



Planning Committee

Tuesday 5 July 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

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.		
2. Minutes of the previous meeting (to follow)		
DEVELOPMENT PRESENTATIONS		
3. Peel Precinct, NW6 5RE, 97-112 Carlton House, Canterbury Terrace, NW6 5DU, and 8-14 Neville Close, NW6 5RU (Ref. 16/0356/PRE)	Kilburn	3 - 18
APPLICATIONS FOR DECISION		
4. 1A-C, 3, 5A-D Deerhurst Road and Shree Swaminarayan Temple, 220-222 Willesden Lane, Willesden, London, NW2 (Ref. 15/4998)	Brondesbury Park	23 - 72
5. 5-9 Chippenham Gardens, London, NW6 5LH (Ref. 16/1191)	Kilburn	73 - 106
6. 40 St Gabriels Road, London, NW2 4SA (Ref. 16/0130)	Mapesbury	107 - 120
7. 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: Wednesday 10 August 2016



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.

PART 1 DEVELOPMENT PRESENTATIONS

Introduction

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Advice to Members

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Councillor will not be able to participate in the meeting when any subsequent application is considered.

Further information

6. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

7. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" part of the agenda. Therefore reports on this part of the agenda do not attract public speaking rights.

Recommendation

8. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

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PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on 5 July 2016
Item No
Case Number 16/0356/PRE

SITE INFORMATION

RECEIVED: 2016

WARD: Kilburn

LOCATION: Peel Precinct, NW6 5RE, 97-112 Carlton House, Canterbury Terrace, NW6 5DU, and 8-14 Neville Close, NW6 5RU

SCHEME: Demolition of existing buildings and proposed redevelopment comprising of seven new buildings of between 4 and 16 storeys high to accommodate 226 residential units, new multi-use health centre, class A1 - A5 uses, D1 and D2 uses, new public open space, highway works to Canterbury Road, Denmark Road and Neville Road, associated landscaping, new street trees and public realm improvements.

APPLICANT: London Borough of Brent

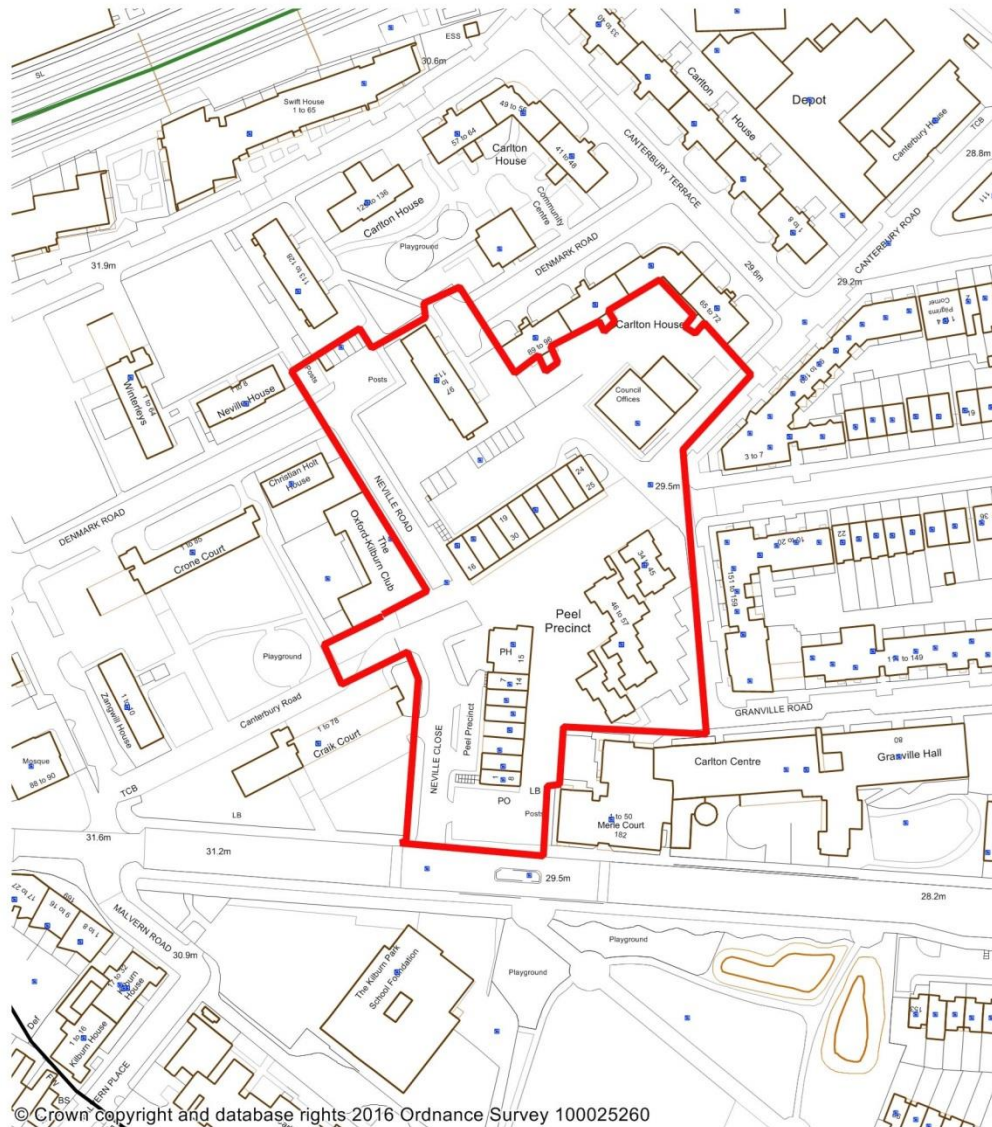
CONTACT: Turley Associates

PLAN NO'S: n/a

LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION No plans as this is a pre-application item. Members will view a presentation at Committee.

SITE MAP

This map is indicative only



DEVELOPMENT DETAILS

Ref: **16/0356/PRE**

Location: Peel Precinct, NW6 5RE, 97-112 Carlton House, Canterbury Terrace, NW6 5DU, and 8-14 Neville Close, NW6 5RU

Ward: Kilburn

Description: Demolition of existing buildings and proposed redevelopment comprising of seven new buildings of between 4 and 16 storeys high to accommodate 226 residential units, new multi-use health centre, Class A1-5 uses, D1 and D2 class uses, new public open space, highway works to Canterbury Road, Denmark Road and Neville Road, associated landscaping, new street trees and public realm improvements.

Applicant: London Borough of Brent

Agent: Turley Associates

Case Officer: Gary Murphy (South Area Team)

BACKGROUND

This proposed development is being presented to enable Members of the committee to view it before a planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.

This is the first time the proposed development is being presented to Members. Prior to this the applicants have been engaged in an extensive period of pre-application discussion with Council Officers and the Greater London Authority (GLA), the latter due to the fact the proposed development is referable to the GLA under the provisions of the Mayor of London Order 2008 as it meets criteria 1A, development which includes the provision of more than 150 units, and 1C(c), the building is more than 30m high and outside of the City of London.

A pre-application meeting was held with the GLA on 28 January 2016, and a report issued on 24 February 2016. A follow up meeting was held on 12 May 2016.

PROPOSAL and LOCATION

Proposal

The proposed development is to be submitted by way of a hybrid planning application seeking full permission for some elements and outline permission for others. This proposal will comprise of a phased demolition of existing buildings on site including Peel Precinct, No's 97-112 Carlton House, Canterbury Road and No's 8-14 Neville Close and a comprehensive replacement of the existing buildings comprising of:

- New health centre for South Kilburn (approx. 1356sqm), providing modern facilities for three local GP practices currently in poor quality accommodation, one of which will be demolished, with additional space for complimentary facilities/uses
- 42 replacement affordable homes for existing secure tenants, 184 new homes for sale on the open market (total 226 homes)
- Proposed buildings to range in height between 4 and 16 storey's with the tallest element (building A) located fronting onto Carlton Vale
- Class A1-5 uses and D1 and D2 class units within health centre building
- Highway improvement works to re-connect Canterbury Road (in part) and Denmark Road
- Associated car parking, 32 in the private off-street parking
- A new public space at Peel Precinct
- New street trees and public realm improvements

The proposed development will be delivered in two stages.

- (i) **Full** planning permission is to be sought for the demolition of South Kilburn Studios, 1-7, 15-33 Peel Precinct and 8-14 Neville Close, and development of 38 replacement affordable homes for existing secure tenants, 64 private sale units, A1 – A5, D1 and D2 class floorspace within the new health centre building, as well as associated highway works, landscaping, public realm improvements (including public space) and external works.
(Buildings A, B, C and E)
- (ii) **Outline** permission is sought for the second stage, it is to be confirmed what Reserved Matters approval will be sought for, if any. This will comprise the demolition of 97-112 Carlton House and 34-57 Peel Precinct, and development of a further four affordable homes and up to 120 private sale units within buildings ranging between 4 and 8 storeys high.
(Buildings D, F & G)

Proposed residential mix:

Unit size	Full Planning Building A	Full Planning Building C	Outline Planning Building D	Full Planning Building E	Outline Planning Building F	Outline Planning Building G	Subtotal
1bed/2p	12	15	41	11	6	5	90
2bed/3p	3	-	11	-	13	5	32
2bed/4p	21	10	2	12	-	1	46
2bed/4p duplex	1	-	-	-	-	-	1
3bed/4p	-	-	14	-	-	-	14
3bed/5p	-	-	10	7	-	-	17
3bed/5p duplex	-	-	4	4	3	7	18
3bed/6p	-	-	2	-	-	-	2
3bed/6p duplex	2	-	-	-	-	-	2
4bed/6p	-	-	-	1	-	-	1
4bed/6p duplex	-	-	-	3	-	-	3
	39	25	84	38	22	18	226

Proposed tenure mix:

AFFORDABLE units	Percentage	Quantity
Total 1bed/2p	26.2%	11
Total 2bed/4p	28.6%	12
3bed/5p		7
3bed/5p duplex		4 (within building G)
3bed/5p duplex		4
Total 3bed units	35.7%	15
4bed/6p		1
4bed/6p duplex		3
Total 4bed units	9.5%	4
SUBTOTAL AFFORDABLE		42

PRIVATE units	Percentage	Quantity
Total 1bed/2p	42.9%	79
2bed/3p		33
2bed/4p		33
2bed/4p duplex		1
Total 2bed units	36.4%	67

3bed/4p		16
3bed/5p		8
3bed/5p duplex		10
3bed/6p		2
3bed/6p duplex		2
Total 3bed units	20.7%	38
SUBTOTAL PRIVATE		184
Total family units	25.22%	57

It is expected that the outline element of the hybrid application will be submitted with a reasonable level of detail in which to assess the likely effects and impacts. Detail is to include block plans, proposed height and massing envelopes, indicative materials and landscaping strategy, with associated technical documents.

Site and Surroundings

The site covers an area of approximately 1.44 hectares and is located within the South Kilburn Estate, on the northern side of Carlton Vale and intersected by Canterbury Road, close to the borough boundary with Westminster. It is the subject of the South Kilburn Masterplan and regeneration programme by the Council.

The application site comprises five distinct buildings of between 1 and 4 storeys housing both residential and commercial uses. 97-112 Carlton House, Canterbury Terrace and 8-14 Neville Close are all existing. Currently on the sites that sit within Peel Precinct there are 33 residential units which are a mixture of local authority tenants and owner occupiers / leaseholders, and a range of retail / commercial uses, which include the West Kilburn branch of the Royal British Legion, located in a building formerly known as the Sir Robert Peel public house but no longer a public house for planning purposes (current planning use is Sui Generis), and the temporary South Kilburn Studios. Peel Precinct suffers from high levels of vacancy and part of the site is pedestrianised at present.

The site is surrounded by residential development on all sides. Craig Court which is west of the site, fronting onto Carlton Vale is a twelve storey residential block and is one of the historical South Kilburn estate buildings. Merle Court immediately to the east is a more recent addition, this residential building is part 6 and 8 storey's high.

Within the immediate vicinity of the site other buildings that are being retained are typically 3 to 4 storey's high.

The South Kilburn Conservation Area is located to the east of the site, a number of buildings exist in between and are to remain. The site does not include any designated heritage assets.

South Kilburn open space is directly opposite the site, on the southern side of Carlton Vale.

The site has a Public Transport Accessibility Level (PTAL) of 5.

Planning History

The following planning decisions are relevant:

Change of use of public house (Use Class A4) to British Legion club (sui generis), erection of single-storey rear extension and installation of new window and door to premises.

11/3228 – 15 Peel Precinct
Approved and implemented.

CONSULTATION RESPONSE

At this stage it is intended that the following will be consulted regarding any subsequent planning application:

Statutory Consultee:-
(Internal)

- Ward Councillors (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Tree Protection Officer (Brent)
- Sustainability Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Planning Policy (Brent)

(External)

- London Borough of Westminster
 - Greater London Authority
 - Transport for London (TfL)
 - Secure by Design Officer (Met Police)
-
- All existing properties and addresses within 100m of the application site.

The following consultees have formally commented as part of the pre-application process:

Greater London Authority (Statutory Consultee) –

The views expressed by the GLA at pre-application stage are set out below, with Planning Officers comments in response:

Principle of Development

The aspirations of the Council in delivering the regeneration of the South Kilburn estate for better quality housing is supported in principle. The reduction of town centre uses that is proposed through the demolition of Peel Precinct is appropriate, this area has suffered from high vacancy levels over an extended period. At planning application stage the GLA expect the applicant to have confirmed if any existing uses will be relocated into the new spaces provided.

Of concern to the GLA is the loss of the former Sir Robert Peel public house, and the South Kilburn Studios, which could be considered valuable community assets. Councils are encouraged to prevent the loss of such facilities, and protection for such facilities are afforded through London Plan policy.

(Officer comment: There is no loss of a public house proposed. The former public house is now occupied by the West Kilburn Branch of the Royal British Legion, in planning terms this is a Social Club (Use Class Sui Generis) which was formally changed from a Public House (Use Class A4) in 2012 under planning permission ref: 11/3228 granted on 27/01/2012. The British Legion relocated here from previous premises on Albert Road, South Kilburn when that site came forward for regeneration. The re-location was on the basis this would be a temporary home until such time that the Peel Precinct site came forward for redevelopment, as part of the South Kilburn regeneration programme. It is the Councils view that there is no planning policy obligation to relocate the British Legion, or provide suitable floorspace within the proposed redevelopment for them to be accommodated.

South Kilburn Studios was approved as a temporary “meanwhile” use for the site. Council officers position is that by their very nature meanwhile uses are only ever intended to be temporary. These help to utilise a site / building until such time that this comes forward for redevelopment and they should not become a barrier to redevelopment, nor is there a requirement for them to be accommodated within the development.

Housing

The demolition of existing blocks and replacement with well-designed homes, including mixed tenure housing is welcomed.

In line with London Plan policy 3.12 Councils should seek the maximum reasonable amount of affordable housing when negotiating on schemes, and should take account of economic viability when doing so. The applicant will be expected to demonstrate the maximum reasonable amount of affordable housing is being provided, and this would need to be tested through a financial appraisal (independently verified). 60% of affordable housing should be for social and affordable rent and 40% for intermediate rent or sale.

London Plan policy 3.14 resists the loss of existing housing, including affordable housing, unless it is replaced at existing or higher density. The applicant must confirm there is not to be a loss.

(Officer comment; The housing numbers have since been confirmed to the GLA, there is to be no net loss of affordable housing, in fact there is to be an increase on site from 36 to 42.

Density

The applicant should demonstrate density calculations with any future application.

Children's play space

Further information is required to demonstrate how the proposed development will meet the requirements of the Mayor's SPG 'Shaping Neighbourhoods: Play and Informal Recreation'.

Design

The proposal is considered to be carefully thought out, creating a more inviting, permeable and legible environment.

Layout

- A daylight and sunlight analysis should be provided at application stage showing the open spaces proposed have adequate daylight and sunlight.
- The proposal to re-connect the historic street pattern and the public realm improvements will improve permeability and movement through the site.
- The market place and health centre building will promote pedestrian activity and activate the area.
- Un-gated access should be provided to the courtyard spaces
- The scheme demonstrates a high standard of residential quality, with low numbers of units per core, a high proportion of dual aspect units and no single aspect north facing units, which meet the minimum space standards.

Scale, height and massing

- The proposed tallest element (16 storeys) is not unduly tall given the scale of adjacent residential buildings.
- There is a large expanse of blank façade on the north facing elevation of the residential tower that forms part of the health centre building. This makes it appear bulky
(Officer comment: This has been addressed, this elevation has been re-designed and is now articulated)
- Preliminary details of materials are acceptable, subject to further details being confirmed at application stage.
- The applicant shall demonstrate acceptable levels of daylight and sunlight across the scheme at application stage.

Inclusive design

- At present the layout of buildings and the surrounding areas of public realm do not raise any inclusive design concerns.
- In line with London Plan policy 3.8, 10% of units to be wheelchair accessible or easily adaptable.

Sustainability

- The applicant shall prioritise connection to the district heat network expected and investigate potential for connection. All opportunities for connection should be investigated before considering the installation of an on-site CHP.
- If, having followed the energy hierarchy, it is demonstrated that the 35% carbon reduction target cannot be fully achieved on site, the applicant should quantify the shortfall in carbon dioxide savings and liaise with the Council regarding agreeing a cash in lieu contribution.

Transport

The proposal is considered to be broadly acceptable in strategic transport terms, however the following issues need further consideration:

- A full Transport Assessment is required in support of any application.
- TfL requests that pedestrian and cycling environment assessments be undertaken.
- It is understood that there will be no loss of parking for existing residents who will remain, nor those who will be relocated to new homes within the site. The allocation of spaces and how this will be split between the different tenures requires further clarification.
- All new roads within the site will be adopted, as such these will be subject to CPZ restrictions. The approach in terms of “car free” restrictions needs to be clarified further.
- TfL welcomes that on-street parking will be compliant for Blue Badge and Electric Vehicle Charging.
- A full Travel Plan must be submitted for the residential and other uses on site and a Construction Logistics Plan.

In conclusion the GLA supports the principle of development subject to the above issues being addressed.

A second round of formal pre-app was had with the GLA on 12 May 2016. It is understood from the applicants that no significant issues were raised at this meeting, though formal written feedback has not yet been issued by the GLA.

COMMUNITY ENGAGEMENT

In accordance with planning legislation, the developer has consulted the local community on these proposals as part of the pre-application process.

Engagement to date has comprised of an initial public exhibition in September 2015, followed by a second exhibition in December 2015, and a third in March 2016

– Resident’s Design Group events have taken place on:

- 25/11/2015
- 25/02/2016
- 03/05/2016

A further (final) round of engagement in the form of a public exhibition is scheduled for 28 June 2016. It is intended this will be the final opportunity to see the plans before a planning application is submitted to the Council.

REGENERATION CONTEXT

South Kilburn Context

The proposed development is allocated as part of phase 3a of the Councils South Kilburn Masterplan and regeneration programme, this is supported by an adopted Supplementary Planning Document. There is no outline application for the Masterplan as a whole, and as such individual phases and plots are coming forward in the context of the SPD.

The regeneration of South Kilburn is a fifteen year programme that is approximately half way through and that aims to transform the area into a sustainable and mixed neighbourhood and

create a real sense of place. The programme will re-build around 1,200 affordable homes and deliver the same number of additional market homes to help cross subsidise the building of new high quality homes for existing secure Council tenants. The Council's objectives are to provide high quality new homes that drive values from market sales to maintain the viability of the regeneration programme in the long-term and to achieve a substantial improvement in the living conditions of existing secure Council tenants.

The Masterplan aims to deliver the following:

- 2,400 new high quality homes of which 1,200 will be made available to existing South Kilburn secure tenants for social rented accommodation;
- A new larger high quality urban park;
- A new local primary school;
- New health facilities;
- Improved environmental standards;
- An improved public realm;
- A site wide energy solution.

South Kilburn is an amalgam of Council estates from the 1960's and 70's including a number of different post-war social housing typologies in poorly designed and low quality physical environment. The estate is located in the south of the borough and sits between Kilburn to the east, Queen's Park to the north-west and extends towards Maida Vale in the south. It is an area surrounded predominantly by privately-owned terraced Victorian and Edwardian housing that command high values. The over and underground facilities of Queen's Park and Kilburn Park stations lie close to the estate's borders.

The estate is the largest concentration of social housing in Brent and amongst the largest in London. Much of the housing suffers from inherent internal design problems and the relationships between buildings, streets and spaces are poor and indeterminate. The area is not amenable for maintenance or improvement and as a whole the estate presents significant management challenges. These physical conditions manifest themselves in some of the highest levels of social and economic exclusion in the borough (and are amongst the highest in the country); these needs being reflected in the grant of New Deal for Communities (NDC) status in 1999.

South Kilburn Policy Context

The Council, with the South Kilburn NDC partnership, developed a Masterplan in 2004 followed by the South Kilburn SDP in 2005 that set out the parameters and sought to transform the area into a number of distinctive neighbourhood quarters characterised by mixed and integrated tenures, and a legible, secure and high quality public-realm.

The Masterplan sets out how it is proposed to redevelop the estate - identifying those blocks that are retained and those that will be redeveloped. The location - 15 minutes from Central London with two tube stations and a 10 minute walk to Maida Vale makes this an ideal location to market new homes. Bringing forward homes at or above the Mayor's housing design standards is part of the distinctive offer. Quality in building, landscape and public realm design is fundamental to the area's transformation. The Council are conducting a Masterplan Review and SPD review this year that will supersede and update the current Masterplan and SPD 2005.

One of the principal objectives of the South Kilburn regeneration programme is to deliver new homes for existing tenants of South Kilburn who are living in some of the worst accommodation in the borough.

The Council is the master developer in relation to the redevelopment of the estate. The Council is committed to transforming the estate and is taking direct responsibility for delivery of the scheme. A bespoke funding and delivery model for the South Kilburn Regeneration Programme has been established. The Masterplan has been parcelled up into a series of smaller development sites which are intended to be brought forward on a phased basis, in

order to secure delivery in the prevailing economic climate. With the objective of ensuring that quality of design is not comprised and momentum of delivery is not lost, the Council's strategic approach to date has (in respect of the early phases of the South Kilburn Regeneration Programme) included undertaking design to Stage 3 of the RIBA Plan of Work 2013, securing planning permission, title and vacant possession of the sites. On the whole, these sites, having effectively been "de-risked", have subsequently been disposed of by the Council through the use of the Council's South Kilburn Developer Framework, which includes provisions enabling both Registered Providers and private developers to build and manage the new homes. Under this Framework the Council secures nomination rights for 15 years for social rented accommodation and the land receipts received are recycled back into the South Kilburn Regeneration Programme. The framework has now expired and therefore the Council intend to utilise the GLA Framework or other OJEU compliant procurement procedures.

MATERIAL PLANNING CONSIDERATIONS

The main issues raised by the proposed development that the Committee should be aware of at this stage are:

Issue 1

Affordable Housing

London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires borough's to take account of economic viability when negotiating on affordable housing.

The applicant will be required to demonstrate that the maximum reasonable of affordable housing is being provided in this scheme, and this would need to be tested through the submission of a financial appraisal submitted with any future planning application which would be subject to scrutiny by or on behalf of your Officers.

The application is currently proposing 42 of the 226 units as affordable, which equates to 18.5% on a unit basis and 22.7% on a bedroom basis. It should be noted there is to be no net reduction of affordable housing. At the time of writing no financial appraisal had been submitted. This will be robustly tested at application stage to determine what the maximum reasonable proportion of affordable housing is that the scheme can viably deliver and reported to Committee in the usual way.

Issue 2

Scale, massing, height and impact on daylight and sunlight

London Plan policy 3.5 promotes quality in the design of housing developments.

Policy 7.6 on 'Architecture' states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is regarded as being particularly important for tall buildings.

Policy 7.7 on tall buildings says that these should not have an unacceptably harmful impact on their surroundings, be located in areas of intensification and with good access to public transport, only be considered in areas whose character would not be adversely affected, relate well to existing urban grain and public realm, incorporate the highest standards of architecture and materials, have ground floor activities that relate positively to surrounding streets and make a significant contribution to local regeneration.

Brent Core Strategy policy CP6 identifies South Kilburn as an appropriate location for tall buildings.

In terms of scale, seven individual buildings are proposed (buildings A to G):: these are predominantly 4-8 storeys in height, rising to an overall height ground plus 15 storey building

fronting Carlton Vale (building A). This proposed building would be taller than any in the immediate vicinity, which comprises a range of heights including new buildings of between 6 and 8 storeys, and the neighbouring 1960's Craik Court which stands at 12 storeys and nearby Hereford House which stands at ground + 17 storeys, also fronting Carlton Vale.

In urban design and placemaking terms it is considered appropriate that the tallest elements of the scheme are located fronting onto Carlton Vale. This responds to the existing urban grain, ensures the greatest height is appropriately sited in the context of Craik Court (12 storeys) and fronting a main arterial route and results in a stepping down in height to the rear in response to the lower scale of predominantly 3/4 storey built form that is to be retained around the application site.

The GLA recognises that building A, at 16 storeys, is taller than the surrounding context, but it is considered not unduly so given the scale of adjacent blocks.

In order to justify the height and scale proposed the applicant will need to demonstrate the highest quality of architecture, and that the scale proposed will not unacceptably impact on the surrounding environment and residential amenity. To this end daylight and sunlight conditions have been tested for existing surrounding buildings and a sample of proposed residential units. The findings of this will need to be presented and fully considered with any future planning application within a formal assessment and report for further consideration.

A detailed townscape and views assessment will also need to be submitted with any application to consider the impact of a proposal of this scale on the existing built environment.

The applicant will be required to demonstrate the scheme's level of compliance with the 30 and 45 degree tests, as set out in Supplementary Planning Guidance 17 'Design Guide for New Development'. These tests seek to ensure the scale of new development is appropriate to its context, and that it does not unacceptably harm the amenity of surrounding occupiers.

Impact on neighbouring privacy:

The applicant is required to demonstrate in their planning application compliance with SPG17 separation distances, and where a 20m separation between directly facing windows is not achieved provide sufficient justification for this, or demonstrate that through careful design considerations this can be mitigated against.

Issue 3

Density

London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix (table 3.2) the application site, which is in an Urban setting, with a PTAL 5 would be appropriate for accommodating 200 – 700 hr/ha, or 45 to 260 u/ha.

The proposed scheme would result in a net increase of 170 homes and achieves a density of 543 hr/ha across the site. This satisfies London Plan policy being within the appropriate density range, however notwithstanding this the arrangement, scale and form of buildings proposed will need to be robustly tested at planning application stage with regards to local context, bearing in mind neighbouring residential amenity, quality of accommodation and transport impacts.

Issue 4

Loss of former Sir Robert Peel public house building and South Kilburn Studios

It is recognised that through London Plan policy 3.1 boroughs should seek to protect facilities that meet the needs of particular groups and communities, and protection of existing social infrastructure is afforded through policy 3.16.

In the GLA's pre-application report there is mention of the fact that both the former public house and South Kilburn Studios could be considered valued local community assets, which Councils are encouraged to prevent the loss of, in the London Plan.

The former Sir Robert Peel public house is now occupied by the West Kilburn branch of the Royal British Legion, a Social Club which is considered to be a Sui Generis use in planning terms and was formalised as such by planning permission for change of use granted in January 2012. Therefore the public house use ceased a number of years ago. Membership is an entry requirement of the Legion, by definition it is not a use that is accessible to all members of the local community in the way that a public house would be. There are significant doubts over whether this can therefore reasonably be considered a valued local community asset, as it is not accessible to all sections of the community. The Legion were re-located here from a former site on the corner of Albert Road and Salusbury Road after the site was acquired for redevelopment as part of phase 2 of the South Kilburn regeneration programme.

The Council re-located the Legion to these premises on the basis that this was a temporary arrangement until such time the former Sir Robert Peel public house, and Peel Precinct are redeveloped in a later phase of the South Kilburn regeneration programme. This has allowed the building to remain in continued use which is welcomed but there is no policy that resists the loss of a private members club.

The South Kilburn Studios occupy temporary modular buildings, formerly used as Council offices and fronting onto Canterbury Road. Although a well used facility this was approved as a “meanwhile” use, in order to support continued use of the building for a temporary period as opposed to the building lying vacant. By their very nature meanwhile uses are only ever intended to be temporary, and their existence should not be seen as barrier or obstacle to redevelopment in respect of planning policies that seek to give protection to community facilities. There is no policy basis to require the re-accommodation of South Kilburn Studios, or mitigate its loss.

Core Strategy policy CP9 relates to the South Kilburn growth area and in recognising that this part of the borough will be subject to substantial transformation, intensification and new homes it is anticipated that a range of new infrastructure will be delivered in support of this growth, including the need for multi purpose community centres. The adopted South Kilburn Masterplan SPD identifies the Peel Precinct as a possible suitable location for new large scale community facilities including an indoor sports facility and healthy living centre. This scheme proposes a new large scale health centre however does not propose the indoor sports facilities. The applicants should demonstrate what community facilities have already been secured on earlier sites in South Kilburn, including whether the recent expansion of the Moberly Sports Centre (granted planning permission under ref 13/3682 on 04/02/2015 and currently under construction) has affected capacity for indoor sports facilities in the area, and what is expected to come forward on later sites, in view of the policy requirement.

The wider regeneration benefits that the scheme will deliver, including new homes with an element of affordable and 25% family units, a new multi-purpose health centre, and new public space must be given appropriate weight when weighing up the existing uses that will be lost on site.

Issue 5 Highway works, parking strategy and servicing

The proposal seeks to re-instate a version of the original street pattern that once existed by re-connecting roads that have been disconnected through the development of the existing estate. Canterbury Road (in part) and sections of Denmark Road will be re-opened as per their original layout. Neville Close will be amended with access from Carlton Vale closed. In terms of providing improved access and increased legibility and site permeability officers welcome this element of the scheme. Any highway works would be subject to a s278 agreement with the Local Highway Authority.

Traffic calming and landscaping measures, including a significant number of new street trees will seek to ensure a safe and pedestrian priority environment.

Parking:

Given the proposed intensification of the use of the site one of the key considerations is going to be the impact of the proposed scheme on parking conditions locally. Some 32 car parking spaces are proposed to serve the development including a proportion of secure tenants that currently live on-site and which are to be re-provided with units in buildings E (38 units) and building G (4 units). The proposed strategy is that the majority of private residential units will be car-free with parking only to be provided for secure tenants and disabled residents, with the exception of all residents (private and affordable) within blocks G and E who will be eligible for CPZ permits to park on-street.

A number of existing secure tenants that will be re-provided within affordable homes currently have access to parking permits for private parking under a scheme called 'Wings'. This is administered by Brent Housing Partnership. A courtyard with private parking bays, adjacent to Carlton House will have 32 bays, these will be access controlled. It is proposed that a number of secure tenants will receive permits to use within the courtyard while Brent Housing Partnership will also receive a number of permits, taking into account that 65-96 Carlton House is adjacent to the Peel Site. It should be noted that whilst existing secure tenants are currently provided with visitor permits this will not continue to be the case for the proposed development. Tenants will still be eligible to apply for CPZ visitor permits.

The scheme proposed 10% provision of wheelchair spaces in accordance with London Plan and Brent policy requirements.

No parking, other than four on-street doctors bays are proposed to serve the health centre. These bays will be located on Canterbury Road.

The Councils Transportation officers will provide comment on the proposed parking strategy and advise if this strikes an appropriate balance between providing for existing secure tenants and mitigating the impact of the proposed increase in the number of residential units.

Servicing:

Emergency and refuse vehicle access will largely be as existing where access can be gained from surrounding roads. The building containing the health centre (buildings A, B and C) will be accessed from Neville Close with emergency access only onto Carlton Vale. Refuse collection will continue to take place on-street for all buildings.

It is not clear at this stage if the proposed approach is satisfactory. Baseline and proposed conditions will need to be assessed and it will need to be confirmed by your Transport officers that the proposed parking strategy will have an acceptable impact locally on surrounding roads, that it does not unduly restrict existing residents ability to park, and that appropriate mitigation can be provided for the intensification of the use of the site through a part car-free restriction being imposed on private sale units.

Issue 6

Public realm improvements – new public square

A new and improved pedestrianised linear public square is proposed connecting Canterbury Road to Carlton Vale. This is welcomed in principle and provides the opportunity for a very real public realm benefit to this part of the estate. The detailed design, layout and landscaping of this space has been the subject of much discussion between the applicants and Council officers, and support for the final design is subject to further clarity on the detailed design, layout and landscaping of the space to ensure it is a high quality space that is welcoming and one that residents and visitors are attracted to use.

Other

It is expected that a forthcoming planning application will be accompanied by a noise assessment, an Energy and Sustainability strategy, wind and microclimate studies, arboricultural assessment, flood risk assessment and ground contamination assessment.

Issue 7

Landscaping

A detailed landscape strategy will be submitted to accompany a forthcoming application, which will detail the landscaping approach proposed to private spaces, communal spaces and the public realm.

The provision of a significant number of new street trees is welcomed in principle, subject to agreeing appropriate range of species and locations.

Officers consider that there is the opportunity for an increase in the number of new trees to be planted within the linear public space, and this will be the subject of further discussion with the applicant.

Officers have raised concern with the lack of soft landscaping to private front gardens on building E, and have advised previously that this offer should be enhanced. It is expected that this will be addressed as part of the formal planning application.

The applicant will need to demonstrate through technical assessments that proposed courtyards and roof terraces will benefit from sufficient levels of daylight and sunlight given the emerging building context which they will sit within. It is expected this will form part of the detailed daylight and sunlight assessment that will support a forthcoming application.

Issue 8

Design / legibility of entrances

During the course of pre-application discussions the issue of legible entrances has been raised by officers. It is considered that the entrances to the health centre building, particularly the residential entrances are not eligible enough or commensurate with a building of this size. Officers will want to see this reconsidered addressed when any application is submitted.

Officers have also expressed concern with the fenestration proposed to the facade of the health centre building facing east across the linear public open space. The detailing of window openings and reveals need further consideration, and these would benefit from the feature reconstituted stone material which is proposed on the building being incorporated into window surrounds.

The applicant is required to submit further details of the proposed material palette and a Design Code is expected to accompany any forthcoming application which will set a range of parameters for the elements of the site that are being considered in outline form only at this stage. Approval of a Design Code will provide sufficient comfort that the design quality will be carried through to reserved matters stages of the scheme.

PLANNING OBLIGATIONS

In accordance with the Councils Planning Obligations SPD, the proposal would be likely to attract the following obligations to mitigate the impact of the development:

- Affordable Housing - Final proportion to be subject of detailed financial viability assessment.
- Provision of the health centre
- Employment and training opportunities during construction
- Car-Parking Permit Free development to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site, save for existing secure tenants returning and future occupiers of building G and E..
- Join and adhere to Considerate Constructors scheme
- Energy - Achieve a 35% reduction in CO2 emissions beyond the 2013 Building Regulations and to provide a carbon off-set contribution of (amount to be agreed) to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target 35%.
- Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTrRuTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.

- Undertaking of on and off site highway works (including to Peel Precinct linear space) through an agreement under S38/S278 of the Highways Act 1980, in order to (i) re-establish the road connections with Canterbury and Denmark Road and works associated with the Peel Precinct linear space (N.B. the precise nature of highway works necessary to be confirmed at application stage).

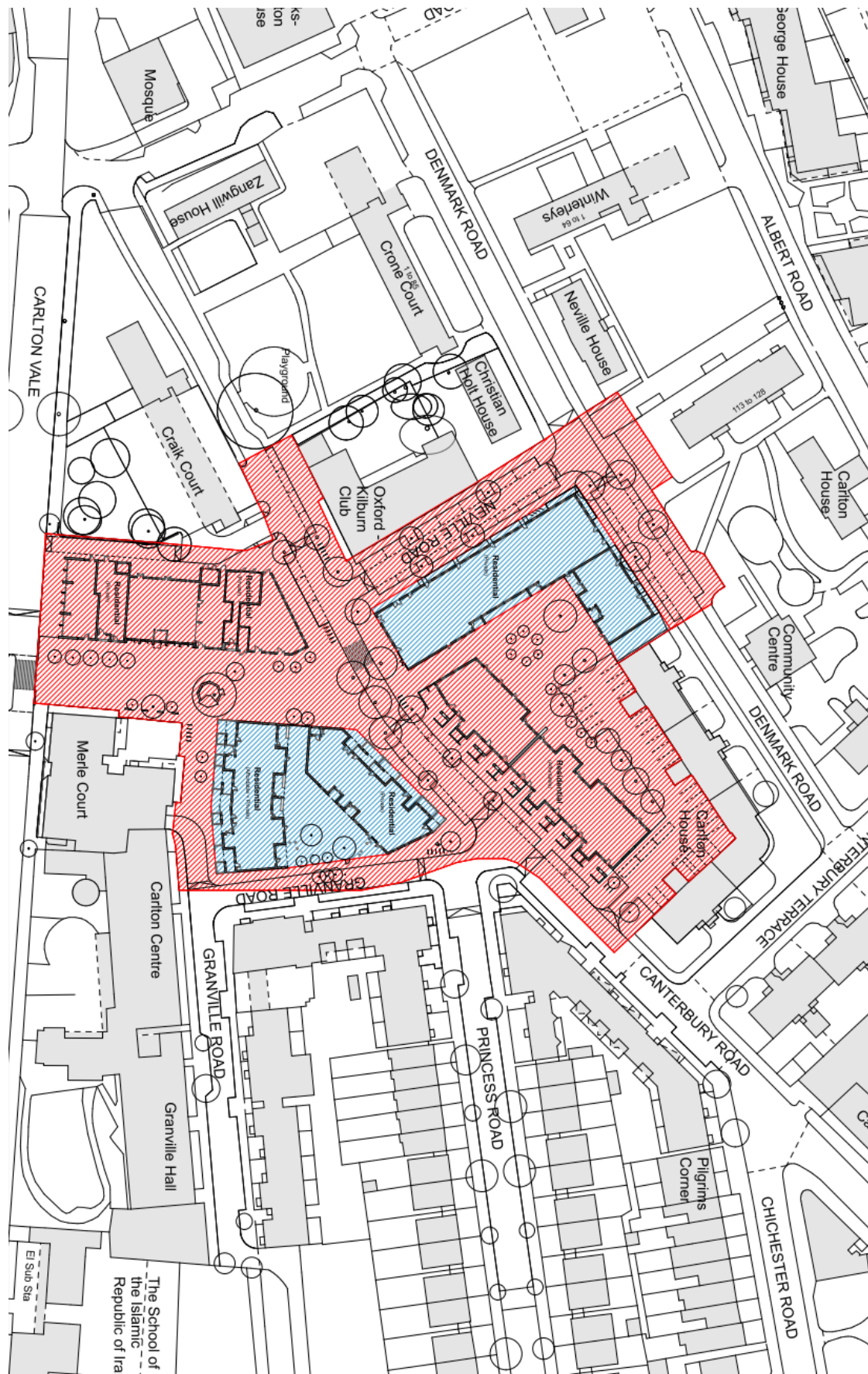
Community Infrastructure Levy (CIL)

This would be development that is liable for Mayoral and Brent CIL. The level of liability that this would attract will be confirmed at a later stage when the precise quantum and form of proposed development is known.

CONCLUSIONS

Members should note the above development is still in the pre-application stage and that additional work remains to be carried out.

Appendix A – Site plan proposed



PART 2 APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Brent comprises the following documents:
 - London Plan March 2016
 - Brent Core Strategy 2010
 - Brent Site Specific Allocations 2011
 - West London Waste Plan 2015
 - Wembley Action Area Plan 2015
 - Sudbury Town Neighbourhood Plan 2015
 - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail. Similarly, Brent Council's CIL is also payable. These would be paid on the commencement of the development.
13. Brent Council's CIL provides an income stream to the Council to fund (either in whole or in part) the provision, improvement, replacement, operation or maintenance of the following types of new and existing infrastructure:
 - public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
14. except unless the need for specific infrastructure contributions is identified in the Section 106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. Full details are in the Regulation 123 List is available from the Council's website: www.brent.gov.uk.

16. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

Further information

17. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

18. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

Recommendation

19. The Committee to take any decisions recommended in the attached report(s).

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COMMITTEE REPORT

Planning Committee on 5 July, 2016
Item No 03
Case Number 15/4998

SITE INFORMATION

RECEIVED: 23 December, 2015

WARD: Brondesbury Park

PLANNING AREA: Brent Connects Kilburn

LOCATION: 1A-C, 3, 5A-D Deerhurst 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 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

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 tying "15/4998" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

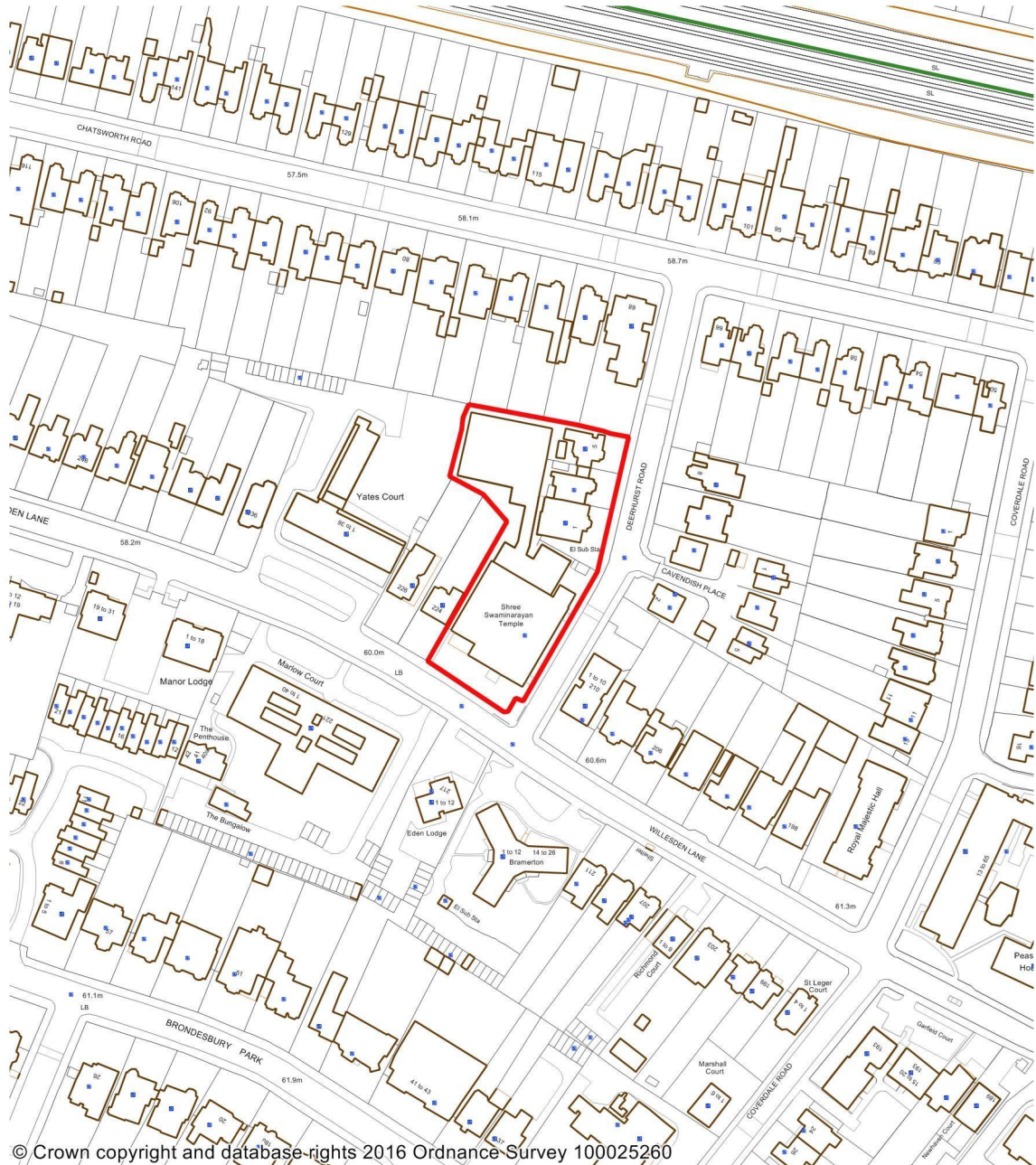
SITE MAP



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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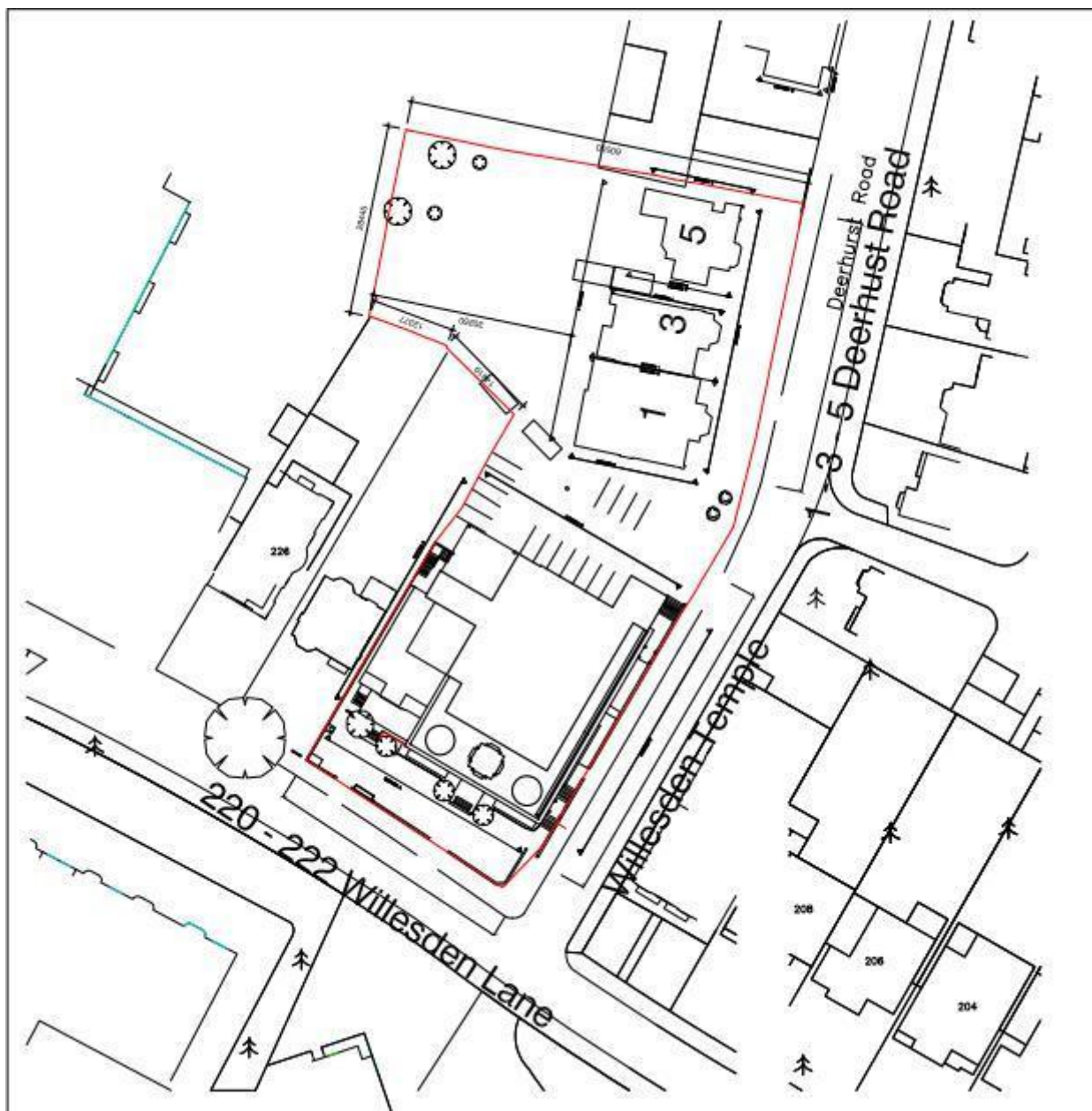


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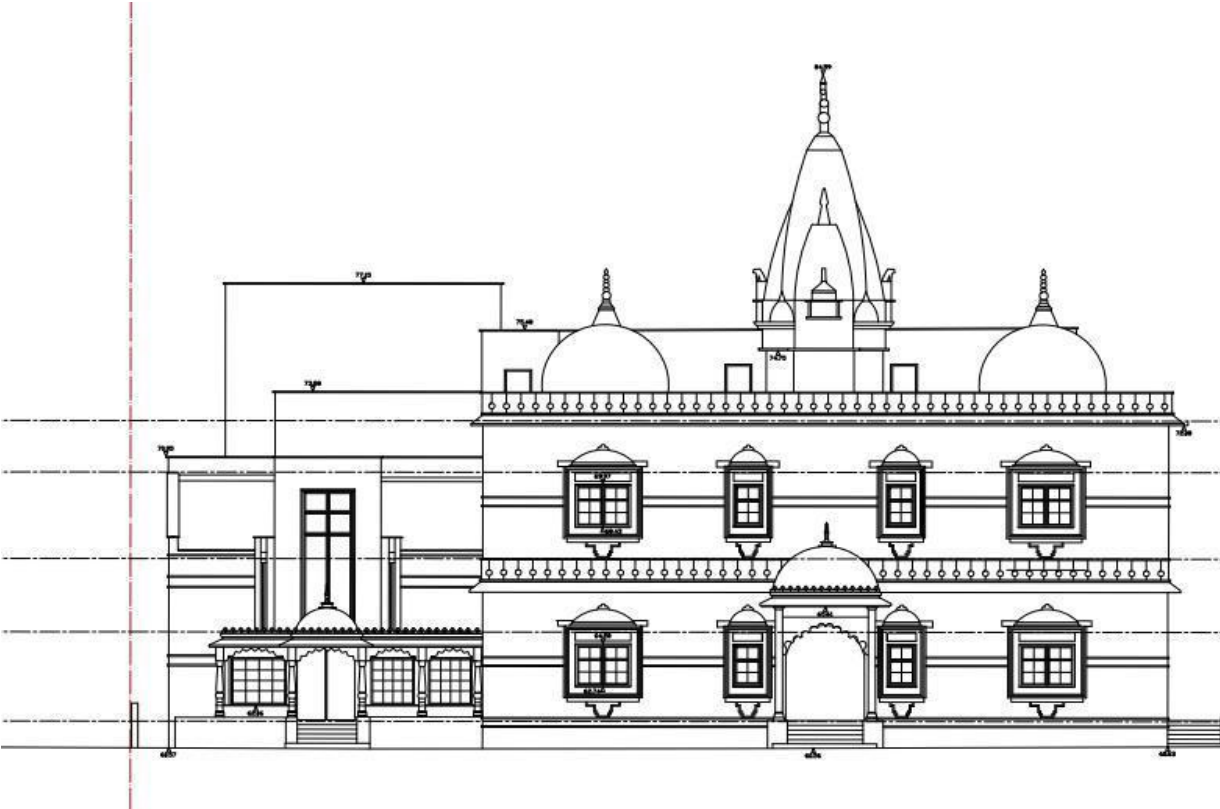
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

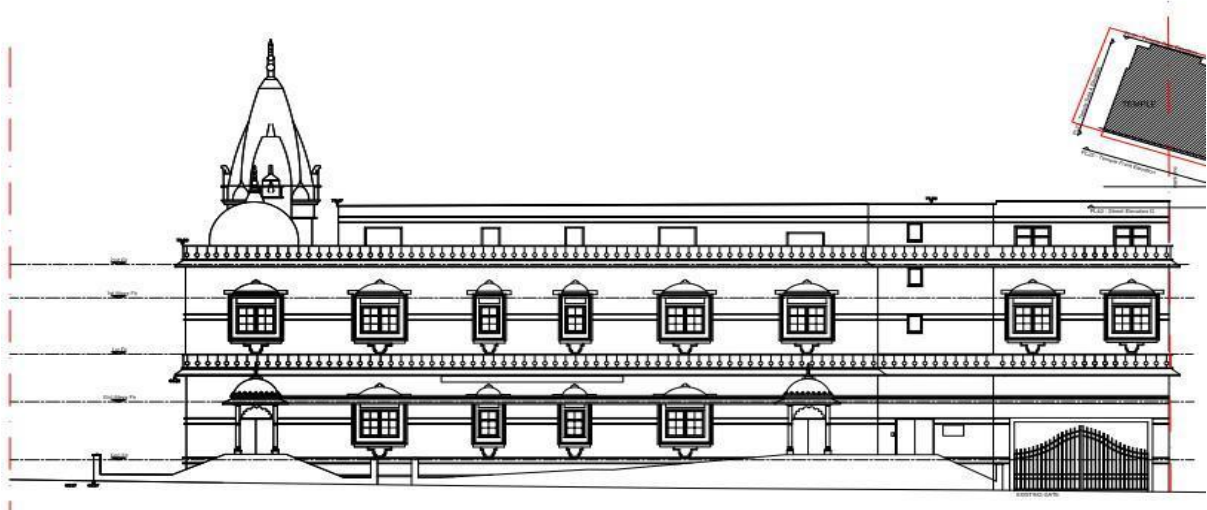
Site location plan



Wiilesden Lane front elevation



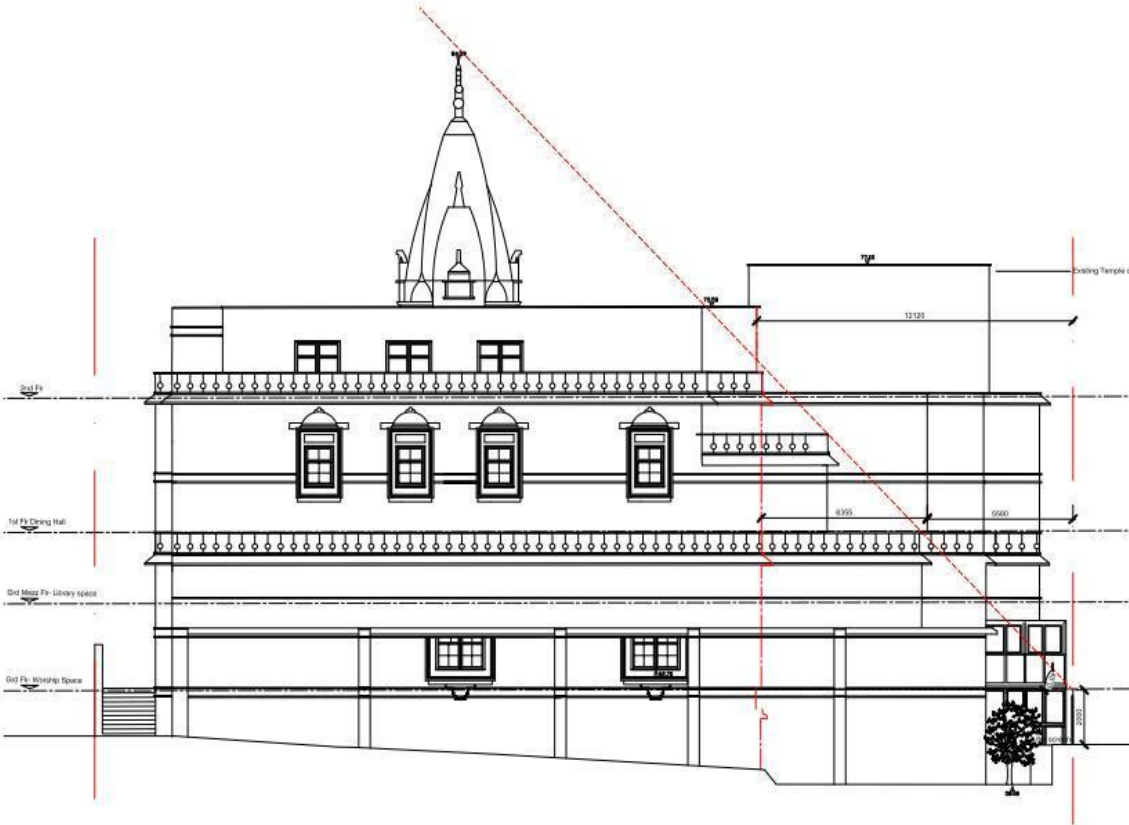
Deerhurst Road front elevation



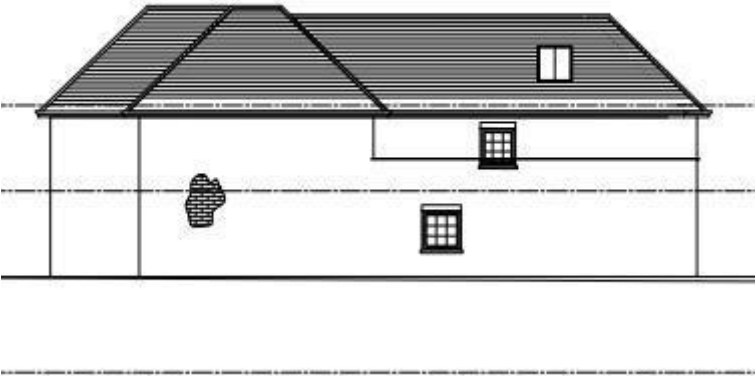
Care Home and Residential Units - Front Elevation



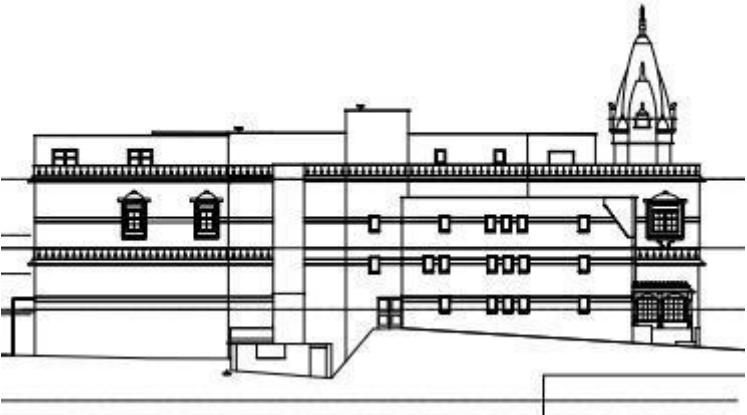
Side Elevation



Residential



Rear Elevation - Temple, Care Home and Residential



Landscaping Plan



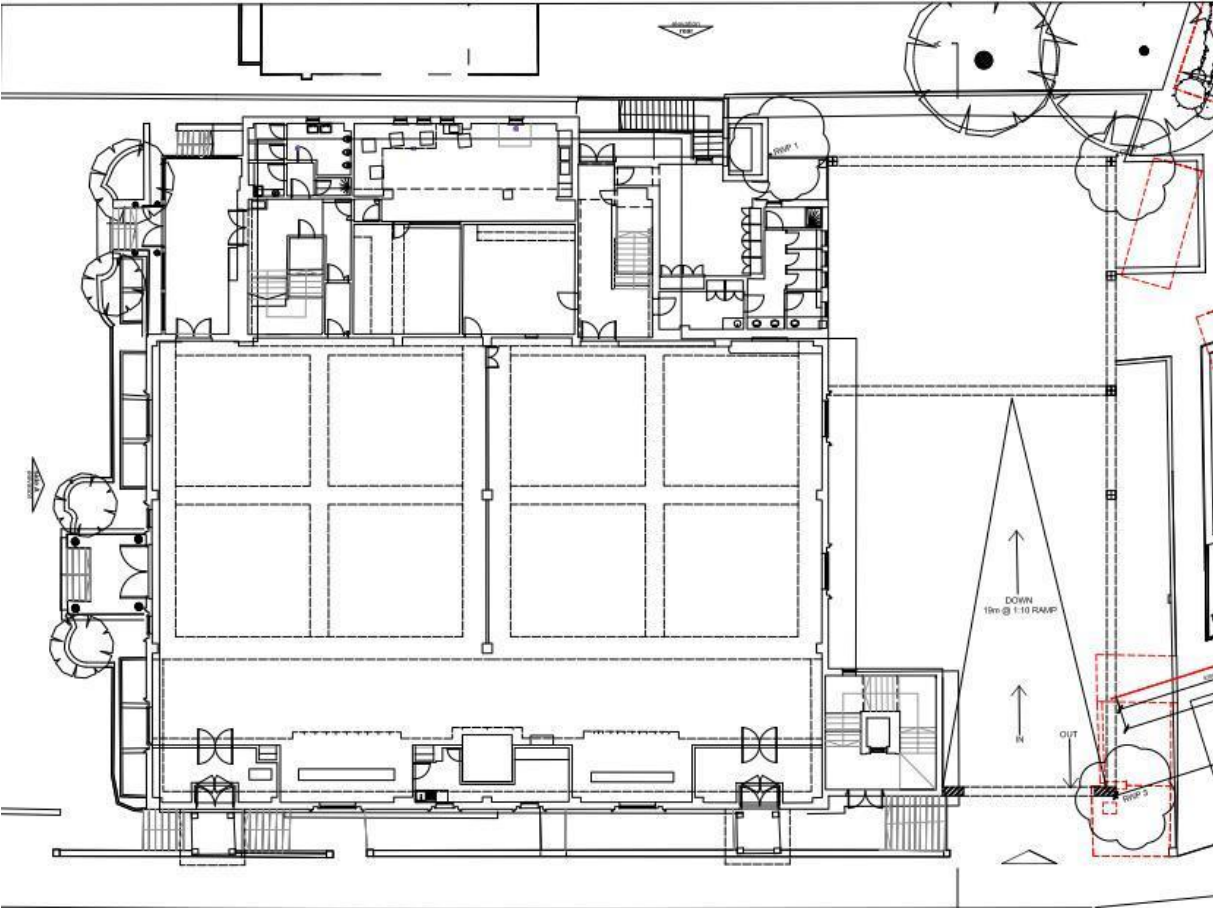
Basement - Level 1



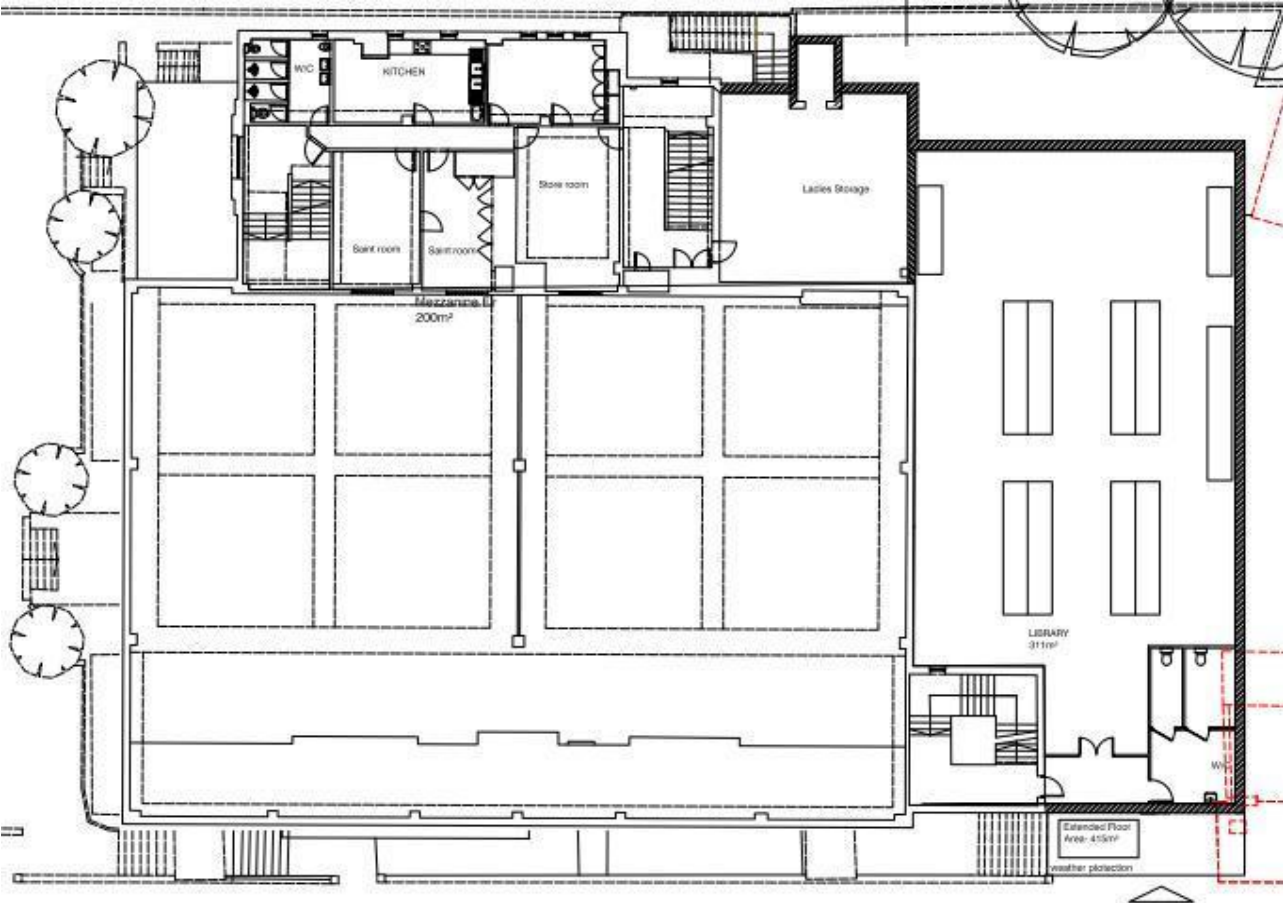
Basement Level 2



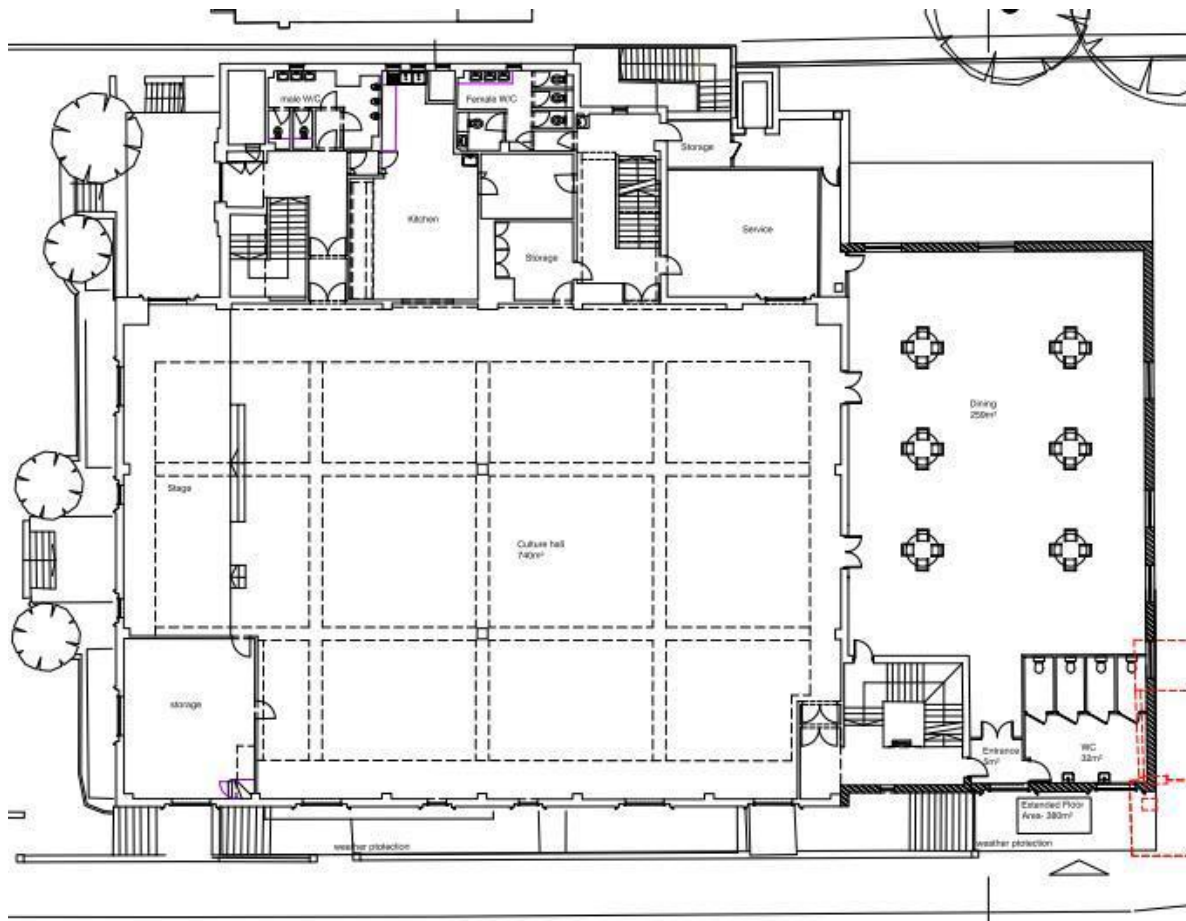
Temple Ground Floor



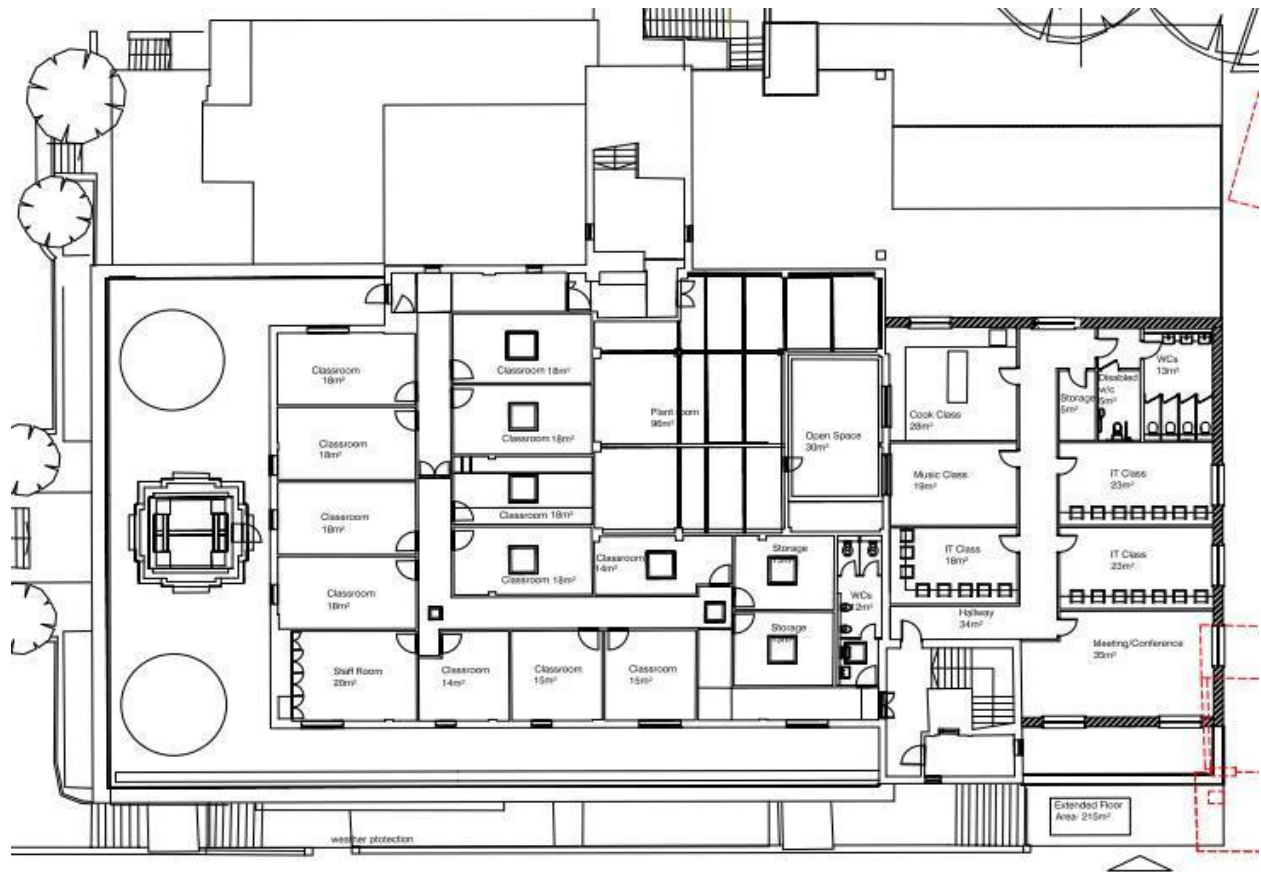
Temple Ground Mezzanine Floor



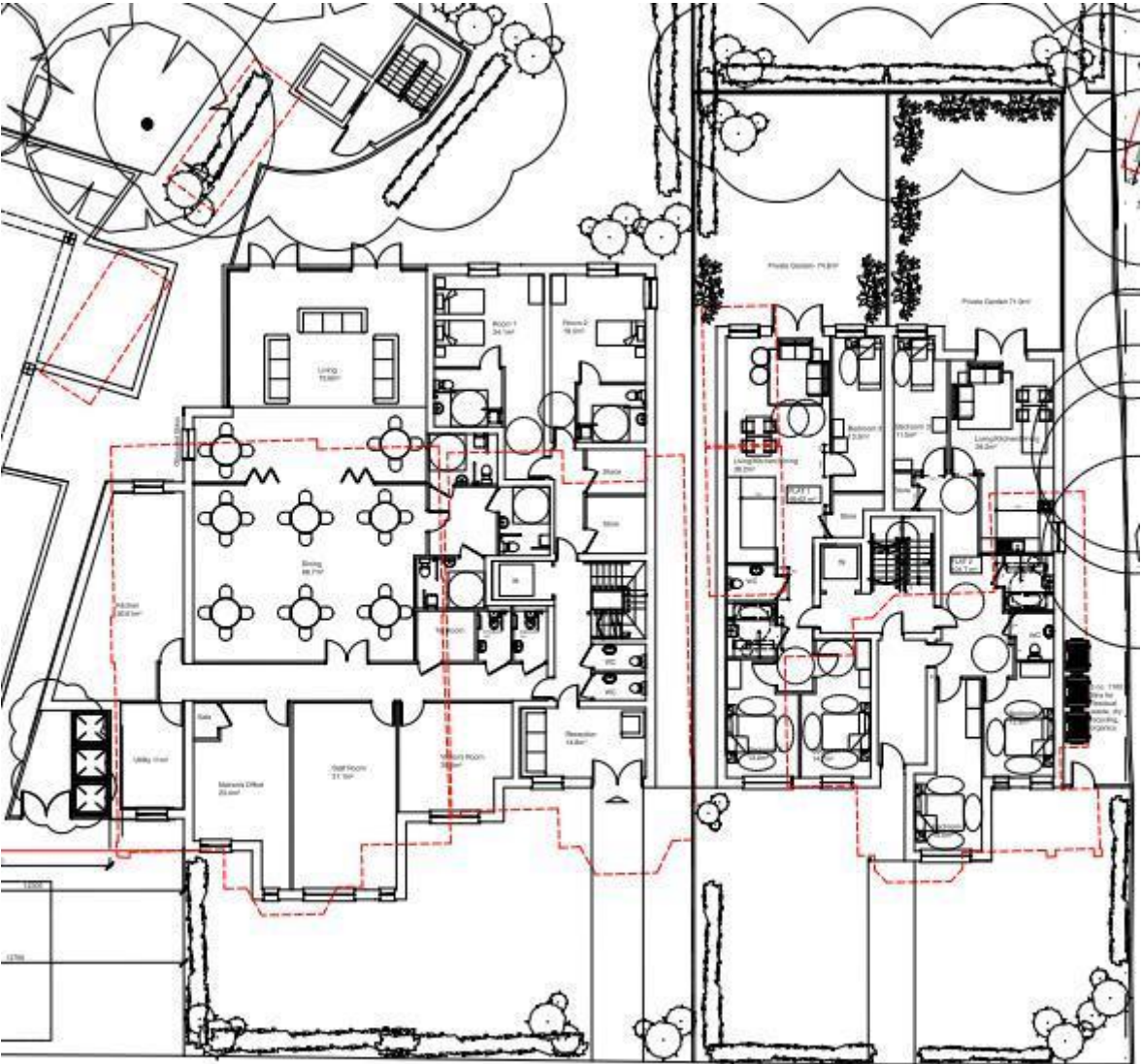
Temple 1st Floor



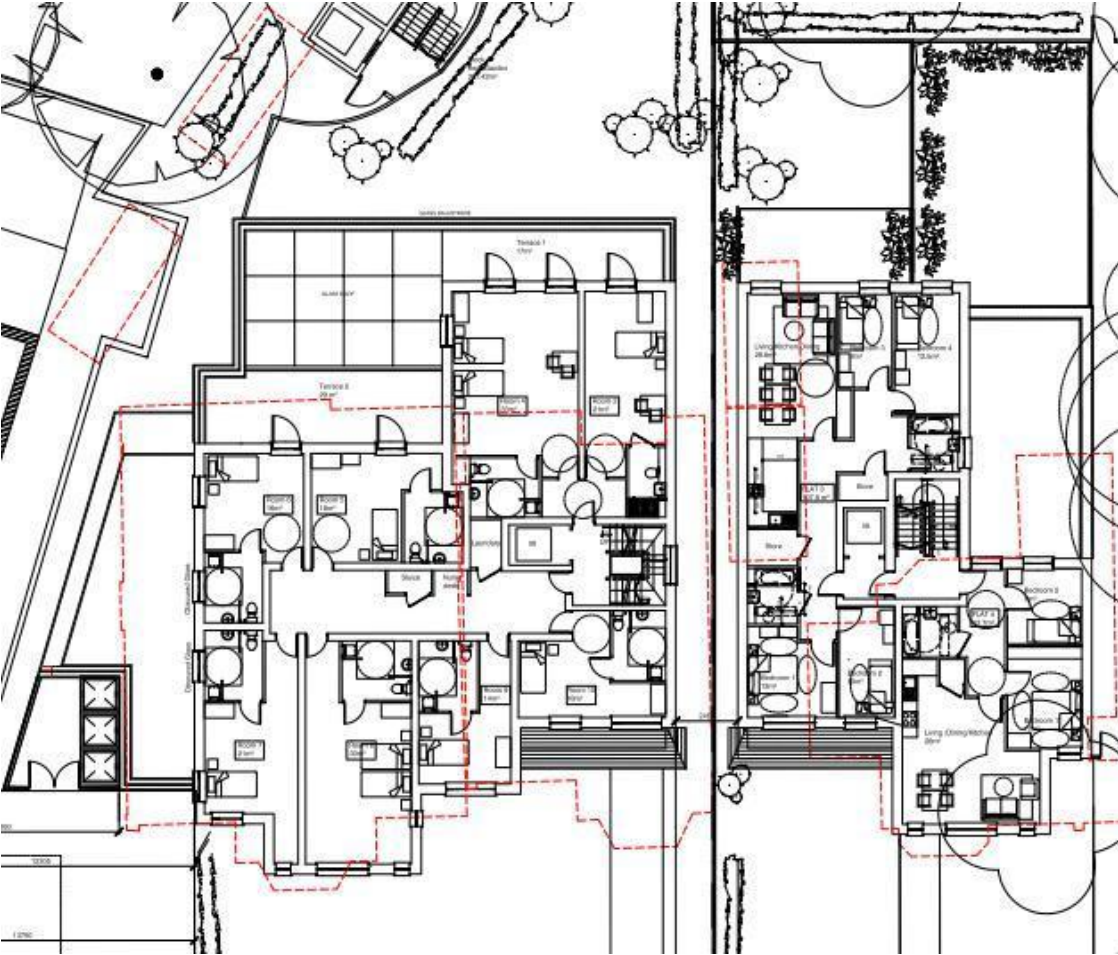
Temple 2nd Floor



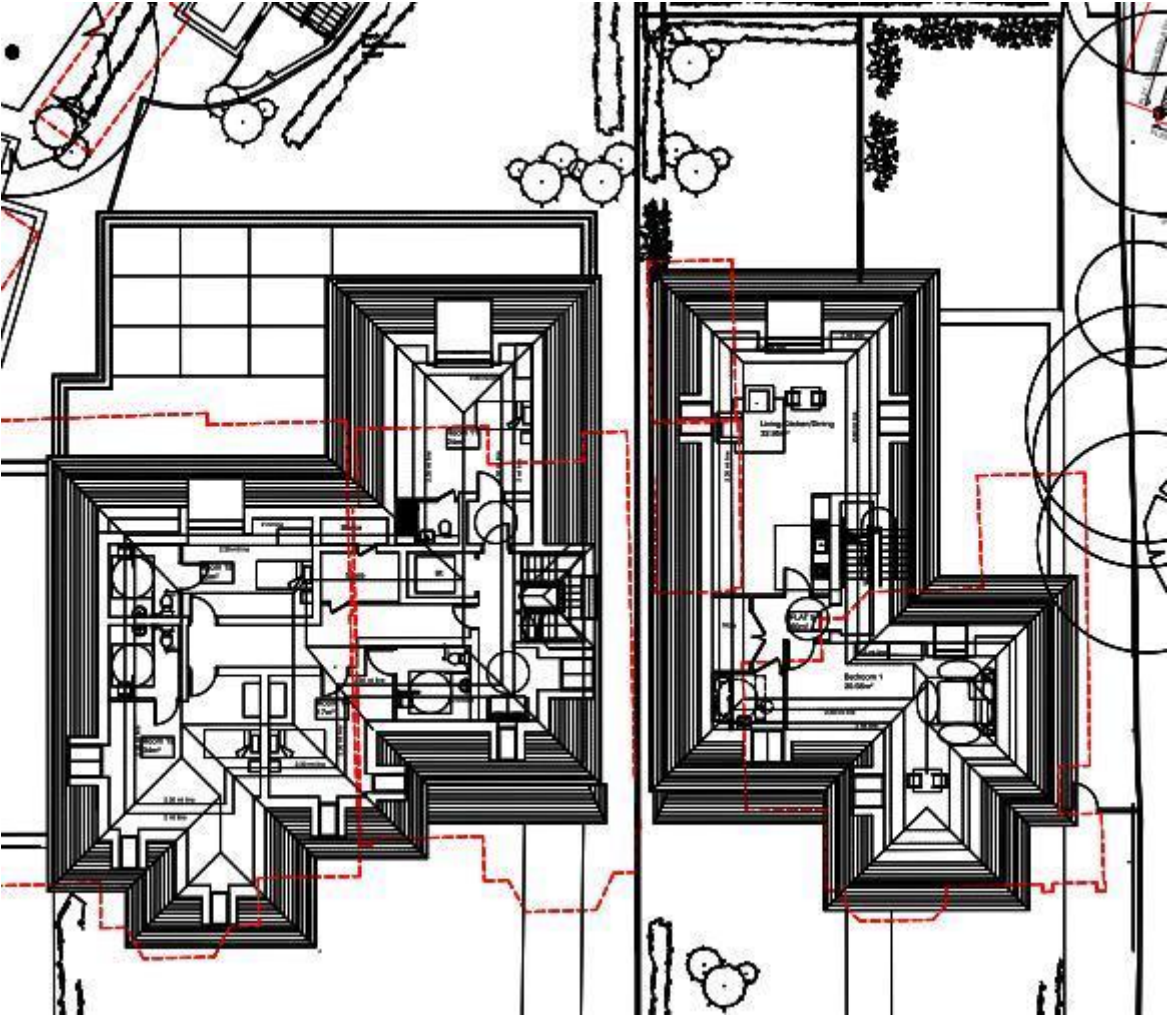
Care Home and Residential - Ground Floor



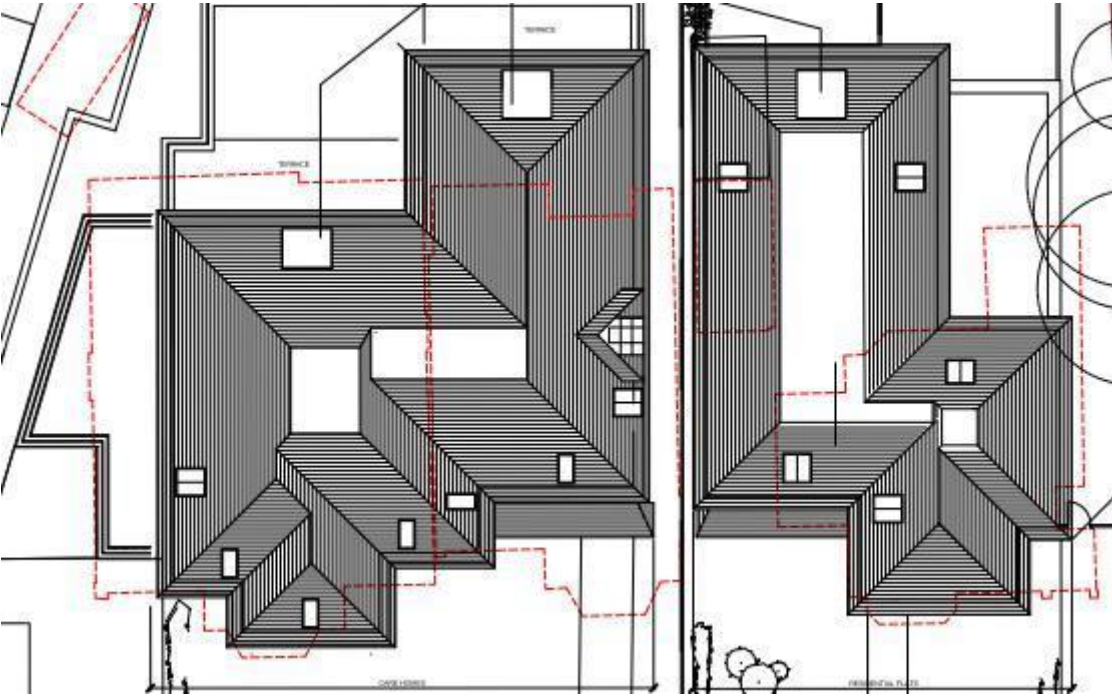
Care Home and Residential - 1st Floor



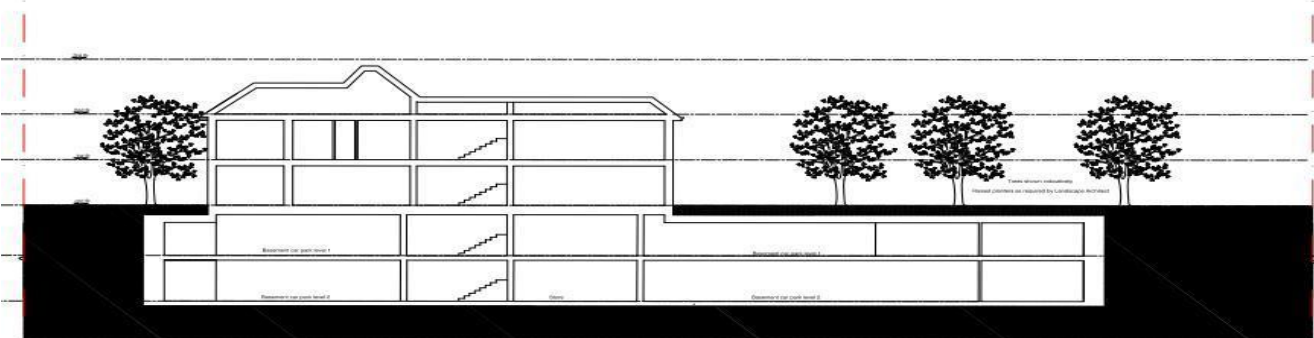
Care Home and Residential - 2nd Floor



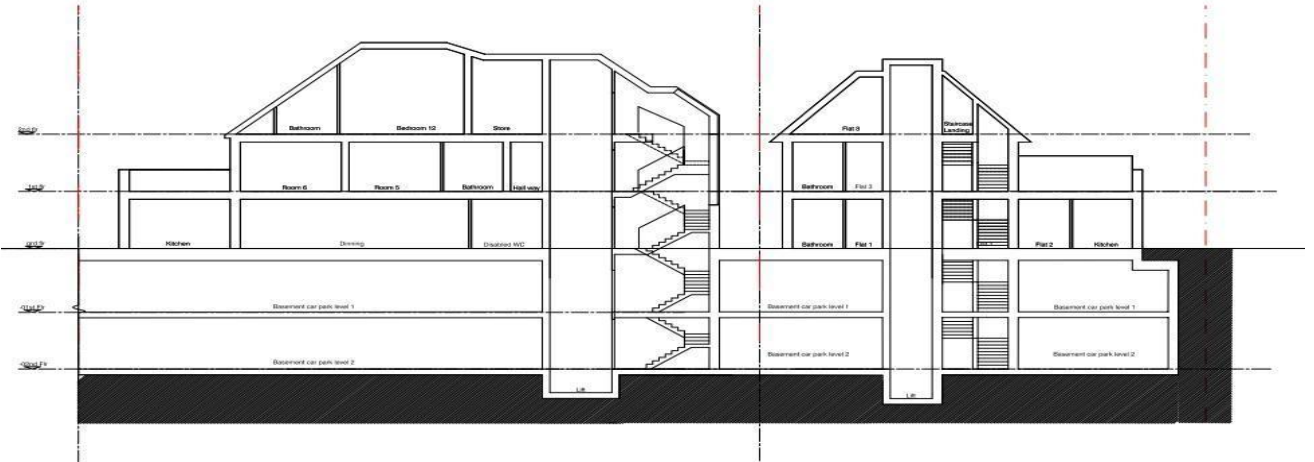
Care Home and Residential - Roof Plan



Basement Sections



Section B-B



RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- Payment of the Council's legal and other professional costs on completion of the deed in (i) preparing and completing the agreement and (ii) monitoring 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 expect – prior to occupation submit and gain approval for a Temple Management Plan which will provide for:
 - Unlimited combined Prayers and Temple Community Uses with no more than 300 visitors and staff
 - Unlimited combined Saturday Evening Prayers and Temple Community Uses between 17.00-19.00 with no more than 700 visitors and staff
 - Unlimited Sunday Evening Prayers between 16.00-19.00 with no more then 700 visitors and staff
 - 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
 - 7 no. Major Religious Event between 10.00-19.00 up to 800 visitors and staff
 - 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
 - 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 that the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

And that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Three year rule
2. Development shall be carried out in accordance with the approved plans
3. Details of materials for all external works shall be submitted to and approved in writing
4. No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice
5. Landscaping plan shall be submitted for all areas prior to commencement of development
6. Reinstatement of the redundant crossovers
7. 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
8. Details of mitigation against the impacts of dust and fine particles generated by the operation shall be submitted
9. Site investigation shall be carried out
10. A Verification report shall be submitted stating that remediation has been carried out
11. 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
12. 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.
 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.
 14. Any other planning condition(s) considered necessary by the Head of Planning

Informatives

1. 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. Party Wall Act
3. Any other informative(s) considered necessary by the Head of Planning

And that the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

And that, if by 4th of September the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

And that the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

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 Deerpark 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 Deerpark 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 aw ay (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)	3									5
EXISTING (Flats û Market)	4									
PROPOSED (Houses)										
PROPOSED (Flats û Market)	1	1	1	2						5
PROPOSED (Flats û Market)										

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	See paragraph 3.1.1 to 3.1.3

Document Imaged

extension	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 minibuses 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 Deerhurst 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 alone 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 Deerhurst 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 Deerhurst 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-continued 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 expect – 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 then 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 (lc)	224	224
BCIS figure for year in which the planning permission was granted (lp)	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

DRAFT NOTICE

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:

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

ransport: 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 5 July, 2016
Item No 05
Case Number 16/1191

SITE INFORMATION

RECEIVED: 18 March, 2016

WARD: Kilburn

PLANNING AREA: Brent Connects Kilburn

LOCATION: 5-9 Chippenham Gardens, London, NW6 5LH

PROPOSAL: Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and construction of part-four, -five and -six storey building comprising 52 self contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens

APPLICANT: London Borough of Brent

CONTACT: PRP Planning

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_127158

[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 "16/1191" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



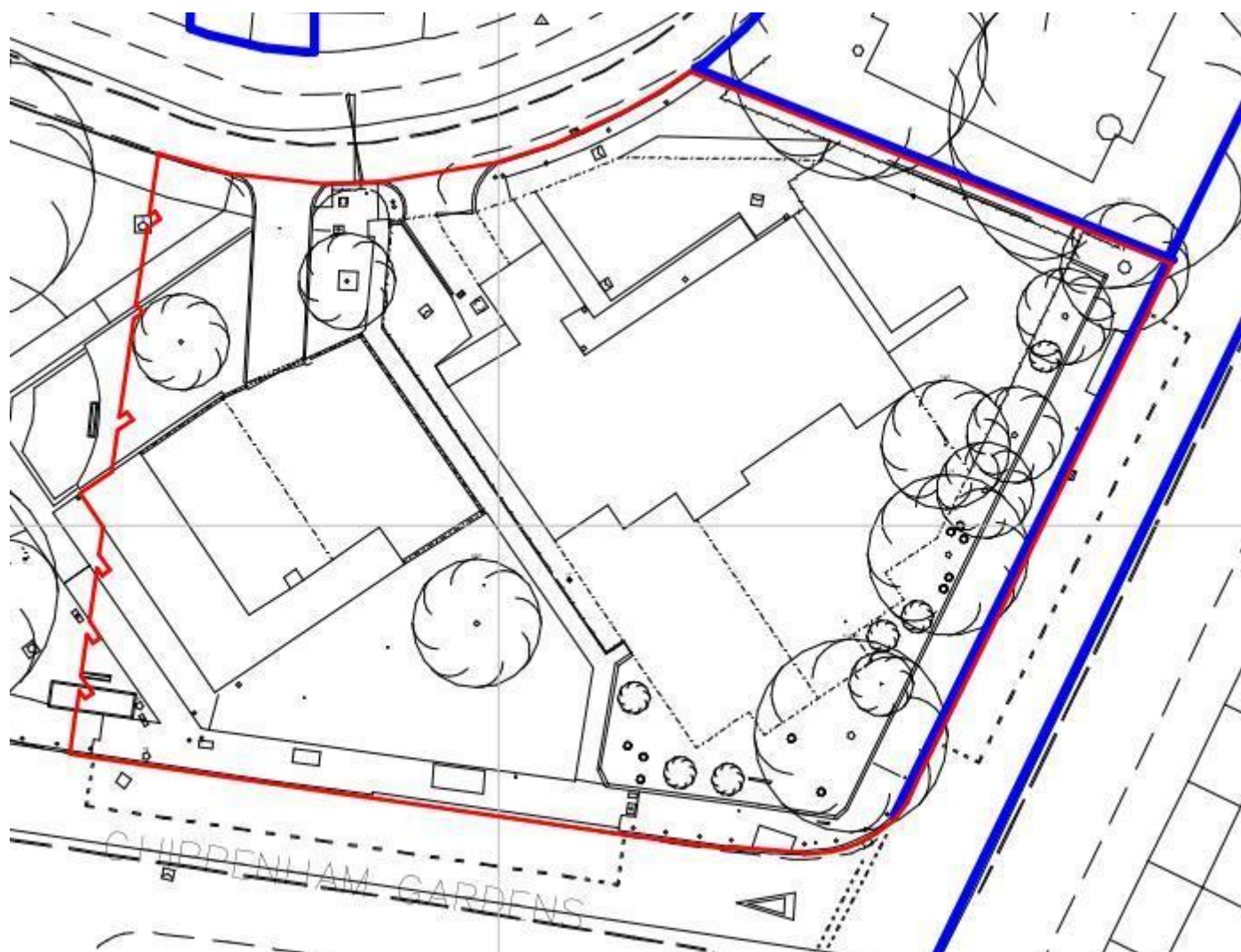
Planning Committee Map

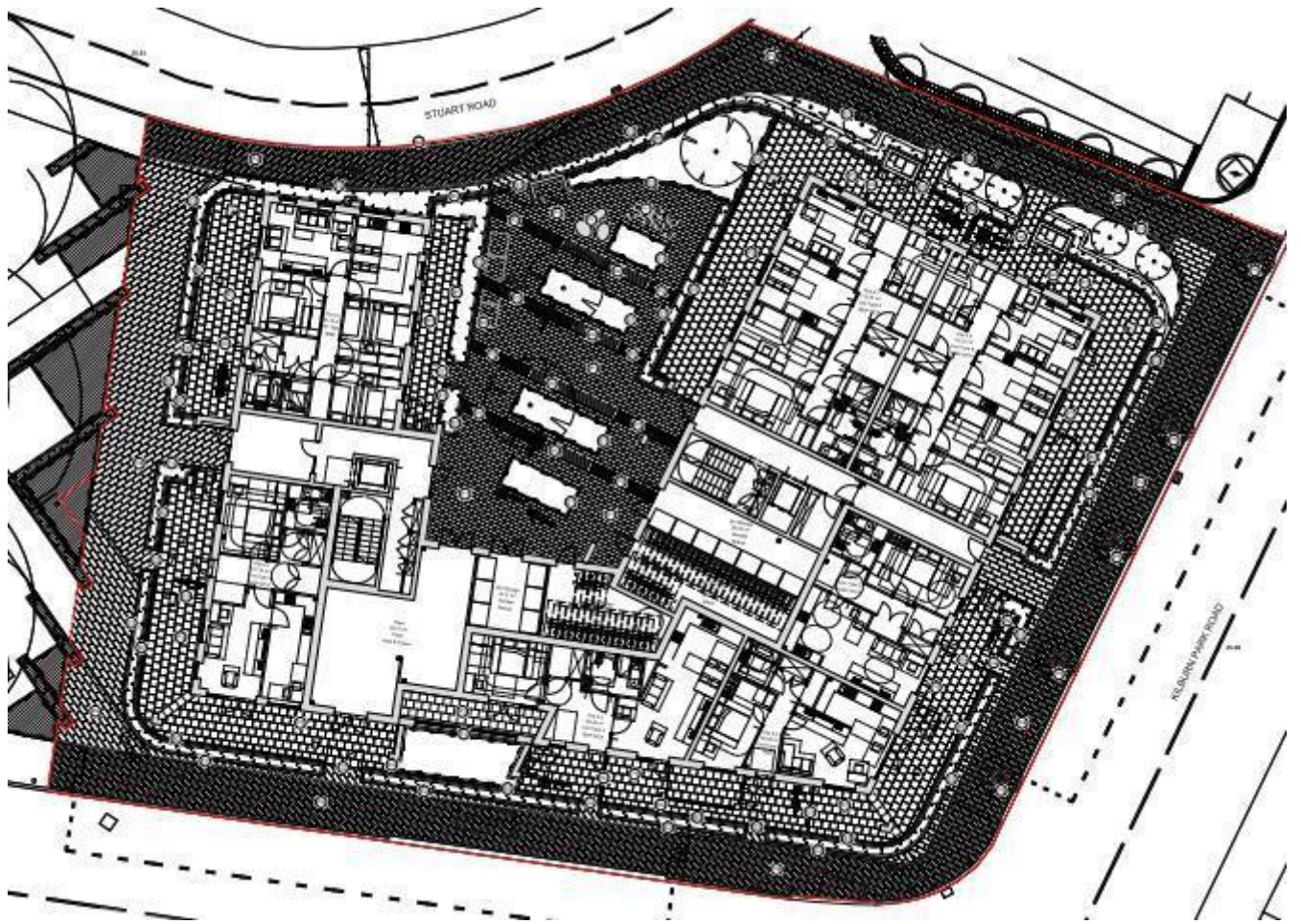
Site address: 5-9 Chippenham Gardens, London, NW6 5LH

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This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS







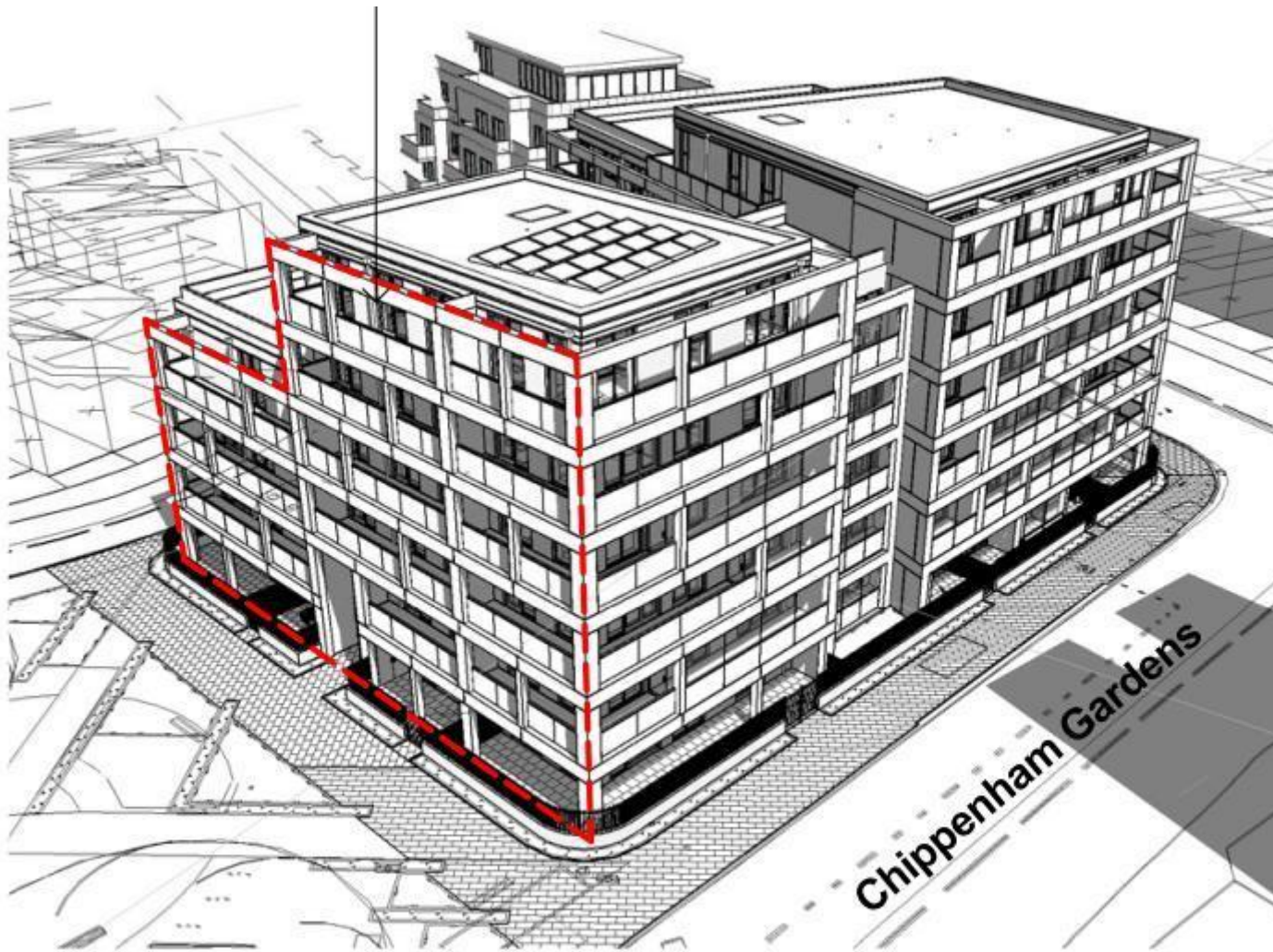
8 - Footpath Elevation
1 : 100



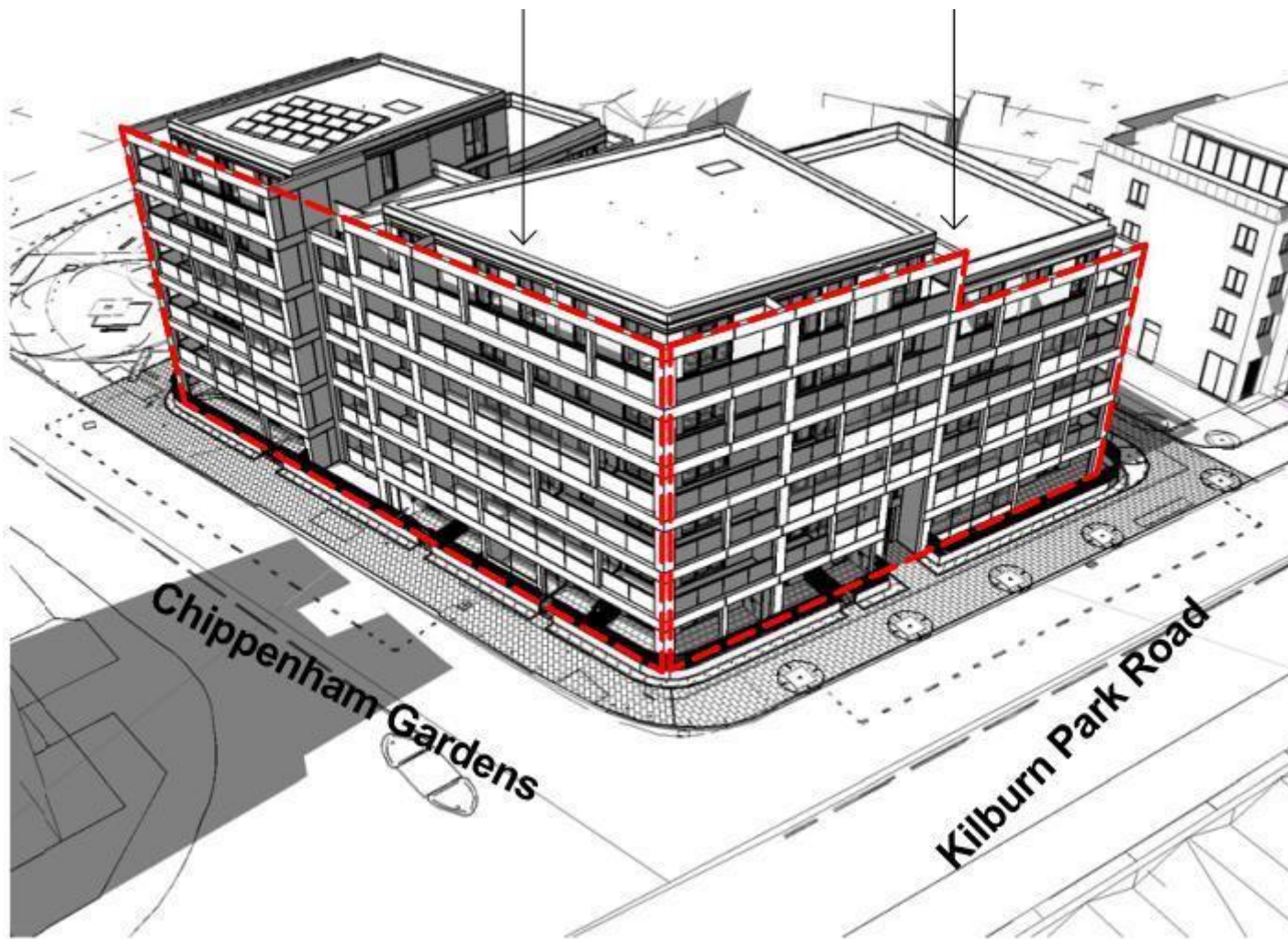
3 - Chippenham Gardens Open Space Elevation
1 : 100



1 - Kilburn Park Road Elevation
1:300



Chippenham Gardens Open Space



RECOMMENDATIONS

RECOMMENDATION

That the Committee resolve to GRANT planning permission and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time
2. Approved Plans
3. Cycle parking
4. Satellite dishes
5. Green roof
6. Considerate Contractor
7. Water
8. Wheelchair Units
9. Residents Parking Permit
10. Materials
11. Highway works under S38 and S278
12. Noise (installed plant)
13. Construction Logistics Plan, Construction Method Statement

14. Air Quality Mitigation Measures
15. Soil Contamination Measures
16. Remediation Works
17. Energy Assessment Review
18. PV Roof Plan
19. Further details of windows, reveals, winter gardens, balcony treatment
20. Sustainable Drainage
21. Refuse Management Plan
22. Affordable Housing
23. Social Rent Properties
24. Review Mechanism
25. Landscaping
26. Trees
27. Any other planning conditions considered necessary by the Head of Planning

Informatives

1. Party Wall
2. Asbestos
3. Any other informatives considered necessary by the Head of Planning

And that the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

A) PROPOSAL

The proposal seeks to firstly demolish the existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers). Following that, the proposal seeks the construction of part-four, -five and -six storey building comprising 52 self contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens public realm

B) EXISTING

The site is located within the southern most part of South Kilburn and is close to the border with the London Borough of Westminster. The site is approximately 0.25ha in size and presently comprises of number 5-9 Chippenham Gardens and 4-26 Stuart Road (even numbers) totalling 12 residential properties and a Post Office on the ground floor. The general height and massing of the existing buildings are 2 storeys (Post Office) and 4 storeys (4-26 Stuart Road). The existing buildings do not fill the entirety of the site and there is a small buffer between the existing properties and the footpath.

The Maida Vale Conservation Area (LBW) is located on the opposite side of Kilburn Park Road however does not comprise of the frontage of the properties facing onto Kilburn Park Road.

C) AMENDMENTS SINCE SUBMISSION

The applicant has submitted further information to better explain some parts of the scheme.

- 1) Revised elevations
- 2) A diagram to show open space retention
- 3) Revised floor plans

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- The sites opportunity to deliver new private and affordable homes as part of the continued redevelopment of South Kilburn. Your officers give great weight to the viable delivery of private and affordable housing, in line with the adopted Development Plan and South Kilburn Master Plan.
- The loss of the Post Office and retail to facilitate the development. Your officers have concluded that its retention would reduce the number of affordable properties delivered and is at the risk of lying vacant therefore there are no compelling reasons to require its replacement.
- The effect of the development on the public realm, adjacent to the subject site. Your officers consider that the proposal successfully integrates into the public realm by virtue of better defining the immediate space, improvements to the hard and soft landscaping along the eastern edge of the public realm and through active frontages facing towards this space.
- The transport impacts of the proposed development. Your highway officers consider that the proposal addresses all highway concerns.
- The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing good design credentials, which is in line with the adopted Development Plan
- Impact on Living Conditions of Neighbours, which your officers believe are negligible.

RELEVANT SITE HISTORY

No known relevant or recent site history.

CONSULTATIONS

Pre Application Consultation by Applicant

The Brent Council Regeneration Team have produced a consultation programme to identify to formal stakeholder groups and informal stakeholder groups the sites objectives, the background and project outlined.

As outlined in the Statement of Community Involvement, the team did several presentations, public exhibitions and design workshops with residents in order to positively engage with the local community.

Application consulting by Planning

During the application process, the following groups/individuals were sent consultation letters.

Brent/Kilburn Councillors

Cllr Rita Conneely

Cllr John Duffy

City of Westminster Councillors

Cllr Bush, Cllr McKie, Cllr Roca (Harrow Rd)

Cllr Begum, Cllr Crockett, Cllr Prendergast (Maida Vale)

Statutory Consultees

Transportation Unit- *Raised no objections subject to conditions covering highway works, permit free*

arrangement and servicing arrangements for refuse.

Environmental Health- *Raised no objections subject to conditions covering remediation, noise, air quality and construction management.*

Internal Consultees

Principal Heritage Conservation Officer- *Advice recieved and conditions required for further details on materials*

Policy and Regeneration Unit- *Advice recieved*

Landscape and Design Team- *Advice recieved and conditions required for further details on landscaping and materials*

External Consultees

City of Westminster Planning Office- *Objection recieved (below)*

North West Team, Transport for London

Thames Water Utilities Ltd (Development Planning)

Met Police - Secured By Design- *Has had previous scheme involvement*

Paddington Waterways and Maida Vale Society

North Paddington Society

Between the London Borough of Brent Council and the City of Westminster Council, a total of 844 addresses have been consulted surrounding the site.

4 x Site Notices were placed around the site on 05/04/2016.

The application was advertised on 07/04/2016.

There have been 13 comments on the application. 11 x objection letters. 1 x neutral. 1 x support. The City of Westminster Council has objected to the proposals.

Objecting

Reason for objecting

Paragraph response

Height and extent of the new development leading to a loss of daylight and sunlight.

The increased extent of the site and removal of trees will cause the new flats and building to overlook into other neighbouring properties, especially on Kilburn Park Road

The development will be taking away services from the community (post office)

Loss of valuable open space

Poor design of the building

Parking impacts of the proposed development

Proposed building is too large and too bulky

Neutral

Reason for commenting

Paragraph Response

Supportive of the proposal overall however the car parking permits need to be properly enforced and there should be a better renew strategy for the open space

Supporting

Reason for supporting

The proposal will provide much needed social and private housing.

The City of Westminster Council has also objected to the proposal.

1) The loss of the retail shop as part of this redevelopment is regrettable in land use terms and is likely to have an adverse impact on the retail character and function of the neighbouring local centres. The City Council requests the proposal is amended to incorporate a Class A1 retail unit on part of the ground floor.

2) Whilst the City Council welcomes the amount of affordable housing being provided, the lack of car parking for the whole development is an area of concern to the City Council. The proposal is likely to increase pressure on the availability of on street car parking spaces in the vicinity of the development. It is not considered that the proposed mitigation measures will satisfactorily address this additional parking demands this application will generate and this adversely affect people already living in the area.

The report responds to these concerns in the "Principle" and "Transportation" sections.

POLICY CONSIDERATIONS

National Planning Policy Framework

Section 7- Requiring Good Design

London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)

The following policy documents need to be taken into account in the assessment of this application:

- London Borough of Brent Unitary Development Plan 2004 (UDP)
- London Borough of Brent Core Strategy 2010 (CS)
- Supplementary Planning Document (SPD) for South Kilburn (Adopted April 2005).
- Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"
- Supplementary Planning Guidance Note (SPG) 19 "Sustainable Construction & Pollution Control"
- The Masterplan for the Regeneration of South Kilburn (2004)

The London Plan 2015 (amended)

DETAILED CONSIDERATIONS

1. Application Background

1.1. Members will be aware of the ongoing regeneration of the South Kilburn Estate by the Council.

1.2. The regeneration of South Kilburn is approximately half way through a 15 year programme that aims to transform the area into a sustainable and mixed neighbourhood and create a real sense of place. The programme will re-build around 1,200 affordable homes and deliver a similar number of additional market homes to help cross subsidise the building of new high quality homes for existing secure Council tenants.

1.3. The Council's stated aims of the programme are to deliver:

- 2,400 new high quality homes of which 1,200 will be made available to existing South Kilburn secure tenants for social rented accommodation;
- A new larger high quality urban park;
- A new local primary school;
- New health facilities;
- Improved environmental standards;
- An improved public realm;
- A site wide energy solution.

2. South Kilburn Policy Context

2.1. The Council, with the South Kilburn NDC partnership, developed a masterplan in 2004 followed by the South Kilburn SDP in 2005 that set out the parameters and sought to transform the area into a number of distinctive neighbourhood quarters characterised by mixed and integrated tenures, and a legible, secure and high quality public-realm. The Council are conducting a Masterplan Review and SPD review this year that will

eventually replace the current Masterplan and SPD 2005.

2.2. Your officers have given regard to the background to the South Kilburn Regeneration Programme and its wider objectives and the role of Land North of Chippenham Gardens (the subject site) in delivering these objectives.

3. Key Considerations

3.1. The key issues for consideration are as follows:

3.1.1. The sites opportunity to deliver new private and affordable homes as part of the continued redevelopment of South Kilburn. Your officers give great weight to the viable delivery of private and affordable housing, in line with the adopted Development Plan and South Kilburn Master Plan.

3.1.2. The loss of the Post Office and retail to facilitate the development. Your officers have concluded that its retention would reduce the number of affordable properties delivered and is at the risk of lying vacant therefore there are no compelling reasons to require its replacement.

3.1.3. The effect of the development on the public realm, adjacent to the subject site. Your officers consider that the proposal successfully integrates into the public realm by virtue of better defining the immediate space, improvements to the hard and soft landscaping along the eastern edge of the public realm and through active frontages facing towards this space.

3.1.4. The transport impacts of the proposed development. Your highway officers consider that the proposal addresses all highway concerns.

3.1.5. The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing good design credentials, which is in line with the adopted Development Plan

3.1.6. Impact on Living Conditions of Neighbours, which your officers believe are negligible.

4. Principle of Development

4.1. The principle of the development rests on the acceptability of the loss of the post office and whether the site is appropriate for residential accommodation. Once this principle has been established, then consideration can be given to the finer points of the development as outlined below.

4.2. Loss of Post Office and Residential Use

4.2.1. The 2005 South Kilburn SPD (South Kilburn masterplan) provides specific advice to developing the subject site. It states *"The Council considers the site appropriate for residential development with the post office re-provided in it. The design of the ground floor should ensure that the entrance to the post office faces the neighbourhood square to facilitate activity in the square and link this use to the local centre across the road."*

4.2.2. The Masterplan's aim to re-provide the Post Office was consistent with Planning Policy that existed at that time (PPS1 and 4) which saw such facilities as key to the vitality and viability of shopping centres. Although in relation to benefits or other payments from the State in particular, the role of post offices has diminished significantly since 2005, Post Offices are still for the most part considered an important element of local infrastructure, albeit with a reduced role in serving the local community.

4.2.3. Notwithstanding the location of the existing premises outside any identified centre, the policies in the Core Strategy CP23 and Policy 4.8 of the London Plan are of relevance and in the usual course of events your officers would seek to replace the Post Office unless there is a compelling reason not to. The A1 retail unit, however, is afforded no policy protection and its loss would not be contrary to the Development Plan, therefore there would need to be a compelling reason to require its replacement.

4.2.4. In this situation, the cost of operating a Post Office function from this site is relevant. It is understood that the existing Post Office operator has indicated that he may be willing to reoccupy any premises however

this would be in association with the wider operation that he currently operates in the existing premises. Commercially, such an outcome would mean that the Council, as site owner, would have to subsidise the unit to such an extent that it would materially impact on viability and in turn the subsidy available to provide affordable housing. Therefore your officers have weighed the merit of additional affordable housing against the harm of the loss of the Post Office.

4.2.5. There are two alternative Post Offices within 800m (a ten minute walking time) of the site and as such the harm of the loss of the Post Office is considered to be diminished. There are, in the adjacent local centre on Malvern Road, other retail premises that could accommodate a Post Office should local demand require it. On balance your officers consider that the loss of the Post Office without replacement, whilst resulting in some moderate harm, is offset by the merit of providing additional affordable housing units within this scheme.

4.2.6. In terms of the retail unit, there are no compelling reasons to require its replacement. The application site is on the periphery of a local centre that appears to be struggling (away from the principal routes such as Shirland Road) and there is a risk that a new unit could lie vacant for some considerable time as there is no guarantee that the existing tenant would return. Incorporating a retail unit would also materially alters the composition of the scheme, particularly in relation to the provision of dwellings and amenity space, as a significant area of the rear of the property would have to accommodate servicing activities. Your officers, therefore, consider the loss of the retail unit to be acceptable.

4.3. Summary

4.3.1. Your officers consider that the loss of the Post Office/ and that of a retail unit acceptable, when considering the alternative Post Offices in the local area and the wider benefits that the scheme will bring in terms of affordable housing delivery and its contribution to the provision of residential units in a sustainable urban location.

5. Quality of Accommodation

5.1. Unit Mix and Unit Sizes

5.1.1. A good standard of accommodation is a combination of several factors including basic space standards (as defined by the London Plan policy 3.5); outlook; privacy; daylight and sunlight; and amenity space. A good living environment is subject to more subjective matters such as the quality of that amenity space, the design of the scheme and the relationship with car parking, cycle storage and external factors such as noise and pollution.

5.1.2. The proposal consists of 22 social units and 30 private units. This is an approximate percentage of 42% affordable housing and 58% private housing.

5.1.3. The majority of the affordable properties are in the block facing Chippenham Gardens open space. The majority of private units will be in the block facing onto Kilburn High Road however there will be 3 x affordable units within this block too.

Affordable (social rent)

Unit	Number	Unit Sizes	Percentage
1b2p	10	55sqm – 59sqm	55%
1b2p (wheelchair adaptable)	2	68sqm-69sqm	
2b4p	4	73sqm	18%
3b5p (wheelchair adaptable)	2	112sqm	27%
3b6p	4	99sqm	

Private Sale

Unit Type	Number	Unit Sizes	Percentage
-----------	--------	------------	------------

1b2p	11	50.5sqm	40%
1b2p (wheelchair adaptable)	1	61sqm	
2b4p	15	73sqm – 83sqm	50%
3b6p	3	104sqm	10%

Total

Unit Type	Number	Unit Sizes	Percentage
1b2p	21	50.5sqm - 59sqm	46%
1b2p (wheelchair adaptable)	3	61sqm – 69sqm	
2b4p	19	73sqm – 83sqm	36%
3b5p	2	104sqm	18%
3b6p	7	99sqm – 104sqm	

5.1.5. All properties reach the minimum requirements for London Plan (Supplementary Housing Guidance 2015) and Technical Housing Standards (March 2015). All units have ample storage and are laid out in a sensible arrangement with the majority of units having dual aspect outlooks. Your officers note that the proposal does not have any single aspect, north facing units.

5.1.6. The proposals include five x wheelchair accessible units which broadly meets the target for 10% adaptable units identified in the London Plan.

5.2. Density

5.2.1. National, regional and local policies seek to maximise the potential of the site, with the NPPF and the London Plan encouraging the efficient use of land. Policy 3.4 of the London Plan aims to maximise the potential of a site taking account of local context, London Plan design principles and public transport capacity. Brent's Core Strategy policy CP6 seeks to ensure developments have proper regard to policy 3.4 and states that "a notional density figure is not the only consideration, and the quality of design, location of the site and the need to provide family housing are all important".

5.2.2. The proposal has a total of 153 habitable rooms, which totals approximately 600 habitable rooms per hectare (hr/ha). The Sustainable Residential Quality (SRQ) density matrix within the London Plan (table 3.2) suggests that between 200-700 hr/ha is appropriate for this location and the proposed amount fits into these guidelines appropriately.

5.2.3. The affordable units have a 27% percentage of 3 bed dwellings, which exceeds requirements outlined in the UDP. 25% is not achieved across the whole scheme however. Officers consider this to be acceptable in this case

5.3. Amenity Space

5.3.1. The proposal provides private amenity space in the form of external balconies and winter gardens which are integrated within the frame.

Floor	Sqm of balcony
Ground floor	338sqm
First floor	198sqm
Second Floor	210sqm
Third Floor	210sqm
Fourth Floor	169sqm
Fifth Floor	120sqm
Courtyard	235sqm

5.3.2. The proposed balconies would provide effective space for the use of future occupants and the extent of these balconies is relatively generous. Your officers consider that the space given to these balconies is generous and provide a good standard of amenity space for residents on a constrained site.

5.3.3. SPG17 states that there should be a minimum of 50sqm for a three bed ground floor flat although allowances can be given for developments in more urban areas. Your officers consider this to be the case and have taken this into consideration when assessing the scheme.

5.3.4. Based on the calculations held within SPG is a requirement for 1130sqm of external, private amenity space on site (three x 50sqm for ground floor three bed units and 49 x 20sqm for all others). Within the courtyard, there is 245sqm of shared amenity space and the upper floors have approximately 900sqm of external balcony provision bringing the total to 1145sqm. Officers recognise the limited amenity contributions of external space (especially that facing onto Kilburn Park Road and Chippenham Gardens) to the ground floor units of the scheme and therefore this has not been included in the calculations. Your officers consider that the provision of generous balconies is an appropriate form of amenity space in this instance.

5.3.5. Within the proposal, there is acceptable degree of privacy for and outlook from each unit. The closest habitable room distances are approximately 17m, which is below the SPG17 minimum guidance of 20m, however these rooms are angled away from each other whilst the glazing of the balconies and the inset from the protective frame will aid privacy too.

5.3.6. The pinch point of the building, where the two blocks taper towards each other, (within the courtyard) is sensitively designed and both lift shafts/stairs ensure that the distance is as great as possible between habitable rooms.

5.3.7. A Daylight and Sunlight assessment has been submitted with the proposals to ensure future occupants of the proposed units will benefit from good levels of light. As expected, there is some constraint on light levels to habitable rooms facing onto certain parts of the courtyard due to overshadowing, however this constraint is limited in both the number of flats affected (five) and the degree to which they are affected.

5.3.8. A internal Acoustic Report, prepared by Adnitt (Reference 1451/EN/R1e), was submitted with the application and was considered by the Council's Environmental Health department. The report followed the methodology used for the noise assessment of the internal noise levels of the dwellings (BS8233:2014) and found that due to the design of flats shows there will be mixed uses on differing floors e.g. kitchen above bedrooms. These mixed uses have the potential to cause noise disturbance to occupiers of the dwellings therefore Officers recommend that a condition requiring a post completion sound test be carried out prior to occupation to ensure sufficient internal sound insulation is provided. Further, though related to external noise, your Officers recommend that a condition is attached to any approval granted that specifies the target rated noise level from plant/machinery that may be required by the development.

5.3.9. Your officers are confident the overall standard of accommodation provided for future occupants of this proposal will be satisfactory.

5.4. Affordable Housing

5.4.1. As stated above, the proposed housing scheme provides for 22 social rented flats, with rents set at target rent levels, and 30 private flats. This represents 42.3% affordable housing on a unit basis, and 42.5% on a habitable room basis. The social rented flats will be earmarked for decant accommodation for existing council tenants living on the South Kilburn Estate, as part of the South Kilburn Estate Regeneration Programme.

5.4.2. The level of affordable housing fall slightly below the Local Plan target that 50% of new homes should be affordable. A Financial Viability Assessment (FVA) has therefore been submitted to demonstrate that the level of affordable housing represents the maximum reasonable and viable amount the proposed scheme can deliver, in line with planning policy.

5.4.3. Your officers have examined the FVA and consider that most of the assumptions underpinning the development appraisal are broadly reasonable. It is noted that assumed residential sales values are slightly lower than those achieved for some other new build flatted developments in the area. The build cost estimate (after stripping out abnormal costs) also sits around the upper quartile of the Building Cost Information Service

(BCIS) average build rates. Accepting the FVA assumptions are broadly reasonable, the scheme deficit is minimal, and sensitivity analysis shows that realistic prospects for residential sales value growth over the course of the development would be expected to generate a surplus, which could contribute towards additional affordable housing obligations. More generally, residual valuations are highly sensitive to changes in costs and values, and the Council typically secures financial viability reviews to determine whether deferred affordable housing planning obligations can be provided in order to ensure that the maximum reasonable and viable amount of affordable housing is delivered in line with planning policy.

5.4.4. Officers recommend that 42% social rented housing is the maximum and reasonable amount of affordable housing in this case only, on condition that residential sales values are reassessed post implementation, and prior to occupation of all of the private flats, such that half of any surplus generated over the agreed FVA viability benchmark be secured as an additional affordable housing provision in South Kilburn, such additional affordable housing provision capped at a level commensurate with the achievement of 50% affordable housing delivery on the scheme. Suitable conditions to secure this will be added to any future permission.

5.5. Summary

5.5.1. Your officers consider that the 42% affordable housing is a reasonable and appropriate contribution in light of the scheme's viability, subject to a viability review to secure additional affordable housing in line with local and national policy.

6. Impact on Character and Appearance of the Area

6.1. Surrounding Character

6.1.1. Kilburn Park Road, the fronting road of the development, is comprised of 2.5-3.5 storey Victorian terrace dwelling houses (some which have been split up into flats) where the majority of the properties have a lower ground floor. All of the properties have frontages to Kilburn Park Road and have attractive features including wooden sash windows and generous bays. The materiality of this road is generally brick and render.

6.1.2. Malvern Road is also characterised by traditional Victorian terraces however it has a variety of commercial units on the ground floor. There is no direct interaction with Chippenham Gardens due to Malvern Road separating the two. Although built in a similar period with similar design features, the quality of Malvern Road is notably lower than on Kilburn Park Road and some of the commercial units lack quality frontages.

6.1.3. Stuart Road comprises of three storey semi detached housing, built during the 1970's. Built in brick, the properties lack architectural interest and the large expanses of blank facades do little to address the street.

6.1.4. John Ratcliffe House is a nine storey residential block which stands across from Chippenham Gardens. There is little to note in terms of its architectural merit and is the tallest building in the vicinity.

6.1.5. The properties surrounding the site have heights of three and four/five storeys to the north, three storeys to the east, five and nine to the south and three/four to the west.

6.1.6. Your officers consider that the proposal has the ability to better address some of poorer aspects of design in the immediate vicinity, to create a legible pattern of development using enhanced frontages and differing boundary treatments to differentiate private and public realm.

6.2. Scale and Massing

6.2.1. The proposal is part six storey, part five storey and part four storeys in height and comprises of a significantly bigger building, both in height and general massing, than the existing two and four storey buildings on the site.

6.2.2. In the wider context of the site, the general massing of four-six storeys has been a consistent approach along Kilburn Park Road with the majority of new buildings being of this similar height.

6.2.3. The proposal continues the strong existing building line along Kilburn Park Road, following on from the recent Argo development to the north at five (four plus a lightweight top floor) storeys in height. The proposal

then steps up to six storeys in height along Chippenham Gardens (road) to better address the significant larger and dominating building at John Ratcliffe House. The 'connecting block' between the two main parts of the proposal is at a height of four with a set back fifth floor. This helps to decrease the perceived massing of the development.

6.2.4. The proposal, on the western block, steps down to four storeys towards Stuart Road and the northern most side of Chippenham Gardens (public realm). Again, officers feel that this is a sensible approach given that the height of the three storey properties that presently exist on Stuart Road. Whilst being noticeably taller (the floor to ceiling heights will be greater within the proposed building) the relationship is similar to the one seen at Argo which has previously been found acceptable.

6.2.5. Your officers consider the height, massing and size of this block to be acceptable in this location's context.

6.3. Layout

6.3.1. The proposed building fills the majority of the site and is split into two main blocks with a connecting block in the middle.

6.3.2. The proposal also does not differentiate between entrances for the affordable section and the private section of the buildings as the elevation design is exactly the same. Your officers consider this to be an adequate solution.

6.3.3. The ground floor flats proposed within the development have their own entrance doors from the street, in accordance with the Mayor's Housing SPG, promoting activity between the pavement and private amenity space. Access to the upper floors is through a larger entrance door which leads to a lobby and lift. In addition, the shared courtyard to the rear serves the cycle stores and refuse stores.

6.3.4. The perimeter wall will be built in the same brick as the main building which shows a consistent approach to materials.

6.3.5. Officers consider that the layout of the scheme is acceptable and terminates the line of buildings along the west side of Kilburn Park Road, responds to the need to overlooking towards Chippenham Gardens and has acceptable relationships with the surrounding buildings.

6.4. Elevation Design

6.4.1. The elevation design is broadly made up for two parts- the brick inner structure and the frame. The main part of the building is proposed to be brick and will form the primary mass of the building. This reflects the general make up of the dwelling houses on Kilburn Park Road. There are areas of recessed brick and windows/balconies with deeper reveals (as shown within the elevation sheets).

6.4.2. The frame will form a grid around the development and has been proportioned to show the subdivision of the different dwellings. To vary the design and appearance of the frame further, and to combat the acoustic issues the proposal encounters from the bus stand and bus stops, winter gardens are proposed.

6.4.3. The balustrading is proposed to be frameless obscured glass with brushed aluminium handrails. Officers are in agreement with this as it will also improve privacy aspects, especially between the elevations in the courtyard and also create a cleaner finish to this aspect of the proposal.

6.4.4. The cladding of the frame is proposed to be a composite stone, to reflect the white render of the terraced properties opposite.

6.4.5. The windows and doors of the building will be mainly aluminium and the required windows (such as bathrooms) will be obscured appropriately.

6.4.6. Officers consider that the materiality and fenestration details have the ability to blend in well with the existing environment. Any future consent will have a condition to show the exact materials.

6.5. Secured By Design

6.5.1. During the evolution of the application, the proposal has been reviewed by the applicant and a Secured by Design team working with the met police. Feedback from SBD Officers have included scheme enhancements such as securing the rear courtyard, securing the cycle storage and providing front doors onto the connection between Kilburn Park Road and Stuart Road.

6.5.2. No concerns have been raised and all areas that required addressing have been done prior to the submission of this application.

7. Neighbouring Residential Amenity

7.1. Privacy and Overlooking

7.1.1. The Council seeks to protect the amenity of neighbouring occupants to acceptable standards whilst recognising the right of land-owners to develop their property. On new developments such as this the main impact on amenity arises from (i) overbearing impact of the size and scale of the building(s); (ii) loss of outlook, which is related to overbearing impact; (iii) loss of privacy; and (iv) loss of sunlight. The Council has published supplementary planning guidance (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly. Overbearing impact arising from the height of blocks is controlled via 30 degree and 45 degree planes from neighbouring habitable rooms and relevant boundaries; privacy is quoted as distances between directly facing habitable windows and from boundaries. Neither outlook nor light have specific values, although light is generally controlled to BRE standards.

7.1.2. Your officers have assessed the proposal to ensure there would not be an undue loss of privacy or any unjustified overlooking from the proposed development.

7.1.3. The separation distance (some of which is described in the layout chapters) to neighbouring properties is generally good in all directions. The block plan of the proposals show a 24m separation distance to the properties opposite on Kilburn Park Road (east), a 24m separation from John Ratcliffe House and 13.5m from the properties on Stuart Road.

7.1.4. The frame, described in the previous section, wraps around the brick building which means the rooms are set back from the façade. This reduces the scope for overlooking towards neighbouring properties.

7.2. Daylight and sunlight

7.2.1. The development, by virtue of the height of the proposed building, has the potential to affect the sunlight of neighbouring occupants; a Daylight & Sunlight Report was prepared by the Applicant and submitted with the application. The report was prepared in accordance with the standard measure of daylight and sunlight, the Building Research Establishment (BRE) report and considered the impact of the development on neighbouring properties including John Radcliffe House, those on Stuart Road, Argo House (new development nearing completion) and Kilburn Park Road. The report found that impact on surrounding properties in terms of both daylight and sunlight would be minimal although some change to the existing situation is to be expected and the same is the case for over-shadowing; in such a situation it is appropriate to have regard for the character of the area, which is a relatively dense urban environment where some degree of overshadowing is to be expected, and the degree of overshadowing demonstrated in the Applicant's report is not considered to be materially harmful to the living conditions of neighbouring residents.

Your officers accept the conclusion of the report that the and find the scheme acceptable in terms of daylight and sunlight.

8. Sustainability

8.1. The Council seeks to ensure new development contributes to sustainable development including climate change adaptation and mitigation. Core Strategy policy CP19 stipulates that London Plan policy 5.2 be followed, which requires carbon dioxide emissions from new development to be minimised in accordance with an Energy Hierarchy to Be Lean (use less energy), Be Clean (supply energy efficiently), Be Green (use renewable energy). The development appears to meet the London Plan target of a 35% reduction in carbon dioxide emissions from the Building Regulations Part L 2013 baseline Target Emissions Rate. The savings are mainly met through Be Clean measures.

Be Lean - The proposal incorporates high-levels of thermal insulation and low energy lighting and utilises passive low-energy design measures

Be Clean – The design incorporates a communal heating system with gas fired combined heat and power (CHP) and backup gas boilers. Individual dwellings will also have a heat interface unit. This appears to show the majority of the saving across the scheme.

Be Green – The design utilises solar photovoltaic (PV) panels for this section

8.2. Your officers consider that due to the unique and constrained nature of the site, the storm relief sewer and denser urban environment, flexibility is required for the mayoral hierarchy in this instance.

8.3. The London Plan target of a 35% reduction in CO2 emissions subject of a restrictive condition, along with further details of connection to a Decentralised Heat / Energy Network system where possible, should Members resolved to grant planning permission.

9. Ecology

9.1. The ecology value of the existing site is low, nevertheless an Ecology Report has been submitted with the application to assess the small areas of foliage within the existing site and surrounding area. Our officers are in agreement with the assessment methodology and scope of the report. The report concludes that there is no signs or evidence of protected, priority or rare species on the site. The site was considered low in ecological value with minimal potential to support rare species.

9.2. Your officers are in agreement that development could proceed on the site with a minimal risk of harm or impact to protected, priority or rare species, habitats or local conservation value.

10. Landscape/Open Space

10.1. Integration with Chippenham Gardens Public Realm

10.1.1. Local residents have raised concerns that the proposal results in the loss of open space. The proposal would result in a building with a different footprint to the existing building, effectively rotating the existing footprint through approximately 45 degrees to provide a north-south frontage along the eastern side of Chippenham Gardens, as opposed to the existing situation which presents a corner to the space. In doing so, there would be a minor (3.5%) reduction in the public realm, from 1115sqm to 1075sqm.

10.1.2 Your officers have given this matter a great deal of consideration and it has been the subject of much discussion with the Applicant. The status of Chippenham Gardens is as adopted highway and whilst it provides both visual amenity and a space for local residents to sit, it is not public open space in the sense that it is given statutory protection. Furthermore, your officers consider that the proposal would better address Chippenham Gardens with the change to the orientation and proposed resurfacing works and some relatively minor improvements to the eastern part of the space so that the new surfacing is integrated into the space in a satisfactory manner.

10.1.3. Your officers, on balance, consider the public realm at Chippenham Gardens would be improved by this proposal, by virtue of better defining the space, improvements to the hard and soft landscaping along the eastern edge of the public realm and by providing active frontages of front gardens and front doors with passive surveillance given by the new residential units.

10.2. Pathway between Kilburn Park Road and Argo House

10.2.1. Officers have given significant weight to the scheme's proposed enhancement of the connection between Kilburn Park Road and Stuart Road. It would provide a well-lit, well-surveilled through-route which would help to improve pedestrian safety and assist the flow of nearby residents through to the commercial shopping parade on Malvern Road.

10.3. Rear Amenity

10.3.1. The private courtyard, comprising of approximately 245sqm, between the aforementioned blocks will

serve as amenity space for the proposal and will comprise of paving, benches, landscaped areas and incidental play equipment for children. Your officers consider this to be an appropriate use of space.

11. Trees

11.1. An assessment of all existing trees on site has been undertaken to assess the extent of tree loss as a result of the proposals. The proposal will see the removal of nine trees: eight to facilitate development and one because it is dead. The proposal seeks to replace these trees with three within the courtyard area and six adjacent to the public footpath to the north of the site. In addition, the proposal will provide replacement trees within the street planting programme led by Brent Council by a planning condition.

11.2. Of the trees to be removed, all are categorised as either B (A being the highest quality, C being the lowest and U to be removed), C or U. The four category A trees, which are within Chippenham Gardens, are to be retained.

11.3. The trees lost provide some amenity value presently, however officers consider that the loss of some lower value trees is acceptable to accommodate new development subject to their replacement at a ratio of four new trees to each lost, either by direct planting on site or elsewhere in the Kilburn regeneration area.

12. Environmental Health

12.1 Construction

12.1.1. Officers acknowledge that that the proposed demolition and construction of the residential dwellings will be carried out within close proximity to existing residential and commercial premises and there is a risk of short term harm to amenity arising from construction in terms of noise, dust, pollution and other disturbances. These matters are, however, covered under separate legislation and therefore it is not appropriate to seek to limit development because of these likely impacts nor to control their impacts under Planning legislation. Officers therefore recommend that an informative be imposed to advise the Applicant to proceed in accordance with relevant Environmental Health legislation and that a condition be imposed that the developers of the site and their contractors be signed up to the Considerate Contractors Scheme.

12.1.2. Due to the proposal including the demolition of a building built before 1985, officers recommend that an informative is added to consider the risks of asbestos on site.

12.2. Air Quality

12.2.1. Officers have reviewed the Air Quality Assessment submitted with the application. There is agreement with the methodology used within the assessment and the conclusions of the report. The report concluded that the air quality impacts from traffic generation and from the proposed CHP plant will not have an impact on local air quality. Therefore provided the proposed CHP plant as described in the report is installed there is have no objections to this element of the application.

12.3. Contamination

12.3.1. Officers have reviewed the RSK Preliminary Risk Assessment and the Phase II Geo-environmental site assessment. There is agreement with the conclusions of this report and agree that further gas monitoring will be required, when there is low and falling atmospheric pressures. In addition there is agreement that the elevated levels of zinc, lead, mercury and benzo-a-pyrene need to be considered in terms of appropriate remediation.

12.3.2. Therefore due to there being a requirement for some further investigative works officers would recommend conditions stipulating further works, should the application be approved.

12. 4. Summary

12.4.1. Your officers have no objections to the application on Environmental Health grounds, subject to appropriate conditions.

13. Transportation

13.1. Officers have given consideration to the below when assessing the application:

- Kilburn Park Road – local distributor road and bus route straddling border with Westminster
- Chippenham Gardens & Malvern Road – local residential access roads
- Stuart Road – local access road, maintained by Brent Housing to north of site
- Controlled Parking Zone “KM” 8am-6.30pm Mon-Sat
- Bus stop on KPR frontage & bus stand on CG frontage. No parking at any time at junctions
- Otherwise, two p&d/permit parking bays on MR and private parking enforcement on SR
- Adjoining streets not heavily parked at night, with applicant’s parking surveys showing 65-70% parking bay occupancy in area
- PTAL 5 (very good)

13.2. Car parking allowances for the existing and proposed uses on this site are set out in standards PS7 and PS14 of the adopted UDP 2004. As the site has excellent access to public transport services and is located within a CPZ, a reduced residential allowance of 0.7 spaces per 1-2-bed flat and 1.2 spaces per 3-4-bed flat applies.

13.3. The existing Post Office retail unit is therefore permitted up to one off-street parking space, whilst the 12 existing maisonettes (6 x 2-bed & 6 x 3-bed) are permitted up to 11.4 spaces. Under servicing standard PS17, the Post Office also requires servicing by transit sized vehicles.

13.4. The gated yard to the rear of the Post Office provides space for servicing of that unit alongside two parking spaces. However, there is no existing off-street parking available for the maisonettes, which therefore rely on privately managed on-street parking along Stuart Road.

13.5. The 52 proposed flats are permitted up to 40.9 residential parking spaces, although this can be halved for affordable social rented housing – of which 22 units (12 x 1-bed, 4 x 2-bed & 6 x 3-bed) are proposed. With no off-street parking proposed within the site anyway, maximum standards would be complied with.

13.6. However, Policy TRN23 requires consideration to be given to the impact of overspill parking from the site on traffic flow and road safety. This does allow on-street parking to be counted towards standards, but only along the site frontage on lightly parked local residential access roads. In this case, although the site fronts four roads, there is very little available parking space along the site frontages, with bus stops and bus stands on Kilburn Park Road and Chippenham Gardens taking up much of the kerbside space and double yellow lines preventing parking close to junctions. Stuart Road is also restricted in width, which further limits the availability of on-street parking.

13.7. As such, only a handful of cars could be safely accommodated along the site frontage, falling well short of the parking standard referred to above.

13.8. Data from the 2011 Census for flats in the immediate area shows car ownership averaging about 0.38 cars/household, which would equate to about 20 cars. Again, this comfortably exceeds the level of parking that could be safely accommodated along the site frontage.

13.9. To address this, Policy TRN23 does exceptionally allow ‘car-free’ agreements to be used in areas with good public transport access, with a CPZ also being required to enforce this. The location of this site is therefore considered suitable for a car-free development to mitigate concerns regarding parking from the site and a S106 Agreement is recommended to remove the right of future residents to on-street parking permits in the area.

13.10. Standard PS15 requires 5-10% of spaces to be widened and marked for use by disabled persons, with an allocated space for each wheelchair unit. Five wheelchair accessible units are proposed on the ground floor, but with no off-site parking proposed, no off-street disabled parking space can be provided. However, residents with Blue Badges would be exempt from the ‘car-free’ agreement and would therefore be able to purchase permits to park on-street in the area, making use of space along Stuart Road or Malvern Road. Dedicated disabled spaces could also be marked on the ground, although this would only be done on demand.

13.11. Pedestrian access to the building is taken from all sides. To provide a welcoming entrance from the northern side, the existing footpath linking Kilburn Park Road and Stuart Road is to be widened into the site to increase its width to 2.5m, which is welcomed. The footway along the Kilburn Park Road frontage also appears to be widened by 500mm into the site, which is also welcomed.

13.12. It is also proposed through this development to undertake works in Stuart Road to bring it up to an adoptable standard to allow maintenance responsibility to be transferred from Brent's Housing Partnership to the Highway Service. This will include removal of the vehicular access gates from the road and potential implementation of a southbound one-way system. A potential adoption plan has been submitted with the Transport Statement, however it needs very minor revisions to become acceptable. Otherwise, the adoption of Stuart Road following remedial works is fine in principle and any adoption agreement should include the widened footpath and footway of Kilburn Park Road too. The existing Controlled Parking Zone "KM" will also need to be extended into Stuart Road if the adoption of the road does proceed though.

13.13. With no vehicular access required to the new development, the two existing crossovers from Stuart Road will become redundant and will need to be removed and reinstated to footway at the developer's expense as part of the highway adoption works.

13.14. The building also fronts an area of open space bordered by Stuart Road, Malvern Road and Chippenham Gardens, which was fairly recently adopted as publicly maintainable highway following works to improve the landscaping of the area. The new building is proposed to be rotated to face directly onto the open space though (rather than at an angle as at present), which will alter the highway boundary line. This in turn requires part of the existing adopted highway to be stopped up to facilitate the new building and part of the existing site to be offered for adoption in order to reconcile the highway boundary line and building line with one another. These works will need to be pursued under S247 of the Town & Country Planning Act 1990 and S38 of the Highways Act 1980 respectively.

13.15. In terms of trip generation, comparisons with surveys of other similar blocks of flats in Inner London suggest that the development would generate 3-4 vehicular movements during each peak hour (8-9am and 5-6pm). In practice, the recommended 'car-free' restriction would limit trips yet further. These flows are not in any case significant enough to warrant any further consideration of highway capacity in the area.

13.16. Refuse and Cycle Provision

13.17. Standard PS16 requires the provision of at least one secure bicycle parking space per flat. An internal storeroom for 54 bikes has been indicated to more than meet this requirement for the upper floor flats, with each of the ground floor units additionally having a bicycle stand within its private garden area. Eight further stands are indicated within the shared amenity area.

13.18. Refuse storage for 13 Eurobins is indicated at ground floor level at the rear of the building, fronting the shared courtyard area. The two stores are located about 20m from the Stuart Road boundary though, which exceeds the maximum drag distance of 10m for bins of this size. To address this, a management company will be responsible for bringing the bins to the highway boundary on collection days.

13.19. Summary

13.20 Subject to conditions to:

- remove the right of all future occupiers of the building to on-street parking permits;
- stopping up of part of the frontage of the site as highway to facilitate construction of the proposed building under S247 of the Highways Act 1990;
- undertaking of remedial works within Stuart Road to bring it up to an adoptable standard, including removal of the vehicular gate from the road and adoption of Stuart Road, the proposed 2.5m wide footpath link between Stuart Road and Kilburn Park Road and the widened footway of Kilburn Park Road as public highway under S38 of the Highways Act 1980

13.21 Your highway officers have no objections to this proposal.

14. Summary

14.1. Your officers see significant wider benefits to the scheme, which includes the continued and viable delivery of both affordable and private housing within a sustainable location, the reconfiguration of the plot to regularise and reinforce the local street pattern and the enhancement of the public right of way between Kilburn Park Road and Stuart Road.

14.2. Whilst your officers acknowledge that the quantum of open space on the adjacent Chippenham Gardens Open Space is slightly reducing, it is the belief that this is necessary to create a development positively responds to Chippenham Gardens Open Space and provides this area with the passive surveillance, active frontages and visual presence that it requires.

14.3. Your officers recommend this proposal for approval.

CIL DETAILS

This application is liable to pay **£985,582.94*** 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): 1336 sq. m.

Total amount of floorspace on completion (G): 4750 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	4750		3414	£200.00	£35.15	£838,258.93	£147,324.01
			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (lc)	224	224
BCIS figure for year in which the planning permission was granted (lp)	275	
Total chargeable amount	£838,258.93	£147,324.01

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

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

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



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

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Application No: 16/1191

To: Mr Black
PRP Planning
10 Lindsey Street
London
Surrey
EC1A 9HP

I refer to your application dated 18/03/2016 proposing the following:
Demolition of existing buildings at 5-9 Chippenham Gardens, Kilburn Park Post Office and 4-26 Stuart Road (even numbers) and construction of part-four, -five and -six storey building comprising 52 self contained flats (24 x 1 bed, 19 x 2 bed and 9 x 3 bed) with associated highway works, hard and soft landscaping, cycle and refuse provision and alterations to Chippenham Gardens and accompanied by plans or documents listed here:
See condition 2
at 5-9 Chippenham Gardens, London, NW6 5LH

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:-

NPPF Sections
Brent Unitary Development Plan 2004 (saved policies)
The Brent Council Core Strategy
NPPG Central Government Guidance
The London Plan (2015)
Council's Supplementary Planning Guidance 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

- 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):

Proposed Site Plan A4486-2005 Rev A
Proposed Ground Floor Plan A4486-2006 Rev A
Proposed First Floor Plan A4486-2007
Proposed Second Floor Plan A4486-2008
Proposed Third Floor Plan A4486-2009
Proposed Fourth Floor Plan A4486-2010 Rev A
Proposed Fifth Floor Plan A4486-2011
Proposed Roof Plan A4486-2012
Proposed Elevations AA4486-2013
Proposed Elevations A4486-2014 Rev A
Revised Landscape Plan AA4486-2017

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

- 3 Full details of secure and covered cycle parking for a minimum 52 bicycles, including the layout of cycle parking areas and details of cycle storage facilities within those areas shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to occupation and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of sustainable transport and highway flow and safety.

- 4 Further details of a communal television system/satellite dish provision shall be submitted to and

approved in writing by the Local Planning Authority prior to the installation of any satellite dish. The approved details shall be fully implemented and retained for the lifetime of the development.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, in the interests of the visual appearance of the development, in particular, and the locality in general.

- 5 Further details of the areas labelled as "green roof" on the approved plans [no.2010A and 2011] shall be submitted to and agreed in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details prior to occupation of the development hereby approved and shall be maintained for the lifetime of the development with its vegetative covering comprising sedum and a wild flower mix. Any changes to the green roofing system shall be submitted to the Council for approval prior to any alteration taking place.

No access except for maintenance purpose shall be provided to the external green roofing of the building by way of window, door or stairway and the external flat roof areas of the building hereby approved shall not be used as a balcony or sitting out area.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality

- 6 No development shall be carried out until what time as 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.

- 7 Prior to occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the local planning authority to demonstrate that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: To ensure the new dwellings are water efficient

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

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

- 9 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970 or occupies flat 0.1, 0.6 or 0.7 of the approved ground floor plan [2006 RevA] . For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

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

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

- 11 No part of the development authorised by this permission shall begin until the applicant has entered into an agreement with the Local Highway Authority under Sections 38 and 278 of the Highways Act 1980 to provide the following highway works in general accordance with the approved drawings [AA4486-1176 and 2017.] notwithstanding that a revised Highways Works drawing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works whatsoever in order to show more clearly the extent of the works particularly in relation to the adoption of Stuart Road:

- (i) stopping up of part of the frontage of the site as highway to facilitate construction of the proposed building under S247 of the Highways Act 1990;
- (ii) undertaking of remedial works within Stuart Road to bring it up to an adoptable standard, including removal of the vehicular gate from the road and adoption of Stuart Road; and
- (iii) completing the proposed 2.5m wide footpath link between Stuart Road and Kilburn Park Road and the widened footway of Kilburn Park Road as public highway under S38 of the Highways Act 1980
- (iv) enhancement of landscaping to the area bounded by Chippenham Gardens, Malvern Road and Stuart Road

The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as being substantially complete by or on behalf of the local planning authority.

Reason: In the interests of highway and pedestrian safety.

- 12 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 any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval prior to the installation of any plant. The plant shall thereafter be installed and maintained for the lifetime of the development in accordance with the approved details

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

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

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

A test shall be carried out prior to the discharge of this condition to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance

13

- 14 Prior to the occupation of the development, the applicant shall submit to the Local Planning Authority for its approval a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment (prepared by Temple assessment dated 15th March 2016) have been implemented. The mitigation measures shall thereafter be retained for the lifetime of the development

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

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

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

- 16 Prior to occupation of the development any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full and a verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 17 No occupation of the development shall occur unless an Energy Assessment Review has been submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:

- (i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO₂ emissions; and
- (ii) Provides details of the future connection to Decentralised Heat / Energy Network

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

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

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

- 18 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 shall be retained for the lifetime of the development.

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

- 19 Prior to commencement of development, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show:

- (i) the window and door manufacturer, model, materials and colour;
- (ii) window and door reveals, headers and sills, including the depth of the reveals;
- (iii) opening arrangement of typical window;
- (iv) details of the winter gardens proposed on the east and south elevations, including materials, doors and external finishes;
- (v) balcony treatment (elevations and section plans including details of the floor level, with any ledges or flat surfaces to be provided on the inside of the balconies only); and
- (vi) junction details of differing materials

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

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

- 20 Prior to commencement of works above ground level, further details of the sustainable urban drainage measures to achieve a 5l/s discharge rate for surface water in accordance with the London Plan SUDS drainage hierarchy shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: To comply with London Plan Policy 5:13 (Sustainable drainage).

- 21 Prior to the occupation of the development, details of a Refuse Management Plan shall be submitted and approved in writing by the Local Planning Authority. Such details will include the design of the bin stores, the quantum and types of bins (to include recyclable waste provision), the refuse holding area and method of collection. The approved details shall be retained for the lifetime of the development.

Reason: To provide adequate refuse facilities for residents and to ensure the effective pick up of waste from the development

- 22 The Owner will shall not occupy or allow occupation of more than 50% of the private flats until it has transferred the freehold, or long leasehold of a minimum of 125 years interest, to a Registered Provider for the affordable housing flats.

Reason: To ensure the delivery of affordable housing for the development

- 23 22 of the residential dwellings hereby approved comprising 12 x one-bed, four x two-bed and six x three-bed units to be affordable housing in perpetuity and shall be delivered as social rented flats with rents set at target rent levels and to which the London Borough of Brent will have 100% nomination rights in perpetuity. In addition, the Owner shall enter into a Nomination Agreement with the London Borough of Brent prior to occupation of the affordable housing flats.

Reason: To secure the social housing element with the development

- 24 Not more than 70% of the private flats shall be occupied unless the Owner has submitted a review

of the actual private residential sales values achieved on the scheme to the Local Planning Authority for its approval which shall agree appropriate arrangements to provide additional affordable housing above the 42% hereby secured either on or off site within the South Kilburn Regeneration Area (or elsewhere in the London Borough of Brent if agreed in writing with the Council) so that the additional 8% additional affordable housing is provided in the event that the total sales values of the private sales flats in aggregate is equal to or higher than a value equivalent to £1,136 per square foot on a Net Internal Area (NIA) basis, such additional affordable housing provision being pro rata'ed down in the event that the total sales values of the private sales flats in aggregate result in a rate between a baseline of £916 and £1,136 per square foot on a Net Internal Area (NIA) basis, so that for each pound per square foot below £1,136 the amount of additional affordable housing provided shall decrease.

Reason: In order to secure the maximum level of affordable housing for the development but to not secure more than 50% affordable housing

- 25 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 hard or soft landscaping works on the site. Such landscaping work shall be completed during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:

- (i) Proposed walls and fencing, indicating materials and heights;
- (ii) Materials used for the hard landscaping
- (iii) Screen planting along all boundaries.
- (iv) Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.
- (v) Mounds existing contours and any alteration of the ground levels, such as earth mounding.
- (vi) Signboards and seating
- (vii) Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian and vehicle parking areas.
- (viii) Details of the proposed arrangements for maintenance of the 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 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.

- 26 The development shall not commence until appropriate arrangements have been made in writing with the Local Planning Authority to replace either by on-site reprovision or other means the trees lost as a result of the development at a ratio of four replacement trees to every one tree removed. The use authorised by this permission shall not begin until the above and the development shall not be occupied until the works have been completed in accordance with the above points .

Reason: To ensure the sustainable replanting of trees lost to this development

INFORMATIVES

- 1 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant is 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.

- 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 Robert Reeds, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726

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COMMITTEE REPORT

Planning Committee on 5 July, 2016
Item No 06
Case Number 16/0130

SITE INFORMATION

RECEIVED: 12 January, 2016

WARD: Mapesbury

PLANNING AREA: Brent Connects Kilburn

LOCATION: 40 St Gabriels Road, London, NW2 4SA

PROPOSAL: Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alterations

APPLICANT: Mr Bedhan

CONTACT: golzari ng-architect

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_126002

[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 "16/0130" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

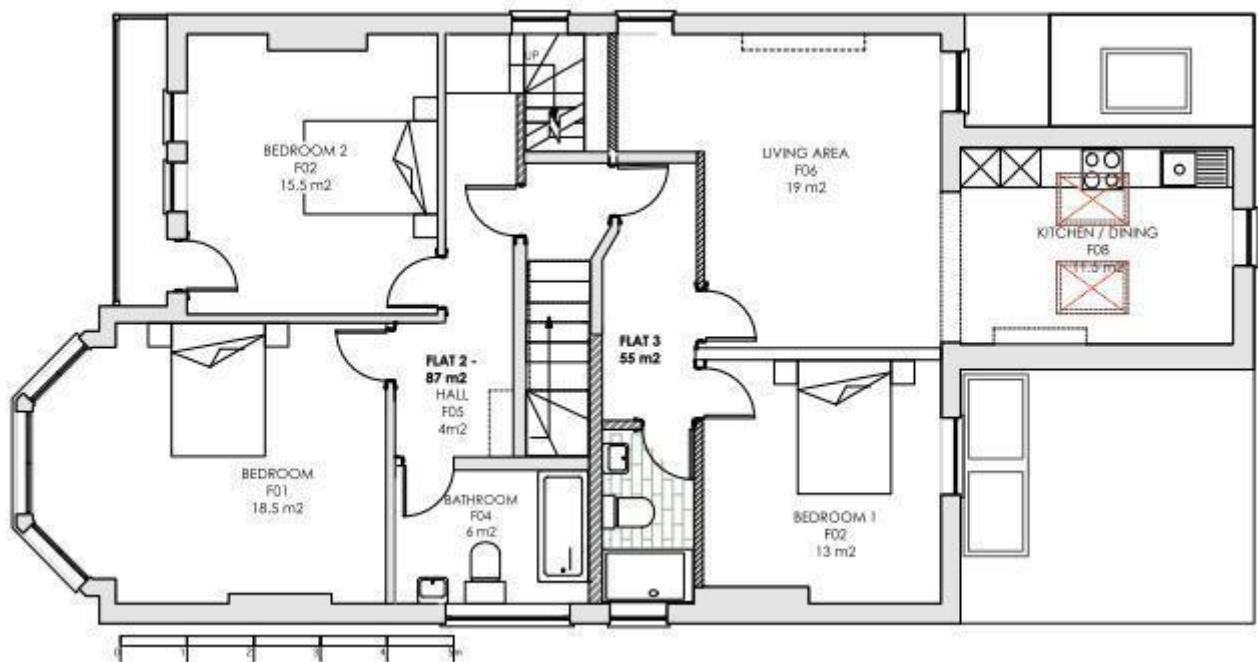
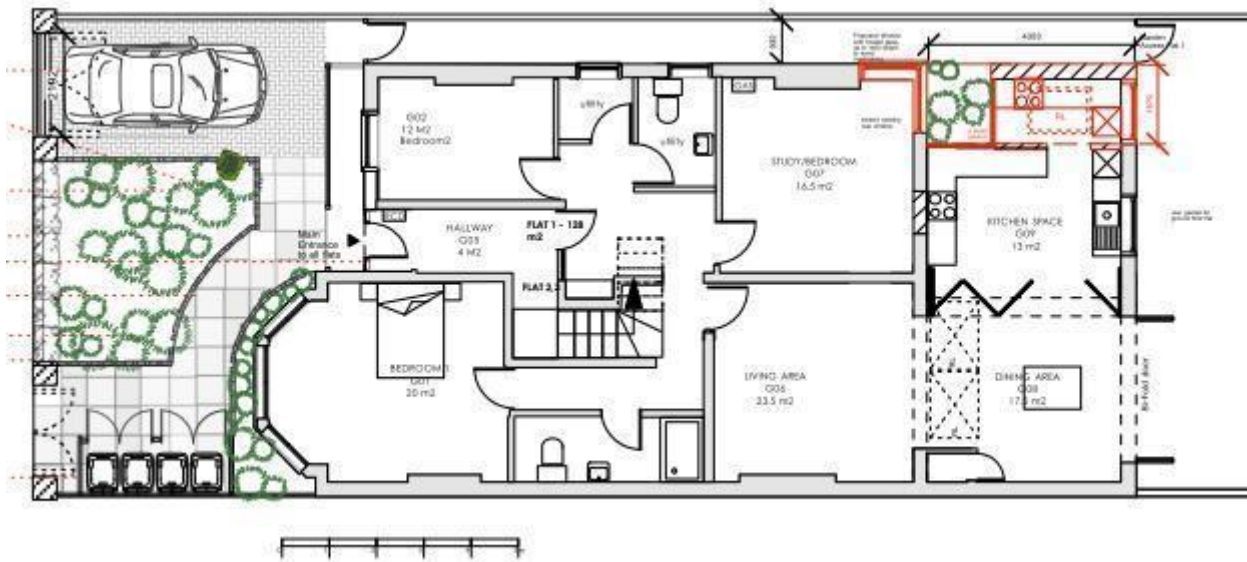
Site address: 40 St Gabriels Road, London, NW2 4SA

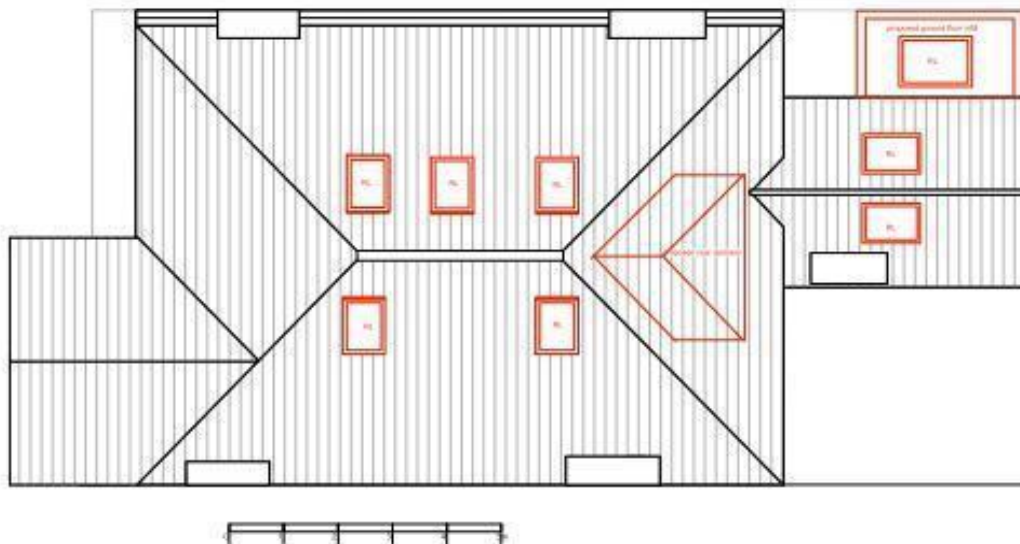
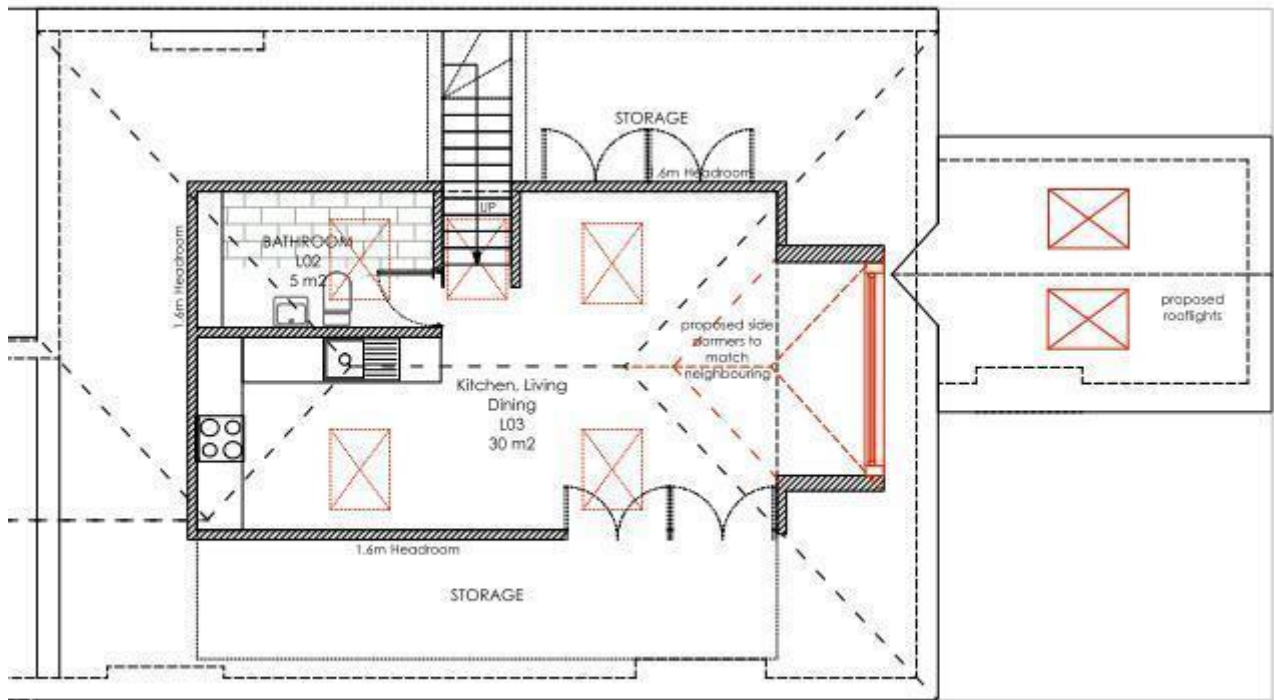
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This map is indicative only.

SELECTED SITE PLANS

SELECTED SITE PLANS





RECOMMENDATIONS

RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

Conditions

1. Time
2. Drawings
3. Further details requesting boundary treatments, landscaping and windows/doors
4. Post completion sound testing
5. Refuse and cycle provision
6. Alterations to the front facade
7. Any other planning conditions considered necessary by the Head of Planning

Informatives

1. Party Wall
2. Any other informatives considered necessary by the Head of Planning

A) PROPOSAL

Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alteration

The external alterations are;

- Rear hipped dormer
- Infill rear/side extension
- Rooflights on main roof and outrigger
- Alterations to the front boundary and landscaping to the frontage

The applicant has made several changes during the course of the application, to respond to both officer and local residents concerns.

- There is now no side access. All access to the flats are from the front;
- The applicant has agreed to reinstate the original door and windows. This will be conditioned into any future consent;
- The front boundary wall shall be re-instated accompanied by a new landscaping scheme to the frontage;
- The two dormers to the rear have been replaced with a single one.

Your officers are satisfied that these amendments are within the remit and general description of the application and all revised plans are available to view online.

B) EXISTING

This host property is a well-proportioned and intact detached dwelling house dating from the Victorian era which is situated within the Mapesbury Conservation Area -considered to be a heritage asset. Mapesbury is one of the largest of the Conservation Areas in Brent. It is characterised and is significant because it remains largely unaltered. Its turn of the century town-houses are of high architectural quality and have intricate detailing. Number 40 St Gabriel's Road has some original character and original detailing however unfortunately some elements, such as the windows and doors, have been replaced less sympathetically.

C) AMENDMENTS SINCE SUBMISSION

The applicant has made several changes during the course of the application, to respond to officer and local residents concerns.

- There is now no side access. All access to the flats are from the front;
- The applicant has agreed to reinstate the original door and windows. This will be conditioned into any future consent;
- The front boundary wall shall be re-instated accompanied by a new landscaping scheme to the frontage;
- The two dormers to the rear have been replaced with a single one.

Your officers are satisfied that these amendments are within the remit and general description of the application and all revised plans are available to view online.

D) SUMMARY OF KEY ISSUES

The proposal complies with the Development Plan policies in respect of conversion of a house to flats and in particular re-provides a family sized dwelling and as such your officers have given weight to the merit of providing additional dwellings to contribute towards Brent's housing target.

The key issues for this application are:

- Principle of conversion from dwelling house to flats;

- The quality of accommodation created;
- The impact on the character and appearance of the area;
- The transport impacts; and
- The impacts on neighbouring amenity.

RELEVANT SITE HISTORY

15/2260- Conversion of dwellinghouse into 4 self-contained flats (3x1bed and 1xstudio) to include side and rear dormer window, x3 rooflights, single storey rear infill extension, detached single storey outbuilding and assoaited external alterations including creation of side access, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores and amenity space- WDN

10/1988- Rendering of front boundary wall, replacement of damaged balcony spindles to ground-floor and first-floor front balconies and repainting of wooden window frames, balconies and front gable (Article 4 Direction)- GTD

Certificate of lawfulness for the proposed installation of 3no. front aluminium windows and retention of 2no. existing aluminium windows

CONSULTATIONS

Neighbour letters for the application were dispatched on 04/03/2016.

A site notice was erected on and the application was publicised on 07/03/2016.

Councillors for Mapesbury and Mapesbury Conservation Area Residents Association were consulted on the application.

In total, there have been 20 objections to the proposal and 1 objection from Mapesbury Conservation Area Residents Association. The objections are listed below along with the paragraph responses. Some objections are not based on planning reasons and therefore have not been given weight.

Objection Summary	Response
Proposed access to two flats via the side alleyway is out of keeping with the conservation area.	Amendments since submission
Proposed access will have an impact on neighbouring amenity	Amendments since submission
Amount of people at the property could increase	Point 4.1.1
Not enough space for bins.	Point 6.8
Two dormers at the rear is excessive	Amendments since submission
Rooflights will cause light pollution	Point 4.1.4 and Point 5.2
Concern over external condition of the property	Point 4.1.8
Large houses need to be preserved and flats are out of keeping with the local area	Point 2.1
Increase in parking in the surrounding area	Point 6.6
Frontage is unsuitably landscaped	Amendments since submission

POLICY CONSIDERATIONS

National Planning Policy Framework (2012):

- Section 7 – Requiring Good Design

The London Plan (2011):

- Policy 3.5 – Quality and Design of Housing Developments

Core Strategy (2010):

- CP17 – Protecting and Enhancing the Suburban Character of Brent
- CP21 – A Balanced Housing Stock

Brent's UDP (2004):

- BE2 – Townscape: Local Context and Character

- BE7 – Public Realm: Streetscape
- BE9 – Architectural Quality
- H17 – Flat Conversions
- H18 – The Quality of Flat Conversions
- H19 – Flat Conversions – Access and Parking
- TRN3 – Environmental Impact of Traffic
- TRN23 – Parking Standards – Residential Developments
- TRN24 – On-Street Parking

Supplementary Planning Guidance:

- SPG 5 – Altering and Extending Your Home (2002)
- SPG17 – Design Guide for New Development (2001)

Mapesbury Conservation Area Design Guide

DETAILED CONSIDERATIONS

1. Introduction

1.1. The proposal seeks to change the current arrangement of one x single dwelling house into three x self contained flats with associated external alterations.

2. Principle

2.1. Brent takes a positive approach to the conversion of house to flats however whether a conversion is acceptable in principle rests on the need to comply with the relevant Development Plan policy requirements as follows:

- For the existing dwellinghouse to have an original, unextended floor area of at least 110sqm and to be suitable for conversion;
- For the conversion to accommodate a family sized (three bedroom) unit; and
- For the increase in parking to not materially harm highway and pedestrian safety or to result in excessive forecourt parking

2.2. The unextended floor area of the property is 250sqm and the proposal (with the conversion of the roof space and small infill extension) sets to increase this by 35sqm to 285sqm and the proposal would reprovide a a three-bedroom unit on the ground floor. St Gabriel's Road is not heavily parked and the increase in parking can safely be accommodated on street.

2.3. Your officers consider that the principle of the conversion of the single dwelling house to flats is acceptable as it meets the requirements of policy CP21 within the Core Strategy..

3. Quality of Accommodation

3.1. The Gross Internal Area of the three flats are below.

Flat	Type	GIA (target)
Flat 1- Ground Floor	3b 6p	130sqm (95sqm)
Flat 2- First Floor and Roof	2b 4p	87sqm (70sqm)
Flat- 3 First Floor 1b 2p	1b 2p	55sqm (50sqm)

3.2. All flats have internal areas that exceed the Nationally Described Space Standards for flatted properties as detailed above.

3.3. All habitable rooms have acceptable outlooks and whilst flat three is single aspect (north-east and rear facing) they have large windows and the roof is proposed to have several rooflights which will provide plenty of light.

3.4. Your officers acknowledge that the first floor rear facing flat will overlook the ground floor flats garden, however this is a common occurrence in house conversion schemes and not considered to materially harm the living conditions of the occupants of the ground floor flat.

3.5. Generally, officers expect flats within conversion schemes to have appropriate 'stacking'- for example bedrooms aligning with bedrooms- to reduce the impact of different room uses on top of each other. In this

case, there is difficulty in achieving this and there is an overlap of a living room onto a bedroom at first floor. To counter this, prior to the occupation of the flats, a post completion sound test will be required to be submitted to the Council to ensure building regulations are achieved. Your officers consider this to be acceptable, given other material benefits to the scheme such as the reinstatement of windows and the front door.

3.6. Your officers consider that the proposed flats all meet the requirements to ensure a satisfactory standard of accommodation, in accordance with the Development Plan.

4. Impact on Character and Appearance of the Area

4.1. Flats

4.1.1 There have been objections raised that the increase in flats in the area would harm the character of Mapesbury Conservation Area.. Your officers do not consider that the principle of the change of use will alter the character and appearance of the area and there are other properties that have been converted to flats along the street.

4.1.2. External Alterations

4.1.3. The side extension to the rear is approximately 2.85m in height and 2.9m in length. It does not attach to the rear of the property and is set off the boundary by approximately 1m.

4.1.4. The proposed rooflights, which will be condition be required to be flush conservation type, are unlikely to be materially harmful as they are set back on the side slopes some distance from the front. It is also considered that the chimneys help to shield their insertion from the road. The rooflights on the outrigger cannot be seen from the street.

4.1.5. The applicant has agreed to reinstate the existing windows and door to the property. Officers consider this to be a merit of the proposal, to the benefit of the character and appearance of the conservation area.. Further details of these windows will be secured by condition at an appropriate scale.

4.1.6. The rear dormer window is acceptable in its size and appearance and is not considered cause any undue harm on the conservation area.

4.1.7. The proposal for the frontage to the property has been revised and has a total area of 50sqm. The total area of planting to the frontage is 21sqm, giving a proportion of soft landscaping of of 42%. Whilst this is below for 50% generally required in such areas, the existing situation at the front of the property is substandard and detracts from the general character of the area. Your officers consider this to be a material improvement on the existing situation and any future grant of permission will be accompanied by a condition.

4.1.8. Your officers consider that the relatively minor alterations to the property are unlikely to materially harm the Conservation Area and as such, are considered to preserve it. The alterations to the front of the property, the re-instatement of the windows and the replacement of the boundary wall to the frontage are considered to enhance the immediate vicinity and are in line with Brent's Unitary Development Plan, SPG5- Altering and Extending Your Home and the Mapesbury Conservation Area Design Guide.

5. Impact on Neighbouring Amenity

5.1. The original proposal was to have a side entrance for the upper floor flats however due to local objections and officer recommendations this has been changed with revised plans having been received which showing a revised layout to incorporate all entrances from the existing front door. As the entrance will not change from the existing, your officers do not consider the point of entrance to be detrimental to the neighbours amenity.

5.2. The rooflights are in a high position on the roof and therefore your officers are not of the opinion that this would materially compromise the amenity or privacy of residents at number 38 or 42.

5.3. The rear dormer is unlikely to result in a materially harmful loss of privacy towards the existing neighbours to either side, however it is acknowledged that this feature would result in overlooking to the garden of the host site.

5.4. Your officers consider that there is unlikely to be any materially harm to the living conditions of

neighbouring occupants and thus the proposal complies with the Development Plan.

6. Transportation

6.1. The site has low access to public transport with PTAL 2 and this was also calculated manually for confirmation.

6.2. St. Gabriel's Road is within a Controlled Parking Zone (MA_1) which operates Mon-Fri 10am-3pm whereby only residential permit holders can park. The carriageway width outside the property over 9m wide and there can accommodate on-street parking whilst still retaining sufficient carriageway width for service vehicles to pass.

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

6.4. The maximum parking allowance for the existing five-bedroom property is therefore two spaces. The site can currently accommodate one off street parking space and there is a further parking space on-street along the frontage of the site that can be counted towards satisfying parking standards in this lightly parked street.

6.5. The three proposed flats will have a total parking allowance of 3.4 spaces. Drawing number NG014 proposes to retain the existing parking space within the front garden to accommodate one parking space only.

6.6. In cases where the full standard for flat conversion cannot be accommodated on-site or on-street, including where excessive on-site parking on the frontage would result, Policy H19 of the UDP restricts the number of units to one per 75m² of the original floor area of the dwelling. This would limit the number of flats to three in this case and the provision of three flats is therefore acceptable, without providing additional off-street parking.

6.7. There is a requirement to provide visibility at the access for pedestrian safety as set out in the guidance SPG-3 and there should be no obstruction over the height of 0.8m above road level; therefore further details of the height of the front boundary wall/fence should be submitted for approval. This element of the scheme will be conditioned. Such a condition will include ensuring the existing front boundary has a Brent parking sign which advises the public that the bay is resident permit holders only. This sign was placed by Brent in agreement with the owner and Mapesbury Residents Association. The owner must keep the sign on the front boundary wall and contact transportation if the sign has been lost.

6.8. The applicant has not shown any cycle parking for this site and minimum three cycle spaces should be provided in a secure, covered store to comply with PS16 of the UDP. This is likely to be in the rear of the garden, accessed via the side gate due to the limited site frontage and potential impacts of a cycle storage box on the conservation area. The bin storage arrangements are broadly acceptable, however it is recommended that these details should be submitted within the front landscaping scheme in case any minor alterations are necessary.

6.9. The proposal complies with the Development Plan in respect of parking and servicing subject to a condition requiring the submission and approval of further details showing secure and covered cycle parking to comply with PS16 of the UDP.

7. Summary

7.1. Your officers consider that the application, subject to conditions, complies with the Development Plan, which takes a positive approach to flat conversions as it serves to increase the housing stock in the borough. Your officers also believe that the proposal has the potential to enhance the character and appearance of the conservation area with the applicant re-instating the original windows and doors to the property along with substantial improvements to the frontage.

CIL DETAILS

This application is liable to pay **£10,067.36*** 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): 285 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	285	250	35	£200.00	£35.15	£8,562.50	£1,504.86
			0	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	274	
Total chargeable amount	£8,562.50	£1,504.86

*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: 16/0130

To: Ms Sharif
golzari ng-architect
United House
39-41 North Road
London
N7 9DP

I refer to your application dated 12/01/2016 proposing the following:
Conversion of dwellinghouse into 3 self-contained flats (1 x 3 bed, 1 x 2bed and 1 x 1bed) to include one rear dormer windows, x7 rooflights, single storey rear infill extension and associated external alterations to the side window, re-instatement of original windows and door, new bi-folding doors to the rear ground floor, cycle parking spaces, bin stores, amenity space and front boundary alterations and accompanied by plans or documents listed here:
See condition 2
at 40 St Gabriels Road, London, NW2 4SA

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
Mapesbury 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):

Existing and Proposed Front Elevations NG05 Rev C
Proposed Landscaping Plan NG007 Rev B
Proposed Site Plan NG00 Rev D
Proposed Ground Floor Plan NG007 Rev D
Proposed First Floor Plan NG08 Rev D
Proposed Elevations NG012 Rev D
Proposed Loft Plan NG009 Rev C
Proposed Roof Plan NG009 Rev C

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

- 3 No down pipes, waste water pipes, branch pipes, flues or other such installations shall be attached to the front façade of building without express permission from the Local Planning Authority.

Reason: To preserve the unique attributes of the Conservation Area

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

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

- 5 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out and completed in all respects in accordance with the approved prior to occupation. Such details shall include:-

(i) The proposed boundary treatment including all fences, walls (including pier caps), paving, and gateways;

(ii) Landscaping proposals for the front garden;

(iii) Exact specifications of the reinstated windows and door (at scale 1:10, including sections);

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

- 6 Prior to occupation of the new flats 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.

- 7 Details of the provision of a minimum of three secure cycle parking spaces and further details of refuse provision for the approved flats shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The approved details and facilities shall be retained for the lifetime of the development.

Reason: To ensure satisfactory facilities for the occupants

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

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