Targets
Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Chapter 4 - London's Economy

Policy 4.2: Offices

Chapter 5 - London's Response to Climate Change

Policy 5.2: Minimising Carbon Dioxide Emissions
Policy 5.3: Sustainable Design and Construction
Policy 5.6: Decentralised Energy in Development Proposals
Policy 5.7: Renewable Energy
Policy 5.9: Overheating and Cooling
Policy 5.13: Sustainable Drainage

Chapter 6 - London's Transport

Policy 6.3: Assessing Effects of Development on Transport Capacity
Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
Policy 6.7: Better streets and surface transport
Policy 6.9: Cycling
Policy 6.11: Smoothing Traffic Flow and Tackling Congestion
Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

Policy 7.2: An Inclusive Environment
Policy 7.3: Designing Out Crime
Policy 7.4: Local Character
Policy 7.5: Public Realm
Policy 7.6: Architecture
Policy 7.14: Improving Air Quality
Policy 7.15: Reducing Noise and Enhancing Soundscapes
Policy 7.19: Biodiversity and Access to Nature

Chapter 8 - Implementation, Monitoring and Review

Policy 8.3: Community Infrastructure Levy

Local policy guidance

Brent's Core Strategy 2010

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

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures
CP21: A Balanced Housing Stock

Brent's Unitary Development Plan 2004

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

Built Environment

BE2: Townscape - Local Context & Character
BE3: Urban Structure - Space & Movement
BE4: Access for Disabled People
BE5: Urban Clarity & Safety
BE6: Public Realm - Landscape Design
BE7: Public Realm - Streetscape
BE8: Lighting & Light Pollution
BE9: Architectural Quality
BE11: Intensive and Mixed Use Developments
BE12: Sustainable Design Principles
BE17: Building Services Equipment

Environmental Protection

EP2: Noise & Vibration
EP3: Local Air Quality Management
EP4: Potentially Polluting Development
EP6: Contaminated Land
EP14: New Energy, Renewable Energy and Fuel Storage Development
EP15: Infrastructure

Housing

H12: Residential Quality - Layout Considerations
H13: Residential Density

Employment

EMP17: Reuse of Redundant Offices

Transport

TRN3: Environmental Impact of Traffic
TRN4: Measures to make Transport Impact Acceptable
TRN10: Walkable Environments
TRN11: The London Cycle Network
TRN22: Parking Standards - Non Residential Developments
TRN23: Parking Standards - Residential Developments
TRN34: Servicing in New Developments
TRN35: Transport Access for Disabled People and Others with Mobility Difficulties

Supplementary Planning Guidance and Design Guides

Mayor's Housing SPG, November 2012
Housing Standards Policy Transition Statement (May 2015)
S106 Planning Obligations SPD, July 2013
Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001
The Burnt Oak, Colindale and the Hyde Placemaking Plan (2014)

DETAILED CONSIDERATIONS

Introduction

1. The proposed development would involve the demolition of the existing buildings and the redevelopment of the site to provide a part 5, 6 and 7 storey building providing 43 residential units (21 x 1bed, 12 x 2bed and 10 x 3bed) and office space (Use class B1) on the ground floor with associated basement level car parking, cycle parking spaces, alterations to existing vehicular crossover, landscaping and amenity space.
2. The main planning considerations of the application are set out below:
 - Whether the loss of the purpose built office building and its redevelopment to provide a mixed use residential led development can be supported.
 - Whether the design and layout of the scheme is acceptable
 - Whether an appropriate amount of affordable housing has been provided
 - Whether the proposed residential units provide an acceptable quality of residential accommodation and amenity for future occupiers.
 - Whether the buildings would have an acceptable impact on the amenity of adjoining residents
 - Whether the proposed development would have an acceptable impact on local highways and parking condition
3. The above is a summary of the main planning considerations to be taken into account when assessing the current proposal. The application should be determined in accordance with the development plan and any other material planning considerations.

Loss of purpose built office building and education use and its replacement with a residential led mixed use development

4. The existing building was constructed around 1989 for office accommodation. Part of the building was granted planning consent for a change of use to an adult learning centre (use class D1). The remainder of the building remains in office use. This was confirmed through a number of site visits being carried out by your officers as part of the assessment of the prior approval applications to change the office spaces into residential flats.
5. Policy EMP17 of Brent's UDP supports the redevelopment of redundant purpose built office buildings outside designated employment sites, for appropriate alternative uses including residential use. The NPPF specifies that applications for alternative uses should be treated on their merits where there is no reasonable prospect of the site being used for the allocated employment use. As the building is not redundant, and only a small office area is being re-provided on the ground floor (68.4sqm), your officers have requested further information on the details of the length of the leases with each unit and whether provision has been made to relocate them elsewhere. In response the agent has advised that the office space is currently underlet and generally on short term licences which is the best the applicant can secure in the current market place given the type of accommodation being offered. They advise that businesses now want better quality office accommodation in more central locations and this type of office space is often referred to as tertiary by agents.
6. Officers in the Policy Team have advised that The Brent Employment Land Demand Study (ELDS) (2015) identifies a net additional demand for approximately 32,600m² to 52,350m² of B1a floorspace in Brent up to 2029. This is due to the positive demand trend in the wider Property Market Area, and also taking account of the major regeneration initiatives in Wembley and Old Oak Common and Park Royal Opportunity Areas. The study therefore recommends that to ensure this demand is met, only poor office stock should be released if there is a lack of market demand as evidenced through a period of at least 24 months of active marketing for employment uses at realistic market rates. This is consistent with the policy approach in saved UDP Policy EMP 17 reuse of redundant office floorspace, which promotes the redevelopment of redundant office floorspace. It also accords with the managed approach to the release of employment land as set in paragraph 22 of the National Planning Policy Framework. The agent has indicated the office space is partly let. No marketing information has been provided. On the basis of the information provided it has not been demonstrated that there is a lack of demand for on going office use, therefore the scheme is contrary to saved UDP policy EMP 17 and the NPPF.
7. Permission was granted for one of the units for adult educational purposes in 2010. It is specified within the submission that this consent was not implemented. However, signage was attached to the windows

of the building for a Training business and internet searches suggest that an educational use was present in the building. Policy CP 23 of the Brent LDF Core Strategy looks to resist the loss of community and cultural uses unless it has been demonstrated that there is no demand for such uses in the locality. Whilst information has not been provided, this change is likely to have been implemented recently and as such, it is considered that the absence of information regarding the availability of community facilities in the locality warrants the refusal of planning permission.

Design, Scale and Massing

8. The new building is proposed at four to seven storeys high. The lower floors of the building are proposed in brick with the upper floors in a cladded material. The two wings of the building next to No. 289 Edgware Road and along the service access road on Hay Lane are at the lower scale (four/five storeys in height) and the building steps up to seven storeys along the corner with the junction of Edgware Road and Hay Lane. This is to provide a focal point on this busy corner junction.
9. Whilst there is not an objection in principle to a building of this scale in this location, there are significant concerns with the quality of the design and detailing within the building. Paragraph 64 of the NPPF mentions that permission should be refused for development of poor design that fails to take opportunities available for improving character and quality of an area".
10. The applicant has advised within the Design and Access Statement that reference has been taken to the emerging context along Edgware Road which includes Zenith House development (located with LB Barnet) that has a predominantly brick built building at the lower floors, cladded projecting balconies and set back upper floors in cladded material.
11. Throughout the pre-application discussions for this application, officers expressed the need for the top floors (cladded element) to be sufficiently set back from the brick floors below. Whilst set backs have partly been provided for the upper floor elements, the set back is marginal and there is no coherent approach to the set backs throughout the building as seen at Zenith House.
12. The lower brick work elements have vertical emphasis to them and this not reflected in the set back upper floors. This is considered to result in a incongruous relationship between the brick work and cladded elements, and when considered together with the insufficient set back, the upper floors fail to sufficiently break up the massing of the building.
13. It is also noted that the building has sought to provide feature within the building such as the elements which are marked with "Kennedy House" that are completed in brick with no set back together with projecting balconies on Edgware Road. Where such focal features are proposed, they are normally designed to provide focal points to key elements within the scheme such as the entrances to the building. In this case, the projecting balconies on Edgware Road are placed directly below the bin store rather than the entrance and the two "Kennedy House" features do not contain entrances to the building at the ground level. This is considered to represent another poor design solution, due to the internal layout of the building.
14. Finally, the entrances to the building are small with only a set of double doors, and are smaller in proportion to the windows within the building. Indeed, the ones on Edgware Road are smaller than the bin store. Entrances to the building should read as prominent and legible features when viewed from the street. The entrances within this scheme have failed to respond accordingly to this design principle.
15. There is an incoherence in the design, detailing and massing of the building which fails to sufficiently break down the visual mass of the building or result in a building which contributes positively to the streetscene. The proposed building is considered to be detrimental to the character of the area and the streetscene.

Density

16. London Plan Policy 3.4 'Optimising Housing Potential' states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2, taking into account local context and character, design principles and public transport capacity. This site is located within PTAL 3 and is considered to be within an urban location rather than a suburban location given its proximity to Edgware Road and the surrounding mix of uses. As such table 3.2 sets a guideline of up to 200-450 habitable rooms per hectare.
17. The density of the proposed scheme is 1341 habitable rooms per hectare significantly exceeds the

density matrix. Whilst higher density developments are supported in principle along major routes, the scheme is still required to provide a high quality development taking into account factors such as high quality living environment for occupiers, adequate provision of amenity and play space, an appropriate level of affordable housing, good mix of unit sizes, high quality design, and addressing any transport and climate change issues. It is considered that the proposed development does not achieve this, and that it fails to demonstrate that this level of density is justified in this location.

Affordable Housing

18. Policy CP2 of Brent's Core Strategy requires 50% of new homes within the Borough to be affordable. This is in line with the London Plan. Policy 3.12 of the London Plan requires the maximum reasonable amount of affordable housing to be sought on private schemes. The application is accompanied by a viability assessment which concludes that the scheme can not deliver any affordable units.
19. Officers have instructed an independent assessor to undertake an Appraisal of the Viability Assessment. They have recommended that the scheme is not currently viable to deliver any affordable housing. However, it is recommended that an appropriate financial review mechanism is secured on an open book basis for providing an off site contribution towards affordable housing provision following completion of the development should market conditions improve. It is recommended that this is secured as part of the Section 106 Agreement in the event that planning consent was forthcoming.

Quality of proposed accommodation

Size and mix of units

20. The application proposes a total of 43 residential units. As discussed above all units will be private. A breakdown of the unit mix is set out below:
 - 21 x one bedroom units (49%) - 21
 - 12 x two bedroom units (28%) - 24
 - 10 x three bedroom units (23%) - 30
21. Policy CP21 of Brent's Core Strategy seeks an appropriate mix of unit sizes within a scheme including a proportion of 25% of units to be three bedrooms or more. In this case, a total of 23% of units are proposed as family sized units (three bedrooms or more). Whilst the scheme falls short of the target of 25%, your officers are of the opinion that this shortfall is marginal and can be supported in this case.
22. The London Plan requires residential units to provide the following internal floor space standards:
 - 1 bed 2 person - 50sqm
 - 2 bed 3 person - 61sqm
 - 3 bed 4 person - 74sqm
23. Further guidance on the internal room sizes within the residential units are set out in the Mayor's Housing Policy Transition Statement that states that a minimum area of 7.5sqm should be provided for a single bedroom and 11.5sqm for a twin/double bedroom.
24. All units within the scheme meet or exceed the minimum internal floor space standards and internal bedroom room sizes as set out in the London Plan.

Outlook and privacy

25. The majority of units are dual aspect and where there are single aspect units these do not face in a northerly direction. The overall level of outlook is considered acceptable meeting the objectives of policy BE9 of Brent's UDP 2004.
26. The units have been designed to not overlook one another. The ground floor units have 2m deep planters along the frontage to prevent direct overlooking from the habitable room windows to the pavement on Edgware Road. Landscape buffers are also provided to the rear of these units to prevent direct overlooking from the communal garden.

Wheelchair units and lifetime homes

27. Four units within the scheme are proposed to be designed as wheelchair housing, accounting for 9.3% of units. Policy CP21 of Brent's Core Strategy requires 10% of units be wheelchair accessible. All of the wheelchair units are located on the ground floor. Your officers have concerns with the access arrangements to two of these units, where access is provided next to the car park entrance. This arrangement is considered to be poor, whereby wheelchair units have to access this entrance along Hay Lane which is a steep hill to an poorly located access that is tucked into the site of the building.
28. The Design and Access Statement suggests that there is an additional wheelchair accessible unit at first floor level, although this is not shown on the plans. In the event that planning consent was forthcoming, a condition would be recommended to provide five wheelchair accessible units to meet the requirements of policy CP21.
29. All homes will be built to lifetime home standards, meeting London Plan requirements and policy CP21 of Brent's Core Strategy.

External amenity space

30. SPG17 requires all flats to have a minimum of 20sqm of external amenity space. This scheme requires a total of 860sqm for external amenity space based on the 43 units.
31. This scheme proposes a number of measures to provide external amenity space, including private balconies/terraces and winter gardens, a communal garden at ground level and communal roof gardens at level 6. The balconies/terraces meet or exceed London Plan requirements but the overall amount of external amenity space is around 740sqm which falls significantly under the requirements of SPG17. Furthermore, no details on how the communal roof gardens will be designed have been provided within the application, to understand how they will contribute towards the overall provision of external amenity space
32. Consideration also needs to be given to the quality of the proposed external amenity space. The communal garden will be enclosed by the retaining wall to the service yard to the rear. The height of this wall is 3.12m with an additional boundary fence to the rear service yard at 2m high (overall height of 5.12m). Given that the width of this space is around 7.1m wide, it is considered that the quality of the environment for future residential occupiers will be poor and severely enclosed. This impact is made worse by the limited amount of sunlight to this space, which will be screened for the majority of the day by the snooker hall to the south
33. Overall, it is considered that the quantity and quality of external amenity space is substandard and represents a poor quality of accommodation for the proposed occupiers, and an overdevelopment of the site.

Children's play space

34. London Plan Policy 3.6 'Children and Young People's Play and Informal Recreation Facilities' requires development proposals to provide suitable provision for play and recreation. Further details are set out in the Mayor's SPG 'Shaping Neighbourhoods: Play and Informal Recreation', which sets a bench mark of 10sqm is usable child play space to be provided per child, with under-five child play space provided on site.
35. This scheme produced a child yield of 5 children, requiring 47sqm of play space. This amount of playspace could be incorporated into the design of the communal amenity area at ground level, and conditioned to any forthcoming consent.

Impact on neighbouring occupiers

Privacy

36. To ensure that the neighbouring properties do not experience a loss of privacy SPG17 requires new developments to provide a distance of 10m from rear habitable room windows to the site boundary, 5m from flank wall (secondary) habitable room windows to the site boundary and 1m for obscured glazed windows to the site boundary. A distance of 20m is required between directly facing habitable room windows.

37. To the west of the application are site are residential properties and rear gardens on The Ridgeway. A rear service yard separates these properties from the application site. The properties on The Ridgeway are at a higher ground level to the application site.
38. The main section of the new building maintains a distance of 11m to the site boundary with the rear service yard. A distance of over 10m is therefore maintained to the rear gardens of the properties on The Ridgeway and an overall distance of over 40m to the rear elevation of the properties on The Ridgeway.
39. Units 20, 25, 35 which are located along the western end arm of the building facing onto Hay Lane do contain a flank wall window that serves as the sole access to the bedroom. Taking to account the rear service yard, a distance of around 11.5m is maintained to the boundary with the residential rear gardens on The Ridgeway.
40. It is noted that there are a number of balconies and roof terraces along the western end of the boundary. As discussed above, a distance of over 10m will be maintained to the boundary with residential gardens, but a condition could be secured to any forthcoming planning consent requiring details of screening along the western boundary of these amenity areas.

Overshadowing and overbearing

41. SPG17 sets out general guidance for the massing of new buildings, to ensure they do not have an overbearing impact on the neighbouring properties and avoid unnecessary overshadowing. In general, the building envelope should be set below a line of 30 degrees from the nearest rear habitable-room window of adjoining existing properties, measured from height of 2m above floor level. SPG17 goes onto say that where proposed development adjoins private amenity/garden area, then the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m.
42. In this case the development sits within 30 degree line from rear habitable rooms windows to the residential properties on The Ridgeway. It also sits within 45 degree line when measured from the neighbouring rear garden on The Ridgeway.
43. The plans show that the new building does not breach a line drawn at 45 degrees from the middle of the nearest habitable room window at No. 295 Edgware Road. This will ensure that it does not appear overbearing from this property.

Transportation considerations

44. This site is located on the southwestern corner of the priority junction of Edgware Road (a London distributor road) and Hay Lane (a local access road and bus route). There are two service roads to the rear of the site - a private road leading to the rear of No. 259 and an adopted service road extending south to Wakemans Hill Avenue.
45. On-street parking and loading along both the Edgware Road and Hay Lane frontages of the site are prohibited at all times, due to the site's proximity to the junction of the two roads. Hay Lane is not noted at Appendix TRN3 of the adopted UDP 2004 as a heavily parked street and this is reconfirmed by the most recent overnight parking surveys from 2013.
46. The site has moderate access to public transport services (PTAL 3) with five bus services within 640 metres (8 minutes' walk), but no railway or underground station nearby.

Car parking, consideration of overspill parking

47. The proposal will result in a ground floor office use class B1 (68.4m²) and parking standards PS2 will be applied which allows one space for any units below the minimum floor space threshold of 150m², giving a total of 1 parking spaces and a 'transit' sized servicing bay. Parking for the office can be dovetailed between the employees of the office and residents. Servicing requirements for the office can be carried out on the nearby proposed lay-by.
48. The parking allowance permitted under PS14 for residential uses is 1 space per 1 bedroom flat, 1.2 spaces per 2 bedroom flat and 1.6 spaces per 3 bedroom flat. Therefore the proposed 43 residential units will have a total parking allowance of 51.6 spaces.

49. The scheme originally proposed a total of 28 spaces within the basement, including 5 disabled parking spaces. This was raised as a significant concern by officers, due to the impact of overspill parking. An increase in on-street parking on Edgware Road could not be supported as this is a major London distributor road, while Hay Lane is also a bus route. With the site located at the junction of the two roads, on-street parking along the site frontage is heavily restricted. This raised concerns over the level of parking proposed for the development and the impact that overspill parking would have on the free and safe flow of traffic.
50. To address the above concern, the plans have been amended to include a double height basement with a total of 53 car parking bays. 9 of these spaces have been widened to accommodate disabled access.
51. 20% of the proposed parking spaces have been provided with electric vehicle charging points, with another 20% shown with passive provision for electric vehicle charging, in line with requirements.
52. Officers in Transportation have reviewed the car park layout and have advised that there are some concerns with the spaces adjacent to the ramp, for example space number 23 and 26, and whether there is sufficient visibility for these vehicles to manoeuvre without conflict from vehicles coming round the corner on the ramp. There is also concern for pedestrian conflict by the access to the lift and stairs whereby the vehicles appear to overrun the pedestrian footway. This is not acceptable and safe pedestrian movement in the car park should be provided.

Access

53. With regards to the access/egress onto Hay Lane, the crossover will be moved slightly and widened to 5.5m and the automated gates will be set back 4.8, which will allow vehicles to wait within the site and therefore not obstructing the footway whilst waiting for the gate to open.
54. The basement ramp is proposed to measure 4.8m in width plus 300mm margin, which is sufficient to allow cars to pass one another in comfort along its length without vehicles reversing bay out onto Hay Lane and causing obstruction on the highway. The gradient of the ramp is shown at 12.5%, with no easing prior to meeting the highway boundary. This is not acceptable and gives rise to a risk of vehicles grounding as they enter the site. The gradient therefore needs to be eased to 5% for a distance of at least 4m from the back of the Hay Lane footway.
55. The access is protected by double yellow lines on either side, so visibility splays are maintained when leaving the site and the access width is sufficient to provide reasonable pedestrian visibility splays.
56. Pedestrian accesses into the building are taken directly from the adjoining highways. Whilst this arrangement is acceptable in principle, there are a number of concern with the quality of the pedestrian accesses as discussed above.

Travel Plan

57. Although the development is reasonably modest and so falls below TfL's threshold for a Travel Plan, a Travel Plan has nevertheless been submitted. This has been assessed by officers in Transportation. but did not score a pass rating using TfL's ATTrBuTE programme. Major omissions include setting of targets over a three and five year period or confirmation of that the monitoring of targets will comply with a standardised approach.
58. The travel plan intends to promote cycling and walking by providing residents with cycle parking spaces and information on walking routes. They also intend to provide car club membership offers as there is a zip car facility within 300m of the site however sufficient details/explanation has not been provided. A previous application suggested a 25 year membership and in addition to this, the site has not provided a car club bay which would further encourage use of a car club membership.
59. The residents will receive a travel pack on occupation of a unit and noticeboard will be provided for information. It also states that a travel plan co-ordinator will be appointed one month after occupation although details of responsibility and funding have been provided.
60. It is suggested that a revised Travel Plan, of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme (or any replacement thereof) be secured by way of a Section 106 in the event that this planning permission was forthcoming.

Cycle parking

61. A total of 44 cycle spaces have been proposed on the ground floor. 1 cycle space per unit should be provided and therefore the 44 spaces do meet the requirement for the proposed 43 flats.

Refuse facilities

62. There is one communal refuse storage facility at ground level. It contains capacity for 9 x 1100 litre bins.

63. Refuse facilities requirements are set out in the "Household Waste Collection Strategy 2010 - 2014". This requires a scheme of this size and mix to provide 4500l of capacity for residual waste, 4500l of capacity for dry recycling and 989l for dry organics. The proposed provision is in compliance with the requirements.

64. Consideration also needs to be given to the distance from the bin store to the entrance of residential entrance and the carrying distances for the waste contractor. A distance of no more than 30m should be provided from residential entrances to the bin store (excluding vertical distances). In this case, a large number of the units including two disabled units at ground level) are more than 30m away from the bin store. Such an arrangement is considered unacceptable, resulting in a poor quality of accommodation.

65. The bin store is less than 10m from the new lay by sited on Edgware Road. This meets collection requirements. In the event that the kerb needs to be dropped, this could be secured as part of any highway works secured as part of a Section 106 Agreement.

Construction Traffic and Deliveries

66. Details of construction traffic have not been provided. To minimise the impact of construction traffic and deliveries upon the local area it is recommended that a detailed Construction Management Plan is conditioned to any forthcoming consent.

Sustainability

67. Achieving sustainable development is essential to climate change mitigation and adaptation. The most recent relevant policy framework includes Brent's adopted Core Strategy 2010 policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures and the GLA's London Plan 2011 policies within Chapter Five London's Response to Climate Change.

Compliance with Brent policies

68. Brent's Core Strategy 2010 requires commercial units to achieve BREEAM 'Excellent'. In this instance, the proposal involves only a small commercial unit, accounting for 68.4sqm. Given it is such a small floor area, it is not considered reasonable in this instance to achieve BREEAM 'Excellent' for the commercial floorspace

Compliance with London Plan

69. The scheme includes measures to minimise the impact of this proposal on, and mitigate for the effects of, climate change and your officers consider the proposal to be in accordance with the energy hierarchy as required by London Plan 2011 policy 5.2 Minimising carbon dioxide emissions part (a): (i) be lean: use less energy; (ii) be clean: supply energy efficiently; (iii) be green: use renewable energy.

70. The application is supported by an Energy Strategy. In summary, the proposal meets the criteria of London Plan policy 5.2 for 35% improvement on Part L 2013 Building Regulations. A total reduction of 35.1% is proposed.

- Lean measures

71. In terms of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. This includes wall, floor, roof and window u-values exceeding building regulation requirements, air permeability exceeding building regulation requirements, energy efficiency lighting and combi gas boilers.

72. The applicant has advised that the water efficiency standard for the scheme will not exceed 105 litres per person per day.

- Clean measures

73. CHP has not been deemed a viable option due to it not being efficient for development that have less than 100 flats. This is because there is not enough of a constant load as a result of intermittent demand.

- Green measures

74. The scheme is proposes PV panels, which will be located at roof level.

75. Taking into account the lean and green measures, the scheme will achieve a 35.21% improvement on Part L of 2013 Building Regulations. This is recommended to be secured as part of the Section 106 Agreement in the event that consent was forthcoming.

Flood Risk and Surface Water Drainage

76. The site is located within Flood Zone 1 and therefore at low risk of flooding. It is also not located within a Critical Drainage Area.

77. The site is currently 100% impermeable but provision will be made to reduce surface water run-off. The Local Lead Flood Officer has advised that they would like to see a controlled discharge rate not to exceed 5 l/s. This will need to be provided through adequate storage on-site. The agent has advised that they accept that adequate attenuation and storage will need to be provided on-site to limit the controlled rate to not exceed 5 l/s. The run off would be controlled via a combination of roof attenuation and storage chambers. Such details are recommended to be conditioned as a pre-commencement condition to any forthcoming planning consent.

Environmental considerations

Contaminated Land

78. A contamination Assessment Report has been submitted. Officers in Environmental Health have reviewed this report and recommend that further investigation/assessment is required together with any remedial works proposed to be completed and verified. Conditions to secure these requirements are recommended to be conditioned to any forthcoming consent.

Air Quality

79. The site is located within an Air Quality Management Area (AQMA) which is identified as an area of existing poor air quality. Policy 2.9 of the London Plan requires development proposals to be at least "air quality neutral" and not lead to further deterioration of existing poor air quality.

80. The application is accompanied by an air quality assessment report. Officers in Environmental Health have reviewed this report and are satisfied with the findings and conclusions.

81. Officers in Environmental Health have requested for construction phase duct and noise to be managed. This will form part of the construction management plan to any forthcoming consent.

Noise

82. A noise assessment has been submitted. The assessment recognises the guidance on sound insulation and the recommendations provided within BS8233:2014 for indoor noise levels. The report concludes that the windows will require acoustic treatment. Glazing specifications are provided. The assessment also recommends the use of acoustic ventilators to obtain the required sound insulation levels. Officers in Environmental Health have advised that such measures are considered acceptable, and that a condition should be secured to any forthcoming consent requiring the applicant to demonstrate post construction, that the required standards have been met.

Response to objections raised

Point of objection	Response
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Scale and proportions of the building out of character with the street	The scale and design of the building has been considered within paragraphs 8 to 15
Loss of privacy to neighbouring occupiers	This has been considered within paragraphs 36 to 40
Loss of natural light to neighbouring occupiers	This has been considered within paragraphs 41 to 43
Housing will not be priced at affordable rates so will not need meets of people on low incomes	Consideration of affordable housing has been discussed within paragraphs 18 to 19
Consideration needs to be given to construction vehicles including loading and unloading of materials/goods and construction worker parking. They should not park on neighbouring residential streets.	These matters will be considered through a construction management plan which would be conditioned to any forthcoming consent.
Construction hours needs to be controlled	Construction hours are controlled through Environmental Health legislation which restricts construction hours to 08.00 to 18.00 Mondays to Fridays, 08.00 to 13.00 Saturdays and at no times on Sundays or Bank Holidays.
Insufficient parking in the area to accommodate the new residents. Parking problems already exist in the area as a result of the Ford garage	The number of parking spaces within the scheme has been increased from to address concerns regarding overspill parking. This is discussed within paragraphs 47 to 52
Structural damage to neighbouring properties during the construction works	This matter is considered through building regulations rather than planning legislation.
House prices affected by the development	This is not a planning related matter so can not be considered as part of the assessment of the application.

Conclusions

83. The application proposes the redevelopment of the site to provide a mixed use residential led development. The scheme is considered unacceptable for a number of reasons including its poor quality design that fails to contribute positively to the street scape, the poor disabled access arrangements and access to the bin store, and poor quality environment within the communal amenity space. The layout of the basement car park is also of concern as it has failed to demonstrate that safe vehicle and pedestrian access arrangements have been provided.

In light of the above, your officers recommend that the application is refused. The reasons for refusal will also need to include the measures set out within the heads of terms of the legal agreement.

S106 DETAILS

This application is recommended for refusal. However, in the event that planning consent was forthcoming, the application requires a Section 106 Agreement, in order to secure the following:-

1. Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
2. The incorporation of an Affordable Housing review mechanism to re-test the viability of the development and secure a contribution towards off-site affordable housing if scheme viability improves
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and

approved in writing prior to Material Start of the development hereby approved. This shall demonstrate:

- a. How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction
- b. The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.

4. On completion, independent evidence shall be submitted on the scheme as built, to verify the achievement of the above Sustainability Implementation Strategy

5. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:

- a. The submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
- b. The submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.

6. Highway works to be undertaken at the developer's expense under S278 of the Highways Act to include the provision of a lay-by on Edgware Road, alterations to the vehicular access to the site and associated works to the footway;

7. Training and employment

- a. To prepare and gain approval of a Employment Enterprise and Training Plan prior to commencement and to implement the Plan
- b. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
- c. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
- d. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
- e. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.

8. Join and adhere to the Considerate Contractors Scheme.

9. Submission and approval of residential Travel Plan prior to first occupation of the residential units.

CIL DETAILS

This application is liable to pay **£607,997.48*** 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): 3070 sq. m.

Total amount of floorspace on completion (G): 5203 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
Businesses and offices	69		28.2869498 366327	£40.00	£35.15	£1,384.04	£1,216.23
Dwelling houses	5134		2104.71305 016337	£200.00	£35.15	£514,903.01	£90,494.20

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)	274	
Total chargeable amount	£516,287.05	£91,710.43

*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.



To: Mr Gilbert
Churchill Hui Architects
Grosvenor House
4-7 Station Road
Sunbury
Middlesex
TW16 6SB

I refer to your application dated 20/08/2015 proposing the following:
Demolition of existing four storey building used as offices (Use class B1) and adult learning centre (Use class D1) and erection of part 5, 6 and 7 storey building providing 43 residential units (21 x 1bed, 12 x 2bed and 10 x 3bed) and office space (Use class B1) on the ground floor with associated basement level car parking, cycle parking spaces, alterations to existing vehicular crossover, landscaping and amenity space and accompanied by plans or documents listed here:

5475 P500 - Location Plan

5475 EX2 101 - Existing Basement Floor Plan

5475 EX2 102 - Existing Upper Ground Floor Plan

5475 EX2 103 - Existing First Floor Plan

5475 EX2 104 - Existing Second Floor Plan

5475 EX2 105 - Existing Third Floor Plan

5475 EX3 101 - Existing Site Elevation North East

5475 EX3 102 - Existing Site Elevation North West

5475 EX3 103 - Existing Site Elevation South West

5475 EX3 104 - Existing Site Elevation South East

5475 P501 Rev A - Site Layout & Roof Plan

5475 P502 Rev A - Contextual Elevations

5475 P503 Rev A - Contextual Sections

5475 P504 Rev A - Floor Plan Basement (Level 0)

5475 P505 Rev A - Floor Plan Ground Floor (Level 1)

5475 P506 - Floor Plan First Floor (Level 2)

5475 P507 - Floor Plan Second & Third Floors (Levels 3-4)

5475 P508 - Floor Plan Fourth Floor (Level 5)

5475 P509 Rev A - Floor Plan Fifth Floor (Level 6)

5475 P510 Rev A - Floor Plan Sixth Floor (Level 7)

5475 P511 Rev A - Roof Plan

Accompanying documents

Environmental Noise Report - prepared by Sharps Redmore Acoustic Consultants

Travel Plan prepared by TTP Consulting

Residential Travel Plan prepared by TTP Consulting

Car Park Amendments prepared by TTP Consulting

Contaminated Land Risk Assessment - Phase 1 Desk Top Study prepared by Soil Environment Services Ltd with Appendix A and B

Air Quality Assessment prepared by Air Quality Consultants

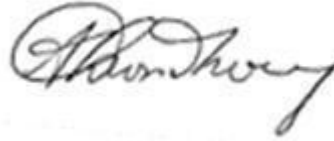
Energy Statement prepared by energy test

Sustainable Drainage Assessment prepared by Fairhurst Consulting Engineers

Summary of Compliance Criteria for Building Regulation Part G prepared by energy test
at All Units, Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB
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:



Mr Aktar Choudhury
Operational Director, Regeneration

Note

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

DnStdR

PROACTIVE WORKING STATEMENT

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme does not comply with guidance, nor has it fully addressed the comments provided during pre application discussions.

REASONS

- 1 The proposed development, by reason of its design and massing, would appear unduly prominent and out of character in the street scene and in the wider locality. The poor quality design lacks coherence within the street frontages, fails to sufficiently break down the visual mass of the building and fails to include sufficiently legible entrances. As a result, the proposal fails to comply with the National Planning Policy Framework 2012; Policies 7.2 and 7.6 of the London Plan 2015 and Policies BE2, BE9, H12, H13 and TRN10 of Brent's Unitary Development Plan 2004; and Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001.
- 2 The proposal fails to demonstrate that there is no reasonable prospect for the re-use of the employment (office) use within the site and as such results in an unacceptable loss of employment floorspace within the Borough. This is contrary to saved policy EMP17 of Brent's adopted Unitary Development Plan 2004 and Paragraph 22 of the National Planning Policy Framework 2012.
- 3 The proposed car parking and associated internal vehicular access, by reason of the proximity to the spaces adjacent to the ramp, and pedestrian access arrangements to the lift and stairs, fails to provide safe vehicle and pedestrian movement within the car park. This is contrary to policies TRN10 and TRN23 of Brent's UDP 2004.
- 4 The proposal fails to provide an acceptable level of accommodation for future occupiers by reason of the:
 - Poor disabled access arrangements to the building via the side entrance next to the car park entrance on Hay Lane;
 - Excessive distance for a number of units from the communal bin store; and
 - Poor quality communal garden at ground level that is severely enclosed with limited access to natural light.As such, the proposal is contrary to policies 3.5 and 7.2 of the London Plan 2015, policies BE9, H12 and TRN10 of Brent's UDP 2004, and the guidance set out in Supplementary Planning Guidance No. 17 "Design Guide for New Development", Government's Technical Housing Standards (March 2015), and Mayor's Housing SPG
- 5 In the absence of a legal agreement, the development would not secure sustainability measures, job & training opportunities for local residents, adherence to the Considerate Contractors Scheme, a Travel Plan and highway improvement works. As a result, the proposal fails to comply with the National Planning Policy Framework 2012; Policies 4.1, 5.2, 5.3, 5.6, 5.7, 5.9, and 5.13 of the London Plan 2015; Policies CP19 of Brent's Core Strategy 2010; Policies EP2, EP14, TRN3, TRN4, TRN23, and TRN34 of Brent's Unitary Development Plan 2004; Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001; S106 Planning Obligations SPD, July 2013.
- 6 In the absence of a legal agreement to control the matter, the proposed development does not provide sufficient affordable housing on site through the incorporation of a review mechanism for scheme viability and associated contributions towards off-site provision if viable. This is contrary to policies 3.10, 3.11 and 3.12 of the London Plan (Consolidated with alterations since

2011) and policies CP2 and CP21 of Brent's adopted Core Strategy 2010 and the National Planning Policy Framework.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 June, 2016

15/0287

SITE INFORMATION

RECEIVED: 16 March, 2015

WARD: Barnhill

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: 163 Preston Hill, Harrow, HA3 9UZ

PROPOSAL: Demolition of existing building and erection of a 2 storey building with a basement level to provide 4 self-contained flats (1 x one bedroom units, 2 x two bedroom units and 1 x three bedroom unit) to include alteration to existing and creation of an additional vehicular crossover off Kinch Grove, car and cycle parking spaces, provision for waste and recycling, fencing and associated landscaping (as per revised plans received on 24 April 2016).

APPLICANT: Mr & Mrs Tricot

CONTACT: SIAW Ltd

PLAN NO'S: Refer to Condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_120173

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "15/0287" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

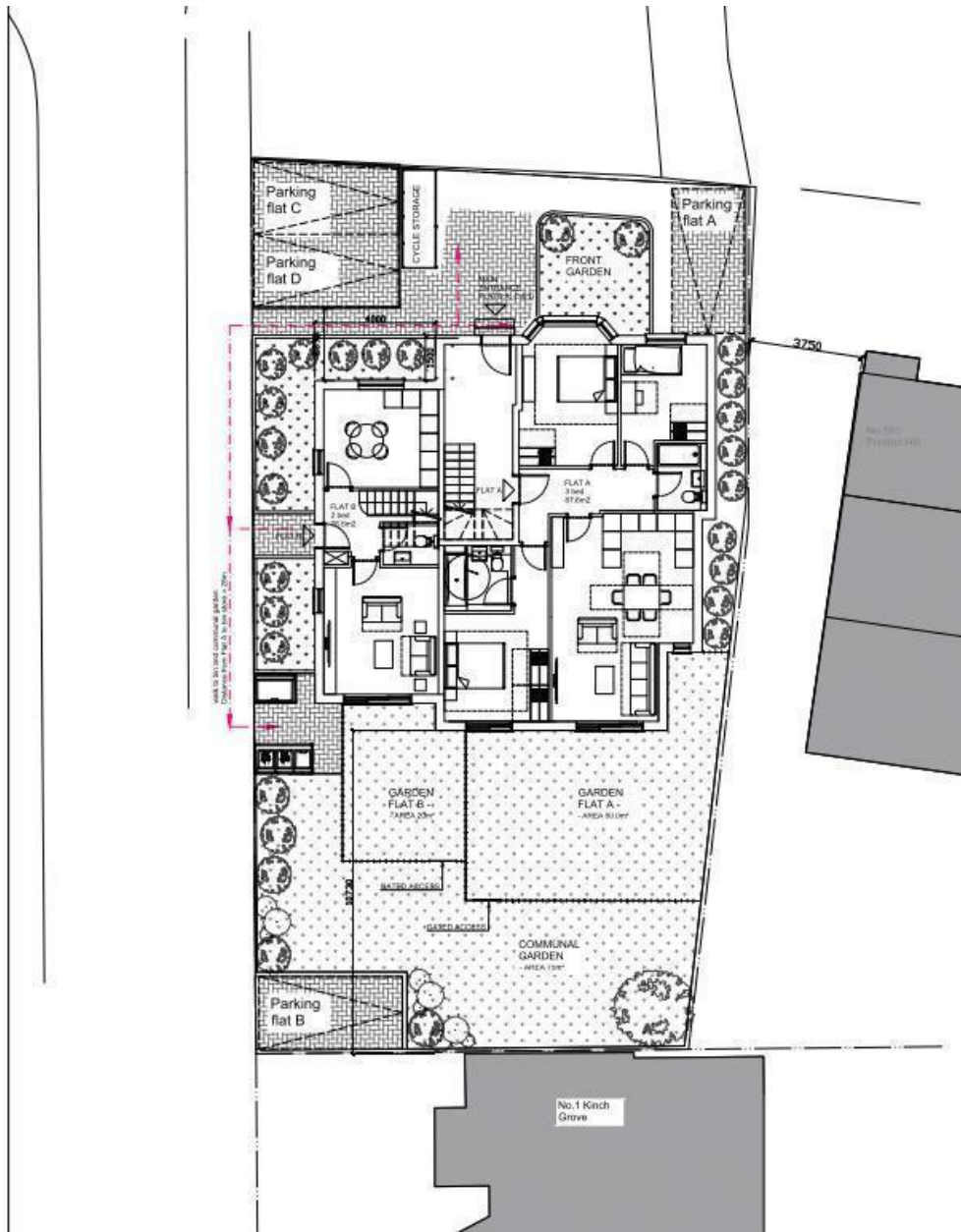
Site address: 163 Preston Hill, Harrow, HA3 9UZ

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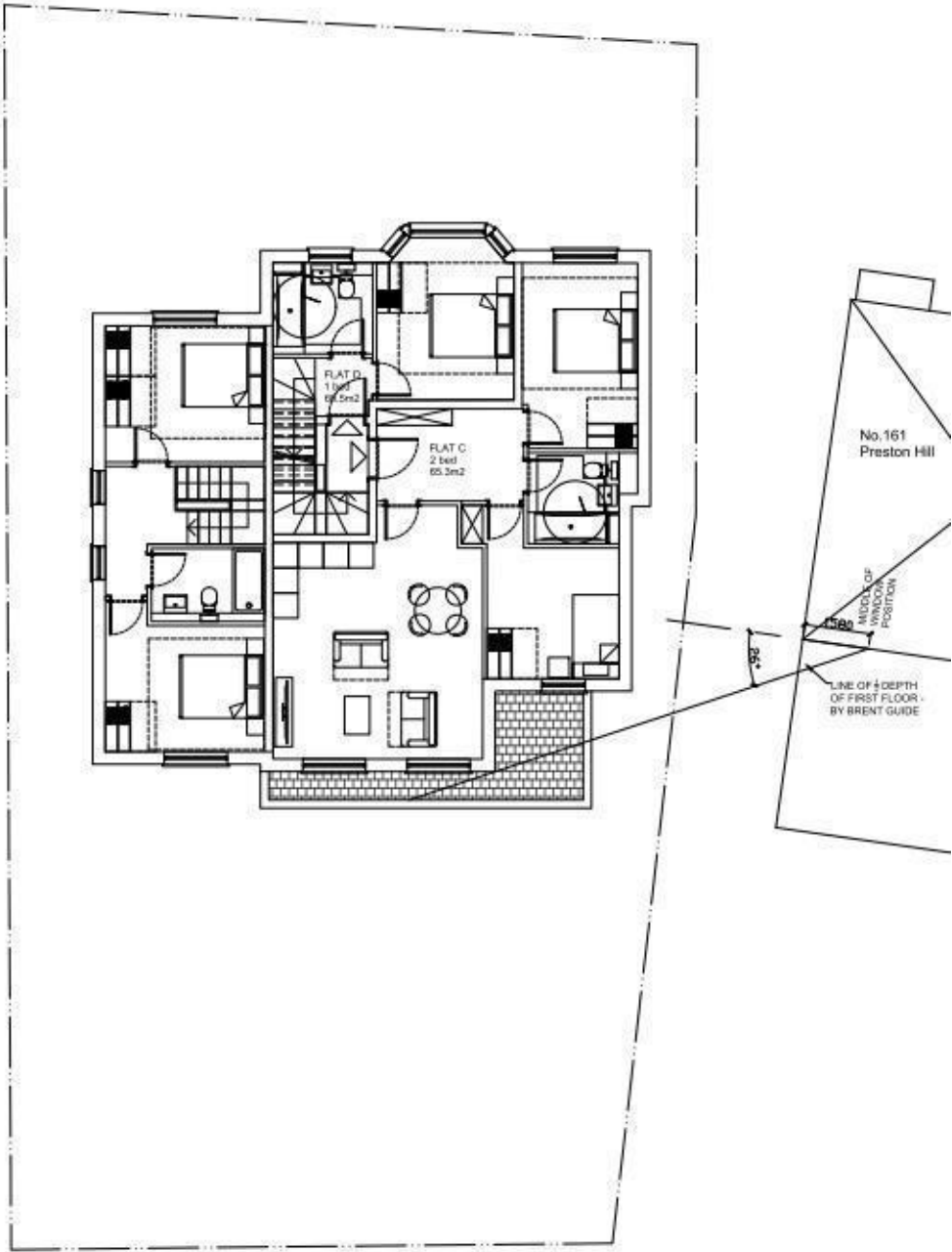
This map is indicative only.



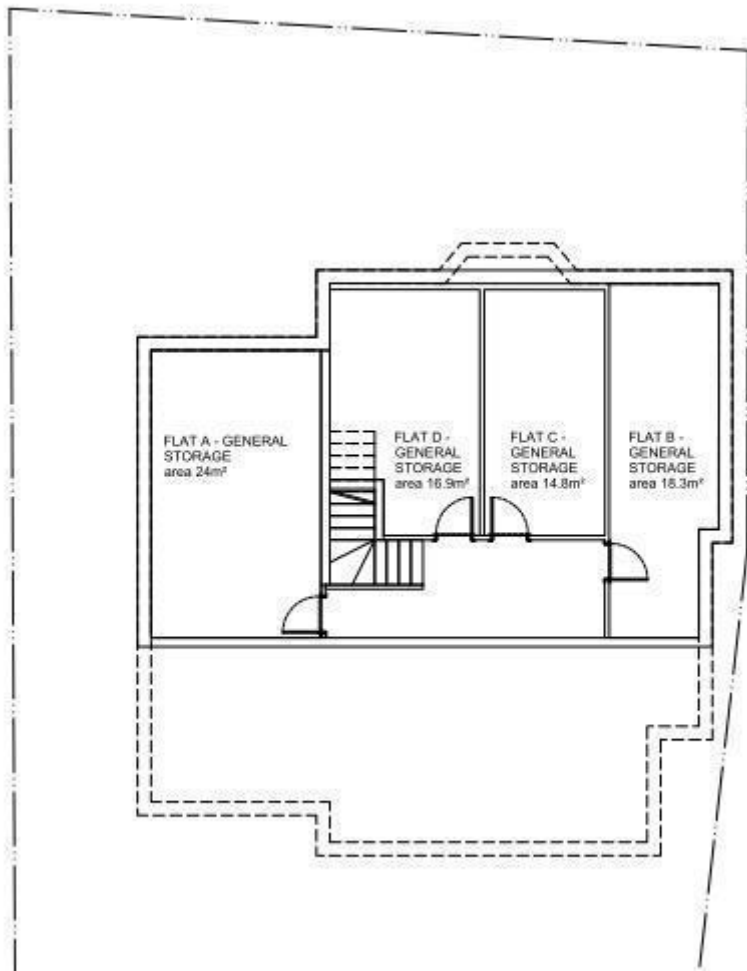
SELECTED SITE PLANS SELECTED SITE PLANS



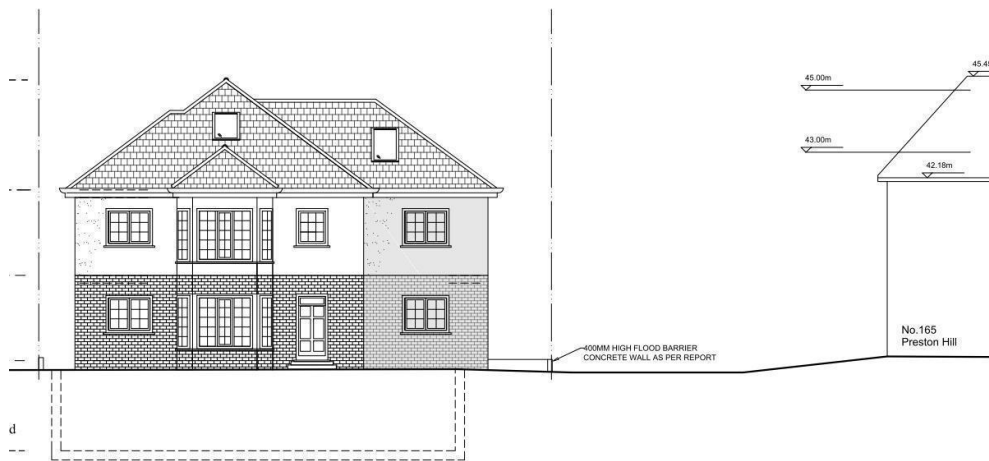
Proposed site and ground floor plan



Proposed first floor plan



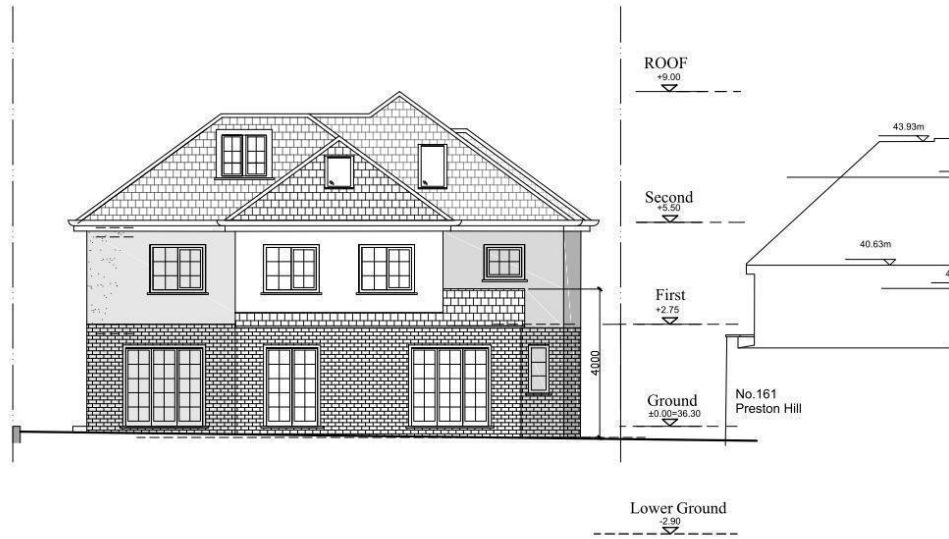
Proposed basement plan



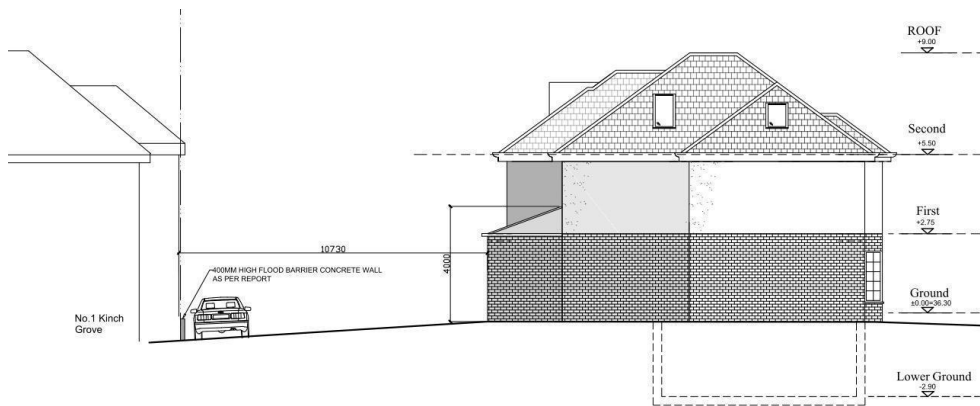
Proposed west elevation



Proposed North Elevation



Proposed South Elevation



Proposed east elevation

RECOMMENDATIONS

Grant Consent

A) PROPOSAL

Demolition of existing building and erection of a 2 storey building with a basement level to provide 4 self-contained flats (1 x 1 bed, 2 x 2 bed and 1 x 3 bed) to include alteration to existing and creation of an additional vehicular crossover off Kinch Grove, car and cycle parking spaces, provision for waste and

recycling, fencing and associated landscaping.

B) EXISTING

The application site comprises a detached dwellinghouse located on the corner of Preston Hill and Kinch Road. The principal elevation fronts Preston Hill. It is not located within a conservation area nor is it a listed building.

The surrounding uses are predominantly residential. There is a deep grass verge between the application site boundary and pavement on Preston Hill.

There are level changes along Preston Hill with levels rising to the west.

C) AMENDMENTS SINCE SUBMISSION

The following amendments have been made:

- Reduction in the number of units from five to four with associated reduction in car parking spaces
- Reduction in the basement accommodation and removal of terraced rear garden
- Removal of crowned roof and replacement with hipped pitched with side projection next to No. 165 Preston Hill.

Reduced number of roof lights on elevations facing Preston Hill and Kinch Grove, removal of roof lights facing 161 Preston Hill and introduction of dormer window on rear elevation.

D) SUMMARY OF KEY ISSUES

Design & Layout & Relationship with Neighbouring Buildings: The scheme is considered to be of an acceptable design and scale that has an appropriate relationship with the street frontage on Preston Hill and Kinch Grove. The building relate acceptably to surrounding buildings in terms of the amenity of neighbouring residential occupiers and the quality of accommodation provided.

Car Parking: Each unit will have the benefit of one off street parking space. The level of car parking is acceptable for this scheme.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	150	0	150	432	432

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

Relevant planning history

14/3657: Full Planning Permission sought for demolition of existing building and erection of a 3 storey building with a basement level to provide 7 self-contained flats (1 x 4 bed, 4 x 2bed and 2 x studios) to include alteration to existing and creation of an additional vehicular crossover off Kinch Grove, car and cycle parking spaces, provision for waste and recycling, fencing and associated landscaping - Withdrawn, 11/12/2014.

14/1666: Full Planning Permission sought for demolition of existing building and erection of a 3 storey building with a basement level to provide 7 x 2bed self contained flats to include an additional vehicular crossover, car and cycle parking spaces, provision for waste and recycling, timber fencing and associated landscaping - Withdrawn, 04/07/2014.

E/13/1282: Enforcement investigation into without planning permission, the change of use of the premises from residential to a mixed use as residential and the servicing and storage of vehicles.

P2570B 3519: Full Planning Permission sought for erection of 2 storey side extension to house - Granted, 16/05/1967.
aaaa

CONSULTATIONS

Consultation Period: 23/03/2015 - 13/04/2015

Additional consultation periods on 30/03/2015 - 20/04/2015 and 29/04/2015 - 20/05/2015

Consultation on revised plans: 25/04/2016 -

Public Consultation

59 neighbours consulted -Ten objections received on the following grounds:

- Over development of the site and too dense (too many flats in the area)
- Design of the building not in keeping with the surrounding area
- Development will detrimentally visually impact on the character of the area
- Highway safety could be compromised including new accesses
- Lack of parking provision and overspill parking onto surrounding roads including May Lane
- Overshadowing/loss of light
- Loss of privacy and overlooking
- Bin stores and access not suitable for the number of flats proposed
- Proposal will impact on servicing ability for refuse vehicles etc to access existing properties
- Not enough local facilities such as schools, doctors to support more multi dwelling sites
- Risk of flooding
- Strain on public services such as water supply
- Building works will cause disruption of local residents
- Basement rooms could be converted to bedrooms
- Loss of tree in rear garden
- Flat D has no kitchen amenity

External Consultation

The Environment Agency - No objections raised.

Barn Hill Ward Councillors - No comments received.

Internal Consultation

Transportation - No transportation objections subject to a condition requiring the submission and approval of a revised site layout plan showing: (i) the widening of the existing crossover onto Kinch Grove no wider than 4.2m with 2 off street parking spaces (ii) the new crossover should be no wider than 2.4m to accommodate on off street parking spaces and a financial contribution of £6000 is sought for transport improvements through the CIL.

Landscape - No objections in principle - a fully detailed planting plan to be conditioned including 5 no. small ornamental garden size trees, e.g. Birch, Sorbus, Malus, Pyrus or flowering Cherry.

Environmental Health - No objections subject to conditions being secured relating to a Construction Method Statement, and Noise Insulation conditions being secured.

POLICY CONSIDERATIONS

Regional Level

The Further Alterations to the London Plan 2015

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

3.5 Quality and design of housing developments

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

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

Local Level

Brent's Core Strategy 2010

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

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

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

Brent's UDP 2004

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

BE2: Townscape - Local Context & Character

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

BE7: Public Realm - Streetscape

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

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

BE9: Architectural Quality

Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen

style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

H12: Residential Quality - Layout Considerations

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

TRN10: Walkable Environments

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

TRN11: The London Cycle Network

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

TRN15: Forming an access onto a road

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

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

TRN23: Parking Standards - Residential Developments

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

Supplementary Planning Guidance

SPG17 "Design Guide for New Development"

Supplementary Planning Guidance No. 17 "Design Guide for New Development" (SPG17), adopted by the Council in October 2001, sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

DETAILED CONSIDERATIONS

Background

1. This application relates to a detached dwellinghouse located on the corner of Preston Hill and Kinch Grove.
2. The application originally proposed to demolish the existing building and erect a new building with five self contained flats. A number of amendments have been submitted since the original submission documents. A summary of the main changes is set out below:
 - Reduction in the number of units from five to four with associated reduction in car parking spaces
 - Reduction in the basement accommodation and removal of terraced rear garden
 - Removal of crowned roof and replacement with hipped pitched with side projection next to No. 165 Preston Hill.
 - Reduced number of roof lights on elevations facing Preston Hill and Kinch Grove, removal of roof lights facing 161 Preston Hill and introduction of dormer window on rear elevation.

3. This report will discuss the planning merits of the scheme based on the revised plans.

Principle of development

4. The existing dwellinghouse is not sited within a conservation area nor is it a listed building. There is therefore no objection in policy terms to its demolition. In terms of redeveloping the site, policy CP21 seeks for a replacement 3 bedroom family sized unit to be provided within the new scheme. This scheme provides a three bedroom unit, further details of which are discussed in the unit mix section below. As such, the principle of development is considered acceptable.

Design

5. The scheme proposes a new detached building that will contain four self contained flats. Its follow a similar building line to the existing building with a minimum set back of 4.9m maintained to the public grass verge that runs along this section of Preston Hill. The new building provides a 2m set in from the boundary with Kinch Grove. It projects forward of the established building line on Kinch Grove around 4.7m.
6. The building has been amended to have a hipped pitched roof to reflect the general character of the area. The elevation plans show the new building sitting between the height of Nos. 161 and 165 Preston Hill. This reflects the level changes along Preston Hill. It has been designed with its principal elevation fronting Preston Hill. This elevation includes the main entrance to the building and a bay window feature. The Kinch Grove elevation does contain an entrance to Flat B but this elevation has been designed to be subservient to the main elevation on Preston Hill.
7. Even though the element of the building closer to the Kinch Grove frontage, it does project beyond the building line properties on Kinch Grove, this element has been designed to be a subservient feature to the main building. It is set back 1.5m from the main front wall of the building at both ground and first floor levels and is set in a minimum of 2m from the Kinch Grove boundary. In effect it reads as a two storey side extension, and has been designed to comply with the principle set out in SPG5 "Altering and Extending Your Home". It is considered that the set back and set in of this element maintains the open character of the plot and its setting within the streetscene.
8. At the rear the building has a ground and two storey rear projecting elements. These have been designed with hipped roof to match the main building and positioned lower than the main roof, to allow them to read as subservient additions. The rear dormer is 1.5m wide and does not overdominant the roof slope. Likewise a maximum of two roof lights are proposed per roof plan, and thus do appear excessive within the roof slopes. As a point of reference SPG5 requires dormers to be no wider than half the width of the original roof plane and permits up to two roof lights per roof slope.
9. The new building is to contain brick work at ground level, render at first floor level and a tiled roof. The pallette of materials is considered appropriate, taking into account the surrounding context. Full details of external materials are recommended to be conditioned to any forthcoming consent.
10. The windows are appropriately proportioned and located within the building. There are two entrances to the building. The one off Preston Hill that serves Flats A, C and D and the other entrance from Kinch Grove serves Flat B. Both of these entrances are legible either through design detailing within the building or from the pathway that leads to the entrance door from the public highway.
11. The basement will be below ground level. This has been significantly reduced in size from the original submission. The basements are marked for general storage for each flat. It is recommended that a condition is secured requiring the basements to be used for purposes incidental to the enjoyment of each of the flats and not for in dependant use or as primary living accommodation.

Residential quality

Unit Mix and Size

12. This scheme proposes 1 x 1 bedroom. 2 x 2 bedroom and 1 x 3 bedroom flats within the new building. This provides an appropriate mix of units of units including the reprovision of a family sized unit (3 bedrooms or more) in line with CP21. The size/layout of each unit is discussed below:

Flat A

13. Flat A is accessed from Preston Hill. It is a three bedroom ground floor flat with 2 x double bedrooms and 1 x single bedroom. It has a basement to be used for general storage and as a utility room. The floor area of the ground floor is 87.6sqm and the floor area of the basement is 24sqm.
14. This exceeds the minimum requirement for a three bedroom 5 person unit as set out in the Mayor's Transition Policy Statement that specifies a minimum floor area of 86sqm.

Flat B

15. Flat B is accessed from Kinch Grove. It is a two bedroom four person duplex flat located on the ground and first floors. It also has a basement to be used for general storage and as a utility room. The floor area of the ground floor is 76.6sqm and the floor area of the basement is 18.3qm.
16. The ground and first floors fall marginally short of 79sqm requirement. Such a shortfall is not considered sufficient to warrant a reason for refusal.

Flat C

17. Flat C is accessed from Preston Hill. It is a two bedroom three person flat located on the first floor. It has a floor area of 65.3sqm. This exceeds the minimum requirement for a two bedroom 3 person unit as set out in the Mayor's Transition Policy Statement that specifies a minimum floor area of 61sqm.

Flat D

18. Flat D is accessed from Preston Hill. It is a one bedroom flat located within the first and loft space. It also has basement storage which is 16.9sqm. The Mayor's Transition Statement requires 75% of units to have a floor to ceiling height of 2.5m high and for the unit to have a minimum internal floor area of 58sqm. This flat meets these requirements.

Outlook and privacy

19. All units have dual aspect. They will not overlook one another.
20. At ground level to prevent directly overlooking and undue noise and disturbance to the ground floor units, landscape buffers have been provided between Flat B and the car parking spaces for Flat C and D and the boundary with Kinch Grove.

External amenity space

21. The three bedroom unit has access to 50sqm of private rear garden amenity space. The other ground floor unit has access to 20sqm of private rear garden amenity space. There is a communal garden at the bottom end of the garden which is around 75sqm. The subdivision of the rear garden into smaller areas for private and communal amenity space meets the requirements of SPG17.

Amenities of neighbouring properties

Privacy

22. SPG17 suggests that there is a need for a gap of 10m from the rear wall of the proposed dwelling to the rear boundary to allow for adequate levels of privacy and a distance of 20m between directly facing habitable rooms. In the case of all of the new houses, a distance of 10.4m is maintained from rear habitable room windows to the boundary with adjoining house and garden at No. 1 Kinch Grove. Therefore an acceptable level of privacy is maintained.

Proximity to neighbouring properties

23. The new building does not extend beyond the existing single storey rear extension of No. 161 Preston Hill. The extension at No. 161 Preston Hill is around 4.5m. There is a planning record for this extension (LPA Ref: 04/2412). It is noted that No. 161 Preston Hill has flank wall windows but these either serve non habitable rooms or are secondary rooms to an enlarged kitchen/dining area. The height of the ground floor rear element is 3m high to eaves and 4m high at its highest point. This is within the height criteria set out within permitted development.

24. At first floor the middle of the nearest habitable room window at No. 161 Preston Hill is 5.7m away from the flank wall of bedroom 2 for Flat C and 8.5m away from the flank wall of the living area to Flat C. The first floor element of the new building sits within 2:1 guidance as set out in SPG5. This ensure that first floor rear projections do not appear over dominant or adversely impact on outlook from the neighbouring occupier or rear garden.

Front forecourt layout and highway considerations

Car parking and access

25. The parking allowance for the dwelling unit is given in the Standard PS14 of the UDP.

26. The maximum allowance for the existing 4+ bedrooms property is 2 spaces. The site currently provides 2 vehicular accesses into the site which allows for more than 2 vehicles to be parked within the front garden and therefore the site is currently overprovided with parking.

27. The maximum parking allowance for the new 3 bedroom flat is 1.6 spaces and the 2 bed flat is 1.2 spaces per flat and 1 space for bedroom flat. Therefore the total allowance for the proposed site is 5 spaces, and this is an increase in the existing parking allowance.

28. The scheme proposes 4 off street parking spaces, one off Preston Hill and three off Kinch Grove.

29. No alterations are proposed to the existing vehicular access from Preston Hill. Officers in Transportation have advised that this is acceptable. However officer in Transportation have advised that the vehicular crossover on Kinch Grove can only be extended by 4.2m to comply with the Crossover Policy. This will allow two off street parking spaces to be provided.

30. A new vehicular crossover is also proposed at the south end of the site onto Kinch Grove. This crossover will serve one off street parking space and therefore needs to be 2.4m wide. It is noted that there is a lamp post in the vicinity of this proposed crossover and this may need to be relocated to facilitate safe access into the site. This will be clearer when Transportation marks the crossover position on the ground, and will need to be relocated at the applicant's expense.

31. On-street parking on Kinch Grove is not available, due the narrowness of the road, which means parking can only be accommodated on one side of the street. Parking on Preston Hill is discouraged as it is a local distributor road. Given that the site fronts a local distributor road and the surrounding roads are too narrow to accommodate on street parking, it is essential that four off-street parking spaces (one per unit) are retained, thus providing a parking ratio of 1:1.

32. Officers in Transportation have advised that the boundary wall should be no higher than 0.85m to maintain site line visibility in accordance with our Crossover Policy. Further details of the height of the wall should be submitted for approval. In addition to this, the proposed gate at the southern crossover should not open out onto the Public Highway.

Cycle parking

33. Cycle storage facilities have been indicated on the plans. The scheme is required to provide four cycle spaces in secure and covered shelter. Full details will be conditioned to any forthcoming consent.

Refuse and recycling

34. Waste and recycling bins are proposed along the Kinch Grove frontage. The capacity requirements for 4 flats is 480l for residual waste, 480l for dry recycling and 480l for organics. This involves the need for 6 x 240l bins.

35. The submitted plans propose bin stores along Kinch Grove. They are within 30m carrying distance to the flats and within 10m of the highway for the refuse contractor. Full details will be conditioned to any forthcoming consent.

Landscaping

36. The existing front forecourt around the property in all hard surfaced. Policy BE7 of Brent's UDP seeks to

provide a high quality of design of the street environment. This includes the need to avoid the excessive infilling of space between buildings and the road and hardsurfacing that occupies more than half a front garden area.

37. This proposal is seeking to provide an area of soft landscaping within the frontage facing Preston Hill. The soft landscaping accounts for around 14sqm. Whilst this is less than half the front garden, it is a significant improvement to the current situation, and therefore on balance can be supported. Furthermore, there is scope to provide additional soft landscaping along the Preston Hill frontage. Further details are recommended to be conditioned to any forthcoming consent.
38. The frontage of the property facing Kinch Grove will contain a good proportion of soft landscaping, to enhance its setting. Full details are recommended to be conditioned to any forthcoming consent.

Flood Risk

39. The site is located within Flood Zone 2. Whilst basement accommodation is proposed, this will be for storage purposes. A Flood Risk Assessment has been submitted. The Environment Agency have confirmed that they have no objections to the proposal.

Response to objections raised

Objection	Response
Over development of the site and too dense (too many flats in the area)	In principle there is not an objection to the building being demolished and rebuilt to provide flats, subject to a 3 bedroom flat being provided in the new building.
Design of the building not in keeping with the surrounding area	The design of the building is discussed above. Refer to paragraphs 5 to 11 above
Development will detrimentally visually impact on the character of the area	The design of the building and its relationship to the street is discussed above. Refer to paragraphs 5 to 11 above.
Highway safety could be compromised including new accesses	The highway considerations of the scheme, including car parking and vehicle accesses is discussed above. Refer to paragraphs 29 to 31 above.
Lack of parking provision and overspill parking onto surrounding roads including May Lane	Consideration of parking is set out in paragraphs 25 to 32 above.
Overshadowing/loss of light	The impact on the neighbouring occupiers is discussed above. Refer to paragraph 23 and 24 above.
Loss of privacy and overlooking	The impact on the neighbouring occupiers is discussed above. Refer to paragraph 22 above.
Proposal will impact on servicing ability for refuse vehicles etc to access existing properties	Access will still be provided for larger vehicles such as refuse lorries to travel along Kinch Grove.
Bin stores and access not suitable for the number of flats proposed	Highway considerations and bin store capacity requirements are discussed above. Refer to paragraph 34 and 35 above.
Not enough local facilities such as schools, doctors to support more multi dwelling sites	The scheme will be subject to CIL which is used to providing funding for local infrastructure and services such as school places.
Risk of flooding	A Flood Risk Assessment has been submitted and reviewed by the Environment Agency. Refer to

	paragraph 39 above.
Strain on public services such as water supply	Details of foul water drainage could be secured as condition
Basement rooms could be converted to bedrooms	A condition will be secured to any forthcoming planning consent requiring the basements to be used for incidental purposes.
Loss of tree in rear garden	Replacement trees will be secured as a condition to the landscape works.
Flat D has no kitchen amenity	The kitchen for Flat D is at loft level.
Building works will cause disruption of local residents	A Construction Method Statement can be secured as condition to manage the impact of construction works and traffic.

Conclusions

- 40.** In conclusion, the new building is considered to be well designed and fit into the street context. The new building is not considered to adversely impact on the amenities of neighbouring occupiers.
41. The scheme provide sufficient off street parking to not create congestion on street. Opportunities for improved landscaping within the site will be sought to enhance its appearance within the streetscape.
42. The residential units provide an acceptable mix and standard of accommodation.
43. Approval is accordingly recommended subject to the conditions set out below.

CIL DETAILS

This application is liable to pay **£81,114.16*** 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): 150 sq. m.

Total amount of floorspace on completion (G): 432 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	432		282	£200.00	£35.15	£68,989.29	£12,124.87

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)	274	
Total chargeable amount	£68,989.29	£12,124.87

*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.



Brent

DECISION NOTICE – APPROVAL

Application No: 15/0287

To: Mr Ben Halevi
SIAW Ltd
Suite 332
Winston House
2 Dollis Park
London
N3 1HF

I refer to your application dated 22/01/2015 proposing the following:
Demolition of existing building and erection of a 2 storey building with a basement level to provide 4 self-contained flats (1 x one bedroom units, 2 x two bedroom units and 1 x three bedroom unit) to include alteration to existing and creation of an additional vehicular crossover off Kinch Grove, car and cycle parking spaces, provision for waste and recycling, fencing and associated landscaping (as per revised plans received on 24 April 2016).
and accompanied by plans or documents listed here:
Refer to Condition 2
at 163 Preston Hill, Harrow, HA3 9UZ

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, 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
§ § Conservation Area Design Guide

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

Built Environment: in terms of the protection and enhancement of the environment
Housing: in terms of protecting residential amenities and guiding new development

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

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

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

PH13-PP-101
PH13-PP-102
PH13-PP-103
PH13-PP-201 Rev A
PH13-PP-202 Rev A
PH13-PP-251 Rev A

Flood Risk Assessment prepared by AAH Planning Consultants

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

- 3 The roof lights on the flank roof slope facing No. 161 Preston Hill shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

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

- 4 The basement storage areas hereby approved shall be used for purposes incidental to the use of Flats A to D and shall not be used for commercial storage relating to other premises nor for self-contained residential accommodation. They shall not contain a bedroom, kitchen, toilet or shower room.

Reason: In the interests of the amenities of neighbouring occupiers and quality of proposed accommodation.

- 5 The parking spaces hereby approved shall be used solely for purposes ancillary to the residential units hereby approved with one space shall be allocated to each residential unit and the spaces shall be retained as such for the life of the development.

Reason: In the interest of highway flow and safety.

- 6 Prior to commencement of any works on site (including any demolition works), a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

It shall include details of how the following will be addressed:

- (a) The best practice means available in accordance with BS5228:1997 shall be employed at all times to minimise the emissions of noise from the site;
- (b) The parking of vehicles of site operatives and visitors;
- (c) Construction traffic routes to the development site;
- (d) Loading and unloading of plant and materials;
- (e) Storage of plant and materials used in constructing the development;
- (f) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800-1800 Mondays to Fridays, 0800 - 12300 Saturdays and at no times on Sundays or Bank Holidays ;
- (g) Vehicular access to adjoining and opposite premises shall not be impeded;
- (h) A barrier shall be constructed around the site, to be erected prior to demolition;
- (i) A suitable and sufficient means of suppressing dust should be provided and maintained.

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

Reason: In the interests of local amenity.

- 7 Details of materials for all external works (including samples to be prearranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority before any construction works are commenced. The work shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. Such details shall include:

- (a) sample board of facing bricks and sample of roof tiles together with details of any rendered surfaces;
- (b) details of materials for all doors and windows;

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

- 8 Notwithstanding the submitted plans otherwise approved, further details of the rear garden layout for the new flats shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the commencement of construction works on site. The landscaping works shall be carried out in accordance with the approved scheme prior to first occupation of the units.

Such details shall include:-

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

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.

- 9 Notwithstanding the submitted plans otherwise approved, further details of the front forecourt

area along Preston Hill and Kinch Grove shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the commencement of any construction works on site. The landscaping works shall be carried out in accordance with the approved scheme prior to first occupation of the development.

Such details shall include:-

- (i) widening of the existing crossover onto Kinch Grove to no more than 4.2m wide to accommodate 2 off street parking spaces (each measuring 2.4m x 4.8m)
- (ii) the new crossover onto Kinch Grove to be no more than 2.4m wide to accommodate one off street parking space (measuring 2.4m x 4.8m)
- (iii) Details of materials for areas of hardstanding including marking out of the car parking spaces and pedestrian pathways (including details of materials and finishes which shall be of a permeable construction).
- (iv) Details of the soft landscaped in the front forecourt area (including location, species, size, density and number)
- (v) Details of bin storage for each flat to comply with Brent's Household Waste Collection Strategy (including floor plans and elevations)
- (vi) Low boundary wall across the frontage of the site at no more than 0.85m high (elevation plans to be provided)
- (vii) Details of cycle facilities for each flat in a secure and shelter location (floor plans and elevation plans to be provided)

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Time	Area	Maximum Noise Level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
	Outdoor Amenity	55 dB LAeq (1hr)
Night Time Noise 23:00 – 07:00	Bedrooms	30dB LA eq (8hr) 45 dB LAm _{ax}

Details demonstrating how the internal noise levels will be achieved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works and the development shall be carried out in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance

10

- 11 The works proposed to the existing and proposed vehicular crossover as detailed in the above condition shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority. The development shall not be occupied unless the works have been carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway flow and safety.

- 12 Details of foul water drainage for the development hereby approved shall be submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker prior to the commencement of construction works. No discharge of foul water from the site shall

be made into the public system until the approved drainage details have been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: 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.

INFORMATIVES

- 1 The applicant is advised that there is a lamp post in the vicinity of the proposed crossover and this may need to be relocated to facilitate safe access into the site. This will be clearer when Highways and Infrastructure marks the crossover position on the ground, but the applicant is advised at this stage that there may be extra cost involved in this proposal.
- 2 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

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 June, 2016

15/4960

SITE INFORMATION

RECEIVED: 12 November, 2015

WARD: Sudbury

PLANNING AREA: Sudbury Town Neighbourhood Forum

LOCATION: 154 Watford Road, Wembley, HA0 3HF

PROPOSAL: Removal of existing canopy and erection of new raised canopy to existing petrol filling station

APPLICANT: Park Garage Group

CONTACT: Smith Jenkins Ltd

PLAN NO'S: See condition 2.

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_125082

[When viewing this as an Hard Copy](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "15/4960" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

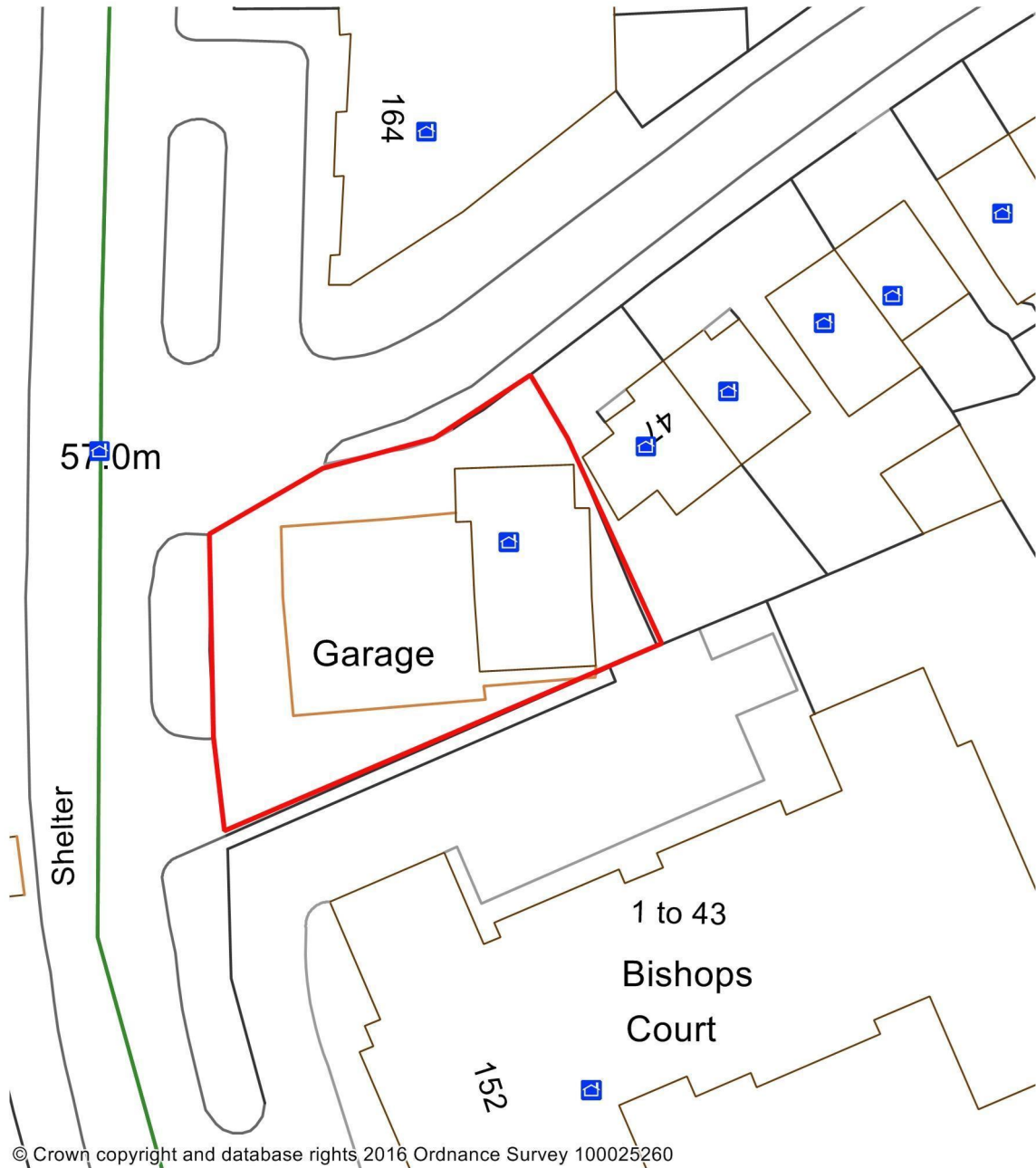
SITE MAP



Planning Committee Map

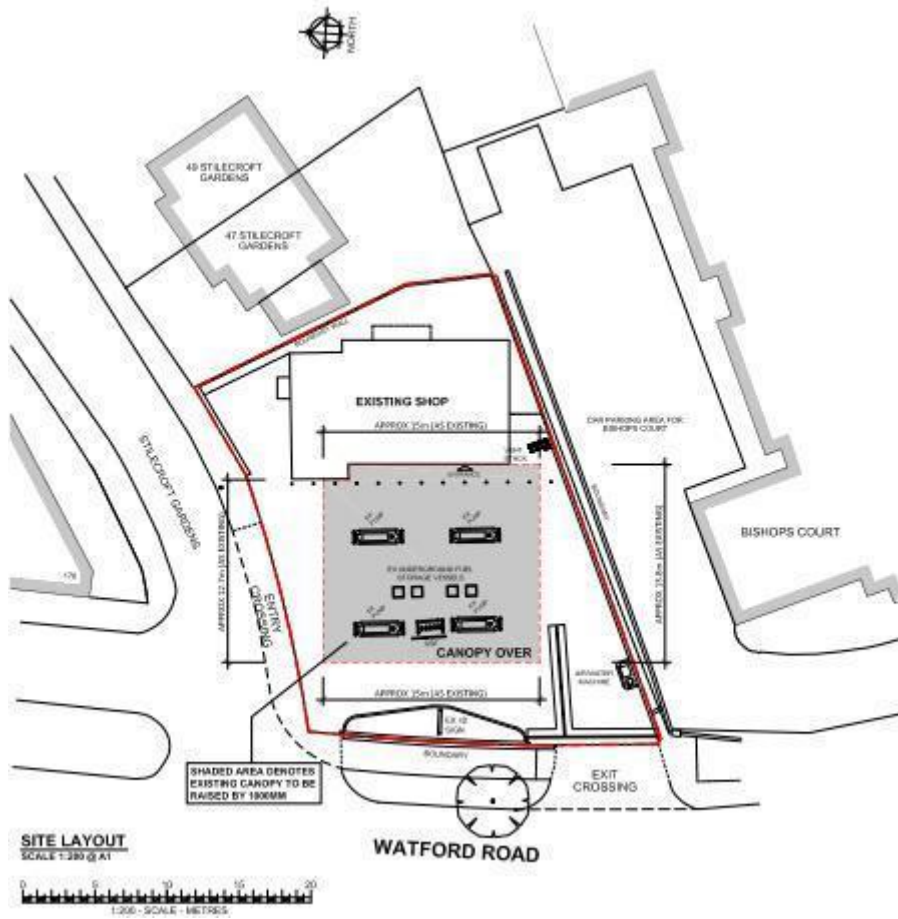
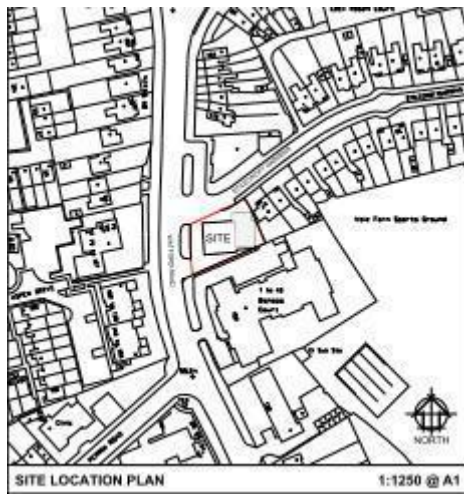
Site address: 154 Watford Road, Wembley, HA0 3HF

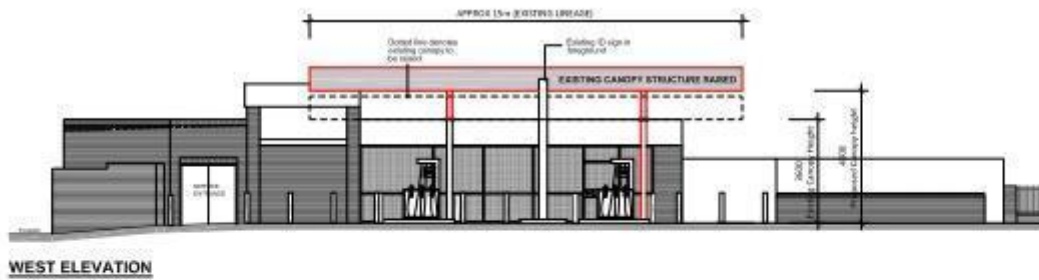
© Crown copyright and database rights 2011 Ordnance Survey 100025260



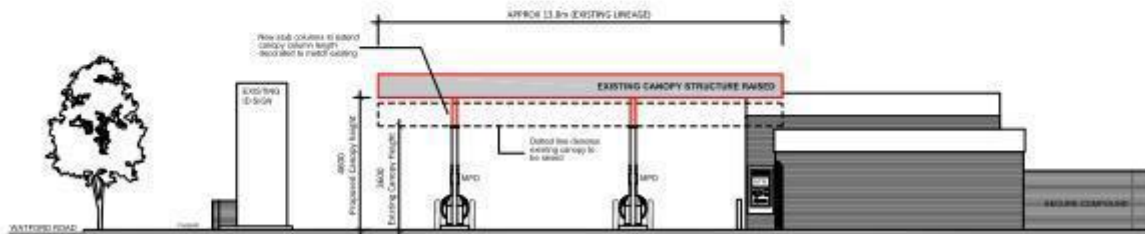
This map is indicative only.

SELECTED SITE PLANS

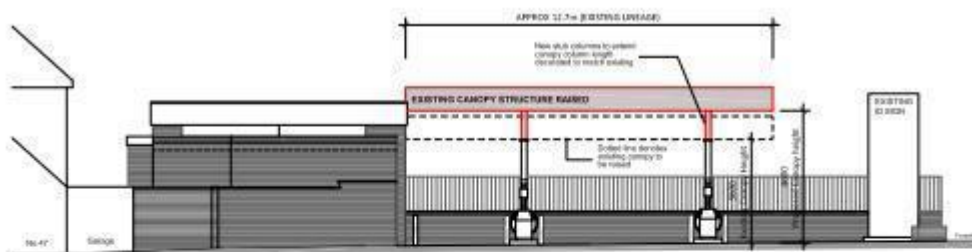




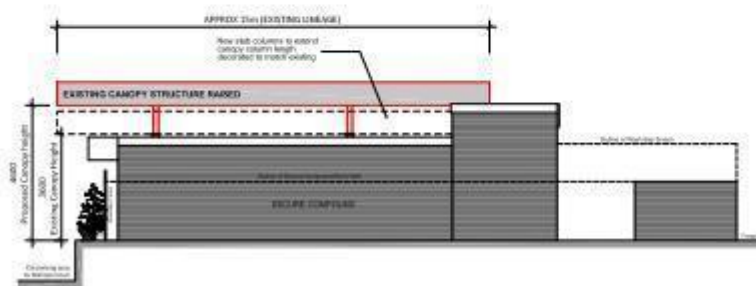
WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION

RECOMMENDATIONS

Grant consent subject to conditions in material accordance with those set out within the draft decision notice.

A) PROPOSAL

Removal of existing canopy and erection of new raised canopy to existing petrol filling station.

B) EXISTING

The subject site is situated on the eastern side of Watford Road at the junction with Stilecroft Gardens (a residential access road). The site occupies a prominent corner location in the street and at present comprises a petrol station with a single-storey sales/shop building at the rear with a canopy in front over the petrol-pump islands. The petrol station is served by 3 vehicular access points of which one is located on Watford Road frontage, one at the junction of Watford Road and Stilecroft Gardens and one in Stilecroft Gardens.

D) SUMMARY OF KEY ISSUES

The main planning consideration when assessing this application is:

Whether the proposed development would have an unacceptable impact on the amenity of neighbouring residents, by virtue of loss of light and outlook, and whether the proposal allows for larger (HGVs) and any associated impacts of this, such as noise and pollution

Loss of light and outlook

The increase in the height of the canopy is not considered to have any significant detrimental impact on neighbouring residential amenity. The canopy structure remaining open and being greater than 10m from the Bishops Court properties. Specifically, there is a separation of 10.3m between the canopy and the north elevation wall of Bishops Court on the eastern side and a separation of 13.5m on the western side.

With regard to the light and outlook from adjoining properties, SPG 17 sets out the developments should normally be set under a 30 degree line, taken from a 2 m height above finished floor level within the potentially affected residential unit. The proposal looks to replace the canopy with one that is higher rather than the installation of a new canopy where one did not previously exist. Given the separation from the adjoining residential windows as discussed above, the new canopy, at the increased height, is not considered to result in undue levels of impact on adjoining occupiers.

Other adjoining properties (47 Stilecroft Gardens and 164 Watford Road) are located 10m and 16m away from the canopy respectively. 164 Watford Road is not a residential building and as such does not merit assessment against SPG17 principles, whilst no. 47 Stilecroft Gardens has the petrol station shop visually buffering much of the visual relationship between this dwellinghouse and the canopy.

Potential for HGVs to access the site, and implications for noise and air quality

The existing canopy will be raised from 3.6m high to 4.6m high in terms of the canopy's underside height. The canopy will not oversail the Public Highway. Any temporary traffic management or temporary closures required to carry out the canopy works must be agreed with the Highway Authority prior to the works commencing.

The layout of the existing site already allows access for large vehicles such as an articulated fuel tanker with the wide accesses to the site sufficient to allow larger vehicles to manoeuvre. However, the existing canopy is does not have sufficient clearance (height) for larger HGVs, such as articulated lorries. The proposed canopy would allow access for such vehicles.

From a Highways perspective, access to the site by such vehicles is considered to be acceptable.

The applicant advises that the canopy is to be raised to accommodate the increasing heights of vehicles. This means that there will be potential for larger HGVs to access the petrol station where this was not possible previously. However, given the property's siting on a busy road, and taking into account the existing layout, use and location of the petrol station, it is not considered that the potential for larger vehicles to access the petrol station would have a materially detrimental effect on the environmental health on nearby residents. As such, the proposal is acceptable from an environmental health perspective.

Summary

The proposed canopy has been assessed in terms of its impact on the wider street-scene and nearby residential amenities. It is not deemed that the proposal to raise the canopy and the associated potential for larger HGVs to access the petrol station is deemed to have a materially detrimental affect on the surrounding street-scene, traffic conditions or residential amenities.

RELEVANT SITE HISTORY

The site has extensive planning history, the most recent of which is listed below:

09/0062 - Installation and display of 3 fascia signs and 1 totem sign to petrol filling station
Granted – 11 November 2009

08/3007 - Increase in height of existing canopy over refuelling area and installation of ATM to retail shop at petrol filling station
Granted – 13 January 2009.

08/1662 - Installation of a replacement shopfront to the petrol filling station
Granted – 11 August 2008

E/07/0747 – Enforcement action relating to material change of use of premises to car wash and installation of 4 x free standing advertisement signs and the erection of a metal fence at premises

06/3246 - Demolition and removal of existing building and forecourt structures and erection of building for use as convenience retail shop and associated landscaping, boundary fence, freestanding ID signage, alteration to existing vehicular access and provision of parking and turning area as supported by Design and Access Statement and retail assessment both dated November 2006
Appeal Dismissed – 25 September 2007

05/0887 - Erection of a three-storey building comprising 6 two-bedroom, self-contained flats, provision of 6 car-parking spaces, bicycle storage, private shared amenity areas and formation of new vehicular access from Stilecroft Gardens (as accompanied by "Contamination Assessment" report: MAS-FL-124-01 Rev. 01 dated 20/04/05 and "Proposed Remediation Scheme" report: MAS - FL-125-1 Rev. 01 dated 20/04/05 and revised plans and design statement received on 31/10/2005 and 24/11/2005 and further e-mail received on 16/11/2005) and subject to a Deed of Agreement dated 18th September 2006 under Section 106 of the Town and Country Planning Act 1990, as amended
Granted – 06 October 2006

CONSULTATIONS

Neighbour Consultations

71 nearby properties were given prior notification of this proposal for a minimum of 21 days on 17 March 2016.

The consulted properties were:

No's 79-107 Aspen Drive (ODDS)
No's 122-138 Aspen Drive (EVENS)
No's 1-44 Bishops Court, 152 Watford Road
No's 95, 154 and 164 Watford Road
No 47 Stilecroft Gardens

On the 6th April two objections were received, one from the occupier at no. 39 Bishops Court and one from the occupier at no. 40 Bishops Court. On the 7th April, a petition against the proposal was received, with the head petitioner being the occupier at no. 4 Bishops Court. The petition had one additional signatory: the occupier at no. 39 Bishops Court. As the Council received a separate representation from no. 39 and no additional signatories were present on the petition the Council has considered the petition letter as a letter of objection from no. 4 Bishops Court.

Nonetheless, as three separate objections have been received, the application qualifies for determination at committee.

Bishops Court is a residential block immediately to the south of the petrol station. The three objections received from this block were made on the following grounds:

No. 4 Bishops Court

- Heavy duty vehicles, when delivering good and other goods will block out sunlight from reaching Bishops Court.
- Watford Road is already congested with heavy traffic at all times during the day (7am to 11pm) and more and more HGVs being able to access the site could aggravate the situation.
- The proposal will have an adverse effect on the sale of property.
- Trying to get out of Bishops Court by car is difficult, as one has to watch the oncoming road traffic

and petrol station traffic.

No. 39 Bishops Court

- No. 39 looks directly onto the petrol station and the raising of the canopy will detrimentally affect no. 39 as a result of more lorry arrivals during the night and more light pollution.

No. 40 Bishops Court

- The raising of the canopy will cause a private nuisance
- There is no justifiable reason for raising the roof height, with the application being unjust, unfair and unnecessary
- The canopy raising will diminish the little light and view currently enjoyed
- The proposal will increase the noise level which is already unbearable
- There will be extra light exposure after sunset throughout the year which will impede on privacy and cause inconvenience
- Bishops Court is a community of retirees and residents would not want stress and duress imposed on them during the years of retirement

Officer's response to objections raised:

- There would be no concerns from the Council when considering the potential for HGVs to access the petrol station, as the existing site is already capable of being serviced by large vehicles such as an articulated fuel tanker. Furthermore, the wide accesses to the site already allow larger vehicles to manoeuvre. It is therefore unlikely that a raised canopy will have any notable effect on the ability of larger vehicles to use the petrol station.
- There is no proposed change to the capacity/facilities of the petrol station and as such it is not considered likely that this proposal will have an effect on local traffic conditions once construction is carried out.
- The potential for planning applications to affect property prices cannot be taken into account as a material planning consideration.
- the increase in the height of the canopy is not considered to have any significant detrimental impact on neighbouring residential amenity. This is due to the canopy structure remaining open and being greater than 10m from the Bishops Court properties. Specifically, there is a separation of 10.3m between the canopy and the north elevation wall of Bishops Court on the eastern side and a separation of 13.5m on the western side.
- SPG17 is a relevant policy reference which recommends an appropriate building separation distance for maintaining a sense of outlook from habitable room windows as 10m. The current relationship between Bishops Court and the Petrol Station satisfies this 10m requirement. The fact that the canopy is open below provides further justification for it not having an unduly detrimental impact on the occupants of the north facing flats at Bishops Court. The Council believes it will therefore maintain an acceptable level of light and outlook for these residents.

Internal Consultations

The Council's Transportation and Environmental Health units were consulted regarding this application on 17 March 2016.

A response was received from transportation on 14 April 2016 and from Environmental Health on 25 April 2016.

Neither party objected to the proposal and the content of the responses are discussed later in the report.

POLICY CONSIDERATIONS

Unitary Development Plan

BE2: Townscape – Local Context and Character
BE7: Public Realm – Streetscape
BE9: Architectural Quality
TRN3: Environmental Impact of Traffic
TRN12: Road Safety and Traffic Management
TRN16: The London Road Network

Supplementary Planning Guide

DETAILED CONSIDERATIONS

Site Context

1. The site is a Shell Petrol Station located at the junction of Watford Road and Stilecroft Gardens. The site has access from both Stilecroft Gardens and Watford Road and does not appear to have one way in or out. The crossover from Stilecroft Gardens spaces the entire width of the site. This application seeks to remove the existing canopy and erect a new canopy at a higher level. The applicant has also submitted an application 15/4961 for 3 fascia signs and a hanging sign.

Site Visit

2. The site was visited on 05/04/2016.

3. A further site visit was made on 27/04/2016 to no's 39 and 40 Bishops Court. The purpose of the visit was to observe the current outlook and view of the petrol station from the north facing windows at these flats following objections being received.

Main considerations

4. The main planning considerations of this development are:

- The impact of the raised canopy on the character of the surrounding area
- The impact of the raised canopy on the light and private amenities of nearby residents
- The impact of the raised canopy on the local transport conditions, in particular the potential for the raised canopy to accommodate HGVs and noisier vehicles which could pose environmental health concerns for nearby residents

Detailed character and amenity considerations

5. This application seeks to raise the existing canopy over the petrol station forecourt by 1000mm. The current heights of the canopy are 4.5m (at the eastern side of the canopy above the shop entrance) and 4.6m (at the western side of the canopy, close to Watford Road). The heights differ due to a slight change in ground level under the canopy. The proposal will see the heights of the canopy increase to 5.5m (at the western side) and 5.6m (at the eastern side). The applicant states that the reason for the increase in height "has arisen as a result of the general increase in vehicle heights and the damage that is caused to the canopy through collision".

6. The canopy replacement, by virtue of a minor increase in height, will not notably alter the character of the petrol station or the amenities of the wider streetscene.

7. It is noted that whilst the site itself does not exhibit any significant level changes, neighbouring properties are situated at a lower level to the petrol station, most notably, those in Bishops Court where objections have been received. It was observed on site visit that the canopy height is broadly equivalent to the first floor windows at Bishops Court.

8. Nevertheless, the increase in the height of the canopy is not considered to have any significant detrimental impact on neighbouring residential amenity. This is due to the canopy structure remaining open and being greater than 10m from the Bishops Court properties. There is a separation of 10.3m between the canopy and the north elevation wall of Bishops Court on the eastern side and a separation of 13.5m on the western side.

9. SPG17 is a relevant consideration when examining the potential impact on adjoining properties. With regard to light, outlook and overbearing appearance it sets out the development should be set under a 30 degree line taken from a 2 m height above floor level for affected windows. It should be noted that the proposal replaces an existing canopy and as such, there is an existing level of impact. On balance, given the distance from the habitable room windows, the proposed canopy is not considered to result in an unduly detrimental level of harm for adjoining occupiers by way of impact on their outlook, light or an overbearing impact.

10. Other adjoining properties (47 Stilecroft Gardens and 164 Watford Road) are located 10m and 16m away from the canopy respectively. 164 Watford Road is not a residential building and as such does not merit assessment against SPG17 principles. No. 47 Stilecroft Gardens has the petrol station shop visually

buffering much of the visual relationship between this dwellinghouse and the canopy and the proposed canopy is not considered to result in undue harm to the amenities of the occupiers of that property in terms of light and outlook.

Detailed transport considerations

11. The existing canopy will be raised from 3.6m high to 4.6m high in terms of the canopy's underside height. The canopy will not oversail the Public Highway. Any temporary traffic management or temporary closures required to carry out the canopy works must be agreed with the Highway Authority prior to the works commencing.

12. The Council's Highways officers have advised that large HGVs, such as articulated lorries, are not likely to be able to access the site at present, but may be able to access the site with the raised canopy. However, this is considered to be acceptable on highways grounds as the layout of the existing site is already capable of being serviced by large vehicles such as an articulated fuel tanker. Furthermore, the wide accesses to the site already allow larger vehicles to manoeuvre. The Council's Highways officers consider that the proposal is acceptable and that it complies with adopted policy with regard to the highways implications of the proposal.

Detailed environmental health considerations

13. As discussed above, the increase in height of the canopy would allow larger vehicles, such as HGVs, to access the petrol station. This was not possible previously for larger HGVs, such as articulated lorries. The Council's Environmental Health officers have considered the potential impact of this on adjoining and nearby occupiers. They have advised that, given the property's siting on a busy road, and taking into account the existing layout, use and location of the petrol station, it is not considered that the potential for larger vehicles to access the petrol station would have a materially detrimental effect on the environmental health on nearby residents. As such, they have commented that the proposal is acceptable from an environmental health perspective.

Conclusion

14. The proposed canopy has been assessed in terms of its impact on the wider street-scene and nearby residential amenities. It is not deemed that the proposal to raise the canopy and the associated potential for larger HGVs to access the petrol station is deemed to have a materially detrimental affect on the surrounding street-scene, traffic conditions or residential health and amenities.

Approval is accordingly recommended.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/4960

To: Mrs Smith
Smith Jenkins Ltd
30A High Street
Stony Stratford
Milton Keynes
MK11 1AF

I refer to your application dated 12/11/2015 proposing the following:
Removal of existing canopy and erection of new raised canopy to existing petrol filling station and accompanied by plans or documents listed here:
See condition 2.
at 154 Watford Road, Wembley, HA0 3HF

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, Regeneration

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-
Brent Unitary Development Plan 2004

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

Built Environment: in terms of the protection and enhancement of the environment
Transport: in terms of sustainability, safety and servicing needs

- 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):

151057-PLNG1a
151057-PLNG2

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

INFORMATIVES

- 1 The applicant is advised that any temporary traffic management or temporary closures required to carry out the canopy works must be agreed with the Highway Authority prior to the works commencing.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 June, 2016

15/2061

SITE INFORMATION

RECEIVED: 26 May, 2015

WARD: Alperton

PLANNING AREA: Brent Connects Wembley

LOCATION: 2 Atlip Road, Wembley, HA0 4LU

PROPOSAL: Proposed demolition of existing former retail warehouse building and erection of development comprising a part 3 storey to part 10 storey building of 99 residential units (4 x studio, 31 x one-bedroom, 51 x two-bedroom and 13 x three-bedroom units).with associated cycle parking, x13 no. disabled only parking spaces at basement level with, x2 car club only spaces and new vehicle accesses off Atlip Road and associated landscaping (as amended).

APPLICANT: ARY Properties Ltd.

CONTACT: Planning Co-operative

PLAN NO'S: (See Condition 2)

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_122025

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "15/2061" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: 2 Atlip Road, Wembley, HA0 4LU

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This map is indicative only.

SELECTED SITE PLANS

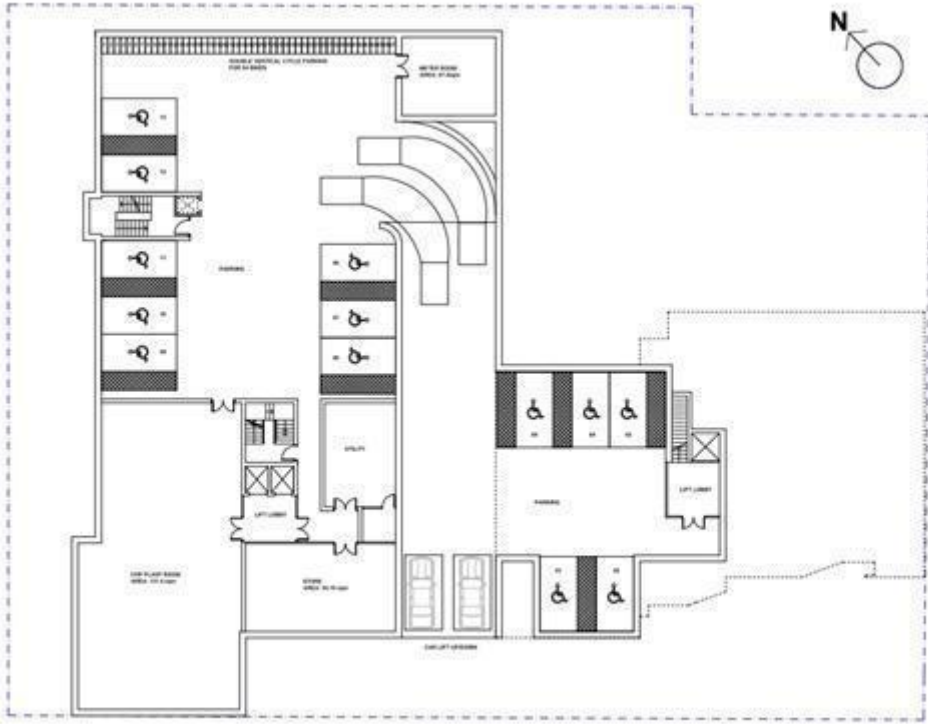
SELECTED SITE PLANS



Existing location plan



Proposed block plan



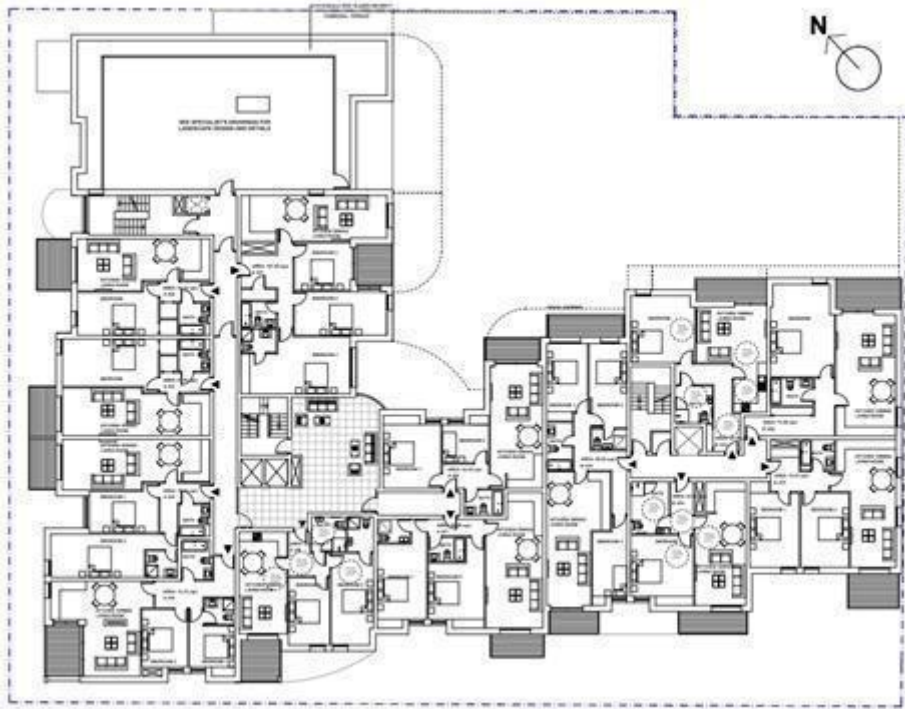
BASEMENT FLOOR PLAN
TOTAL EXTERNAL AREA OF COVERED AREA: 1061 SQM

Proposed basement plan



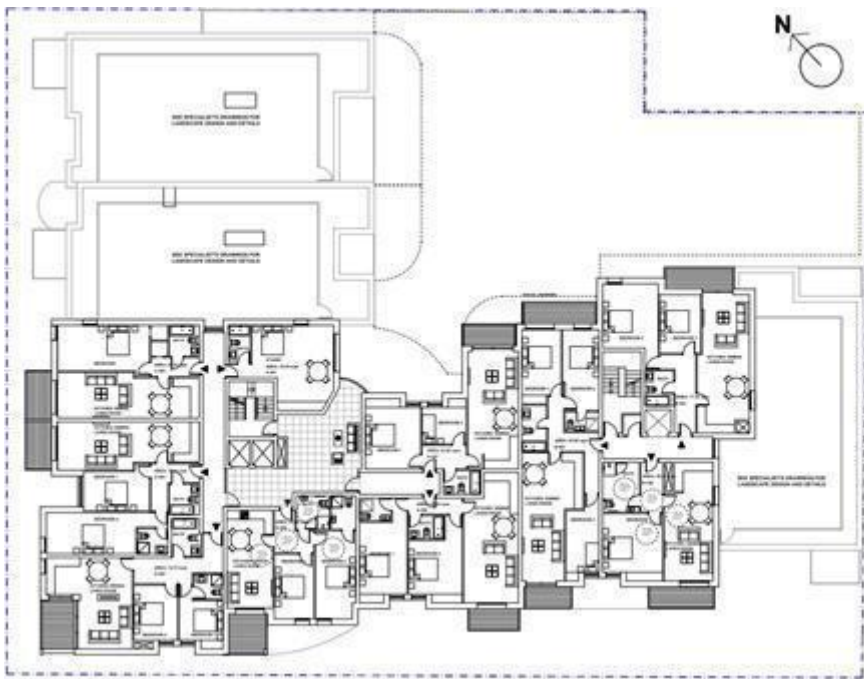
GROUND FLOOR PLAN
TOTAL EXTERNAL AREA OF COVERED AREA: 1061 SQM

Proposed ground floor



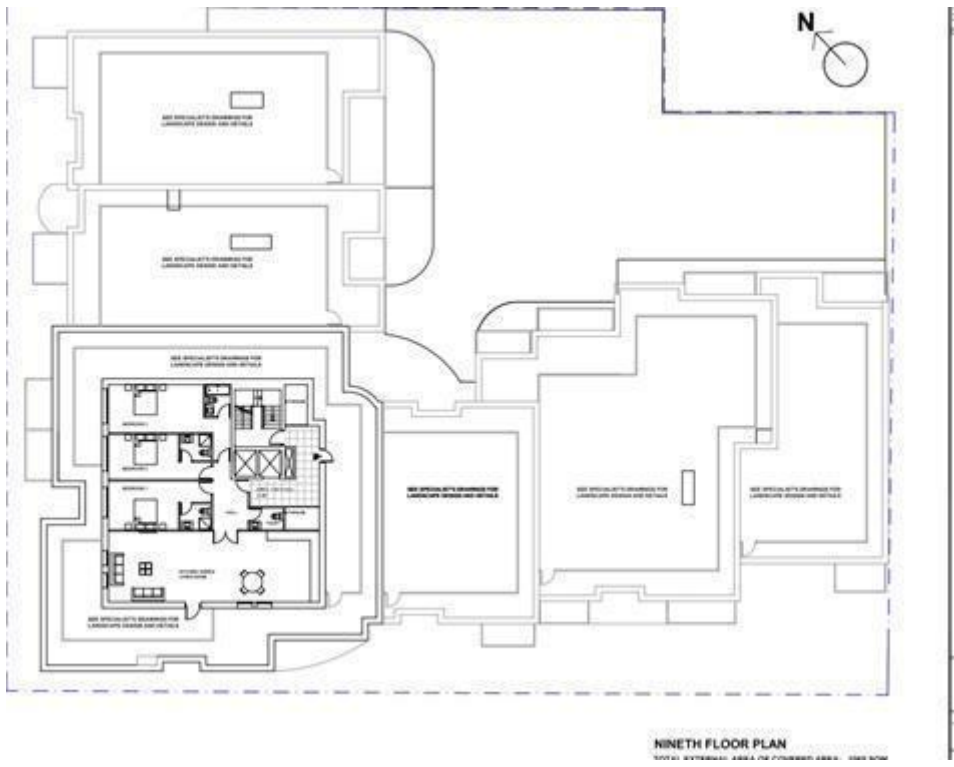
THIRD FLOOR PLAN

Proposed third floor



SIXTH FLOOR PLAN

Proposed sixth floor



Proposed ninth floor



Proposed front elevation - facing Atlip Road



Proposed rear elevation



Proposed side elevation (northwest facing) and compliance with 30 and 45 degree tests

Proposed massing & context



RECOMMENDATIONS

To delegate authority to the Head of Planning, or other duly authorised person, to grant planning

permission subject to the completion of:

- a satisfactory Section 106 or other legal agreement in material accordance with the Heads of Terms set out within this report, the exact terms thereof to be agreed on advice from the Chief Legal Officer; conditions in material accordance with those set out the draft decision notice.

A) PROPOSAL

Proposed demolition of existing former retail warehouse building and erection of 'car free' development comprising a part 3 storey to part 10 storey building of 99 residential units (4 x studio, 31 x one-bedroom, 51 x two-bedroom and 13 x three-bedroom units).with associated cycle parking, x13 no. disabled only parking spaces at basement level with, x2 car club only spaces and new vehicle accesses off Atlip Road and associated landscaping (as amended).

B) EXISTING

The application site comprises a single storey building for which the authorised use is as a cash and carry warehouse. The adjacent car park is outside of the application site

The site is broadly rectangular and addresses Atlip Road. To the south east it neighbours the residential Dawson Court, which is five storeys and forms part of the much larger mixed use development that fronts onto the canal. To the north east is Sunleigh Road, which comprises two-storey housing and back gardens. North west of the site are more recent flatted developments that front onto Ealing Road, these are discussed in the remarks section. On the corner of Atlip and Ealing Road is a church building and on the opposite side

of Atlip Road is the mixed use Atlip Centre building and associated car park.

The application site is located within the Alperton Growth Area and is allocated within the Site Specific Allocation Document (A.4 - Atlip Road).

This is not within a Conservation Area, nor does it impact on any Listed Building.

C) AMENDMENTS SINCE SUBMISSION

1. Increased proportion of affordable housing proposed (23%).
2. Changes to the proposed landscaping and layout of amenity spaces.
3. Alterations to materials, fenestration and design.
4. Amendments to make building entrances more legible.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

Principle of development: The opportunity for new homes and the contribution towards affordable housing (24%) on a site within the Alperton Growth Area and Housing Zone: The proposed redevelopment for residential use accords with the SSA and helps to deliver one of the borough's key objectives which is to deliver new homes, as set out within planning policy documents.

Design and Scale of development: The proposal consists of good architecture with quality detailing and includes some interesting features and materials palette. The scale of the development is considered appropriate for its existing and emerging context.

Transportation: The scheme provides 13 car parking spaces for disabled users, which is considered an acceptable level of car parking for this scheme. The scheme is to be "parking permit restricted" whereby the future owners and occupiers of the development are not eligible for on-street parking permits if a Controlled Parking Zone is introduced within 300 m of the site in the future, and the scheme shall secure a contribution towards potential funding of the expansion of Controlled Parking Zone "E". Sufficient cycle parking is provided together with adequate storage and collection for refuse.

Quality of the proposed residential accommodation: The proposal accords with the London Plan standards for residential quality. A high proportion of units (90%) exceed the minimum residential space standards, with the remaining 10 % of units only marginally (1 to 2 sqm) below London Plan standards.

Impact on neighbouring occupiers: The proposal is considered to maintain acceptable levels of amenity for adjoining existing residential occupiers and has considered closely the potential impact on the amenity of properties along Sunleigh Road. The proposal broadly complies with Supplementary Planning Guidance 17 and the minimum separation distances between facing windows. The massing of the building is a response to this relationship, with the taller elements located furthest away from this boundary. The stepping of the building height in this way ensured scheme compliance with both the 30 and 45 degree tests, as set out in SPG17.

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				10341	10341
Sui generis	2618		2618		-2618

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)	22	46	8							76
PROPOSED (Flats û Social Rented)	7	3	3							13
PROPOSED (Flats û Intermediate)	6	2	2							10

RELEVANT SITE HISTORY

13/2874 - Application withdrawn

Demolition of existing warehouse building and erection of a 'car free' development comprising a, part 4, 5 and 9-storey building consisting of a gym (Use Class D2) at basement level, a retail unit (Use Class A1) on part of the ground floor, and a total of 101 residential units (38 x one-bedroom flats, 58 x two-bedroom flats, 4 x three-bedroom flats and 1 x four-bedroom flats), associated cycle parking with x12 no. disabled only parking spaces at ground floor and basement level with vehicle access off Atlip Road and associated landscaping.

11/0177 - Refused

Removal of condition 22 (the cash and carry's retail floor space shall be restricted to 8000 square feet) of planning permission dated 15th April 1988 (Ref:85/1602) for the redevelopment of the site to provide shops, private club, bank, restaurant and retail cash and carry warehouses with access road and ancillary parking.

05/0647 - Granted

Demolition of existing building and erection of a "car-free", part 3-, 4-, 5-, 6-, 7- and 8-storey building containing a broadcast studio on part of the ground floor and 5 studio units, 37 one-bedroom flats, 37 two-bedroom flats and 4 three-bedroom flats with basement parking for 29 cars with access off Atlip Road and subject to a Deed of Agreement dated 31/03/2006 under Section 106 of the Town and Country Planning Act 1990 (as amended).

02/1070 - Granted

Change of use of part of existing cash-and-carry warehouse/storage (Use Class B8) to television studios (Use Class B2) together with alterations to windows and external elevations.

01/1807 - Refused

Change of use of part of existing cash-and-carry retail warehouse to television studios (1,180m²) and retail supermarket (2,038m²), including installation of a mezzanine floor and external alterations.

CONSULTATIONS

Consultation Period:09/06/2015 - 30/06/2015

In total 383 addresses were notified, this accords with the consultation requirements set out in SPG2.

Site Notice(s) displayed on 08/07/2015

Press Notice: 18/06/2015

In response four objections have been received to date. The grounds for objection raised are summarised below:-

- Loss of light / outlook from flats in Bigler Court, Atlip Road
- Loss of privacy from flats in Bigler Court, Atlip Road and houses on Sunleigh Road (to the east)
- More flats will lead to more congestion on Atlip Road
- What social infrastructure has been put in place to cater for the increased demand from this, and other large residential developments in the local area?
- One floor of the building should be dedicated for use as a health centre
- Will this development be subject to the Community Infrastructure Levy?
- This will impact on parking conditions on surrounding streets.
- What provisions are there in terms of transport infrastructure to support the proposed housing growth in Alperton?
- This will increase the potential for traffic accidents in the vicinity of the site.
- The proposal does not maximise the use of previously used land and should include the adjacent car park (in sperate ownership).
- Proposal would prejudice future development of the adjacent car park site due to the presence of windows on the facing flank wall.

STATUTORY CONSULTEES

Ward Councillors -

No response received.

Environmental Health -

Officers are satisfied with the findings of the submitted noise report. Conditions are recommended relating to noise levels, plant noise, air quality impact assessment to account for any proposed CHP unit, a Construction and Demolition Method Statement, contaminated land investigation (including remediation and verification report).

Landscape -

No objection raised (see 'remarks' section paragraphs 44 to 49).

Transportation -

No objection raised, see remarks section below for detailed discussion.

Urban Design -

The original scheme was criticised for its proposed use of materials and improvements were recommended to improve the fenestration. The revised proposal will make use of a better quality materials palette. It was suggested the scheme would benefit from a mixture of projecting and recessed balconies. To this end there are some recessed balconies on the corner of the taller element, these repeat on all floors. Suggested that building entrances need to be more legible and better designed, and highlighted the proximity of ground floor windows to access points and refuse storage.

Sustainability Officer -

The Energy Statement as been assessed and the Councils Sustainability officer has confirmed this to be compliant with the Mayor's target for reducing CO2 emissions by 35% below that of Building Regulations Part L 2013. No carbon offset payment will be required.

Thames Water -

No objection raised, conditions have been recommended in the event of permission being granted.

Cromwell & Burns Road Residents Association -

No response received.

POLICY CONSIDERATIONS

National policy guidance

National Planning Policy Framework 2012

Regional policy guidance

[The Further Alterations to the London Plan 2015](#) .

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

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

Policy 3.6: Children and Young People's Play and Informal Recreation Facilities

Policy 3.8: Housing Choice

Policy 3.9: Mixed and Balanced Communities

Policy 3.10: Definition of Affordable Housing

Policy 3.11: Affordable Housing Targets

Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Chapter 5 - London's Response to Climate Change

Policy 5.2: Minimising Carbon Dioxide Emissions
Policy 5.3: Sustainable Design and Construction
Policy 5.6: Decentralised Energy in Development Proposals
Policy 5.7: Renewable Energy
Policy 5.9: Overheating and Cooling
Policy 5.12: Flood Risk Management
Policy 5.13: Sustainable Drainage

Chapter 6 - London's Transport

Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
Policy 6.9: Cycling
Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

Policy 7.2: An Inclusive Environment
Policy 7.3: Designing Out Crime
Policy 7.4: Local Character
Policy 7.5: Public Realm
Policy 7.6: Architecture
Policy 7.14: Improving Air Quality
Policy 7.15: Reducing Noise and Enhancing Soundscapes

Chapter 8 - Implementation, Monitoring and Review

Policy 8.3: Community Infrastructure Levy

Local policy guidance

Brent's Core Strategy 2010

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

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP8: Alperton Growth Area
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures
CP21: A Balanced Housing Stock

Brent's Unitary Development Plan 2004

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

Built Environment

BE2: Townscape - Local Context & Character
BE5: Urban Clarity & Safety
BE6: Public Realm - Landscape Design
BE7: Public Realm - Streetscape
BE8: Lighting & Light Pollution
BE9: Architectural Quality
BE17: Building Services Equipment

Environmental Protection

EP2: Noise & Vibration
EP3: Local Air Quality Management

EP6: Contaminated Land

Housing

H12: Residential Quality - Layout Considerations

H13: Residential Density

Transport

TRN3: Environmental Impact of Traffic

TRN4: Measures to make Transport Impact Acceptable

TRN10: Walkable Environments

TRN23: Residential Standards - Car Parking

TRN35: Transport Access for Disabled People and Others with Mobility Difficulties

Brent's Site Specific Allocations DPD adopted July 2011

The above document forms part of Brent's Local Plan and sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites is known as A.4 (Atlip Road).

Supplementary Planning Guidance and Design Guides

Government's Technical Housing Standards (March 2015)

Mayor's Housing SPG, November 2012

S106 Planning Obligations SPD, July 2013

Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001

Alperton Masterplan SPD 2011

DETAILED CONSIDERATIONS

Background context and principle of development

Residential development

1. The application site is located within the Alperton Growth Area. Policy CP8 of Brent's Core Strategy relates to Alperton Growth Area where it identifies Alperton for mixed use regeneration along the Grand Union Canal. It seeks to provide at least 1,600 new homes to 2026, supported by infrastructure to be identified within the Infrastructure and Investment Framework. Anticipated infrastructure will include new and/or improved education facilities at nursery, primary and secondary school level, new health facilities, new and improved public open space and new community centre.
2. The Alperton Growth Area has also recently been designated as a Housing Zone by the Mayor of London, which reinforces its status as an appropriate location within the borough for new housing development.
3. To support Brent's Core Strategy the Council has produced and adopted its Site Specific Allocations Development Plan Document. This document sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites known as A.4 is the "Atlip Road" site. The application site forms part of the wider allocated site. This allocated site has been developed in a somewhat piecemeal fashion to date. Individual sites have come forward for development in advance of this and are now built out, as set out below:
 - 2006 - planning permission granted (05/0647) for the redevelopment of former Dadoos supermarket for 83 residential units and broadcast studio. This was granted on the current application site. This was not implemented.
 - 2007 - planning permission granted (05/1323) for the redevelopment of the former car park site to the northern end of the allocated site for 37 residential units and ground floor commercial unit. This building fronts onto Ealing Road. This has been implemented.
 - 2007 - two planning permissions granted (06/0855 & 06/0856) on appeal for a total of 185 residential units, ground floor commercial uses, including a new pedestrian footbridge over the adjacent canal. This permitted residential development up to 14 storeys high. This has been implemented.

- 2009 - planning permission granted (09/0205) for demolition of existing building and erection of a part 7, part 8 storey building with ground floor commercial floorspace and 31 residential units. This has been implemented.

Wider context locally

4. Site A.3, known as the former B&Q and Marvelfairs House site is identified for a comprehensive mixed use development including residential, amenity space, B1 employment and Ad uses. This site is to the south of the application site, and two are separated by the railway lines.
5. Planning permission has already been granted for the former B&Q part of the SA for a mixed use development containing 440 flats and a dwelling house together with commercial and community space with associated landscaping and car parking (LPA Ref: 09/2116). This development has been completed and is now occupied. Planning permission has also been granted at 255 Ealing Road for construction of 3- to 9-storey building comprising 125 residential units and 277 sqms of affordable workspace (Use Class B1) and/or community floorspace (Use Class D1) and associated parking, access, landscaping and related ancillary works (LPA Ref: 14/2276). Works have not yet commenced on this scheme. More recently planning permission was granted (LPA ref: 15/3950) at Planning Committee on 9 May 2016, subject to completion of an satisfactory legal agreement on a site known as 1c Carlyon Road for the demolition of the existing building and erection of a part 5, part 6 storey building with 31 residential units. The allocated site also contains 245 to 253a Ealing Road which are sites yet to come forward for redevelopment.
6. In addition to the above policy documents, the Council has produced and adopted the "Alperton Masterplan" Supplementary Planning Document. The purpose of the Masterplan is to set out in detail how the Council will bring about the transformation of this industrial area into a new, mostly residential neighbourhood. It is intended to provide clear guidance for developers, landowners and residents about the scale of change which the Council would like to see happen. The application is within the Masterplan area boundary. The Masterplan vision is to create three distinctive new neighbourhoods linked by a high quality and lively stretch of canal, which are:
 - Alperton's core: a cultural centre
 - Waterside residential neighbourhood
 - Northfields Industrial Estate.
7. The application site lies within Alperton's Core. The regeneration principles for Alperton Core is defined by
 - distinctive buildings up to 17 storeys in height in specific locations
 - high-density flatted development,
 - new housing promoted for smaller households.
8. The site is within the recently designated Alperton Housing Zone, designated by the Mayor of London. The Housing Zone status means Alperton will benefit from significant levels of GLA funds, this will help accelerate new housing development to meet London and Brent housing needs and improve infrastructure to support growth. Alperton is projected to accommodate 3213 new homes (including 870 affordable homes by 2021). The Alperton Area Action Plan provides the planning framework for this housing zone.
9. The redevelopment of the application site proposes a residential redevelopment which is acceptable in terms of the existing and emerging context.

Loss of employment uses

10. The site currently contains a cash and carry warehouse. The redevelopment of the site will not include any replacement employment floorspace. Under the previous, withdrawn scheme (13/2874) D2 and A1 floorspace was proposed. Further discussion with officers has resulted in the omission of these commercial uses and an entirely residential scheme is proposed. The wider SA has already secured commercial floorspace on sites to the north and as part of the mixed use development immediately to the south and it is noted that take up of these units has been poor. As such it was not considered to be appropriate to seek the inclusion of additional commercial units as part of this development and their exclusion does allow for additional residential units. The provision of affordable workspace has been examined. However, the site would only be able to accommodate a small unit which is not in close

proximity to other Affordable Workspace units and Affordable Workspace is not referred to as a requirement for this site within the Site Allocation (A.4 Atlip Road). As such, it is considered that the absence of Affordable Workspace in this scheme is acceptable in this instance. Employment floorspace has been secured at 255 Ealing Road and 1C Carlyon Road, in addition to that provided at 243 Ealing Road and the mixed use development to the south of the site, which help meet the objectives of the Alperton Growth Area.

Design, Scale and Massing

11. The new building is arranged as an 'L' shape, fronting onto Atlip Road. It varies in height from three, five, seven, eight to a part ten storey element on the north western corner. The stepping of the building height in this way from the outer edges inwards towards the centre responds to the local context, in particular by being sensitive existing two storey housing to the east of the application site on Sunleigh Road.
12. The proposed height is considered to relate to both the existing and emerging local context. The existing development immediately to the south which adjoins the canal is part nine, ten and 14 storeys high. The stepping down in height of the building at the southern end to 5 storeys ensures that the scale relates appropriately to neighbouring Dawson Court, also 5 storeys high. Further afield but still within close proximity are existing residential properties and the emerging taller developments at 255 Ealing Road (approved but not built) and 243 Ealing Road (completed) that step up to 9 and 14 storeys in height. To the immediate north of the site relatively new buildings of six and eight storeys have been built fronting onto Ealing Road. The stepping down of the building at the rear (eastern side) has been designed to provide a transition in scale between the lower two storey housing on Sunleigh Road, and sufficient separation is maintained between buildings. It is considered that the scale of development proposed represents a suitable transition between the existing and emerging built form, and is acceptable within the Alperton Growth Area, Masterplan area and housing zone.
13. A minimum set back of 1.4m is maintained to the road frontage with Atlip Road, increasing to a generous 6.6m at the southern end with overhanging of the building at upper floor levels. There is no strong building line along this side of Atlip Road, however the proposed building line does respond appropriately to the siting of Dawson Court to the south. The north western facing elevation, which is to front onto the adjacent car park to the north is set in from this boundary by between 2.5m and 4.15m. The three storey element at the rear which projects eastwards is set in from the boundary to the east by 1.7m. At the southernmost end of the site the proposed five storey element would be sited up to the boundary.
14. The scale and height of the proposed demonstrates that it achieves compliance with both the 30 and 45 degree tests, set out in Supplementary Planning Guidance 17 'Design Guide for New Development'. These tests are applied to ensure that the amenity of neighbouring residents is not unduly harmed. The proposed building steps down in height to the rear as a direct response to existing housing along Sunleigh Road, and by doing so the 45 degree test is comfortably met. The stepping up in height as you move further away from the rear elevation of Sunleigh Road housing also ensures the 30 degree test is met in respect of rear facing windows. The application site does not actually abut the rear gardens of housing along Sunleigh Road as there is a wedge shaped strip of land in between the two, this is outside of the application site and acts as a buffer. As a consequence of this and the splayed orientation of the building in relation to the boundary a separation of between 6m and 9m is maintained.
15. There are no sole habitable windows sited within the flank wall of the building closest to the boundary with Sunleigh Road.
16. At ground level towards the centre of the Atlip Road elevation is a vehicle access to a basement car parking area. Access to the car parking area is via Atlip Road, and a new to be formed vehicular access. Access to the residential flats is via two separate cores fronting onto Atlip Road along with an additional entrance core sited within the north eastern facing facade. Two dedicated Car Club parking spaces are proposed along the Atlip Road frontage towards the southern end of the building, within a deep private forecourt. Further details are to be approved by condition.
17. Projecting external balconies are proposed on all elevations, bar the southern facade. Five separate communal roof terraces are proposed, the stepped building design provides the opportunity for these.
18. In terms of the external materials, design and fenestration these have been subject to negotiation and change during the course of the application. The building has been simplified by the predominant use of brick work, with feature bronze cladding used to break this up and add interest. The light brick and the bronze cladding complement one another. A feature darker brick will be used on the ground floor only.

The massing of the elevations have been broken up through the arrangement of height, use of projecting and brick framed balconies, vertical bands of bronze cladding and the articulation of the building facades. Further interest is provided in the decorative detailing of the brickwork that is to feature on the corner element fronting Atlip Road. These bricks will be laid as projecting, and in a grid system that repeats on all floors, and this is considered to add an interesting detail. To the rear the same approach in terms of materials is proposed, and the central core is treated with a curved lightweight glazed element. This will ensure natural light is received internally and adds an interesting design feature to the building, as viewed from the courtyard and properties on Sunleigh Road. The flank walls facing Sunleigh Road are broken up with simple window openings, and a feature green wall proposed to the lower three storey element. Well pronounced window reveals are proposed throughout, this helps to further articulate the elevations. On balance it is considered the materials palette is of high quality and the overall design will provide visual interest.

19. A condition is recommended to secure the approval of materials prior to commencement of works on site.
20. In 2005 permission 05/0647 was granted for a mixed use building up to eight storeys high, accommodating 83 flats (5 x studios, 37 x 1-bed, 37 x 2-bed and 4 x 3-bed) to be built on site. This consent was never implemented, but it demonstrates that the principle of the redevelopment of the site for residential use is acceptable. The earlier scheme, though proposing less units is broadly similar to the current proposal in terms of the siting of the building and site layout. The current proposal seeks to increase the number of units to 99, and to achieve this an increase in height is proposed. At the rear both scheme's step down to three storeys, and at the southern end both step down to five storeys. The increased height is proposed to be accommodated through the central section of the building, fronting Atlip Road, and on the corner the height would increase by two additional storeys from eight to ten. By concentrating the extra height through this part of the site it reduces the impact on neighbouring sites.
21. A different materials palette is now proposed. The earlier scheme proposed to use a mixture of render, timber cladding and metal cladding, however on balance the current proposal which proposes predominantly brick with some feature cladding is considered to be a marked improvement in design terms.

Density

22. London Plan Policy 3.4 'Optimising Housing Potential' states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2, taking into account local context and character, design principles and public transport capacity. This site is located within PTAL 3 and is considered to be within an urban location, but it must also be recognised that the application site is within 20m walking distance of PTAL 4, where the London Plan sets a guideline density of up to 700 Hr/Ha or 260 u/ha. The site is not significantly less accessible than a location 20m from the site that would be classed as having a PTAL of 4, and rather than a mechanistic approach it is considered a flexible approach should be taken to applying the density matrix in such instances.
23. The density of the proposed scheme is 903 hr/ha which exceeds the density matrix. Whilst higher density developments are supported in principle in the Growth Areas, the scheme is still required to provide a high quality development taking into account factors such as high quality living environment for occupiers, adequate provision of amenity and play space, an appropriate level of affordable housing, good mix of unit sizes, high quality design, and addressing any transport and climate change issues. This is particularly important given the Housing Zone designation of the site. These factors are discussed in detail below.

Affordable Housing

24. 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.
25. The scheme is proposing 24% affordable housing (accounting for 23 of the 99 units). These include 13 of which are for Affordable Rent (7 x 1-bed 2 person, 3 x 2-bed 4 person, 2 x 3-bed 6 person and 1 x 3-bed 5 person) and 10 are Intermediate sale (Shared Ownership) (6 x 1-bed 2 person, 2 x 2-bed 4 person and 2 x 3-bed 5 person).

- 26. The ratio is 60% affordable rent and 40% shared ownership which is in general accordance with London Plan and Brent policies, it meets Brent's local requirement and is considered acceptable.
- 27. The proportion of affordable housing proposed has been robustly tested by the Council through its appointment of an independent assessor. The assessor has advised that the improved 24% offer of affordable housing is reasonable and that this represents the maximum affordable housing delivery for this site.

Quality of Residential Accommodation

Size and mix of units

28. The application proposes 99 residential units. A breakdown of the unit mix is provided below:

	One bed units	Two bed units	Three bed units	Total Units
Overall scheme	35 (including x 4 studios) (35.5%)	51 (51.5%)	13 (13%)	99
Private Units	22	46	8	76 (77%)
Intermediate / Shared Ownership	6	2	2	10 (10%)
Affordable rented units	7	3	3	13 (13%)

29. Policy CP21 of Brent's Core Strategy seeks an appropriate mix of unit sizes within a scheme including a proportion of 25% of units to be three bedrooms or more. However, within The Alperton Core set out within the Alperton Masterplan it promotes new housing to be for smaller households, with a predominance of one and two bedroom homes. Within this context the proposed housing mix is considered to be appropriate for Alperton.

30. Overall, the housing mix assists with achieving the wider housing objectives of the Borough and provides the maximum reasonable proportion of affordable housing that the viability of the scheme can bear.

31. The London Plan requires residential units to provide the following internal floor space standards:

- 1 bed 2 person - 50sqm
- 2 bed 3 person - 61sqm
- 2 bed 4 person - 70sqm
- 3 bed 4 person - 74sqm
- 3 bed 5 person - 86sqm
- 3 bed 6 person - 95sqm

32. Further guidance on the internal room sizes within the residential units are set out in the Mayor's Housing SPG that states that a minimum area of 7.5qm should be provided for a single bedroom and 11.5sqm for a twin/double bedroom.

33. All of the units with the exception of just 5 (5%) meet the minimum standard, and where there is a shortfall this is only by 1 - 2sqm, so on balance any shortfall is not considered to be significant enough to harm the quality of accommodation. Some 89 of the 99 units (90%) exceed, with some significantly exceeding the minimum residential space requirements of the London Plan. As such it is considered that on balance the size of the proposed units provide an acceptable standard of accommodation for prospective occupiers.

Outlook and privacy within the development

34. There are no single aspect units that face directly north. The internal layout and the arrangement of access corridors means that there are single aspect units that are either north-west or north-east facing. Some mitigation is provided by the fact that a large proportion (90%) of flats exceed minimum residential space standards, and a large number of the affected units are smaller one and two bedroom units only.

35. At ground floor level, a landscape buffer and defensible space are proposed between residential windows and pathways, parking areas or the back edge of the footpath along Atlip Road.

36. At first floor level and above, where there are flank wall windows proposed these are secondary only and serve only to provide additional natural light into rooms or access corridors. As such a condition is recommended that restricts these windows to be obscured glazed only.
37. Where outside amenity space is proposed at roof levels this is set in from the boundary but will need to have an appropriate edge treatment to reduce the potential for overlooking, particularly towards Sunleigh Road dwellings and associated gardens. A condition is recommended to secure the approval of further details of this edge treatment.
38. Due to the design and the inclusion of the central core and the nature of this, the units within each wing have been designed to not overlook one another. As such, it is considered that acceptable levels of privacy are provided for the units within the scheme. Further details of balcony privacy screening will be secured through condition.

Wheelchair units and lifetime homes

39. A proportion of units within the scheme are proposed to be designed as wheelchair accessible housing (now known as Building Regulation M4(3)). The number of wheelchair units account for 10% of units, meeting the requirements of both the London Plan and policy CP21 in Brent's Core Strategy 2010. All homes will be built to lifetime home standards (now known as Building Regulation (M4(2)). These will be secured as a condition to any forthcoming planning consent.

External amenity space

40. SPG17 requires new development to provide 50sqm of private external amenity space per three bedrooms units on the ground floor and 20sqm for other units.
41. Five of the ground floor units have access to areas of private amenity space that adjoins the communal space, collectively these private areas provide approximately 140sqm of external amenity space. The ground floor is supplemented by 480sqm of communal amenity space. As the building steps up in height it provides the opportunity for roof terraces, at levels, 3, 5, 7 and 8. These communal terraces provide a further 663sqm of amenity space. All of the units in the scheme have access to the communal amenity areas which combined provide approximately 1143sqm. In addition at first floor level and above all units are afforded a private balcony.
42. Overall, the provision of all private and communal amenity space amounts to approximately 2340 sqm, which broken down equates to 23sqm per unit. The level of external amenity space broadly meets SPG17 requirements, and is considered to represent a good level of provision for a scheme of this density, in this location.
43. In line with London Plan requirements the communal amenity space at ground level will include doorstep play space for the 0 - 5 year age range, this is discussed below in the 'Landscape' section. The constrained nature and configuration of the site mean that is not practicable to provide on site playspace for the 5 - 11 age range. Locally both One Tree Hill open space and Alperton Recreation ground on Mount Pleasant are within 500m walking distance and provide play facilities.
44. It is recommended that full details of external amenity spaces (including play equipment) are conditioned as part of a condition seeking further landscape details.

Impact on adjoining occupiers

Privacy

45. SPG17 requires a distance of 10m to be maintained between habitable room windows and neighbouring rear boundaries and a distance of 20m to be maintained between directly facing habitable room windows.
46. In this case, the nearest sensitive boundary is shared with the houses and gardens of the properties situated along Sunleigh Road. There are flank wall windows within the wall facing Sunleigh Road properties, and some of these are within 10m of the boundary. None of the windows concerned are sole habitable room windows, the windows are either secondary windows to living rooms, or they serve communal access corridors. Given their status they are not relied upon for outlook and it is therefore recommended that a requirement for these flank wall windows at ground, first, second and third floor

levels be installed as obscured glazed. This will prevent overlooking.

47. At the closest point, the habitable room windows that directly face a residential garden are in excess of 10 m from the boundary of the site, and a greater distance from the garden itself. The distance between facing habitable room windows is considerably in excess of 20 m. As such, the proposal accords with SPG17 in terms of the privacy of adjoining occupiers.
48. Windows that are proposed within the southern flank wall are only secondary, again these will need to be conditioned so that they are installed as obscurely glazed. No flank wall windows exist within the neighbouring building (Dawson Court).
49. Consideration has been given to the north western facing elevation, facing the adjacent open car park site. The distance of windows to the site boundary is less than 10m, presenting a broadly similar relationship to the now expired 2005 consent on this site. As the adjoining site to the north contains an open car park there are no overlooking or privacy concerns with the site as it currently exists. It is also noted that the built development to the northern side of the car park includes a large number of habitable windows that face onto the car park site.
50. Overall, taking into account the previous site history, emerging urban context of the area, the scheme provides acceptable levels of privacy for both existing neighbouring occupiers and those within emerging developments. It is recommended that full details of obscured glazed windows as discussed above are either fixed or opening at high level only (1.7m above internal floor level) and are conditioned.
51. The roof terraces are set in away from the edges of the building and will contain edge treatment which will guard against overlooking. Further details of this will be required through condition.

Overbearing appearance and light

52. To ensure that a development does not appear overbearing from neighbouring occupiers, it is required to sit within a line drawn at 30 degrees from the nearest rear facing habitable room window (measured at 2m above internal floor level) and to sit within a line drawn at 45 degree from the edge of the rear garden (measured at 2m above garden level).
53. Sections plans have been submitted. These show the new building sits within the 30 degree line from rear windows in the properties on Sunleigh Road. The sections plans also show the 45 degree relationship with residential gardens at Sunleigh Road, and compliance is also achieved. Overall, it is considered that the siting, scale and massing of the building pays appropriate regard to its setting, and demonstrates overall compliance with Supplementary Planning Guidance 17 'Design Guide for New Development'.

Daylight and Sunlight Assessment

54. This looked at the impact of the proposed development on daylight and sunlight conditions for existing neighbouring residential properties (commercial not included) as well as the future living conditions for prospective occupiers of the proposed units.
55. The assessment was carried out in accordance with relevant BRE guidelines and looks at the impact on habitable rooms in neighbouring dwellings.
56. The appropriate BRE test for daylight is the use of Vertical Sky Component (VSC) to measure the amount of daylight received on the face of each window. This has considered the impact of the proposed development on Bigler Court, Hayes Court, Dawson Court and No's 4 - 48 Sunleigh Road. With the exception of two windows all windows tested will satisfy the BRE guidelines on VSC. The two windows that do not fully satisfy the BRE guidelines do so because of a large projecting canopy that has been erected at this property, and not because of the proposed development.
57. The BRE sunlight criteria applies to windows that face within 90 degrees of due south. The results show that windows will continue to satisfy BRE recommendations on availability of sunlight and that in fact for a high proportion of dwellings the levels of sunlight that will continue to be received will be in excess of the BRE recommendations. The one exception is 44 Sunleigh Road, for the reasons set out above.
58. With regards the proposed units the result show that all habitable rooms will receive adequate daylight

and very good levels of sunlight where windows are within 90 degrees of due south.

Landscaping

59. There are no existing landscape features on site. A hard and soft landscaping strategy is proposed to complement the proposed development and soften the environment. New tree planting is proposed along the length of the Atlip Road frontage which will include 18- 20cm girth trees. These will improve the appearance of the site from Atlip Road compared to the existing situation. In total 33 new trees are proposed to be planted across the site, which represents a significant improvement.
60. A hedge is proposed along part of the Atlip Road frontage, and this will continue around to enclose the north west facing facade. This will soften the environment and provide defensible space to ground floor units. Other low level planting and lawn is proposed along the remainder of the Atlip Road frontage where there is opportunity for this. The private and communal gardens at ground floor will be predominantly grassed with ornamental planting and new trees.
61. The communal roof gardens will be laid out with soft landscaping, planting, paving or decking, seating and garden furniture.
62. Children's play has been incorporated comprising of doorstep play for the 0 - 5 age range.
63. The Councils Landscape Design officer is agreeable to the proposed planting plans and communal roof garden details. Some reservation has been expressed in relation to some of the tree species proposed as these may grow too large for their setting, and also in relation to the type of outdoor play equipment proposed. The concerns raised are not so significant that they cannot be addressed through condition.
64. Full details of soft and hard landscaping (including play equipment) are recommended to be conditioned to any forthcoming consent.

Flood risk and surface water drainage

65. The site is less than 1 hectare in size and is located within Flood Zone 1, which means that it is at low risk of significant surface water flooding. It is currently occupied by an existing commercial/industrial building and hardstanding and the site is 100% impermeable.
66. The proposed development will reduce the impermeable area and this will be achieved through introducing new soft landscaped areas on site.

Land contamination

67. A Phase 1 Geo-Environmental Site Assessment has been submitted. This has investigated any potential environmental / contamination risks with the site. This has been reviewed by officers in Environmental Health who have advised that there have been a variety of potentially contaminative uses of the site over time. However they have advised that they would want conditions attached to any consent. A condition is required to secure a site investigation following demolition to look for any signs of contamination. Should there be evidence of any contamination they will be required to submit an appraisal of remedial options. Any necessary remedial measures will need to be carried out in full, and a verification report submitted for approval demonstrating that remediation has been carried out in accordance with the agreed strategy. This is to ensure the safe future occupancy of the site by prospective residents.
68. The above measures will be secured through planning conditions.

Air quality

69. As the site is within an Air Quality Management Area (AQMA) it has the potential to expose future users to elevated pollution levels, a Air Quality Impact Assessment (AQIA) has been undertaken, and assessed by Environmental Health officers. The AQIA predicts that the development will have a negligible impact on air quality, however the proposed CHP plant has not been modelled, and this will need to be factored in. In the circumstances Environmental Health officers recommend conditions in relation to air quality and the CHP.
70. They have also recommended that a condition secures the submission and approval of a Construction

and Demolition Method Statement, which sets out mitigation measures to be used to control dust associated with the demolition and construction phase.

Noise considerations

71. A noise report supports the application. This assesses the noise conditions at the site and gives consideration to the impacts of the nearby railway to proposed residential uses. The main noise sources at the site were found to be from the railway line (Piccadilly line trains passing) and traffic from Ealing Road. The report recommends certain acoustic performance requirements of glazing and ventilation in the external facade to ensure suitable internal noise conditions are met.
72. The Councils Environmental Health officer has assessed the report and its findings and has confirmed that the submission is acceptable with regard to the impact of existing noise on the dwellings. Conditions are recommended regarding the internal noise levels for the proposed units and relating to the noise levels associated with any plant within the development.
73. There are existing residential uses around the site, these demonstrate that a suitable environment for residential use can be provided. The recommended conditions will ensure the safe future occupancy of the site.

Ecology

74. The existing site is largely built up, and land around is hardsurfaced. The site is clearly of low ecological value and there is no evidence of the presence of protected species. Given the existing site characteristics and surroundings it is not considered this proposal will adversely impact on existing ecology. The proposed development will deliver some improvements in this regard through a comprehensive landscape strategy (including new trees), a green roof and the provision of a green wall that is to be north east facing. These will make a positive contribution and their delivery on site will be secured through conditions.

Transportation

75. Basement parking is proposed for thirteen disabled spaces, accessed via a 6.2m wide car lift set 5.7m from the back edge of the Atlip Road footway. Two further Car Club spaces are indicated at ground floor level at the southern end of the Atlip Road frontage, accessed via a 5m wide crossover.
76. A total of 94 double-height stacked bicycle parking spaces are indicated within the basement for the private flats, with a further 34 spaces proposed within a ground floor storeroom for the affordable units. Pedestrian access cores are proposed along the Atlip Road building frontage, with refuse storage rooms proposed alongside.
77. The location of the site on the fringe of an existing Controlled Parking Zone (CPZ) does mean that full residential car parking allowances apply, as such this scheme would be permitted up to 117 spaces. The proposed provision of 13 disabled only spaces accords with standards, and complies with standard PS15 in terms of disabled parking provision.
78. The two Car Club spaces proposed are welcomed.

Impact on traffic / local road network

79. Consideration has been given to the impact of overspill parking from the development on traffic flow and road safety. Parking demand is estimated at approximately 80 spaces, which would generate overspill parking from the site. Opportunities to accommodate this safely on-street in the area are very limited, with parking along Ealing Road being heavily restricted and other nearby residential streets being already heavily parked at night.
80. The applicant proposes a residential Travel Plan as a means of mitigating against the potential future impact of this proposal, and proposes issuing all new residents with a Travel Pack. This measure on its own though would not be sufficient. Additional measures to regulate overspill parking from the site by future residents would be essential. Particularly the provision of funding towards potential future expansion of CPZ "E" to cover nearby streets. The Councils Transportation officer has recommended that a sum of £50,000 for this purpose. This approach is consistent with the approach supported on

nearby sites 243 Ealing Road (former B&Q site), 255 Ealing Road, which secured £60,000 and 1c Carlyon Road, which has recently secured £13,000.

81. In addition to the contribution required for mitigation a "Parking Permit Restriction" will need to be secured within a s106 agreement, removing the right of future residents and visitors to the development to on-street parking permits within any existing and future CPZ's in the area.
82. The proposed provision of 128 secure and covered cycle spaces meets the required standard.
83. Refuse storage is appropriately located for collection and is within the maximum carrying distances for residents.
84. The proposed vehicle access arrangements are acceptable, with a suitably wide enough access proposed for the car lift to the basement car park to allow cars to wait clear of the highway while the lift is called. Sightlines are also acceptable along Atlip Road.
85. Vehicular movements have been calculated with regards to traffic impact on the local highway network. Earlier capacity assessments have been undertaken for the junction of Atlip and Ealing Road based on an earlier application, and it was concluded that the junction would have spare capacity to accommodate predicted traffic from this site and the adjoining development to the south. On this basis, the likely traffic impact of the proposal is considered to be acceptable.
86. The proposal exceeds the threshold above which a residential Travel Plan is required. A Plan has been provided, but the Councils Transportation officer advises that improvements would be required to bring this up to an acceptable standard. To this end the applicant will be required to submit a Travel Plan for approval, prior to development commencing, and this will be secured as part of the s106 agreement.
87. Subject to a s106 agreement the securing of funding towards potential CPZ extensions in the area, submission and approval of a residential Travel Plan (to incorporate subsidised membership of local Car Clubs for future residents) of sufficient quality to score a PASS rating using TfL ATTrBuTE programme prior to commencement of the development; and (ii) a 'parking permit restriction' withdrawing the right of future residents to on-street parking permits within any existing and future CPZ's in the area. Together with conditions to submit for approval further details of electric vehicle charging points and confirmation of a minimum basement headroom of 2.6m, there would be no objections on transportation grounds to this proposal.

Response to neighbour objections

Grounds of objection	Response
Loss of light / outlook from flats in Bigler Court, Atlip Road	A detailed daylight and sunlight assessment was carried out that showed no unduly harmful impacts. See paragraph's 55 - 59.
Loss of privacy from flats in Bigler Court, Atlip Road and houses on Sunleigh Road (to the east)	See paragraph's 46 - 54
More flats will lead to more congestion on Atlip Road	A Transport Statement has been submitted. This has been assessed by the Councils Transportation officer - see paragraph 86.
What social infrastructure has been put in place to cater for the increased demand from this, and other large residential developments in the local area?	The site is located within the Alperton Growth Area which is strategically identified by the Council for housing growth. This growth will be supported by infrastructure identified within the Infrastructure and Investment Framework which is currently being developed. Anticipated infrastructure includes new primary school; new health services; new and improved public open spaces and recreational facilities; new bus services; community centre and new tree planting. Floorspace for health care provision has been provided on recently developed 243 Ealing Road site.
One floor of the building should be dedicated for	There is no policy requirement for a health centre

use as a health centre	to be provided on this particular site within Alperton. The Council would not be justified in seeking this.
Proposal would prejudice future development of the adjacent car park site due to the presence of windows on the facing flank wall.	Please refer to paragraph's 50 - 51
This will increase the potential for traffic accidents in the vicinity of the site.	This is not supported in any of the evidence included within the Transport Statement, nor has it been raised as a concern by the Councils Transportation officer.
Will this development be subject to the Community Infrastructure Levy?	The scheme will be CIL liable. The amount is set out within the report.
What provisions are there in terms of transport infrastructure to support the proposed housing growth in Alperton?	See comment above in relation to infrastructure requirements identified in the Infrastructure and Investment Framework
This will impact on parking conditions on surrounding streets.	Car parking and consideration of overspill parking has been discussed within paragraphs 76 to 88 above. Any grant of planning will be subject to a contribution of £50,000 towards expansion of existing CPZ's locally. This will provide further mitigation and is consistent with the accepted approach on nearby sites at 243 Ealing Road, 255 Ealing Road and 1C Carlyon Road.

Conclusion

The application proposes the redevelopment of this commercial site with a residential led development. It will contribute towards the objectives of the Alperton Growth Area, including the delivery of affordable and family housing in the Growth Area, and make a significant contribution to the Housing Zone designation and the target number of new homes. The redevelopment of the site for residential use has been supported previously, however that consent has since expired. Whilst the current proposal seeks to increase the building envelope in places, and increase the level of density officers consider this will not be at the expense of neighbouring amenity, nor the quality of accommodation proposed. This is considered to be appropriate within both the existing and emerging urban context for this part of Alperton. Officers have worked with the applicants to seek improvements to the building design and the amended proposal is considered to represent an improvement architecturally to the now expired consent.

It is recommended that the scheme be granted consent, subject to a legal agreement and planning conditions.

SUSTAINABILITY ASSESSMENT

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

The strategy that is proposed to achieve carbon reductions is based on a high performance building fabric and energy efficiency measures combined with a Combined Heat and Power (CHP) network. Additional pv panels are also feasible and will help achieve further carbon reductions.

In summary, the Energy Strategy demonstrates the proposal achieves an overall saving of 35% improvement on Part L 2013 Building Regulations. The proposal will deliver a 4% reduction through passive/ fabric measures, a 30% reduction through CHP and a 1% reduction through PV totalling a 35% reduction from Part L 2013. The policy requirement is 35% improvement, and this strategy is therefore considered acceptable.

The Sustainability Statement submitted sets out that water consumption will not exceed 105 litres per person per day.

All homes will meet Lifetime Homes Standard and that 10% of the total number of dwellings will be wheelchair accessible. This will be secured through condition.

S106 DETAILS

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

1. Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
2. Minimum 24% affordable housing (accounting for 23 units), of which a minimum of 13 shall be for Affordable Rent and a minimum of 10 provided as Intermediate (Shared Ownership);
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to Material Start of the development hereby approved. This shall demonstrate:
 - a. How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction
 - b. The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.
4. On completion, independent evidence shall be submitted on the scheme as built, to verify the achievement of the above Sustainability Implementation Strategy
5. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
 - a. The submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
 - b. The submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.
6. The scheme to be "parking permit restricted" whereby the future owners and occupiers of the development are not eligible for on-street parking permits if a Controlled Parking Zone (CPZ) is introduced within 300 m of the site in the future.
7. Submission and approval of a Residential Travel Plan (to incorporate subsidised membership of local Car Clubs for future residents) of sufficient quality to score a PASS rating using TfL ATTrBuTE programme prior to commencement of the development;
8. To pay to the Council a total of £50,000 towards future extensions of existing Controlled Parking Zone "E".
9. Training and employment:-
 - a. To prepare and gain approval of a Employment Enterprise and Training Plan prior to commencement and to implement the Plan
 - b. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
 - c. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
 - d. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
 - e. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.
10. Join and adhere to the Considerate Contractors Scheme.

And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Local Plan by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay **£2,221,434.76*** 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): 10341 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	10341	2618	7723	£200.00	£35.15	£1,889,376.79	£332,057.97

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)	274	
Total chargeable amount	£1,889,376.79	£332,057.97

*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.



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/2061

To: Mr David Carroll
Planning Co-operative
30 Altenburg Avenue
West Ealing
London
W13 9RN

I refer to your application dated 15/05/2015 proposing the following:
Proposed demolition of existing former retail warehouse building and erection of development comprising a part 3 storey to part 10 storey building of 99 residential units (4 x studio, 31 x one-bedroom, 51 x two-bedroom and 13 x three-bedroom units).with associated cycle parking, x13 no. disabled only parking spaces at basement level with, x2 car club only spaces and new vehicle accesses off Atlip Road and associated landscaping (as amended).
and accompanied by plans or documents listed here:
(See Condition 2)
at 2 Atlip Road, Wembley, HA0 4LU

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:

Mr Aktar Choudhury
Operational Director, 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
The Further Alterations to the London Plan 2015
Brent's Core Strategy 2010
Brent's Unitary Development Plan 2004
Brent's Site Specific Allocations DPD adopted July 2011
Government's Technical Housing Standards (March 2015)
Mayor's Housing SPG, November 2012
S106 Planning Obligations SPD, July 2013
Supplementary Planning Guidance 17 "Design Guide for New Development", October 2001
Alperton Masterplan SPD 2011

- 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):

OS Map
GUG/2013/743/200
GUG/2013/743/201
GUG/2013/743/202
GUG/2013/743/203
GUG/2013/743/204
GUG/2013/743/205
GUG/2013/743/206
GUG/2013/743/207
GUG/2013/743/208
GUG/2013/743/209
GUG/2013/743/210
GUG/2013/743/211
GUG/2013/743/212
GUG/2013/743/213
GUG/2013/743/215
GUG/2013/743/14B
GUG/2013/743/15B

Ground floor landscape layout plan (revised)
Landscape layout roof terraces (revised)
Landscape and Play Strategy and Maintenance Schedule (Feb 2016)

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

- 3 The cycle parking hereby approved implemented in full and made available for use prior to first occupation of the residential units and retained thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory level of cycle parking.

- 4 A minimum 2.6m headroom height shall be provided for the basement level.

Reason; To ensure adequate vehicle access.

- 5 A drainage strategy detailing any on and/or off site drainage works shall be submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker prior to the commencement of construction works and the development shall be completed in accordance with the approved details. 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 approved strategy have been completed.

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.

- 6 Prior to the commencement of development, including any works of demolition, a Construction and Demolition Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors;
 - (ii) Construction traffic routes to the development site;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties to 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 as part of the Construction Management Plan);
 - (vi) Details of how vehicular access to adjoining and opposite premises are not impeded;
 - (vii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (viii) wheel washing facilities and schedule of highway cleaning;
 - (ix) measures to control the emission of dust and dirt during construction;
 - (x) a scheme for recycling/disposing of waste resulting from demolition and construction works;

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

- 7 (a) Following the demolition of the existing building and prior to commencement of building works, a site investigation shall be submitted to and approved in writing by the Local Planning Authority. The site investigation shall be carried out in accordance with BS 10175:2011 by competent persons to determine the nature and extent of any soil contamination present.

The site investigation shall include 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.

(b) Any soil contamination remediation measures identified in part (a) of this condition shall be carried out in full accordance with the approved details. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted 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

- 8 Further details of the external materials for the development shall be submitted to and approved

in writing by the Local Planning Authority prior to commencement of building works on site (save for demolition). Such details shall include::

- (a) Details of facing bricks including samples to be pre arranged to be viewed on site
- (b) Details of the specification, materials and colour of the window frames and doors
- (c) Details of the finishing material and colour for cladding, balconies, parapets, canopies, balustrades and railings

The works shall be carried out in full accordance with the approved details thereafter.

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

- 9 Further details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site (save for demolition). Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show

- (a) details of the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
- (b) details of proportion of window openings
- (c) details of obscure glazed windows to all flank wall windows at ground, 1st, 2nd, 3rd, 4th and 5th floor levels (facing north east) and flank wall windows facing south east, including a section plan showing details of any high opening windows at 1.7m above internal floor level
- (d) details of obscure glazing of all windows that are adjacent to communal roof terraces
- (d) details of the parapets to the roof and roof gardens and the proposed means of boundary edge / perimiter treatment

The development shall be completed in full accordance with the approved details.

Reason: In the interest of the locality and the amenities of neighbouring occupiers.

- 10 Notwithstanding the details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed building and of the roof terraces shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. The development shall be completed in accordance with the approved details prior to first occupation of the building hereby approved. Such a scheme shall include:-

- (a) all planting including location, species, size, density and number incorporating native species
- (b) further details of external amenity space and play equipment for informal play area for under-fives
- (d) details of the provision of artificial bird and bat boxes on site
- (e) areas of hard landscape works including details of materials and finishes. These shall include features to ensure safe use by visually impaired and other users, and principles of sustainable drainage.
- (f) proposed boundary treatments including walls, fencing, hedging, railings, balustrades and retaining walls, indicating materials and height, including (but not limited to) the communal roof terraces
- (g) 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)
- (h) further details of all planting and a maintenance plan in relation to the 'green wall' and areas of 'green roofs'
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years

of planting, are removed, dying, seriously damaged or become diseased, shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority.

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

- 11 Details of the roof plan, showing 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 shall be installed prior to occupation of the development hereby approved and thereafter retained for the life of the development.

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

- 12 Prior to occupation of the residential units, further details of a Electric Vehicle Charging Points for a minimum of 4 car parking spaces shall be submitted to and approved in writing by the Local Planning Authority, and thereafter fully implemented in accordance with the approved details prior to first occupation of the development and permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure sustainable modes of transport.

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

Reason: In the interests of highway safety.

- 14 Prior to occupation of the new residential units, further details of layout and external appearance of the refuse storage facilities shall be submitted to and approved in writing by the local planning authority. They shall be arranged to meet the requirements of Brent's Household Waste Collection Strategy 2010 - 2014. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

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

- 15 Prior to the installation of the CHP unit, an Air Quality Impact Assessment, which shall include the detailed specification of the CHP unit, demonstrating that the proposed CHP unit shall have no more than an imperceptible impact on local air quality shall be submitted to and approved in writing by the local Planning Authority and the approved details shall be implemented in full prior to first occupation of the development.

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

- 16 All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

Time	Area	Maximum noise level
Daytime Noise 07:00 - 23:00	Living rooms	35dB LAeq (16hr)

Night time noise Bedrooms 30 dB LAeq (8hr)
23-00 - 07:00

Prior to the commencement of construction works, details demonstrating how these internal noise levels will be achieved within the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 17 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and details of that assessment together with any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of the relevant plant. The plant shall thereafter be installed and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect acceptable local noise levels in the interest of the amenity of nearby occupiers, in accordance with Brent Policy EP2.

- 18 Confirmation that all of the units have been constructed to the Building Regulation M4(2) and 10% to Building Regulation M4(3) shall be submitted to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure a sufficiently accessible development.

- 19 No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken fully in accordance with the terms of the approved piling method statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

- 20 The Combined Heat and Power unit installed shall meet or improve upon the emissions standards and technical details described in the approved Air Quality Impact Assessment. Prior to the commencement of the use, details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the local planning authority. The CHP unit shall thereafter be maintained in accordance with the manufacturers specifications so as to ensure that these standards continue to be met.

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

- 21 An Air Quality Neutral Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to the Local Planning Authority for approval prior to the commencement of works on site. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral.

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

- 22 Further details of the following shall be submitted to and approved in writing by the Local

Planning Authority prior to the commencement of works on site (save for demolition). Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show

- (a) details of balcony privacy screens
- (b) details of privacy screening to areas of private amenity space at ground floor, where these adjoin the communal amenity space

The development shall be completed in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the locality and the amenities of neighbouring occupiers.

INFORMATIVES

- 1 The applicant must note that the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 2 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

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

8 June, 2016

16/0120

SITE INFORMATION

RECEIVED: 12 January, 2016

WARD: Wembley Central

PLANNING AREA: Brent Connects Wembley

LOCATION: Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

PROPOSAL: Partially retrospective application for variation of condition 2 (approved plans) to allow the following:

- creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- reduction in width of vehicle access to part 3.6m and part 4.6m
- reduced width of vehicle barrier arm and re-siting of this
- front garden layout alterations to include relocation of car parking and landscaping of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morrith House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

APPLICANT: Mr John Lyons

CONTACT: Mr Brian Peppiatt

PLAN NO'S: (See Condition 2)

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_125992

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/0120" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: Land Adjacent to Morrith House, Talbot Road, Wembley, HA0

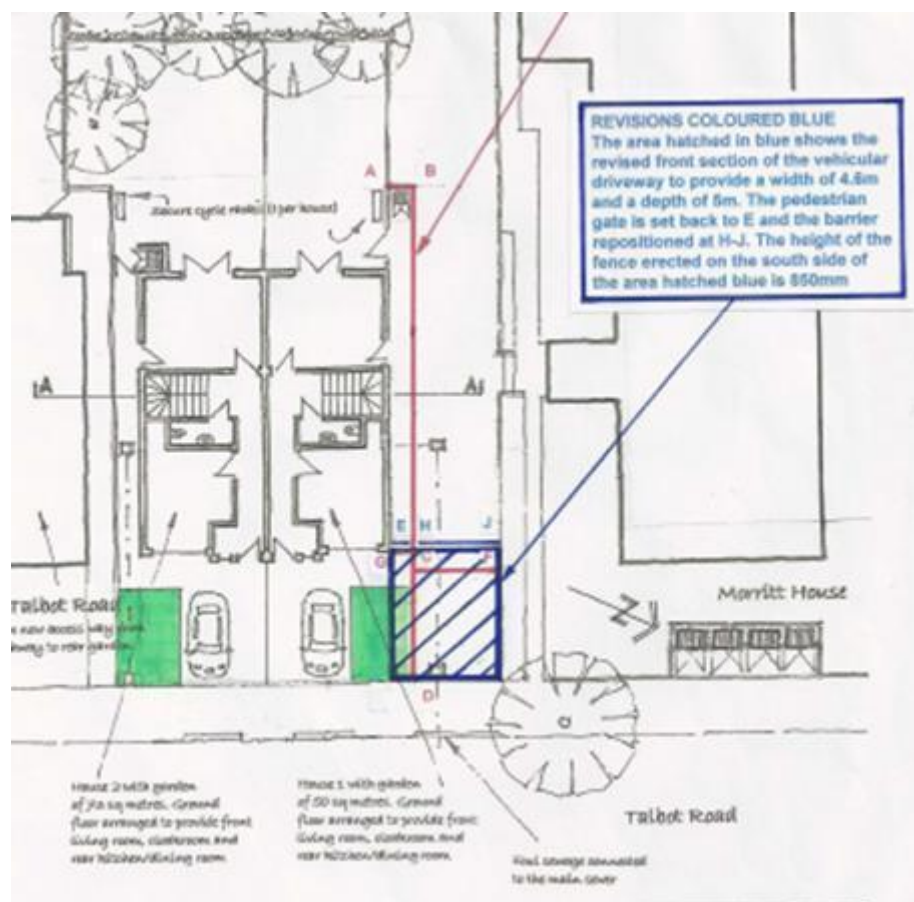
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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Proposed site layout plan (as amended)



RECOMMENDATIONS

Approve

A) PROPOSAL

Retrospective application for Variation of condition 2 (approved plans) to allow the following alterations:

- * creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- * erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- * reduction in width of vehicle access to part 3.6m and part 4.6m
- * reduced width of vehicle barrier arm and re-siting of this
- * front garden layout alterations to include relocation of car parking and landscaping

of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morritt House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morritt House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

B) EXISTING

A pair of semi-detached houses have recently been built on site, following the grant of 12/1383. Prior to this

development the site contained a derelict and disused communal garage block, this was originally built to serve the flats of Morrith House. In front of this garage block was an area of hardstanding large enough for the parking of 5-6 cars, taken up by residents of Morrith House.

To the north of the site is Morrith House, a four storey block of 16 flats fronting onto Harrow Road , No.3 Talbot Road is due south and immediately to the west is Wembley Fire Station.

There is an existing vehicle access off Talbot Road, this provides access to off-street parking to the rear of both the recently built pair of houses, and Morrith House.

The site is not within a Conservation Area, nor is it a Listed Building and is within close walking distance of Wembley Town Centre.

C) AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the application was submitted;-

1. The height of the front section of fence between the front garden and the vehicle driveway is proposed to be lowered to 0.85m, to provide adequate visibility for vehicles when exiting.
2. The initial 5m length of driveway is proposed to be maintained at a width of 4.6m, as opposed to 3.6m, this will allow sufficient width for vehicles to pass one another.
3. The installed pedestrian gate is proposed to be pushed further back, as is the vehicle barrier.

D) SUMMARY OF KEY ISSUES

As the changes to the consented scheme relate to the vehicle driveway and fencing the key issues are considered to be;-

- Suitability of vehicle access at the reduced width.
- Pedestrian and driver visibility when exiting the driveway and highway safety
- Impact on the streetscene following changes to front garden layouts.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0	0	0	192	192

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

12/1383 - Granted

Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morrith House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended.

CONSULTATIONS

In total 36 properties were consulted on 04/02/16. To date a petition of objection has been received, and this

has 22 signatures, all signatories are residents of flats in Morrith House. The following have been stated as reasons for objection;-

Grounds for objection	Response
The vehicle access road has extended further across than approved.	The access road has been constructed at a reduced width of 1m, due to the inclusion of a pedestrian access along side the new house. This has not resulted in the access road being sited further across within the site.
The reduction in width of the vehicle access poses a health and safety risk to users, and will restrict access to the car park for emergency vehicles.	<p>The Councils Transportation Officer has confirmed that the width of the access road is sufficient for emergency access. Also a fire appliance could stop on Talbot Road and still be within the required 45m distance, so there is no need for them to have to access the rear part of the site.</p> <p>The reduction in width is still adequate for domestic vehicle use, and does not give rise to any particular health and safety risk. There is sufficient width for a car to open its doors if required.</p>
The front section of fence is too high, restricting visibility for vehicles exiting, which poses a risk to passing pedestrians. This section should be made lower.	<p>Amended plans have been submitted which propose to lower the front section of fence to 0.85m. Transportation confirm that this will maintain adequate visibility for drivers when exiting.</p> <p>The requirement to lower the section of fence will be secured through condition.</p>
The 'grasscrete' surface for the car park has been poorly laid and is slippery for users.	<p>It has been acknowledged by the applicant that the grasscrete surface hasn't taken as well as they would have liked and that there are some deficiencies.</p> <p>The applicant has committed to undertake improvement and maintenance works. This will comprise of replacement of damaged modules with new ones and the topping up of all modules with a robust sand and loam mixture.</p> <p>The Councils Landscape officer has advised that this approach to seek to address the issues is appropriate.</p> <p>A condition is also recommended to require that the existing brick pavers that have been laid at the front section of the access road be extended along the length of the access road. This will provide a more robust durable surface for vehicles to use.</p>
A number of issues related to bin storage on site have been raised.	<p>There was a requirement of application 12/1383 to provide new refuse storage for Morrith House. This was approved alongside Morrith House, fronting onto Talbot Road.</p> <p>The applicant has provided a purpose built, brick bin enclosure in accordance with the planning consent. This can accommodate up to 4 euro style bins.</p> <p>On the basis that this complies with the</p>

	consented scheme then no alterations to this have been sought. In any event the bin enclosure is on land outside of this application site.
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MP Barry Gardiner has also submitted representation on behalf of the Morritt House residents. This re-confirms the grounds upon which Morritt House residents have raised objection, as covered above.

STATUTORY CONSULTTEES

Transportation

Subject to an amendment to the length of the proposed fenceline between the building line of the new dwellings and the highway boundary to retain a driveway width of 4.6m and to reduce the height of the front section of fence to 850mm, there would be no objections on transportation grounds to these minor amendments.

As discussed below in the Remarks section the changes required by Transportation have been agreed and are now proposed. A revised layout plan has been submitted confirming this. These matters will be secured through condition.

POLICY CONSIDERATIONS

National Planning Policy Framework – NPPF (2012)

Brent UDP (2004)

BE2 Townscape: Local Context & Character
BE3 Urban Structure: Space & Movement
BE5 Urban Clarity & Safety
BE6 Public Realm: Landscape Design
BE7 Public Realm: Streetscape
BE9 Architectural Quality
H12 Residential Quality – Layout Considerations
H13 Residential Density
H15 Backland Development
TRN3 Environmental Impact of Traffic
TRN11 The London Cycle Network
TRN15 Forming an Access to a Road
TRN23 Parking Standards Residential Developments
TRN34 Servicing in New Development
PS14 on residential parking standards
PS16 cycle parking standards

Brent Core Strategy – Adopted July 2010

CP2 – Population & Housing Growth
CP6 – Design & Density in Place Shaping
CP15 – Infrastructure to Support Development
CP17 – Protecting & Enhancing the Suburban Character of Brent
CP21 – A Balanced Housing Stock

DETAILED CONSIDERATIONS

Background & Context

1. This application is submitted in response to an enforcement complaint and subsequent investigation under reference E/15/0750. The alleged breach of planning control is that the development has not been built in accordance with the plans and conditions of p.p.12/138 and conditions approved under 13/0733.
2. The principle of the residential redevelopment of the site is acceptable and this is not for consideration as part of this application. As the development recently completed on site has not been built fully in

accordance with the approved plans for 12/1383 the consideration relates to the nature of the changes that have been made, the extent to which the built development deviates from the consented scheme, and whether these changes can be supported in planning terms.

Discussion of how the built scheme deviates from the approved plans:

- *Creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse and installation of new 2m high pedestrian gate, and reduction in width of shared vehicle access to part 3.6m and part 4.6m.*
- 3. The layout originally approved proposed the northernmost dwelling to be hard up against the shared vehicle driveway, which was to be 4.6m wide. The applicant has advised that they chose to construct the layout differently, with a 1m wide pedestrian pathway introduced alongside the dwelling because of health and safety concerns. Their concerns stem from the fact the approved layout had a side kitchen door opening out directly onto the shared driveway. Given the potential for the door to open out into the pathway of oncoming vehicles it was considered preferable by the applicant to create this 1m wide pathway, with a separating fence erected along part of the length of the driveway.
- 4. The implications of the pathway being provided are that the shared driveway has been reduced down (in part) from 4.6 to 3.6m wide.
- 5. The main consideration in relation to this change is the impact it has on vehicle access to the rear car parking spaces, of which there are 6 in total, all utilised by Morrith House resident's.
- 6. Your Transportation officer has considered the as built layout, and noted that this means there is no longer sufficient width for two oncoming cars to pass one another along the length of the driveway. A concern was raised that this could lead to cars having to wait in or reverse back out into Talbot Road, which would not be welcomed in highway safety terms.
- 7. Whilst generally accepted that the size of the car park is not large, so the occasions when cars would meet would be very limited to address this issue your Transportation officer suggested that the initial 5m length of driveway (adjoining the front gardens) be retained at a width of 4.6m. This would then provide a limited passing place for vehicles within the site, close to the highway boundary.
- 8. The applicant has agreed to the suggested change. A revised layout plan has been submitted, this proposes to retain the front section of driveway at a width of 4.6m and depth of 5m, which satisfies Transportation requirements. In order to accommodate this vehicle passing area the installed pedestrian gate is proposed to be set further back within the site, which is considered to be acceptable.
- *Erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high).*
- 9. As constructed the front section of fence between the driveway and the front gardens to the new dwellings is 1m high where it meets the back edge of the highway. This is an issue in terms of driver visibility. In order to satisfy driver and pedestrian visibility requirements, the height of the fence towards the front of the site needs to be reduced to a maximum of 0.85m. This would provide adequate driver visibility when exiting in accordance with the Council's standards.
- 10. The applicant has confirmed that they agree to the lowering the front section of fence. The revised plan submitted confirms this will be lowered to 0.85m as required. Officers consider that the rear section of the fence, which is higher than this, is an acceptable height as installed. This does not pose any risk in terms of visibility for vehicular access and safety. It is a fairly typical 1.7m high timber fence that you would expect to see in a domestic setting.
- *Reduced width of vehicle barrier arm and re-siting of this.*
- 11. This has been reduced in width from the approved details as a consequence of the reduction in the width of the shared vehicle driveway. This in itself is not an issue as the vehicle barrier arm still fulfills it's intended function on site, which is to control vehicle access to the rear parking area for Morrith House residents.
- 12. As the plans have been amended to propose the vehicle passing area to the front of the site (4.6m x 5m) it will be necessary to re-position the barrier arm further back within the site so there is no conflict. The

re-siting of this barrier does not present any highway safety concerns.

- *Front garden layout alterations to include relocation of car parking and re-configuration of landscaping.*
13. The amended layout has effectively flipped the areas allocated for off-street parking and those which are to be soft landscaped in both front gardens. Plans also show increased soft landscaping within the front gardens of the new properties, which is welcomed in terms of improving the appearance and natural drainage of the site and the streetscene.
14. There are no concerns with the new approach to the front gardens.

Other issues

- *Proposed maintenance works to grasscrete surface*
15. The applicant has committed to undertake works to maintain and repair the grasscrete surface. It is proposed to replace the damaged modules with new ones, firmly top up all the modules with a robust sand and loam mixture and then re-sow the modules using LT5 Rye Tees, which is a hard wearing grass and seed mixture. Initial establishment of this is usually very quick.
16. The Councils Landscape officer would welcome these measures. Furthermore it is recommended that the existing driveway tracking that has been laid in part as pavers be extended along the full length of the driveway.
17. A condition is recommended to require the submission and approval of a detailed maintenance plan, which shall include the laying of pavers along the length of the driveway.

Conclusion

18. The grounds of objection have been duly considered and some of the concerns raised by residents are addressed through the submission of revised plans. In summary the extent to which the implemented scheme varies from the original approval can be supported and there are no valid grounds to resist this application. There are well justified practical reasons for some of the changes that have been implemented when constructing this pair of houses. The amendments are acceptable in highway safety terms, subject to implementation of the revised plans, and subject to the lowering in height of the front section of fence to a maximum 0.85m. A condition is recommended to secure maintenance works are carried out to address the failings of the recently laid grasscrete surface.
19. Approval is recommended, subject to recommended conditions.



Brent

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/0120

To: Mr Brian Peppiatt
Richmond House
Alverston Avenue
Woodhall Spa
Lincolnshire
LN10 6SN

I refer to your application dated 08/01/2016 proposing the following:

Partially retrospective application for variation of condition 2 (approved plans) to allow the following:

- creation of 1m wide pedestrian pathway on the north side of approved dwellinghouse (one) and installation of new 2m high pedestrian gate
- erection of new boundary fence to separate the dwellinghouse and the vehicle access (part 0.85m and part 1.8m high)
- reduction in width of vehicle access to part 3.6m and part 4.6m
- reduced width of vehicle barrier arm and re-siting of this
- front garden layout alterations to include relocation of car parking and landscaping

of full planning permission reference 12/1383 dated 09/04/2013 for Demolition of existing garage block and construction of a pair of 2-storey semi detached houses with rear gardens and parking spaces to the front, on land to the rear of Morrith House, fronting Talbot Road and the creation of a 6 new car parking spaces to the rear of the site for the use of residents of Morrith House, with associated landscaping and refuse storage and subject to a Deed of Agreement dated 18th March 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

and accompanied by plans or documents listed here:

(See Condition 2)

at Land Adjacent to Morrith House, Talbot Road, Wembley, 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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, 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 the:-
National Planning Policy Framework
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

- 1 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):
location plan
Dwg 1 (revised 14/04/2016)

The development detailed within these drawings shall be implemented in full within 6 months of the date of this consent.

Reason: For the avoidance of doubt and in the interests of proper planning and in the interest of vehicular and pedestrian flow and safety.

- 2 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason(s):

(a) Restricted size of site

In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

(b) To prevent over development

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

- 3 No windows or glazed doors (other than any shown in the approved plans) shall be constructed in the flank wall(s) of the buildings without the prior written consent of the Local Planning Authority. All windows and doors that are approved shall be constructed with obscure glazing only and shall be maintained as such unless the prior written consent of the Local Planning Authority is obtained.

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

- 4 The 5m deep front section of shared driveway as shown on the drawings hereby approved, which shall be provided at a minimum width of 4.6m, shall be maintained and retained for the life of the development.

Reason: To ensure adequate vehicle access is maintained.

- 5 The section of fence situated forward of the buildings within the site, alongside the shared driveway, shall be lowered to a maximum height of 0.85m within six months of the date of this consent and permanently maintained as such thereafter.

Reason: To ensure adequate visibility for drivers when exiting.

- 6 The pedestrian access and vehicle barrier shall be re-positioned on site in accordance with the approved plan within 6 months of the date of this consent and shall thereafter be retained for the life of the development.

Reason: In the interests of adequate pedestrian and vehicle access.

- 7 All external building work shall be maintained fully in accordance with the approved details subject of planning permission 13/1733 (dated 02/09/13) 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.

- 8 All areas shown on the approved plans as landscaping shall be maintained fully in accordance with details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

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.

- 9 Privacy screening to the rear facing balconies shall be maintained fully in accordance with the details approved by planning permission 13/1733, unless otherwise agreed in writing by the Local Planning Authority.

Reason; To safeguard the amenities of neighbouring occupiers.

- 10 Refuse storage provision and pedestrian access to this shall be maintained fully in accordance with the details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

- 11 Safety railings erected along the boundary between Morritt House and the access road to the car parking area shall be maintained fully in accordance with the details approved by planning permission 13/1733 (dated 02/09/13), unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure a satisfactory standard of development.

- 12 All parking spaces on site shall be clearly marked out on site and maintained and thereafter retained solely for the purposes set out within this consent.

Reason; To ensure satisfactory parking provision for residents.

- 13 Within 1 month of the date of permission, a Landscape Improvement and Maintenance Plan shall be submitted in writing to the Local Planning Authority. The Plan shall include but not be limited to the following;-

- (i) proposed repair / improvement / maintenance works to the existing grasscrete surface
- (ii) extension of the existing pavers along the length of the shared driveway.

Should the submitted plan not be approved, a revised plan shall be submitted to and approved in writing by the Council within 5 months of the date of this permission.

The approved landscape works shall be carried in full accordance with the approved plan 6 months of the date of this decision and the landscaping shall thereafter be retained and maintained.

Reason: In the interests of the visual amenities of the site.

INFORMATIVES

- 1 Should the Landscape Improvement and Maintenance Plan not be approved and implemented within 6 months of the date of this decision, Enforcement Action may be taken to implement those proposals.
- 2 The applicant is advised to contact the Councils Planning Enforcement department to advise on the timescale for carrying out of the approved works and again when the approved works have been fully completed on site.

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

8 June, 2016

15/4998

SITE INFORMATION

RECEIVED: 16 November, 2015

WARD: Brondesbury Park

PLANNING AREA: Brent Connects Kilburn

LOCATION: 1A-C, 3, 5A-D Deerpark Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2

PROPOSAL: Erection of a three storey rear extension to the temple, and demolition of Nos 1, 3 and 5 Deerpark Rd and erection of two 2 storey buildings with converted loft space providing a 14 bed care home and 5 self-contained flats (1 x 1bed, 1 x 2bed, 2 x 3bed and 1 x 4bed) with associated two storey basement level car and cycle parking and landscaping

APPLICANT: Shree Swaminarayan Temple, Willesden

CONTACT: Studio V architects

PLAN NO'S: See condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_125124

[When viewing this as an Hard Copy](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search typing "15/4998" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

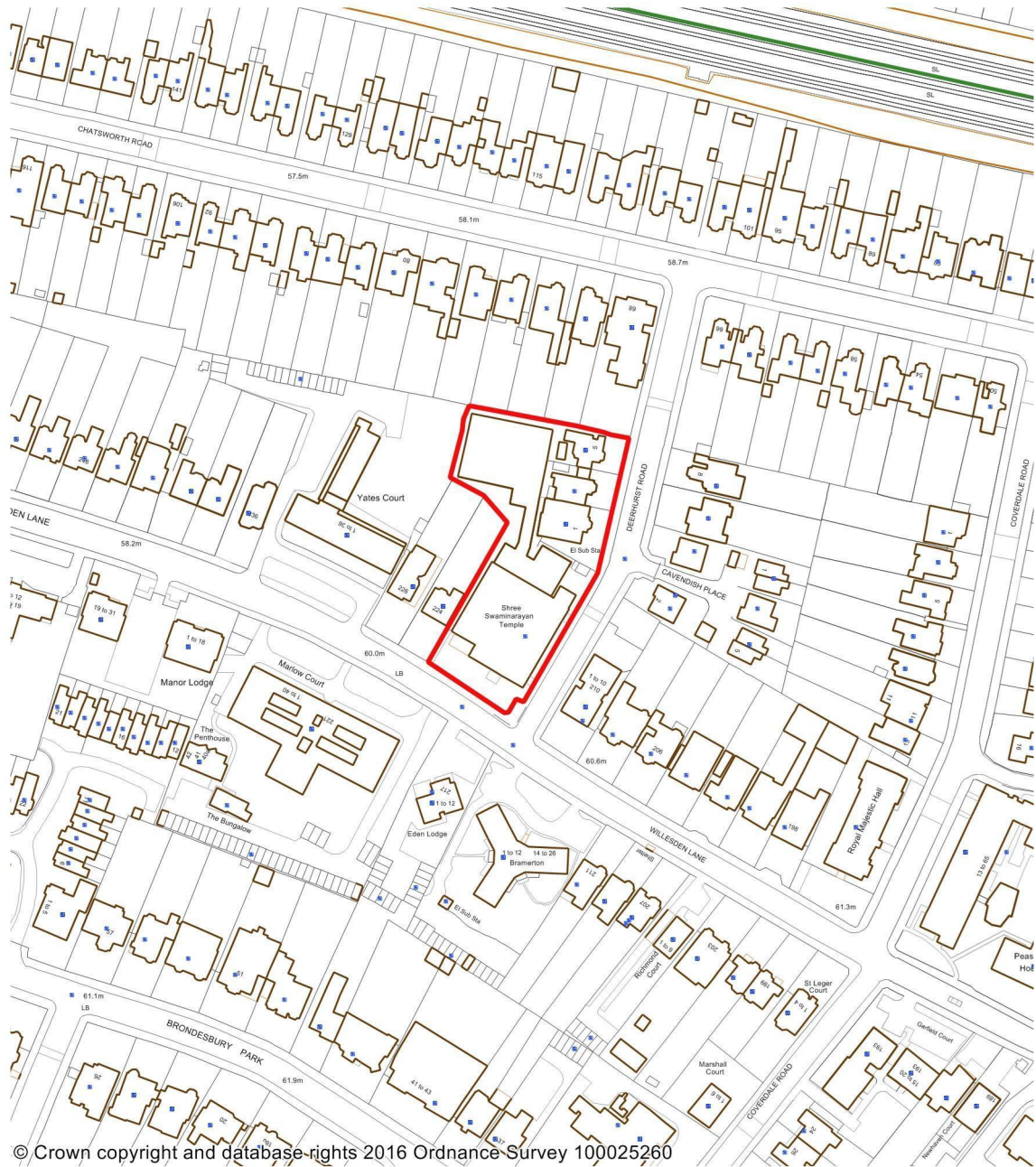
SITE MAP



Planning Committee Map

Site address: 1A-C, 3, 5A-D Deerhurst Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2

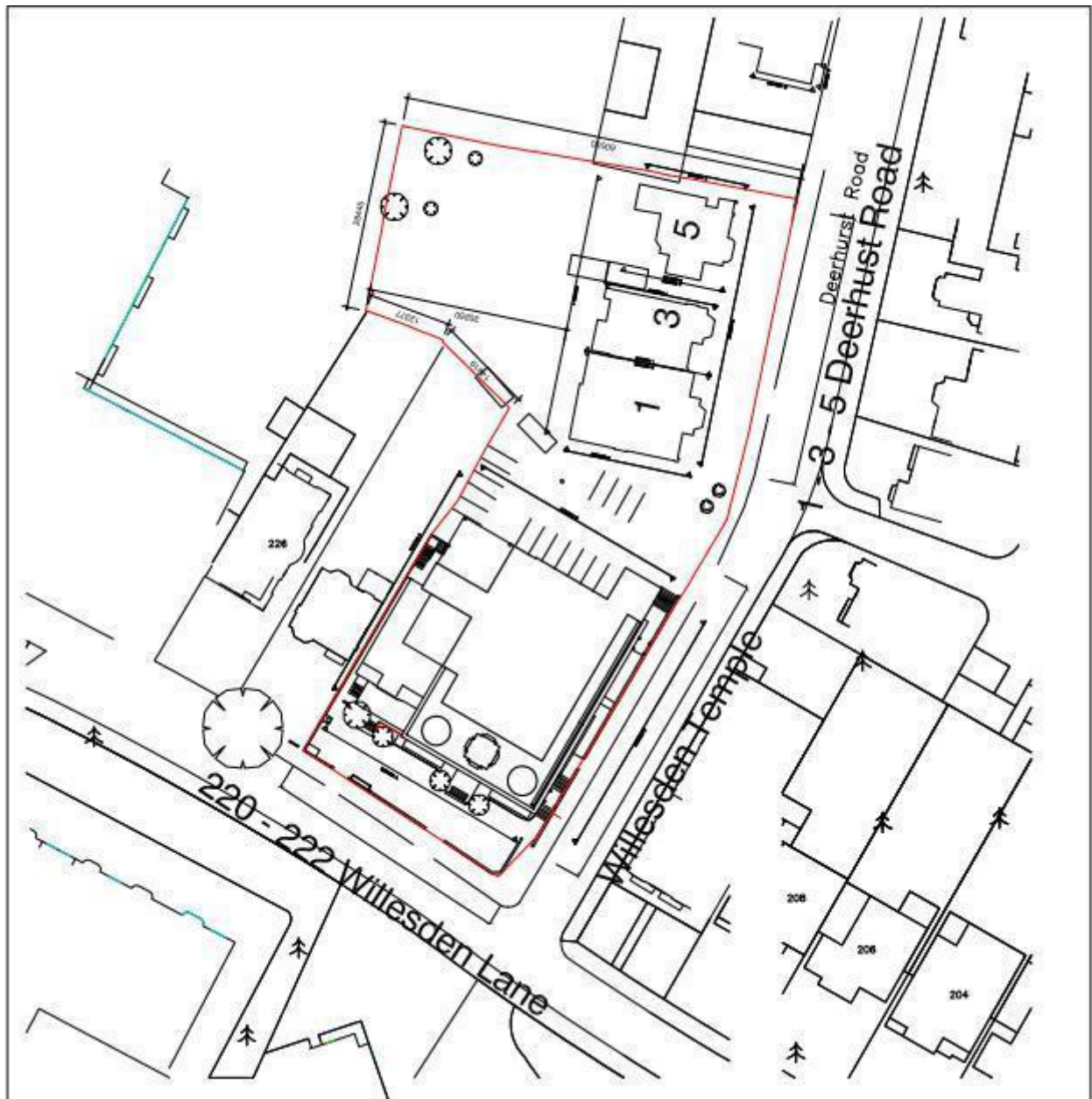
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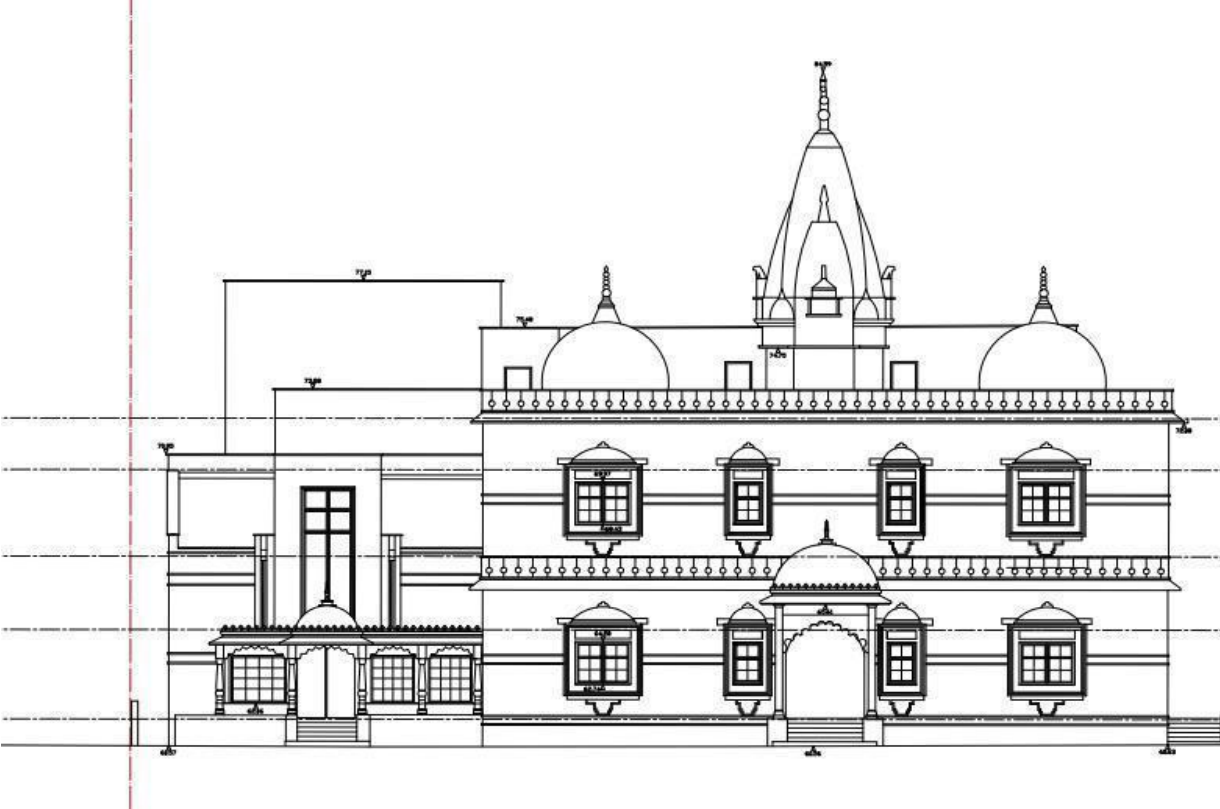
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

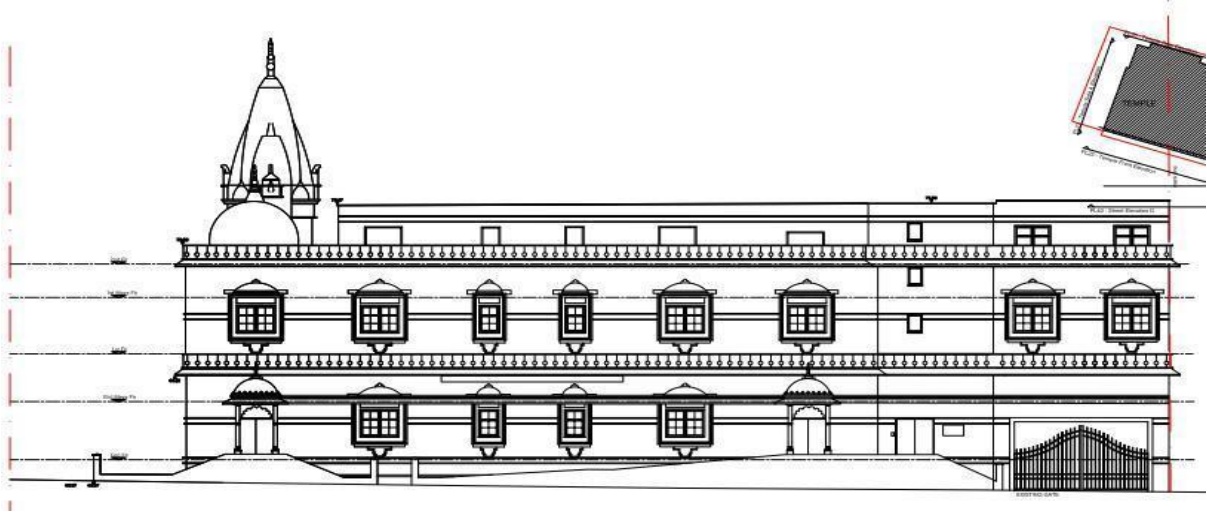
Site location plan



Wiilesden Lane front elevation



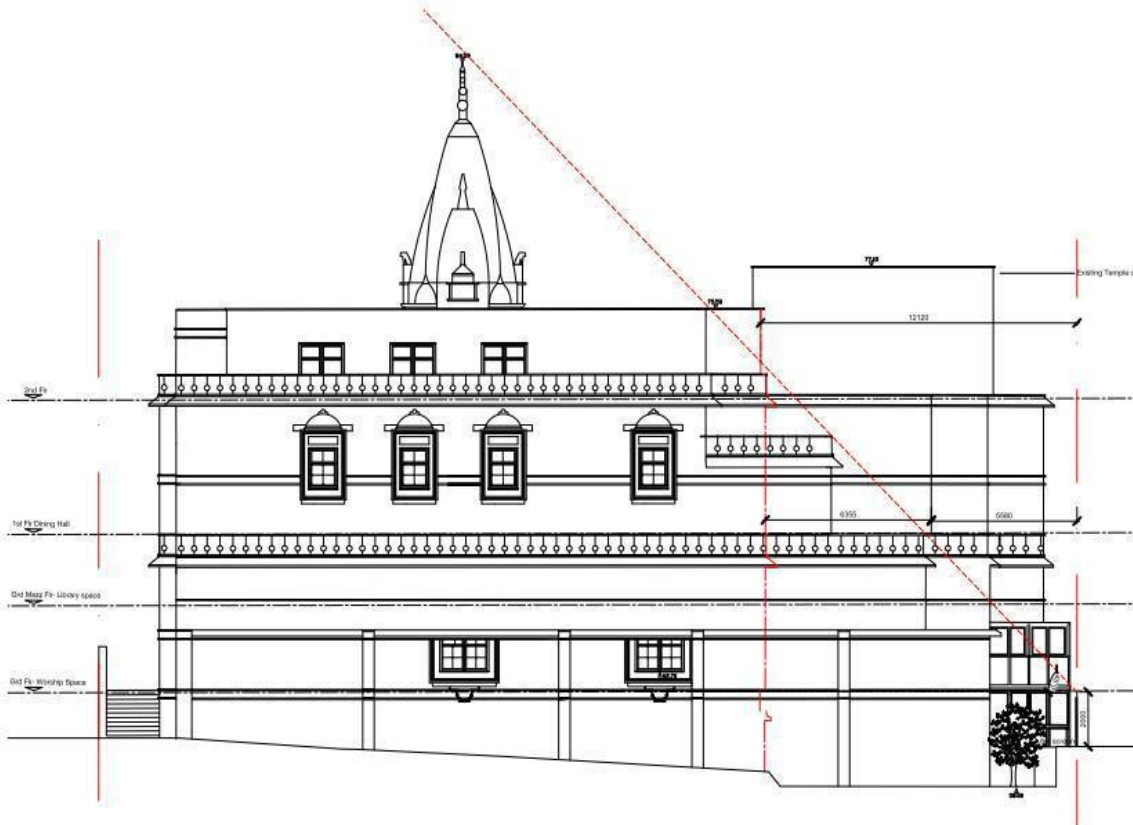
Deerhurst Road front elevation



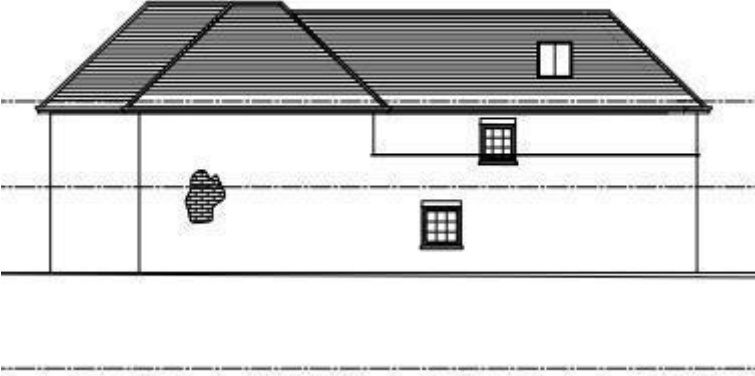
Care Home and Residential Units - Front Elevation



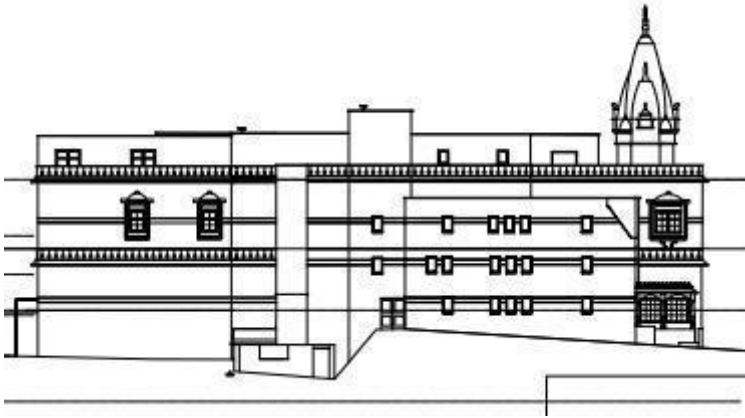
Side Elevation



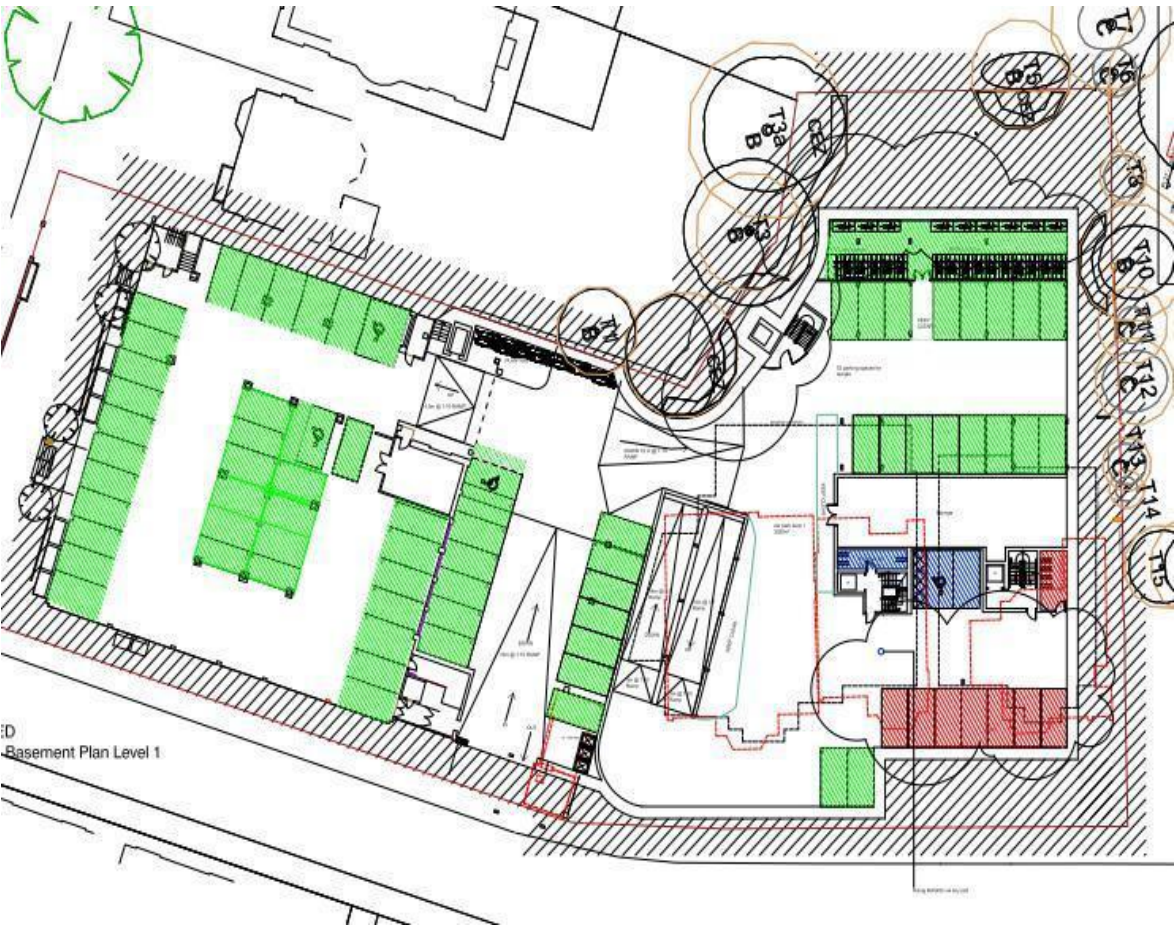
Residential



Rear Elevation - Temple, Care Home and Residential



Basement - Level 1

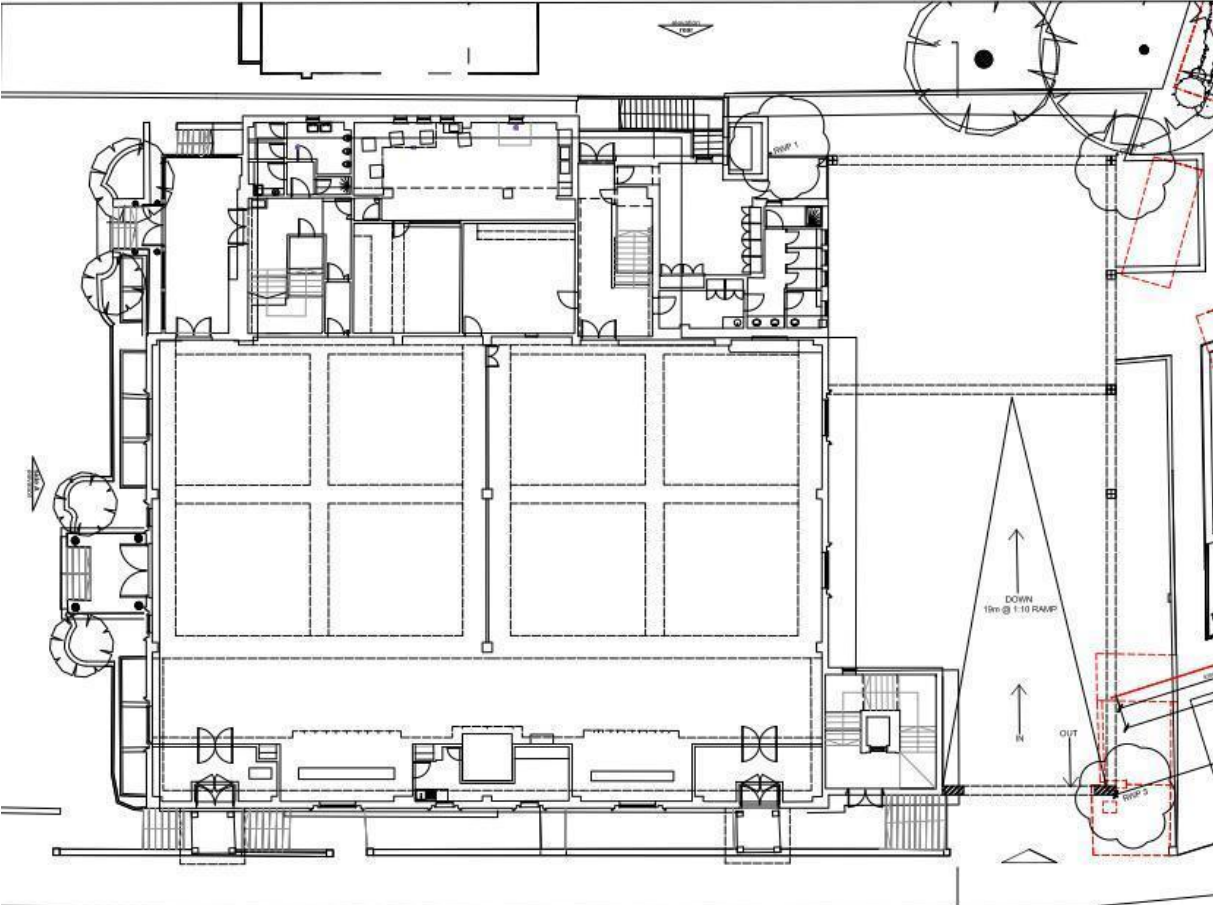


Basement Level 2

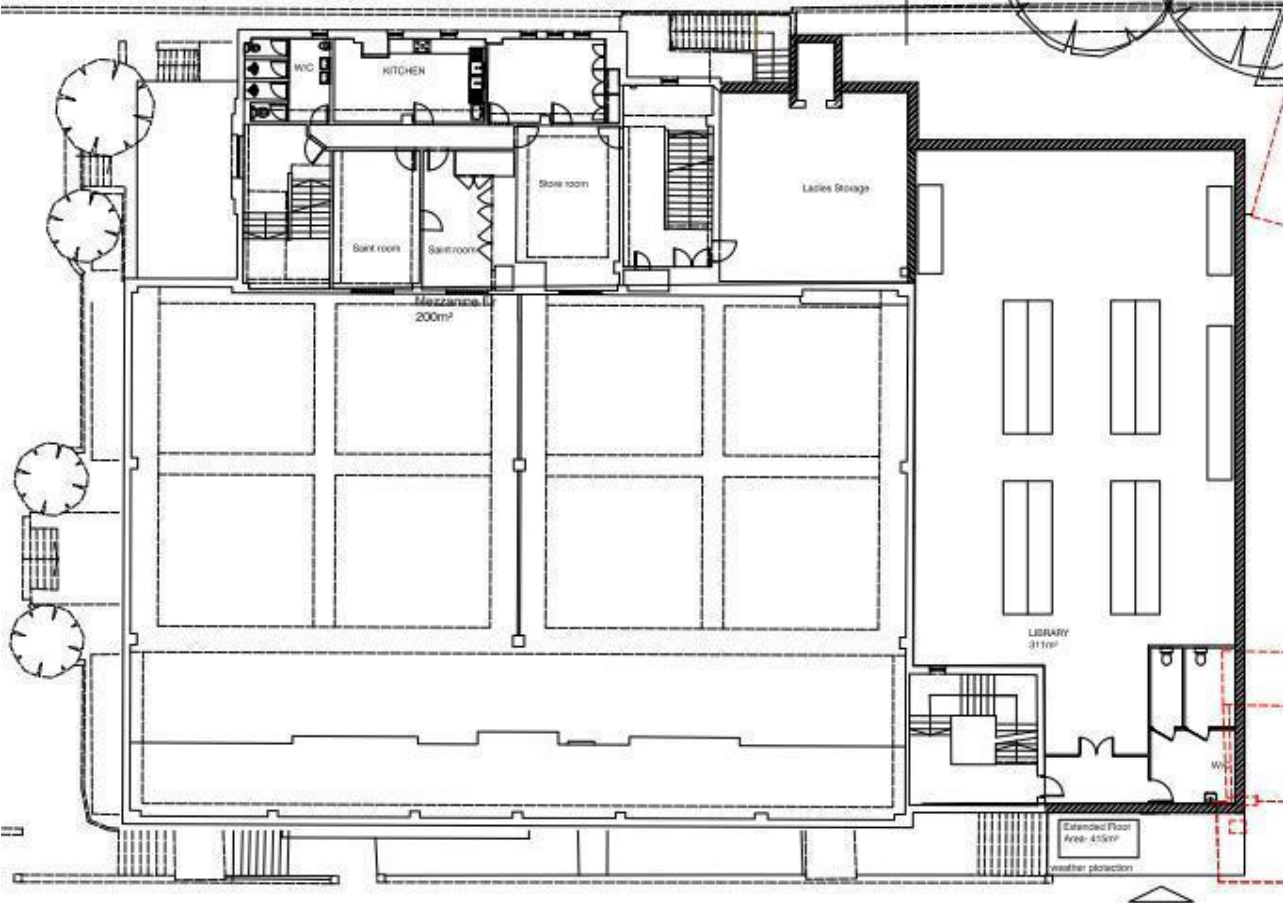


PROPOSED
Car Park - Basement Plan Level 2
@ 1:200

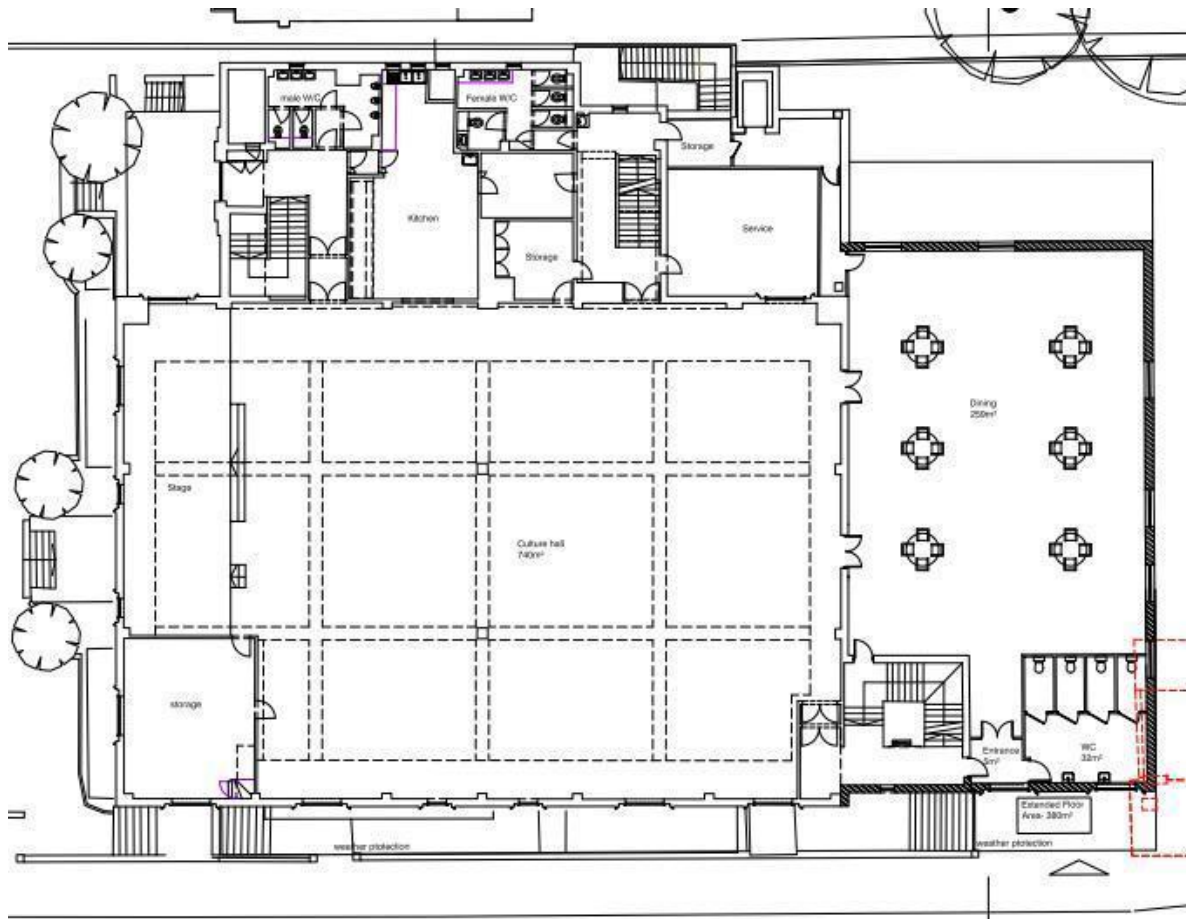
Temple Ground Floor



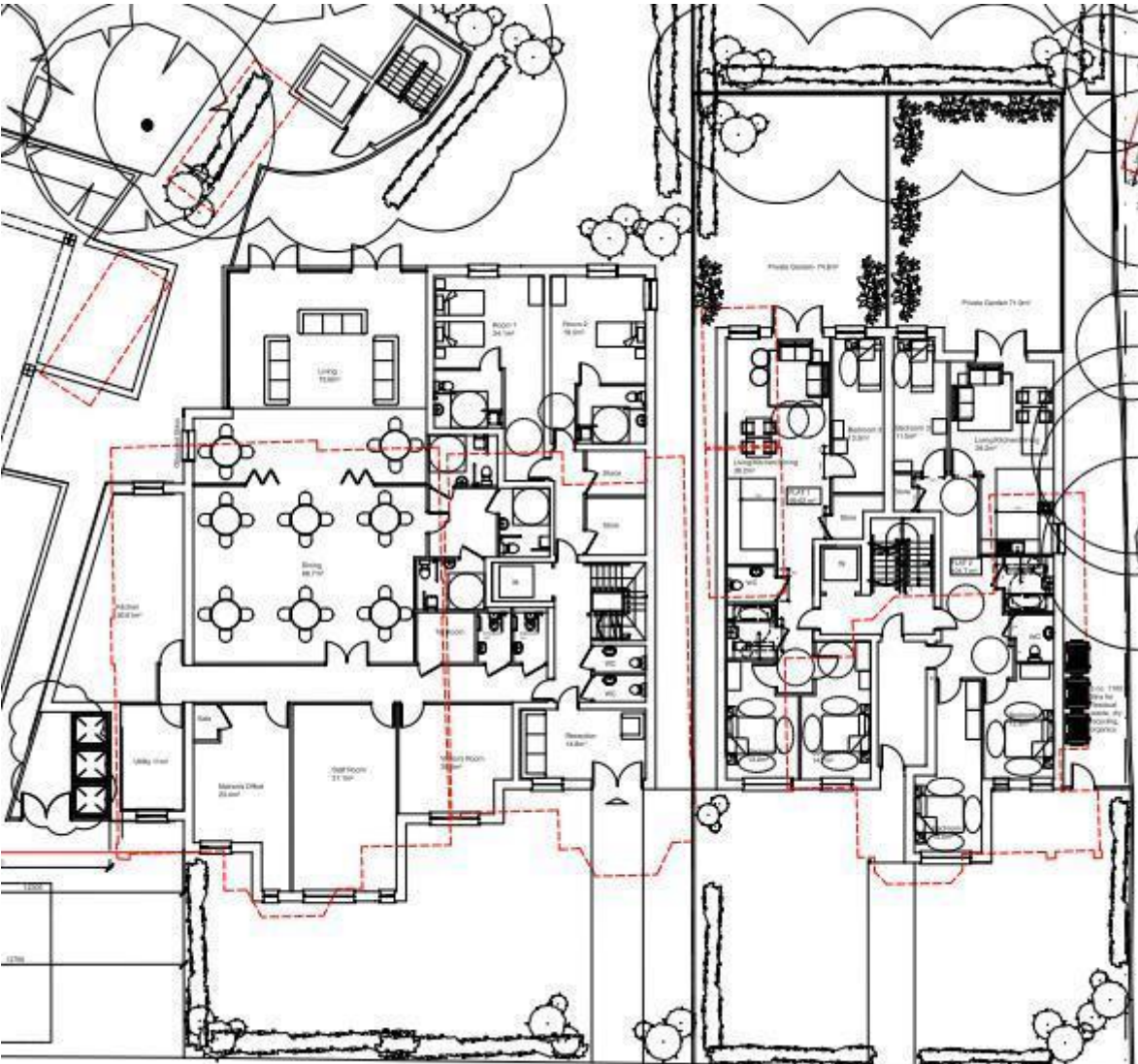
Temple Ground Mezzanine Floor



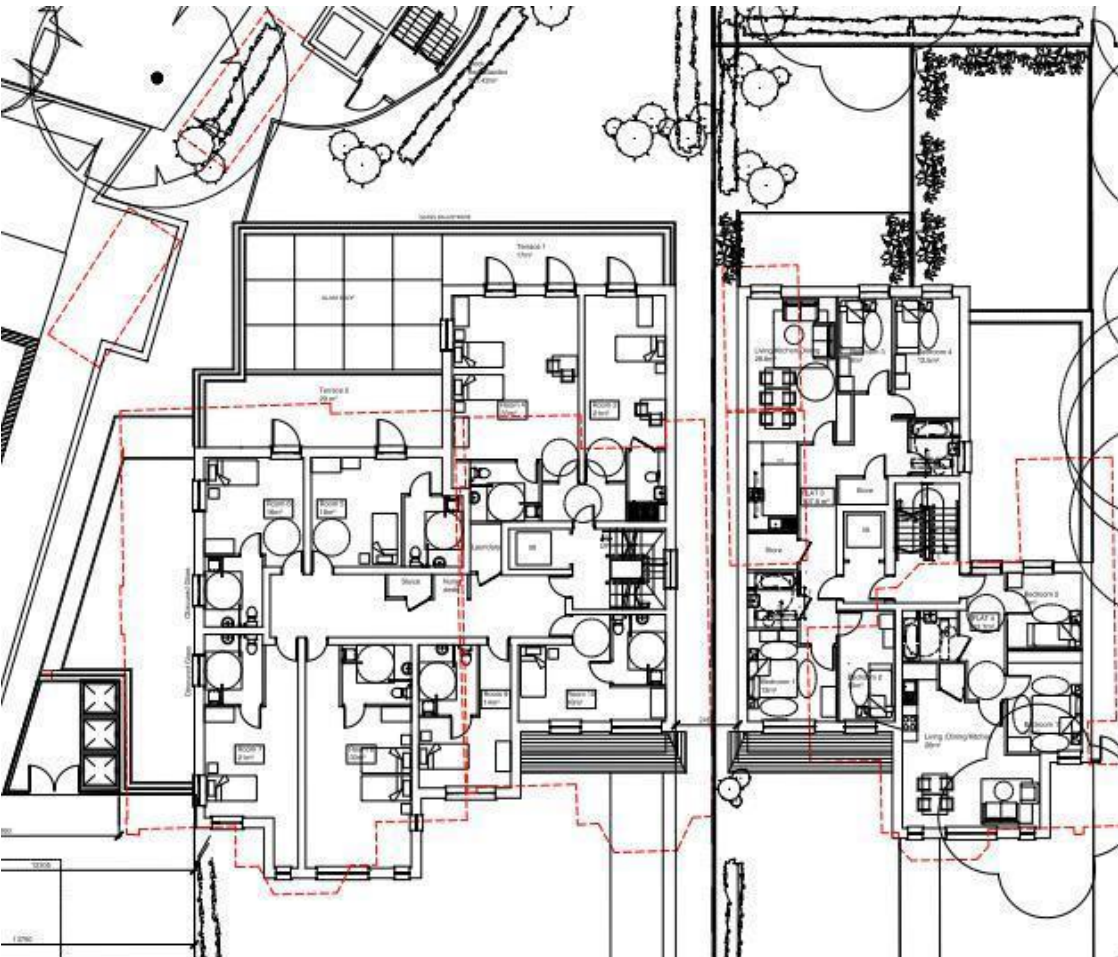
Temple 1st Floor



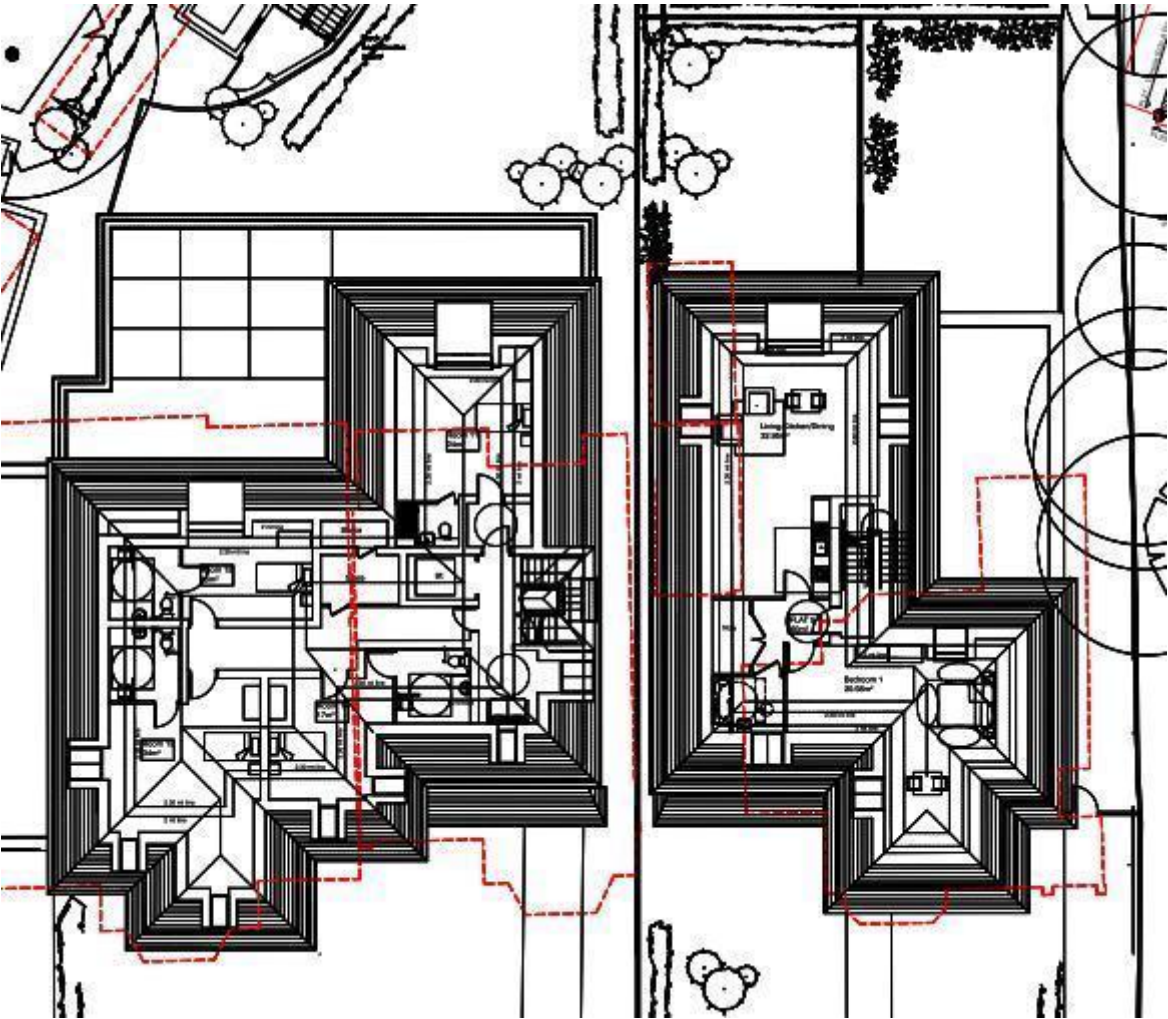
Care Home and Residential - Ground Floor



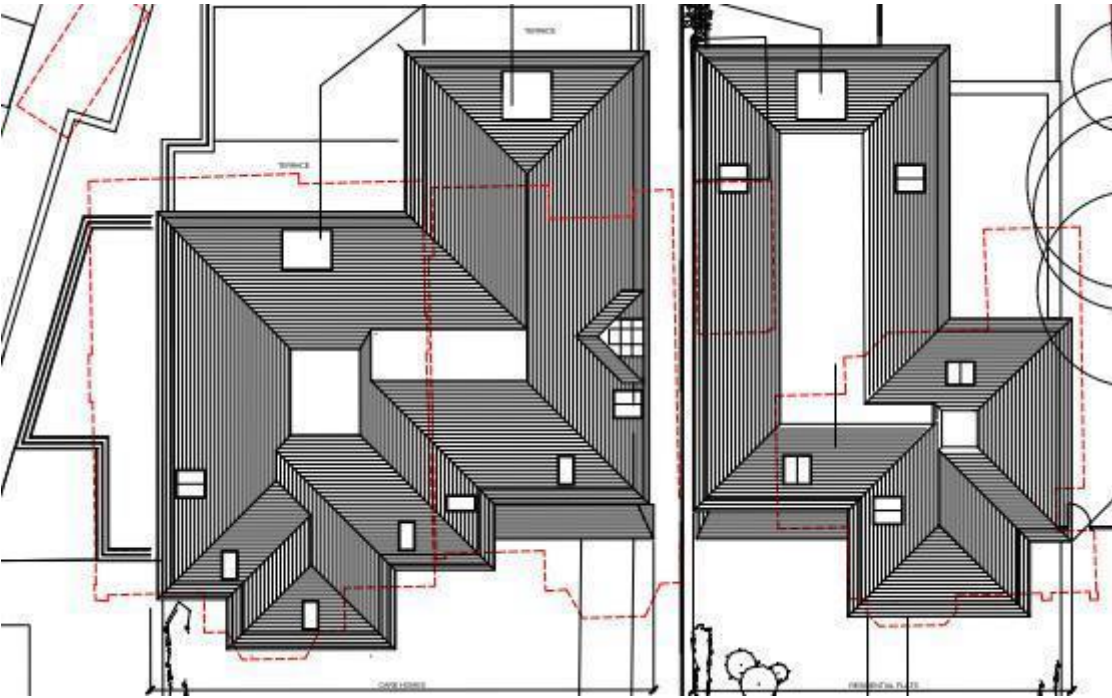
Care Home and Residential - 1st Floor



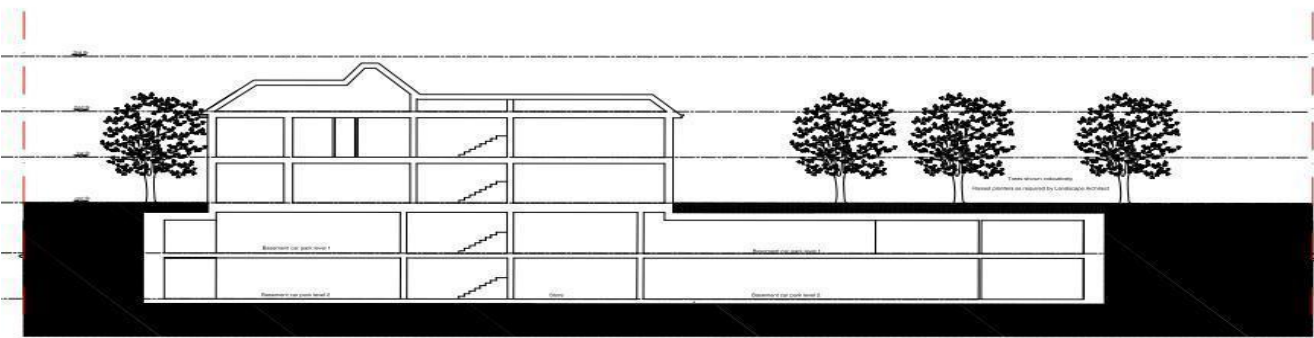
Care Home and Residential - 2nd Floor



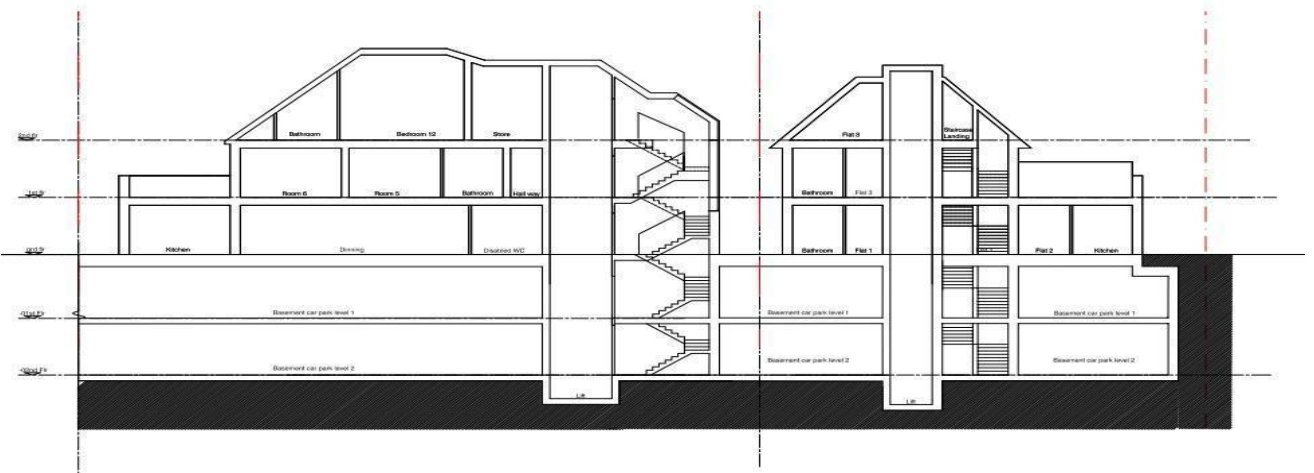
Care Home and Residential - Roof Plan



Basement Sections



Section B-B



RECOMMENDATIONS

Grant planning permission 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 Director of Legal Services and Procurement.

A) PROPOSAL

For the ease of assessment the application has been split into three main sections which are as follows:

1. Extension to the Temple and two storey basement extension
2. Care Home
3. Residential Units

1. The extension to the Temple includes a three storey rear extension to the northern side of the Temple. The extensions to the Temple are not proposed to expand the existing membership but rather to provide more improved facilities and services for existing attendees. At ground floor mezzanine level the proposed extension will see the creation of a library. At first floor level the proposed extension will see the creation of a dining area to be used in conjunction with the existing Culture Hall, which is typically used for weddings. Toilet facilities will also be provided and a stairway to access the other floors. At second floor level the proposed extension will see the creation of classrooms, a meeting room, and storage and toilet facilities.

The proposed two storey basement extension will provide parking for the Temple and the proposed care home and residential units in the form of 106 car parking spaces. This will include 97 spaces for the Temple including 20 disabled parking spaces and 21 spaces for electric vehicle charging; 2 spaces for the care home including 1 disabled space; and 7 parking spaces for the residential units. The basement will also provide a total of 102 cycle spaces including 88 for the Temple; 6 for the care home; and 8 for the residential units.

2. The application proposes the demolition of Nos. 1, 3 and 5 Deerhurst Road which are located to the north of the Temple and the erection of a two storey building comprising a care home. The care home will occupy the current location of No.1 Deerhurst Road. At ground floor level the care home will consist of a visitor's room, staff room, matrons, office, dining and living facilities, storage, toilets and two ground floor rooms. At first floor level the proposed care home will consist of 8 bedrooms and terraces to the rear. The loft area will consist of a further 4 bedrooms and storage. A portion of the rear area has been designated as a landscaped area to provide residents with outdoor space.

3. As part of the demolition of Nos. 1, 3 and 5 Deerhurst Road a two storey building with loft space is also proposed which will contain 5 self-contained flats to include 1 x 1bed, 1 x 2bed, 2 x 3bed and 1 x 4bed. In addition to this landscaping is proposed to the front and rear in the form of two gardens for the ground floor flats and a communal area for the other flats. Both cycle storage and car parking are proposed in the two storey basement car park with refuse storage proposed to the north of the site adjacent to the shared boundary with the car park of Innisfree House.

B) EXISTING

The application site concerns the Shree Swaminarayan Temple which is located on the corner of Willesden Lane and Deerhurst Avenue. The Temple currently consists of a ground floor, ground floor mezzanine, first floor and second floor set out over approximately 2565 sqm of space with basement parking for 58 vehicles located under the main Temple building.

The application site also includes three properties, Nos. 1, 3 and 5 located to the immediate north of the Temple on the western side of Deerhurst Road. Nos. 1 and 5 have been converted to form a total of seven flats and No. 3 is a single dwellinghouse with all three properties in the ownership of the Temple.

No. 224 Willesden Lane is located to the immediate west of the application site and consists of a detached residential building consisting of a number of rooms and self-contained flats and a large rear garden to the rear. Innisfree House is a three storey building located to the north of the site and consists of 18 flats. The application site and Innisfree House are separated by a small car park used by the residents of Innisfree House.

The application site is not located within a conservation area nor does it contain any listed buildings. The existing Temple is one of 12 temples which make up the original Swaminarayan Sampradaya religious community in the UK and has occupied the site since 1975. In 1988 the building underwent conversion from a Victorian Methodist church to the existing Temple.

C) AMENDMENTS SINCE SUBMISSION

Extension to Temple

The applicant has reduced the size of the rear extension to the temple at first and second floor level to take into account the close proximity of the neighbouring property.

Basement extension

The applicant has reduced the size of the basement extension at both levels to take into account the presence of trees and also to move the extent of development away from the neighbouring boundary. The applicant has also revised the internal layout of the basement car park to address concerns with the underutilisation of space and also to provide a safer environment for vehicles. The applicant has also revised the height levels to allow for converted disabled vehicles to safely manoeuvre. The applicant has revised the access to allow for safe turning of vehicles.

Care home

The applicant has reduced the size of the single storey aspect on the front left hand elevation to address concerns with design.

Residential units

The applicant has increased the size of the units to comply with minimum space standards and also revised the layout of the flats to address concerns.

D) SUMMARY OF KEY ISSUES

Principle of extension to temple and basement extension

The proposed extensions are acceptable in policy terms taking into account the religious and cultural needs of the Temple members and also the need to remove cars from the surrounding streets

Principle of Care Home and Residential Units

The proposed care home is acceptable in policy terms as it will meet a local need. The proposed residential units will provide two family sized units with access to rear amenity space of which there is a recognised shortage and need within the borough.

Parking and Access

The Travel Plan and increased number of off-street parking spaces will ensure more sustainable methods of transport and also reduce traffic congestion in the area.

Impact on neighbouring amenity

The reduction in the size of the extension to the temple will minimise the impact on neighbouring amenity to acceptable levels. The applicant will be required to sign up to the considerate constructors scheme and a number of environmental conditions will ensure that the impact of construction work will be reduced.

E) MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	

Hotels	0		0	0
Non-residential institutions	2794		0	1104
Residential institutions	0		0	935
Restaurants and cafes	0		0	0
Shops	0		0	0
Storage and distribution	0		0	0

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

Temple

13/0891 – Withdrawn 20/09/2013

The erection of a rear extension to the temple, the demolition of 1, 3, 5 Deerhurst Road and the erection of

- Block A - 13 bedrooms care units, 2 staff units and 1 visitor unit
- Block B - Lounge and 3 x One Bed
- Block C - 12 flats
- Two storey basement parking area with associated landscaping to the site

02/1182 – Granted

Details pursuant to condition 2 (brick samples) of planning permission ref. 01/1678 dated 14/03/2002 for erection of a single-storey rear extension

01/1678 – Granted 14/03/2002

Erection of a single-storey rear extension

01/1673 – Refused

Submission of details (glazed infill screen) details pursuant to condition 3 of planning permission 00/1726 granted on 5/11/2000 for the erection of a single storey front extension

01/1343 – Granted

Details pursuant to condition 3 (details of glazed infill screen) of full planning permission 00/1726 dated 5/10/00 for erection of single-storey front extension

00/1726 – Granted

Erection of single-storey front extension

00/0970 - Refused

Erection of single-storey front extension

00/0755 – Granted

Formation of vehicular crossover

99/1453 – Granted

Erection of roof extension to Hindu temple comprising 6 classrooms (as revised by plans received on 22/12/1999 and 21/01/2000) and supported by a S106 Unilateral Planning Obligation

87/2611 – Granted

DETAILS PURSUANT TO CONDS 3 & 4 OF P.P. DTD 11FEB86, REF 85/0964

83/0338 – Granted

ER. OF GRD & 1ST FLR EXTN TO PROVIDE ANCILL. LIVING ACCOM. FOR PRIEST (REV PLANS

30AUG83)

1 Deerhurst Road, London, NW2

Planning application (Ref No: 94/1462) for the retention of 3 flats was granted permission in November 1994.

3 Deerhurst Road, London, NW2

The Council is currently investigating the change of use of the property from a single family dwellinghouse to a hostel (Ref No: E/10/0235). As the use has only commenced in the last three years, it is understood the lawful use to be a single family dwellinghouse.

5 Deerhurst Road, London, NW2

The property is in use as 4 self contained units. These units do not benefit from express planning permission but are considered to be older than 10 years and are therefore immune from enforcement action.

CONSULTATIONS

Consultation period: 24/12/2015 – 04/02/2016

1092 consultation letters were sent to neighbouring properties.

Site notices erected: 06/01/2016

Press notice: 14/01/2016

Ward Councillors notified: 24/06/2016

Chatsworth Area Residents Association notified: 04/01/2016

Objections

The Council received a total of 65 individual objections via the Council's website, three individually posted letters of objection and 484 similar letters received from two members of the public, who collated seven packs of those similar letter and sent those to the Council on various dates throughout the application period. At present your officers are treating those similar letters as 484 individual objections however some come from people outside of the borough and your officers will update Members in the Supplementary Report on the split of objections from residents within the borough and those outside of the borough. Your officers are also seeking confirmation from the two members of the public who submitted the objections as to whether they did so intending the letters to be considered a petition and whether they did so in their formal role as representatives of the Chatsworth Area Residents Association or as interested members of the public. This has a bearing on how the 484 individuals who signed the letters are recorded in terms of the administrative process required to do so, and would not have a bearing on the weight given to the material planning considerations raised in the letters.

An individual objection to the proposal was received from the Chatsworth Area Residents Association and an objection from Councillor Shaw. A summary of the objections raised and the response/section in the report that addresses the objection can be found in the table below:

Objection	Response
An objector has brought to the Council's attention the parking situation on Deerhurst Road on Sundays when a considerable number of people attend the Temple for Sunday prayers. The objector noted that the gates that lead into the existing car park were closed and that marshals affiliated to the Temple were standing outside preventing cars from accessing the car park.	The applicant has confirmed that stewards close the gates as soon as the car park becomes full which ensures that visitors do not attempt to drive into the already full car park. The Marshalls also insist that if spaces are available in the car park that visitors will be directed to use the available parking spaces rather than parking in the surrounding streets. In some instances spaces may appear to be vacant in the small car park directly inside the gates that can be seen from the street however these spaces are reserved for disabled drivers as they are in close proximity to the Temple.

Increase in traffic	See paragraphs 1.1 and 1.1.4 The number of attendees will not be increased from current numbers
Encouragement of car use	See paragraphs 2.4.1 – 2.4.7 The Travel Plan will seek to reduce reliance on cars
Inclusion of school	See paragraph 1.1.2 A new school is not proposed. The classroom elements refer to existing language, educational, cultural and music classes available to existing members.
Deterioration of air quality	See paragraph 2.4.5 The Travel Plan will promote non-car modes of transportation to the Temple
Need for extension to temple	See paragraph 1.1 – 1.1.9 The applicant has provided justification for the extension which is needed to provide more modern facilities
Loss of neighbouring amenity from temple extension	See paragraph 3.1.1 to 3.1.3 The temple extension has been reduced accordingly and complies with SPG17
Impact on character from temple extension	See paragraph 4.2 The extension will respect the character and appearance of the existing building
Design of block of flats and care home	See paragraph 4.3 and 4.4 The design of the block of flats and care home has taken into account local designs
Potential flooding	See paragraph 3.2.4
Impact on quietway	See paragraph 2.6.1 and 2.6.2
Pollution from cars	See Paragraph 2.4.5 Travel Plan
Overlooking from flats	See paragraph 3.4 Minimum separation distances have been exceeded
Increase in number of people attending	See paragraphs 1.1 and 1.1.4 The number of attendees will not be increased from current numbers
Impact on residential character	See paragraph 4.2
Car park within residential area	See paragraph 2.1.1
The development will benefit people outside Brent	See paragraphs 1.1 – 1.3.3 The temple and care home will benefit local people
700 guests is inappropriate for residential area	See paragraph 1.1.4
Building works will affect local residents	See paragraph 3.2.2

Support

The Council received two separate petitions on the 8th and 31st of January 2016 in support of the application with 808 and 36 signatures respectively. The Council also received a total of 64 individual comments in support of the application. The main points raised in support were the following:

- Car parking and improvements to congestion in the area
- The design of the proposed care home and residential units is improved from previous designs
- The Care Home will provide will provide accommodation for the elderly in the area
- Improved classes and facilities

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF)

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

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

The recommendation here is considered to comply with the 12 Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

Mayors London Plan 2015

The relevant issues set down in the London Plan, and identified by the GLA, are as follows:

- Social Infrastructure
- Mix of Uses
- Housing
- Affordable Housing
- Density
- Historic Environment
- Urban Design
- Inclusive Access
- Sustainable Development
- Transport
- Crossrail.

Also relevant is Brent Core Strategy policy CP17 on Protecting and Enhancing Suburban Character in Brent. In terms of density, the number of units proposed is appropriate for the site as it is within a range considered by the London Plan to be appropriate for this type of location (urban) and which benefits from very good public transport accessibility.

Adopted in July 2010, the Core Strategy has 12 strategic objectives:

- Objective 1: to promote economic performance & regeneration
- Objective 2: to meet employment needs and aid the regeneration of industry and business
- Objective 3: to enhance the vitality and viability of town centres

- Objective 4: to promote the arts and creative industries
- Objective 5: to meet social infrastructure needs
- Objective 6: to promote sports and other recreational activities
- Objective 7: to achieve housing growth and meet housing needs
- Objective 8: to reduce the need to travel and improve transport choices
- Objective 9: to protect and enhance Brent's environment
- Objective 10: to achieve sustainable development, mitigate & adapt to climate change
- Objective 11: to treat waste as a resource
- Objective 12: to promote healthy living and create a safe and secure environment

The following spatial policies are considered relevant to this application:

- CP 5 Place making. Sets out requirements for place making when major development schemes are considered
- CP 6 Design & density in place shaping. Sets out the requirements for appropriate design and density levels for development
- CP17 Protecting and Enhancing Suburban Character in Brent.
- CP18 Protection and enhancement of Open Space, Sports & Biodiversity. Protects open space from inappropriate development.
- CP 19 Brent strategic climate mitigation and adaptation measures. Highlights the need for new development to embody, or contribute to, climate mitigation objectives, especially in growth areas
- CP 23 Protection of existing and provision of new community and cultural facilities. Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities

Unitary Development Plan 2004

Strategic

- STR3 In the interests of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from conversions and changes of use).
- STR5 A pattern of development that reduces the need to travel, especially by car, will be achieved.
- STR11 Seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.
- STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.
- STR13 Environmentally sensitive forms of development will be sought.
- STR14 New development to make a positive contribution to improving the quality of the urban environment in Brent
- STR15 Major development should enhance the public realm.
- STR19 New housing developments should provide adequate amenity, reduce need for car travel and improvement to public infrastructure.

Built Form

- BE2 On townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE3 Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.
- BE4 States that developments shall include suitable access for people with disabilities.
- BE5 On urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 Landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings.
- BE7 Public Realm: Streetscene
- BE9 Seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- BE12 States that proposals should embody sustainable design principles commensurate with the scale and type of development.

Environmental Protection

- EP3 Noise and vibration
- EP3 Requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.

Housing

- H11 Housing on brownfield sites
- H12 States that the layout and urban design of residential development should reinforce or create an attractive and distinctive identity appropriate to the locality, with housing facing streets, and with access and internal layout where cars are subsidiary to cyclists and pedestrians. Dedicated on-street parking should be maximised as opposed to in-curtilage parking, and an amount and quality of open landscaped area is provided appropriate to the character of the area, local availability of open space and needs of prospective residents.
- H13 Notes that the appropriate density for housing development will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.
- H14 The appropriate land density should be achieved through high quality urban design, efficient use of land, meet housing amenity needs in relation to the constraints and opportunities of the site.

Transport

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN2 Development should benefit and not harm operation of public transport and should be located where access to public transport can service the scale and intensity of the proposed use
- TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.
- TRN4 Measures to make transport impact acceptable
- TRN10 Walkable environments
- TRN11 The London cycle network, schemes should comply with PS16
- TRN12 Road safety and traffic management
- TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.
- TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.
- TRN27 Loss of existing off-street parking
- TRN34 The provision of servicing facilities is required in all development covered by the plan's standards in Appendix TRN2.
- TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.
- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards
- PS19 Servicing standards

Tourism, Entertainment & the Arts

- TEA2 Location of small-scale tourist, visitor and arts, culture and entertainment facilities.

Community Facilities

- CF5 Location of large scale community facilities
- CF4 Community facilities capable of holding functions should have an acceptable transport impact. Where the number and/or scale of functions could have an unacceptable impact on residential amenity these will be limited by condition.
- CF14 Places of worship permitted where there would be no loss of residential amenity or unacceptable transport impact.

Brent Council Supplementary Planning Guidance and Documents

SPG 17 "Design Guide for New Development"

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

SPG19 "Sustainable Design, Construction & Pollution Control"

This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

The Council has previously received a request for an Environmental Impact Screening (EIA) on the site. It assessed other possible impacts and effects of the development, and on 31 January 2012 determined that it considered that there were none that were significant enough to warrant an EIA.

DETAILED CONSIDERATIONS

Introduction

The London Borough of Brent is the most ethnically diverse local authority area in England and Wales (2011 census data) and also one of the most religiously diverse. The population of Brent is 41.5% Christian, 17.8% Hindu (55,393 people) and 18.6% Muslim. This is the second largest percentage of Hindu population in a local authority area in the UK with the neighbouring London Borough of Harrow being the largest with 25.3%. This compares with the population of London which is only 5.2% Hindu. Nationally the total Hindu population is 817,000 or 0.7% of the population; thus the 55,393 Hindu residents of Brent represent 6.7% of the Hindu population of the UK. Combined with Harrow's Hindu population of 40,548 and Barnet's 21,011, this site lies close to 19% of the Hindu population of the UK.

The London Borough of Brent has local policy objectives to meet the needs of the borough's diverse community in respect of cultural facilities and sport and recreational activities. The Temple provides a valuable community and religious use within the borough for the local Hindu population. As previously mentioned in the 'Proposed' section of this report there are three main aspects to the proposal including the physical extension to the temple, the care home and the self-contained flats.

Key considerations

Your officers hold the key considerations in this application to be:

1. Principle of development
2. Parking and Access
3. Impact on neighbouring amenity
4. Impact on character and design
5. Standard of accommodation
6. Landscaping

1. Principle

Temple and basement extension

1.1 As outlined in the 'Proposal' section of this report the proposed extension to the Temple will provide facilities on the ground, first and second floors. The applicant has made it clear that the proposed extension is not to increase the number of attendees at the Temple but rather to provide better and improved facilities and services to the existing members. Your officers have given consideration to the existing facilities and also the existing capacity of the Temple.

1.1.2 Following discussions with the applicant detailed accounts of the services provided by the Temple to its members have been provided which have explained the different classes and facilities available at the Temple and also the services that are provided. Concerns have been raised by a number of objectors regarding the inclusion of a 'new school'. However the classroom elements seen on the submitted plans refer to language, educational, cultural and music classes currently available to the existing Temple members. The applicant has stated that currently the community hall is operating at full capacity and there is a need to extend to provide facilities for the existing members. In addition to this there is a requirement to provide a separate dining area for large gatherings such as weddings and festivals whilst the classrooms on the top floor are currently quite small in size and inefficient for providing adequate learning facilities.

1.1.3 The applicant has submitted a detailed statement of use which clearly explains the current use of each

part of the Temple. Prayers currently take place on the ground floor in the large hall which takes place during the following days and times with the following numbers of attendees:

<i>Monday-Friday</i>	<i>09.00-11.00</i>	<i>150-175 visitors and staff</i>
	<i>18.00-20.00</i>	<i>100-120</i>
<i>Saturday</i>	<i>09.00-11.00</i>	<i>80-100</i>
	<i>17.00-19.00</i>	<i>400-450</i>
<i>Sunday</i>	<i>09.00-11.00</i>	<i>100-125</i>
	<i>16.00-19.00</i>	<i>up to 700</i>

1.1.4 The proposed extension is not intended to create any increased capacity to the existing Prayer Hall with this aspect of the Temple remaining unchanged. Your officers have considered the fact that there are concerns from a significant number of objectors that the Temple is looking to increase the number of people visiting the Temple. The Applicant's Statement of Use has confirmed the existing number of members that attend the prayer services available at the Temple. Your officers have also worked closely with the applicant to agree to a Temple Management Plan to limit the number of visitors and staff who can attend the Temple, via a planning obligation secured under a S106 legal agreement. The Temple Management Plan will set out the maximum number of people that can attend the Temple at each service provided and also attend larger festivals and weddings. This is a robust method of ensuring that the number of visitors and staff do not increase above current levels and should help to ensure that the impact on local people is not material.

1.1.5 The proposed ground floor mezzanine aspect of the extension will accommodate the extension of the library to allow members of the Temple to access reading material. The applicant has provided justification for this aspect of the proposal as currently large numbers of books are either stored off site or in storage facilities around the Temple thus restricting peoples access. The proposed new library will provide a modern facility with better access to books and manuscripts for Temple goers to use and borrow. The library will also provide a modern facility for people to read and study in during the day.

1.1.6 The classes that take place on the first floor of the building within the Culture hall are outlined in the table below. This includes yoga, a youth academy, children's school and ceremonies. The proposed extension will see the addition of a dining hall to be used in conjunction with the Culture Hall and will provide facilities for serving and hosting the meals. As such the proposed extension will not see an expansion in the size of the hall but rather facilities to provide food to people during ceremonies.

<i>Women's yoga</i>	<i>Monday</i>	<i>8pm – 9pm</i>	<i>30</i>	<i>1st Floor</i>
<i>Men's yoga</i>	<i>Wednesday</i>	<i>8pm – 9pm</i>	<i>25</i>	<i>1st Floor</i>
<i>Youth Academy</i>	<i>Friday</i>	<i>7pm – 9pm</i>	<i>150</i>	<i>1st & 2nd Floor</i>
<i>Children's pre-school</i>	<i>Saturday</i>	<i>5pm – 7pm</i>	<i>80</i>	<i>1st Floor</i>
<i>Wedding Ceremonies</i>	<i>Sunday</i>	<i>10am – 4pm</i>	<i>600-700</i>	<i>1st Floor</i>

The current classes that take place on the second floor are outlined in the table below.

<i>Gujarati Classes</i>	<i>Saturday</i>	<i>5pm – 7pm</i>	<i>150</i>	<i>2nd Floor</i>
<i>English Classes</i>	<i>Sunday</i>	<i>4pm – 6pm</i>	<i>25</i>	<i>2nd Floor</i>
<i>Sanskrit Classes</i>	<i>Sunday</i>	<i>4pm – 6pm</i>	<i>20</i>	<i>2nd Floor</i>
<i>Hindusim Classes</i>	<i>Sunday</i>	<i>4pm – 6pm</i>	<i>20</i>	<i>2nd Floor</i>
<i>IT Classes</i>	<i>Sunday</i>	<i>4pm – 6pm</i>	<i>25</i>	<i>2nd Floor</i>
<i>Music Classes</i>	<i>Various Days and times</i>		<i><10</i>	<i>2nd Floor</i>

1.1.7 The proposal will result in more modern learning facilities for the existing temple members including a library and classrooms. These facilities will help the members of the Temple to engage in a mixture of useful language classes including English and cultural classes such as Gujarati and Sanskrit which are important aspects of the Hindu culture. The Temple has provided justification for the new classrooms by means of the statement of use which identifies that there is a demand for these facilities within the Hindu community that use the Temple. As such your officers consider that the principle of extending the temple to provide more modern facilities for the members of the temple can be supported and is acceptable. The Temple Management Plan will ensure these community activities will not take place during the peak Sunday prayer times.

1.1.8 As outlined in the introduction section of this report, the London Borough of Brent is an extremely diverse Borough with a significant Hindu population who require community and religious facilities for their members. Your officers have taken into consideration the need for providing more modern facilities for the temple members. Your officers have therefore given a significant amount of weight to the requirement of providing both religious and cultural facilities to people and also to the potential harm that the proposal could have on other local people living in the area who do not attend the Temple. After careful consideration of the fact that the number of attendees at the Temple will not increase due to the proposed extension and the agreement to limiting numbers, your officers consider that the extensions are acceptable in principle and can be supported.

1.1.9 The application proposes a two storey basement extension which will largely be contained underneath the current location of Nos. 1, 3 and 5 Deerhurst Road and the Temple. Whilst it is acknowledged that this is a significant form of development in close proximity to a number of residential units your officers have given a considerable amount of weight towards the fact that the proposed basement will provide 97 off-street car parking spaces in total, thus removing a further 39 vehicles who normally would have had to park in the surrounding streets during prayer times and when attending large weddings, festivals and day to day activities. Whilst it is acknowledged that some, potentially significant, disruption is inevitable during the construction of basements, your officers have given significant weight to the long term benefit of removing vehicles from the surrounding area as this is likely to reduce traffic congestion and improve conditions for local people living in the area.

Care Home

1.2 The application proposes the creation of a 14 bed care home adjacent to the five self-contained flats. During the course of the earlier withdrawn application, concerns were raised by officers regarding the proposed care home. Core Strategy (2010) policy CP21 seeks to make locally appropriate provision for Brent's wide range of specific and special housing needs, as required by London Plan Policies 3a.5 and 3a.13, including family homes, sheltered housing for older persons, non self contained accommodation, such as hostels for households without children, housing providing support (including extra accommodation for older persons) and residential care homes. During the course of the pre-application enquiry and application attempts have been made by officers to highlight the importance of demonstrating that the proposed care home would meet an identified local need.

1.2.1 In the previous application officers raised concerns with the provision of sheltered accommodation proposed in the forms of 'Elderly and visitor accommodation and a 'Care Home'. Specifically, the basis on which a care home in the form of self-contained single bedroom units with additional study areas, in conjunction with self-contained single bedroom self units and 'bedrooms' with ensuite bathrooms were being proposed. The previous application failed to provide clarity in planning terms on the identified and recognised local need within Brent that the proposed care home would have met.

1.2.2 In the applicant's original submission and in the current application under the section 'The Need for Care Accommodation', they have stated that "there is a specific and proven need for specialist accommodation for the elderly, particularly of the type that is proposed, which is specialised towards the needs of the Hindu community, although it would not be restricted to such". Your officers requested further information regarding the proposed operation and management of this facility to understand the justification behind the stated local need of the care home. In response to this, the applicant has provided a Statement of Use for the care home. The applicant has provided a brief outline of the staff that will be employed in the care home including a full time manager, three kitchen staff members and three cleaners with a further three part-time kitchen staff members. The applicant has also stated that a management company will run the proposed care home but that a live-in manager will not be required as the occupants of the care home live alone and will therefore continue to do so.

1.2.3 In addition to this the applicant has sought to work with Brent Adult Social Care to provide accommodation that meets a specific local need in order to comply with Core Strategy (2010) policy CP21. Ian Buchan (Lead Commissioning Manager, Adult Social Care) has confirmed that there is a demand for Supported Living Schemes within the Borough and that the proposal would meet a local need. This has resulted in a proposed facility that will meet the needs of the individuals listed in the Case Study provided by the applicant. The proposed care home will use a Domiciliary Model of care and have tenancies for their rooms and will get care delivered in a flexible way to respond to their needs. The applicant has provided examples of local people who are becoming elderly and developing care needs. This conforms to Brent Council's Adult Social Care document which states that although Brent has a comparatively young population, the number of people aged 65 and over--a key focus for Adult Social Care--is expected to increase by 10% from 2015 to 2020, with the largest proportionate increase in the 85 and over age population. Further to this, within Brent the Black, Asian and minority ethnic (BAME) groups make up 65% of the population as a whole with expected changes in time set to make the Asian population up to 39% of the population of over 65 by 2020. With this in mind the proposed care home will provide a facility for elderly members of the Brent populace and will meet a recognised need that is supported by Brent Adult Social Care. As such your officers consider that the proposed care home element of the application complies with Core Strategy (2010) policy CP21 and is therefore acceptable in principle.

Residential

1.3 The application proposes the demolition of three existing residential properties, Nos. 1, 3 and 5 Deerhurst Road and their replacement with a 14 bed care home and five self-contained flats. As detailed in the 'History' section of this report No.1 Deerhurst is lawfully considered to consist of three self-contained flats due to the grant of retention permission in 1994. No. 5 Deerhurst Road is in use as four self-contained flats which does not benefit from planning permission but are considered to be in use as this purpose for over 10 years. No.3 Deerhurst Road is lawfully considered to be a single family dwellinghouse and as such the loss of this unit requires replacement as per Core Strategy (2010) policy CP21. Brent's Core Strategy sets out that Brent's housing stock is considered inadequate to satisfactorily accommodate the Borough's disproportionately larger households. In addition to this the historical shortage of family-sized accommodation has been exacerbated by a large number of 1-2 bed units constructed between the years of 1997-2007.

1.3.1 The proposal for five self--contained flats consists of two three-bedroomed units, which are considered family sized accommodation, at ground floor level that will have access to 75 and 72 sqm of private amenity space to the rear. As such your officers consider that the loss of the existing family dwellinghouse would be offset by the inclusion of the two three bed units with access to private amenity space. Therefore this aspect of the proposal is deemed to be in compliance with Core Strategy (2010) policy CP21 and would provide two family sized units to the Borough which is welcomed.

2. Parking and Access

2.1 Introduction

2.1.1 New basement car parking is proposed beneath the care home and flats, which will now increase the total car parking provision for the temple and housing development from 58 spaces to 106 spaces. The temple will be allocated 97 spaces which will include 20 spaces for disabled parking and 19 spaces for electric vehicle charging. The care home will be allocated two parking spaces with one disabled and the residential units will be allocated seven parking spaces. In addition to this a total of 102 bicycle parking spaces are also proposed within the basement car park with six for the care home, eight for the residential units and 88 for the Temple. Your officers acknowledge that there is significant concern from local people regarding the potential increase in cars using the Temple due to the increased number of car parking spaces. However the proposed additional car parking is based on removing cars from the surrounding streets and should help to alleviate current problems with congestion by providing more off-street parking.

2.1.2 The basement will be accessed via the existing 7.3m wide crossover from Deerhurst Road. The site is located within a Controlled Parking Zone that operates between 10am-3pm on weekdays. Brent Council's most recent overnight parking survey for the area confirms that the surrounding streets (Deerhurst Road, Coverdale Road and Chatsworth Road) remain lightly parked at night. On-street parking along Willesden Lane is prohibited between 8am-6.30pm on weekdays, with loading prohibited at peak times. Public transport access to the site remains moderate with a PTAL rating of 3, with Brondesbury Park (London Overground) and Willesden Green (Jubilee line) stations within 960 metres of the application site and two bus services within 640 metres of the application site.

2.2 Parking and Cycle Standards

2.2.1 Car parking standards PS12, PS13 and PS14 apply to the existing and proposed uses of the site. Allowances for the temple are based upon visitor numbers, whilst full residential allowances apply for the flats. The current week-to-week peak attendance at the temple is estimated at 735 people on a Sunday afternoon between 4pm-6pm. This increases to about 1,000 people during the Diwali festival in autumn however the s106 Temple Management Plan will limit numbers attending the Temple on large festival days to 750 people which is a significant reduction in numbers. Based on the weekly peak, up to 294 car parking spaces would be permitted, so both the existing provision of 51 spaces and proposed provision of 99 spaces (incl. 21 disabled) for the temple would accord with standards, whilst also providing more than sufficient disabled parking to satisfy standard PS15. 20 of the spaces for the temple have also been shown with electric vehicle charging points, which is welcomed. In addition to this the Temple has acknowledged that on occasions such as major event days and weddings some people may not travel to the Temple by Public Transport. However in these cases the temple will arrange for members to be collected by private minibus or arranged transport. This is welcomed and could form part of a robust travel plan, to be secured by a planning obligation within a s106 legal agreement, to reduce the number of cars arriving on given days.

2.2.2 A number of objectors have raised queries regarding the amount of weight that can be given to the parking standards contained in Appendix 1 of the Development Management Policies that are currently in draft form. The NPPF states that from the date of publication policies can be given greater weight as they go through the examination process, depending on the extent to which there are unresolved objections. In the case of policy DMP 12, which applies to parking, there are no unresolved objections. Therefore at this time the policy can be given some weight however the standard contained in the UDP (2004) is still the adopted policy with regard to parking for D1 uses. Currently standard PS12 of the UDP (2004) contains parking standards for Non-residential Institutions (use class D1), which the Temple falls under and states that two spaces for every five visitors based on maximum capacity are required. When applying this standard to the maximum number of visitors of 750 people the Temple would need to provide 300 spaces for visitors. The standard in Appendix 1 of the DMP states that for all D1 uses, one car parking space should be provided per 10 users/visitors on site at any one time. Therefore under the DMP standards, the maximum amount of parking allowed for the Temple would fall to 75 spaces, based on the maximum number of people attending. The proposal includes 77 standard width spaces, which is within this range. As such, officers consider that the proposal would still be broadly acceptable under the revised DMP standards.

2.2.3 The proposed 14-bed care home would be permitted two parking spaces and the proposed provision of a standard space and a disabled space accords with requirements. The allowance for the five proposed flats is 7.4 parking spaces. Previously the application proposed eight allocated spaces which marginally exceeded standards however this has now been reduced to seven in order to comply with parking standards. All residential spaces are to be grouped together in the north-eastern corner of the lower basement level of the car park, close to the stairs and lift cores to the buildings which will allow their use to be separated from the temple parking. A means of restricting access to these spaces for residents only has been submitted on revised plans.

With regard to bicycle parking, there are no particular standards for the temple, but the proposed provision of 88 secure spaces for the temple is nevertheless welcomed to help support the temple's Travel Plan. Six secure spaces for the care home and eight secure spaces for the flats are also proposed within the basement, which more than meets standards.

2.3 Access

2.3.1 Access to the car park will remain via the existing entrance crossover from Deerpark Road, which is wide enough to accommodate two-way traffic. Officers therefore consider this to be acceptable to serve the proposed basement car park. Previously a directional arrow instructed traffic to turn left when leaving the site; however, following consultation with officers in Transport & Highways, this has been removed as it is preferable for traffic to arrive and depart the site via the main road network rather than the residential streets. The layout of the car park provides adequately dimensioned parking spaces and aisle widths for vehicles.

2.3.2 The up- and down-ramps between the upper and lower levels of the car park will each measure approximately 3.5m in width with a 500mm separating island, whilst the gradient is shown at 14%, with 3m transition lengths to a 10% gradient at either end which accord with design standards for basement car parks. Previously there were concerns with the alignment of the exit ramp however this has now been addressed by the applicant. Revised drawings have been submitted to take into account the turning into the ramp and also improved tracking diagrams have been submitted which are deemed to be acceptable by Transport & Highways Officers. Headroom of 2.6 metres for the disabled parking spaces has also now been achieved which is necessary to accommodate high-top conversion vehicles for disabled use.

2.3.3 Previously the headroom of the new and existing car park was shown at only 2.375m reducing to 2.1 metres in certain places. Whilst this would be acceptable for standard cars the amount of headroom would not be acceptable for high-top conversion vehicles for disabled use. In response to this the applicant has increased the height of the roof to 2.6 metres which now complies with head height standards.

2.3.4 The two existing crossovers to Nos. 1-5 Deerhurst Road will become redundant as a result of the site's redevelopment and these must be reinstated to footway at the developer's expense, which can be secured by condition should Members be minded to grant permission. This will also allow the on-street parking bays to be extended to provide three additional on-street parking spaces.

2.4 Transport Impact

2.4.1 The Applicant's Transport Assessment submitted with the withdrawn application included surveys of the existing operation of the temple. This included questionnaire surveys, which showed 86% of visitors travelling to the site by car. With an average occupancy of 1.74 persons per car, this translates to a total of 363 cars for a weekly peak attendance of 735 visitors and a car driver modal share of 45% (with 41% car passengers including those simply dropped off at the site). Surveys were also undertaken of parking conditions in the area on a Sunday (16th June 2013), which showed marked parking bays in the area in general to be up to 85% parked. However, site observations by Brent Council's officers noted that bays in streets closest to the site (in particular Deerhurst Road, Chatsworth Road and Coverdale Road) were fully parked and a detailed street by street examination of the data showed this to be the case.

2.4.2 A Transport Note has been submitted with the current application which includes an updated survey undertaken on Sunday 5th July 2015 between 12 noon and 8pm. This showed on-street parking demand on site and on the surrounding streets peaking at about 6pm, when a total of 59 cars were observed parked within the car park and 166 cars parked on-street within 300 metres of the temple, which is approximately one third lower than for the 2013 survey. This difference is explained by the fact that a wedding was also taking place in the temple during the 2013 survey, along with another function at the nearby Royal Majestic Hall on the corner of Coverdale Road. These additional events were not taking place at the time of the 2015 survey.

2.4.3 The transport consultant has again broken parking down by street to give a better indication of where parking stress is greatest. Correcting for an overestimate by the consultant on the practical legal parking capacity of the streets, it is noted that Deerhurst Road and Chatsworth Road were again fully parked at 6pm on Sunday 5th July 2015. Coverdale Road was much more lightly used on this occasion, with parking demand peaking at 63%, whilst legal on-street parking space on Willesden Lane was up to about one-third occupied.

2.4.4 Officers acknowledge that the temple does create a considerable degree of parking stress on the streets closest to the site, particularly early evening on a Sunday and at festival times. However, there is generally spare capacity a little further afield, as the streets in the area are not generally heavily parked otherwise. The applicant states, and your officers accept, that the proposed extensions to the temple are not intended to attract more visitors to the temple. The main elements are a library, which is expected to be used by existing visitors, and a dining area, which is to allow existing wedding parties to eat in a separate area of the temple to the main festival. The additional classroom space is proposed to offer greater numbers of teaching places, but these are for children already attending the temple as part of a family group.

2.4.5 Mitigation measures are therefore proposed to help to manage the parking impact on local streets, of which the extension to the car park is one part. As before, these measures also include a Travel Plan, which has now been resubmitted with amendments in a number of areas to take on board comments from Brent Council's Transportation officers, to encourage a modal shift to non-car modes of transportation. All of the suggested comments have been incorporated, although the targets still need to be more clearly spelt out over three and five year periods, with clear reference against the baseline figures provided in table 7 within the document. As it stands, the main aim-type targets are to reduce the proportion of visitors to the site travelling by car from 86% to 70% over five years, which is considered acceptable. However, there are no baseline figures against which the targets to reduce the proportion of visitors driving along by 20% and to increase the proportion of staff and visitors car sharing by 20% can be referenced and these targets need to be much more clearly set out. In addition, the target to halve the amount of on-street parking, which is very much welcomed, needs to be referenced against the total that occurs at present at the peak time of occupancy (i.e. 6pm on a Sunday).

2.4.6 An assessment of the Travel Plan has been undertaken using TfL's ATTrBuTE programme and aside

from the above point on the targets, it would score a pass. In light of the above comments, a revised version of the travel plan expanding section 4.5 for targets over three and five years, referenced against baseline travel surveys, is required before this Travel Plan can be approved. To help to achieve the aim of halving the amount of on-street parking occurring at peak times, the Travel Plan also offers to provide a financial contribution towards a review of CPZ operating hours in the vicinity of the site. This is very much welcomed as a means to help to reduce car use and ensure that the adverse impacts of parking on local streets is minimised, although the level of funding offered has not been spelt out. Otherwise, the Transport Assessment has assumed that the only additional traffic generated by the development would be from the five new flats and the care home. These would not generate significant enough levels of traffic to require any further assessment of highway capacity in the area.

2.4.7 In summary, subject to the submission of a revised travel plan and a financial contribution towards CPZ review and improvements in the area to be secured via a planning obligation under a s106 legal agreement, your officers are satisfied that the transport impact of the proposal would not materially worsen the existing situation on the local highway network.

2.5 Construction Traffic

2.5.1 A Construction Management Plan has been submitted for the development that proposes that all unloading will be undertaken by crane within the site, using the existing car park access road and crossover. Banksmen will be employed to assist with the safe reversing of vehicles into the site and staff accommodation and welfare facilities will also be provided on site. As such, your officers consider that there is no general requirement to close any area of public highway, although a temporary road closure for Deerpark Road will be required for the crane set-up which will need to be arranged through Brent Council's Transportation Unit.

2.5.2 Deliveries will be pre-booked to ensure space is available on site to receive deliveries and any unbooked vehicles will be turned away. Delivery slots will take place between 9.30am-3.30pm on weekdays to avoid peak hours, whilst construction works will take place between 8am-6pm on weekdays and 8am-1pm on Saturdays. Wheel washing facilities will be provided on site and road sweepers will be used to keep the adjoining roads clean. The condition of the adjoining roads will also be assessed prior to works commencing and damage monitored and repairs funded as necessary. In this respect, the existing block paved crossover may be unable to withstand construction vehicle usage so may need to be strengthened with concrete for a temporary period. Assurances also need to be provided that the piling, excavation and construction works for the basement will be robust enough to ensure there is no risk of the highway in Deerpark Road collapsing. An approval in principle (AIP) for the basement excavation works is therefore required from the Transportation Unit.

2.5.3 The expected volume of construction traffic movements over the 80 week construction period is 5-6 vehicles per day on average, increasing to a peak of 16 vehicles per day during the excavation works (between weeks 7 and 21). These vehicles will all be routed to and from the site via Willesden Lane, which will keep lorry traffic away from residential streets, which is welcomed. A workforce of up to 25 staff is proposed and no off-street parking will be provided for them. The CPZ restrictions in the local area will help to prevent overspill parking by employees though and they will therefore be encouraged to use public transport to access the site.

2.6 Quietway

2.6.1 A number of objectors including the London Cycling Campaign have raised concerns regarding the designation of Chatsworth Avenue as a Quiet way Cycle Route. These objections relate specifically to the potential increase in motor vehicle traffic and car parking issues on Chatsworth Road as a result of the proposed development. By means of background information construction of the Quietway commenced in November 2015 and is due to be completed by early summer 2016 with the route designated as Quietway Cycle Route 3 as part of the Regent's Park to Gladstone Park Quietway. However officers must again point to the fact that the proposed development will not actually see an increase in the number of visitors to the Temple but rather will improve existing facilities for people and provide additional off street parking within the proposed basement car park thus removing more cars from the surrounding streets.

2.6.2 The Councils' Traffic Engineers have confirmed that the existing peak hour traffic flow on Chatsworth Road (between Mapesbury Road and Lydford Road) has been surveyed as being 145 vehicles/per hour which scores the highest Cycling Level of Service (CLOs) score (<200 vehicles/hour). However Transport & Highways Officers have confirmed that it is anticipated that the Travel Plan and CPZ review would offset any marginal increase in trips arising from the extension to the Temple, whilst the new care home and flats would

generate minimal additional traffic. Officers therefore consider that there will not be an adverse impact on the quietway.

3. Impact on neighbouring amenity

3.1 Extension to temple

3.1.1 The application proposes extending the northern side of the temple at ground and first floor level adjacent to the boundary with No. 224 Willesden Lane. Originally the application proposed extending the footprint much closer to the boundary, however following consultation with officers this has been revised and set in further from the shared boundary to take into account the presence of the private amenity space to the rear of No. 224 Willesden Lane. The ground mezzanine floor consisting of the library is proposed to be set in by 5.5 metres from the shared boundary. The proposed dining room on the first floor will now be set in by 9.3 metres. The extensions at second floor consisting of new classrooms, storage and a meeting room will now be set in by 14 metres from the shared neighbouring boundary.

3.1.2 Consideration has therefore been given to the Council's Supplementary Planning Guidance SPG 17 – Design Guide for New Development and specifically section 3.2 Size and Scale. Section 3.2 states that where proposed development adjoins private amenity/garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2 metres. Your officers consider that due to the increased set in from the boundary and compliance with the guidance in SPG17 and specifically the 45 degree rule, that the proposed extension to the Temple would not have a negative impact on the amenity of the residents of No. 224 Willesden Lane.

3.1.3 Your officers have given considerable and significant consideration to not only the physical impact of the extension to the Temple but also to how the increased size could potentially affect local people. A significant number of objections centre on the perceived expansion of not only activities but new members attending the Temple. However following detailed discussions with representees of the Temple and the submission of the statement of use, your officers consider that the extension will not attract more members but rather provide more modern and improved facilities for the existing members. The applicant has submitted detailed information regarding the current usage of the Temple as previously discussed in the 'Principle' section of this report. The number of attendees and the exact function at the Temple that they will be utilising has been carefully negotiated and the number of attendees will remain as existing. In addition to this the preparation and submission of a management plan for the Temple will be submitted and reviewed in order to ensure that there isn't a negative impact on neighbouring amenity. Your officers are aware of traffic problems in the area during peak prayer times, festivals and weddings and have sought to ensure that this is not exacerbated by limiting the existing numbers of people attending the Temple and also limiting major events such as festivals and weddings to specific times per month and year where necessary. Your officers therefore consider that with these robust mechanisms in place that the impact on neighbouring residents will be minimised and controlled. It is acknowledged that there will be some disruption to local people but the Temple Management Plan and Travel Plan, controlled through a legal s106 agreement, will help to improve the current situation.

3.2 Basement extension

3.2.1 Your officers recognise that basement excavations can affect neighbouring amenity during construction through dust, noise and vibrations. Your officers also appreciate the concerns surrounding the impact of basement excavations on structural and soil stability and potential flooding. Brent's approach to basement development proposals is to seek to minimise these impacts and therefore applicants are expected to provide a Construction Method Statement as required by Brent's 'Basements Practice Guide'.

3.2.2 The applicant has provided a Construction Method Statement which details how the potential impacts of the proposal during construction will be mitigated and details of build methodology. This includes for example establishing hoarding around the site and precautions in terms of soil stability and structural stability of neighbours. In addition to this the applicant has submitted detailed site investigation reports examining the impact of the proposed basement excavation on neighbouring buildings, the hydrological conditions of the site and the proposed construction.

3.2.3 In terms of nuisance, some disruption during construction is unavoidable but limited to usual hours of working for construction sites. Should Members decide to grant consent your officers propose a condition be attached requiring the contractor to be a member of the Considerate Constructors Scheme.

3.2.4 A significant number of objectors have raised concerns regarding the potential impact of flooding in the

area due to the proposed two storey basement excavation. Officers from the Council's Regeneration and Environmental Services department have confirmed that water is present in the area at a depth of 2.5 metres and that there is an issue with flooding in the area. In response to this the applicant has submitted a Flood Risk Assessment and details of SuDS that are proposed to be installed. Engineering Officers have assessed this submission and confirmed that the information that has been submitted is acceptable and that if the basement area is excavated then a pumping arrangement will be required. Your officers also recommend that a condition be attached to ensure that the applicant routinely inspects the storage tanks and control devices.

3.3 Care Home

3.3.1 The proposed care home will be constructed over what is currently Nos.1 and 3 Deerhurst Road. The proposed building will have a similar overall mass to the existing buildings and will not encroach further towards any neighbouring boundaries. The closest neighbouring residential buildings are the properties on the eastern side of Deerhurst Road including Nos. 4, 6 and 8 which are located approximately 35 metres away. Your officers consider that the proposed care home would be unlikely to have a negative impact on the amenity of the residents of these properties due to the separation distance and also due to the fact that the new building would have a similar overall size to the existing residential units. No.224 Willesden Lane is located approximately 35 metres to the south-west of the site and again your officers consider that the separation distance and siting of the Temple would negate any potential impact on neighbouring amenity.

3.4 Residential units

3.4.1 The proposed residential units would be constructed over what is effectively No.5 Deerhurst Road albeit the new building would be set in further from the shared boundary by a distance of 2.6 metres. Innisfree house, a three storey residential building comprising 18 flats and 70A-C Chatsworth Road are located to the north of the proposed residential units and share a side/rear boundary. The proposal will however manage to maintain a distance of at least 20 metres between the flank wall of the proposed residential units and the rear of these properties which your officers consider acceptable. In addition to this there is a small car park located between the application site and Innisfree House which would not be considered as amenity space. No.8 Deerhurst Road is a large semi-detached property located across the road to the east of the site at a distance of 31 metres. Due to the similar size of the existing and proposed building your officers consider that there would not be any negative impact on the amenity of the residents of this property.

4. Impact on character and design

4.1 Willesden Lane is characterised by the relatively wide road connecting Willesden Green with Kilburn. There is a variety of building types located in the section occupied by the Temple including a number of three to four storey blocks of flats and three storey detached residential buildings. Deerhurst Road is characterised by large two storey detached dwellinghouses leading towards Chatsworth Road with the exception of a three storey block of flats located on the corner of Deerhurst and Chatsworth Road.

4.2 Temple Extension

The proposed extension to the rear and side of the Temple has sought to maintain the character of the host building by utilising the same style and design of the existing building. Consideration has been given to existing materials and architectural features which have been successfully replicated. This is particularly evident when viewing the proposed side elevation that would be largely in view from Deerhurst Road. Concerns have been raised regarding the impact of the extension on the residential character of the area however your officers consider that the overall approach to design would be in keeping with the existing building and is visually acceptable.

4.3 Care Home

The proposed care home will consist of a detached building that has been designed to replicate the large detached inter war period dwellinghouses found in the surrounding area. Members will recall the previous design that consisted of three larger blocks that did not exhibit a particular style or complement the neighbouring properties or streetscene. With regard to the height of the proposed building, the highest point will actually be lower than the three existing dwellinghouses. Care has also been taken to match the pitch of the roofs of the existing dwellinghouses.

The proposed care home will be set back from the street by 6.45 metres at its closest point and 11.2 metres at its furthest. This will leave ample room for a landscaped front garden area which will help to retain the suburban feel of the street. This is also the case for the self-contained flats which will also be set back from the street at a distance of 8.3 at the closest point and 11.2 at its furthest. Again this will help to maintain the

suburban character of Deerhurst Road and the surrounding area.

4.4 Residential units

Similarly to the proposed care home the residential unit containing the five self-contained flats will also exhibit a large detached style similar to the inter war period dwellinghouses found in the surrounding area. Again with regard to the proposed height the building will actually be lower than the existing detached residential units found on Deerhurst Road. Care has also been taken to match the pitch of the roofs of the existing dwellinghouses. The building comprising the self-contained flats will also be set back from the street at a distance of 8.3 at the closest point and 11.2 at its furthest. This also leaves ample room to provide a front landscaped garden which will again help to maintain the suburban character of Deerhurst Road and the surrounding area. The unit housing the self-contained flats will be set in 5 metres from the boundary on the northern side of the site which is actually further away than the existing property No. 5 Deerhurst Road. This gap will then provide access to the rear communal area and also gives the opportunity to provide landscaping. Refuse storage will be located close to this gap and within a suitable distance to allow disposal by residents and collection.

5. Standard of accommodation

5.1 The application proposes the creation of five self-contained flats as outlined in the table below:

Flat	Location	Type	G I A proposed	GIA required Technical Housing Standards (2015)	Private amenity space
Flat 1	Ground floor	3 bed 6 person	99.62sqm	95 sqm	74.8 sqm
Flat 2	Ground floor	3 bed 6 person	101.7sqm	95 sqm	71.9 sqm
Flat 3	First floor	4 bed 6 person	107.8 sqm	99 sqm	0 sqm
Flat 4	First floor	2 bed 3 person	63.7 sqm	61 sqm	0 sqm
Flat 5	Second floor	1 bed 2 person	60 sqm	50 sqm	0 sqm

5.2 Previously your officers raised concerns with regard to the units as a number of them were below the required minimum space standards. However in response to this the applicant has now ensured that all five of the proposed flats will exceed the minimum space standards as per the most recent edition of the London Plan (2016) and the Technical Housing Standards (2015).

5.3 Both of the ground floor flats will have access to large rear private gardens which is welcomed as these units can cater for families. Generally new development is required to have 5 sqm of private amenity space for 1-2 bed flats and 1 sqm for each additional person as per the Mayor of London's Housing SPG (2016). In this case private amenity space has not been provided for Flats 3, 4 or 5 however each of the units exceed the minimum space standards and will also have access to a large communal garden with an area of 343 sqm located behind the rear gardens of the ground floor flats. Therefore on balance the requirement to provide private amenity space in this case can be waived.

5.4 Your officers previously raised concerns with stacking between the proposed units and also the awkward layout of the rooms. Your officers still have concerns with the proposed layout and specifically Flat 4 which would contain a kitchen/living area over the bedrooms of Flat 2. In this case a condition requiring sound proofing could be attached in the event that permission was to be granted. Concerns over the layout of the units have now been addressed by the applicant and all rooms comply with the minimum double and single bedroom sizes as per the Technical Housing Standards (2015). With regard to outlook all of the proposed units would be dual aspect and would afford prospective residents with access to natural light. Flat 5 will be located in the second floor or loft area of the building. The Technical Housing Standards requires the minimum floor to ceiling height to be 2.3 metres for at least 75% of the Gross Internal Area. Flat 5 complies with this requirement and as such your officers deem the level of headroom to be acceptable.

5.5 Overall your officers consider that the proposed residential units will provide a good overall standard of accommodation for prospective residents for the reasons outlined above.

6. Landscaping

6.1 Your officers have given careful consideration to the impact that the proposed basement excavation could potentially have on existing and proposed landscaping in the site and neighbouring sites. There are three trees located close to the western side of the site boundary which have recently been made the subject of a tree preservation order. Landscape & Design Officers have examined the proposal and the submitted arboricultural statement to assess the impact on the existing trees and also the proposed landscaping scheme.

6.2 Previously there were concerns regarding the impact of the basement excavation on the Root Protection Area (RPA) of the retained trees. However the reduction in the size of the basement and the fact that it will now be further away from the site boundary and RPA have helped to ease concerns. Consideration has also been given to the current condition of the trees which have been heavily lopped and will not make full crowned trees again in their lifetime due to internal decay and structural weaknesses.

6.3 Landscape & Design Officer's have highlighted the issue of trees in neighbouring gardens to the north of the site and specifically Nos.68 to 76 Chatsworth Road where a total of 9 category B and C trees have been surveyed. These particular trees provide valuable natural screening and therefore it is crucial that the basement makes adequate allowance for root growth and healthy retention of the trees listed on the tree survey as T6-T16. Taking this into account the increased set in from the boundary has taken into account the existing RPA and will minimise the impact on these trees.

6.4 Landscape & Design Officers consider that the overall design of the submitted landscaping plan can be agreed as designs for the frontage of both the care home and residential units and also the rear of both. However the minimum soil depths of 1000mm should be provided where trees are to be planted, 600mm for shrubs/small trees and ideally 4-600mm for grass in order to avoid loss or decline during long periods of dry weather. As such your officers recommend that further details of the soil depth be secured by condition.

7. Conclusion

7.1 Your officers have given considerable weight to the fact that the proposal will provide a valuable and more modern facility for the Hindu community within the London Borough of Brent. The proposed care home will also meet a local need and is therefore policy compliant. In addition to this the residential units have re-provided family sized accommodation of which there is a recognised need within the Borough.

7.2 Your officers have worked closely with the applicant to take minimise the likely impacts on the surrounding area and local people. Taking this into account, amendments have been successfully sought with regard to the size of the extension to the Temple and also the size of the basement extension. In addition to this the Applicant has agreed to heads of terms setting out the planning obligations to be secured by a S106 legal agreement including a Travel Plan, Temple Management Plan and financial contribution to review the CPZ to limit the number of visitor numbers and also reduce the reliance on cars and promote more sustainable methods of transport.

7.3 Your officers conclude that the planning merits of the scheme are such that the proposal can be supported and accordingly recommend approval.

SUSTAINABILITY ASSESSMENT

The applicant has submitted an energy statement as part of the submission however this doesn't meet the requirements of Part L of the 2013 Building Regulations. The report states that reductions will be made purely from lean measures with a reduction of only 10.4%. As the proposed development exceeds 1000m² a financial contribution will be required in the event that a reduction of 35% cannot be achieved. The heads of terms require an energy strategy to achieve a 35% reduction on Building Regulations target emission rates where the applicant will have to demonstrate methods to reduce energy consumption or a financial contribution will be necessary.

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
- Notification of material start 28 days prior to commencement
- Temple Management Plan to cap maximum attendance at 750 people and to reasonably limit those occasions when that volume of visitors is expected – prior to occupation submit and gain approval for a Temple Management Plan which will provide for:
 - a. Unlimited combined Prayers and Temple Community Uses with no more than 300 visitors and staff
 - b. Unlimited combined Saturday Evening Prayers and Temple Community Uses between 17.00-19.00 with no more than 700 visitors and staff
 - c. Unlimited Sunday Evening Prayers between 16.00-19.00 with no more than 700 visitors and staff
 - d. One Wedding Ceremony per Sunday between 10.00-16.00 with no more than 700 visitors and staff EXCEPT if there is a Major Religious Event scheduled then no Wedding Ceremony shall be held
 - e. 7 no. Major Religious Event between 10.00-19.00 up to 800 visitors and staff
 - f. No Temple Community Uses shall be held at the same time as a Religious Event or Major Religious Event if more than 700 visitors and staff are present for those Events
 - g. At no time shall more than 700 visitors and staff be present on the Temple premises except on Major Religious Events
- Travel Plan – standard obligation prior to occupation to submit for approval and then implement and adhere to a Revised Travel Plan with review mechanisms and penalties to be defined
- Energy Strategy – standard obligation to achieve 35% reduction on Building Reg 2013 target emissions rates or pay carbon offset contribution
- Financial Contribution – £25,000, index linked, for review of and if necessary alterations to CPZs within the vicinity of the land payable on a Material Start

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 **£796,185.27*** 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): 909 sq. m.

Total amount of floorspace on completion (G): 8603 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	944		844.256189 701267	£200.00	£35.15	£206,541.25	£36,299.62
Residential institutions	1183		1058.00325 46786	£200.00	£35.15	£258,832.94	£45,489.89
Non-residential institutions	6476		5791.74055 562013	£0.00	£35.15	£0.00	£249,021.57

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)	274	
Total chargeable amount	£465,374.19	£330,811.08

*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: 15/4998

To: Mr Vekaria
Studio V architects
224
West Hendon Broadway
West Hendon
Greater London
NW9 7ED

I refer to your application dated 16/11/2015 proposing the following:
Erection of a three storey rear extension to the temple, and demolition of Nos 1, 3 and 5 Deerhurst Rd and erection of two 2 storey buildings with converted loft space providing a 14 bed care home and 5 self-contained flats (1 x 1bed, 1 x 2bed, 2 x 3bed and 1 x 4bed) with associated two storey basement level car and cycle parking and landscaping
and accompanied by plans or documents listed here:
See condition 2
at 1A-C, 3, 5A-D Deerhurst Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, 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 - SPG5 and SPG17

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

Built Environment: in terms of the protection and enhancement of the environment

Environmental Protection: in terms of protecting specific features of the environment and protecting the public

Housing: in terms of protecting residential amenities and guiding new development

transport: in terms of sustainability, safety and servicing needs

Community Facilities: in terms of meeting the demand for community services

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

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

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

PL01 A

PL02 A

PL03

PL04

PL05

PL06

PL07

PL08

PL09

PL10

PL11

PL12

PL13

PL14

PL15

PL16

PL17

PL18 P

PL19 V

PL20 V

PL21 L

PL22 L

PL 23 K

PL 24 K

PL25 N

PL26 M

PL27 C

PL28 G

PL29 F

PL30 R

PL31 O
PL32 Q
PL33 O
PL35 P
PL36 P
PL37 J
PL38 J
PL39 D
PL40 B
PL42 A

Construction Management Plan prepared by Vascroft Contractors Ltd

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

- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 4 Prior to the occupation of the development the applicant shall reinstate the redundant crossovers to Nos.1, 3 and 5 Deerhurst Road and also amend the on-street parking bays accordingly at the developers expense.

Reason: in the interest of highway and pedestrian safety

- 5 Prior to the commencement of development the applicant shall submit details to mitigate against the impacts of dust and fine particles generated by the operation. This must include:

- Damping down materials during demolition and construction, particularly in dry weather conditions,
- Minimising the drop height of materials by using chutes to discharge material and damping down the skips/ spoil tips as material is discharged,
- Sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- Ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- Utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- Install and operate a wheel washing facility to ensure dust/debris are not carried onto the road by vehicles exiting the site,
- The use of demolition equipment that minimises the creation of dust.
- Construction Logistics Plan to include construction vehicle routes

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

Reason: To minimise nuisance from the construction and demolition operation and in the interest of neighbouring amenity

- 6 The details set out within the approved Construction Management Plan shall be adhered to at all times during the course of the development and implemented in full.

Reason: in the interest of highway and pedestrian safety

- 7 Details of materials for all external work of the temple extension, care home and residential units, 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.

- 8 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscaping work shall be completed:-

Such scheme shall also indicate:-

(1) Walls and fences

Proposed walls and fencing, indicating materials and heights.

(2) Screen planting on boundary

Screen planting along the boundaries

(3) Physical separation

Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.

(4) Mounds

Existing contours and any alteration of the ground levels, such as earth mounding.

(5) Signboards and seating

Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian areas including a pathway to access the refuse area from the street frontage adjacent to the residential units.

(6) Maintenance details

Details of the proposed arrangements for maintenance of the landscaping.

(7) Trees:

All trees proposed to have a minimum stem girth of 12-14cm. and multi stemmed trees at a minimum height of 2.5-3m.

(8) Soil depth

A minimum soil depth of 1000mm provided where trees are to be planted, 600mm for shrubs/small trees and 600mm for grass

(9) Hard landscaping

Details of hard landscaping including materials

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.

- 9 Prior to occupation of the new care home and residential units hereby approved the results of a sound test demonstrating compliance in excess of Building Regulations Part E minimums for the transmission of sound shall be submitted to and approved in writing by the local planning authority.

Reason: To safeguard the amenities of the occupiers.

- 10 Prior to the commencement of building works hereby approved, a site investigation shall be carried out by a person approved by the Local Planning Authority to determine the nature and extent of any contamination present. The investigation shall be carried out in accordance with a

scheme, which shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found. The results of the investigation shall be submitted to the Local Planning Authority and any remediation measures required by the Local Planning Authority shall be carried out in full.

Reason: To ensure the safe development and secure occupancy of the site proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004.

- 11 A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted 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 proposed for domestic use in accordance with policy EP6 of Brent's Unitary Development Plan 2004.

- 12 Notwithstanding the plans hereby approved, a tree-protection method statement for the proposed works, specifying the method of tree protection for any potentially affected trees in accordance with BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The mitigation measures within the tree protection method statement shall be implemented in full.

Reason: To ensure the preservation and protection of existing trees

- 13 Prior to the commencement of development details of a pumping arrangement and details of the proposed storage tanks and flow control device shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.

Reason: To ensure the safe development and secure occupancy

INFORMATIVES

- 1 The applicant is advised the need to agree any road closures and parking suspensions during construction works with Brent Council's Transportation Unit, to agree the need for a temporary construction crossover access to the site in place of the existing crossover from the Environment & Protection service and to also obtain an approval in principle (AIP) for all basement excavation works from the Transportation Unit.
- 2 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

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

8 August, 2016

16/0857

SITE INFORMATION

RECEIVED: 26 February, 2016

WARD: Dudden Hill

PLANNING AREA: Brent Connects Willesden

LOCATION: 76 Burnley Road, London, NW10 1EJ

PROPOSAL: Change of use from Use Class B2 (Car Repair Garage) to Use Class A1 (Retail), partial demolition, installation of plant equipment and associated external alterations.

APPLICANT: The Co-operative Group Food Limited

CONTACT: Barton Willmore LLP

PLAN NO'S:
1735-SL-20JBLOCK AND LOCATION PLAN
1735-SL-28BEXISTING LAYOUT PLAN
1735-SL-29HEXISTING AND PROPOSED ELEVATION
1735-SL-30JPROPOSED LAYOUT PLAN

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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_126788

[When viewing this as an Hard Copy .](#)

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/0857" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

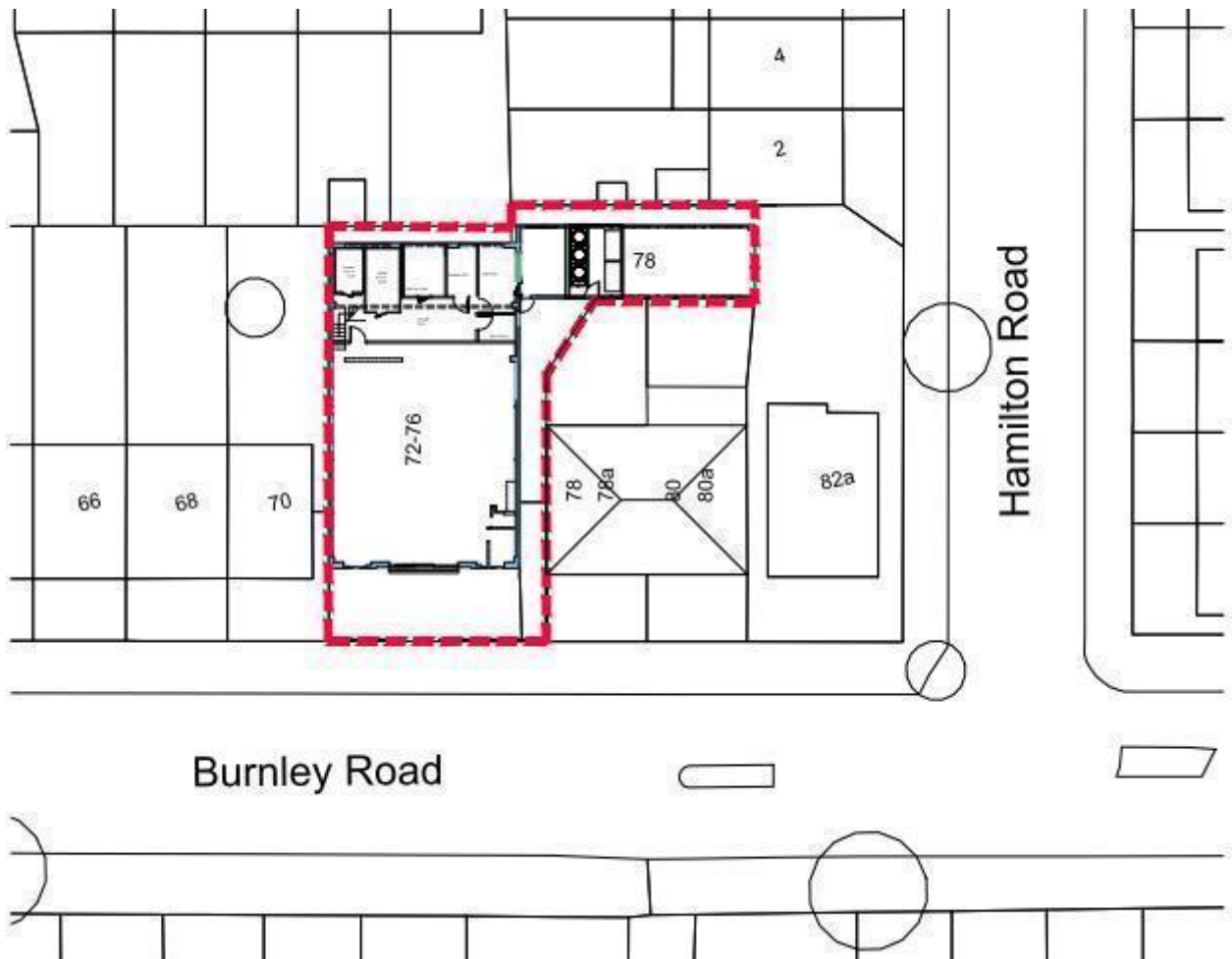
Site address: 76 Burnley Road, London, NW10 1EJ

© Crown copyright and database rights 2011 Ordnance Survey 100025260

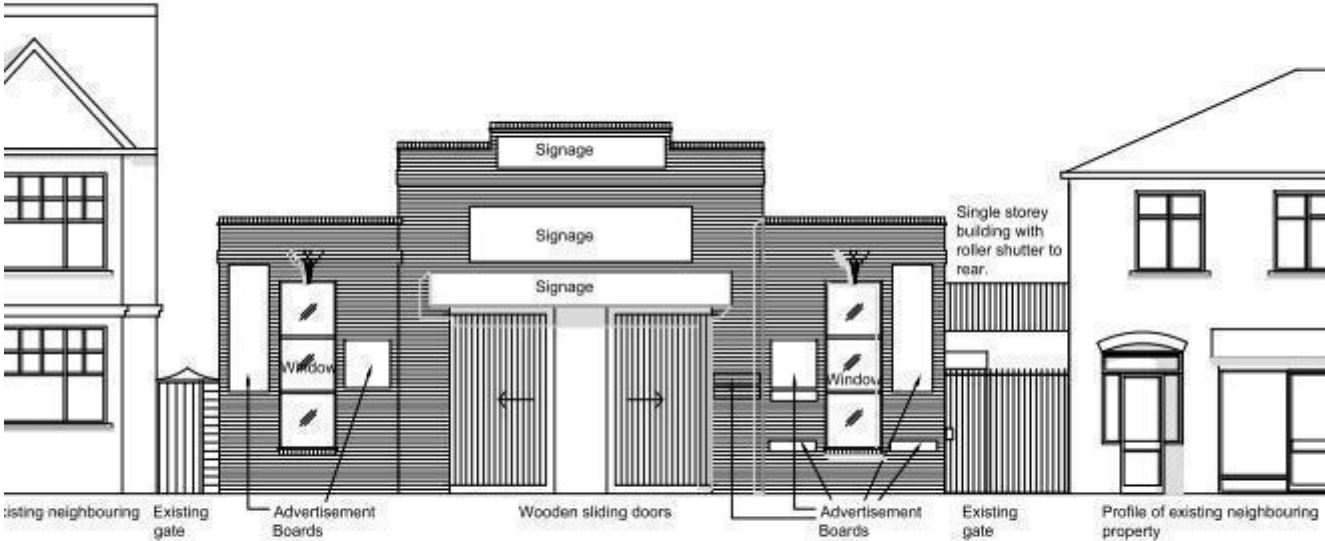
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

Site plan



Existing front elevation

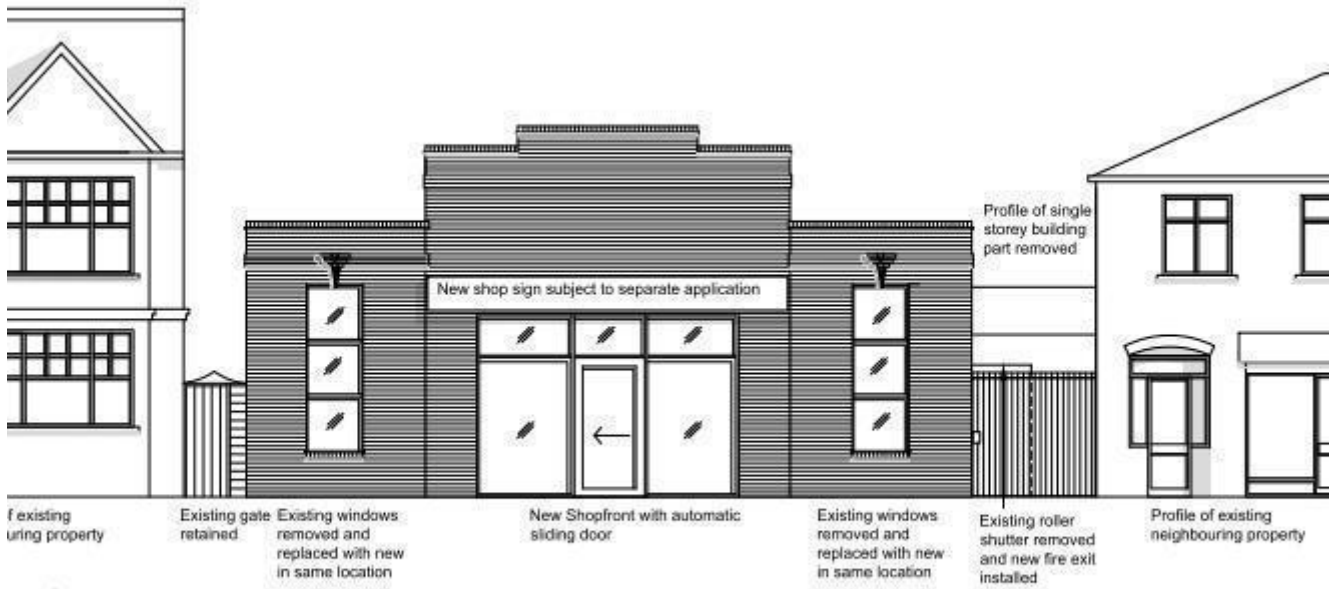


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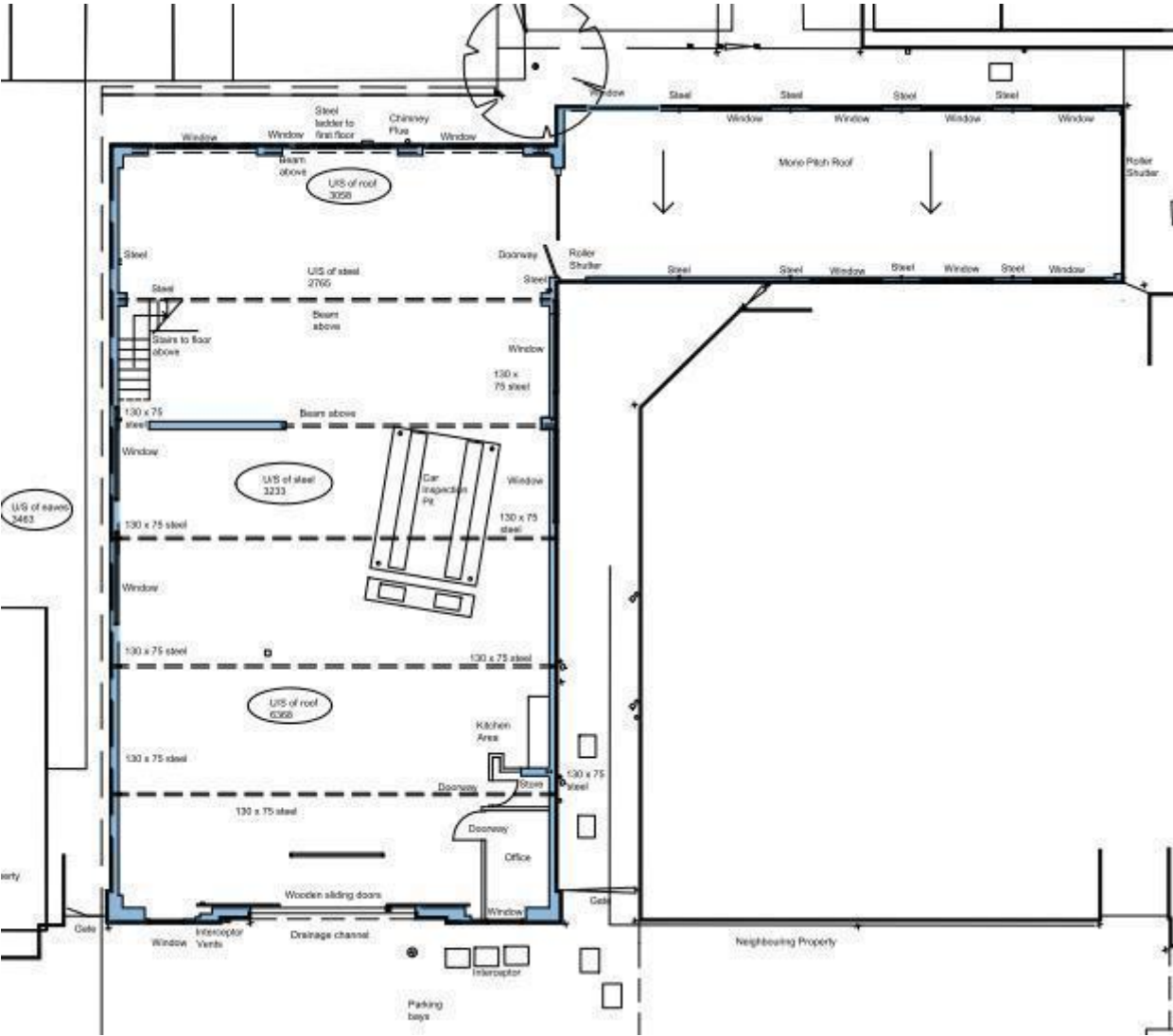
Proposed front elevation

11011

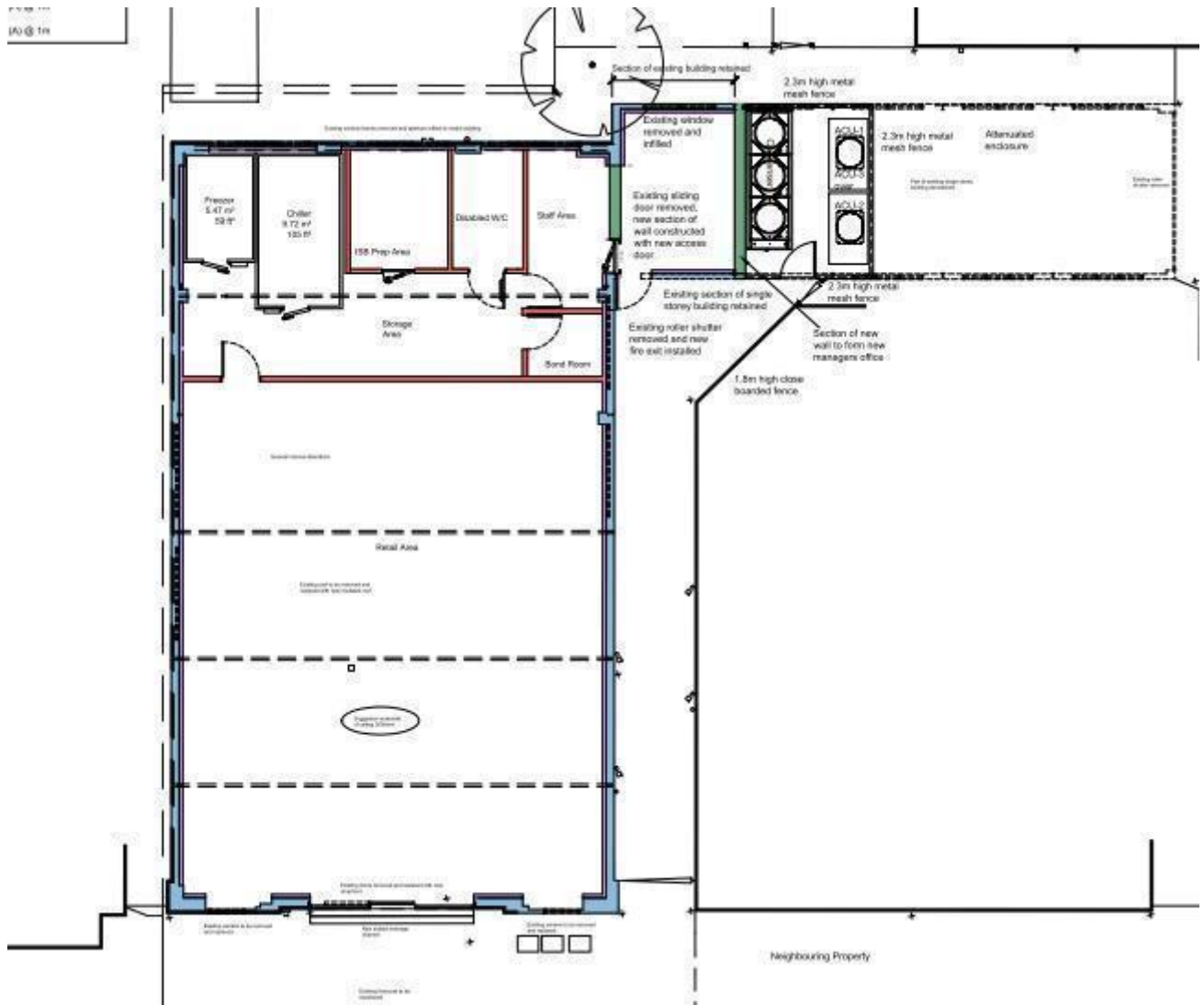


/ation

Existing floor plan



Proposed floor plan



RECOMMENDATIONS

Refusal

A) PROPOSAL

The proposal seeks to turn the existing Use Class B2 General Industrial vehicle repair garage into retail use (Use Class A1 Shops). The existing main building facing Burnley Road is to be retained together with a small amount of the existing single storey secondary unit, the majority of which will be demolished. The future use of this land facing onto Hamilton Road is unknown.

There will be some minor external alterations, such as the bricking up of windows and removal of skylights. It is noted that the small parcel of land with access onto Hamilton Road is not included within this application.

The retail store will be approximately 280sqm in size with approximately 170sqm as retail floorspace and the rest as ancillary functions including a chiller, freezer staff area and toilet.

B) EXISTING

The subject site is 'L' shaped and approximately 480sqm in size. It is situated on Burnley Road, and consists of a single storey light industrial building located on the north side of the road with a secondary entrance and building on Hamilton Road. The building is currently in active use as a vehicle repair garage (Use Class B2 General Industrial) and has an operational floor space of approximately 322sqm.

The main frontage is onto Burnley Road with residential uses to the east and retail (with upper floor

residential) to the west. The surrounding area is generally residential with elements of retail (small, independent shops) on the cross between Burnley Road and Hamilton Road (north side).

Opposite the site is Dollis Hill Tube Station which would provide a strong element of passing trade. The site is considered to have good access to public transport.

D) SUMMARY OF KEY ISSUES

The following are the key considerations in assessing this application:

- The principle of a loss of a site protected for defined employment uses
- The principle of a retail use in this location
- Impact on neighbouring amenity
- Impact on character and appearance of the area
- Impact on the local highway network and pedestrian safety

RELEVANT SITE HISTORY

10/0903- Outline planning permission for demolition of garage/vehicle-testing station and erection of a two-storey dwellinghouse and a three-storey building comprising 8 flats (matters to be determined: access, layout and scale)- REF and DISMISSED at appeal

89/1542- ALTERS.TO ELEVATIONS,PROVISION OF PARKING AREA AT FRONT OF BUILDING

89/1515- INSTAL.OF NON-ILLUM.FASCIA SIGN+2 FLAG- POLES

CONSULTATIONS

The applicant has submitted a Statement of Community Involvement which has identified their strategy for consulting and engaging with the local community prior to the submission of this planning application. According to the statement, the Applicant has endeavoured to keep local residents informed of the proposals with early engagement and proactive consultation measures including leafleting and an evening consultation. The Co-Op (who are identified as the end user in this instance) have conducted pre-application meetings with local residents, the neighbourhood watch, local retailers, local residents and Ward Councillors.

Attendees of the consultation evening were given the chance to comment. The outcome of the questionnaires are visible within the Statement of Community Involvement.

The Council's statutory neighbourhood consultee letters were dispatched on 29/03/2016. There have been many responses to the application, both for the proposal and against it.

Against

- 35 comments
- Petition Against - The second was an organised petition from 680 addresses with 992 signatures - including 175 signatures that did not have a full address. The objections are that the introduction of the local convenience store will damage the local shops and their business.
- Your officers are also aware of a change.org petition against the proposal titled Help Protect Our Shops, with 103 objectors, on the grounds that the Council should support local community stores

For

- 5 comments
- Petition For 1)- Petition consisting of approximately 95 names. Many of these did not have full addresses. The generic supporting reason was the positive addition of a convenience store on Burnley Road.
- Petition For 2) 5 individuals from 5 different addresses who support the application based on new jobs and groceries at fair prices.

Against

Loss of Shops on the Parade	There will be loss of jobs and close down of businesses.	Point 3.4
	Negative impact on the community. The shops in Burnley and Hamilton roads, including a dispensing chemist, newsagents and greengrocers, are an important local hub.	Point 3.4
	7 stand alone local businesses on the Parade. A corporate supermarket threatens all of them	Point 3.4
Noise/Air Quality	The supermarket will lead to an increase in toxic carbon emissions and noise pollution, which will be aggravated by the late opening hours in a quiet, residential area	Point 4.4
	Early morning and late night lorry deliveries would cause noise pollution and environmental pollution.	Point 4.6
	Air condensers and compressors going in along the north side (back of proposed shop) for the large fridges and freezers will cause noise issues.	Point 4.4
Parking	The parking of big vehicle for deliveries will put at risk the safety of road user, pedestrian and those who are going to cross road from near by zebra crossing	Point 6.3.2
	The proposed supermarket will further worsen the parking problems for residents, who will not be able to find parking around their own homes	Point 6.1
	The parking stress will be on residents because after 6.30pm there are no parking restrictions	Point 6.1

For

Principle	A new local Co-operative will mean fairer prices and better value for local customers	Point 3.4
	Location of the premises is excellent for passing trade	Point 3.3.6
	New full-time and part-time jobs for local residents which might be up to 20-25 in number alongside training and skills development opportunities	Point 3.2.8

POLICY CONSIDERATIONS

NPPF Paragraphs

- 22 – Protection of employment uses
- 23 – Ensuring the vitality of town centres
- 24 – Sequential test
- 26 – Retail impact assessment
- 37 – Minimising journey lengths for employment, shopping etc
- 158 – Proportionate evidence base

Brent's Core Strategy 2010

CP16- Town Centres and the Sequential Approach to Development

Brent's UDP 2004

BE2: Townscape: Local Context & Character
BE6: Public Realm: Landscape Design
BE7: Public Realm: Streetscape
BE9: Architectural Quality
EP3 - Local Air Quality Management
EP6 - Contaminated Land
TRN23: Parking Standards - Residential Developments
EMP9: Development of Local Employment Sites

Supporting Documentation

Employment Land Demand Study (2013 and 2015).

DETAILED CONSIDERATIONS

1. Introduction

- 1.1. Prior to the submission of the application, the applicant undertook pre-application advice with your officers to ascertain the likelihood of gaining planning permission.
- 1.2. The applicant was advised of UDP 2004 policy EMP9 and your officers' 'in-principle' objection to the loss of employment land without supporting documentation regarding vacancy of the unit and subsequent marketing. It was advised that a submission of this nature, without demonstrating compliance with EMP9, would not be viewed favourably by officers.
- 1.3. With regards to the acceptability of a main town centre use at this location and the sequential testing to demonstrate a lack of other more appropriate options, the applicant was advised to further the scope of a previously submitted sequential test.
- 1.4. Your officers in the transportation department advised the applicant that reliance on the Highway Authority to provide an on-street loading bay is not acceptable and contrary to Policy TRN34. Reduction of on-street parking on Hamilton Road would not be welcomed and provision of a bay on Burnley Road could not be accommodated due to the proximity of the bus stop and the pedestrian crossing.

2. Key considerations

2.1. The following are the key considerations in assessing this application:

- The principle of a loss of a site protected for defined employment uses
- The principle of a retail use in this location
- Impact on neighbouring amenity
- Impact on character and appearance of the area

– Impact on the local highway network and pedestrian safety

2.2. Your officers are of the opinion that the proposal presents both planning merit and material harm, in that the proposal could result in a net increase in jobs on the site, however those jobs are likely to be less skilled than those associated with its current and potential alternative employment use(s), whilst there are significant concerns associated with locating a town centre use in an out of centre location.

3. Principle

3.1. The key planning issues with regards to the principle of development in this location are:

- whether the loss of a Local Employment Site has been justified; and
- whether the site suitable for a town centre use

3.2. *Loss of a Local Employment Site*

3.2.1. There is a significant in-principle objection to this proposal in terms of loss of a local employment site.

3.2.2. The subject site is currently a Local Employment Site currently in use as a vehicle repair garage. Saved UDP policy EMP9 allows for the managed release of employment sites where there is no effective demand. The policy is compliant with the NPPF which states that planning policies should avoid the protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose.

3.2.3. EMP9 states development of Local Employment Sites for non-employment uses will not be permitted except where there is no effective demand for the premises. Supporting text to the policy (paragraph 7.7.16) states lack of effective demand will normally be demonstrated by lack of success in finding an occupier after vigorous marketing efforts. The vacancy of the premises for at least two years despite marketing efforts would be seen as confirming a lack of effective demand. This approach is consistent with the recommendations of the Employment Land Demand Study (2015).

3.2.4. The Applicant's Planning Statement makes reference to DMP31 (now DMP14). The NPPF states from the date of publication, policies can be given greater weight as they go through the examination process, depending on the extent to which there are unresolved objections. In the case of policy DMP 14, which applies to employment sites, there are unresolved objections and the policy may be subject to modifications. Therefore at this time the policy can not be given any weight. The council will review this approach on receipt of the Planning Inspector's Report which is anticipated in the summer of 2016.

3.2.5. In terms of the NPPF paragraph 22, which states planning policies should avoid the long term protection of sites allocated for employment uses where there is no reasonable prospect of a site being used for that purpose, your officers cannot come to the conclusion that there is no reasonable prospect of the site being used for employment uses: the site is currently in use as a vehicle repair garage operated as Dollis Hill Garage, and whilst it is stated the leaseholder of the garage is to retire which will result in the garage closing, the Planning Statement indicates the site has not been marketed for an alternative user, or for redevelopment for alternative employment uses. Therefore it can not be demonstrated that there is a lack of effective demand or that there is no reasonable prospect of the site being used for employment purposes.

3.2.6. Furthermore, the recently completed Employment Land Demand Study (ELDS, 2015) includes specific assessment of this particular site (76 Burnley Road, cluster 33). Whilst the Planning Statement suggests that there is no material loss of employment floor space within Brent as a result of this proposal (0.002% when compared across the whole Borough), the ELDS 2015 scored the site highly and recommends the site is protected as a local employment area to help ensure there is sufficient capacity to meet projected demand for industrial land to 2029.

3.2.7. To demonstrate a lack of market demand the applicant should submit evidence that the site is vacant and a thorough marketing exercise at realistic prices for the area has been sustained over a 24 month period. Marketing must be through a commercial agent at a price that genuinely reflects the market value in relation to use, condition, quality and location of floor space. It must be demonstrated that consideration has been given to alternative layouts and business uses, including smaller premises with short term flexible leases appropriate for SMEs. This has been advised during pre-application discussions.

3.2.8. With regards to on-site employment, the Applicant has submitted information stating that there would

be a net increase in employment on the site as a result of the proposal. The Homes and Communities Agency (HCA) Employment Densities Guide (2010) sets out that Use Class B2 (General Industry) requires 36sqm floorspace per employee. This equates to a capacity, for the existing use, of approximately 8 employees, whereas the proposed retail store could create 20-25 jobs. It must be noted, however, that up to 20 of these employees for the retail unit are proposed to be 'part time' employees. Furthermore, your officers consider that the jobs associated with defined employment uses are more likely to be skilled jobs than those associated with a retail use. Therefore, whilst acknowledging there would be a net increase in employment on the site, your officers conclude that an employment use has a greater beneficial impact on employment, with higher skilled personnel with the potential of apprentice schemes, than the proposed retail use.

3.2.9. No evidence of marketing of the property has been submitted and therefore fails to demonstrate accordance with EMP9 or the criteria listed within R3 and R5 of the Employment Land Review 2015. In summary, your officers believe there is a reasonable prospect that the site will be used for employment use and therefore protection of the site is compliant with the provisions of the NPPF, and your officers accordingly recommend refusal. Your officers do not consider the net increase in jobs sufficient to outweigh the harm of the loss of this employment site and the other material harm identified elsewhere in this report.

3.3. Suitability of the site for town centre uses

3.3.1. The proposal seeks to change the use of the site to a convenience food store which, as a main town centre use, is subject to the sequential test as set out in the NPPF. Core Strategy Policy CP16 establishes the retail hierarchy in Brent which includes major town centres, district centres, local centres and neighbourhood centres. As set out in the NPPF, as a centre of purely neighbourhood significance comprising a small parade of shops, Burnley Road/Hamilton Road is not classed as a town centre. Therefore only if the sequential analysis demonstrates there are no suitable town centre sites or edge-of-centre locations would 72-76 Burnley Road be considered suitable for a town centre use.

3.3.2. National Planning Practice Guidance (NPPG) sets out that in considering whether a proposal complies with the sequential text due regard should be taken to the requirement to demonstrate flexibility in the format/and or scale of the proposal. The Applicant's Planning Statement highlights a number of vacant sites within the closest district centre, which are dismissed on the grounds of their size. For example Electric House 269 Willesden Lane which, comprises 383sqm of retail floorspace, is dismissed on the grounds of being in excess of the retailer's requirements. However, the requirements as outlined in paragraph 4.8 state only that the retailer requires circa 280sqm. In applying the sequential test flexibility in format and scale has not been demonstrated.

3.3.3. The Applicant's Planning and Retail Statement also suggests that 'the Co-op does not have a store requirement at this location' (Willessden) however it must be noted that the end user cannot be prescribed and the change of use is to A1 and not specifically a "Co-op".

3.3.4. In addition the Applicant's Planning Statement does not provide robust justification that the proposed retail store has specific locational requirements, such that it cannot be accommodated within Willessden Green District Centre.

3.3.5. The NPPF para 37 states planning policies should aim for a balance of land uses so that people minimise journey lengths for employment, shopping and other activities. In this case there is a defined local centre with several retail units adjacent to the site which is considered sufficient for the needs of local residents and this site provides an employment use which can encourage minimised journey lengths for employment.

3.3.6. In summary, the principle of the development proposed is not accepted as the proposal fails to demonstrate, with due regard to flexibility, there are no suitable sites available that are sequentially preferable to this site and thus the proposal fails to with the NPPF para 27, the NPPG, Core Strategy CP16 and policy EMP9 of the Brent UDP and your officers accordingly recommend refusal.

3.4. Vitality and viability of the shops on Burnley Road/Hamilton Road

3.4.1. Notwithstanding that your Officers do not consider that the sequential tests have been met, consideration is also given to the likely impact of the proposal on the local centre. Your officers have received objections to the principle of a retail outlet located here due to the impact on the viability of the small parade of shops on Burnley Road/Hamilton Road.

3.4.2. Officers can only give limited weight to the Applicant's submission of a Retail Impact Assessment as it is not a requirement for proposals of this size. The NPPF and NPPG both state that an Impact Assessment should be required if the development is over a proportionate, locally set floorspace threshold. In the absence of such a locally set threshold, the NPPF states Retail Impact Assessments are required for developments with more than 2,500sqm of floorspace. This proposal is less than the threshold.

3.4.3. Officers conclude that the existing small parade of shops within the defined local centre adjacent to the application site provides a range of shopping choice with a variety of shops such as a grocery store, off licence, fruit and veg shop and pharmacy. Given the range of shops available within the immediate vicinity, local residents are currently able to fulfil their basic/essential shopping needs and as such, the introduction of another small retail shop outside of the local shopping parade and district centre is not an essential requirement to serve the existing residents. Your officers are not of the opinion that a new convenience store here is required to meet the needs of local residents and therefore do not give significant weight to the provision of such a store.

4. Impact on Neighbouring Amenity

4.1. The change of use brings about changes to the expected activity type, the hours of use and the types of necessary plant associated with the use.

4.2. The existing situation sees a car garage in use at the premises. Analysis into the comments submitted shows no signs that the existing use is problematic to the neighbouring residents. The hours the premises operates are from 08.30 until 19.00 (Monday to Friday) and 08.30 until 13.00 (Saturdays).

4.3. It is likely that the proposal will expect opening times from 07.00 until 23.00 in line with reasonable opening hours for shops of this nature. Whilst the hours are increased, the type of use (A1) is considered to be less intense than the existing use, albeit with longer opening hours. There are concerns from local residents regarding the use of air conditioning units to the rear of the premises. This is discussed in 3.4.

4.4. Your Officers in Environmental Health have considered the Noise Assessment submitted with the application (Hann Tucker Associates 22771/ENS1 Rev4 dated 18/2/16). There is agreement with the methodology used within this report however the plant noise assessment did not provide any details relating to acoustic correction factors that may be required in terms of the plant noise having intermittent, impulse or tonal characteristics. In addition, it has been noted that the Applicant's Planning Statement suggests that one of the items of plant will exceed the requirements of the LPA so an acoustic enclosure should be fitted. This was not the conclusion of the noise assessment. Notwithstanding this, should Members be minded to grant planning permission, a condition could mitigate any potential noise impacts to surrounding properties to the effect of 'any plant shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises'.

4.5. There are also officer and residents concerns regarding the deliveries to the unit to service, outside the residential properties.

4.6. Officers have considered the application and the conclusions of the Applicant's Transport Statement (Royal HaskoningDHV Report PB3005 dated February 2016) and assessed the existing use and current expected patterns of delivery. The applicant has advised that deliveries would be from 07.00 to 22.00 for fresh and frozen foods and 17.00 to 20.00 for ambient goods. Officers consider that there is potential for a rise in activity, mainly due to the increased operating hours, however this is considered to be relatively minimal and reduced further by the adjacent retail units. Officers consider that conditions can restrict the delivery times of goods to the unit if necessary.

4.7. It is considered that the change of use, subject to the implementation of conditions, will have a negligible impact on the amenity of the neighbouring occupiers and this is not, therefore, a reason for refusal.

5. Design and Impacts on Character of the Host Building and Immediate Vicinity

5.1. The Proposed Development includes alterations to the appearance of the existing building. There is proposed to be a demolition of part of the site to the secondary building- approximately 12.5m in length. This will improve the amenity of the neighbouring properties.

5.2. The frontage of the property is proposed to stay the same, aside from the signage which will be removed.

5.3. All remaining windows to the main building and the remainder of the secondary building will be removed

and infilled. This will not have any implications on the function of the property or the neighbouring properties.

5.4. The alterations associated with the proposal are relatively minor and your Officers do not feel they will be to the detriment of the host property or building and this is not, therefore, a reason for refusal.

6. Transportation

6.1. Parking and Servicing (existing)

6.1.1. Recent parking surveys (2013) data shows that Burnley Road is not considered a heavily parked street, with only 44% occupancy overnight. However, Hamilton Road is listed a heavily parked street with 201% occupancy overnight.

6.1.2. The site lies within CPZ "GB" which operates 08:30 – 18:30 Monday to Friday, and has good accessibility with a PTAL rating of level 4. Dollis Hill Station (Jubilee tube) is very close to the site, and seven bus routes are locally available, one of which is almost directly adjacent to the site. It can be considered that the site has good access to public transport.

6.1.3. The existing garage/test centre is a B1/B2 use which attracts under PS6 of the UDP-2004 a maximum of 1 car space per 300sqm, and requires under PS19 servicing bays for an 8m rigid vehicle, as well as a visitor/waiting space for cars awaiting service or collection. The site comprises of approximately 346sqm of floor space, hence 1 staff car space plus 1 visitor space would suffice, plus the servicing bay. The current on-site provision is acceptable for the use.

6.1.4. Parking and servicing requirements for the proposed A1 use are given in standards PS7 and PS17. The proposed new Cooperative food retail shop (use class A1) will have a parking allowance of 1 space per 400m², along with an 8m servicing bay. No off-street space has been proposed to meet these standards

6.2. Trip Generation and Parking (proposed)

6.2.1. Point 3.4 within the Transport Report proposes no off street parking for staff or customers. This is acceptable as there are pay and display bays opposite the site. The existing crossover, onto Burnley Road, should be reinstated back to footway as it will be redundant and will also reduce any hazards for pedestrians accessing the site. This could be satisfied by condition.

6.2.2. Table 2.1 within the Transport Report shows the existing vehicle trip throughout the day, for the repair garage, was 26 arriving and 85 departing. TRICS data was taken from a Sainsbury's Local store in Hackney and table 4.2 indicates the total two way trips for the site will be 202. This is a significant increase in vehicular trips to the site and although servicing figures for the site have not been provided, these are likely to be more than 2 a day and therefore a significant increase in servicing requirements for the site as well.

6.2.3. Appendix C within the Transport Report gives a break down of the parking beat survey that was carried out using Lambeth Methodology. This methodology applies a 5m long bay as opposed to Brent's requirements which is a 6m long bay. Nevertheless, the results indicate that at the overnight parking on Tuesday 14th October 2014 is at 98% occupancy, on Wednesday 15th October 2014 at 4:30am the occupancy is 93%, on Wednesday 15th October at 7am the occupancy is 84% and on Wednesday 15th October at 7pm the occupancy is 93%. These figures indicate that Burnley Road is a heavily parked street and therefore Officers have strong concerns regarding any proposals which include the loss of on street parking.

6.3. Servicing(proposed)

6.3.1. The Applicant's Transport Statement proposes on street servicing along the site frontage. The site frontage is 8m long and the bay requires a 10m length to provide sufficient manoeuvrability as well space to unload. The applicant proposes to achieve this by moving the adjoining bus stop the west; however, confirmation from TfL for the relocation of the bus stop has not been sought. In addition to this, the relocation of the bus stop will result in the loss of on street parking and without provision of replacement parking. Your Officers do not find this solution acceptable and consider this failure to be sufficient reason for refusal.

6.3.2. The Applicant's Transport Report proposes to reduce the middle zig-zag markings, which are currently approx. 16.5m long. This is shown in drawing number PB3005/TR03 revision P1 as well as the relocation of the bus stop. Your Officers concerns with the loading bay are that is its close proximity to the zebra crossing

and the inter-visibility between vehicles and pedestrians, as well as the potential for vehicles to obstruct the crossing.

6.3.3. Permission for the relocation of the bus stop has not been sought, the design would be subject to a safety audit which has not been carried out and as mentioned in your officers comments for pre-app, the on street bay would be subject to a TRO and there is no guarantee that the Highway Authority could deliver this if the Council receives objections from residents aggrieved at losing parking space from the frontage and having a bus stop in front of their house. Officers have also been clear that the Council's priority would be retention of the bus stop outside the site, keeping it closer to the shops and the station, rather than sitting wholly outside residential properties.

6.3.4. Officer's pre-application comments had suggested retaining the access from Hamilton Road and providing a loading bay within the site as a means of addressing these difficulties. Further clarification is sought on who will be using this space if it does not form part of the application as the freehold title for the site does include the off street parking, accessed from Hamilton Road. Otherwise, there remain concerns over the future servicing of this proposed retail unit.

6.4. Cycle and Refuse

6.4.1. The transport statement states that 5 'sheffield' stands will be provided for 10 cycle spaces. These are welcomed and comply with PS16 of the UDP-2004. The proposed drawings do not show where these will be proposed and therefore a revised plan should be submitted showing the location of the cycle stands and these should be in a secure and covered location to protect against theft and weather.

6.5. Summary

6.5.1. Relocation of the bus stop does not appear to have been approved by TfL, particularly as it will be moved further away from the station.

6.5.2. The proposed on street loading bay cannot be guaranteed by the Highway Authority as it subject to a TRO and consultation, which has not been undertaken.

6.5.3. The proposal will lead to loading taking place on street on or close to existing pedestrian crossings and bus stop, in the vicinity, to the detriment of the free and safe flow of traffic, especially buses, and pedestrians.

6.5.4. Your Officers do not feel that the proposed layout and servicing arrangements are acceptable and as such are contrary to policies TRN2, TRN3 and TRN34 of the adopted UDP-2004 and your officers accordingly recommend refusal.

7. Other

7.1. The proposed demolition works will be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and also dust emissions may adversely impact on local air quality. Your Officers would therefore recommend that a condition requiring a Construction Method Statement shall be submitted to the LPA before any demolition, should Members be minded to grant planning permission.

7.2. Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials. If the application is to be granted, Officers recommend an informative for this point.

7.3. The proposed site is an existing car repair business and there are surrounding uses that may cause migration of contamination to the site. Your officers have noted from the Applicant's Planning Statement that a preliminary Investigation Report was undertaken by Soiltechnics. Conditions should be attached to any permission requiring the submission of further details regarding contaminated land to the LPA, should Members be minded to grant planning permission.

8. Summary

8.1. Your officers are of the opinion that the planning merits of the scheme are insufficient to overcome the

significant material harm that would arise in respect of loss of employment use and from locating a town centre use in an out of centre location, in terms of the sequential test. Your officers do note that it is argued that there is some merit to locating a convenience store on this site in terms of added choice for local residents, but your officers do not give significant weight--particularly given the presence of a number of retail units in the immediately adjacent local centre, capable of offering a range of services to local residents--to this argument and thus this does not overcome the likely harm described above. Further, your officers are of the opinion that the servicing arrangements are likely to give rise to material harm to highway and pedestrian safety and the free and safe flow of traffic.

8.2. Your officers recommend that this application should be refused.



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – REFUSAL

Application No: 16/0857

To: Miss Shiells
Barton Willmore LLP
7 Soho Square
London
W1D 3QB

I refer to your application dated 26/02/2016 proposing the following:
Change of use from Use Class B2 (Car Repair Garage) to Use Class A1 (Retail), partial demolition, installation of plant equipment and associated external alterations.
and accompanied by plans or documents listed here:

1735-SL-20JBLOCK AND LOCATION PLAN

1735-SL-28BEXISTING LAYOUT PLAN

1735-SL-29HEXISTING AND PROPOSED ELEVATION

1735-SL-30JPROPOSED LAYOUT PLAN

at 76 Burnley Road, London, NW10 1EJ

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:

A handwritten signature in black ink, appearing to read 'Aktar Choudhury'.

Mr Aktar Choudhury
Operational Director, Regeneration

Note

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

DnStdR

PROACTIVE WORKING STATEMENT

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

REASONS

- 1 The proposal would result in the loss of site which is currently in use, and has a reasonable prospect of being used, for employment uses and is thus contrary to the NPPF and to policy EMP9 of Brent's adopted Unitary Development Plan 2004.
- 2 The proposal fails to demonstrate that there are no sequentially preferable sites for the proposed town centre use (A1) and is therefore contrary to Chapter 2 of the NPPF (para. 23, 24, 26 and 26) and Core Strategy Policy CP16.
- 3 The proposal fails to provide adequate or practical servicing arrangements for the site and the proposed location of the loading bay is to the detriment of the free and safe flow of traffic, especially buses, and pedestrians contrary to policies TRN2, TRN3 and TRN34 of the adopted UDP-2004.

MEMBERS CALL IN PROCEDURE

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

Name of Councillor

Councillor Harrison

Date and Reason for Request

17/04/2016

Details of any representations received

We understand that the Co-operative Group proposals will result in the employment of 20-25 people with priority given to recruitment in the local area.

Name of Councillor

Councillor Nerva

Date and Reason for Request

17/04/2016

Details of any representations received

We understand that the Co-operative Group proposals will result in the employment of 20-25 people with priority given to recruitment in the local area.

Name of Councillor

Councillor Collier

Date and Reason for Request

18/04/2016

Details of any representations received

We understand that the Co-operative Group proposals will result in the employment of 20-25 people with priority given to recruitment in the local area.

Name of Councillor

Councillor Shahzad

Date and Reason for Request

20/04/2016

Details of any representations received

Should be heard at Committee so residences can expressed their views to the committee.

Name of Councillor

Councillor Hirani

Date and Reason for Request

22/04/2016

Details of any representations received

Concerned about the impact on local independent shops;
Concerns with the increase of traffic and spaces for loading vehicles.

Name of Councillor

Councillor Choudry

Date and Reason for Request

22/04/2016

Details of any representations received

Concerned about the impact on local independent shops;
Concerns with the increase of traffic and spaces for loading vehicles.

Name of Councillor

Councillor Patel

Date and Reason for Request

20/04/2016

Details of any representations received

Request that the application be discussed and decided by the Planning Committee only.

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