



## Planning Committee

**Wednesday 14 December 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, Governance Officer  
020 8937 1354; [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

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**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

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

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

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant personal and prejudicial interests and discloseable pecuniary interests in any matter to be considered at this meeting.		
2. Minutes of the previous meeting held on 16 November 2016		1 - 6
<b>PART 2 - APPLICATIONS FOR DECISION</b>		
3. 15 Littleton Road, Harrow, HA1 3SY (Ref. 16/0852)	Northwick Park	11 - 34
4. Amex House, North End Road, Wembley, HA9 0UU (Ref. 16/1404)	Tokynghon	35 - 76
5. 103 Crummock Gardens, London, NW9 0DH (Ref. 16/2922)		77 - 94
6. Land next to Wembley Arena Square, Engineers Way, Wembley (Ref. 16/4506)	Tokynghon	95 - 142
7. Ealing Road Library, Ealing Road, Wembley (Ref.16/4257)	Wembley Central	143-164
8. Cottrell House, Wembley Hill Road, Wembley, HA9 8DL (Ref. 16/1698)	Tokynghon	165-204
9. 111-115 Salusbury Rd, London NW6 (Ref.16/3731)	Queens Park	205-220
10. Warranty House and Garden Centre, Dudden Hill Lane, London, NW10 1DD (Ref. 16/4010)	Dudden Hill	221-262
11. Draft Basement Supplementary Planning Document This report sets out the rationale for consultation on a draft Brent Basement Supplementary Planning Document (SPD). It provides a high level summary of the content of the document and clarity on what are planning matters and which matters are the remit of other legislation/statutory functions.		263-290
12. 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 18 January 2017**



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

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Wednesday 16 November 2016 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Agha (Vice-Chair) and Councillors Hylton, Long, J Mitchell Murray, Moher, Pitruzzella and Maurice

Also present: Councillor Naheerathan

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

None.

The following approaches were recorded:

4. 6 Bowmans Trading Estate, Westmoreland Road NW6 (Ref. 16/0595)  
Councillor Marquis (Chair) received emails from neighbouring occupiers.
- 5 3 The Grove, Kingsbury NW9 0TL (Ref. 16/4104)  
Councillor Moher received emails from residents which she forwarded to officers.
7. Land rear of 274-280 Kingsbury Road NW9 (Ref. 15/2313)  
All members received emails from Ken Healy raising objections to the scheme.

All members affirmed that they would consider the applications with open mind.

#### 2. **Minutes of the previous meeting - 19 October 2016**

RESOLVED:-

that the minutes of the previous meeting held on 19 October 2016 be approved as an accurate record of the meeting subject to the following amendment to the application for 274-280 Kingsbury Road, paragraphs 4 and 5:

Members discussed the application. They voted on the officer recommendation and on a vote of 3 in favour, 3 against and 1 abstention, the chair used her casting vote to not support the recommendation to grant planning permission. In the absence of agreed and formulated planning reasons for refusal, in accordance with paragraph 38 of the Council's Planning Code of Practice, the application stood deferred and officers will bring a report providing further advice at a future meeting of the Planning Committee.

**3. 6 Bowmans Trading Estate, Westmoreland Road NW9 9RL (Ref.16/0595)**

PROPOSAL: Demolition of existing single storey temple building and erection of a new 5 storey temple with a shikhar (tower), basement level for storage and plant equipment, ancillary library and educational use, priest accommodation, and a function room (Use class Sui Generis) along with associated parking and landscaping.

RECOMMENDATION: Grant planning permission subject to a Section 106 legal agreement and delegated authority to the Head of Planning to secure the planning obligations set out in the legal agreement and impose conditions to secure the matters set out in the report.

Adrian Harding (DM Manager) introduced the report and answered members' questions. He informed members that the proposal was acceptable in terms of principle of development, character, appearance, impact on amenity, Travel Plan and Temple Management Plan. He also referenced the supplementary which highlighted the results of the transport survey and highlighted that the neighbour notification exercise on the application went beyond the statutory minimum.

Bheesham Talwar (objector) alleged lack of consultation with some of the business owners in the area and continued with raised concerns about parking problems which would be aggravated particularly on event days.

Kamlesh Ramani (applicant) addressed the Committee and responded to issues raised by the objector on parking

Members discussed the application after which they agreed an amendment in the name of Councillor Long for weddings to covered in the Travel Plan.

DECISION: Agreed the recommendation as set out subject to an amendment to the requirements for a travel plan, in that it should include any arrangements for travelling to weddings taking place at the venue and additional the conditions set out in the supplementary report.

Voting was recorded as follows: For 8 Against 0 (unanimous).

**4. 3 The Grove, Kingsbury, London NW9 0TL (Ref. 16/4104)**

PROPOSAL: Reduction in the overall roof height of the single storey rear outbuilding from 2.85m to 2.5m

RECOMMENDATION: To grant planning permission subject to conditions and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

Adrian Harding (DM Manager) introduced the report, referenced the supplementary and answered members' questions. He clarified that if it were not for the extant Enforcement Notice, the proposed reduction would bring the proposal within the limits of permitted development.

Margaret Keaveney (objector) informed members that the proposed reduction would not resolve the detrimental impact of the development.

Members discussed the application during which they added amendments to conditions 1 (completion within 6 months) and 3 (elevation and finishing).

DECISION: Agreed the recommendation subject to amended condition 1 in respect of the works starting within 3 months and being finished within 6 months and amended condition 3 to include the front elevation being brick, and the finishing of the front, side and rear elevations to be retained as such.

Voting was recorded as follows: For 8 Against 0 (unanimous).

**5. 15 Littleton Road, Harrow HA1 3SY (Ref. 16/0852)**

PROPOSAL: Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)

RECOMMENDATION: Defer to a later date to allow further information to be sought from Thames Water on flood issues.

DECISION: Deferred as recommended.

**6. Land rear of 274-280 Kingsbury Road NW9 Ref. 15/2313)**

PROPOSAL: Erection of two-storey building comprising 4 no. self-contained flats with provision of 6 no. car parking spaces, secure cycle storage, bin store area, associated landscaping and new Vehicular access to Uphill Drive

RECOMMENDATION: To grant planning permission subject to conditions and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report.

Adrian Harding (DM Manager) introduced the report and answered members' questions.

Ken Healy (objector) raised concerns about parking, congestion and access issues particularly in Uphill Drive.

Members discussed the application after which the substantive recommendation for approval was defeated. An alternative recommendation to refuse the application for reasons set out in the decision column below was proposed and seconded.

DECISION: Refused planning permission on the following grounds:

The proposed development would result in the displacement of parking that currently occurred within the site without the sufficient provision of off-street

parking to meet the needs of the proposed development in addition to those spaces that were displaced. As such, the proposal was likely to result in an increase in the level of on-street parking where such parking cannot be safely accommodated within the street. This is contrary to policy TRN3, TRN23 and TRN24 of the Brent Unitary Development Plan 2004 and policies DMP12 of the emerging Brent Development Management Policies.

Voting for the refusal was recorded as follows:

FOR: Councillors Long, Maurice, Moher, J Mitchell Murray and Pitruzzella **(5)**  
AGAINST: Councillors Agha and Hylton **(2)**  
ABSTENTION: Councillor Marquis **(1)**.

## **7. Harlesden Christian Centre, Winchelsea Road NW10 (Ref. 16/0760)**

**PROPOSAL:** Redevelopment of the site and surrounding land to include the demolition of the existing centre (Use class D1) and construction of five residential blocks ranging from 1 to 6 storeys high, comprising 178 residential units (67 x 1-bed, 60 x 2-bed flats, 24 x 2-bed maisonettes, 14 x 3-bed flats, 3 x 4-bed maisonettes, 8 x 3-bed houses and 2 x 4-bed houses) with associated private and communal amenity space, parking, access, landscaping and ancillary works (as amended).

**RECOMMENDATION:** To grant planning permission subject to conditions and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informative to secure the matters set out in the report, subject to any direction by the London Mayor pursuant to the Mayor of London Order and any direction by the Secretary of State pursuant to the Consultation Direction.

Angus Saunders (Area Planning Manager) introduced the report and answered members questions and issues raised by the objectors.

John Cox (objector) raised concerns about massing, design and materials.

Paul Rogers (applicant's agent) addressed the Committee and answered members' questions.

Members considered the application and in endorsing the recommendation, added an additional informative advising the applicant to inform the Council's Highways prior to commencement of works so that any damage to public realm can be restored.

**DECISION:** Granted planning permission as recommended an additional informative about any damage to public realm.

Voting was recorded as follows: For 8 Against 0 (unanimous).



**8. 1-24 inc. The Elms, Nicoll Road, London NW10 9AA (Ref. 16/3428)**

PROPOSAL: Construction of an additional floor to existing block of flats to provide 8 additional self-contained flats (5 x 1bed and 3 x 2bed) with associated car and cycle parking spaces, bin stores, landscaping and associated works.

RECOMMENDATION: To GRANT planning permission a subject to conditions and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Angus Saunders (Area Planning Manager) introduced the report and answered members questions.

John Cox (objector) raised concerns about massing, design and materials.

Robert O'Hara (applicant's agent) addressed the Committee and answered members' questions.

Members considered the application and in endorsing the recommendation, requested that Condition 4 limiting the entitlement to a resident's parking permit be strengthened to require an "as-built" floor plan to be submitted by the developer to the Council and that an informative be added advising the applicant to inform the Council's Highways prior to commencement of works so that any damage to public realm can be restored.

DECISION: Granted planning permission as recommended subject to the additional wording to Condition 4 with an additional informative regarding repair of any damage to the highway during construction works to be at the cost of the applicant.

Voting was recorded as follows: For 8 Against 0 (unanimous).

**9. Summit Court Garages, Shoot up Hill, London NW2 (Ref. 16/3585)**

PROPOSAL: Summit Court Garages and Laundry & Store Room next to 1-16 Summit Court, Shoot Up Hill, London, NW2

RECOMMENDATION: To GRANT planning permission subject to conditions and grant delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

Angus Saunders (Area Planning Manager) introduced the report and answered members questions.

Dr Bilyona Vankova (objector) raised concerns about loss of privacy, outlook and green space and referenced a petition she had organised to underpin residents' objection to the proposal.

Members considered the application and endorsed the recommendation.

DECISION: Granted planning permission as recommended.

Voting was recorded as follows: For 8 Against 0 (unanimous).

**10. Any Other Urgent Business**

None.

The meeting closed at 9.40 pm

COUNCILLOR MARQUIS  
Chair

## 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](http://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 14 December, 2016  
Item No 03  
Case Number 16/0852

## SITE INFORMATION

RECEIVED: 26 February, 2016

WARD: Northwick Park

PLANNING AREA: Brent Connects Wembley

LOCATION: 15 Littleton Road, Harrow, HA1 3SY

PROPOSAL: Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)

APPLICANT: Mr Desai

CONTACT: Arc3 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\\_126782](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_126782)

#### When viewing this as an Hard Copy .

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search typing "16/0852" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: 15 Littleton Road, Harrow, HA1 3SY

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This map is indicative only.



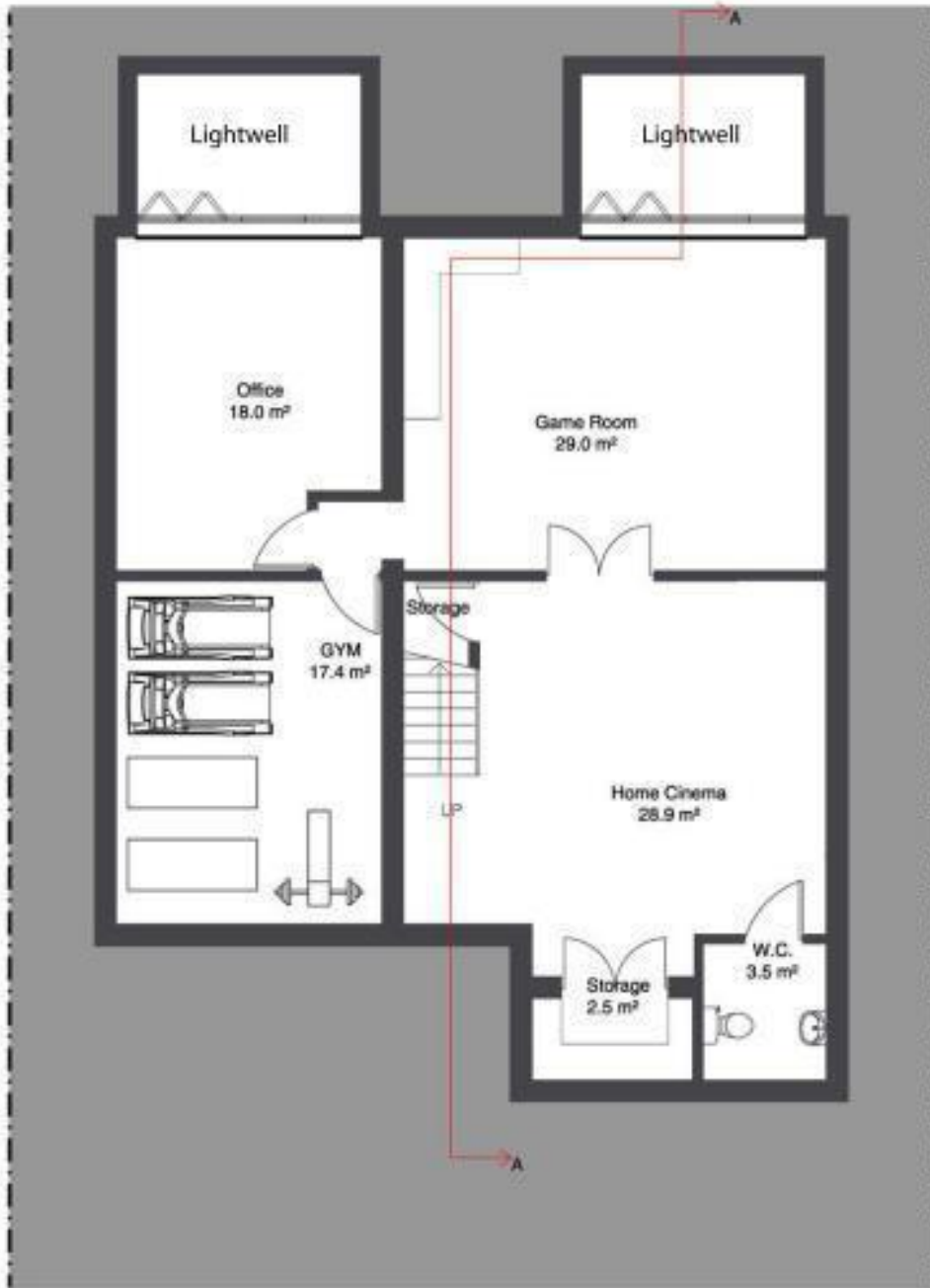
# SELECTED SITE PLANS

## SELECTED SITE PLANS

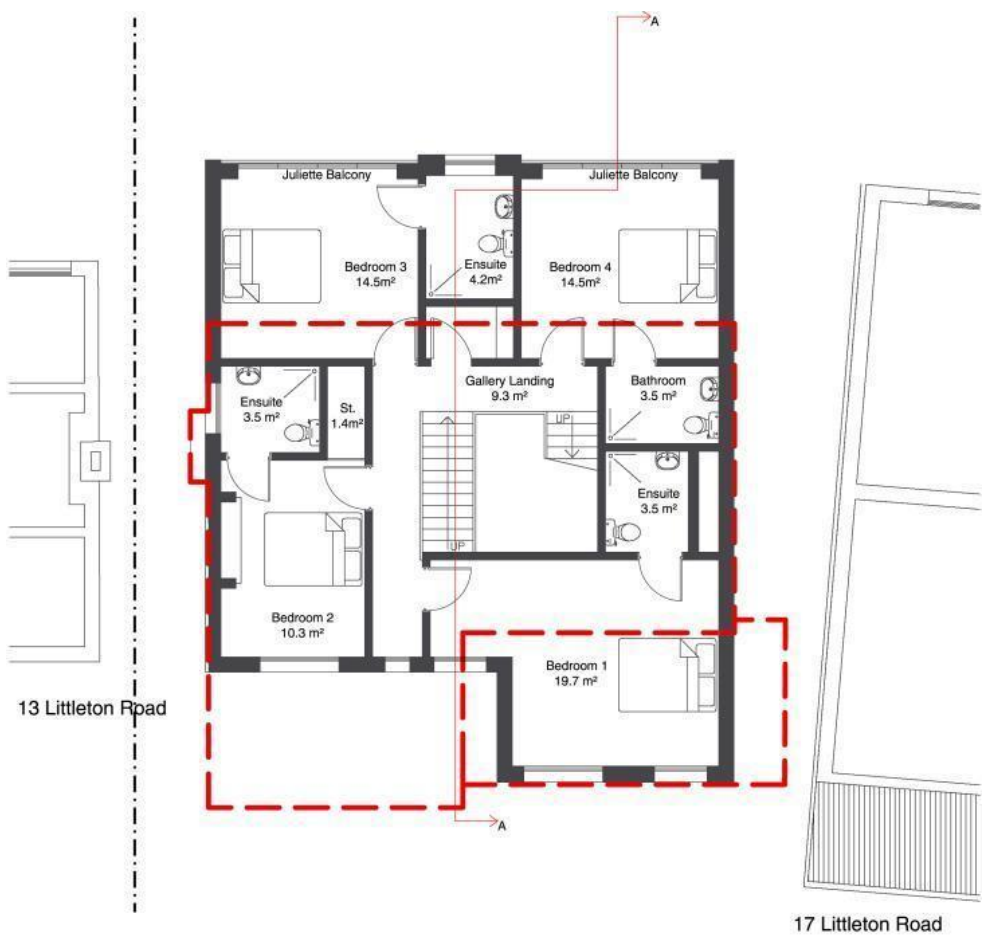
Ground floor plan:



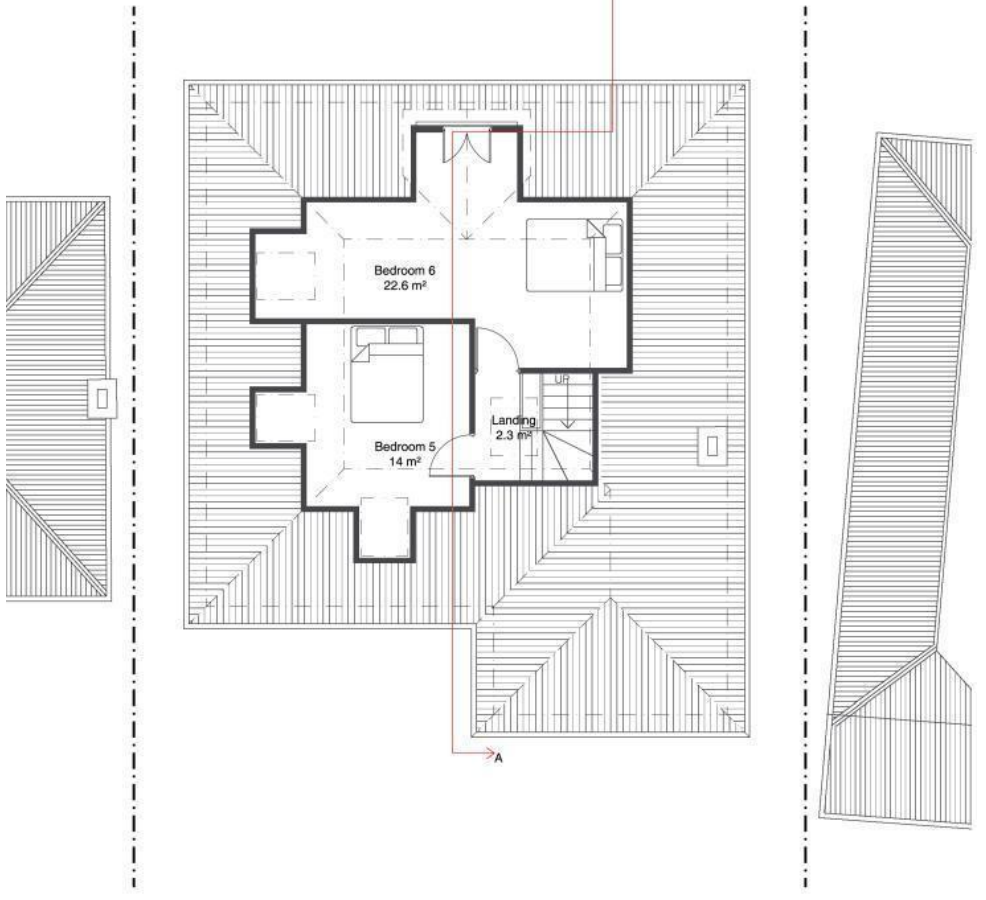
Basement plan:



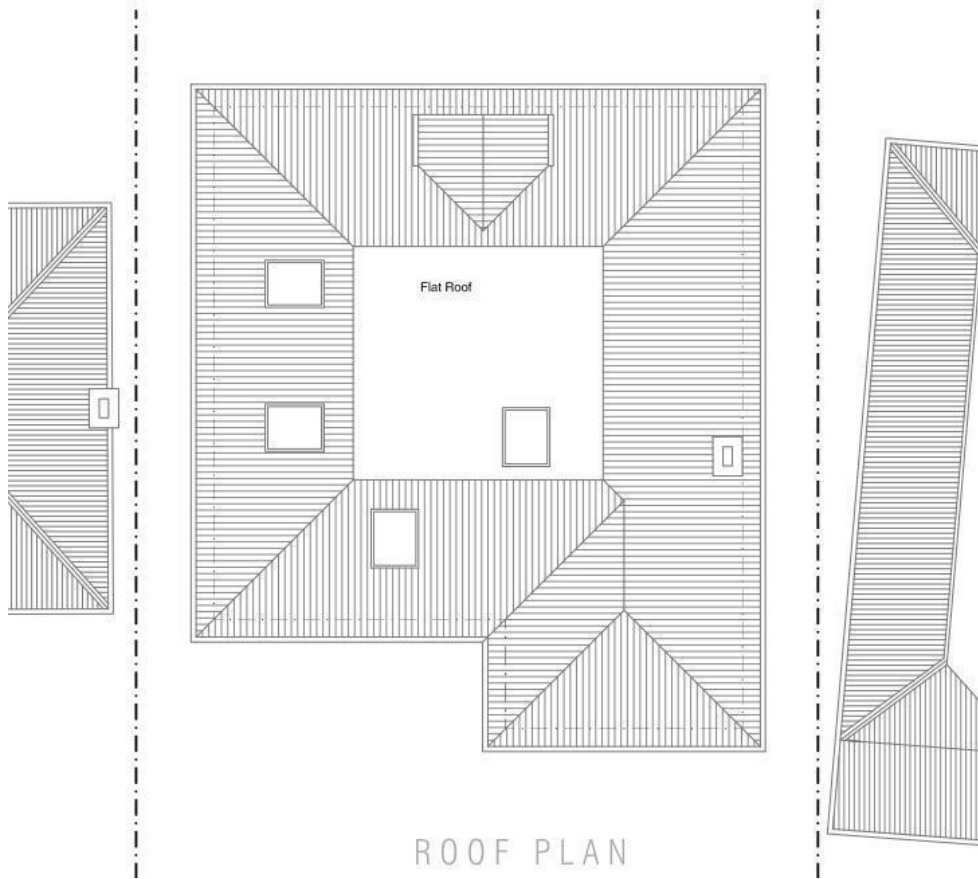
First floor plan



Loft plan:



Roof plan:



Street scene elevation:



Front elevation



01. FRONT ELEVATION

Rear elevation:

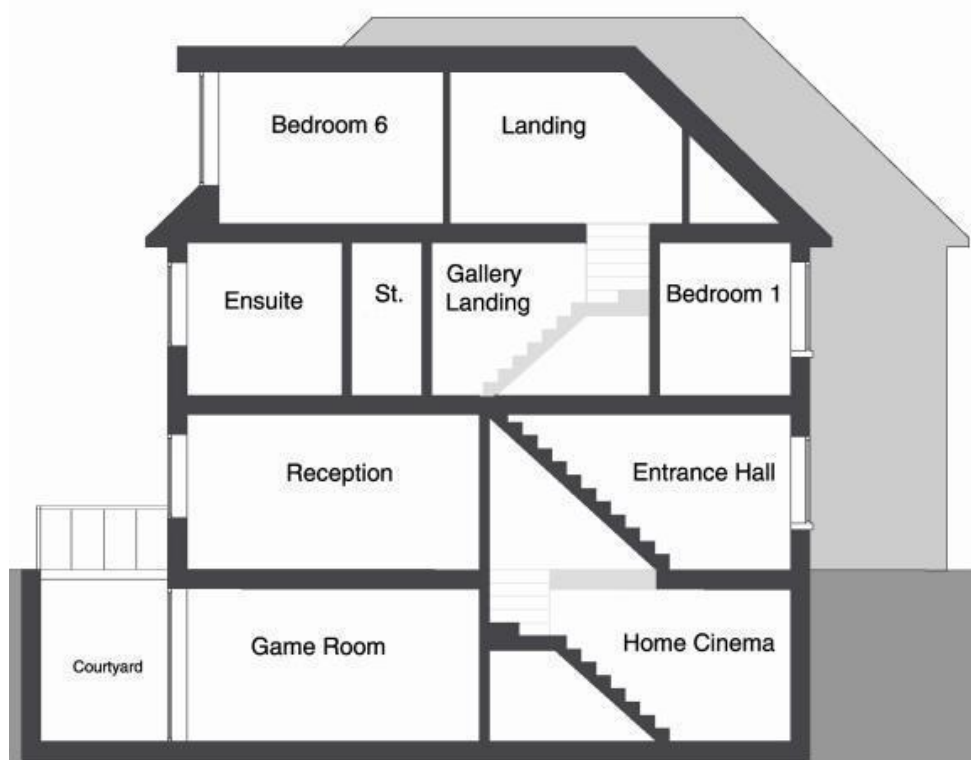


02. REAR ELEVATION

Rear door to be glass panelled or solid.

Section:

## BUILDING SECTION



### INTRODUCTION

This planning application was deferred from the Planning Committee on 16 November 2016 to allow further consideration to be given to flooding and drainage.

Prior to the Planning Committee on 16 November 2016, Members had sought reassurance that the potential risk of flooding of neighbouring properties as a result of the proposed basement development had been fully considered. LB Brent, as Lead Local Flood Authority (LLFA) confirmed that this had been considered, and that the applicant had proposed adequate measures and precautions in relation to the potential flooding of the proposed dwelling and adjoining properties.

Following this response, a detailed comment was made by Councillor Perrin who set out anecdotal information from local residents regarding flooding that had taken place and suggested that surface water drainage that runs through the garden adjoining the subject site may be working beyond its capacity during heavy rainfall, or may be subject to downstream blockage, and thus could affect local surface water flooding. As a result, the LLFA recommended that this application is deferred to a later committee to enable confirmation to be sought from Thames Water regarding the condition of their drainage network.

Following the deferral, Thames Water were consulted and have provided a response to the LLFA.. Thames Water have stated that no defects were found within their drainage network and it is likely that the flooding is due to inadequate capacity in the public sewer during exceptional heavy rain, which is very common throughout the borough. Based on this response, the LLFA finds that the measures in place (detailed in Section 8 of the Report) are sufficient to ensure that the risk of flooding to adjoining properties as a result of the development would be minimal.

**Recommendation : Remains GRANT**

### RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.

2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

#### Conditions

1. That works on the development must commence within 3 years of the decision;
2. That works are carried out in accordance with the approved plans;
3. That the side facing windows are obscure glazed and high level opening only;
4. Restriction of the permitted development rights to extend the property;
5. To join and adhere to the Considerate Constructors Scheme and its code of practice throughout construction;
6. That the applicant submits details of all external materials to be approved by the LPA and construction in accordance with the approved details;
7. The tree protection measures set out in the revised 'Arboricultural Survey' dated 26 February 2016 and Planning Integration Report dated 21 July 2015 by Quaife Woodlands (AR/3257a/jq) are implemented and that the applicant notifies the Local Authority Tree Officer of the intended date of commencement of works and is permitted to access the site to inspect the measures;
8. Approval and implementation of a Demolition and Construction Method Statement;
9. Approval of landscape scheme, including planting, walls, hardstandings, frontage parking areas and vehicular access and implement prior to occupation.
10. Approval and implementation of the detailed design of the flood mitigation measures given the ground and surface water flooding in the area.

#### Informatives

1. That the developer shall notify the Council's Highways service prior to the commencement of works to allow the footway outside of the site to be checked;
2. The applicant has obligations under the Control of Asbestos Regulations given the age of the existing building
3. The applicant is liable to pay the Community Infrastructure Levy should the development proceed.
4. The applicant may have obligations under the provisions of the Party Wall etc. Act 1996
5. The applicant must ensure that work is carried out entirely within the subject property
6. Any (other) informative(s) considered necessary by the Head of Planning.

3. 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, informative, 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.

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

### **A) PROPOSAL**

Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters.

### **B) EXISTING**

The application site contains a 2-storey detached dwellinghouse, located on Littleton Road, Harrow. The surrounding area is residential, and characterised by mainly detached dwellinghouses. The area is allocated as an Area of Distinctive Residential Character (ADRC) in Brent's Unitary Development Plan.

The existing front garden of the property has overgrown vegetation, and space for off-street parking. The adjoining front garden at No. 13 contains two Beech trees which are protected by the Littleton Road Tree Preservation Order (TPO ref: 0800086). The rear garden at No. 17 has a protected tree.

The original dwelling (prior to any extensions) measured approximately 10.4m in width (frontage dimension). The 'depth' of the original dwelling, at its longest, measures 9.5m, with a stepped front elevation which is set back by 3.4m. There are no existing first floor extensions. At first floor the original dwelling is set in from both neighbouring boundaries with numbers 13 and 17 Littleton Road.

The dwelling at No. 17 has been extended with a 2-storey side/rear extension adjacent to No. 15.

The existing dwelling at No. 15 has had no recent extensions, although there are historical single storey side extensions on both sides, and a front single storey infill extension. It has an integral garage, and a front gable feature. The other dwellings on Littleton Road are detached properties of various designs, often with some form of double frontages/stepped front elevation, or front projecting feature, such as a bay or front gable.

The height of the existing dwelling is 7.7m; the height of the dwelling at No. 13 is 8.8m and the height of the existing dwelling at No. 17 is 8.1m, increasing to 8.8m to the taller gable feature.

The footprint of the existing dwelling at No. 15, with extensions, measures 120sqm. According to the agent the property has been vacant for over 2 years.

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

### ***Key Considerations***

- Principle;
- Quality of accommodation;
- Design and Appearance;
- Impact on neighbouring amenity;
- Parking & Servicing.

#### **1. *Principle***

Littleton Road and its surrounding area are residential in nature and as such the continuation of the residential use within a detached dwelling in terms of the character and use is acceptable. It is noted that the houses along the road are mainly large detached dwellinghouses. The addition of a detached house to replace the two storey house with a two storey dwellinghouse (including a loft space for habitable accommodation) would not be unduly detrimental to the area's character if the design respects the features and proportions of surrounding dwellings. At present the existing property is vacant and has been for around 2 years as confirmed by the agent. The new housing is particularly welcomed in the context of CP21 as it would result in the creation of family unit, and would revive the otherwise derelict site.

#### **2. *Quality of accommodation***

Overall, the proposed indoor and outdoor spaces are considered to provide a good standard of amenity and general environment for future occupants of the site and are considered acceptable. This is when tested against the relevant standards within SPG17 and the London Plan. The basement has not been assessed within this section as it is not habitable accommodation.

#### **3. *Design***

The design is considered to be complementary in the context of the established, mixed character of the street. The materials and design are modern and its acceptability has already been assessed within the planning permission 15/2098, as the design is largely the same. The proportions of the house in general, including those of the window and doors are in keeping with that of the surrounding properties.

#### **4. *Impact on neighbouring amenity***

When tested against all immediately adjoining properties, the dwellinghouse is not deemed to give rise to unduly detrimental amenity impacts on nearby residents, in accordance with the relevant SPG5 and SPG17



design standards.

## 5. **Parking & Transport Considerations**

The parking requirements for the proposed 6 bedroom house are 2 spaces which are adequately provided for on site by a 9m driveway and garage. On-street parking is also available.

## 6. **Flooding**

The site is in an area susceptible to surface and ground water flooding. The Lead Local Flood Authority considers the submitted Flood Risk Assessment to be acceptable and has requested that the detailed design of the proposed measures are secured through condition.

## RELEVANT SITE HISTORY

**Application:** Planning **Number:** 15/2098  
**Validated:** 18/05/2015 **Type:** FUL  
**Status:** Decided **Date:** 03/08/2015  
**Completion** **Summary:** Granted  
**Description:** Proposed demolition of the existing residential dwellinghouse and replacement with a new build 6 bedroom detached dwellinghouse.

**Application:** Planning **Number:** 14/0956  
**Validated:** 24/03/2014 **Type:** OUT  
**Status:** Decided **Date:** 19/03/2015  
**Completion** **Summary:** Appeal Dismissed  
**Description:** Outline application for the demolition of existing detached dwellinghouse and erection of a replacement 2 storey building with converted loft space to create a 6 bedroom dwellinghouse.

## CONSULTATIONS

11 nearby properties along Littleton Road, Littleton Crescent, Mulgrave Road and Abbots Drive were consulted regarding the proposal for a minimum of 21 days on 26/02/2016. During this time, 6 objections and 1 comment were received.

Internal consultees included Brent Council's Tree Officer, Environmental Health Officers, Highways Officers, Local Lead Flooding Authority, as well as the Northwick Park Ward Councillors.

All the comments received have been discussed below.

The grounds of objection from the resident's consultation are summarised below:

Objection	Response
The front of the proposed house should be redesigned using materials and design in keeping with the Area of Distinctive Residential Character	Comments relating to the aesthetic nature of the dwelling, its size and scale have already been considered in the previous application (15/0298) and permission was subsequently granted, and the design, size and aesthetic quality has not changed since then.

Use of excessively large glazing units leading to loss of amenity to others, resulting in overlooking	The glazing to the rear of the property has already been approved as part of application 15/2098. However, as part of this application, the applicant has reduced the large glazing units with smaller panels and separation grilles.
Clarification of the proposed footprint of the dwellinghouse.	This is shown in the submitted drawings, available on the web site.
How far the building line protrudes past the rear property of No. 13 Littleton Road	This is shown in the submitted drawings, available on the web site.
The size of the house is much larger than the existing and the frontage should have a more appropriate design.	The plot in question is comparable in size to many of the surrounding properties and would not be deemed to result in a pattern of development that is out of character with the area.
Overdevelopment.	See above.
Shallow foundations for the creation of the basement. There has been local subsidence and trees have been lost as a result	The matters raised by the neighbouring residents relating to the construction of the basement are covered under Building Regulations and Party Wall Agreement and therefore cannot be considered or controlled within the planning application. Whilst the Council requests that basement construction methodology statements are provided, they are requested for information purposes and cannot be required by the Council for this reason.
Long term issues with stability of neighbouring properties as a result of the basement, and an environmental search identified ground stability issues in the area.	See above.
Drainage and sewage issues relating to the sewer running through the boundary of the property, and an environmental search identified flooding issues in the area.	The applicant would need separate consent from Thames Water for any works within 3 m of a sewer.  The flooding issues are discussed within the comments from the Lead Local Flooding Authority and section 8 of the Detailed Considerations element of this report.
The creation of a basement is a dangerous precedent to set given the ground conditions in the area.	Comments relating to surface and ground water flooding have been sought internal from the Council's Highways and Infrastructure Service (the Lead Local Flood Authority) and whilst there is a risk of ground water flooding, the developer must comply with Building Regulation in regards to structural stability and how surface water / ground water will be disposed of.

Overlooking caused by the rear dormer.	The rear windows face the rear garden of the property. Some overlooking naturally occurs from rear facing windows due to the suburban rather than rural nature of Brent. However, the windows of the proposed house are not considered to result in an unduly detrimental level of overlooking.
Party wall issues.	The party wall notice requirements are not within the remit of Brent Council and the onus is on the applicant to provide this. It is recommended that a party wall surveyor be contacted should there be any concerns regarding the appropriate notice not being served.

### Internal consultations

The Council's Transportation unit, Environmental Health unit and Landscape and Design Team were consulted regarding this application.

Comments were received by the Transportation Unit which states that whilst there are no objections the following conditions should be applied:

*(a) a financial contribution of £3000 towards non-car access/highway safety improvements to be secured through CIL*

*(b) A revised front garden plan showing (i) the widening of the existing crossover to 4.2m, placed to the side of the frontage, and two off street parking spaces to comply with Brent's Crossover Policy; (ii) 50% soft landscaping for natural drainage and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.8m) at the vehicular accesses.*

Comments received by the Environmental Health department state that whilst there are no objections. Conditions relating to dust and noise, as well as an informative in relation to asbestos must be applied, should permission be granted.

The Local Lead Flood Authority (LLFA) initially the following comments:

*This area suffers from surface water and ground water flooding and number of properties are affected by flooding in Pebworth Road. The ground in this area comprises of London Clay and fully saturated with water and risk from ground water flooding is very high. The developer will need to comply with Building Regulation, regarding Structural stability and how the surface water ground water will be disposed off.*

*If the basement is not suitably waterproofed, then this property will be at risk from flooding. I understand that one property in Pebworth Road which has constructed basement are suffering from flooding and the basement is uninhabitable.*

*I feel that there will be a risk of flooding from ground water to adjacent properties as the basement walls will prevent the existing water passage. With the new basement, the water will go around the new walls and this could go into adjacent properties, depending on the level.*

A Flood Risk Assessment was submitted and was considered by the LLFA. They highlighted that more information was required on SuDS measures, surface water management and further information regarding the basement. A revised Flood Risk Assessment was submitted. The LLFA considered the revised FRA and commented that it complies with our requirements and other legislation. The LLFA recommended that conditions are attached regarding the detailed design including the finished floor levels, flood resilience and SUDS measures.

Comments received by the landscape and tree officer's state that there are no objections subject to conditions securing strict adherence to the contents of the report by Quaife Woodlands and also including an informative requiring a visit from the Local Authority Tree Officer once tree protection is in place and prior to commencement of works (demolition).

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2012**

Technical Housing Standards - nationally described space standards

### **London consolidated with alterations since 2011**

Policy 3.5 – Quality and design of housing developments

### **Mayor's Housing Supplementary Planning Guidance March 2016**

#### **Development Management Policies (November 2016)**

DMP1: Development Management General Policy

DMP9a Management Flood Risk

DMP12 Parking

DMP16 Resisting Housing Loss

DMP17 Conversion of Family Sized Dwellings

DMP18 Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

#### **Brent Core Strategy 2010**

**CP2** – Population & Housing growth

**CP17** – Protecting and enhancing the suburban character of Brent

**CP21** – A balanced housing stock

#### **Supplementary Planning Guidance**

**SPG5** – Altering and Extending your home

**SPG17** – Design guide for new development

## **DETAILED CONSIDERATIONS**

### Current situation

The application site already benefits from planning permission which granted (application 15/2098) for the following description of development: "Proposed demolition of the existing residential detached dwellinghouse and replacement with a new build 6 bedroom detached dwellinghouse.

The proposed scheme largely reflects the existing consent, with the main revision included as part of this application is the creation of a basement alongside a few minor changes.

The main changes within this application include:

- Creation of a basement;
- Erection of a glass balustrade to the rear (2.1m deep and 1m high) around the proposed lightwells;
- Smaller front roof light
- Reduced loft space (omission of storage room)

The other elements of the proposal remain unchanged and have been assessed briefly within this committee report. The main assessment will in relation to the creation of the basement.

#### 1. Principle of development

1.1 The principle of development is supported as it proposes to replace an existing family sized dwellinghouse with a new family sized dwelling. This is reinforced in planning permission (15/2098) for a similar proposal, as described above.

1.2 Policy CP21 of the Council's Core Strategy sets out the housing priority for the Borough and places

particular emphasis on meeting the identified demand for family sized (capable of accommodating 3 or more bedrooms) accommodation through both major developments and subdivision/conversion schemes. This is reinforced in Development Management Policy DMP16 which resists the loss of family sized housing to other forms of development.

1.3 At present the existing property has been vacant for over two years and both the frontage of the house and garden are of poor quality. The replacement of a new house, particularly in this location is welcomed in the context of CP21 and DMP16 as it would result in the creation of an attractive family unit.

## 2. Quality of accommodation

2.1 The proposed new dwelling is to have 6 bedrooms over three floors. The proposed house would have a Gross Internal Area (GIA) of approximately 348 sqm, which exceeds the minimum floor space standards for a 6-bedroom 8 person, 3-storey dwelling as set out in the London Plan and Mayor's Housing Supplementary Planning Guidance.

2.2 All habitable rooms have light and outlook to the front or rear, apart from one room, which is located within the proposed roof space.

2.3 There are two bedrooms proposed on the second floor, one of which will have roof lights for light and outlook. The approximate height to the sill level (of 2nd floor) measures approximately 1.1m. It is considered that this would provide sufficient level of light and outlook, and taking account that it is only one bedroom to a large family dwellinghouse, it is considered an acceptable quality of accommodation.

2.4 The basement is proposed to include rooms labelled as a gym, office, home cinema and game room. The two rooms facing the rear benefit from light-wells (office and game room). This basement is to serve a large house and as such, the number of rooms in the basement with restricted light and outlook is considered to be acceptable, with those rooms likely to be used for ancillary purposes such as those purposes specified on the drawings.

2.5 The proposal is considered to provide a good quality of accommodation for future residents.

## 3. Design and Appearance

3.1 The external appearance from the street is not significantly different from that of the existing consent, reference 15/2098, with the lightwells for the basement situated to the rear of the proposed building. Forward projecting elements of the dwellings are common and a prominent feature of this Area of Distinctive Residential Character (ADRC). The proposed new dwelling would have a forward projecting feature of a similar scale and proportion to the surrounding properties, and it is considered that the proposed front elevation including the fenestration roof design respect the character and appearance of the neighbouring building. Proposed external facing materials including further details of the fenestration shall be requested by condition, if the application supported, to ensure a good quality development. Further details of the proposed landscaping shall also be required by condition, to ensure a good quality landscaped setting for the development.

3.2 Comments received for this application drew upon the level of large glazed panels and bi-folding doors proposed to the rear of the property which would appear to cause overlooking and noise issues. Whilst these have already been approved as part of the previous application, the applicant has noted these comments and new smaller glazed panels have been proposed with a single door in the centre of the ground floor rear wall to provide access to the rear garden.

3.3 Lightwells to the rear of the garden, which are barricade with 1m high glazed panels, are proposed. These will ensure that sufficient natural light can infiltrate at that level. The upright glazed panels proposed at either side of the rear wall of the house would not be seen from either neighbouring property as they are small in scale and are therefore considered to be acceptable.

## 4. Impact on neighbouring amenity

4.1 As discussed above, the external walls of the proposed building are largely in accordance with the existing consent (reference 15/2098), with the changes associated with this proposal primarily relating to the addition of a basement, with some minor facade changes. The creation of the basement would not impact the light or outlook of adjoining properties.

4.2 When the original application was approved it was noted that the proposed new development failed to meet the 45 degree line from a 2m height at neighbouring gardens, as set out in Brent's SPG17 (guidance for new development). However, given the impact is caused by a new (replacement) dwellinghouse on a site of an existing dwellinghouse, it was considered appropriate to apply the guidance contained in SPG5 on extensions to an existing house, which also examines the level of impact within a residential context.

4.3 If the application proposed a 2-storey rear extension to the existing house then Brent's SPG5 guidance on extensions would be applied. In particular the 1:2 guidance as set out would be used as a test to ensure that the proposal would not have an unacceptable impact on the residential amenities of the neighbouring properties.

4.4 In relation to the neighbouring dwelling at No. 17; the proposed new building would project 0.26m beyond the rear wall of the existing rear wall. The mid-point of the nearest habitable room window at this property is 4.6m away. The proposed new building would project 1.95m beyond the rear wall of the neighbouring property at No. 13; the mid-point of the nearest habitable room window at No. 13 is 3.98m.

4.5 The siting of the proposed dwelling complies with the principles of the 1:2 guidance and as such, would not have a greater impact on the adjoining dwellings than the SPG compliant extension to the existing house. As such, it is considered that the proposed dwellinghouse will not have an unduly detrimental impact on the amenities of the adjoining occupiers with regard to light and outlook.

4.6 The basement will occupy the full footprint of the proposed ground floor. The proposed creation of the basement would not affect any of the external features already established in the previous permission, apart from the 1m glazed balustrades surrounding the light wells to the rear. These would not be sizeable in scale to cause any undue harm to the neighbouring properties amenity in terms of the light or outlook from their habitable room windows or garden.

4.7 A first floor side elevation window is proposed, that would face No. 13, however this window is to a bathroom and a condition shall be attached requiring this window to be obscure glazed.

## 5. Transportation Considerations

5.1 The existing property currently has off-street parking served by a 3.5m wide vehicular crossover on its southern side that also extends southwards to serve No. 17 Littleton Road. The site has a very low PTAL (0), with no bus or train routes within walking distance.

5.2 The parking allowance for the dwelling unit is given in Appendix 1 of the Development Management Policies document. The conditions applied previously are still applicable as the parking arrangements have not changed since the previously approved application.

5.3 The transport officer made the following comments in relation to this application:

*"Planning permission for the same proposal (14/0956) was refused in June 2014 for two reasons, relating to the proposal being out scale with the surrounding area and the impact on the proposal trees within the site. An appeal was lodged which was dismissed by the planning inspector.*

There were no fundamental transportation concerns with the proposal. This application is similar but includes a basement floor.

*The maximum parking allowance for the existing 4 bedroom dwelling is 2 spaces, which is met on site at present by a 9m long driveway and garage. The maximum parking allowance for the new 6 bed dwelling house is also 2 spaces and the parking allowance has not increased as a result of the proposal.*

*Drawing number 106 shows the proposed front garden which will have a wider front boundary access 4.1m for 2 off street parking spaces, satisfy standards. However, the applicant has not advised if they will widen the crossover or if the spaces will be accessed via the illegal crossing of the footway. The drawing also shows 58% soft landscaping for natural drainage to comply with Brent's Crossover Policy, which is welcomed.*

### **Recommendations:**

**No Transportation objections however, the following conditions should be applied:**

- (a) A financial contribution of £3000 towards non-car access/highway safety improvements

(b) *A revised front garden plan showing (i) the widening of the existing crossover to 4.2m, placed to the side of the frontage, and two off street parking spaces to comply with Brent's Crossover Policy; (ii) 50% soft landscaping for natural drainage and (iii) details of front boundary treatment showing pedestrian visibility splays (2m x 2m above a height of 0.8m) at the vehicular accesses."*

5.4 The contributions towards non-car access are secured through CIL. A condition has been recommended regarding the front garden and access. The proposal is considered to comply with the adopted UDP policies and guidance relating to Transportation subject to this condition.

## 6 Environmental Health Considerations

6.1 The proposed demolition and construction works will be carried out within close proximity to existing residential premises. The area is not within an air quality management area however the works are close to 2 neighbouring properties. It is there recommended that a condition is attached, if permitted in relation to noise and dust controls.

6.2 The Environmental Health Officer also states that as the building was built before 1985 a recommended informative should be attached in relation to asbestos which may be present.

## 7 Landscaping Considerations

7.1 The proposed ground floor plan shows that the front garden is to have at least 50% soft landscaping, the majority of which will be in the area adjacent to the boundary with the neighbouring property at number 13 Littleton Road. There are two Beech trees located in the front of No. 13 which are the subject of a Tree Preservation Order (TPO).

7.2 The applicants have submitted a revised Arboricultural Report since the last application and this has been considered by the Tree Officer. The Tree Officer is satisfied that the proposal could be carried out with little or no detrimental effect to trees in proximity to the site. Specific conditions to cover demolition, excavation of basement and construction which require strict adherence to the contents of the report by Quaipe Woodlands and informative requiring the Local Authority Tree Officer to visit once the tree protection is in place and prior to commencement of works (demolition).

## 8 Flood Considerations

8.1 The Brent Local Lead Flood Authority (LLFA) has highlighted that the area suffers from surface water and ground water flooding, with the risk from ground water flooding being very high. The need to comply with the Building Regulations has been highlighted. The LLFA also specifies that there will be a risk of flooding from ground water to adjacent properties as the basement walls will prevent the existing water passage. A Flood Risk Assessment (FRA) was submitted with this application.

8.2 The recommendations as set out in the FRA are as follows:

- It is highly recommended that finished ground floor levels are set no lower than 62.5m AOD and resistance measures up to 600mm are incorporated into the final design.
- No sleeping accommodation should be permitted below 63.10m AOD.
- The proposed basement should be tanked and waterproofed to the height of the finished ground floor levels.
- Surface water should be managed through the use of feasible SuDS, identified in section 4.3.1, to limit runoff from the site to 5 l/s.

8.3 Based on the above, the FRA contains an assessment of SuDS as part of the detailed drainage design. A finished ground floor level within the FRA and further recommended that the basement is lined and tanked to the specified level. The surface water risk identified within the report will be mitigated through raising the floor level by 600mm and an additional 600mm of resistance measures.

8.4 The LLFA commented that the submitted FRA is acceptable subject to a condition is attached relating to the detailed design of the finished floor levels and flood mitigation measures.

## 9 Conclusion

9.1 For the reasons discussed above, the proposed dwellinghouse is considered to be in keeping with all

relevant planning policies and guidance. Accordingly, the application for approval.





**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/0852

To: Mr Vashee  
Arc3 Architects  
663-665 Garratt Lane  
Wandsworth  
London  
SW17 0PB

I refer to your application dated 26/02/2016 proposing the following:  
Demolition of the existing residential house and replacement with a new build detached house with basement accommodation and ancillary matters. (Re-consultation as application was made invalid due to site location not being clearly defined.)  
and accompanied by plans or documents listed here:  
See condition 2  
at 15 Littleton Road, Harrow, HA1 3SY

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with the:-  
National Planning Policy Framework 2012  
London Plan consolidated with alterations since 2011  
Brent LDF Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance  
Emerging Brent Development Management Policies DPD
  
- 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 Location Plans (G609 LP01 A)  
Existing and Proposed Block Plans (G609 BP01 A)  
Proposed Roof Plan (M1694 111)  
Proposed Roof Plan (M1694 108)  
Proposed First Floor and Loft Plans (G609 107)  
Existing Sections (G609 105)  
Existing Elevations (G609 104)  
Existing Elevations (G609 103)  
Existing Roof Plan (G609 102)  
Existing Ground Floor and First Floor Plans (G609 101)  
Proposed Plans Basement and Ground Floor (G609 106 A)  
Proposed Elevations (P109 A)  
Proposed Elevations (110A)  
Quaife Woodlands AR/3257a/jq (Arboricultural Survey) – 21<sup>st</sup> July 2015  
Planning Design and Access Statement  
Flood Risk Assessment version 2.0  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 The proposed first floor side elevation window and rooflights facing no. 13 Littleton Road shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.  
  
Reason: To minimise interference with the privacy of the adjoining occupier(s).
  
- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class (es) A, B, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.  
  
Reason: In the interest of the amenities of adjoining occupiers and the character and appearance of the area.

- 5 No development shall be carried out until the person or company 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: In the interest of the amenities of adjoining occupiers.

- 6 Details of materials for all external work (including samples which shall be made available to view on site), shall be submitted to and approved in writing by the Local Planning Authority before any construction work is commenced (excluding demolition and site clearance). 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.

- 7 The tree protection measures set out in the "Arboricultural Survey and Planning Integration Report" dated 21 July 2015 by Quaife Woodlands (AR/3257a/jq) shall be implemented in full for the duration of construction.

A minimum of one month prior to the commencement of works, the applicant shall notify the Local Authority Tree Officer of the intended date for the commencement of works. Thereafter and until one month following the completion of works the Tree Officer shall be permitted access to the site for the purpose of inspecting the trees and/or the tree protection measures.

Reason: In order to ensure safe and healthy retention of trees protected by Tree Preservation Order, which contribute to the amenity of the local area.

- 8 Prior to the commencement of the development a Demolition and Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The approved statement shall be implemented in full for the duration of construction.

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

- 9 All areas shown on the 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 first occupation of the development hereby approved. The approved landscaping work shall be completed prior to first occupation of the development.

Such a scheme shall include:-

- (a) full details of all soft landscaping (including species, densities, numbers and position) including at least 50% soft landscaping of the frontage;
- (b) details of all boundary treatments (including materials and heights);
- (c) the provision of 2 car parking spaces, the defined points of access and the surfacing materials to be used;
- (d) waste and recycling storage facilities;

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

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

- 10 Prior to commencement of development, the following detailed design information, in line with the recommendations made within the Flood Risk Assessment (FRA) Version 2 as dated 10/10/2016, shall be submitted to and approved in writing and the development shall be completed in accordance with the approved details.

Such details shall include:

- Finished floor levels;
- Flood resilience details;
- SuDS detail; and
- Resilience against Flood Risk.

Reason: To ensure the present and future flood risk safety for occupiers, future occupiers of the property and neighbouring residents.

## INFORMATIVES

- 1 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.
- 2 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 4 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 5 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

Any person wishing to inspect the above papers should contact Selina Hotwani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5283

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## COMMITTEE REPORT

Planning Committee on 14 December, 2016  
Item No 04  
Case Number 16/1404

### SITE INFORMATION

RECEIVED: 31 March, 2016

WARD: Tokyngton

PLANNING AREA: Brent Connects Wembley

LOCATION: Former Amex House, North End Road, Wembley, HA9 0UU

PROPOSAL: Redevelopment of the former Amex House site and erection of one 4 to 8 storey building and one 13 storey building comprising 195 residential units (79 x 1bed, 91 x 2bed and 25 x 3bed) with associated car parking space, landscaping, plant room and energy centre, sub-station, landscaping, amenity space and part naturalisation of Wealdstone Brook

APPLICANT: Anthology Wembley Parade Ltd

CONTACT: JLL

PLAN NO'S: Please 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\\_127391](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_127391)

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

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/1404" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: Former Amex House, North End Road, Wembley, HA9 0UU

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This map is indicative only.

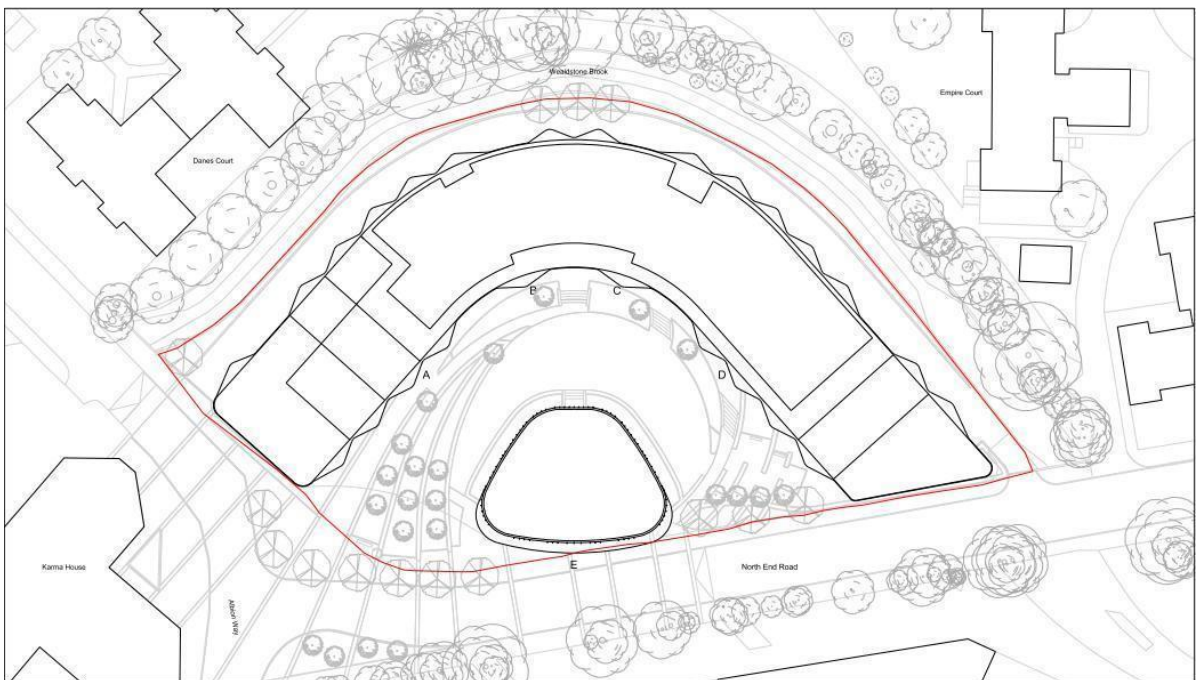


# SELECTED SITE PLANS

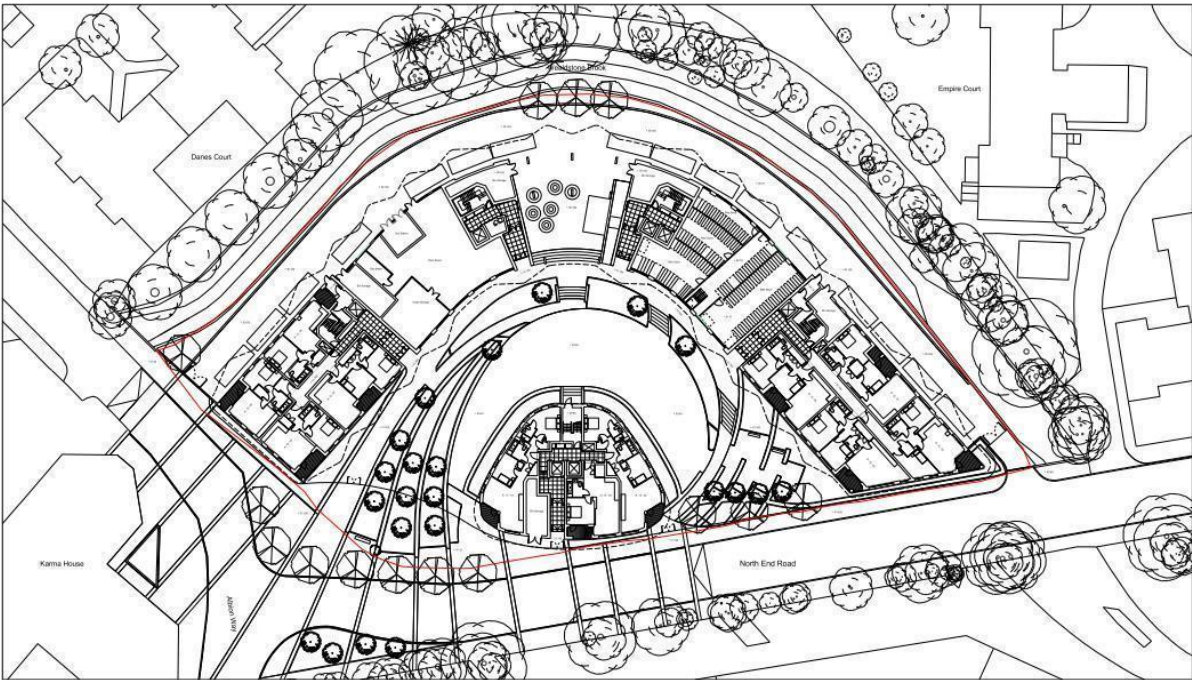
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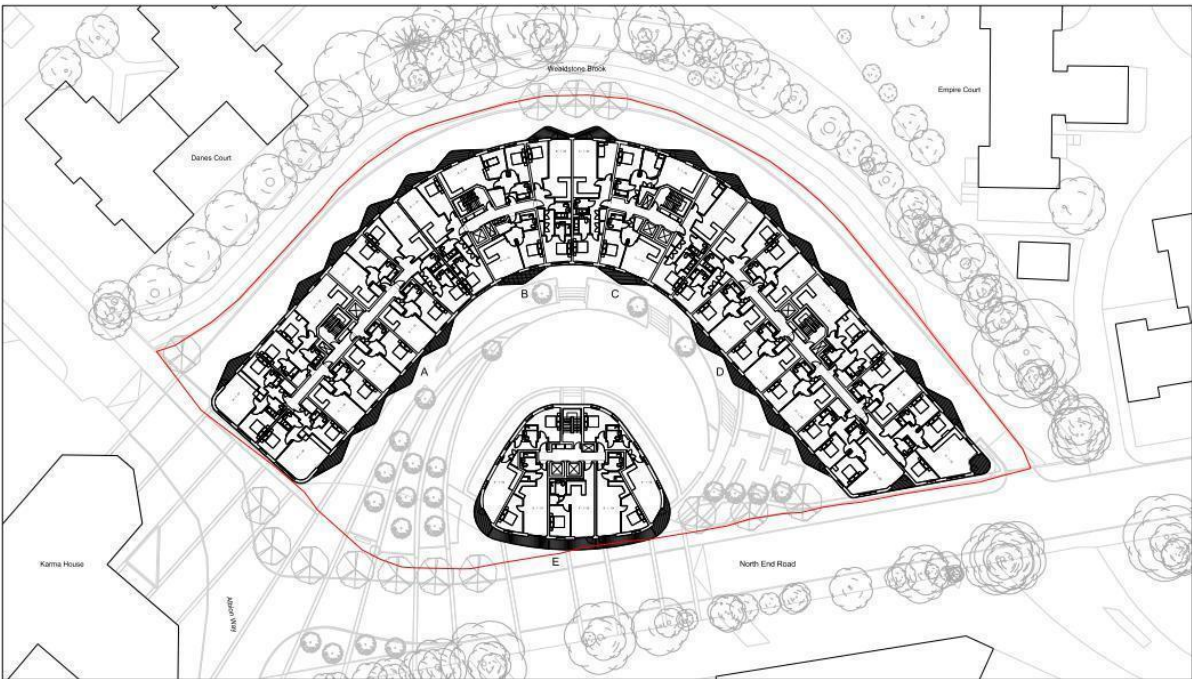
Site Location Plan



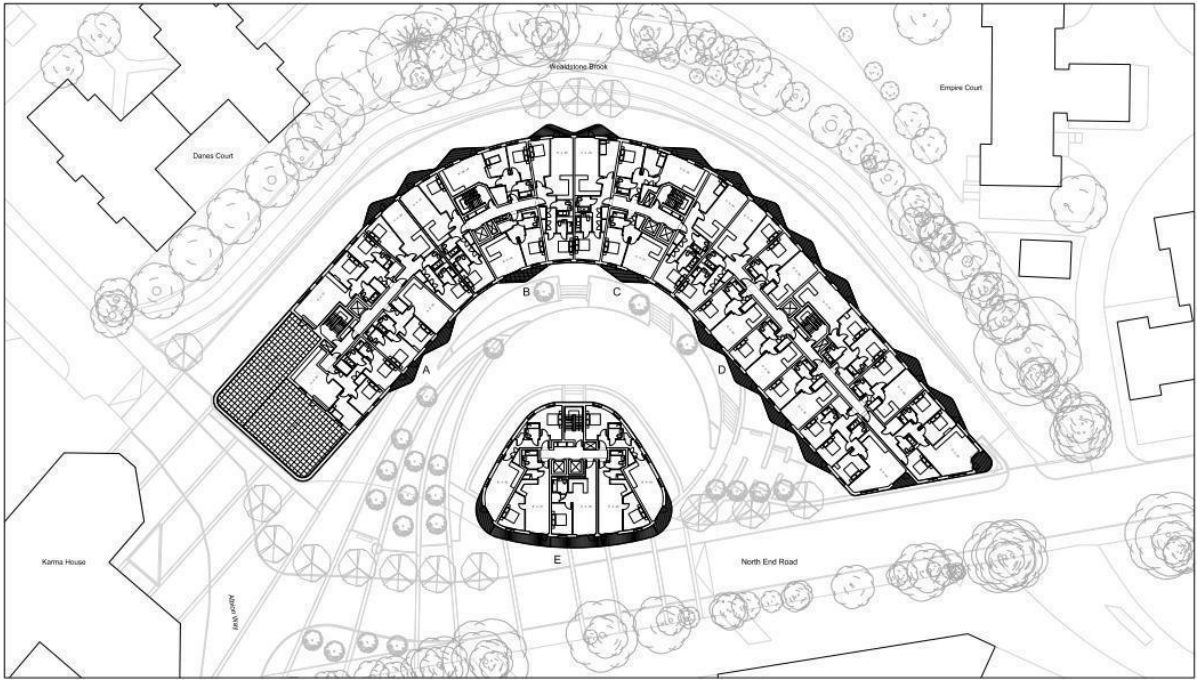
Proposed Site Plan



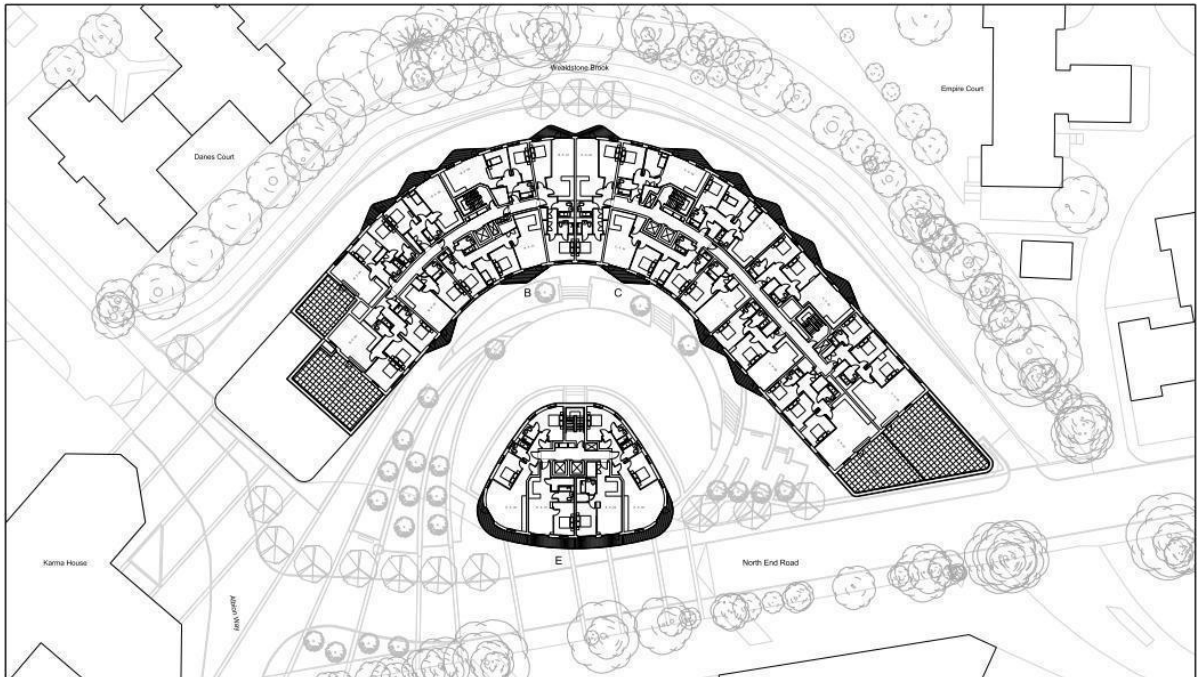
Proposed Ground Floor Plan



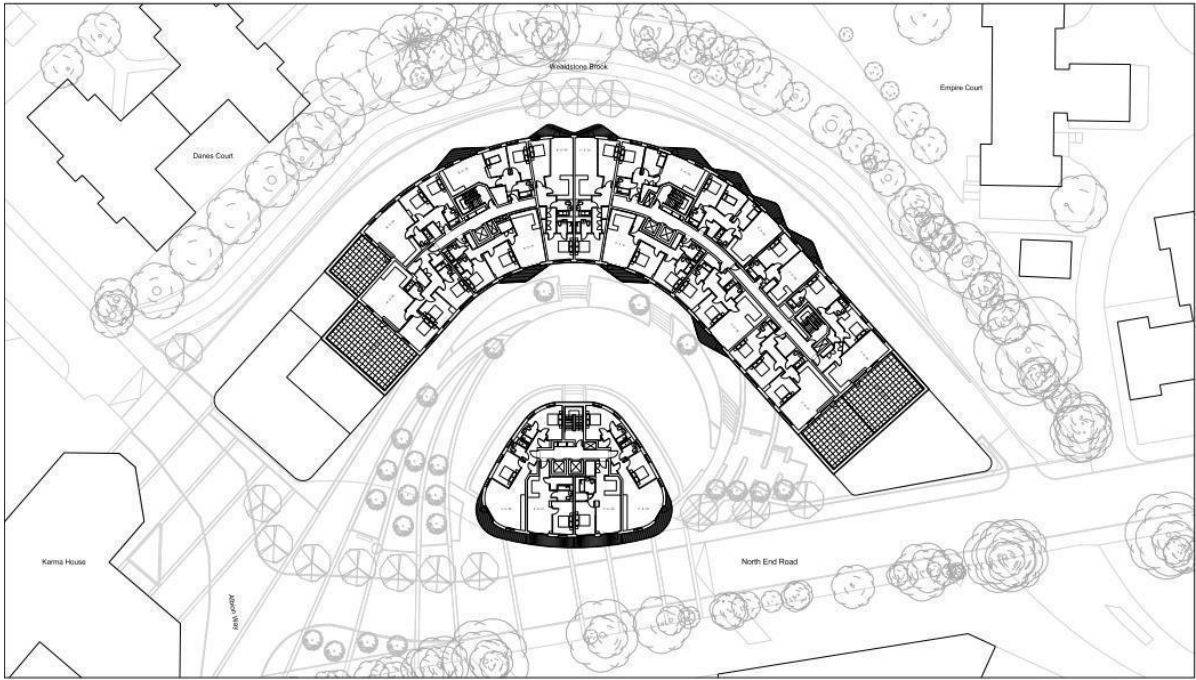
Proposed First to Third Floor Plan



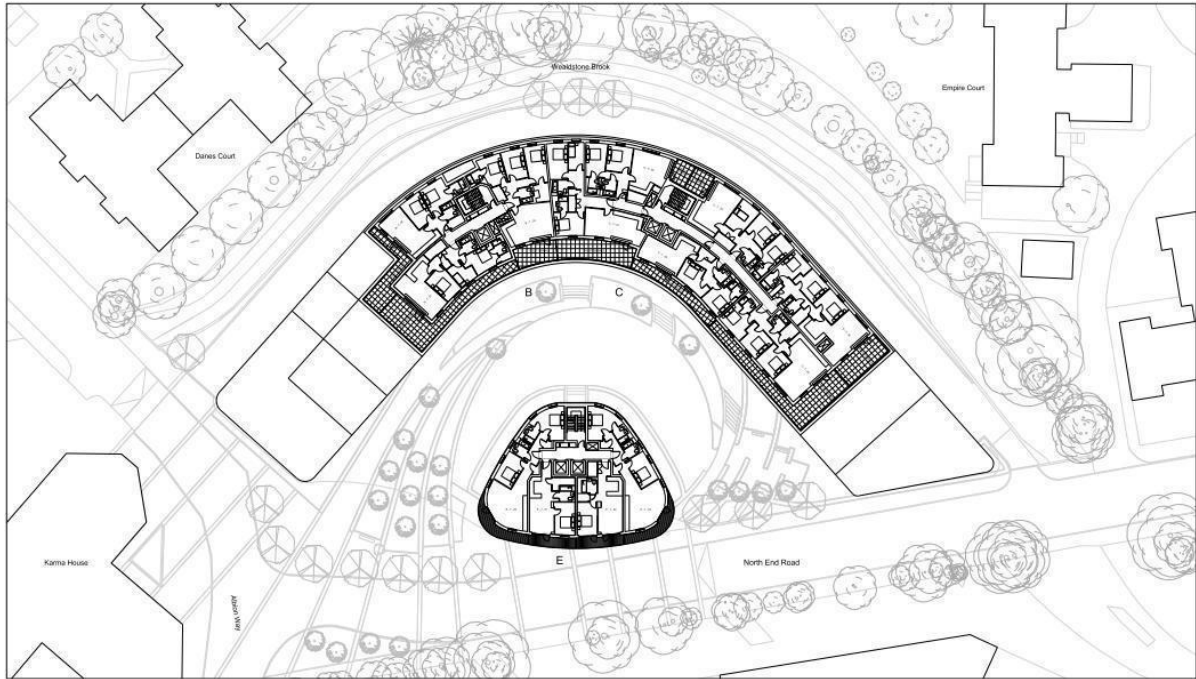
Proposed Fourth Floor Plan



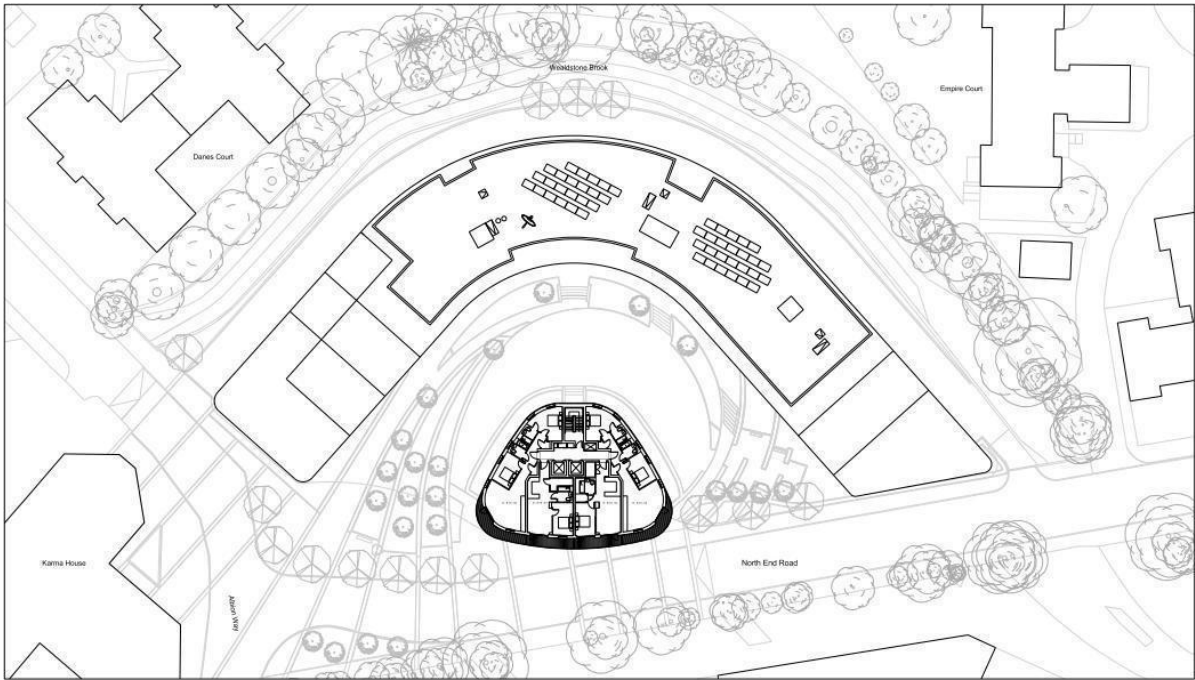
Proposed Fifth Floor Plan



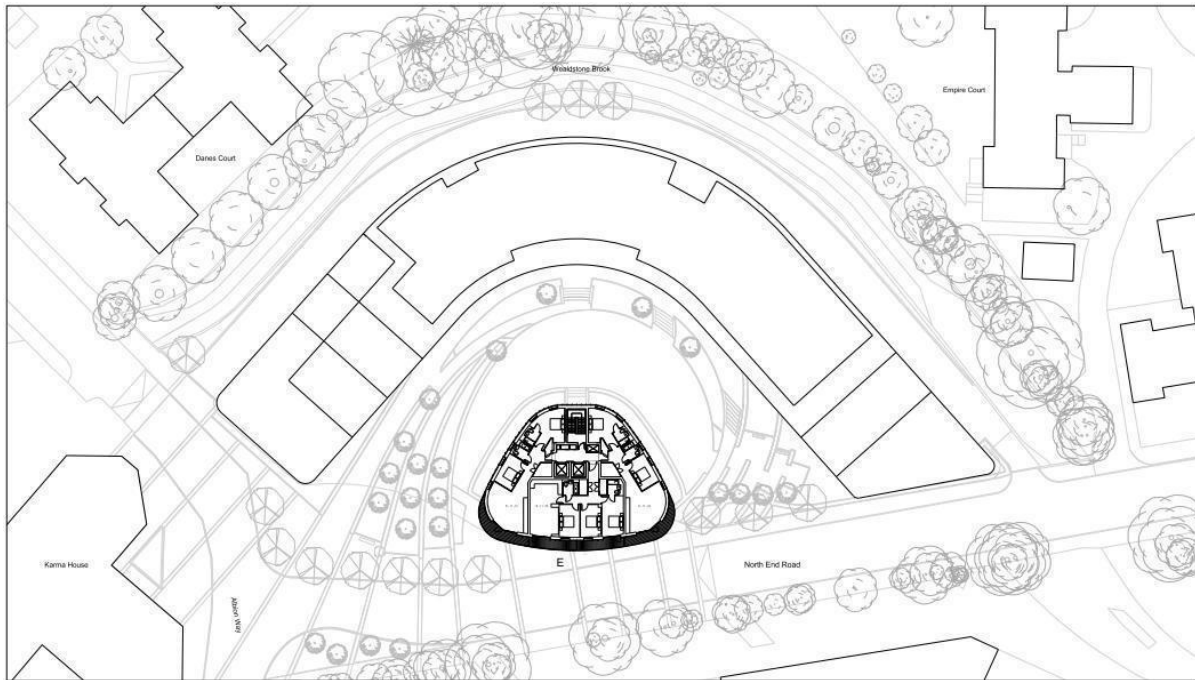
Proposed Sixth Floor Plan



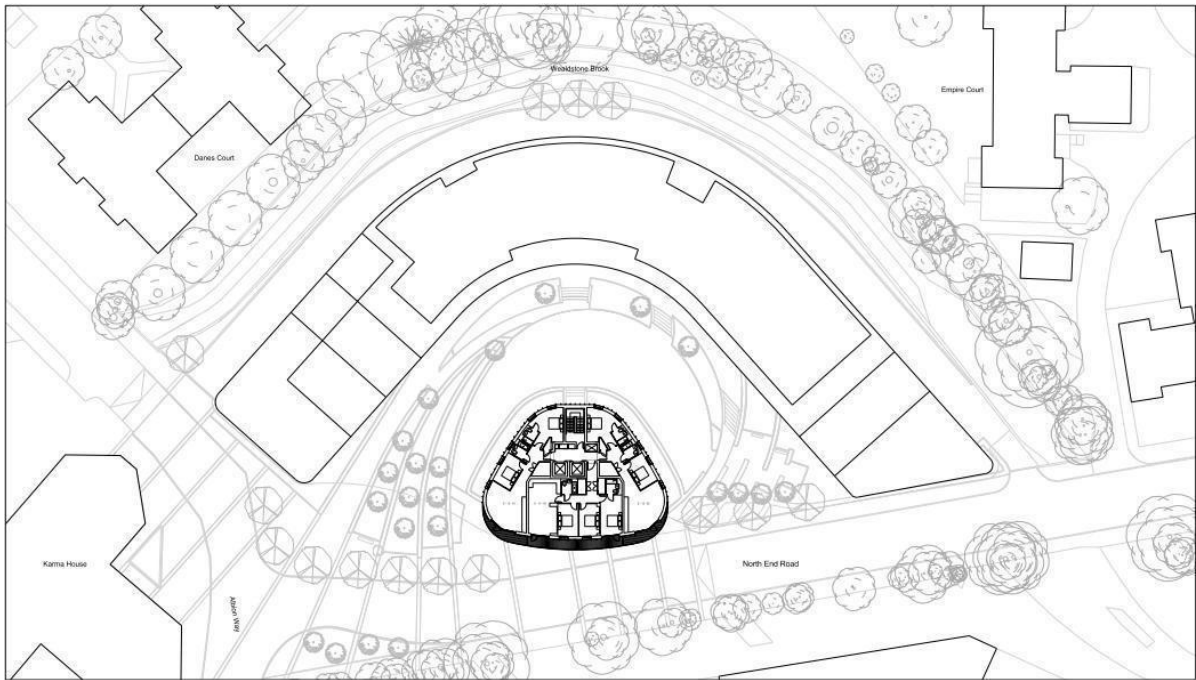
Proposed Seventh Floor Plan



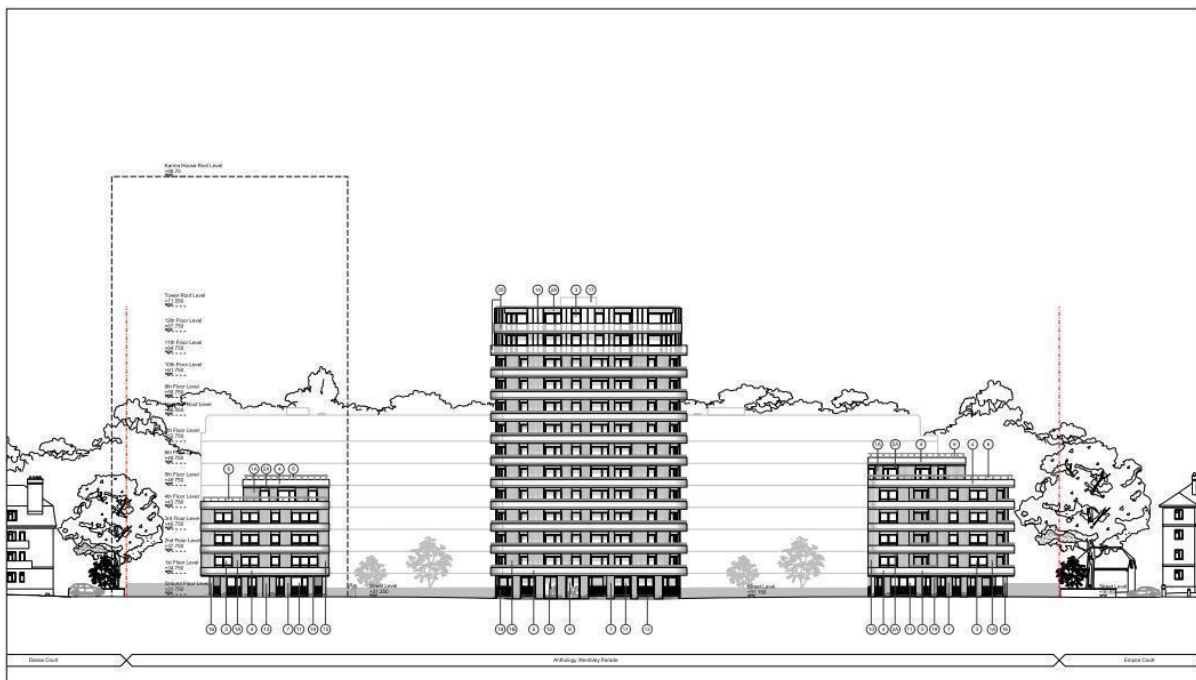
Proposed Eighth to Tenth Floor Plan



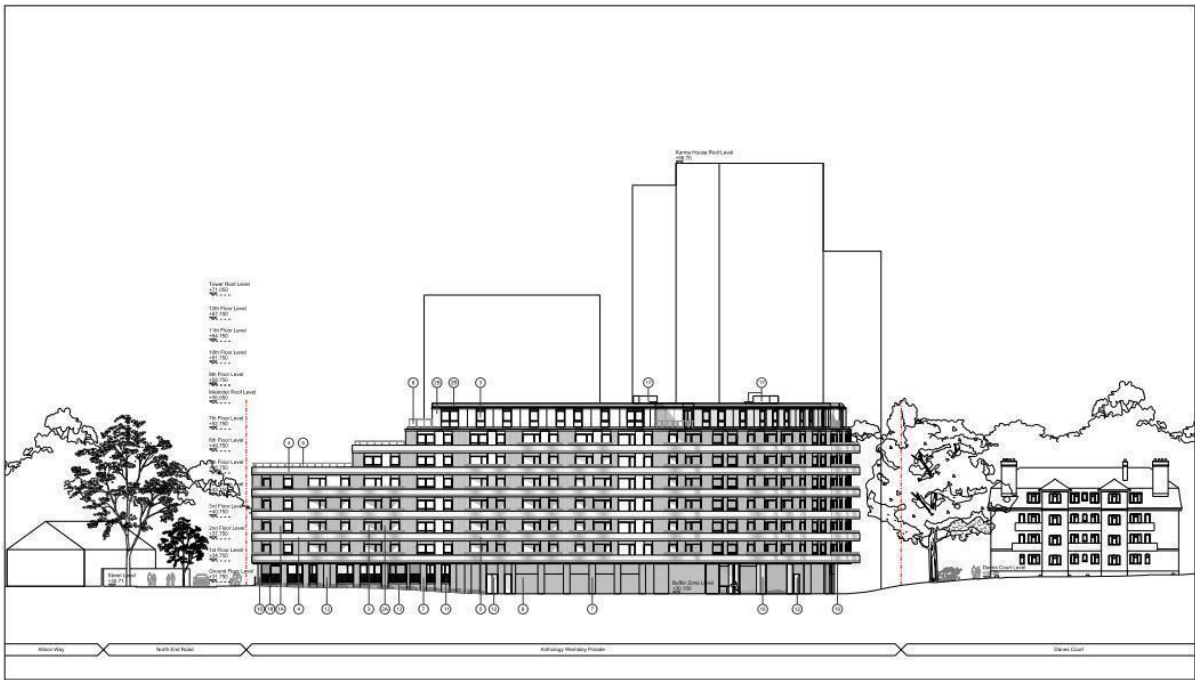
Proposed Eleventh Floor Plan



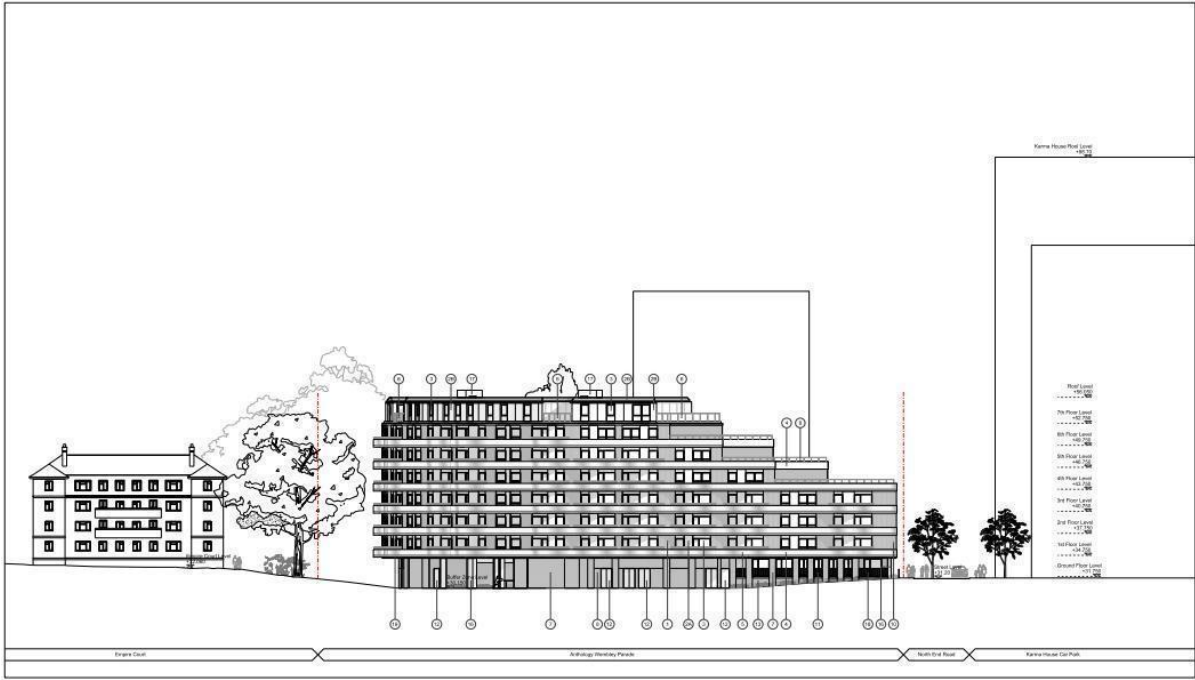
Proposed Twelfth Floor Plan



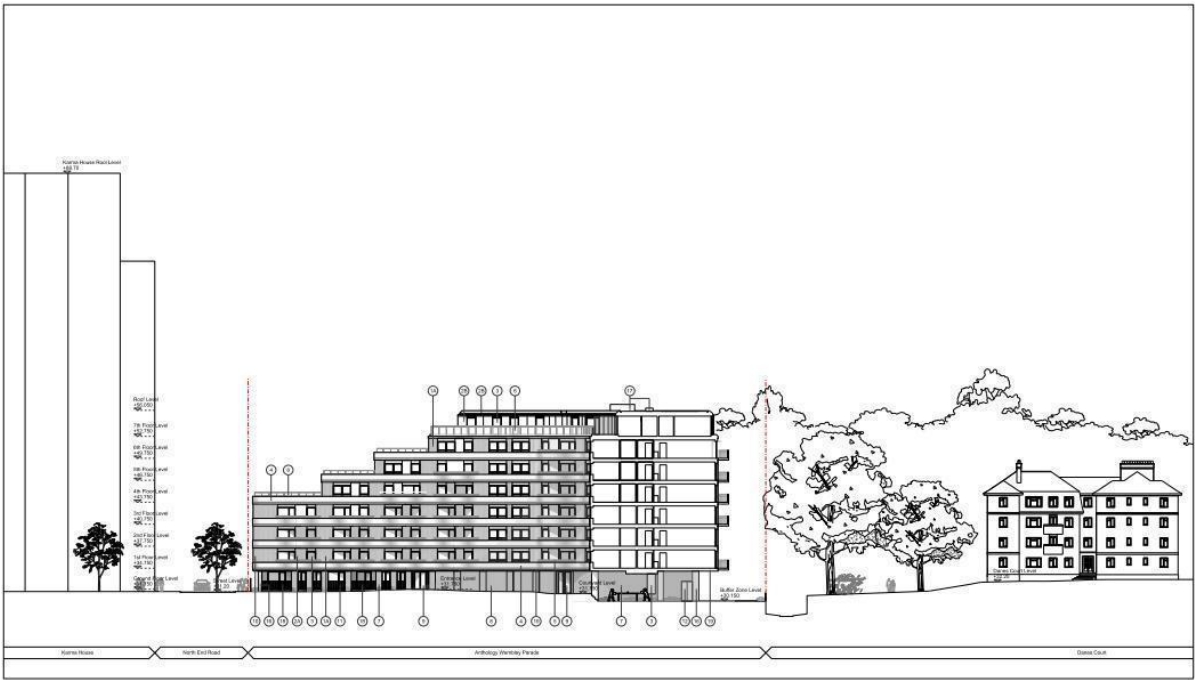
Proposed South Elevation



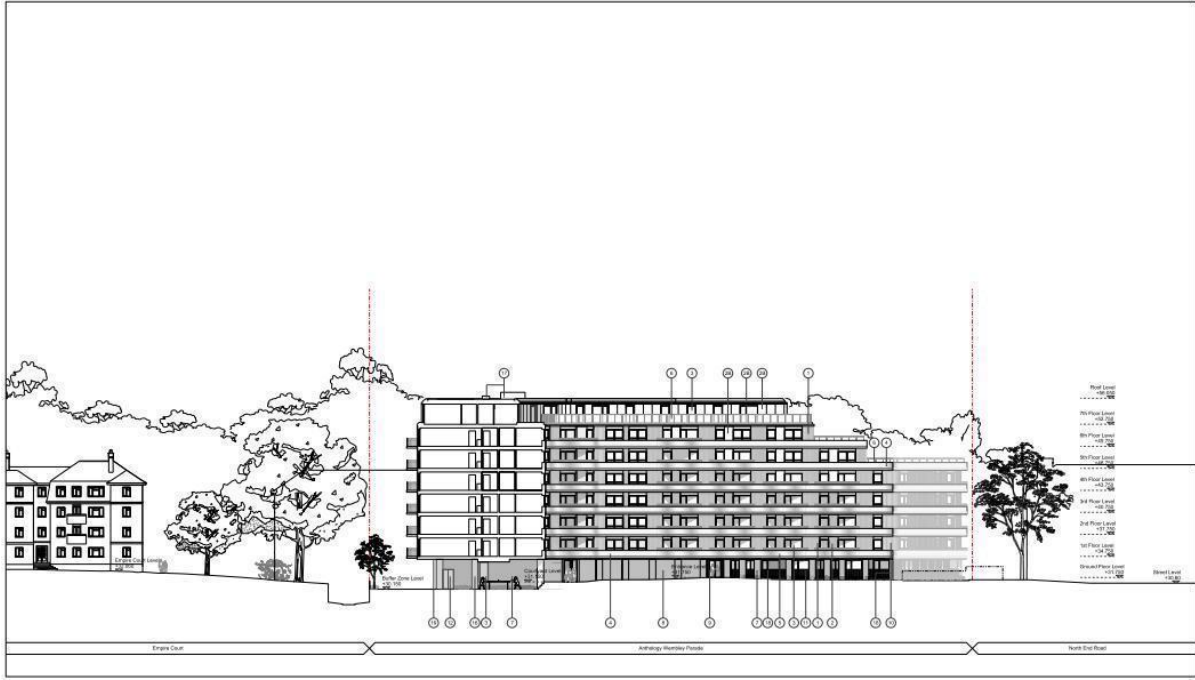
Proposed North East Elevation



Proposed North West Elevation

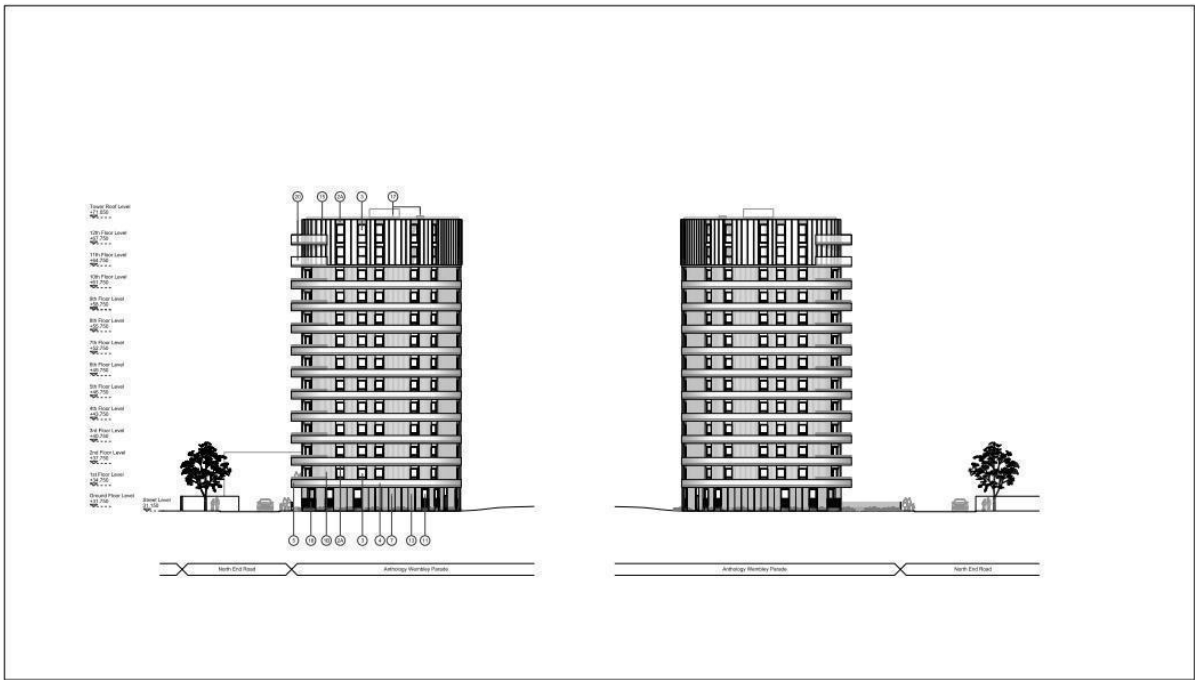


Proposed South West Courtyard and Section Elevation



Proposed South East Courtyard and Section Elevation





Proposed North East and North West Courtyard Elevation



View West along North End Road



Views South from Danes Court





View along the Brook

## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
  - A. Any direction by the London Mayor pursuant to the Mayor of London Order
  - B. Any direction by the Secretary of State pursuant to the Consultation Direction
  - C. The prior completion of a legal agreement to secure the following planning obligations:
    - a) Payment of legal and professional costs;
    - b) Affordable Housing (44 homes, 24 units (55%) will be affordable rent and 20 (45%) will be intermediate units);
    - c) A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred affordable housing planning obligations;
    - d) Notification of commencement;
    - e) Membership of considerate constructors scheme;
    - f) Submission and approval of a revised Travel Plan to score a PASS rating under TfL's ATTrRuTE programme, including measures to secure and promote a Car Club on or alongside the site;
    - g) Connection to decentralised heat/energy network should one be implemented in the future;
    - h) Undertaking of highway works through an agreement under S38/S278 of the Highways

Act 1980;

- i) Training and employment of Brent residents;
  - j) Car free agreement to remove the right of future residents to on street parking permits;
  - k) A financial contribution of at least £100,000 towards a Controlled Parking Zone in the area, including subsidised permits for existing residents;
  - l) Any other planning obligation(s) considered necessary by the Head of Planning
- D. The Environment Agency reviewing and agreeing the information currently before them, as well as the submission and approval by the Local Authority of an emergency flood plan to ensure safe egress and access from the site.

- 2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- 3. 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 Limit for commencement
- 2. Approved drawings/documents
- 3. Plant Noise
- 4. Noise Assessment
- 5. Construction Method Statement
- 6. Construction Management Plan
- 7. Air Quality
- 8. Combined Heat and Power
- 9. Extent of contamination
- 10. Remediation Measures
- 11. Implementation of remediation measures
- 12. Unexpected contamination
- 13. External Lighting
- 14. 10% Wheelchair Accessible Units
- 15. Satellite Dishes
- 16. Details of Materials
- 17. Training and Employment
- 18. Construction Logistics Plan
- 19. District Heat Network connectivity
- 20. Training and Employment
- 21. Landscape
- 22. Kerb Radii
- 23. Reinstate crossovers
- 24. Any other planning condition(s) considered necessary by the Head of Planning

Informatives

- 1. Asbestos
- 2. Any [other] informative(s) considered necessary by the Head of Planning

- 1. 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.

2. That, if by 3 months of the committee date (14th September 2016) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
3. 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 application seeks planning permission for the redevelopment of the former Amex House site and erection of one 4 to 8 storey building and one 13 storey building comprising 195 residential units (79 x 1bed, 91 x 2bed and 25 x 3bed) with associated car parking space, landscaping, plant room and energy centre, sub-station, landscaping, amenity space and part naturalisation of Wealdstone Brook.

## **B) EXISTING**

The site is a 0.5 hectare area of land located on the Wembley Estate to the north east of the national stadium and within 300m of the Wembley Park underground station. The site is bounded to the north by the Wealdstone Brook and there is a line of mature trees which creates a visual screen and separation from the flats beyond (Danes & Empire Court). These buildings are residential in nature and are four storeys in height with a pitched roof. Beyond these buildings lies Victoria Halls a 20 storey student block and the railway line. To the south lies North End Road which forms a junction with Albion Way on the site's western corner. This site is located within the Wembley Masterplan area and has a PTAL value of 4.

## **C) AMENDMENTS SINCE SUBMISSION**

Following submission of the application a revised Flood Risk Assessment (FRA) has been completed and submitted following consultation with the Environment Agency. This resulted in the climate change flood level being raised from 31.150m AOD to 31.840m AOD (an increase of 690mm).

Other minor changes to the design include:

- The revision of apartment A-G-04 (ground floor block A) – to facilitate the Approved Document M4(3) requirements, the apartment area has been increased from 50.3m<sup>2</sup> to 54.5m<sup>2</sup>, resulting in an additional window and the relocation of the balcony
- Plant room and bin store have been adjusted to suit changes to the apartment and revisions to Core B and C
- Bike store has been reconfigured to accommodate the additional lift lobby and estate management.

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

Summary of key issues

The key issues for consideration are as follows:

- The sites opportunity to deliver new private and affordable homes. Your officers give great weight to the viable delivery of private and affordable housing. The proposal will deliver 44 Affordable homes, which equates to 22.6 % of the total number of homes within the development. This is considered to represent the maximum reasonable proportion of Affordable Housing. However, a review mechanism is recommended due to potential variability in residential sales values which may affect scheme viability.
- The impact of a building of this height in this location. The site was identified as not being appropriate for buildings over 30 m in height. However, the scheme has been designed to successfully mediate the difference in height between this development and the surrounding developments, and the proposal utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development. The scheme has been subject to pre-application and within

application CABE design reviews and the expert panel concluded that the scale of buildings that are proposed is appropriate in this particular instance.

- 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. Your officers consider that the submission demonstrates that the proposal will not result in unduly detrimental impacts on the surrounding dwellings and other buildings.
- The approach to the impact of the development on the flood zone is generally accepted by officers, however, the applicant will need to overcome the EA objection by demonstrating that a safe route of access and egress can be achieved.

## E) MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0	0	0	17267	17267
Storage and distribution	1924	0	1924	0	-1924

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )	0	0	0							
EXISTING ( Flats û Social Rented )	0	0	0							
EXISTING ( Flats û Intermediate )	0	0	0							
PROPOSED ( Flats û Market )	56	77	18							151
PROPOSED ( Flats û Social Rented )	11	9	4							24
PROPOSED ( Flats û Intermediate )	12	4	4							20

## RELEVANT SITE HISTORY

None.

## CONSULTATIONS

Press Notice published on 26/05/2016  
Site Notice(s) displayed on 20/05/2016

The owner/occupier of 781 different properties were notified of the application 05/05/2016. This included properties in the following locations:

*Empire Court*  
*Danes Court*  
*Watkin Road*  
*Felda House*  
*Apex House*  
*Victoria Halls of Residence*

At the time of writing this report one representation was received raising concerns with the proposal on the following grounds:

How will the 'car-free' development be guaranteed?

The Car Club will not appropriately mitigate the highway impacts.

CPZ is a more implementable way of addressing the highway impacts. How will this be carried out?

Officers response:

- Car Free obligation will be included in the S106 legal agreement.
- To mitigate highway impacts, it is proposed the development be designated 'car-free', alongside other measures such as a Car Club and a Travel Plan.
- It is requested that if the development is to be approved, a sum of money be secured towards subsidising the future cost of parking permits for local residents, so that they are not unduly financially inconvenienced by the imposition of a CPZ in the area to help facilitate regeneration proposals. This would be supplemented by funding already secured from other developments in the wider area.

It should also be noted that 20 representations were received in support of the application.

STATUTORY CONSULTEES

### **Environment and Neighbourhood Services**

This development meets the required 35% reduction on Part L 2013 and would not require a financial contribution.

### **Local lead flood officer**

I am happy with their Flood Risk Strategy and measures they have taken to reduce the flood risks.

### **Transportation**

In the event that planning permission is granted, a Section 106 Agreement will be sought to secure: (i) a 'car-free' agreement to remove the right of future residents to on-street parking permits in the vicinity of the site; (ii) a financial contribution of at least £100,000 towards a Controlled Parking Zone in the area, including subsidised permits for existing residents; (iii) a revised Travel Plan of sufficient quality to score a PASS rating when assessed against TfL's ATTrBuTE software programme (or any replacement thereof), including measures to secure and promote a Car Club on or alongside the site.

A financial contribution of at least £416,000 towards transport infrastructure improvements in the vicinity of the site would also be sought, which can be taken from the CIL.

Conditions will also be sought requiring the developer to: (i) reinstate all redundant crossovers to the site to footway prior to occupation of the development and to provide a speed table in high quality surfacing along North End Road fronting the site, as shown indicatively on plan D2326/L.001, via an agreement under S278 of the Highways Act 1980; (ii) provide 4m kerb radii at the two access points to the development and set the entrance gates at least 10m from the highway boundary; and (iii) provide a Construction Logistics Plan.

### **Planning Policy**

The proposed scheme does not adequately address the flood risk issues on the site, taking account of the climate change allowance and mitigation measures as set out in policy W 25.

### **Environmental Health**

No objection subject to conditions relating to Noise, Air Quality, Contaminated Land and Lighting.

### **Wembley National Stadium Ltd**

No comments were received at the time of writing this report.

### **Thames Water**

No comments were received at the time of writing this report.

### **The Environment Agency**

#### *Flood Risk*

Having reviewed the Flood Response together with the confirmation that your emergency planners consider that it is fit for purpose we are able to remove objection 1 of our letter NE/2016/125106/03 dated 21

September 2016.

*Biodiversity and Water Framework Directive*

We maintain our objection of our letter NE/2016/125106/03 dated 21 September 2016 for the following reasons:

- We do not consider that the additional information has adequately demonstrated that the proposals will not prevent future mitigation measures under the Water Framework Directive (WFD) from being achieved.
- We do not consider that the proposals meet the requirements of your Local Plan.

**Ward Councillors for Tokyngton Ward:**

No comments have been received at the time this report was written.

**Greater London Authority**

Principle of development: the high density residential-led development would capitalise on the opportunity presented by this highly accessible yet underutilised site within the Wembley Opportunity Area and Housing Zone, and the proposal is strongly supported in strategic planning terms.

Housing: The new housing provision of 195 units is welcomed, however the affordable housing offer should be increased (currently stands at 20.3% by habitable room). Some concerns are raised in relation to residential quality, which should be addressed.

Design: the proposed design is broadly supported and the architecture is considered to be of a high-quality, subject to suitable conditions to secure details.

Transport: whilst the scheme is generally acceptable in strategic transport terms, there are still various detailed transport matters to resolve notably a contribution towards bus services to mitigate the impact of the development.

**Statement of Community Involvement**

The applicant has set out the level of pre-consultation that was carried out, as required through the Localism Act (2011). The consultation process was based around the following methods:-

- Advertising;
- Direct contact with the most affected neighbours;
- door-to-door letter drop; and
- public event where the emerging plans were displayed.

In addition, the managing agents of the neighbouring Danes Court and Empire Court were approached for assistance in communicating with residents and information about the event was posted on the dedicated residents 'intranet' for these properties. A large banner was also affixed to the boundary fence of the site in a position where pedestrians walking along North End Road would easily see it. A street 'A' board was also positioned outside the main entrance to the site whilst the event was open to the public.

Individual emails invitations were sent out to the Ward Councillors and Planning Committee Members.

## **POLICY CONSIDERATIONS**

### Policy Considerations

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

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015
- London Plan Consolidated with alterations since 2011 (March 2016)



- Mayors Housing SPG 2016
- Brent Local Plan November 2016
- London Borough of Brent Core Strategy 2010
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's106 Supplementary Planning Document

## DETAILED CONSIDERATIONS

1. **Principle of development**
2. Loss of existing light industrial accommodation
3. The site is located in the Wembley Opportunity Area. Policy 2.13 'Opportunity Areas and Intensification Areas' and Table A1.1 of the London Plan identify the Opportunity Area for a minimum of 11,500 new homes and indicative employment capacity of 11,000 and seeks to better integrate the world class stadium and other facilities with the surrounding development context. Development should contribute to the regeneration, vitality and viability of Wembley as a town centre. Proposals in the Opportunity Area should enhance permeability and connectivity to the wider hinterland. Development within this area should also exceed minimum guidelines for housing and employment requirements, should maximise public transport access, deliver social and economic inclusion and promote high quality design.
4. The Wembley Area Action Plan (WAAP) identifies the development site as being outside of the designated Strategic Industrial Location (SIL) and, being adjacent to the main regeneration area with relatively good access to public transport, which provides an opportunity for sustainable redevelopment. Wembley AAP Site Proposal W 25 relates to this site. It specifies that this site is appropriate for mixed use development, including residential, office and managed affordable workspace for creative industries to support the wider regeneration of the Wembley Park Area. The redevelopment of this brownfield site for housing complies with national policy.
5. Given these points and the low quality of the existing industrial building on site, the principle of the loss of industrial accommodation is considered acceptable. The applicant evaluated the potential to include Affordable Workspace within the scheme. However, it was concluded that such provision would not be ideal due to the geographical spread of such workspace, with a relatively small amount of space provided that is remote from the other locations identified for the provision of Affordable Workspace within Wembley. In this particular instance, officers consider it appropriate to seek Section 106 contributions for the provision of Affordable Workspace in lieu of the provision within this site. This contribution can assist in the delivery of Affordable Workspace in the locality.
6. Providing new residential accommodation
7. Within the National Planning Policy Framework 2012 (NPPF) at Paragraph 49 it states that Local Planning Authorities (LPAs) should consider applications for housing in the context of the presumption in favour of sustainable development.
8. In addition, Paragraph 50 states that where LPAs have identified that affordable housing is needed, they should produce policies that meet the identified affordable housing need on site, unless a financial contribution of a broadly similar value or off-site provision can be robustly justified.
9. Core Strategy Policy CP1 'Spatial Development Strategy' states that housing growth should be concentrated in well located areas providing opportunities for growth and where a sustainable quality environment can be created with positive economic impacts. Wembley is designated as a growth area (Policy CP7 'Wembley Growth Area'), and functions as the key area to delivering the majority of the Borough's growth of the residential, office, hotel and tourism sectors and their supporting infrastructure needs. Policy CP2 'Population and Housing Growth' has planned for Wembley to accommodate 6,500 new homes between 2017 and 2026.
10. The Wembley Growth Area is expected to deliver around 11,500 new homes, 10,000 new jobs and

30,000m<sup>2</sup> of new retail floorspace, as well as infrastructure to support this growth. New homes are to be built around the main transport hubs, which can support higher densities. Within the Wembley Area Action Plan (AAP) boundary, the designated residential district – designated south of the application site – will deliver a substantial portion of family housing and affordable homes.

11. The site is located within the Wembley Growth Area and forms site allocation W25 in the Wembley Area Action Plan (WAAP). The site allocation identifies the site is appropriate for mixed use development including residential, subject to a detailed Flood Risk Assessment (FRA) and the sequential approach being demonstrated.

12. The principle of providing residential accommodation within this location is therefore supported.

### 13. Housing

The proposed housing mix is as follows:

	Private	Affordable Rent	Intermediate
1-bed	56	11	12
2-bed	77	9	4
3-bed	18	4	4

### 14. Affordable Housing

15. London Plan Policy 3.13 requires affordable housing provision on sites which have the capacity to provide 10 or more homes. Brent's Core Strategy Policy CP2 sets a strategic target that 50% of new homes to be delivered in the borough are affordable. In line with London Plan Policy 3.12 the maximum reasonable amount of affordable housing will be sought when negotiating on individual private residential and mixed use schemes, with due regard to a number of factors, including development viability.
16. The applicant originally proposed 40 new affordable homes, with 22 affordable rented and 18 intermediate units, representing 20.5% affordable housing. The applicant submitted a Financial Viability Assessment (FVA) by Gerald Eve to demonstrate that the affordable housing offer represents the maximum reasonable and viable amount the scheme can deliver, in line with planning policy. The FVA submittal indicated that on a current day cost and value basis the scheme would deliver a profit below normally accepted levels, but that with reasonable growth in residential sales values the scheme would achieve a viable return.
17. Officers appointed BNP Paribas to carry out an independent review of the FVA. BNP Paribas disagreed with a number of the assumptions underpinning the FVA, and in particular the Benchmark Land Value and (post QS review) construction costs. The applicant has conceded on a number of points and now proposes an additional 2 affordable rented and 2 intermediate units to deliver a total of 44 new affordable homes, representing 22.6% affordable housing. Whilst still below the Local Plan 50% target, on balance, and in light of potential additional costs associated with flood risk mitigation and improvements to the Wealdstone Brook, Officers and BNP Paribas view this revised offer as the maximum reasonable and viable amount of affordable housing the scheme can deliver, in line with planning policy, subject to securing an appropriate post implementation financial review mechanism in the s106 agreement.
18. London Plan Policy 3.11 requires that within the affordable housing tenure, new homes should be distributed on a 60% Affordable Rent and 40% Intermediate split in order to meet housing needs. The scheme and 44 affordable homes will contribute to the wider delivery of the Wembley Housing Zone. Of the 44 homes, 24 units (55%) will be affordable rent and 20 (45%) will be intermediate units, which is broadly in line with the London Plan split. To ensure a Registered Provider of affordable housing can manage and maintain the affordable properties to a high standard, the bulk of the affordable homes have been grouped together in the meander building.
19. Affordable rented housing is let by Local Authorities or private Registered Providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges). Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing. The intermediate tenure provides a stepping stone on to the housing ladder, and includes such products as shared ownership.

20. Market housing

21. Market Housing has been determined by local demand. Demand is particularly strong for 2 bedroom homes. Conversely, as the homes will be for the local market, there are no 4 bedroom or larger private properties which are likely to have a significant adverse effect on the viability of the scheme and thus the proportion of Affordable Housing.

22. Family Housing

23. Policy WEM19 'Family Housing' requires at least 25% of new homes in Wembley to be family sized. The development proposes 26 family homes of 3 bedrooms, these family units have been located towards the end of the curved building to ensure access to large private amenity space in the form of a roof terrace and/or balconies. This represents 13 % of the homes within the scheme. While this falls below the target, it is comparable to other high density schemes in the locality and is considered to be acceptable, given the balance between the number of family sized units and the proportion of Affordable Housing.

24. Density

25. London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in the London Plan and public transport capacity. London Plan Table 3.2 provides the density matrix in support of this policy. The site is regarded as having a 'central' setting with a high public transport accessibility level. The London Plan indicative residential density for this site is 650-1,100 habitable rooms per hectare. On a site area of 0.53 ha the proposed number of units amounts to a density of 368 units per hectare, or 1000 habitable rooms per hectare which is within the density guidelines.

26. Urban Design

27. Height and massing

28. London Plan Policy 7.7 covers the location and design of tall and large buildings. It requires that tall and large buildings should not have an unacceptably harmful impact on their surroundings.

29. The criteria state that tall buildings should be located in suitable sites in places such as opportunity areas, or areas of intensification or town centres that have good access to public transport. The criteria also advise that tall buildings should not have an adverse impact on the character of the area, should relate well to the scale and character of the area especially at street level, have ground floor activities that have a positive relationship to the surrounding streets, enhance legibility and permeability, and contribute to local regeneration.

30. Relevant Local Policy confirms that high buildings, i.e. those over 25 metres, are most appropriate in locations where their visual and other impact can be accommodated and the Wembley Regeneration Area is specifically confirmed in the policy as a preferred location for such buildings.

31. Greater London Authority (GLA) officers as well the CABE Design Review Panel consider that the principle of a tall building of the scale proposed at this accessible location within the Wembley Growth Area is acceptable in planning terms and your officers are of the same opinion.

32. Brent Local Plan objectives and policies support a residential use on the Wembley Parade site (Amex House, Site W25) in principle. Notwithstanding this, it is acknowledged that current planning policies state that the site is not suitable for tall buildings (above 30m in height) and that the proposal does not fully accord with the Wembley Area Action Plan.

33. The subject site has the potential to function as a transition in height between the existing 4 to 5 storey buildings to the north and the 19 to 28 storey towers emerging to the south. A visual transition of 8 to 13 storeys is considered appropriate to create a streetscape that gradually reduces in height. Such "Transition in scale" is supported by WAAP (para 4.26), and the document also supports, "Opportunities for taller development to enhance legibility at key locations".

Building	Storeys	Roof Height
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A	4 to 5	15.130m
B	6 to 8	24.580m
C	6 to 8	24.580m
D	5 to 6	18.130m
E	13	39.900m

34. The submitted scheme consists of a curved block (Meander Building) that follows the bend of the Wealdstone Brook; and, a taller building (Central Building). The latter provides a focal point to both the Scheme Proposal and the surrounding townscape. The Meander Building is five storeys in height, where it is located adjacent to Empire Court (to the east) it then rises up to eight storeys in the centre of the building before dropping to four storeys where it meets North End Road (to the west). The Central Building is thirteen storeys in height and is set to the south of the central courtyard.
35. North End Road provides the site's only public frontage and is a street that has a very mixed character, consisting of large scale new build development to the north and along its western edge, in contrast to 1950's mansion blocks and industrial buildings to the east and south.
36. As a result of the mix of uses and forms of development the area has varied building heights where 2 storey buildings are located next to 20 storey buildings. Immediately adjacent to the site, Danes Court and Empire Court are four storeys high, but further north along North End Road are the following buildings at varying heights: Karma House - 19 Storeys; Victoria Halls - 20 Storeys; Shubette House - 20 Storeys; Apex House - 28 Storeys
37. It has been identified within the WAAP that views of the Stadium contribute a significant amount to the perception of Wembley as a whole, performing a range of functions that add a layer of depth to the visual experience of the area. Within the protected views, no building should obscure the arch or roof line. In the Townscape and Visual Impact Analysis submitted with the application, it has been demonstrated that the protected and wider protected (in line with Policy WEM6 'Protection of Stadium Views') views will not be impacted from the following locations:
- Barn Hill Open Space, towards the southern edge in line with Barn Rise
  - Welsh Harp Nature Reserve, on the footpath to the north of Brent Reservoir
  - Chalkhill Park, on the footpath to the north east near Bowater Road
38. Overall, it is considered that the development will not lead to any significant effects on these views and consequently the scheme is considered to be in accordance with national and local policies.
39. In summary, the site provides the opportunity for the proposals to be at a height which create a suitable transition between the two existing/proposed scales of development. This follows the principles of the WAAP, in achieving good urban design, albeit not complying with the precise planning policy height constraint.
40. Appearance and finish
41. Wealdstone Brook and the adjacent mature tree line are characteristic to the site's shape and context and have influenced the design development. The built form follows the meandering of the watercourse and reflects this in the architecture of the buildings. Horizontal rounded balconies accentuate a 'flowing' and playful character to a site which accentuates the public node on North End Road.
42. The curved building form follows the meander of the brook creating a sympathetic layout. The shape sits comfortably on the site, and relates directly to the geometry of the locality. A buffer zone is provided adjacent to the watercourse. Frontages are pushed close to the street edge to create active frontage around the plot. The building is lower on the street where it is closer to existing buildings and taller to the rear where existing buildings are further away.
43. The central building creates a focal point at the centre of the site. This defines the corner of North End Road and the amenity space within the site, enclosing it sufficiently to avoid leaky space. This provides a

transition between the taller building to the south and west and the lower buildings to the north.

44. The taller building can be broken down into three main sections. The Building Top, on which the cladding is a lighter colour to give a separate identity to this element, with fins added to accentuate the vertical proportions of the two storey window openings. There is no white banding to the balconies, they both have clear glass balustrades, rather than solid white, to give the top a lighter feel, and the top balcony does not continue around the building as a band. Window reveals create depth to the upper two levels.
45. The Building Middle has one facade colour to give identity but also exaggerate the building's form. The window hierarchy follows the internal room layouts to create a consistent and simple middle section. The white bands match the lower building, to form part of a family of buildings, but follow a much flatter curve and do not ripple.
46. The Building Base 'plinth' level uses a different language as it will create active frontage and will create street level animation. It is treated as a series of solid vertical brick pillars, supporting the mass above and creating a consistent street frontage with the base of the lower building opposite.

#### 47. Layout

48. In line with Policy CP5 'Placemaking', the proposals have regard to the placemaking principles for the Wembley Growth Area. This includes the creation of improved public realm and new play areas within the private amenity space.
49. The desired route along North End Road will be maintained and enhanced through the introduction of landscaping and trees, which is further in line with Policy WEM3. In line with Section 2.1 of SPG17 'Design Guide for a New Development', the development respects the existing connected network of streets by creating an attractive pedestrian route for residents within the development. Access points would be clearly indicated with gates and thoroughfares are proposed from the courtyard to the laneway along the brook. The buildings will also provide a sense of enclosure, which will add to the quality of the amenity. The ground floor uses of the lower building along North End Road will include active uses.
50. Frontage and gaps match the pattern of the local area. The key building on the site turns the corner. Private amenity space benefits the public realm so that passers by can see into the courtyard space, like a London Square. Spaces between buildings similar to proximities in the context.

#### 51. Materials

52. For the balustrade a dark steel handrail, supported by steel uprights, supporting a solid white curved panel spanning top to bottom, creating a solid visual effect up to 800mm is proposed.
53. The Balconies have a steel base, cantilevered from the building, with a solid edge and white solid soffit (to reflect light into the dwellings).
54. Double glazed windows with coloured frames to match the cladding, providing an access door to the balcony from living rooms and a window to bedrooms are proposed.
55. 1200mm wide rain screen panels that fit in with the module of the facade, and which span from floor to soffit, creating a clean neat appearance are proposed. There a number of different materials that can achieve the required effect and these could be textured with a vertical groove to help hide the facets of the facade.
56. The ground floor will be finished in brickwork, this provides a solid base to ground floor dwellings and residential entrances, based on the facade module, creating deep reveals.
57. The Boundary Treatment and Screening comprises decorative metal railings or water cut aluminium panels that create the necessary separation to achieve privacy and security, but allow both views in and out as well as flood water to pass through.
58. The Penthouse Treatment will be a combination of glazing and solid panels but set back from the building line and expressed in a contrasting colour, to ensure that this floor level is read differently.
59. Overall the elevational treatment of the proposed scheme is considered to be high quality, however, further details of the materials to be used will be secured via condition to ensure that an appropriate finish

to the building is achieved.

60. The final choice of material and quality of detailing is critical to ensuring the final design is appropriate, and as such it is recommended to include a clause in the section 106 agreement that will ensure the same calibre of architects are retained to produce all construction drawings, or a budget is allocated to allow them to review these when they are produced.

**61. Residential Quality**

62. The homes are arranged within five separate cores in two buildings. The meander building accommodates Cores A, B, C and D and Block E is in the taller building. Each core has two access points, either from the courtyard, North End Road or the laneway along Wealdstone Brook.

63. The ground floor layout to the curved buildings is arranged in two wings with a wide gap in between providing access to the area beside the brook. On the ends of each wing are four dwellings accessed via the adjacent core, and providing active frontage to the street. In the central area are the back of house facilities, such as bike stores, bin stores and plant rooms.

64. All units comply or exceed the relevant space standards and provide external private amenity as well as internal storage space. Where possible, units have been designed to exceed the space standards.

65. The flats within the residential buildings are orientated so that there are the maximum number of double aspect flats possible, which is half of the total provided.

66. The living rooms have been located on corners, and placed in locations the furthest away from neighbouring buildings so that each living room has an aspect which is as long as possible.

67. The proposals for the central building orientate all of the living rooms to the south to benefit from direct sunlight and views to the street, and the stadium beyond. This means that there will only be four bedroom windows facing towards the flats within the rear building. Thus privacy can be easily controlled due to the appropriate separation distances, the fact that there are no living rooms directly facing each other, small windows will be provided to bedrooms.

68. The layout of apartments are designed to suit the elevations. The apartment sizes exceed the GLA Housing Design Guide Standards. The LHDG minimum room widths, kitchen lengths, storage sizes and all other aspects are provided for within all units.

Type	GLA Standard (sqm)	Proposed size (sqm)
1bed flat	50.0sqm	50.3sqm – 55.1sqm
2bed (3p) flat	61.0sqm	62.7sqm – 74.5sqm
2bed (4p) flat	70.0sqm	72.7sqm – 85.6sqm
3bed (5p) flat	86.0sqm	88.2sqm – 95.7sqm
3bed (6p) flat	95.0sqm	95.8sqm – 115.7sqm

69. All dwellings will be designed to Lifetime Homes Standards, to ensure that the development is accessible to all. All approaches, landscaping, entrances and common areas will be designed to meet Part M access standards.

70. A total of 19 units (10%) are designed to be easily adaptable wheelchair dwellings. The wheelchair units have been located on the ground floors of Blocks A, D and E, and the first to fourth floors of Block C. Two lifts have been provided in the cores where wheelchair units are proposed.

71. All of these flats will be provided as wheelchair adaptable dwellings, and either have level access (at ground floor) or are accessed via lift (in building C there are two lifts provided).

72. Good levels of daylight will be received within the proposed dwellings and the rooms within the proposed dwellings will receive good levels of daylight throughout the year providing a suitable standard of accommodation for future residents.

### 73. **Amenity**

74. The development provides different types of amenity space to satisfy the planning policies of the LBB and the GLA. In total there is 3935qsm of amenity space which averages out at 20.1sqm per dwelling.
75. The central courtyard provides 1720sqm of amenity space shared between residents of all tenures. This includes the 'outdoor room' which is located under buildings B and C. Each dwelling has an average of 7.6sqm of shared amenity space.
76. Every dwelling is provided with a private balcony which is accessed directly from the dwelling and generally provides the quantum of space required by the London Housing Design Guide. In total this provides 1346.8sqm of private amenity space.
77. The curved balconies provide ample usable amenity space. This shape ensures that south facing windows are shaded to prevent overheating during summer but utilise the curved shape to allow daylight into the rooms within.
78. Private roof terraces are provided to all dwellings that are located where buildings A and D step back, and at the very top level of buildings B and C. These terraces serve family sized dwellings are accessed direct from the living spaces and therefore it is not appropriate to make them communal terraces as this would impact residential amenity. In total this provides 868.2sqm of private amenity space.
79. Roof terraces are not provided on the upper roofs, as these areas are used for the provision of photovoltaic panels to meet the development sustainability requirements. These will be brown roofs.

### 80. **Landscape**

81. The landscape design creates a series of spaces within the site linking the new residential buildings to the public realm and Wealdstone Brook, each providing a different character.
82. The central courtyard garden forms the heart of the scheme. A crescent shaped lawn surrounded by tree and shrub planting will be visible from apartments facing into the courtyard.
83. A central garden path offers a route through the central courtyard to building entrances and different areas of the scheme.
84. The courtyard includes a series of spaces that vary in size and character. Informal play opportunities will be provided within these spaces, which are connected by a path that also provides access to the Meander and Central Buildings. Although the courtyard will not be accessible to the public a low decorative fence encloses the communal courtyard. This will define the boundary between public and semi-private space, whilst offering views into the courtyard.
85. The improved streetscape and public realm will provide new tree and shrub planting and link the proposed development to the surrounding area. The buffer zone to the rear improves the link between the site and Wealdstone Brook whilst providing service vehicle access and parking for residents.
86. The new tree planting will form an avenue of trees complementing the existing trees on the opposite side of the road. Shrub and hedge planting will enhance the streetscape, providing seasonal interest and creating an improved environment for road users.
87. Although the courtyard will not be accessible to the public the boundary treatment will be designed to offer views into the courtyard. A mixture of planting and railings will be used to achieve this, creating an attractive boundary treatment set back from the footway.
88. There would be no unacceptable impact on the proposed amenity space. The BRE test requires that 50% of an amenity space receives at least two hours of sunlight on 21st March. The design achieves a figure of around 90%. The buffer zone adjacent to the Brook will also meet the BRE guidance.

### 89. **Impact on neighbouring amenity**

90. Danes Court is sited 18.7m to the North West of the application site and is separated by the brook, existing mature trees and the amenity areas of both the proposed and existing flats. Danes Court is also sited over 30m to the north with the brook and mature trees along the boundary providing some

screening. Empire Court is sited 24m to the north east separated by the brook and existing trees and continues to the east with a separation of 26m with the trees and brook being sited between. The sites to the south (industrial units on Albion Way and Watkin Road) and west (Felda House, student accommodation) are separated by a public highway and will be a minimum of 14m away from the site boundary.

91. The impact of the proposal on the amenity of these existing occupiers has been duly considered. It is relevant to note that the residential units within these existing buildings which face the application site already look onto the existing Wembley Parade buildings if visible beyond the mature tree planting adjacent to the site. With the levels of separation set out above, there are no concerns about overlooking or loss of privacy; these separation distances exceed the minimum SPG17 requirements.
92. Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BRE, 1995) also known as the BRE Guide, was used to establish the extent to which the proposed development meets current best practice guides. The submitted Daylight and Sunlight Assessment considers the effects of the proposal on the levels of daylight and sunlight received by nearby residential properties based on three analyses: Vertical Sky Component (VSC), No Sky Line (NSL) and Annual Probable Sunlight Hours (APSH).

BRE Test	BRE Criteria
VSC Vertical Sky Component (VSC)	The loss of daylight to a window will be noticeable if the VSC will be reduced to less than 27% and less than 0.8 times its former value.
No Sky Line (NSL)	The loss of daylight to a room will be noticeable if the area of the working plane which can receive direct skylight will be reduced to less than 0.8 times its former value.
Annual Probable Sunlight Hours (APSH)	A window should still receive enough sunlight if it receives at least 25% APSH for the whole year including 5% during the winter months. If the available sunlight hours will be less than this and less than 0.8 times their former value, either during the winter or over the whole year, it will be noticeable except where the reduction annually is no greater than 4% APSH.

93. The author of the daylight and sunlight report has discounted rooms that appear to be or are confirmed to be bathrooms, hallways, circulation space etc. These rooms are not considered to be habitable and thus do not require assessment. The impact of the proposed development in sunlight and daylight terms is discussed below.
94. 1-16 Danes Court is located to the north west of the development site. To that regard, The assessment has considered 42 windows that serve 32 rooms. The technical analysis shows that of the 42 windows in question, 20 (48%) show full compliance to the BRE Guidelines. Of the remaining 22 windows, 17 will retain absolute VSC values of 15%+. Where the retained values fall below 15% the overall percentage change is 30-38%. When considering the NSL analysis, of the 32 rooms 20 (63%) show full BRE compliance. Where there are BRE transgressions, all rooms will retain a view of the sky dome to 45-77% of the room (at the working plane). Where the sky can be seen, it is possible to receive daylight. The APSH analysis illustrates that of the 31 windows assessed, 27 (87%) show full compliance.
95. 17-32 Danes Court is located to the north west of the development site. 62 windows that serve 48 rooms were assessed. The technical analysis shows that of the 62 windows in question, 38 (61%) show full compliance to the BRE Guidelines. Of the remaining 24 windows, 16 will retain absolute VSC values of 15%+. Where the retained values fall below 15% the overall percentage change is 20-43%. When considering the NSL analysis, of the 48 rooms 42 (88%) show full BRE compliance. Where there are BRE transgressions, all rooms will retain a view of the sky dome to 60-73% of the room (at the working plane). Where the sky can be seen, it is possible to receive daylight. The APSH analysis illustrates that of the 53 windows assessed, 48 (91%) show full compliance.
96. 33-56 Danes Court is located to the north of the development site. 76 windows that serve 59 rooms were assessed. The technical analysis shows that of the 76 windows in question, 75 (99%) show full compliance to the BRE Guidelines. The one window which experiences a transgression has a change in VSC of 21% in comparison to the 20% suggested by the BRE. The loss of VSC to this window is not



considered to be noticeable and within the flexibility of the BRE guidelines. When considering the NSL analysis all rooms show full compliance. The APSH analysis illustrates all windows show full compliance.

97. 57-80 Danes Court is located to the north of the development site. 87 windows that serve 71 rooms were assessed. The technical analysis shows that of the 87 windows in question, 80 (92%) show full compliance to the BRE Guidelines. The results illustrate that where there are BRE transgressions, the changes in the VSC are 20-28% from the existing. This is only slightly above the suggested 20% and is considered to be within the flexibility of the guidelines. When considering the NSL analysis of the 71 rooms 67 (94%) show full compliance. Where there are BRE transgressions, all rooms will retain a view of the sky dome to 50-73% of the room (at the working plane). Where the sky can be seen, it is possible to receive daylight. The APSH analysis illustrates all windows show full compliance.
98. 113-136 Empire Court is located to the east of the development site. 57 windows that serve 44 rooms were assessed. The technical analysis shows that of the 57 windows in question, 48 (84%) show full compliance to the BRE Guidelines. The results illustrate that for seven of the nine rooms which experience changes in VSC of 20-29% compared to the suggested 20%, the remaining two rooms experience absolute losses of 2.5-4.5%. When considering the NSL analysis of the 44 rooms assessed 37 (84%) show full compliance. Where there are BRE transgressions all rooms, with the exception of one, will retain a view of the sky dome to 60-76% of the room (at the working plane). Where the sky can be seen, it is possible to receive daylight. The one room which experiences a greater loss of daylight is understood to be an entrance space (on the basis of site observations) and as such can be discounted from the analysis. The APSH analysis illustrates that of the 41 windows assessed, 29 (70%) of all windows show full compliance. Where there are instances of transgressions, these windows are located on the lower levels. When considering the high compliance rate and that where there are daylight and sunlight transgressions the retained values are considered to be commensurate with urban locations.
99. 137-156 Empire Court is located to the north east of the development site. 56 windows that serve 44 rooms have been assessed. The technical analysis shows that of the 56 windows in question, 43 (77%) show full compliance to the BRE Guidelines. The results illustrate that all of the windows will retain a VSC of 15%+. When considering the NSL analysis of the 44 rooms all show full compliance. The APSH analysis illustrates full compliance.
100. Felda House is located to the west of the development site. 170 windows that serve 94 habitable rooms were assessed. The technical analysis shows that of the 170 windows 167 (98%) show full compliance to the BRE Guidelines. The three windows that experience changes beyond the suggested 20% have losses of 21-23% which is only slightly above the suggested levels. These changes are considered to be within the parameters of the guidelines. When considering the light that falls within the room (NSL) all rooms show full compliance. The APSH analysis illustrates full compliance.
101. Officers stress that the BRE standards are guidance only and can be applied flexibly especially in denser urban areas. The numerical figures within the report should not be rigidly applied but used as part of a full evaluation of the site including the site context, the proposed massing, the scale and wider objectives of the development plan.
102. In summary, the assessment demonstrates neighbouring residential units will mostly receive good levels of daylight and sunlight. As referred to above there will be some instances where the BRE daylight guidelines will not be achieved, in relation to neighbouring properties. However, it is accepted that this is a normal outcome of a high density, large scale development in a built up urban area.
103. **Climate Change and Flooding**
104. **Energy and Sustainability Strategy**
105. The hierarchy published in the London Plan requires that decentralised energy, including gas fired CHP, should be provided in preference to renewable energy technologies, and that renewable technologies should be used to meet the residual energy demand where feasible. Energy efficiency measures will be implemented to minimise the development emissions. The energy efficiency measures include: improved fabric insulation; improved air tightness; high efficiency balanced whole house heat recovery units, and low energy lighting throughout.
106. The development will be provided with a communal heating system to meet the space heating and domestic hot water demand of the dwellings.

107. The buildings have been designed to a high environmental standard, ensuring the building achieves cumulative carbon emission savings. Within the Energy Statement submitted it has been demonstrated the energy efficiency measures through the proposed building materials and mechanisms are acceptable. A local central plant room will be installed with a gas fired CHP and boilers. Solar panels are proposed on the roof of the meander building, with a combined area of approximately 180sqm.
108. District heating
109. There is currently no existing district heating network within the vicinity of the proposed development, however, the development is situated within the Wembley Central district heating opportunity area. The Proposed Development will therefore be provided with the capacity for future connection to a District Energy Network. This will be secured via S106 legal agreement.
110. Flooding
111. The Wealdstone Brook is a 2m wide culverted watercourse, the base level of which is some 2.5m below adjacent ground level. The canalised brook is a tributary of River Brent and passes through the area within the engineered structure, and only becomes 'naturalised' where it emerges further south.
112. The application site lies within Flood Zone 3a, defined by the NPPF as having a high probability of flooding. Development classified as 'more vulnerable' is only appropriate in these areas following application of the Flood Risk Sequential Test and where the Exception Test has been applied in full and has been passed. The revised FRA submitted has now used updated and revised climate change allowances to assess flood risk on site using the modelling already carried out and approved in support of application at Wembley Point for the Wealdstone Brook. The Environment Agency (EA) accept the design flood level detailed in the submitted FRA.
113. The NPPF requires the Exception Test to be applied in the circumstances shown in Table 3 of the 'Planning Practice Guidance: Flood Risk and Coastal Change'. Paragraph 102 of the NPPF makes clear that all elements of the test must be passed for development to be permitted. Part 2 of the test requires the applicant to demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.
114. The flood modelling prepared by the applicant shows that North End Road would be inundated in both the 1 in 100 35% climate change event and the 1 in 100 70% climate change event, which appears to be the only access/egress route. This means that safe refuge within the development is required for future occupants as safe access and egress cannot be achieved.
115. The finished floor levels of the development have been raised above the 1 in 100 chance in any year, including an allowance for climate change flood extent. This means that floodwater is unlikely to enter the property during a 1 in 100 chance in any year plus climate change flood extent.
116. The applicant has overcome the EA's previous objection by submitting an acceptable emergency flood plan framework to the local planning authority that deals with matters of evacuation and refuge to demonstrate that people will not be exposed to flood hazards.
117. The full detailed flood plan for the site will be secured by condition prior to the occupation of the development hereby approved.
118. To summarise, the applicant has demonstrated that the site has satisfactorily addressed the EA's previous objection, demonstrating that people will not be exposed to flood hazards and therefore the application is acceptable in flood risk terms.
119. Biodiversity
120. The Wealdstone Brook has been designated as a Grade II Site of Importance for Nature Conservation (SINC). In line with Policy CP18 'Protection and Enhancement of Open Space, Sports and Biodiversity', the scheme proposes to increase the local value of the brook, improving the biodiversity and prioritising nature conservation where possible.
121. Policy WEM40 'River Brent and Wealdstone Brook' in the Wembley Area Action Plan (WAAP)

requires all new development along Wealdstone Brook to naturalise the banks to reintroduce biodiversity and create a route for the public to access. In addition, site allocation W25 specifies that Biodiversity improvements and flood risk adaptation measures will be sought when development proposals come forward. In this instance, a buffer strip of at least 10 metres wide should be retained for a publicly accessible brook-side park to allow for a cycle way/footpath, associated landscaping, tree planting and street furniture. Additionally, development should allow for a nodal point on the brook where the buffer strip should be widened to about 20 metres. Removal of part of the canalised wall and re-grading of the bank to provide a more natural setting will be sought.

122. However, the policy goes on to say that the viability of development will be taken into account in assessing the appropriate width of the buffer strip and the level of contribution towards restoration work.
123. The applicant, through pre-application discussions in consultation with Officers and the Environment Agency, explored a number of options for the site before progressing with the current proposals.
124. The site sits along the first exposed part of the brook as it runs further downstream along other allocated sites in the WAAP. The brook flows through a concrete channel and is confined by two bridges on each edge of the site, which strictly determines its flow rate as it flows downstream. The ownership boundary between the applicant and northern third party owner falls within the channel. Therefore, any full naturalisation would need to be undertaken by two landowners concurrently. Aside from the legal issues associated with this, the northern bank is occupied by a mature line of trees which have a Tree Preservation Order on them and provide great amenity benefits. Removing these trees would have a significant impact on the surroundings and the existing biodiversity.
125. The proposed buffer zone of 6 metres is below the required amount of 10m in site allocation W25 however will still enable the flood authority to undertake any works to the brook when necessary. It is noted that Environment Agency refer in their comments to the 'natural' buffer zone which they state as being between 0-2.5m and do not recognise the access road as contributing to the buffer. However, a large amount of hardstanding within the plot has been replaced by landscaped grass and planted areas, creating a natural drainage function. In addition, the central area of the plot will be lowered to introduce an overflow area for the brook.
126. The proposed landscaping plans include several measures to improve and stimulate biodiversity within the site. Several species of planting in the planted terrace along the brook will stimulate birds and other animals to frequent the site. Officers consider that the water quality of the brook will improve by virtue of the increased natural surveillance, preventing fly tipping which is seen on site at present.
127. The brook will be available for the recreation of residents of the subject site, with access from the vehicular lane or walkways from the internal courtyard, which complies with Policy DMP9. Furthermore, the development proposes to introduce a planted terrace, which is considered a viable and structurally realistic move towards naturalisation.
128. Whilst the proposed development does not meet the full aims of the site allocation policy W25 as set out above, the resultant situation is considered to be a significant improvement on the existing situation seen on site, whilst also delivering many other benefits to the subject site, the wider locality whilst showing strong conformity with the wider Development Plan.
129. The Council has employed specialist consultants, BNP Paribas, to undertake a detailed viability appraisal of the development and it is clear from their conclusions that the development would be unviable if it were to meet all planning policy requirements for the site to their maximum. Your officers are of the view that the proposal would react to the site restrictions and constraints, as well as the ambitions of planning policy in the most appropriate way whilst still resulting in a viable development with wider benefits for the locality.
130. The scheme will deliver a number of wider sustainability benefits which, in officer's opinion, merit the application being approved. This includes the provision of 195 new homes, of which 44 are affordable homes and 20 wheelchair accessible homes in a designated housing zone; the development will also deliver public realm improvements to North End Road; and the proposal will enable the remediation of a contaminated site.
131. Officers consider that the development will improve the Brook significantly from current conditions. Whilst full naturalisation has not proven to be immediately possible or viable, officers are re-assured that the applicants have investigated this possibility in substantial detail. Recent plans have also been

provided showing the possibility of this being achieved in the long term in conjunction with a neighbouring landowner and whilst this cannot be a consideration at this point, it gives confidence to officers that the applicants are exploring all possible avenues to reach as many objectives of the Development Plan as possible.

132. It is on this basis of these material considerations that, on balance, the application is supported by officers in relation to biodiversity and naturalisation, contrary to the recommendation of the Environment Agency.
133. **Highways and Transportation**
134. Site Layout
135. This site is located within the Wembley Masterplan area and as such, residential parking standards set out in the Wembley Area Action Plan apply to this site. As the site has a PTAL value of 4, a maximum of 0.4 spaces per 1-/2-bed flat and 0.6 spaces per 3-bed flat applies. As such, up to 83 car parking spaces would be permitted for this development and the proposed provision of 16 disabled spaces therefore accords with standards.
136. However, with parking provision falling quite far below the maximum allowance, consideration needs to be given to the impact of any overspill parking on the free and safe flow of traffic in the area. In this respect, even though North End Road is lightly parked at night, there is very limited scope to accommodate on-street parking along the site frontage (particularly on Wembley Stadium event days), with only 10 marked bays at present.
137. The applicant therefore proposes to designate the development as 'car-free' and the good access to public transport and other services would support this. There is however some concern that this development, with parking provision for just 8% of units, would generate an excessive volume of parked cars in the adjoining streets that cannot be regulated at the present time and that the proposal could potentially result in parking conditions detrimental to the free and safe flow of traffic in the area.
138. In order to avoid this in the event that the development is approved, it is essential that the right of future residents and businesses to on-street parking permits (both for the existing Stadium event day CPZ and for any future year-round CPZ that is introduced in the area in future) be withdrawn through a Section 106 Agreement.
139. A significant contribution (£100,000) via a S106 Agreement should also be provided towards subsidising the cost of on-street parking permits for existing residents in the area, so that if a CPZ is introduced to control overspill parking from this development, they are not unduly inconvenienced by it. This figure has been calculated using the Council's standard rationale for CPZ contributions.
140. Of the 195 proposed flats, 19 are to be designated as wheelchair accessible units. Each of these requires an allocated disabled parking space to comply with lifetime homes requirements and as such, the 16 proposed spaces along the rear service road are each to be allocated to wheelchair units only. A further three spaces should be provided to fully meet lifetime homes standards, but any disabled residents in the building would be exempt from any future parking permit restrictions, so could utilise on-street parking space. Details of the management of the spaces on-site to ensure they are not abused are sought though.
141. At least seven of the spaces should also be provided with electric vehicles charging points (four active and three passive).
142. Standard PS16 requires at least one secure bicycle parking space per flat and the proposed provision of 348 spaces in a secure ground floor storage room more than meets standards.
143. Refuse storage is also proposed at ground floor level to the rear of the main building, allowing collection from the proposed gated rear service road. This service road will also provide access for fire appliances, allowing them to tackle a blaze from all sides of the site.
144. The width of the rear service road is sufficient to allow one-way (westbound) access by service and emergency vehicles and suitable visibility splays are available at the site egress onto North End Road. The gates at the site entrance need to be set at least 10m from the highway boundary with North End Road though and 4m kerb radii are required at the two junctions with North End Road.

145. All existing crossovers also need to be returned to footway at the developer's expense and in this respect, it is noted that the developer also proposes to raise the carriageway level of North End Road to provide a long speed table. This is generally welcomed and will slow traffic and provide an aesthetic improvement to the street frontage. These works should be secured through a S278 Agreement.
146. The central landscaped courtyard area provides a traffic-free area for pedestrian access to the flats and is therefore welcomed.
147. Transport Impact
148. Estimated vehicular trips to and from the development have been calculated through comparison with six other similar residential developments in London. Journey to work modal split data for Wembley from the 2011 Census has then been used to estimate trips by other modes of transport. Use of multi-modal survey information from other developments in London would have provided a simpler means of calculating trips by other modes.
149. Nevertheless, these results suggest that the development would generate 66 arrivals/178 departures in the am peak hour (8-9am) and 80 arrivals/49 departures in the pm peak hour (5-6pm) by all persons.
150. Of these, up to 11 arrivals/29 departures in the am peak hour and 13 arrivals/8 departures in the pm peak hour (5-6pm) are estimated to be by car, in the event that car use and ownership is not constrained by parking permit restrictions. However, this is fully dependent on a CPZ being in place in the area, which is not the case at present.
151. Nevertheless, the volume of traffic generated would not be significant enough (less than 5% of traffic flows on Fulton Road) to warrant further consideration of impact on local road junctions in the area.
152. Public transport trips are estimated at 47 arrivals/145 departures in the morning peak hour and 65 arrivals/40 departures in the evening peak hour. This averages about two additional passengers per bus and rail service serving the area, which is not considered to be significant.
153. As such, the impact on the local transport network is generally considered to be acceptable.
154. In terms of road safety, details of personal injury accidents in the area were obtained for the three year period August 2012 – July 2015 for North End Road, Albion Way and parts of Fulton Road and Bridge Road.
155. These revealed two accidents involving vehicles turning right into Fulton Road from Albion Way and a further six accidents on Bridge Road in the vicinity of North End Road and Wembley Park station (three of which involved pedestrians). A review of pedestrian crossing facilities on this stretch of Bridge Road could therefore be beneficial, although there are longer term proposals to open the North End Road/ Bridge Road junction up to traffic anyway, which would incorporate new pedestrian crossing facilities.
156. Travel Plan
157. To help to manage travel patterns for residents and visitors, a Travel Plan has been prepared and submitted with the application. This sets out a range of measures (welcome packs, promotional activities, personalised travel planning, promotion of car sharing etc.) to be managed by a Travel Plan Co-ordinator over a period of five years with the aim of restricting the proportion of trips to and from the site by car to 1% of overall trips.
158. The Travel Plan has been assessed using TfL's ATTrBuTE Travel Plan assessment tool, but has failed. The key areas where it is lacking are in the setting of clear targets for 3 years and five years after occupation, the lack of details of funding and the inadequacy of the proposed measures.
159. Oddly in the latter case, paragraph 7.14 of the Transport Assessment sets out a much more comprehensive set of measures that would be expected within the Travel Plan, particularly with regard to the establishment and support of a Car Club at the site, but these have been omitted from the Travel Plan document.
160. It is therefore recommended that a revised Travel Plan be prepared for approval in advance of the development commencing, incorporating the measures listed in the Transport Assessment and setting

clearer targets and details of funding arrangements, as an obligation through the S106 Agreement.

161. A Construction Management Plan is also proposed to be submitted in advance of works starting, setting out working hours over the course of any contract, delivery vehicle routeing and measures to minimise construction traffic. The submission of this document prior to works commencing should be secured by condition.
162. Finally, in the event that planning consent is granted, a financial contribution of at least £416,000 is sought towards transport infrastructure in the area through the CIL. One key proposal of direct relevance to this development is the proposed connection of North End Road to Bridge Road, which will assist traffic in reaching the site, particularly on Wembley Stadium event days.
163. Recommendation
164. In the event that planning permission is granted, a Section 106 Agreement will be sought to secure: (i) a 'car-free' agreement to remove the right of future residents to on-street parking permits in the vicinity of the site; (ii) a financial contribution of at least £100,000 towards a Controlled Parking Zone in the area, including subsidised permits for existing residents; (iii) a revised Travel Plan of sufficient quality to score a PASS rating when assessed against TfL's ATTrBuTE software programme (or any replacement thereof), including measures to secure and promote a Car Club on or alongside the site.
165. A financial contribution of at least £416,000 towards transport infrastructure improvements in the vicinity of the site would also be sought, which can be taken from the CIL.
166. Conditions will also be sought requiring the developer to: (i) reinstate all redundant crossovers to the site to footway prior to occupation of the development and to provide a speed table in high quality surfacing along North End Road fronting the site, as shown indicatively on plan D2326/L.001, via an agreement under S278 of the Highways Act 1980; (ii) provide 4m kerb radii at the two access points to the development and set the entrance gates at least 10m from the highway boundary; and (iii) provide a Construction Logistics Plan.
167. **Conclusion**
168. The proposed development would deliver the following benefits
- 1) The delivery of much needed new housing(195 units), including 22.5% affordable housing (44 homes).
  - 2) Public realm improvements within the vicinity of the site.
  - 3) Semi-naturalisation of the Wealdstone Brook.
  - 4) Regenerate a key site in Wembley.
  - 5) A substantial CIL contribution towards local infrastructure improvements.
169. Officers consider that, on balance, the scheme would make a positive contribution to the locality and will help deliver wider regeneration ambitions for Wembley. Whilst it is acknowledged that full naturalisation of the Wealdstone Brook has not been achieved, the development will be a significant improvement on the existing situation whilst providing many other planning benefits as outlined above.
170. The proposal has strategic support from the GLA. Officers recommend the application for approval subject to the conditions and obligations set out in this report.
171. CABE Design Review Panel has also shown support for the scheme.

## **SUSTAINABILITY ASSESSMENT**

This development meets the required 35% reduction on Part L 2013 and would not require a financial contribution.

Overall the report is very clear and presents the breakdown of CO2 reduction for each section of the London Plan Hierarchy. The development is proposing to put in a CHP unit which will supply 68% of the annual heat and domestic hot water demand. The development has committed to make arrangements to allow for connection to a district heat network when it becomes available. A 25.2kWp peak installation of PV panels will be mounted mainly on the lower building, with a total area of approximately 180m<sup>2</sup>.

## S106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
- Affordable Housing (44 homes, 24 units (55%) will be affordable rent and 20 (45%) will be intermediate units);
- A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred affordable housing planning obligations;
- Notification of commencement;
- Membership of considerate constructors scheme;
- Submission and approval of a revised Travel Plan to score a PASS rating under TfL's ATTrRuTE programme, including measures to secure and promote a Car Club on or alongside the site;
- Connection to decentralised heat/energy network should one be implemented in the future;
- Undertaking of highway works through an agreement under S38/S278 of the Highways Act 1980;
- Training and employment of Brent residents;
- Car free agreement to remove the right of future residents to on street parking permits;
- A financial contribution of at least £100,000 towards a Controlled Parking Zone in the area, including subsidised permits for existing residents;
- Any other planning obligation(s) considered necessary by the Head of Planning

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 **£4,381,029.26\*** 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): 1924 sq. m.

Total amount of floorspace on completion (G): 17267 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	17267		15343	£200.00	£35.15	£3,726,157.14	£654,872.12

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)	272	
<b>Total chargeable amount</b>	<b>£3,726,157.14</b>	<b>£654,872.12</b>

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

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

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



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

=====

Application No: 16/1404

To: Mr Connell  
JLL  
30 Warwick St  
London  
London  
W1B 5NH

I refer to your application dated 31/03/2016 proposing the following:  
Redevelopment of the former Amex House site and erection of one 4 to 8 storey building and one 13 storey building comprising 195 residential units (79 x 1bed, 91 x 2bed and 25 x 3bed) with associated car parking space, landscaping, plant room and energy centre, sub-station, landscaping, amenity space and part naturalisation of Wealdstone Brook  
and accompanied by plans or documents listed here:  
Please see condition 2.

at Former Amex House, North End Road, Wembley, HA9 0UU

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:

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG



**SUMMARY OF REASONS FOR APPROVAL**

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

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

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

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

- 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), unless otherwise agreed by the Council:

SITE LOCATION PLAN  
15012 (PL) 001 SITE LOCATION  
15012 (PL) 002 EXISTING SITE PLAN  
15012 (PL) 003 DEMOLITION PLAN  
15012 (PL) 100 PROPOSED SITE PLAN  
15012 (PL) 101 PROPOSED GROUND FLOOR PLAN  
15012 (PL) 102 PROPOSED FIRST-THIRD FLOOR PLAN  
15012 (PL) 105 PROPOSED FOURTH FLOOR PLAN  
15012 (PL) 106 PROPOSED FIFTH FLOOR PLAN  
15012 (PL) 107 PROPOSED SIXTH FLOOR PLAN  
15012 (PL) 108 PROPOSED SEVENTH FLOOR PLAN  
15012 (PL) 109 PROPOSED EIGHTH, NINTH & TENTH  
15012 (PL) 110 PROPOSED ELEVENTH FLOOR PLAN  
15012 (PL) 111 PROPOSED TWELFTH FLOOR PLAN  
15012 (PL) 112 PROPOSED ROOF PLAN  
15012 (PL) 200 PROPOSED SOUTH ELEVATION  
15012 (PL) 201 PROPOSED NORTH EAST ELEVATION  
15012 (PL) 202 PROPOSED NORTH WEST ELEVATION  
15012 (PL) 203 PROPOSED SOUTH WEST COURTYARD AND SECTION ELEVATION  
15012 (PL) 204 PROPOSED SOUTH EAST COURTYARD AND SECTION ELEVATION  
15012 (PL) 205 PROPOSED NORTH EAST AND NORTH WEST COURTYARD AND SECTION ELEVATION  
D2326\_L001  
D2326\_L100  
D2326\_L400  
Affordable Housing Statement by JLL  
Air Quality Assessment by RPS

Air Quality Neutral Calculation by RPS  
 Archaeology Baseline and Impact Assessment by RPS  
 Arboricultural Development Report by tree:Fabrik  
 Bat Survey Report by RPS  
 Daylight & Sunlight Report by GIA  
 Design and Access Statement by GRID Architects (including the Landscape & Play Strategy by Fabrik)  
 Energy Report by Silcock Dawson  
 Environmental Noise Survey and Noise Impact Assessment by Hann Tucker  
 Flood Risk and Drainage Strategy by PTA Consult  
 Outline Construction Environmental Management Plan by RPS  
 Preliminary Ecological Appraisal by RPS  
 Statement of Community Involvement by Polity  
 Townscape Analysis & Verified Views by Turley VIA  
 TP6 Brent Sustainability Checklist  
 Transport Assessment by RPS  
 Travel Plan by RPS

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

- 3 90% of the residential units within the proposed development shall be designed to Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly Lifetime Homes Standard), with the exception of 19 dwellings with roof terraces which will not be designed to Part M4 (2) Section 2B 2.20h.

At least 10% of all dwellings within each tenure type shall be wheelchair accessible or easily adaptable for wheelchair use (Part M4 (3) 'wheelchair user dwellings' of the Building Regulations 2015).

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

- 4 4m kerb radii at the two access points to the development shall be provided and permanently maintained and the entrance gates shall permanently be at least 10m from the highway boundary.

Reason: To provide adequate visibility for drivers entering or leaving the site and to ensure the safety of pedestrians and vehicles.

- 5 The applicant shall reinstate all redundant crossovers to the site to footway prior to occupation of the development and provide a speed table in high quality surfacing along North End Road fronting the site, as shown indicatively on plan D2326/L.001, via an agreement under S278 of the Highways Act 1980

Reason: To ensure that the development is constructed to the Highway Authority's specification.

- 6 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. And 5dB(A) to residential windows within the development itself. 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. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels.

- 7 Prior to the occupation of the development, the applicant shall submit a report which provides

evidence that the mitigation measures described in the approved Noise assessment (Hann Tucker Associates noise report reference 22007/NPPF1.Rev1 dated 4<sup>th</sup> April 2016 have been implemented. The report is subject to the approval of the Local Planning Authority.

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

- 8 Prior to the commencement of the development a Construction Method Statement (CMS) shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise, vibration and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance

- 9 A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction works on site (save for demolition). The approved Statement shall be fully implemented thereafter in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 10 Prior to the occupation of the development, the applicant shall submit a report which provides evidence that the mitigation measures described in the approved Air Quality Impact Assessment (RPS air quality assessment reference JAP8509 dated 31<sup>st</sup> March 2016 ) have been implemented. The report is subject to the approval of the Local Planning Authority.

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

- 11 The Combined Heat and Power unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Assessment (air quality neutral assessment reference JAP 8509 dated 31<sup>st</sup> March 2016). Prior to the commencement of the use the applicant shall provide details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met, and shall maintain the unit thereafter in such a way as to ensure that these standards continue to be met.

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

- 12 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

- 13 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

- 14 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

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

- 15 1. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

2. An assessment must be undertaken in accordance with the requirements of Part 1 of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Part 2 of this condition.

3. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Part 3 of this condition.

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

- 16 Details of the height, type, position, angle and spread of any external lighting shall be submitted to and approved in writing by the Local planning authority prior to the development hereby permitted being brought into use. The external lighting shall be erected and maintained in accordance with the approved details to minimise light spillage and glare outside the designated area.

Reason: to protect the amenity of nearby residents

- 17 Details of materials for all external works, including samples which shall be made available for viewing on site or at another location agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction work is commenced (save for demolition). The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

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

agreed in writing by the Local Planning Authority.

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

- 19 Prior to the occupation of the development hereby approved details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 20 No development shall commence on site (save for demolition) until a Training & Employment Plan in accordance with the Brent Employment, Enterprise and Training Initiative has been submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following:

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

The approved Training and Employment Plan shall be implemented throughout the construction of the development.

Prior to first occupation of the building, a Training & Employment Verification Report shall be submitted to and approved in writing by the Council.

Reason: In the interest of providing local employment opportunities.

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

- (a) proposed walls and fences and other means of enclosure indicating materials and heights;
- (b) proposed finish levels and contours;
- (c) soft landscape works including planting plans and where appropriate; an implementation programme should be submitted.
- (d) minor artefacts and structures;
- (e) areas of hard landscape works and further details of the proposed materials;
- (f) details of the proposed arrangements for the maintenance of the landscape works;
- (g) further details of all outside seating and children's play equipment;
- (h) details of screening for the roof terraces for safety and to reduce the impact of wind.

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

The planting beds within the development shall be maintained by the developer.

Reason: To ensure a satisfactory appearance and setting for the proposed development and

ensure that it enhances the visual amenity of the area.

- 22 The development shall not be occupied until a Flood Emergency Plan (based on the submitted Flood Risk Assessment and Flood Emergency Plan Framework) has been submitted to, and approved in writing by, the Local Planning Authority. The commitments explicitly stated in the Flood Emergency Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the buildings hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the Local Planning Authority. Upon written request, the applicant or their successors in title shall provide the Local Planning Authority with written details of how the measures contained in the Emergency Plan are being undertaken at an given time.

Reason: To ensure the safety of the residents against the risk of flooding.

- 23 A Flood Emergency Plan, covering place of refuge, flood evacuation and safe/escape routes, shall be submitted and approved by the Local Planning Authority prior to occupation of the development and shall be complied with.

Reason: To ensure the safety of the occupiers and users of the development against the risk of flooding.

#### 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 You have been granted planning permission for a development in a flood risk area. We strongly advise that you sign up to the free Flood Warning Direct service by calling Floodline on 0845 988 1188.

Any person wishing to inspect the above papers should contact Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902

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## COMMITTEE REPORT

Planning Committee on 14 December, 2016  
Item No 05  
Case Number 16/2922

### SITE INFORMATION

**RECEIVED:** 6 July, 2016

**WARD:** Fryent

**PLANNING AREA:** Brent Connects Kingsbury & Kenton

**LOCATION:** 103 Crummock Gardens, London, NW9 0DH

**PROPOSAL:** Demolition of existing detached garage and erection of a two-storey, 3-bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space.

**APPLICANT:** Mr Kalyan

**CONTACT:** London Interiors

**PLAN NO'S:** Design and Access Statement  
Existing Floor Plans (Drawing PR15-022A)  
Existing Front and Rear Elevations (Drawing PR15-022C)  
Existing Side Elevations (Drawing PR14-100D)  
Proposed Elevations (Drawing PR15-002F)  
Proposed Floor Plans (Drawing PR15-022D Rev 03)  
Proposed Street Scene (Drawing PR15-022E)  
Proposed Site Layout Plan (PR15-022C Rev 03)  
Proposed Parking Elevation (Drawing PR15-022H)  
Site Location Plan

**LINK TO  
DOCUMENTS  
ASSOCIATED TO  
THIS  
APPLICATION**

**When viewing this on an Electronic Device**

Please click on the link below to view **ALL** document associated to case  
[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_129016](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_129016)

**When viewing this as a Hard Copy**

Please use the following steps

1. Please go to [pa.brent.gov.uk](https://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/2922" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

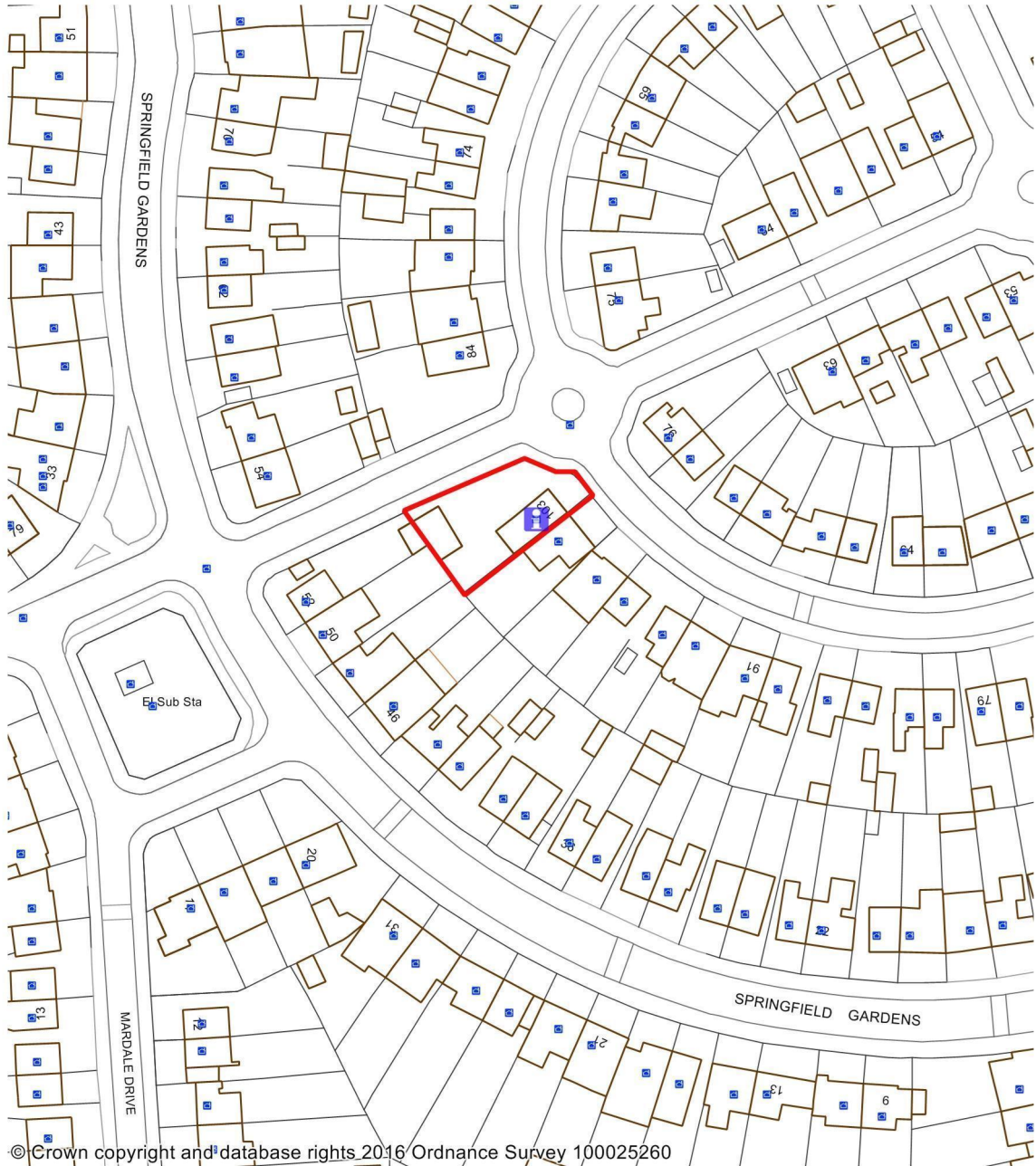
# SITE MAP



## Planning Committee Map

Site address: 103 Crummock Gardens, London, NW9 0DH

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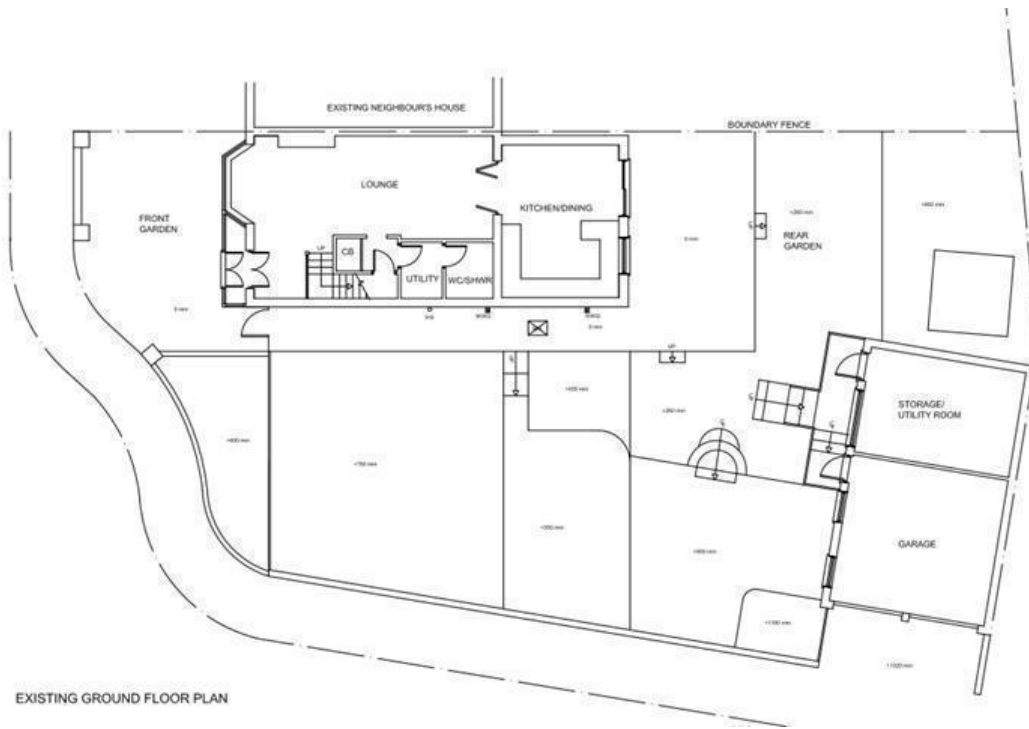


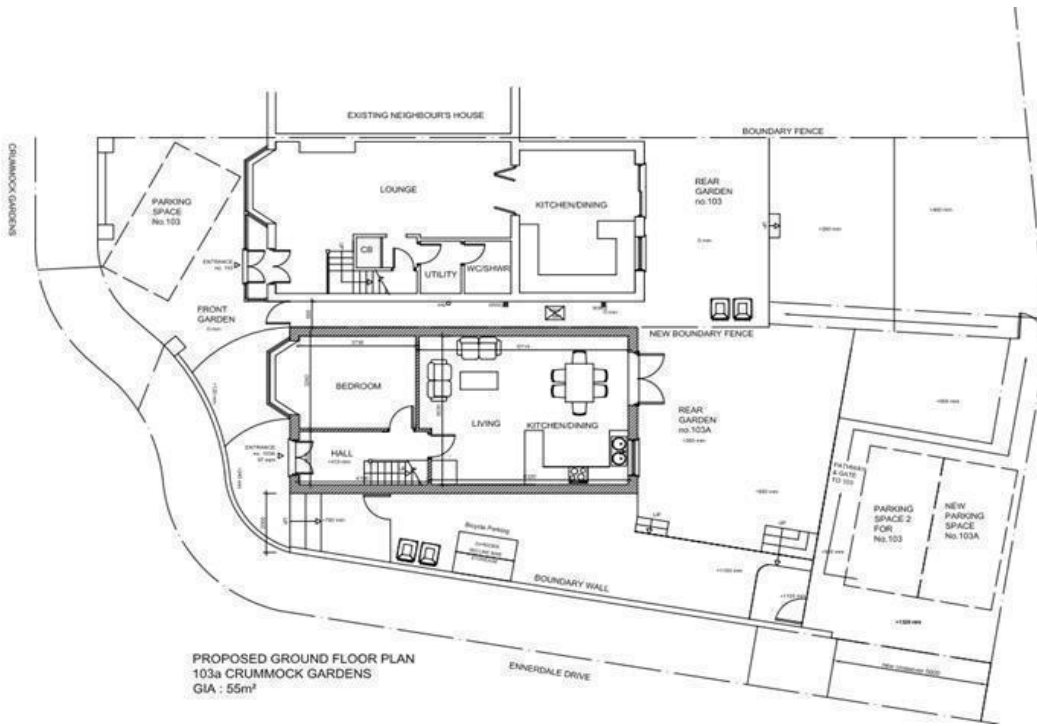
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This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS

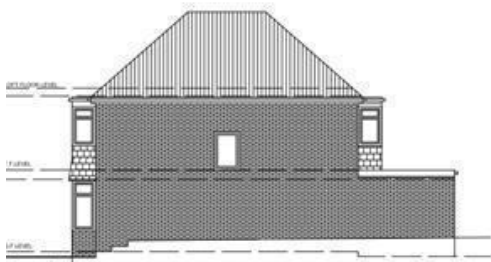




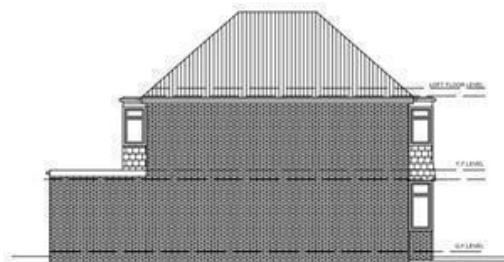
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED RIGHT SIDE ELEVATION



PROPOSED LEFT SIDE ELEVATION



PROPOSED FRONT ELEVATION



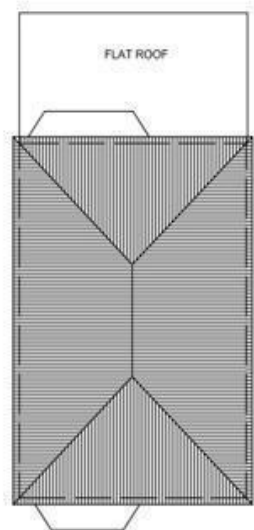
PROPOSED REAR ELEVATION



PROPOSED GROUND FLOOR PLAN  
103a CRUMMOCK GARDENS  
GIA : 55m<sup>2</sup>



PROPOSED FIRST FLOOR PLAN  
103a CRUMMOCK GARDENS  
GIA : 42m<sup>2</sup>



PROPOSED ROOF PLAN  
103a CRUMMOCK GARDENS

## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

### Conditions

1. That works on the development must commence within 3 years of the decision;
2. That works are carried out in accordance with the approved plans;
3. Materials for the new dwellinghouse are submitted for approval.
4. A landscaping scheme is submitted to include details of boundary treatment, hard & soft landscaping.
5. A Construction Method Statement is submitted.
6. Permitted development rights for the new dwellinghouse removed.
7. The works to extend the dropped kerb are carried out prior to occupation.

### Informatives

- The applicant may have obligations under the provisions of the Party Wall etc. Act 1996
- Advice regarding possible asbestos

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

## A) PROPOSAL

Demolition of existing detached garage and erection of a two storey, 3 bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space.

## B) EXISTING

The existing site is a corner plot at the junction of Cummock Gardens and Ennerdale Drive. On the site currently is a single dwelling; with vehicle access for parking provided from Crummock Gardens and also the side has access to a garage at the far end of the garden. The existing dwelling has converted the hipped roof to gable end with full width rear dormer, and the front garden is fully hard surfaced.

## C) AMENDMENTS SINCE SUBMISSION

The amendments made during the course of this application are as follows:

- Drawings were revised at the correct scale 1:100 (previously inaccurate);
- The separation of the gutters from the existing house are retained at 763mm, and there is now also an increased separation to the flank wall of new house. This has resulted in a 0.9m separation. The revised GIA for the proposed dwelling (103a) would be 52.9sqm at ground floor and 39.9sqm at first floor. Overall GIA would be 92.8sqm, a reduction from the 97sqm initially proposed.

The proposed site plan has been amended to address highway concerns, this includes: the allocation of two off-street parking spaces for the existing 4 bedroom dwelling, which incorporates a path and gate from the rear parking area into the rear garden of the existing house. It also shows the existing 1 car parking space outside the existing dwelling which will be retained.

## D) SUMMARY OF KEY ISSUES

**Principle of development:** There is no objection in principle to a new dwelling being provided on this site.

**Character & Design :** It is considered that the proposed dwellinghouse has been designed so that it would not appear cramped and maintain an acceptable degree of openness.

**Quality of accommodation:** The quality of accommodation for the new dwelling and existing house meets the appropriate standards.

**Neighbouring amenity:** In view of the relationship to their properties in the locality, the new dwellings are not considered to have an unacceptable impact on neighbouring residential amenity.

**Transportation :** An acceptable level of on-site parking is provided with 2 spaces to serve the existing dwellinghouse and one space to serve the new dwellinghouse.

## RELEVANT SITE HISTORY

**15/1635** - Proposed demolition of existing detached garage and erection of two storey, 3 bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space – refused for the following reasons:

The proposed dwelling by reason of its siting and close proximity to the site boundary fails to respect the open character of this junction and would result in a form of development that erodes the spaciousness and as a result would be detrimental to the character of the streetscene and the surrounding area. This is contrary to policies BE2, BE3 and BE9 of Brent's Unitary Development Plan (2004), and Core Strategy (2010) policy CP17.

The proposal, by reason of its design and appearance with a bulky side dormer window represents poor design and an obtrusive form of development on this prominent corner site, and is considered to be out of keeping with the character of the surrounding area, causing harm to the streetscene and is therefore contrary to Policy CP17 of Brent's Core Strategy 2010 and policies BE2 and BE9 of the London Borough of Brent's adopted Unitary Development Plan 2004.

The proposal fails to demonstrate the ability to provide satisfactory off-street parking arrangements and access arrangements for the existing and proposed dwelling in line with adopted parking standards PS14, and as such fails to demonstrate that this development will not place increased pressure for parking on-street in an area which already experiences significant demand. This is contrary to policies TRN23 and TRN24 of Brent's Unitary Development Plan adopted in 2004.

## CONSULTATIONS

Letters were sent out to 10 neighbouring properties and over the statutory 21 day period. A total of 4 objections were received.

The objections related to the following:

- Increased noise and disturbance for neighbouring residents
- Increased overlooking of neighbouring properties/gardens
- Loss of outlook for neighbours
- Loss of light to neighbours
- Will be out of character with the streetscene
- The distance between houses is too small and would result in a terracing affect.
- This is an overdevelopment of the site.
- Potential damage to neighbouring garage/party wall during construction
- Parking arrangements to the rear pose an increased security risk to adjoining properties
- Will reduce visibility and surveillance along the streetscene, which in turn will encourage anti social behaviour.
- Plans submitted have various inconsistencies.
- Increased hardstanding on site will increase water run off rates.
- Removal of trees and planting.

All the above are addressed in the report below. Matters relating to damage during construction is covered by the Party Wall Act.

STATUTORY CONSULTEES

Transportation;-

No transportation objections subject to a condition requiring the submission and approval of a revised site layout plan showing the allocation of two off-street parking spaces for the existing 4 bedroom dwelling, with an amendment to the rear boundary to incorporate a path and gate from the rear parking area into the rear garden of the existing house.

Please note that widening of the existing rear crossover will need to be carried out at the applicant's expense by the Transportation Unit and an informative is recommended to this effect.

#### Environmental Health

The construction works would be carried out within an air quality management area and therefore appropriate noise and dust emissions could cause disturbance to local residents. A condition requiring a Construction Method Statement should therefore be imposed.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework/National Planning Practice Guidance**

#### **London Plan consolidated with alterations since 2011 (March 2016)**

#### **Mayors Housing SPG 2012**

Policy 3.5 (table 3.3)

#### **Brent Core Strategy 2010**

CP17 Suburban Character

CP21 A Balanced Housing Stock

#### **Brent Development Management Policies 2016**

DMP 1 Development Management General Policy

DMP 12 Parking

DMP 16 Resist Housing Loss

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

### **Supplementary Planning Guidance 17:- Design Guide For New Development**

## **DETAILED CONSIDERATIONS**

#### Site context

1. This is a corner plot that fronts a roundabout at the junctions of Crummock Gardens and Ennerdale Drive. The existing semi-detached corner dwelling sits within an unusually wide plot when viewed in its local context. The plot has an open character with a gap of approx. 9m from the flank wall to the site boundary. The property to the north on the opposite side of Ennerdale Drive displays a similar open character however this is not evident at other corner plots addressing the roundabout junction.

#### Principle of development

2. This proposal comprises the demolition of the existing detached garage and erection of a two storey, 3 bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space

3. The site is located within a wholly residential area. There is no objection in principle to a new dwelling being provided on this site, this would make efficient use of previously developed land in conformity with the NPPF. However the size, scale and design of any proposal need to be appropriate and it must not harm existing residential amenity.

#### Character & Design



4. The detached dwelling would be sited 0.9m from the flank wall of the existing house. In Crummock Gardens, the separation distances between dwellinghouses vary considerably and there is no uniformity in relation to this. It is therefore not considered that the proposed separation would be out of keeping with the locality. The front corner of the proposed dwellinghouse would be set in from the side boundary (public footway) by 2m, this increases to 2.9m towards the rear. It is considered that this set-in would ensure that the new dwelling would not appear cramped and maintain an acceptable degree of openness.

5. Proportionally the existing dwellinghouse and the proposed dwelling will be similar. In addition, design features such as a front bay window is to be replicated in the proposed new build. Materials and fenestration will also be in keeping with existing built forms. Since the previous application, the side dormer has been removed and the overall design is considered acceptable. A flank window is proposed facing Ennerdale Close to provide an active frontage. This is in compliance with policy DMP1 which seeks development which is of a siting, layout and scale which complements the locality.

6. It is noted that the proposed hipped roof, which is in conformity with the prevailing character of the area, does create a slightly awkward relationship to the existing gable end roof extension to no. 103 Crummock Gardens. However, given that such roof alterations generally constitute permitted development, it is not unusual for a hipped roof to sit alongside a property with a gable roof. As such, it is considered that the resultant relationship is acceptable.

#### Quality of accommodation

7. The proposal seeks to split the garden into two, along its length. No. 103 retains 90 sqm of private amenity space and the proposed house would benefit from 77 sqm of private amenity space, reduced to 57 sq m as a result of the single storey rear extension. This layout and quantum of outside space would satisfy SPG17 amenity space standards and Development Management Policy DMP19 which requires at least 50 sqm for family housing.

8. The GIA of the proposed dwelling is stated on the application form as 84 sq m, however internal measurements have calculated it as being 92.8 square metres. This is also stated on the proposed plans submitted as part of this application. A 3-bed/5 person dwelling is proposed, with a single occupancy bedroom at ground floor and two bedrooms at first floor with loft space being used for storage purposes. This does comply with London Plan (2015) minimum standards.

#### Neighbouring amenity

9. There are no existing habitable room windows within the flank wall of No.103 Crummock Gardens. The single storey rear element would have a height of 2.85m and would have a flat roof. This would not protrude beyond the building line of the extension at No. 103 Crummock Gardens.

10. The rear elevation of the new dwelling is approximately 13.5m away from the rear site boundary; this relationship is no different to 103 and the properties in the locality. With this level of separation it will not result in unaccusable levels overlooking or loss of privacy to properties on Springfield Gardens. Window to window distances are 31m and are well in excess of the 20m required by SPG17 and the rear garden depth is just over 10m which is in accordance with SPG17..

11. It is not considered this proposal would unduly harm neighbouring amenity through a loss of privacy, overlooking, loss of light or outlook. Objection comments did however raise concerns in terms of safety to rear gardens as a result of rear access. A condition requiring all boundary treatments will be required as part of any grant for permission to ensure the retention and / or enhancement of the boundary treatment.

#### Transportation

12. Revised details were submitted in response to initial concerns raised by Transportation which required three off-street parking spaces to be accommodated within the site to meet standards, with two of these spaces allocated to the existing four-bedroom dwelling.

13. Based on the above, amendments were received retaining one parking space within the forecourt of the existing dwellinghouse and two parking spaces in place of the existing double garage to the rear of the site. A new path and gate from the rear garden of the existing property to the proposed parking spaces has also been provided to accommodate a second space for No.103 and one off-street space for the proposed dwelling in line with transportation comments. A condition to ensure that the existing crossover is widened to

accommodate the two parking spaces will be imposed in line with transport policies.

14. A cycle storage area has now been located within the private amenity space associated with 103a just inside the side boundary which faces Enerdale Crescent. The refuse bins will be located alongside this, which allows for these to be moved to the front forecourt for collection. This is acceptable.

15. The proposal ensures that there is no on-street parking demand and has successfully accommodate the requisite three spaces within the site in compliance with Development Management Policy DMP12 and is therefore acceptable.

16. In terms of impact to the neighbouring properties, it is considered that the removal of the existing garage which currently towers over the shed located within the back end of the rear garden of No. 52 Springfield Gardens would be welcomed, given that it be less intrusive to the rear garden amenity for that property. Furthermore, the principle of parking within that location has already been established and therefore it is not considered that this would give rise to any further impact in terms of residential amenity or character.

### Landscaping

17. Hard and soft landscaping is proposed. It is stated within the design and access statement that soft landscaping will be proposed to the rear of the property. It should be noted that there is an existing tree at the side boundary of the site, the removal of which has not been addressed within the submission. A condition requiring a full landscape plan to adequately meet the requirements of SPG17 will be imposed.

### Summary

18. Based on the above, it is considered that a new dwellinghouse can be accommodated at this location. It has been designed to respect the character of the street scene and maintains an acceptable level of openness of the immediate vicinity. It is not considered to give rise to any detrimental residential amenity issues and is therefore recommended for approval.

## CIL DETAILS

This application is liable to pay **£26,692.89\*** 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): 0 sq. m.

Total amount of floorspace on completion (G): 92.8sq. 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
Dwellinghouses	92.8	0	92.8	£200.00	£35.15	£22,702.86	£3,990.03

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)	272	
<b>Total chargeable amount</b>	<b>£22,702.86</b>	<b>£3,990.03</b>

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

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

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





**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 16/2922

To: Interiors  
London Interiors  
UNIT 8  
BOWMAN TRADING ESTATE  
WESTMORELAND ROAD  
KINGSBURY  
NW99RL

I refer to your application dated 06/07/2016 proposing the following:  
Demolition of existing detached garage and erection of a two-storey, 3-bedroom detached dwellinghouse, with associated hard and soft landscaping, provision for off-street parking to the rear and sub-division of existing garden space.

and accompanied by plans or documents listed here:

- Design and Access Statement
  - Existing Floor Plans (Drawing PR15-022A)
  - Existing Front and Rear Elevations (Drawing PR15-022C)
  - Existing Side Elevations (Drawing PR14-100D)
  - Proposed Elevations (Drawing PR15-002F)
  - Proposed Floor Plans (Drawing PR15-022D Rev 03)
  - Proposed Street Scene (Drawing PR15-022E)
  - Proposed Site Layout Plan (PR15-022C Rev 03)
  - Proposed Parking Elevation (Drawing PR15-022H)
  - Site Location Plan
- at 103 Crummock Gardens, London, NW9 0DH

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**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.



## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
Brent Unitary Development Plan 2004  
Central Government Guidance  
Council's Supplementary Planning Guidance

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

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public

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

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

Transport: in terms of sustainability, safety and servicing needs

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

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

Park Royal: to promote the opportunities and benefits within Park Royal

Waste: in terms of the development of waste management facilities

Design and Regeneration: in terms of guiding new development and Extensions

Site-Specific Policies

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

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

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

Design and Access Statement

Existing Floor Plans (Drawing PR15-022A)

Existing Front and Rear Elevations (Drawing PR15-022C)

Existing Side Elevations (Drawing PR14-100D)

Proposed Elevations (Drawing PR15-002F)

Proposed Floor Plans (Drawing PR15-022D Rev 03)

Proposed Street Scene (Drawing PR15-022E)

Proposed Site Layout Plan (PR15-022C Rev 03)

Proposed Parking Elevation (Drawing PR15-022H)

Site Location Plan

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

- 3 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The construction works shall be carried out in full accordance with the approved details.

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

- 4 No further extensions or buildings shall be constructed within the curtilage of the new

dwellinghouse subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To prevent an over development of the site.

- 5 The extension of the vehicular crossover shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Highway Authority, with the works carried out and completed in accordance with these approved details, prior to the occupation of the development hereby approved. The car parking spaces shall be allocated to the dwellinghouses as detailed on the approved plans.

Reason: In the interests of highway and pedestrian safety in the locality, in pursuance of Section 278 of the Town and Country Planning Act 1990.

- 6 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.

- 7 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 complete during the first available planting season following completion of the development hereby approved.

Such scheme shall include:

- Proposed walls and fencing, indicating materials and heights;
- Existing and proposed planting
- Details of areas of hardstanding to be permeable construction.

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

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

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

*Document Imaged*



Any person wishing to inspect the above papers should contact Selina Hotwani, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5283

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 December, 2016  
07  
16/4506

## SITE INFORMATION

RECEIVED: 14 October, 2016

WARD: Tokyngton

PLANNING AREA: Brent Connects Wembley

LOCATION: Land next to Wembley Arena Square, Engineers Way, Wembley

PROPOSAL: Reserved matters in relation to Plot W03 pursuant to outline planning permission 03/3200. The proposal is for the erection of a part 9 storey and part 14 storey building providing 340 residential units and 1,879 sqm of retail floorspace. 12 car parking spaces are provided on site, four of which will be accessible, together with two loading and servicing bays for the residential and retail uses respectively. The proposal also includes cycle parking, landscaping and amenity space at ground level and roof top.

The application has been submitted pursuant to conditions 2 i-vi (siting, design, external appearance, access and landscaping), 6 ii, iii, iv and v (infrastructure), 26 (open space), 30 (tree removal), 60 (disabled access), 61 (underground parking), 63 (sunlight/daylight) and 64 (wind tunnel testing)

APPLICANT: Quintain Limited

CONTACT: WYG

PLAN NO'S: Please see condition 1.

### 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\\_130727](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130727)

#### When viewing this as an Hard Copy

Please use the following steps

1. Please go to [pa.brent.gov.uk](https://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/4506" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

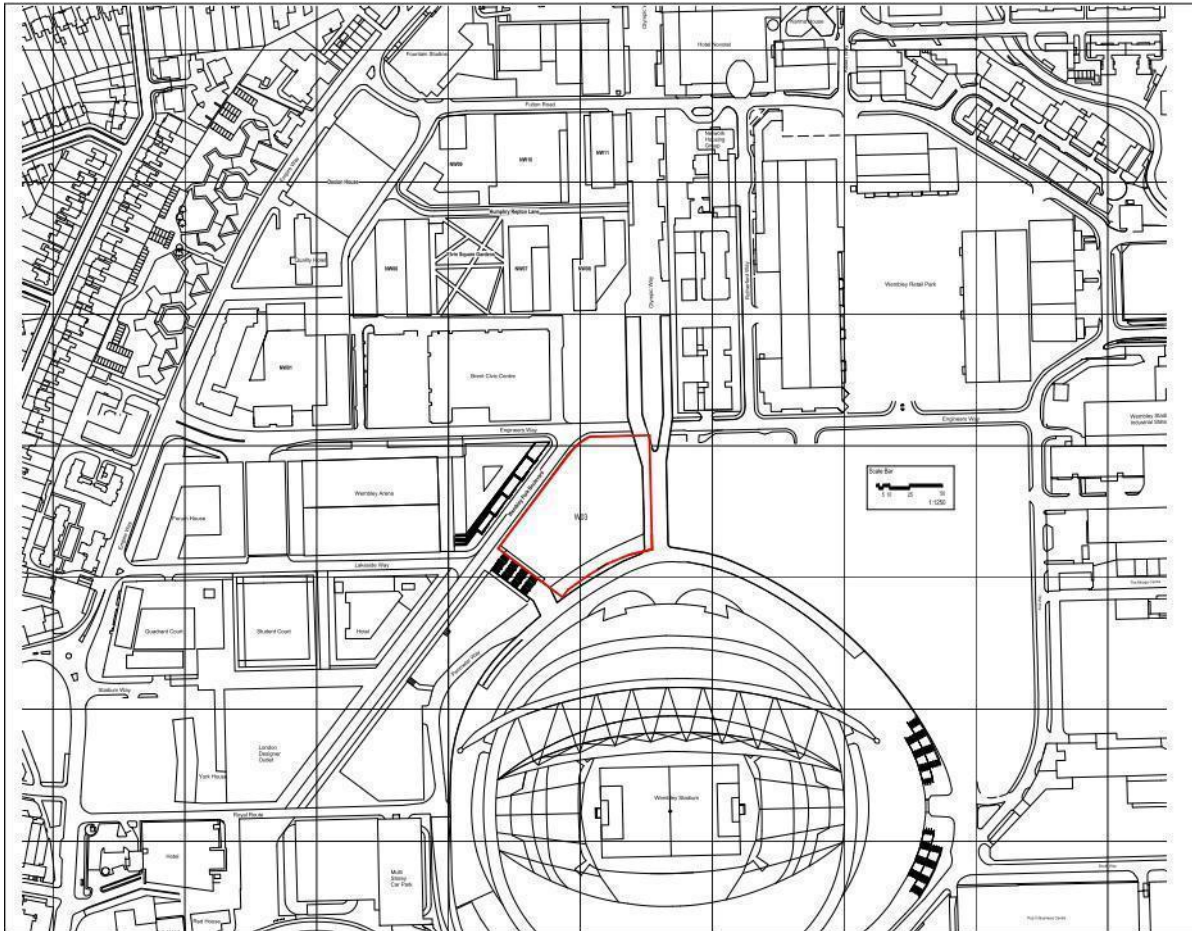
Site address: Land next to Wembley Arena Square, Engineers Way, Wembley

© Crown copyright and database rights 2011 Ordnance Survey 100025260

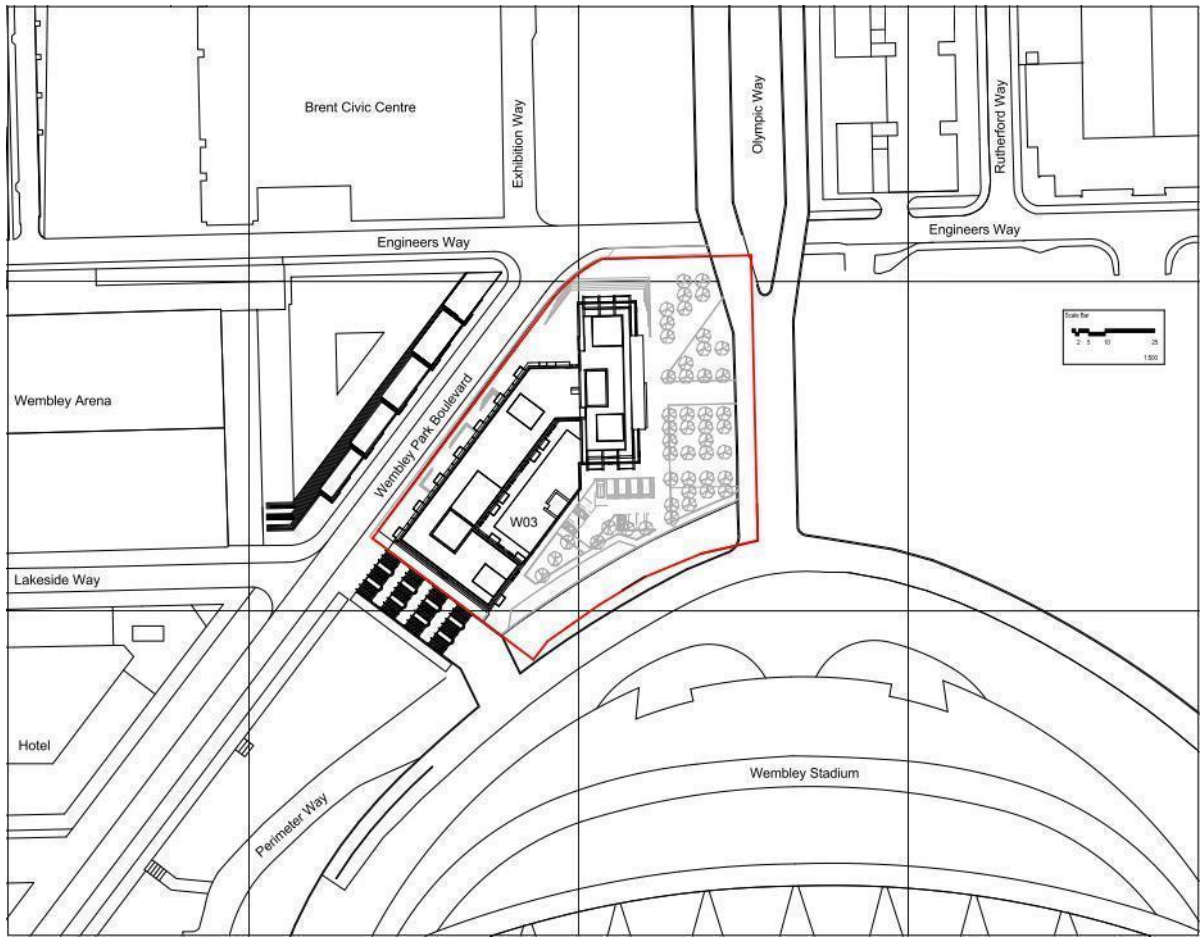
This map is indicative only.

# SELECTED SITE PLANS

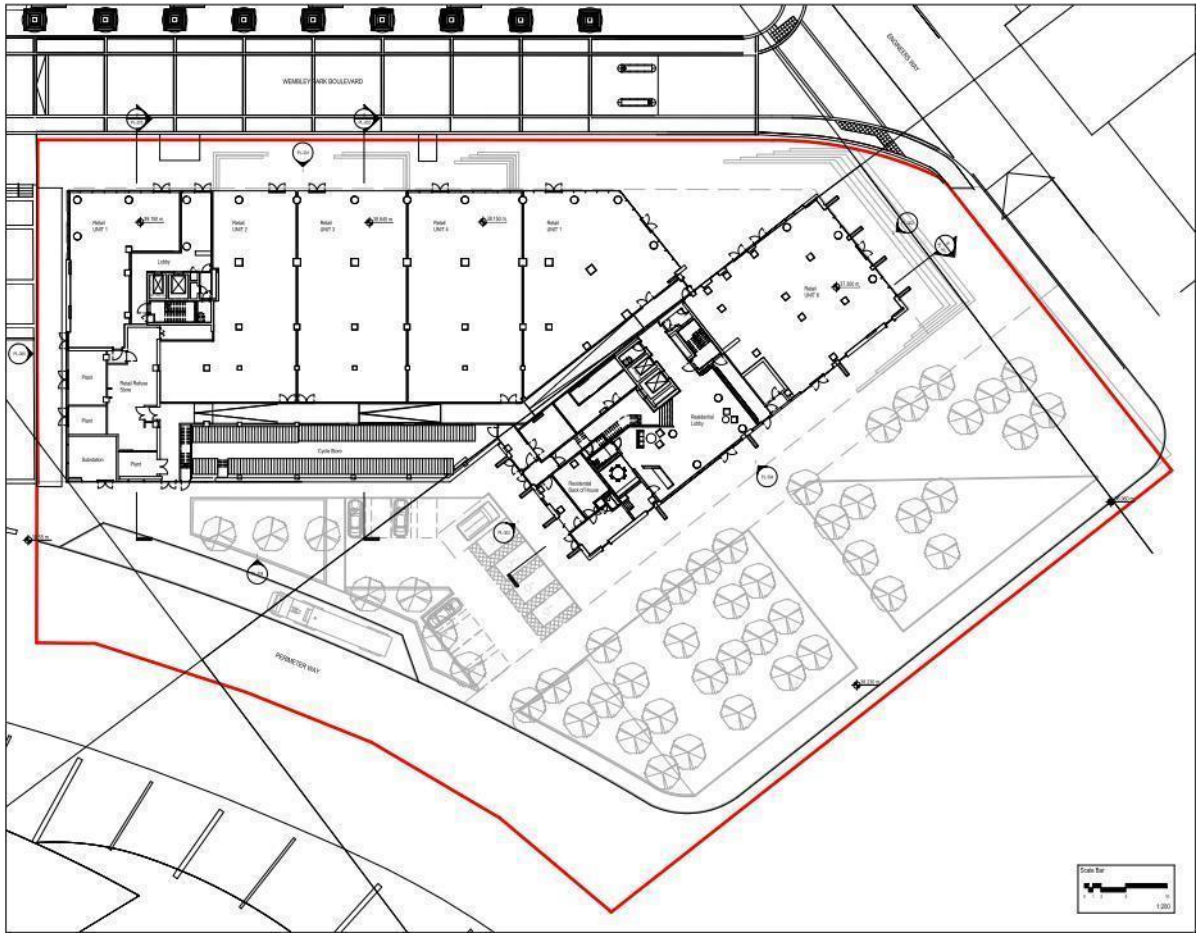
## SELECTED SITE PLANS



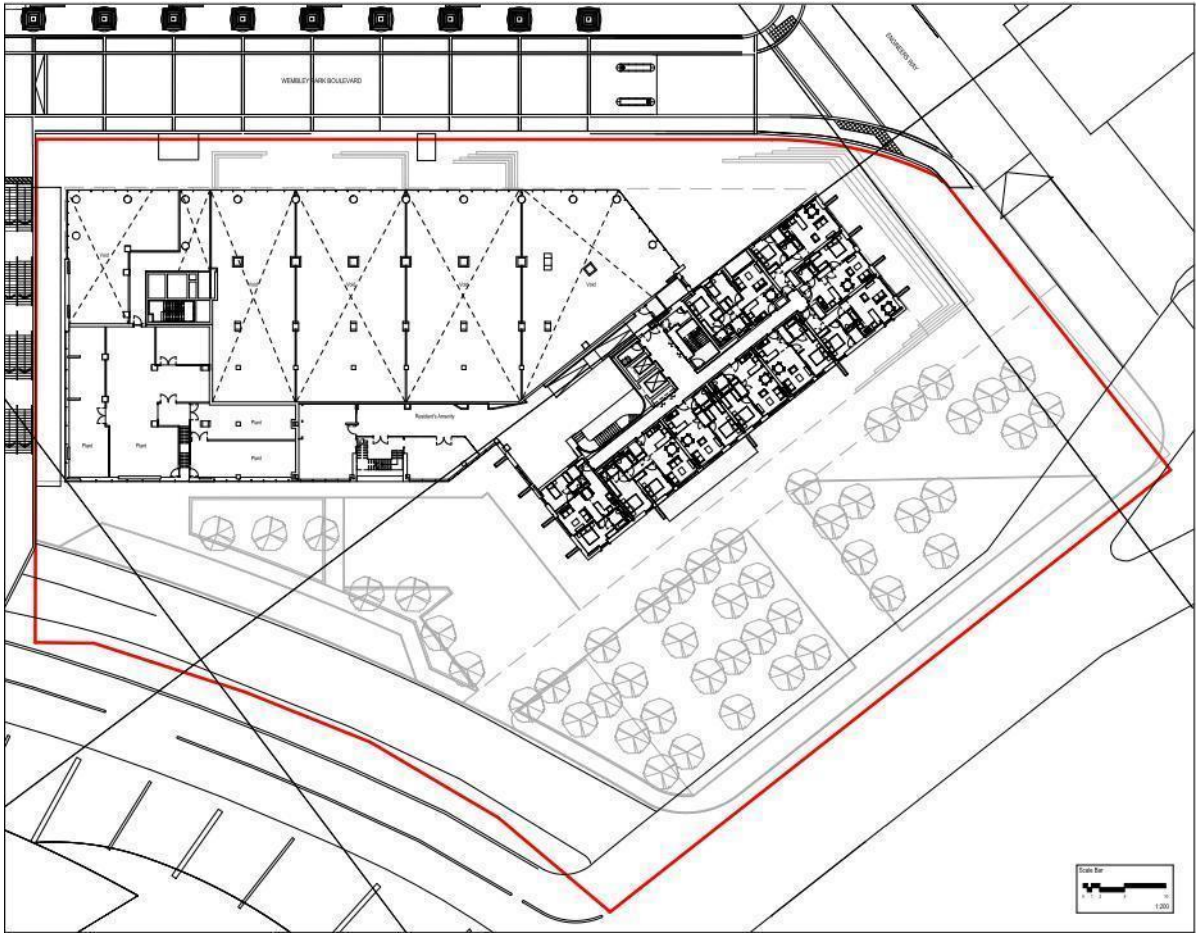
Site Location Plan



Block Plan

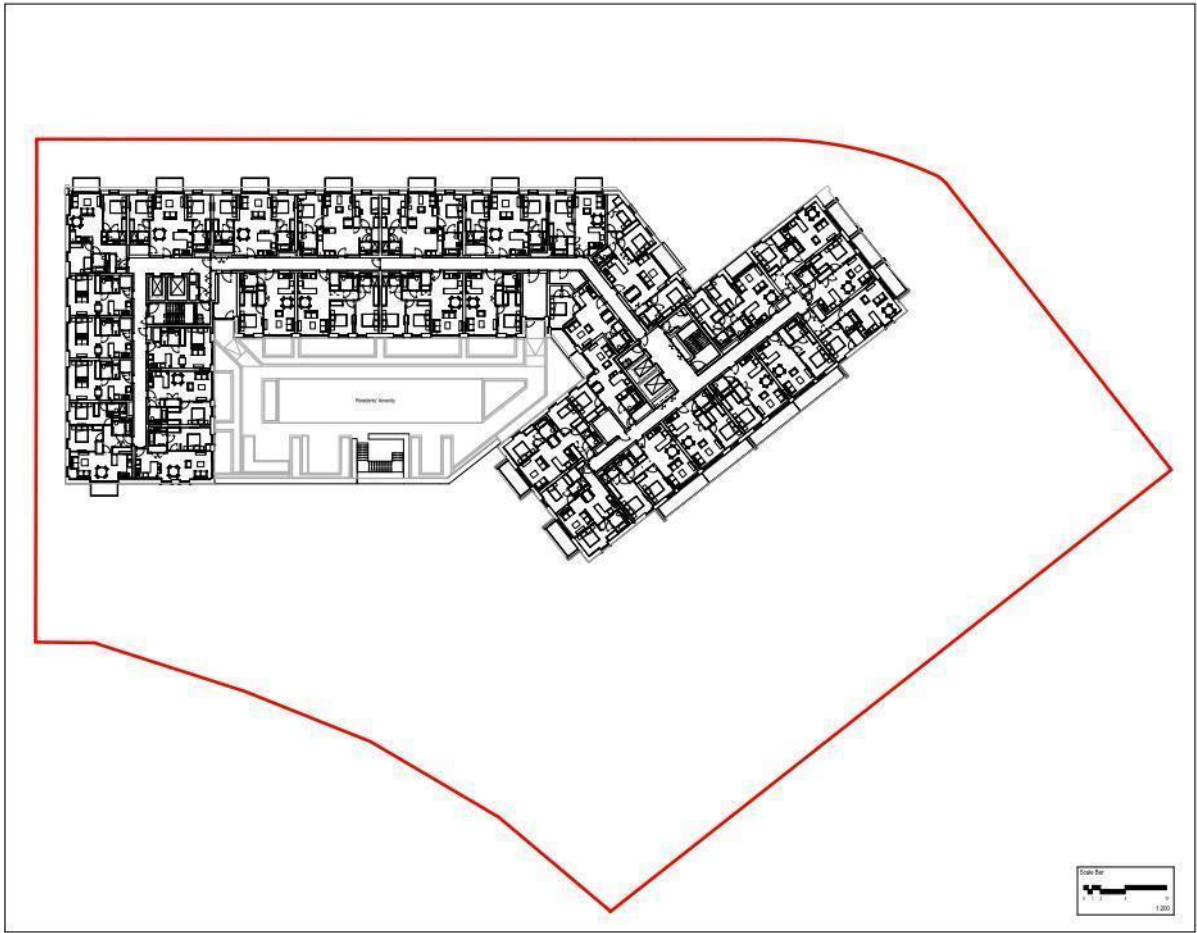


Ground Floor Level

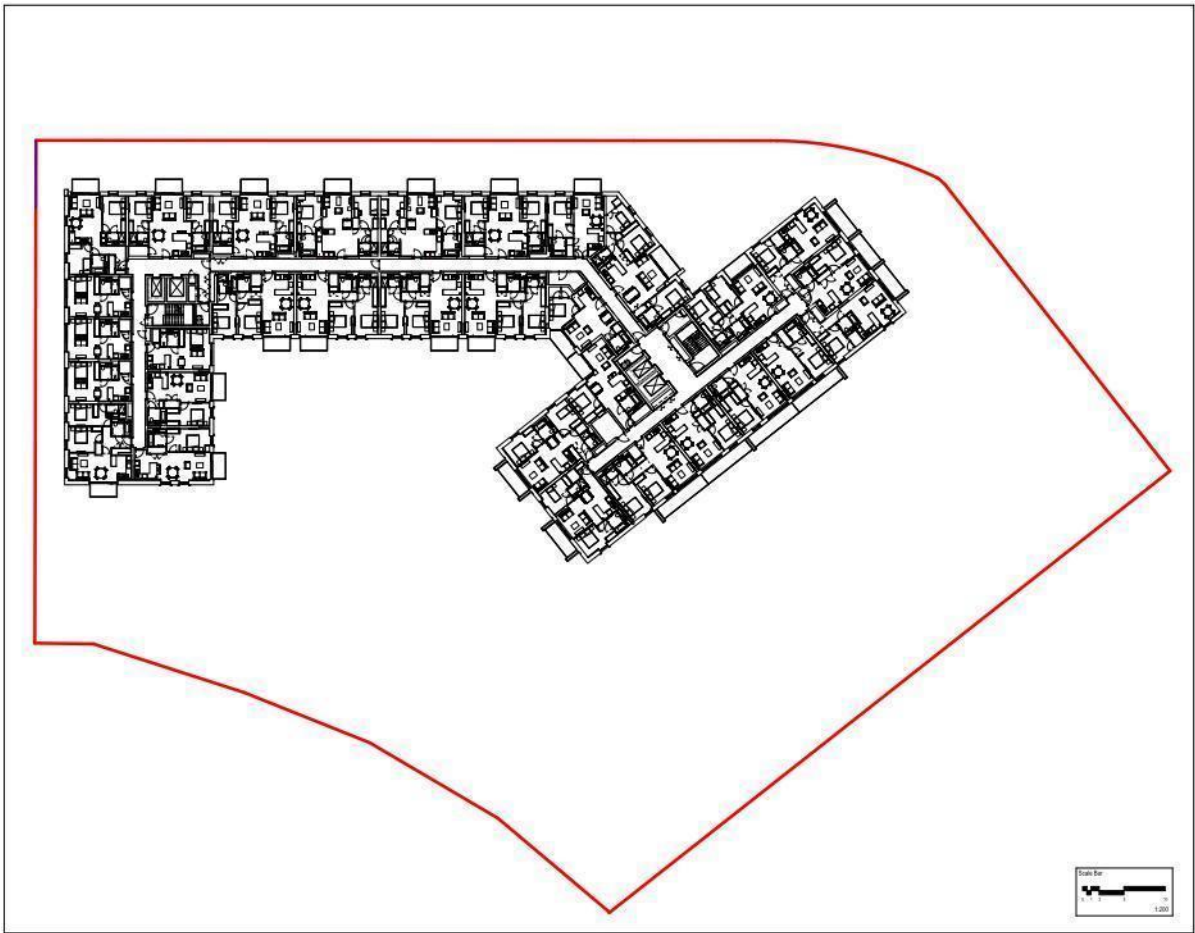


Mezzanine Level

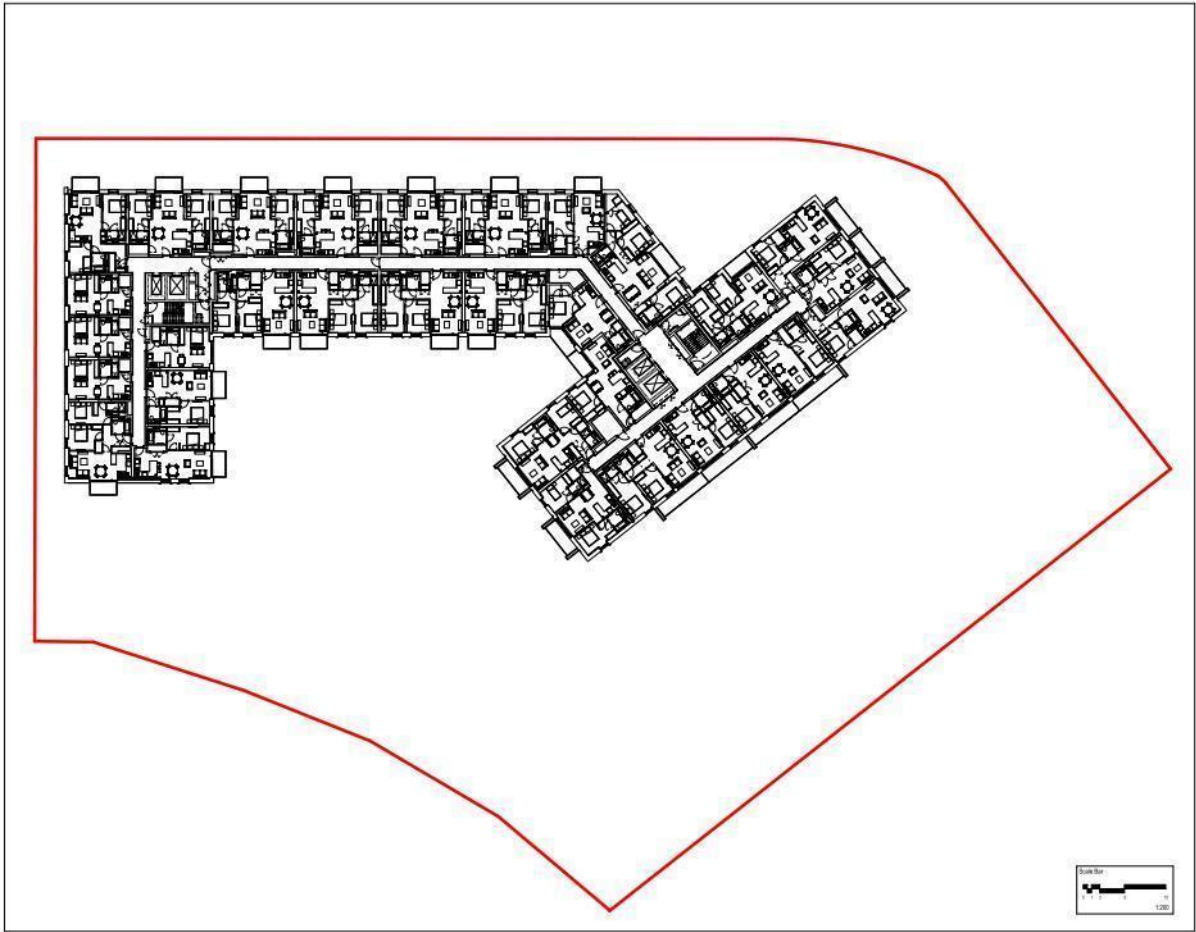




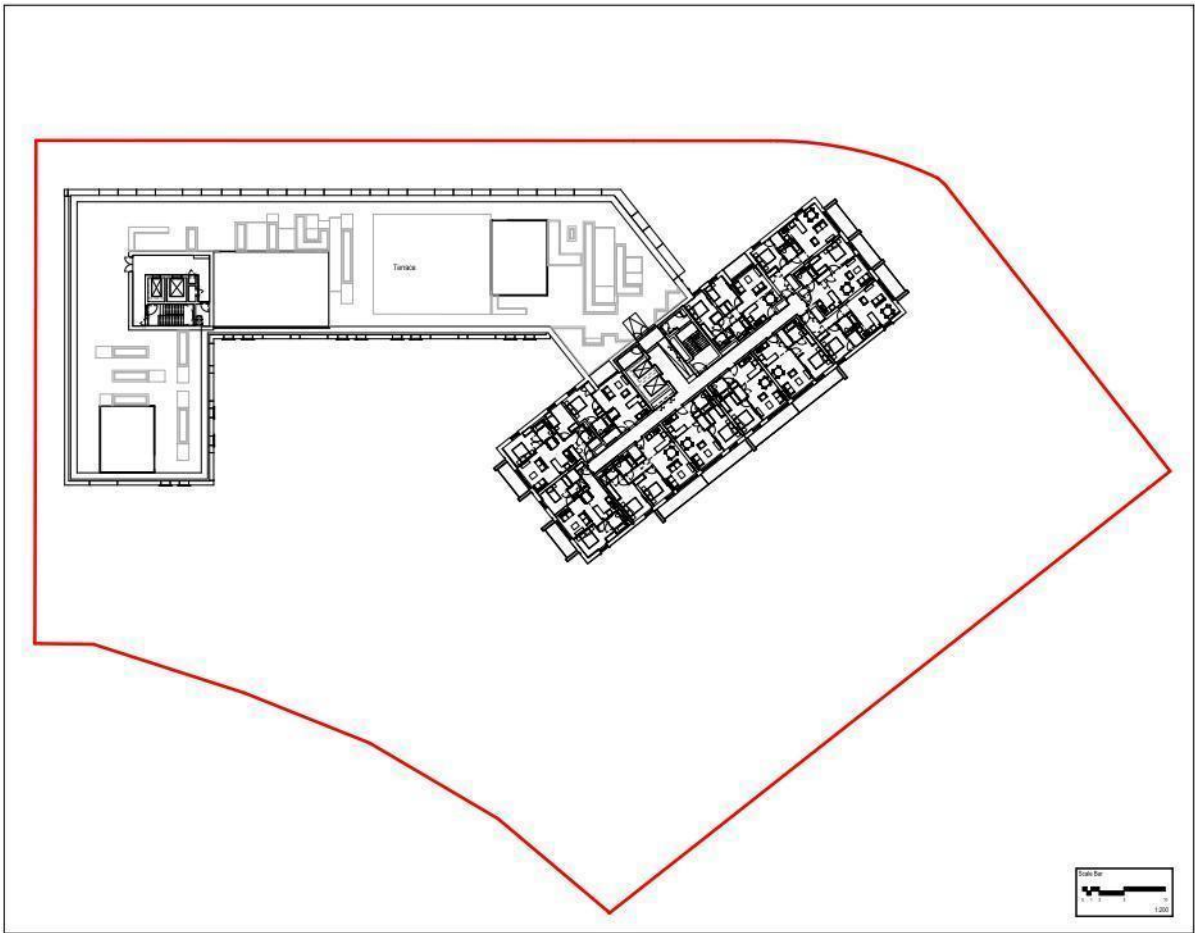
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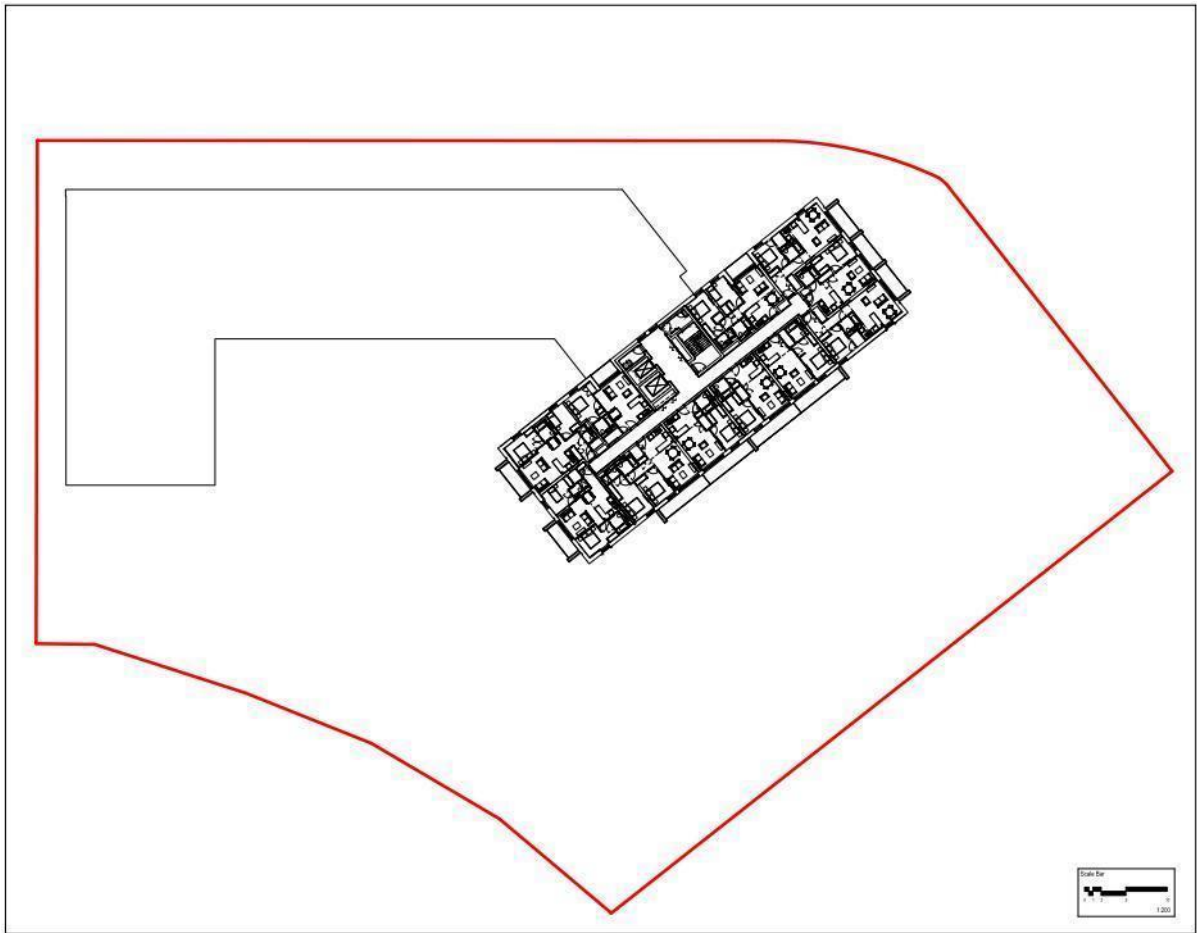
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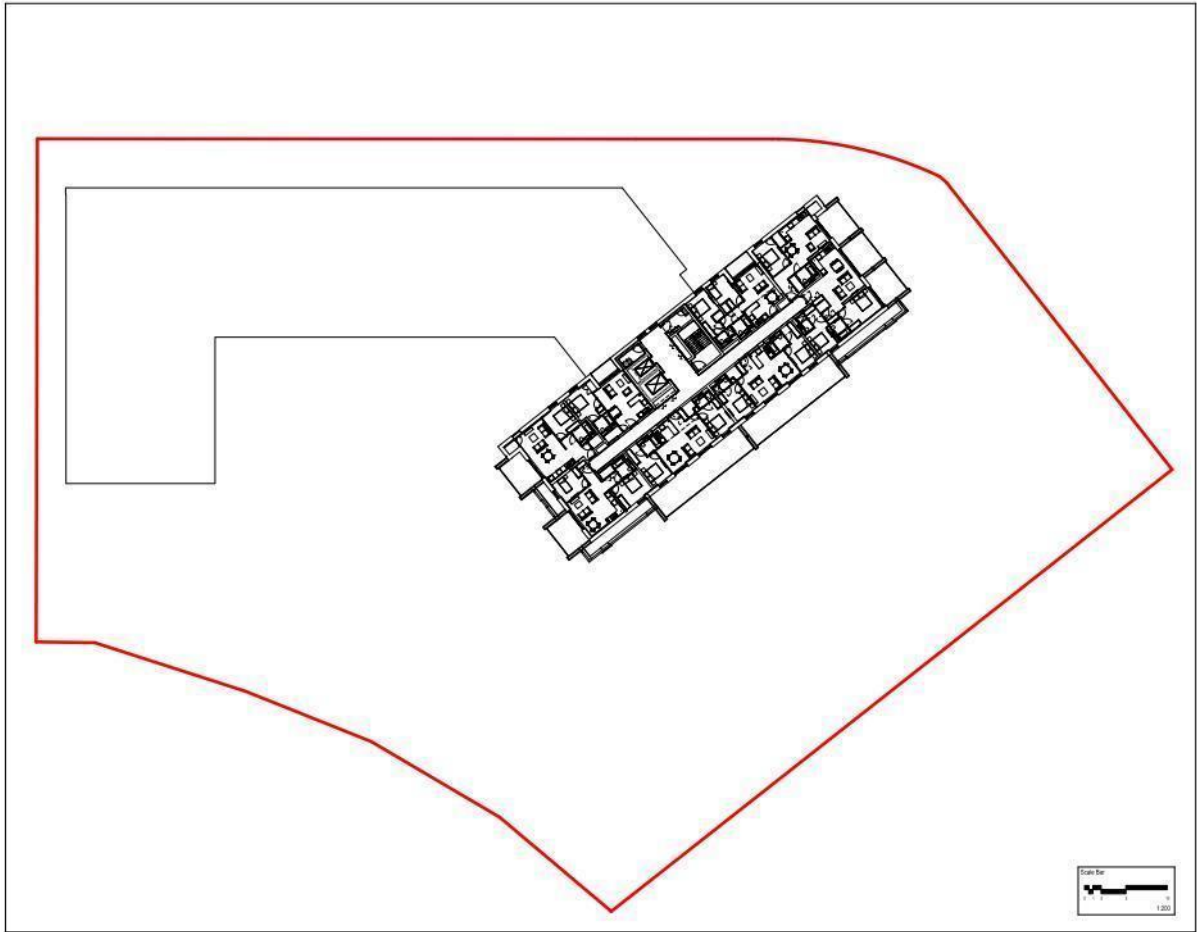
Level 3-9



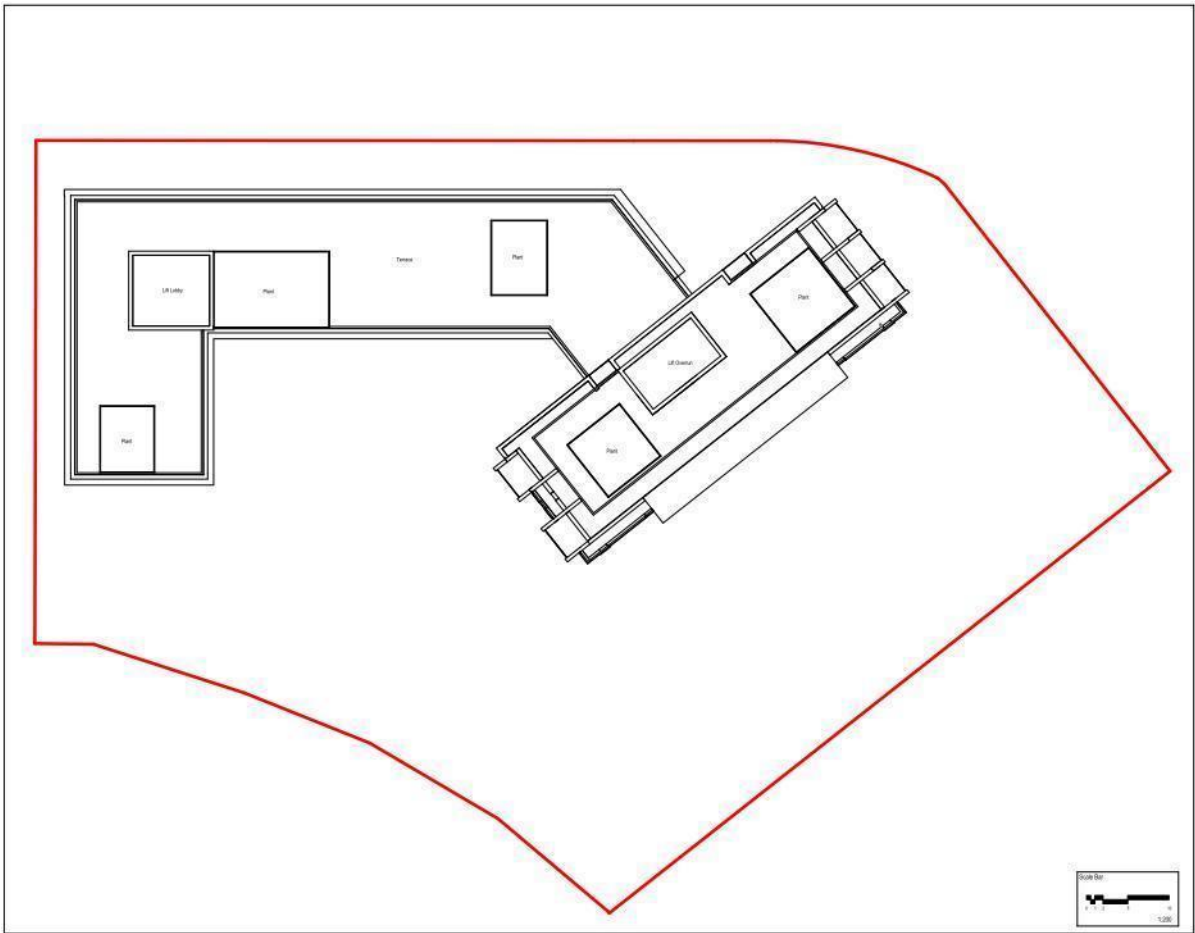
Level 10



Level 11-13



Level 14

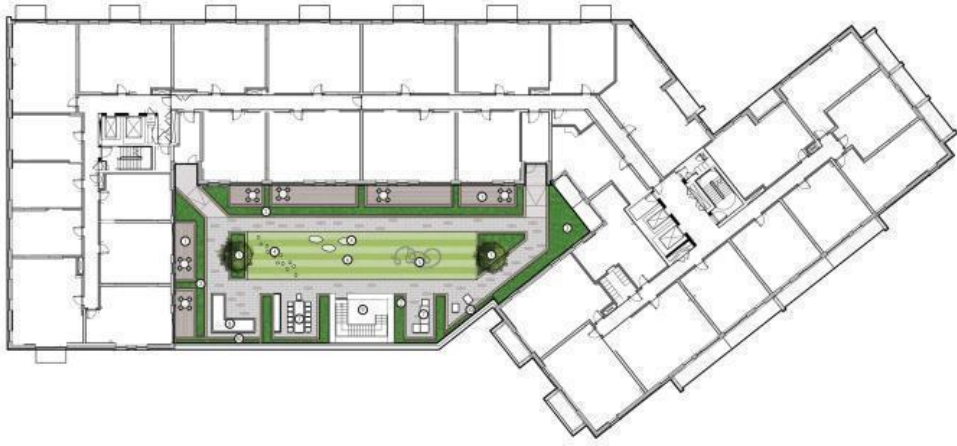


Roof Plan

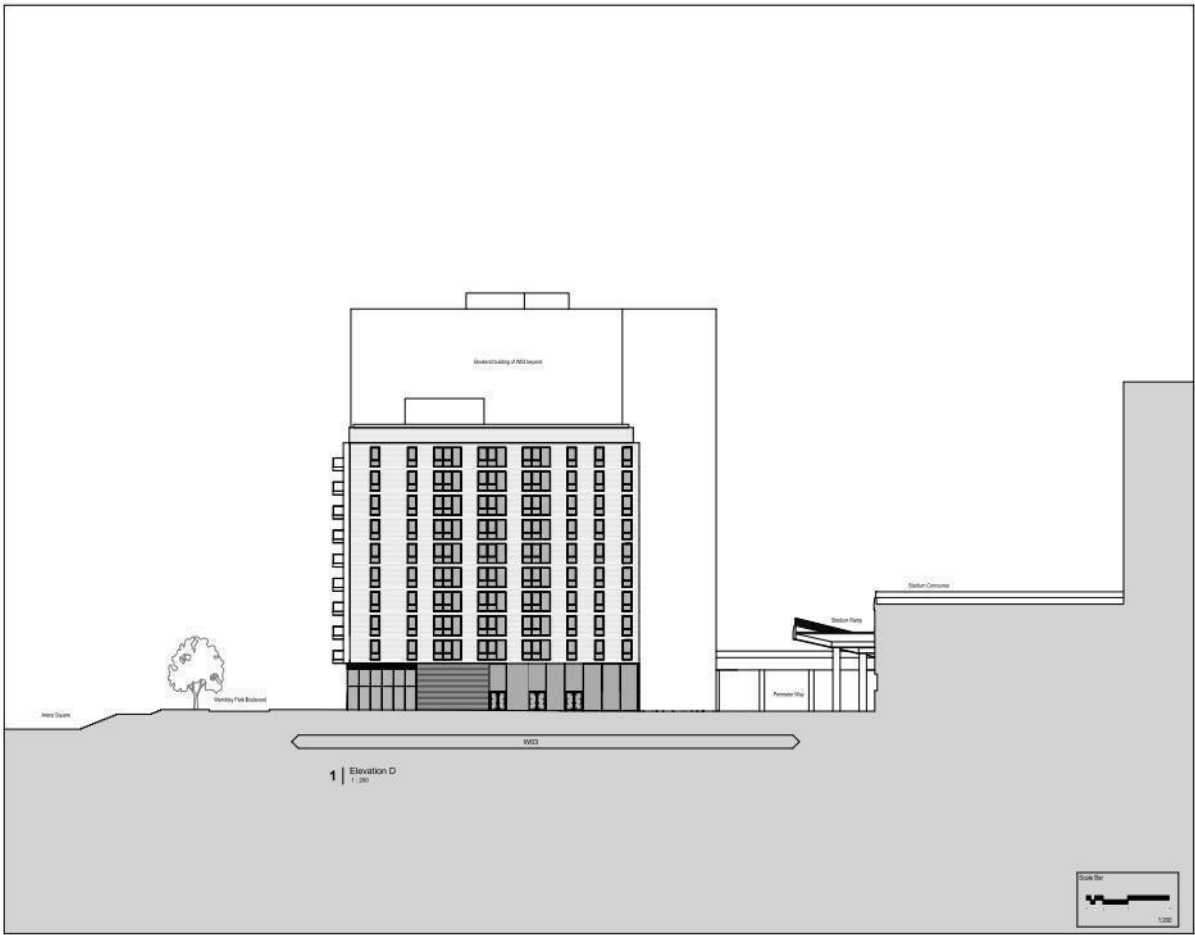


Public Realm

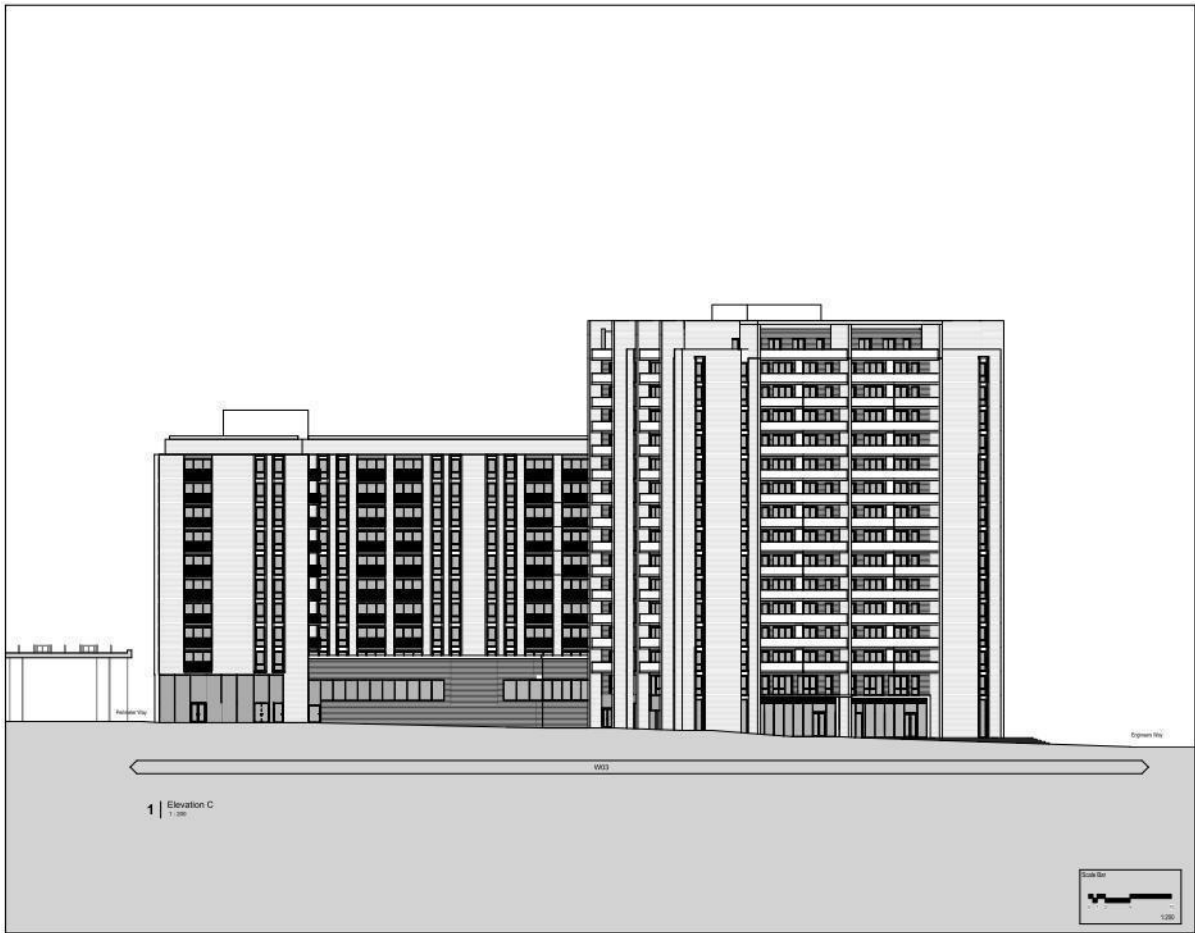




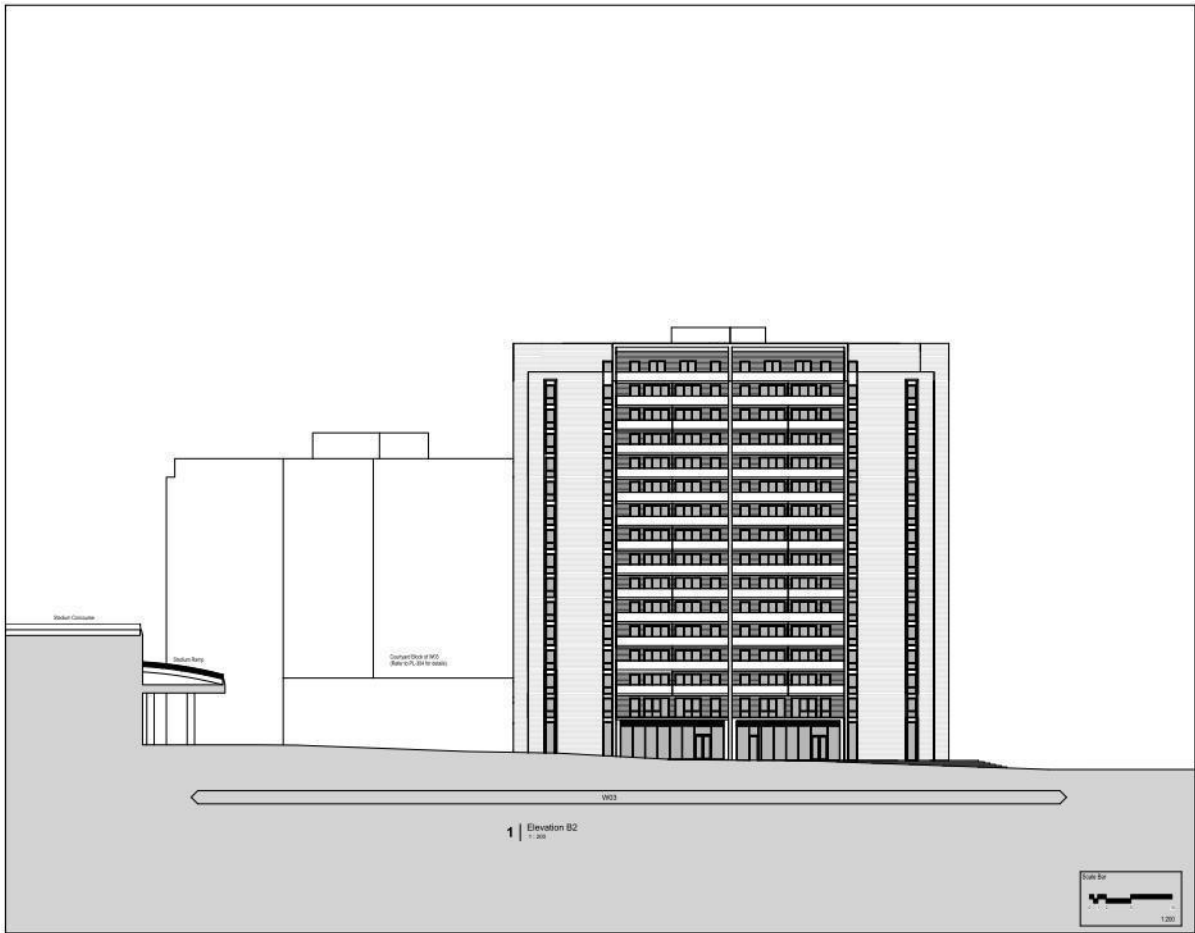
Level 1 Roof Terrace



Elevation D



Elevation C



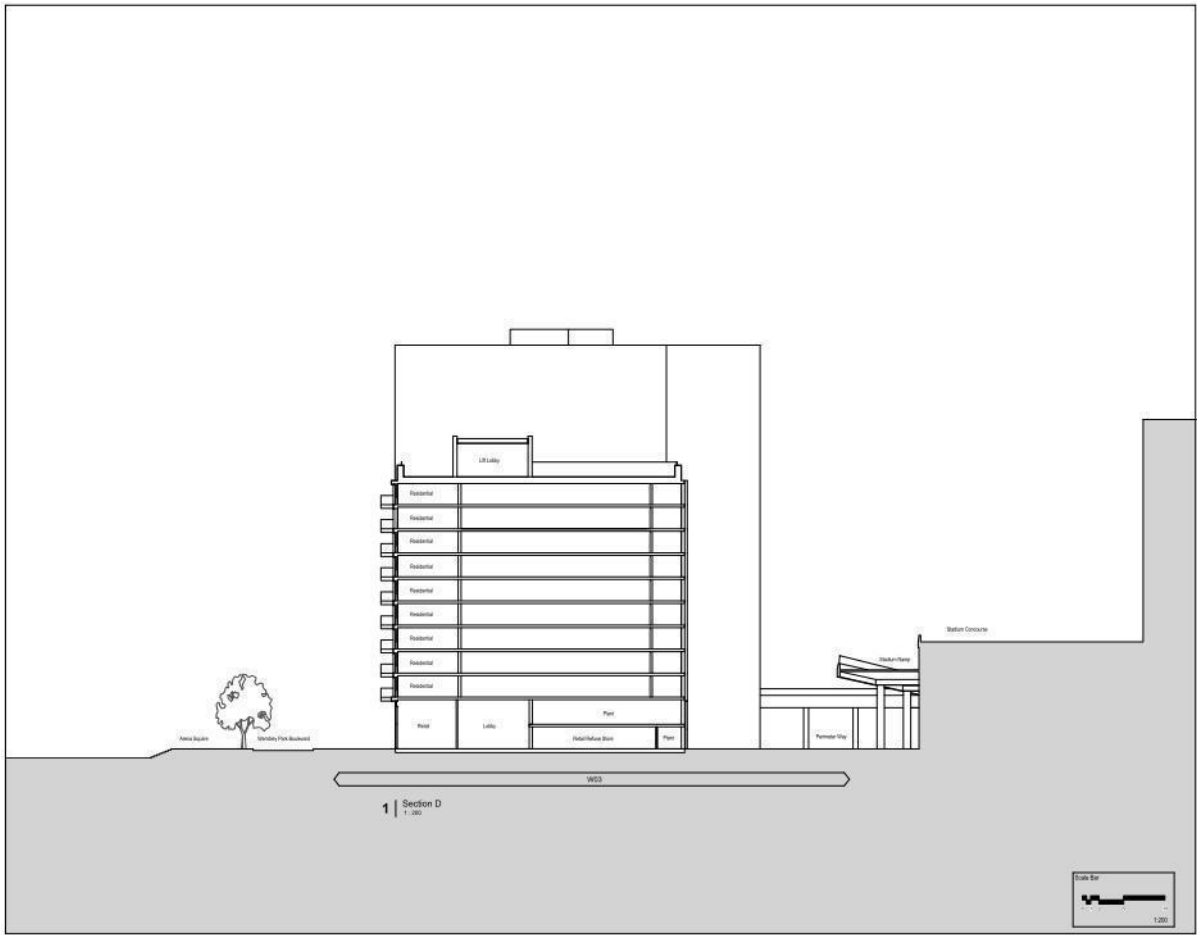
Elevation B2



Elevation B1 and B3



Elevation A1



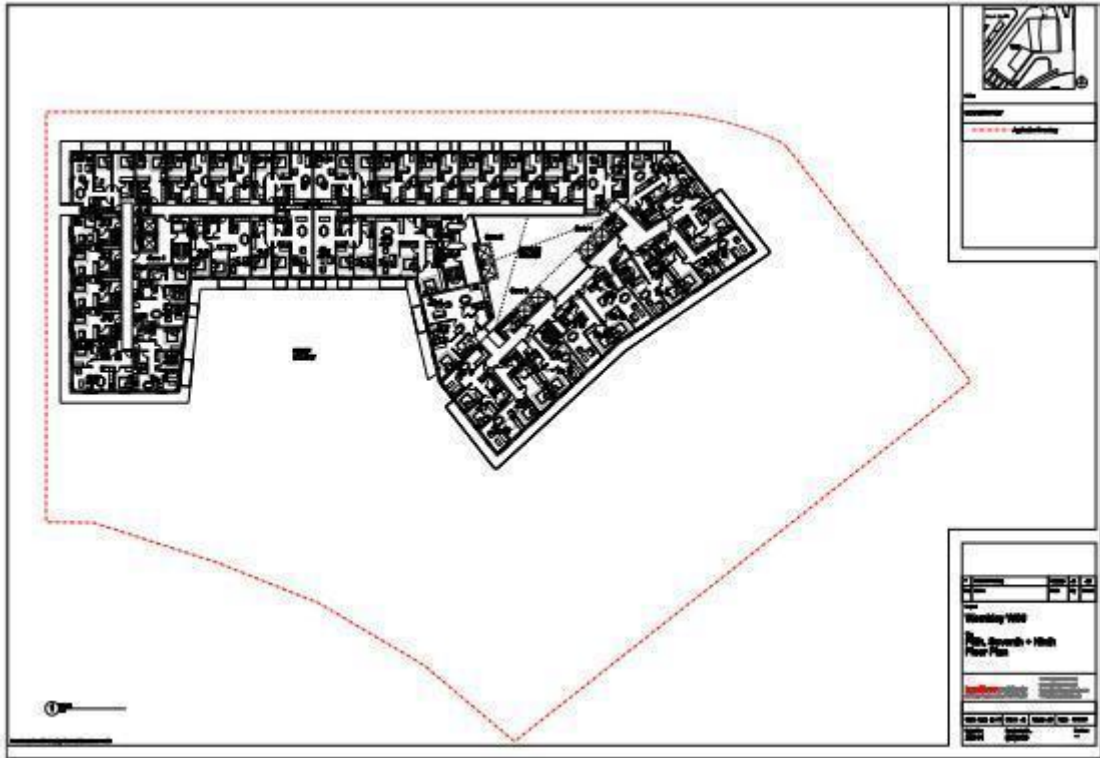
Section D



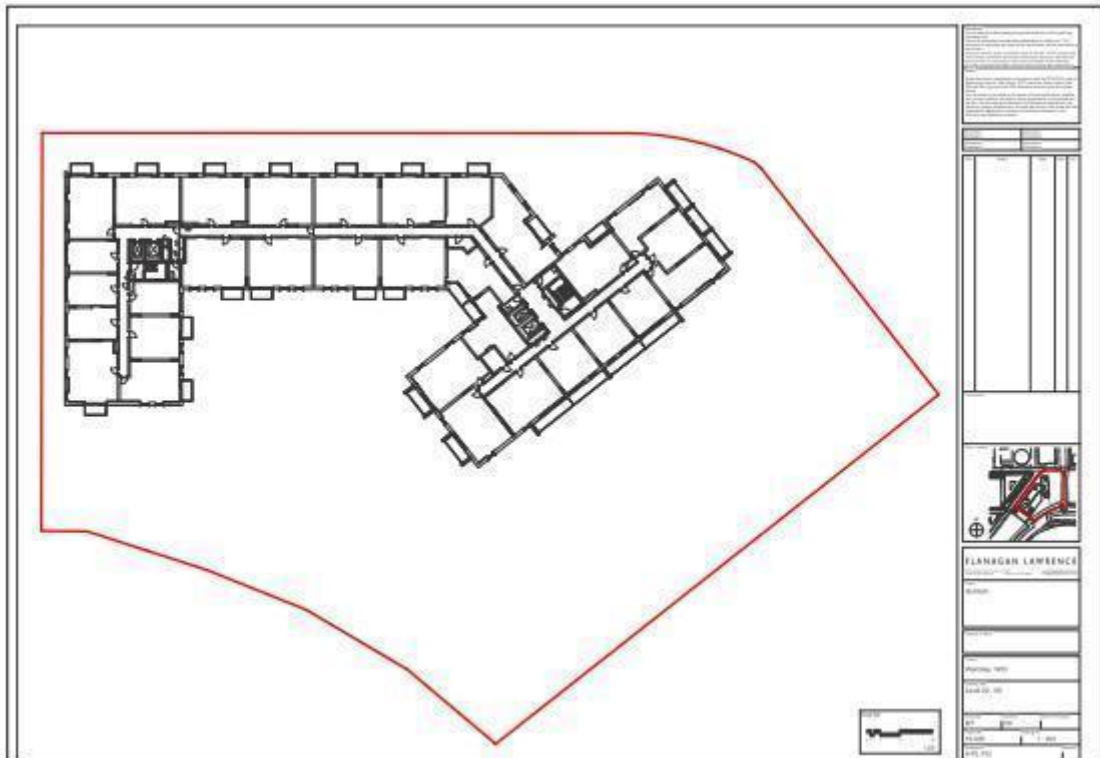
Section C

Comparisons:

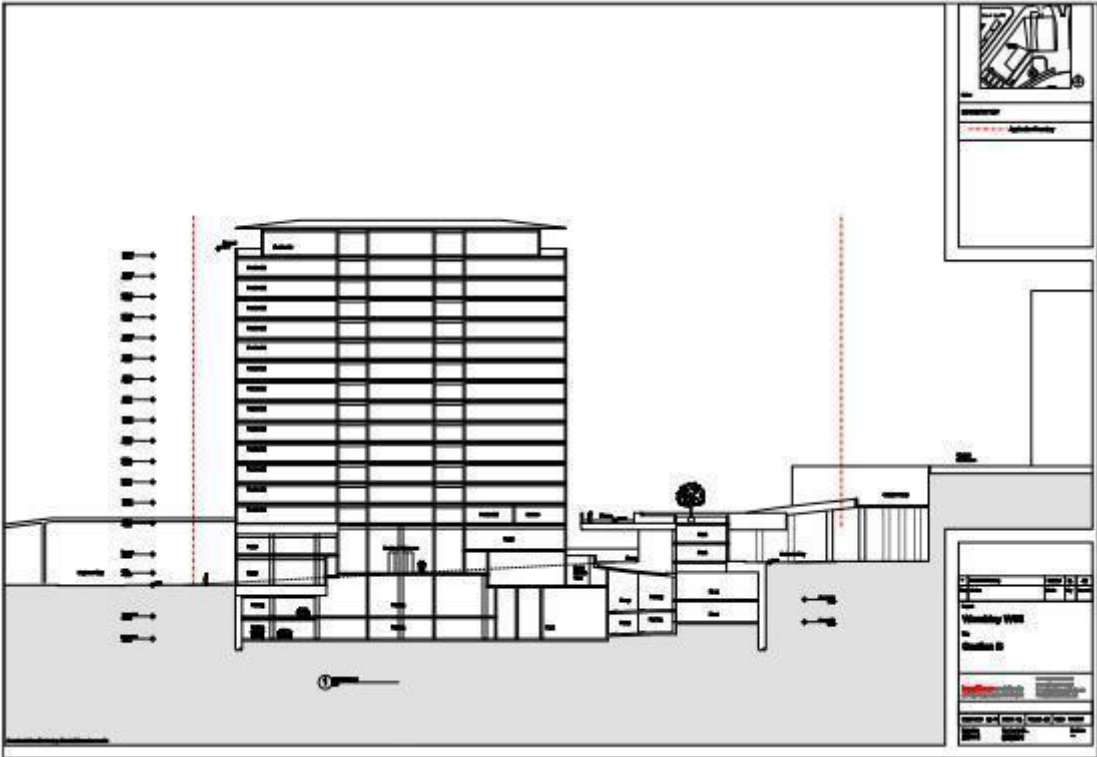




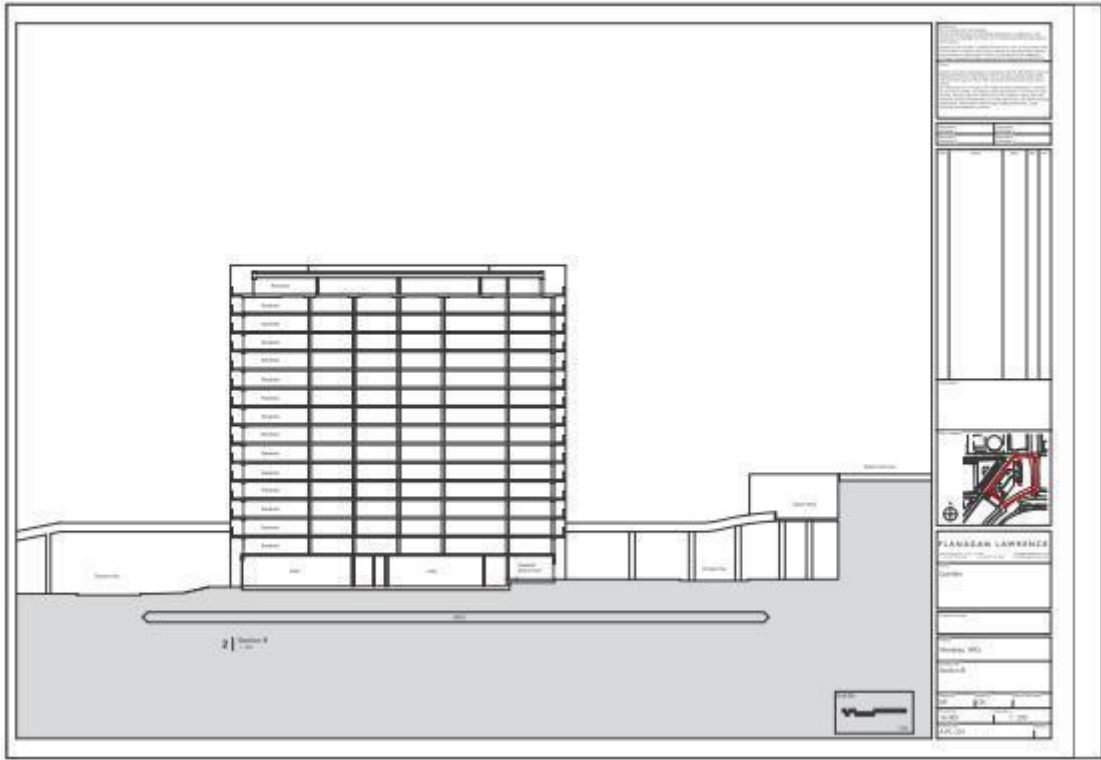
Consented



Proposed



Consented



Proposed



View from Engineers Way



View from Olympic Way



View from Stadium concourse



Comparisons between consented RMA and current proposal

## RECOMMENDATIONS

### RECOMMENDATION

1. That the Committee resolve to GRANT planning permission subject to:
  - A. Any direction by the London Mayor pursuant to the Mayor of London Order
  - B. Any direction by the Secretary of State pursuant to the Consultation Direction
  
2. 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. Approved drawings/documents
  2. Any [other] condition(s) considered necessary by the Head of Planning

Informatives

  1. Advising of future requirements for applications.
  2. Any [other] informative(s) considered necessary by the Head of Planning
  
1. 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.

2. 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 key elements of the current W03 proposals are as follows:

- Two joined buildings of nine and fourteen stories (plus mezzanine);
- 340 residential units (36 no. studios, 138 no. one bed units, 157 no. two bed units and 9 no. 3 bed units across 25,932 sqm GEA) including 10% adapted and easily adapted units; 1879 sqm GEA of retail floorspace;
- 12 car parking spaces for residents, 4 of which are accessible;
- 5 electrical vehicle charging units;
- 340 cycle spaces for residents;
- Private terraces or balconies for each unit;
- Communal outdoor residential amenity spaces at the 1 st (553 sqm) and 10 th floors (1019 sqm);
- 328.6 sqm of residents' internal amenity areas;
- Envac residential waste system, and traditional commercial waste storage;
- On site landscaping and trees.

The key changes from the extant scheme are as follows:

- Removal of the terraces at upper level on the lower building along Wembley Park Boulevard to reduce its height by 1 metre;
- Creation of public realm at the juxtaposition of the two buildings which make up the plot by removing mass;
- Provision of four additional residential units drawn down from the 3727 units permitted under the Stage One outline planning permission 03/3200;
- Omission of D2 leisure use;
- Reduction in retail;
- A reduction in on site residents' parking; and
- Revised internal layout.

## **B) EXISTING**

The application site is located on Engineers Way and is bounded by Wembley Park Boulevard, Olympic Way and Perimeter Way. This location is directly in front of Wembley National Stadium. To the West is Arena Square and the Wembley Arena. Directly to the south of the site are the "Spanish Steps". The application site occupies 0.9 hectares and is currently occupied by Power League.

### **Context**

The site forms plot "W03" as identified on the approved outline planning permission for the comprehensive redevelopment to include a high-density, mixed-use scheme of commercial, residential, leisure and community use to a 17-hectare area to the north of the Stadium and approximately bounded by Engineers Way, Empire Way/Wembley Hill Road, First Way, the north of the Stadium and South Way, and includes part of Olympic Way (but excluding the sites of the Ibis Hotel, Mahatma Gandhi House, and York House) – known as the Stage 1 Development Area. W03 is located on the western side of the primary processional route (Olympic Way) from Wembley Park Underground Station.

The approval was supported by 10 "Parameter Plans" which identified the W03 plot as one of 15 development plots, 10 to the west of Olympic Way and 5 to the east and a number of areas of open space (Olympic Way, "Stadium Piazza", Arena Square and First Square). This "fixed" various requirements from future "Reserved Matters Applications" (RMAs) including:

- location of development plots on the site and the maximum footprint of building(s) within these plots;
- total (maximum) floorspace by use for the site as a whole and the mix of uses within each development plot;



- access and circulation;
- location of private and public open space across the site;
- proposed ground levels;
- maximum building heights ( $\pm 1\text{m}$ );
- location, extent and maximum number of non-residential and residential vehicle parking on the site;
- location of trees to be removed.

Of particular relevance to plot W03, approval was on the basis of a maximum height of 85 metres Above Ordnance Datum (AOD) at Olympic Way, 79 metres AOD at the Stadium Piazza and 73 metres at the Wembley Park Boulevard frontage (plus 3m from roof or plant, 6m for lift motor-rooms, and  $\pm 1\text{m}$  tolerance), and that uses shall be limited to C2 (residential institutions), C3 (dwelling houses), A3 (restaurants & cafes), A4 (drinking establishments), A5 (hot food take-away), and D2 (assembly and leisure) as defined under the Town and Country Planning (Use Classes) Order 1995 (as amended). The parameter plans also indicate that residential car-parking and private open space would be provided within the plot.

The approval of the Stage 1 Development Area therefore concerned the principle of the development, based on the Parameter Plans, the identified maximum floor space/units (i.e. development description) and the Environmental Statement based on these. Condition 7 of the permission, in particular, stated that:

*Development...should be in material compliance with parameter plans 1-10 contained within the planning application.*

For the reason:

*In order that the development is carried out in accordance with any necessary mitigation for the purposes of the Environmental Impact Assessment and in order that the development complies with the approved parameter plans.*

The approval was subject to a number of conditions, many relate to the "relevant part of the development only" to allow for the phase completion of the development on a plot-by-plot basis, and as part of the approval, all matters were reserved, namely: siting, design, external appearance, means of access, and landscaping.

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

Amended plans are submitted showing four cycle stands in the public realm between the carpark and the shrub planting in the southeast of the plot.

An amended plan was submitted explicitly noting that the new paving will not be on adopted highway land.

Amended plans are submitted showing replacement planting. A smaller multi stem amelanchier is now proposed instead. of Prunus avium.

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

The key issues in relation to this proposal are as follows:

The Siting, Design, External Appearance, Access and Landscaping have all been discussed in the report and are considered to be acceptable. The proposal is in line with the parameters set out in the outline consent and Design Specification. The design and appearance of the proposed buildings look to continue with the design approach and quality of design adopted for the two previous buildings within the North West Lands, Emerald Gardens which is nearing completion and Alto for which construction is well under way.

Details relating to the layout, highways layout, cycle storage, parking, access, daylight and wind have also been provided and are considered to be of sufficient detail and to provide appropriate standards for future residents as well as have an acceptable impact on and relationship with the wider locality.

All the residential units are private in tenure. This is the same as the extant W03 reserved matters and follows from the Stage One S106. There has been an over provision of affordable units in other plots of the Stage One development to enable W03 to be wholly private, in accordance with the terms of the S106.

It should be noted that the Outline planning permission was approved prior to the introduction of CIL and as such, the financial contributions are secured through the Section 106 agreement rather than CIL. This

secured a wide range of measures and financial contributions.

## E) MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses				27490	27490
Shops				1835	1835

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats/Mais )										0
PROPOSED ( Flats/Mais )	174	157	9							340

## RELEVANT SITE HISTORY

### 03/3200 Granted 29/29/2004

Outline planning application for:

Works for the re-orientation of Wembley Arena

Class A1 (Retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing

Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket)

Class A1 (Retail) comprising up to 400 square metres of hotel boutique retail

Class A3 (Food and Drink), up to 12,700m<sup>2</sup>

Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>

Class C1 (Hotel), up to 25,400m<sup>2</sup>

Class C1/Sui Generis (Hotel apartments), up to 26,700m<sup>2</sup>

Class C2 (Residential institutions) up to 5,000m<sup>2</sup>

Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings)

Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>

Class D1 (Non-residential institutions), up to 8,200m<sup>2</sup>

Class D2 (Assembly and Leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>)

together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity sub-station, other utility requirements, other parking and servicing, and improvements to Olympic Way;

**AND;**

**Reserved matters** relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking

### 05/2949: Granted 12/01/2006

The erection of an 8-storey building arranged around a central courtyard with basement comprising of 286 residential units (19 x three-bedroom flats, 100 x two-bedroom flats, 156 x one-bedroom flats and 11 x studio flats (of which 22 x two-bedroom flats and 64 x one-bedroom flats are for 'intermediate' housing, and 9 x three-bedroom flats, 23 x two-bedroom flats, 23 x one-bedroom flats are for 'social rent')), inclusive of 8 x composite residential/business units, retail unit, an employment agency, and a crèche, with basement parking for 132 cars with access provided from Engineers Way and 286 cycle parking spaces with associated landscape works, on the corner of Empire Way and Engineers Way (Site of the former Bingo Hall) forming part of the Quintain Stage 1 permission (ref: 03/3200) - Plot W01

(The application is submitted as reserved matters detail pursuant to condition 2 (i) (ii) (iii) (iv) (v) (siting, design, appearance, means of access, landscaping, and samples), and details pursuant to conditions 6 (ii) (iii) (iv) (v) (scheme parameters), 14 (noise-attenuation measures), 26 (configuration and extent of provision of communal and/or private residential open space), 30 (trees to be removed), 60 (disabled access), 61 (design of the underground car park), 63 (sunlight/daylight studies) and 64 (wind tunnel testing) for Plot W01 only (as shown on Parameter Plan 4 and bounded by Engineers Way, Empire Way, and Lakeside Way) of outline planning permission reference 03/3200 dated 29 September 2004 for:

Works for the re-orientation of Wembley Arena; Class A1 (Retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing; Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket); Class A1 (Retail) comprising up to 400 square metres of hotel boutique retail; Class A3 (Food and Drink), up to 12,700m<sup>2</sup>; Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>; Class C1 (Hotel), up to 25,400m<sup>2</sup>; Class C1/Sui Generis (Hotel apartments), up to 26,700m<sup>2</sup>; Class C2 (Residential institutions) up to 5,000m<sup>2</sup>; Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings); Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>; Class D1 (Non-residential institutions), up to 8,200m<sup>2</sup>; Class D2 (Assembly and Leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>); together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity sub-station, other utility requirements, other parking and servicing, and improvements to Olympic Way; AND; Reserved matters relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking) (as clarified within the 'W01 Explanatory Report dated October 2005'; and Response Report from Nigel Hawkey of Quintain Estates and Development plc dated 22nd December 2005)

#### **06/3631: Granted 30/03/2007**

The erection of a part 11-storey and part 14-storey building with two-level basement, comprising 336 residential units (45 x studio flats, 115 x one-bedroom flats, 162 x two-bedroom flats, 14 x three-bedroom flats), all of which are for private accommodation. In addition, the application proposes 2101sqm of D2 leisure, 3682sqm of retail floorspace, basement parking for 272 cars (10% of which are disabled bays), 336 cycle-parking spaces, 10 electrical car-charging spaces, 10 motorcycle-parking spaces, 15 visitor car-parking spaces, 29 visitor cycle bays, and associated communal landscaping, located on the corner of Wembley Park Boulevard, Engineers Way and Olympic Way forming part of the Quintain Stage 1 permission (ref: 03/3200).

(The application is submitted as reserved matters detail pursuant to condition 2 (i) (ii) (iii) (iv) (v) (siting, design, appearance, means of access, landscaping, and samples), and details pursuant to conditions 6 (ii) (iii) (iv) (v) (scheme parameters), 26 (configuration and extent of provision of communal and/or private residential open space), 30 (trees to be removed), 60 (disabled access), 61 (design of the underground car park), 63 (sunlight/daylight studies) and 64 (wind tunnel testing) for Plot W03 only (as shown on Parameter Plan 4 and bounded by Wembley Park Boulevard, Engineers Way and Olympic Way) of outline planning permission reference 03/3200 dated 29 September 2004 for:

Works for the re-orientation of Wembley Arena; Class A1 (Retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing; Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket); Class A1 (Retail) comprising up to 400 square metres of hotel boutique retail; Class A3 (Food and Drink), up to 12,700m<sup>2</sup>; Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>; Class C1 (Hotel), up to 25,400m<sup>2</sup>; Class C1/Sui Generis (Hotel apartments), up to 26,700m<sup>2</sup>; Class C2 (Residential institutions) up to 5,000m<sup>2</sup>; Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings); Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>; Class D1 (Non-residential institutions), up to 8,200m<sup>2</sup>; Class D2 (Assembly and Leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>); together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity sub-station, other utility requirements, other parking and servicing, and improvements to Olympic Way; AND; Reserved matters relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking)

## **CONSULTATIONS**

Press Notice - 27.10.2016

Site Notice - 26.10.2016

Notification letters were sent 26.10.2016 to the owner/occupiers of 315 nearby and surrounding properties, including the following locations.

*London Designer Outlet*

At the time of writing this report no representations were received.

## **Statutory consultees**

### Planning Policy

In summary, it is good to see a continued uplift in applications that seek to push up housing delivery in the shorter term at Wembley are being progressed and clearly private sector rental will play a significant part in delivering these accelerated levels of delivery. The proposal is consistent with the broad principles of policy W8.

### Transportation

Subject to the inclusion of at least four publicly accessible bicycle stands within the proposed landscaped areas, five electric vehicle charging points and future monitoring of demand for disabled parking spaces with a view to increasing provision if demand dictates, there would be no objections on transportation grounds to these proposals.

\*cycle parking and electric vehicle charging points are included within the proposal.

### Environmental Health

No objections subject to conditions relating to noise, construction noise and dust, air quality, contaminated land and lighting.

\* Officers note that appropriate conditions are already attached to the Stage One permission.

### Landscape

Oak trees are proposed, *Quercus palustris*, at 14-16cm size. Planting specification states tree pits for this size will be 80x80x65cm. It is important to note that in this location there is unlikely to be any natural topsoil on site. Ground conditions could be rubble from demolition of former stadium, or at best clay subsoil. So subject to ground investigation it may be necessary to import new subsoil and topsoil to provide an adequate volume of soil suitable for growing Oak trees.

A similar comment applies to the proposed external ground level shrub planting, most of these species prefer dry, sandy or acidic soil types and do not thrive in clay soil typically found in Wembley. However as there is unlikely to be any natural soil on site new topsoil will need to be imported. This soil should be of a type suitable for the listed plant species.

Internal courtyard appears to be a roof garden over basement car park and service areas. *Prunus avium* is proposed as a tree within this area, in my opinion this species is far too large and vigorous for the limited rooting space available. In the long term it would be difficult to sustain *Prunus avium* in a healthy condition as their water demand is likely to exceed what can be supplied by irrigation.

Roof garden proposals for 10th floor are agreed.

\*Amended plans have been submitted showing replacement planting. A smaller multi stem amelanchier is now proposed instead. The tree pits sizes given were guideline sizes. The trees within the soft landscape will have the sufficient 5 cubic metres requested. Within the hard landscape areas the use an urban tree planting system is proposed. This solution provides the necessary area through a load bearing support system, reducing soil compaction and maintaining the growing environment for the trees to establish and mature.

### Recycling and waste:

Is there sufficient space for the number of household waste 20 refuse 1100's and 20 recycling 1100's. 360 flats at 60L capacity per flat comes to 21600L for refuse and the same for recycling. They will also need room for a food waste bins – 3 x 1100's should suffice. On past applications where cycle space is prioritised over refuse storage area, managing agents have had to pay for an additional refuse collection per week as Brent will only provide one refuse collection per week. Household waste refuse storage and collection areas have to be separate from commercial waste areas as there will be contamination, access problems, etc. Finally, it's not clear how vehicles will gain access to the refuse and recycling bins as I have not seen a tracking diagram incorporating the dimensions of our vehicles – Dennis Eagles which are 9225 in length and the turning circle

is 16.9m. Are these areas pedestrianized or do they have vehicle parking and/or some form of parking restrictions as residents can and do block access routes for collections.

\* Household waste is to be disposed of via the Envac system and is separate from the commercial waste areas. The Envac waste system is located in Plot W05, and not on Plot W03.

#### TfL

Confirm that the details are satisfactory and TfL have no objections.

## **POLICY CONSIDERATIONS**

The policies relating to this application and the wider outline planning consent are as follows:

### **NATIONAL**

National Planning Policy Framework 2012

### **REGIONAL**

The Mayor of London

London Plan consolidated with alterations since 2011 (March 2016)

Relevant Policies include:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 4.2 Offices
- 4.5 London's Visitor Infrastructure
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing Noise

The Mayor's Transport Strategy

Supplementary Planning Guidance – Sustainable Design and Construction (May 2006)

Supplementary Planning Guidance – Accessible London: Achieving an Inclusive Environment (April 2004)

### **LOCAL**

#### **Brent Local Plan November 2016**

DMP1 Development Management General Policy

DMP2 Supporting Strong Centres

DMP8 Open Space  
DMP11 Forming an Access on to a Road  
DMP12 Parking  
DMP15 Affordable Housing  
DMP18 Dwelling Size and Residential Outbuildings  
DMP19 Residential Amenity Space

#### **Wembley Area Action Plan 2015**

WEM 1 Urban form  
WEM 3 Public realm  
WEM 4 Public art  
WEM 5 Tall buildings  
WEM 8 Securing design quality  
WEM 15 Car parking standards  
WEM 16 Walking and cycling  
WEM 18 Housing mix  
WEM 19 Family housing  
WEM 21 Wheelchair housing and supported housing  
WEM 29 Community facilities  
WEM 32 Urban greening  
WEM 38 Play provision

#### **Brent Local Development Framework Core Strategy 2010**

CP 1 Spatial Development Strategy  
CP 2 Population and Housing Growth  
CP 3 Commercial Regeneration  
CP 5 Placemaking  
CP 6 Design & Density in Place Shaping  
CP 7 Wembley Growth Area  
CP 14 Public Transport Improvements  
CP 15 Infrastructure to Support Development  
CP 16 Town Centres and the Sequential Approach to Development  
CP 18 Protection and Enhancement of Open Space, Sports and Biodiversity  
CP 19 Brent Strategic Climate Mitigation and Adaptation Measures  
CP 21 A Balanced Housing Stock  
CP 23 Protection of existing and provision of new Community and Cultural Facilities

#### **Brent Council Supplementary Planning Guidance and Documents**

SPG3 Forming an access to a road  
SPG12 Access for disabled people  
SPG13 Layout standards for access roads  
SPG17 Design Guide for New Development  
SPG19 Sustainable design, construction and pollution control  
SPD Section 106 Planning Obligations  
Destination Wembley – A framework for development (2003) Supplementary Planning Guidance  
Wembley Masterplan 2009

#### **Other Council Publications**

Wembley Vision (2002)  
Wembley From Vision to Reality (2007)

## **DETAILED CONSIDERATIONS**

### **1. Background**

#### 2. Site context

3. The site forms plot "W03" as identified on the approved outline planning permission for the comprehensive redevelopment to include a high-density, mixed-use scheme of commercial, residential, leisure and community use to a 17-hectare area to the north of the Stadium and approximately bounded by Engineers Way, Empire Way/Wembley Hill Road, First Way, the north of the Stadium and South Way, and includes part of Olympic Way (but excluding the sites of the Ibis Hotel, Mahatma Gandhi House, and York House) – known

as the Stage 1 Development Area. W03 is located on the western side of the primary processional route (Olympic Way) from Wembley Park Underground Station.

4. The approval was supported by 10 "Parameter Plans" which identified the W03 plot as one of 15 development plots, 10 to the west of Olympic Way and 5 to the east and a number of areas of open space (Olympic Way, "Stadium Piazza", Arena Square and First Square). This "fixed" various requirements from future "Reserved Matters Applications" (RMAs) including:

- location of development plots on the site and the maximum footprint of building(s) within these plots;
- total (maximum) floorspace by use for the site as a whole and the mix of uses within each development plot;
- access and circulation;
- location of private and public open space across the site;
- proposed ground levels;
- maximum building heights ( $\pm 1\text{m}$ );
- location, extent and maximum number of non-residential and residential vehicle parking on the site;
- location of trees to be removed.

5. Of particular relevance to plot W03, approval was on the basis of a maximum height of 85 metres Above Ordnance Datum (AOD) at Olympic Way, 79 metres AOD at the Stadium Piazza and 73 metres at the Wembley Park Boulevard frontage (plus 3m from roof or plant, 6m for lift motor-rooms, and  $\pm 1\text{m}$  tolerance), and that uses shall be limited to C2 (residential institutions), C3 (dwelling houses), A3 (restaurants & cafes), A4 (drinking establishments), A5 (hot food take-away), and D2 (assembly and leisure) as defined under the Town and Country Planning (Use Classes) Order 1995 (as amended). The parameter plans also indicate that residential car-parking and private open space would be provided within the plot.

6. The approval of the Stage 1 Development Area therefore concerned the principle of the development, based on the Parameter Plans, the identified maximum floor space/units (i.e. development description) and the Environmental Statement based on these. Condition 7 of the permission, in particular, stated that:

*Development...should be in material compliance with parameter plans 1-10 contained within the planning application.*

For the reason:

*In order that the development is carried out in accordance with any necessary mitigation for the purposes of the Environmental Impact Assessment and in order that the development complies with the approved parameter plans.*

7. The approval was subject to a number of conditions, many relate to the "relevant part of the development only" to allow for the phased completion of the development on a plot-by-plot basis, and as part of the approval, all matters were reserved, namely: siting, design, external appearance, means of access, and landscaping.

#### 8. Previous consent

9. Reserved matters application 06/3631 received consent for development on the application site on 30/03/2007. The proposal was for the erection of a part 11-storey and part 14-storey building with two-level basement, comprising 336 residential units (45 x studio flats, 115 x one-bedroom flats, 162 x two-bedroom flats, 14 x three-bedroom flats), all of which are for private accommodation. In addition, the application proposes 2101 sqm of D2 leisure, 3682sqm of retail floorspace, basement parking for 272 cars (10% of which are disabled bays), 336 cycle-parking spaces, 10 electrical car-charging spaces, 10 motorcycle-parking spaces, 15 visitor car-parking spaces, 29 visitor cycle bays, and associated communal landscaping, located on the corner of Wembley Park Boulevard, Engineers Way and Olympic Way forming part of the Quintain Stage 1 permission (ref: 03/3200).

10. These Reserved Matters are implementable, however, Quintain (the applicant) now wish to propose an amended set of Reserved Matters which align with the principles of the approved scheme but offer an alternative layout with a different residential and aesthetic quality.

#### 11. Current proposals

12. The current proposal for W03 comprises 340 residential apartments together with residents' car parking

and cycle parking. Retail units are located at ground floor along Wembley Park Boulevard. These land uses are as previously consented. There are just four more residential units than the consented scheme. The consented D2 floorspace is not reprovided due to other D2 uses having been provided in other nearby plots in Wembley.

13. The ground floors will accommodate residential entrances and lobbies, concierge facilities, residential amenity, circulation and primary access to upper floors. Block A in W03 provides 160 PRS tenure residential apartments across 14 levels (plus mezzanine). Block B in W03 provides 180 PRS tenure residential apartments across 9 levels. Amenity space is provided on Levels 1 and 10.

14. The ground floor of W03 will accommodate up to 1,879 sqm (GEA) of retail accommodation along Wembley Park Boulevard. This is less retail floorspace than previously consented on W03, to complement the significant existing offer on other plots on the western side of the Boulevard.

15. Parking for 12 cars is to be provided externally on site. The entrance/exit to the car park is located off Perimeter Way West and Engineers Way. The car parking will serve the residential occupiers of W03. Four accessible spaces will be available. This is less car parking than previously consented, however the site benefits from good transport links, including Wembley Park Underground, Wembley Stadium rail station and bus routes.

16. Cycle parking spaces are provided at ground floor. The cycle parking is to serve the residential occupants. The quantum of cycle parking provided is one for every unit.

17. Residential amenity space is located on various roof levels of W03 and provides accessible open space, soft and hard landscape and seating. A child friendly landscape and play space is located within the amenity spaces.

#### 18. Existing use

19. The W03 plot has been occupied by Powerleague for the last few years, under a temporary planning permission, as a meantime use, prior to the full development of the plot, as consented. Powerleague is to be moved to the Wembley Retail Park site as part of the ongoing programme of meantime developments.

#### **20. Siting, Design, External Appearance, Access and Landscaping**

21. Plot W03's location directly in front of the National Stadium has meant that particular consideration of the design detail and form has been taken into account. The location is important as a frame for the approach to the National Stadium and also as the first building at the northern end of Wembley Park Boulevard, thereby providing an entry statement to the regeneration area. The scale of the development has been assessed and is in compliance with the heights and boundaries as described in Parameter Plan 7 as approved in the Stage 1 consent. In particular the proposal does not give rise to any changes in environmental effects to those identified in the Environmental Impact Assessment.

#### 22. Differences between the consented scheme and the current proposal

23. When assessing the proposal against Parameter Plan 7, it should be noted that the designated building heights have a tolerance of +/-1 metre, with general plant and roof design not to exceed a further 3 metres in height and lift motor-rooms and extracts not to exceed a further 6 metres in height. The present proposals for Plot W03 are configured in a similar manner as the consented scheme to align with surrounding routes and spaces. The taller element will be positioned along Olympic Way and will relate, visually, to the Stadium 'shoulder' height in key views looking south along Olympic Way. It will form a balanced termination to the south end of Olympic Way with Plot E01 to the east. The maximum roof level height of the taller element is slightly lower than in the previous consent at 89.9m (as opposed to 90.5m).

24. The main difference between the mass of the proposed and consented schemes is the proposed removal of the terraces at the upper levels of the lower block, from 74m to 82m AOD. In the present proposals the lower block would be 74m with no terracing above. This will result in a simpler and more legible roofline in local views.

25. The second key difference between the mass of the proposed and consented schemes is the way the taller and lower elements join at the northwest corner. In the proposed scheme, a section of mass is removed at this corner to accentuate the reading of the two separate building parts and which will result in additional public realm at ground level. This amendment means that the lower, broader mass addressing

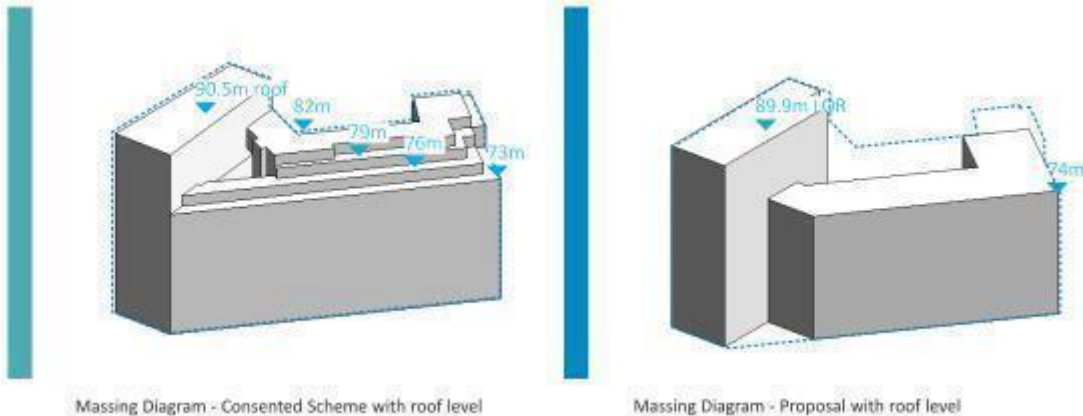


Arena Square will appear reduced in length, and the different elements of mass will read separately as interlocking forms.

26. These amendments to the lower block of mass will not be seen in the key views south along Olympic Way, where the taller element will retain its gateway role, flanking the Stadium entrance with Plot E01.

27. The detailed design of the consented scheme has a strongly horizontal character with an over-sailing flat roof and clearly delineated storey levels and projecting balconies. On the lower block, the materials are organised to have a vertical expression in part which balances that horizontal emphasis.

28. In the proposed scheme, the taller, gateway block has a more strongly defined vertical character, comprising three clear bays to the north and south, whilst the side elevations and lower block have more clearly defined storey levels balanced by vertically arranged windows and balconies. The balance of vertical and horizontal expression in the structure and material palette, predominantly in white and dark grey, is similar in both schemes. The minor amendments to the mass and detailed design have the effect of reducing the appearance of the building mass and of refining and simplifying the form and design of each building element and of the roofline of the lower block in particular.



**29. External appearance**

30. The strong articulation of the vertical frame elements creates a landmark presence. W03 draws inspiration from Wembley Arena with its strong vertical emphasis and ‘white fins’. The framing elements of the perimeter facades are therefore proposed to be of light colour bricks.

31. In contrast, along the boulevard, the 9 storey residential block is given emphasis with a strong horizontal hierarchy. The predominant material here is dark colour bricks, setback slightly from the expressed contrasting horizontal ‘stripes’ at the slab edge. These strong horizontal elements are therefore proposed to be light colour aluminium panel. The residential accommodation is set above a double height retail element which is expressed as a clear retail base.

32. The position of the fins has been informed by the setback at Level 14 and also serves to screen roof top plant equipment. The fins make the north facade of Block A appear more elegant and slender and expresses the 3 apartments located to this side of the building.

**33. Residential**

34. The ground floors will accommodate residential entrances and lobbies, concierge facilities, residential amenity, circulation and primary access to upper floors. Block A in W03 provides 160 PRS tenure residential apartments across 14 levels (plus mezzanine). Block B in W03 provides 180 PRS tenure residential apartments across 9 levels. Amenity space is provided on Levels 1 and 10. The proposal does not include an affordable housing offer, as there has been an overprovision of affordable units on the other Stage 1 plots resulting in an appropriate mix overall, as indicated in the table below.

Plot	Units	% Private	% Intermediate	% Social Rent
W01	286	52%	27%	21%
W03	340	100%	0%	0%
W04	232	32.8%	32.7%	34.5%

<b>Total</b>	858	66%	18%	16%
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35. The other plot delivered is W05 which comprises 10 units, 50% private rent, 50% social rent. The proposals are the same as the previously consented Reserved Matters application for the site and is therefore considered acceptable. The provision of affordable units across the whole stage 1 outline site needs to be factored into the consideration of this scheme. and the resultant situation is considered to be acceptable on this basis.

<b>PRS Units</b>	<b>Studio</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>Total</b>
Nos.	36	138	157	9	340
% Units	11	41	46	3	
% Hab Rm	34	34	58	4	

36. All of the proposed units have been designed to exceed the minimum sizes set out in the Mayors Housing SPG, ensuring compliance with London Plan policy 2.5.

37. Whilst the mix of residential units provided includes less 3 bed units than specified by policy. The current provision is comparable to that already consented on Plot W03. It is also worth noting that a variety of unit mix is provided across all of the Stage 1 plots.

### 38. Retail

39. The ground floor of W03 will accommodate up to 1,879 sqm (GEA) of retail accommodation along Wembley Park Boulevard. This is less retail floorspace than previously consented on W03, to complement the significant offer on other plots on the western side of the Boulevard.

40. Whilst there is a loss of D2 space when compared to the previous consent, a swimming pool is now being provided in the Dexion House development. Also, W03 is part of the Stage 1 development which allows flexibility in land use provision and quantum across its plots. D2 uses are provided in other plots across the site, for example the gym on Engineers Way.

### 41. Inclusive access

42. The proposals include 340 residential units which are arranged over two blocks, one of nine storeys, one of fourteen storeys. All 340 units are proposed to be Private Rental Sector. The proposed development is providing 11% studio, 41% one-bed, 46% two-bed and 3% three-bed of the total 340 units.

43. The proposal has responded to Part M (2015 incorporating 2016 amendments) Building Regulations, has redesigned the scheme where possible to ensure that the development is in accordance with the Part M standards with 90% of units meeting M4(2) standards and 10% of units capable of future adaption to meet M4(3) standards.

44. Of the 340 units 90% (306 units) of the units will comply with Part M4(2) standards with wide doorways and circulation space, an entrance level accessible bathroom and window heights in living spaces starting no higher than 850mm above floor level, or at the minimum height necessary to comply with the requirements of Part K for guarding to windows.

45. Given that all of the units are Private Rental Sector, the 10% M4(3) units will not be all adaptable / accessible from day one; four units will be built out as M4(3) fully accessible wheelchair units from day one. The remaining 30 units identified as suitable for conversion to wheelchair accessible units will be M4(2) layouts from day one but will be capable of adaption to M4(3) wheelchair accessible units as and when the demand arises, depending on tenant needs. The adaption from M4(2) to fully adapted M4(3) wheelchair accessible units can be achieved without structural changes, with only minor changes to some partition walls.

46. All of the wheelchair units are two bed units, allowing flexibility for carers to live in the apartment as required. It is recognised that there is a demand for wheelchair units to have the flexibility to enable carers to stay in the apartment as this has been raised at previous Brent Access forums. It is felt providing two bed units provides the right balance between bedrooms numbers, maintaining sufficient space in living areas and meeting the requirements of the Private Rental Market sector. All wheelchair units are located in Block B due to the more conventional unit shapes within this block making adaptations to the units to achieve fully adapted criteria easier.

47. Two lifts are provided within each block (four in total) to serve all fourteen floors of the development. By providing two lifts to serve each floor of the development provides resilience should one lift be undergoing maintenance. One of these lifts in each block is a larger, serviced firefighting lift and hence operable in the event of a fire. Therefore during evacuation those requiring level access would take the firefighting lift to ground floor level and would be able to exit the building via the level approach.

48. At ground floor level six retail units are provided combining to a total GIA of 1,771.9 sqm. The retail units will be designed to meet Part M (2015) access to and use of buildings, volume 2:buildings other than dwellings.

49. A landscaped courtyard is provided at ground floor level at the eastern end of the Site. Seating will be provided within this space including backrests and armrests at 50m intervals to comply with DfT Guidance on Inclusive Mobility (2002).

50. The proposed development has responded to inclusive design policy and guidance as the public realm, dwellings, retail units and circulation routes around the Site have been designed to be accessible for all, catering for a range of impairments.

### 51. Landscape

52. The landscape areas of the proposed W03 Reserved Matters include: a bosque square on the corner of Olympic Way and Engineers Way; shrub planting to the south to soften and lineate the car parking from Perimeter Way; terraces of first and tenth floors.

53. The main feature of the landscape masterplan is the Square to the east of the building. This provides a public space of unique character and helps create the setting for the building. The parking and delivery routes have been integrated into the design by the continuation of the landscape features and creation of a shared surface, which help avoid a 'back of house' feel to this area of the site. As the site is accessed and viewed from all sides the landscape has been designed to reflect this ensuring the same treatments and philosophies are used throughout. The materials palette to the ground floor has been selected to complement the existing materials within Wembley Park.

54. Active frontages to the retail units offer the opportunity for spill out 'cafe culture' activities to take place. The scale and treatment of the facades onto these key routes responds to the civic scale set by these landmark buildings.

55. The first floor terrace is based around a central lawn with a series of green rooms providing different functions. Raised planters have been kept to the minimum height to allow views through the courtyard. The central lawn provides an activity area for informal play and games to take place. This will be artificial grass to ensure all round use as well as minimising maintenance. A green wall of climbers will be created along the 1400mm high balustrade to the terrace edge.

56. The materials palette for the first floor has been selected to provide a high quality finish and aesthetic. Linear block paving accentuates the rectangular design of the roof terrace. A combination of greys provides a complementary finish to the cream brick of the building and the green of the artificial turf.

57. The 1st floor terrace will provide a 145m<sup>2</sup> playable landscape. Within this space the following types of play items are anticipated: Stepping logs; Boulders; Play Poles; Potential Sculptural element.

58. The tenth floor terrace will have different character to that of the first floor. A large open lawn will be located centrally acting as the main social hub of the roof terrace. At either end of the roof terrace smaller social spaces will be created. The materials palette for the tenth floor has been selected to provide a high quality finish and aesthetic. Linear block paving accentuates the rectangular design of the roof terrace. A combination of greys provides a complementary finish to the cream brick of the building and the green of the artificial turf. A key feature of the design for the tenth floor are the pergolas and the plant screens. The pergolas are intended to provide shelter and scale whilst also providing focal points within the roof terrace. The plant screens will be integrated into the design of the roof terraces using the pergolas.

59. External Residential Amenity comprises communal gardens at 1st floor (553 sqm) and 10th floor (1,019 sqm). Private balcony area provision is between 5 and 11 sqm. Balconies within feature framings of the structure range between 7-11 sqm. Larger areas of amenity are provided in the form of terraces at Level 1 ranging from 5-22 sqm.

60. The provision favours well in comparison to that already consented on Plot W03. The consented proposal included a winter garden and garden, whilst the current proposal incorporates balconies or private terraces to all flats which wasn't previously consented together with outdoor communal gardens and internal residential amenity areas.

### **61. Acoustic Issues**

62. Being located between Arena Square and Wembley National Stadium, W03 is subjected to a high degree of noise pollution. For this reason, it is important that sound attenuation methods within the residential units are in accordance with those levels set in conditions 12, 13 and 14 of the original consent. These conditions are to be discharged upon completion of the building and prior to the first occupation of the residential units. Consequently they do not form part of this submission.

### **63. Wind Tunnel Testing**

64. As the massing of the revised reserved matters is consistent with the plot parameters consented in 2004, and the reserved matters approved in 2007, the wind environment remains acceptable in this instance. The scheme complies with the requirements of condition 64.

### **65. Sunlight and daylight**

66. A technical analysis of the revised W03 proposals within the context of the BRE document "Site Layout Planning for Daylight and Sunlight, A guide to good practice" 2011 was carried out by GVA Schnatunowski Brooks.

67. Daylight levels have been re-assessed against the levels obtained within the approved and extant reserved matters for the plot. It has been concluded that the revised reserved matters will achieve a BRE pass rate of 99.61%. This is in excess of the pass rate for the approved reserved matters scheme and constitutes a very high level of compliance. For these reasons the proposal is considered to be acceptable in terms of daylight and sunlight.

### **68. Transportation, access and parking**

69. Car parking allowances for residential and retail uses are set out in the Wembley Area Action Plan. As the site has a high PTAL rating, a reduced maximum residential allowance of 0.4 spaces per 1-/2-bed flat and 0.6 spaces per 3-bed flat applies, giving a total allowance of up to 137.8 residential car parking spaces for these flats. The retail areas are permitted up to one space per 100m<sup>2</sup>, taking the overall parking allowance to 156 spaces.

70. The proposed provision of just 12 parking spaces within the site would therefore accord with standards, although it is unclear how these will be allocated and enforced.

71. Consideration also needs to be given to the likely impact of overspill parking from the site on traffic flow and road safety. In order to gauge this, data from the 2011 Census in respect of the blocks at Forum House and Quadrant Court within the Stage 1 Wembley Redevelopment Area has been examined. This showed average car ownership of 0.38 cars per household, giving a predicted total car ownership of 129 vehicles for this development. With 12 spaces proposed, there is a predicted potential overspill of about 117 cars from the development.

72. However, the outline planning approval for the development secured funds towards the extension of CPZ's/parking controls in the area, promotion of a Car Club scheme, development of Travel Plans and a restriction preventing future residents obtaining on-street parking permits in the area. These measures are considered to be sufficient to ensure that any overspill parking from the site can be controlled, so as not to have a negative impact on traffic flow or road safety.

73. For the commercial units, public car parking in the wider area is provided within the "red" multi-storey car park on South Way, about 300m south of the site. With no commercial parking thus proposed within this specific site, standards would not be exceeded.

74. The layout of the car park meets standards in terms of dimensions and turning space, with the width of the access from Perimeter Way allowing two cars to pass one another and adequate visibility splays being available.

75. Parking standard PS15 in the UDP 2004 requires at least 5% of all spaces to be widened and marked for disabled drivers and the provision of four spaces (33% of the total) satisfies this requirement. However, it is also noted that London Plan standards require 10% of homes to have a disabled parking space, giving a requirement of 34 spaces, which cannot be met within the proposed car park. Monitoring of the demand for disabled spaces should therefore be undertaken on an on-going basis and further spaces converted to wide, marked bays if demand warrants it in future.

76. At least five of the spaces should also be provided with electric vehicle charging points and this is shown within the submitted information.

77. Standard PS16 of the UDP requires one secure bicycle parking space per residential unit. To this end, a secure storage area has been shown at ground floor level with a total of 175 double-height spaces, which is more than sufficient to meet this requirement and is welcomed.

78. Standard PS16 also requires the provision of bicycle parking for the commercial units, with standards varying according to use. Applying the standard for general retail use (one space per 300m<sup>2</sup>) would give a total requirement for about 7 spaces. It is therefore suggested that four stands be added within the landscaped areas surrounding the site and revised plans have been provided along these lines.

79. With regard to servicing, three transit sized bays and a full-size loading bay are required for the retail units. The proposed provision of a 39m long, 4.5m wide lay-by for servicing parallel to Perimeter Way at the rear is sufficient to satisfy this requirement and can also be used by refuse vehicles collecting bins from the rear of the building.

80. Fire appliance access requirements can also be met from the future adjoining streets, with access available around all sides of the building.

81. Pedestrian access to the building is proposed directly from the adjoining streets via forecourt areas to be surfaced in block paving. A large area of soft landscaping is also proposed along the Olympic Way frontage, which is welcomed in terms of providing some natural drainage. Steps are proposed along the Wembley Park Boulevard frontage to deal with the change in levels, which are also fine.

82. Subject to the future monitoring of demand for disabled parking spaces with a view to increasing provision if demand dictates, there would be no objections on transportation grounds to these proposals.

### **83. Refuse and recycling**

84. The proposal includes the innovative inclusion of a waste-management system called ENVAC. This involves the deposition of household waste into small, centrally located "portals" after it has been sorted by residents into three groups - "putrescible", "recyclable" and "other". The system then sucks away deposited refuse to a remote transfer station which is intended to serve the whole of the Stage 1 Development. The system removes the need for refuse vehicles to access the site regularly (and instead provides one collection point instead of many), it removes refuse and problems of smell and untidy appearance from the proposed development, and it also saves space which is needed for storage and therefore allowed, in part, a greater density of development. The pipes which refuse is moved along can operate over a distance of 2km and have several mechanisms to ensure that they are safe and not abused.

85. The system is for residential waste only and commercial waste would still need to be collected by vehicles but there is adequate space for this to happen from Perimeter Way. The applicants have undertaken to seek the Council's approval before utilising the Envac system for commercial waste, as StreetCare have expressed some concern on how the system could be used to separate commercial and residential waste. Commercial waste comprises a 30 1100Lt bin store, with direct street access from Perimeter Way via service corridor for pick up day.

### **86. Other issues**

87. There is no requirement for any tree removal as part of the development as there are no trees on the application site. Consequently the requirements of condition 30 are not relevant in this case. Additionally, no underground parking is proposed and therefore condition 61 is not applicable to this application site.

### **88. Conclusion**

89. The proposed development on plot "W03" has been assessed and is considered to be in full compliance

with the parameter plans 1-10 as approved at the outline stage in terms of the range of use, and within the maximum allowance for the building footprint and height. The proposed development is an example of a high-density urban development that is in keeping with the objectives and parameters of the original Stage 1 consent. It presents a high quality of residential accommodation and associated uses. Importantly, the proposed scale and massing of the structure is such that it blends with the proposed built form of the regeneration area while remain subservient to the iconic Wembley National Stadium. It is therefore recommended that these reserved matters be approved.

## **SUSTAINABILITY ASSESSMENT**

As with the approved reserved matters, the carbon performance is expected to exceed the requirement for a 10% improvement on building regulations, primarily through meeting the more stringent Part L 2013 and the connection to the Wembley Park low carbon CHP led site-wide heat network.

The development is being constructed to such specification as to achieve a “Very Positive” rating as a whole having regard to Brent’s SPG19 Sustainability Checklist. This entails the application of measures to promote energy and water conservation, recycling, sustainable use of materials, landscape and pollution control across the whole development.

In addition, the Plot is designed to achieve Code for Sustainable Homes Level 3 (for dwellings) and BREEAM “Very Good” (for non-residential units), as set out in the Stage One Outline Planning Permission, as amended. Following the Housing Standard Review, the Code for Sustainable Homes has been phased out. As BRE is not administering the scheme anymore and this application is not considered a legacy project, formal certification cannot be pursued. Nevertheless, the principles of the Code for Sustainable Homes will be incorporated in the design of the building.

## **CIL DETAILS**

The Outline planning permission was approved prior to the introduction of CIL and as such, the financial contributions are secured through the Section 106 agreement rather than CIL.



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 16/4506

To: Miss Carney  
WYG  
9 Mansfield Street  
London  
W1G 9NY

I refer to your application dated 14/10/2016 proposing the following:  
Reserved matters in relation to Plot W03 pursuant to outline planning permission 03/3200. The proposal is for the erection of a part 9 storey and part 14 storey building providing 340 residential units and 1,879 sqm of retail floorspace. 12 car parking spaces are provided on site, four of which will be accessible, together with two loading and servicing bays for the residential and retail uses respectively. The proposal also includes cycle parking, landscaping and amenity space at ground level and roof top.

The application has been submitted pursuant to conditions 2 i-vi (siting, design, external appearance, access and landscaping), 6 ii, iii, iv and v (infrastructure), 26 (open space), 30 (tree removal), 60 (disabled access), 61 (underground parking), 63 (sunlight/daylight) and 64 (wind tunnel testing) and accompanied by plans or documents listed here:  
Please see condition 1.

at Land next to Wembley Arena Square, Engineers Way, Wembley

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012  
 London Plan consolidated with alterations since 2011 (March 2016)  
 London Borough of Brent Local Plan November 2016  
 Wembley Area Action Plan Jan 2015  
 Brent Local Development Framework Core Strategy 2010  
 Council's Supplementary Planning Guidance

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

Location Plan A-PL-001  
 Site Location Plan A-PL-002  
 Ground Floor Plan A-PL-100  
 Mezzanine Floor Plan A-PL-100M  
 First Floor Plan A-PL-101  
 Level 02-09 A-PL-102  
 Tenth Floor Plan A-PL-110  
 Level 11-13 A-PL-111  
 Fourteenth Floor Plan A-PL-114  
 Roof Plan A-PL-115  
 Section B A-PL-201  
 Section C A-PL-202  
 Section D A-PL-203  
 Elevation A A-PL-301  
 Elevations B1 & B3 A-PL-302  
 Elevations B2 A-PL-303  
 Elevation C A-PL-304  
 Elevation D A-PL-305  
 Public Realm Landscape Colour Masterplan D2417-FBK-00-L011 Rev B  
 Public Realm Soft Landscape Plan D2417-FBK-00-L300 Rev B  
 Public Realm Hard and Soft Landscape Plan D2417-FBK-00-L101 Rev B  
 Level 1 Roof Terrace Colour Landscape Plan D2417-FBK-01-L011 Rev B  
 Level 1 Roof Terrace Hard and Soft Landscape General Arrangement Plan D2417-FBK-01-L101 Rev A  
 Level 1 Roof Terrace Soft Landscape Plan D2417-FBK-01-L300 Rev A  
 Level 10 Roof Terrace Landscape Colour Plan D2417-FBK-10-L011 Rev A  
 Level 10 Roof Terrace Hard and Soft Landscape General Arrangement Plan D2417-FBK-10-L101 Rev A  
 Level 10 Roof Terrace Hard and Soft Landscape General Arrangement Plan D2417-FBK-10-L300 Rev A  
 Access Plan 1280-SK-002 B

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

- 2 Prior to the occupation of the development hereby approved, details of how the monitoring of the demand for disabled spaces will be carried out on an on-going basis and further spaces converted to wide, marked bays if demand warrants it in future, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure adequate, appropriate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along adjacent



highway

#### INFORMATIVES

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

Any person wishing to inspect the above papers should contact Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 December, 2016  
  
**16/4257**

## SITE INFORMATION

**RECEIVED:** 30 September, 2016

**WARD:** Wembley Central

**PLANNING AREA:** Brent Connects Wembley

**LOCATION:** Ealing Road Library, Ealing Road, Wembley, HA0 4BA

**PROPOSAL:** Landscaping to library forecourt with addition of café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to existing public highway including provision of additional footway, stopping up of part footway, and alteration to existing highway access. Replacement of windows and doors in library street facade. Gate to frontage.

**APPLICANT:** Brent Council

**CONTACT:** Mark Projects Ltd.

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

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_130456](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130456)

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

Please use the following steps

1. Please go to [pa.brent.gov.uk](https://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/4257" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

Site address: Ealing Road Library, Ealing Road, Wembley, HA0 4BA

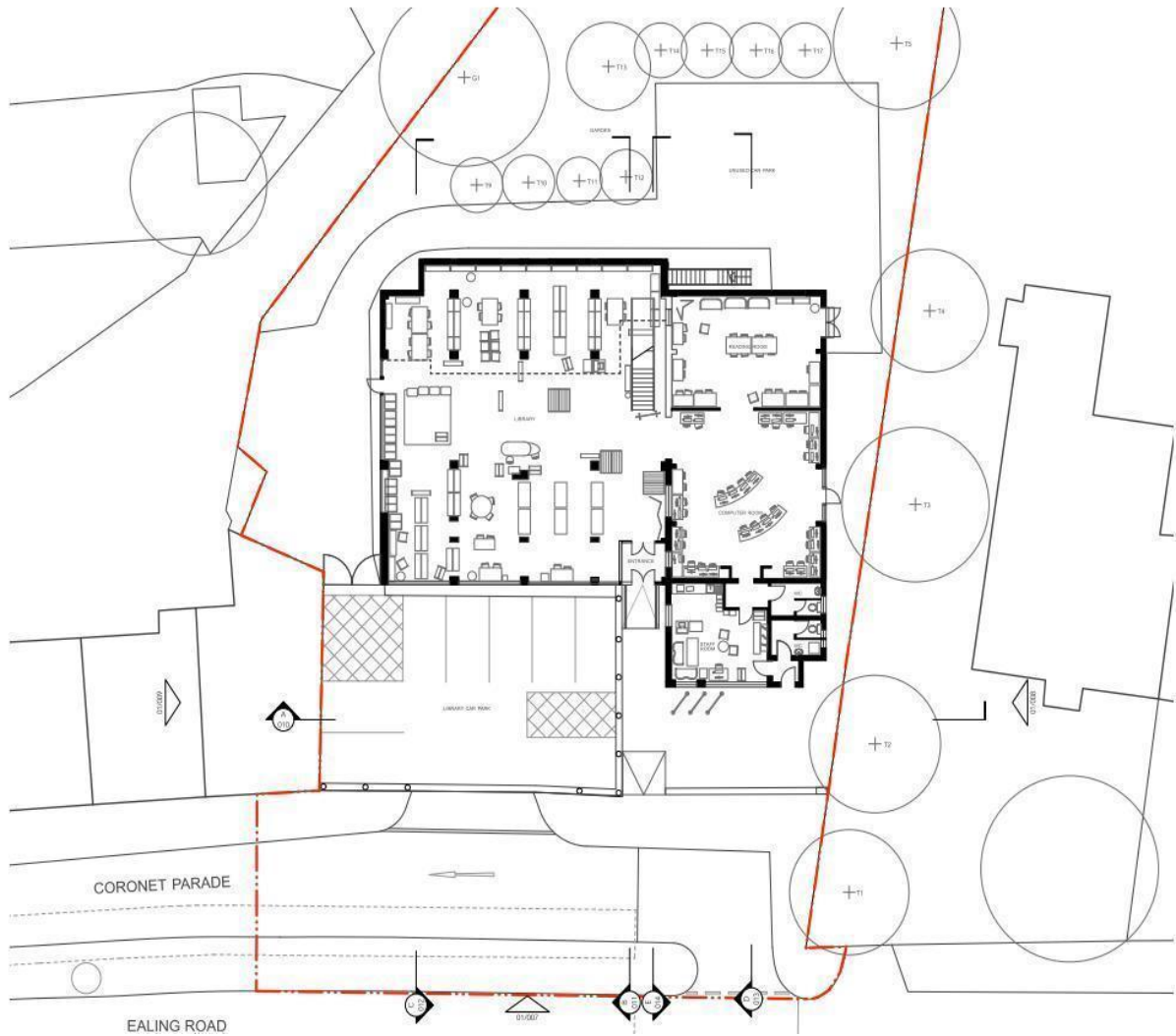
© Crown copyright and database rights 2011 Ordnance Survey 100025260

This map is indicative only.

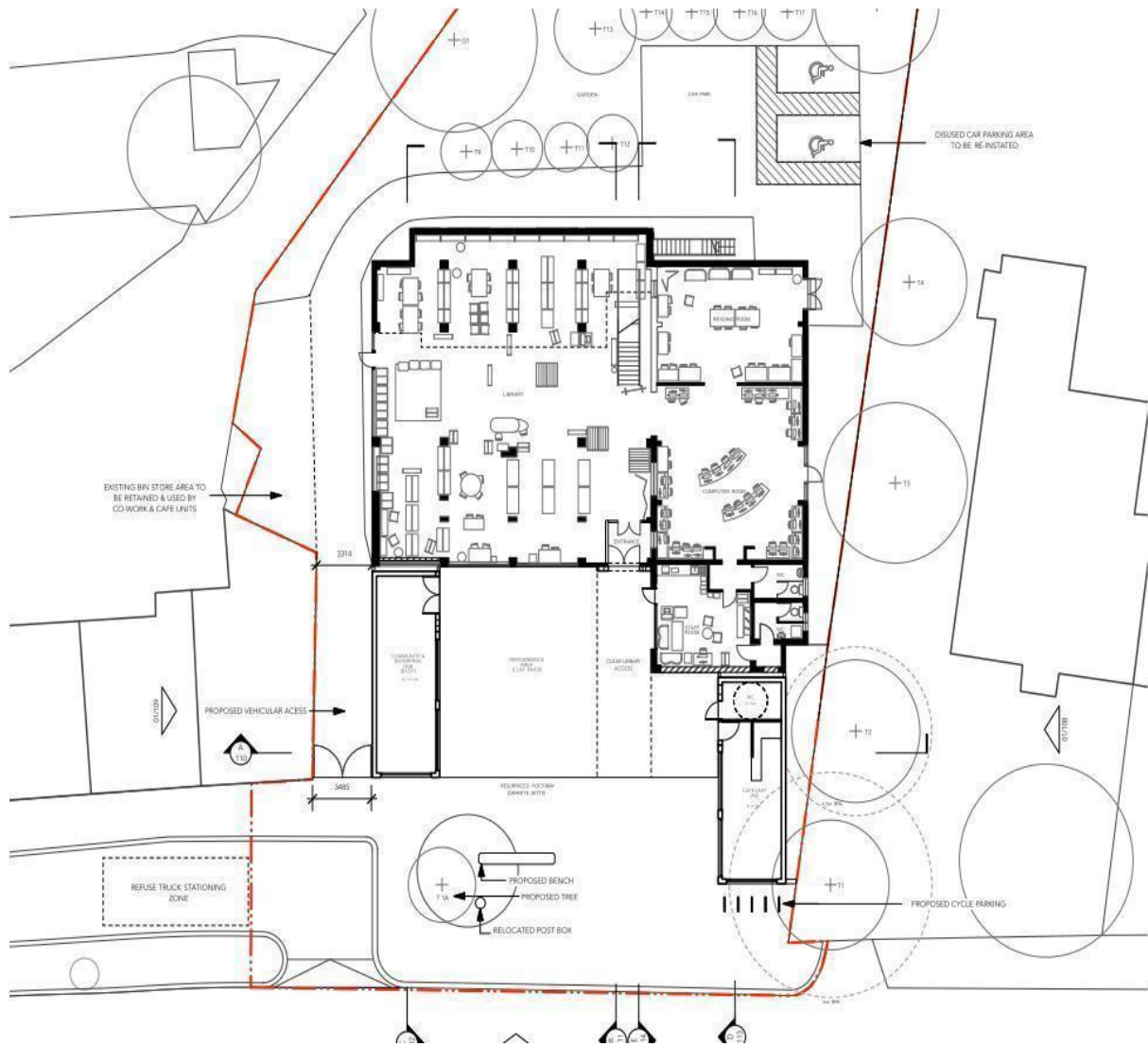
**SELECTED SITE PLANS**  
**SELECTED SITE PLANS**



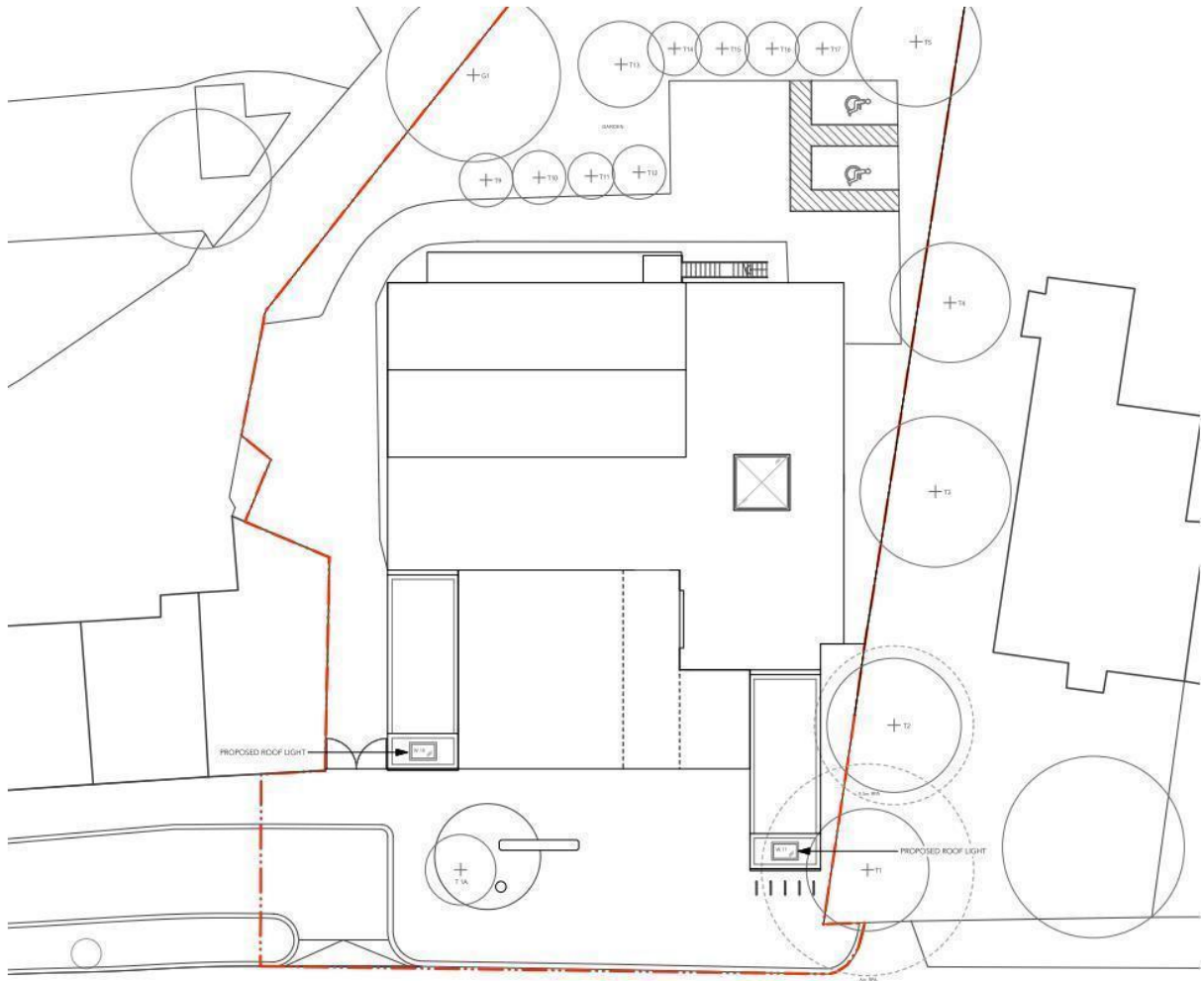
Site location plan



Existing ground floor plan



Proposed ground floor

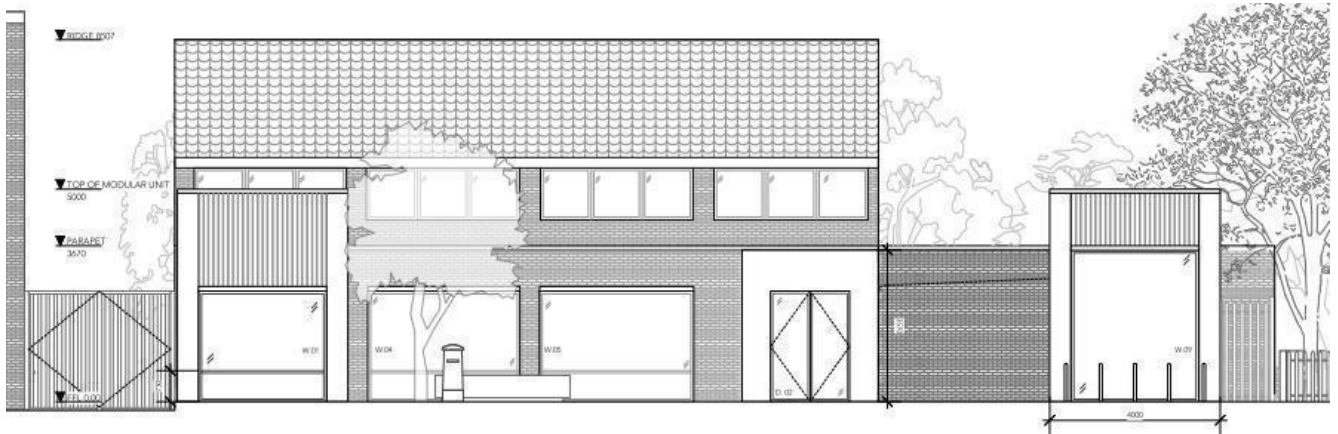


Proposed roof plan



Existing front elevation





Proposed front elevation

## RECOMMENDATIONS

That the committee resolve to GRANT planning permission with conditions.

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. Standard 3 year permission
2. List of all approved plan numbers/documents
3. Materials to be as proposed
4. Requirement for refuse area to be marked out and made available before occupation of the additional units
5. Disabled parking bays to be provided before occupation and retained thereafter
6. Cycle spaces to be provided before occupation and retained thereafter
7. Details of how gate and side passageway are to be managed
8. Details of how toilet is to be managed and locked outside of library opening hours
9. Tree protection to be provided during construction and method statement on excavation and foundation design.
10. Management plan for the courtyard
11. Details of sound insulation for the modular units
12. Restriction on amplified equipment
13. Restriction on hours of use of activities within the courtyard
14. Details of extract ventilation system and odour control

### Informatives

1. Reminder on the need to formally stop up the area of highway

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) 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.

## A) PROPOSAL

The proposal is to make alterations to the front of the library building and the space in front of it. It is proposed to alter the existing highway arrangement to the front, with part of the carriageway being replaced with a much wider pavement with some hard and soft landscaping. The entrance to the remainder of the secondary road would be moved to the north, with consequent changes to

the access and car parking arrangements currently in place. There would be two modular buildings placed on the forecourt, with one extending on to what is currently public highway. Both would be single storey, although the front part of each would be taller, broadly corresponding with about one and a half storeys when compared to the existing building. They would both measure 11m in length and 4m in width. The height would vary, with the front being 5m in height, with the remainder being 3.7m.

One would contain a café unit and toilet, measuring approximately 44sqm (GEA). The other would be for a community and enterprise hub also measuring approximately 44sqm (GEA), and this would create a side passageway (with gate) to the rear of the building, where disabled parking spaces would be located. The siting of the modular buildings would create a courtyard area instead of car parking, and it is proposed to use this as a performance space and a market space.

The front elevation of the building would be altered, with new windows and doors inserted to match the modular buildings.

## **B) EXISTING**

The site is within Wembley Town Centre, and is part of a Growth Area. There is also a Wildlife Corridor to the rear. The parade of shops, Coronet Parade, immediately to the north is a secondary frontage within the town centre. The site is also within an Air Quality Management Area.

The building is the existing Ealing Road Library, which is a part single and part double storey building with a pitched roof. It is at the southern end of Wembley Town Centre with the building to the south being outside. It is set back from Ealing Road itself with there being a secondary road providing access to this site and other shop units in the terrace. The building is then further set back from the adjacent terrace, with an area of car parking and open space being in front of the library itself. The building is L shaped so the setback is greater adjacent to Coronet Parade than it is adjacent to Premier House, 45 Ealing Road to the south. There is a side access adjacent to 6 and 7 Coronet Parade where some additional parking is located, as well an area of grass with a number of mature trees.

Wembley Town Centre is characterised by commercial properties, including retail, other 'A' class uses, and offices as well as other uses including places of worship. There are also residential uses within nearby, including on the opposite side of Ealing Road and above the ground floor of Coronet Parade.

## **C) AMENDMENTS SINCE SUBMISSION**

No amendments have been made to the planning application since it was submitted.

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

**Land use** – Whether the addition of B1/D1 and A3 floorspace is appropriate for the existing library, Wembley Town Centre, and the wider area.

**Design** – Whether the modular buildings, the alterations to the existing library façade and highway, and the addition of a gate are appropriate in terms of design and appearance. This requires consideration of the building and wider built environment.

**Neighbouring amenity** – Whether the impact on nearby residents is acceptable, considering issues which include noise, odour, daylight and security.

**Highways and transportation** – Whether the alterations to the public highway would be acceptable, considering the needs of pedestrians, cyclists and motorists.

**Trees, landscaping and public realm** – Whether the alterations to the public highway would have a positive or negative impact on existing trees and landscaping in both public and private areas.

**Socio-economic and community benefit** – Whether the additional floorspace and other

alterations would enhance the existing community facilities on the site.

**Other matters** – Whether there are any other relevant considerations which would influence the decision.

## 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)
Non-residential institutions				36	36
Restaurants and cafes	0		0	29	29

### Monitoring Residential Breakdown

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

## RELEVANT SITE HISTORY

**August 2016:** Pre-application advice (ref: 16/0429/PRE) provided for proposals at the site.

**July 1995:** Planning permission (ref: 95/0629) **granted** for "Retention of 64 metres of 2.4 metre high palisade fencing and installation of matching palisade side gates".

## CONSULTATIONS

### Consultation with neighbours

A site notice advertising the proposal was displayed on 27 October 2016, seeking comments to be received by 17 November 2016. In addition, letters were sent to 35 neighbouring properties on 27 October 2016. No press notice was published. Following concerns raised that the position of the site notice was not in a location where it could be readily viewed a further site notice was erected.

Following further concerns that the consultation was not extensive enough further site notices were erected (two inside the library and two outside), seeking comments up to 13th December. Letters were sent to 1,112 neighbouring properties on 18 November 2016, also inviting comments up to 13th December 2016. This included properties on Ealing Road, Chaplin Road, Christchurch Green, Copland Road, Douglas Avenue, High Road, Lyon Park Avenue, Montrose Crescent, Park Road, Ranelagh Road, Station Grove, Swinderby Road, The Close, and Union Road.

Two drop-in sessions were held at the library. The first was from 1pm to 5pm on 28 November 2016, and the second was from 5pm to 8pm on the following day.

Following this, and at the time of writing, 2 representations have been received, and they raised the following issues:

- *Land use* – There is no need for an additional market or café.
- *Neighbouring amenity* – Existing noise and disturbance from people congregating on benches in front of the library, the library forecourt, and the side and rear. Existing problems of litter from the library and the nearby bus stop due to people congregating, leading to having to employ cleaners and potential for pest control. Concerns that these will be exacerbated by the proposal.
- *Highways and transportation* – Additional traffic, instead of people using public transport. The

impact on parking by the removal of existing spaces, and the potential for vehicles to spill onto other sites.

Ward Councillors were also consulted.

### Internal consultations

The following consultees were consulted, and made comments as detailed:

- Trees – No objections raised. Conditions are suggested to ensure that sufficient protection is given to existing trees during and post construction.
- Planning Policy – No objections raised. Support for an additional community space and commercial use to increase the viability and attractiveness of the library. The open space would increase opportunities for social interaction and events, instead of a poor existing area.
- Urban Design – There would be some loss of light to the existing library building. There is a preference for greater symmetry to the modular units and library. It is important to ensure that the timber cladding is maintained over time to ensure a consistent appearance. Some concern over how visible the entrances are to the library and the two units. The colour of the materials for the buildings and the performance area would be the same. Disappointed that there is no service hatch to the café unit to create greater activity to the public realm and assist those with mobility issues. Hope expressed that the modular units are from sustainable sources.
- Transportation – Agreement that the loss of the existing parking space on site and on-street given the location of the site within the town centre, the availability of public transport and the amount of car parking that would remain. Servicing was not considered problematic, and there was support for the increased amount of cycle provision. The increased area of public realm was also considered positive.
- Environmental Health – No objections raised subject to conditions being imposed concerning noise, construction noise and dust, air quality, and odour.
- Landscaping and Design – No objections raised to the creation of the additional landscaping area, although it is noted that the performance area is simply an area of paving.
- Recycling and Waste – No comments received.

### External consultations

No external consultees were consulted, given the type of application / nature of the proposal.

## **POLICY CONSIDERATIONS**

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

#### **London Plan (March 2016)**

- Policy 2.15 – Town centres
- Policy 3.16 – Protection and enhancement of social infrastructure
- Policy 4.1 – Developing London's economy
- Policy 4.2 – Offices
- Policy 4.7 – Retail and town centre development
- Policy 4.8 – Supporting a successful and diverse retail sector and related facilities and services
  
- Policy 6.9 – Cycling
- Policy 6.10 – Walking
- Policy 6.13 – Parking
- Policy 7.3 – Designing out crime
- Policy 7.4 – Local character
- Policy 7.5 – Public realm
- Policy 7.6 – Architecture

#### **Core Strategy (July 2010)**

*Document Imaged*

*DocRepF  
Ref: 16/4257 Page 4 of 22*

- CP 1 – Spatial Development Strategy
- CP 5 – Placemaking
- CP 6 – Design & Density in Place Shaping
- CP 7 – Wembley Growth Area
- CP 16 – Town Centres and the Sequential Approach to Development
- CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity
- CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 23 – Protection of existing and provision of new Community and Cultural Facilities

### **Wembley AAP (2015)**

- WEM 1 – Urban Form
- WEM 3 – Public Realm
- WEM 8 – Securing Design Quality
- WEM 9 – Offices
- WEM 10 – Low-cost Business Start-up Space
- WEM 14 – Car Parking Strategy
- WEM 15 – Car parking standards
- WEM 16 – Walking and Cycling
- WEM 25 – Strategic Cultural Area
- WEM 28 – Temporary Creative Uses
- WEM 29 – Community Facilities
- WEM 34 – Open Space Provision
- WEM 35 – Open Space Improvements

### **Supplementary Planning Guides**

- Community safety - Building or refurbishing domestic or commercial properties (SPG 10)
- Design guide for new developments (SPG 17)
- Disabled people - Designing for accessibility (SPG 12)
- Employment development (SPG 18)
- Roads - layout standards for access roads (SPG 13)
- Roads - making an access to a road (SPG 3)
- Shop fronts and shop signs (SPG 7)
- Sustainable design, construction and pollution control (SPG 19)
- Waste planning guide

### **Supplementary Documents**

- Wembley Masterplan
- Planning obligations (S106) Supplementary Planning Document
- 
- **DM Policies**
- DMP X Policy Name
- DMP 1 Development Management General Policy
- DMP 2 Supporting Strong Centres
- DMP 4a – Shop front design and forecourt trading
- DMP 8 Open Space
- DMP 11 Forming an Access on to a Road
- DMP 12 Parking

## **DETAILED CONSIDERATIONS**

### ***Land use***

1. The proposal would not change the use of the library, but would add additional floorspace in other uses, which are put forward by the applicant as being complimentary. Whilst retail uses are considered to be the most significant uses within town centres, other uses are also important to ensuring that viability and vitality are secured. Policy CP1 of the Core Strategy advises that the Wembley Growth Area is where the majority of the borough's development

and employment growth will be focussed. Specifically in terms of town centre uses, policies CP1 and CP16 both identify Wembley as the preferred destination for new retail, leisure and other town centre development.

2. As noted above, the proposal includes provision of a space described as a community and enterprise hub, and this would have characteristics of office (B1) and non-residential institution (D1). The applicant has indicated that this would be subject to a reduced rent to encourage small businesses, and would also be available to local community groups. Support for this comes from policy CP7 specifically concerning the Wembley Growth Area, and seeks new cultural and creative industries and the generation of new jobs. Policy CP23 encourages the provision of new multi-functional community facilities. Policy WEM29 supports provision of social infrastructure that is accessible to all sections of the community and is accessible via a number of transportation means. Policy WEM9 of the Wembley AAP encourages provision of new office space, and policy WEM10 is specific to low cost start up space, noting that it should be sought in Strategic Industrial Locations (SIL) and as part of major mixed-use developments (although neither is the case in this instance).
3. It is important to recognise that these policies are generally seeking to deliver much greater areas of floorspace than is proposed in this instance. However, it appears reasonable to consider that the proposal would make a contribution to their aims, albeit in a smaller way than would be the case with a major planning application. The space would allow for a variety of uses and users, in a location which is served by a number of buses and with Wembley Central Station only a short walk (the PTAL is 5 indicating good public transport). A particular benefit would be the low cost of the space for future occupiers. The supporting text to policy WEM8 notes that there are a limited number of sites which offer this, and there are a number of small businesses who may only be seeking small spaces on a temporary basis who could potentially benefit from this space. The addition of toilet facilities would be of benefit not just to the uses proposed, but also to operation of the library itself to supplement the existing facilities.
4. The café space is also considered to be a town centre use, and so the references above to policies CP1 and CP16 and the focussing of growth within Wembley Growth Area and Town Centre are both relevant. The specific impacts of this floorspace are considered below within the *Neighbouring amenity* section.
5. The proposal would also result in the creation of an additional courtyard, which is proposed to include a performance space measuring 163sqm as part of an extension to the existing public realm. The applicant has advised that this would be used for people to gather, for some library activities, performance, and market space. The café could also potentially place seating there. The specific impacts of this on neighbours are assessed below, but similar to above the principle of this is considered acceptable. Within policy there is support for activities which would enhance the use of existing community facilities and promoting commercial activities, and by being within a town centre where public transport is easily accessible, the location is considered suitable for this.
6. There is also support for new open space (for example policy WEM34 of the Wembley AAP), and the courtyard space is considered to be just that, albeit relatively small. Whilst it is acknowledged that this would be a managed space where not all activities could take place, it would nevertheless make a contribution to the aim of delivering additional open space.
7. Overall, the proposal would result in the addition of uses and space which are considered to be appropriate within the town centre.

### ***Design***

8. Policy 7.6 of the London Plan seeks high quality design. Policies within the Local Development Framework (CP5, CP7 and WEM1, and WEM8) reflect this, and require that the specific context be considered. The existing library building is not a listed building, nor is it within a conservation area.

9. In addition to the direct benefits of the additional floorspace, the proposal is put forward as a means of increasing the visual appeal of the library by making the entrance more obvious and improving the frontage. The existing building is neutral in terms of its design quality, but the existing car parking area and hardstanding is not considered attractive.
10. The proposal would result in two modular units being added. They would not be joined to the existing building, but would be sited very close so that when viewed they would read as extensions. As noted above they would be single storey, but each would have a taller element nearest the street which would be equivalent to approximately 1.5 storeys. The buildings nearby exhibit variation, with those on Coronet Parade having three storeys and a flat roof, and the residential units immediately opposite and to the south having two storeys with a pitched roof. Elsewhere there are buildings of different ages and styles and so there is not a uniform design, which needs to be followed. The proposed modular units would be lower than the highest point of the existing building, and also lower than most nearby. They would have flat roofs, which is the same as the neighbouring site but different to most nearby. This height, coupled with their relatively narrow width, would ensure that their bulk and mass is not excessive when compared to the existing building. The modular units would be clad in vertical timber boards, which is expected to weather to a grey colour. Although this is a different material than is found in the immediate vicinity, timber is not an unusual material to use and there are examples of it elsewhere in Ealing Road. There is not complete uniformity in the materials used in nearby buildings, and as the library building differs from the others in design and use, it is considered acceptable to use timber. It is important, however, that the materials are maintained over time to ensure that their appearance is maintained as high quality.
11. The front building line is proposed to be altered. The existing library building is considerably set back from the front of the site. The proposal is to bring this forward, with the unit containing the B1/D1 use corresponding with Coronet Parade, and there would be a gate between it and Coronet Parade, to further reinforce the building line. The gate would allow the library to control access to the rear of the site, and is replicating the existing gate, albeit in a different position. The other unit would project forward of this into the enlarged public realm. Much of Ealing Road does have a uniform frontage created by commercial buildings being constructed to the back of the pavement, and residential properties having a small set back behind a front wall or gate. The library currently deviates from this, and the café unit would project forward of Coronet Place. However, it would still remain well set back from the (partly redefined) pavement edge, and overall reflects more closely the predominant frontage than is currently the case. The creation of the courtyard space also weighs in favour of the proposal, by providing a positive feature within the streetscene.
12. The proposal includes alterations to the façade of the existing library, and the intention is for its appearance to match the modular units so that the existing and proposed elements become more unified. The modular units would have glazing where they face Ealing Road, to create a 'shop front' and express the activity within. The existing windows and entrance to the library are not considered special enough to resist changes to it. Overall, the impact would be positive.
13. The courtyard space would be constructed of clay pavers, with the footway to the entrance being paved with a granite sett, and both are considered to be high quality, and would compliment the buildings themselves. The new pavement area would need to match the adjacent pavement as it would be a continuation of the public highway. There is no objection to the introduction of a new bench, or cycle stands: they are typical features on the public highway, and would be replacing what is currently on site.
14. Overall, the proposal is considered acceptable in design terms.

#### ***Neighbouring amenity***

15. Policy DMP1 requires that neighbouring amenity is considered, and that there would be no

significant detrimental impact on neighbouring properties. The modular building containing the B1/D1 space would sit against the flank wall of Coronet Parade, the upper floors of which contain residential accommodation. There are no windows in this elevation so the proposal could not impact on the daylight and sunlight received by these residents, whose outlooks are to the front on to Ealing Road and to the rear, which is characterised by gardens and parking areas. The proposal would not alter this. There are existing windows facing on to this area, including two ground floor windows which look straight on to the space. The area of hardstanding to the rear would be reinstated for disabled car parking, but this in itself does not require planning permission and could occur now anyway. Refuse storage is currently to the side of the property and this would continue, with adequate space for existing and proposed usage. The presence of a gate would ensure that the side and rear of the building can be managed and reduce the opportunities for anti-social behaviour to take place. Lighting from inside the B1/D1 unit (and the A3 unit) would be directed towards Ealing Road and into the courtyard rather than towards residential properties, so preventing nuisance.

16. The building immediately to the south of the site on Ealing Road is not in residential use. It is also set in from the site boundary, where there is tree and shrub cover. This would ensure that the cafe building would not impact on it in terms of daylight, sunlight, or overlooking. There would be a small fence erected between the south western corner of the building and the site boundary to reduce the chances of anti social behaviour taking place in a corner which would otherwise be open to people to conceal themselves within this gap. The toilet proposed would be locked when the library is closed to ensure that it does not suffer from vandalism or misuse, and a condition would ensure that this is managed appropriately.
17. The proposed café use has potential to generate odour from food preparation, although given its relatively small size the potential is less than for many A3 uses. To address this a condition is proposed which would require that full details of ventilation and odour control equipment is submitted for approval prior to the use commencing.
18. Noise and disturbance is an issue raised by objectors. It is suggested that details of sound insulation for the modular units are submitted for approval. This would ensure that the noise resulting from the activities inside would not be unacceptable. The courtyard has more potential to cause noise, albeit that some noise would be contained by the buildings on 3 sides of it. Currently, people congregate outside the library and on the public highway where there is an existing bench, and there is little to prevent them from doing so. An objection notes that people also make noise at the side and rear of the property, and as noted above the provision of the replacement gate (and a programme to manage it) could assist with this. There is currently access from the existing library building, and there is a reluctance to completely restrict this as it is an attractive area where people could sit. Also, it is understood that the doors cannot be locked as they are fire escapes. This is also an existing arrangement, with the proposals focussed on the front of the site. Therefore, it is not considered that there would be a greater or lesser impact on the rear than is currently the case, and it is a management issue for the library.
19. The proposal seeks to encourage people to use the library, so logically the numbers would increase. However, it is not expected that they would increase so dramatically that a disturbance would result in this town centre location. There are no fixed seats proposed in the space itself to make it easy for people to loiter and engage in crime or anti-social behaviour, and the weather is likely to limit the times when people would wish to spend time there. There is potential for seating to be placed in the courtyard to serve the café unit. This would be managed, but a condition is suggested requesting a management plan which would need to specify hours of operation. There would be a replacement bench provided on the public highway, but this is typical of what is found on the public highway. It is proposed for the courtyard to be used as a market, and the applicant has suggested that this would be weekly, with up to 30 stalls.
20. There is sympathy with objectors who have experienced anti-social behaviour taking place on



the public highway. Whilst this is a material consideration, it is considered that this is more due to the actions of individuals rather than being inherent to the library. The opportunity to require submission of a management plan should assist for the performance space, but ultimately acts of criminal behaviour are matters for the police. Rubbish would be collected by the Council's contractor, and a replacement bin is planned to reduce the changes of litter.

21. However, it is accepted that having commercial activities and performances within this space should be subject to some controls. It is suggested that a condition is imposed requiring further details of the operation of the space, and how it would be managed to prevent disturbance. The condition would require more details of exactly how it would be used (including layouts of market stalls, type and frequency of particular events, and measures to ensure that the library would remain accessible). The courtyard is not intended to be closed off, and would remain accessible at all hours. However, it is suggested that the hours when performances, the market and other activities could take place are restricted by condition. With these conditions in place, it is expected that the impact on neighbours would be acceptable. The proximity to existing residents and commercial uses is such that it is not expected that they would be subject to excessive noise or disturbance.
22. As noted above conditions were suggested by the Environmental Health department regarding construction noise and dust, and air quality. Any development has the potential to create some disturbance. However, the modular units would be lifted in by crane rather than constructed completely on site, with only some internal fit out and external detailing completed on site. Therefore, the particular construction impacts would be less than is usual for construction, and so such a condition is not suggested to be imposed. Similarly, with the details of any ventilation or odour equipment to be provided, the proposal is not expected to worsen air quality.
23. With the imposition of conditions the proposed impact on neighbouring properties would be acceptable.

#### ***Highways and transportation***

24. No objections have been raised by the Transportation Department. The proposal would have impacts on the public realm. It is proposed that one of the modular buildings would be sited on what is now pavement. Also, the layout of the existing access road to the library and Coronet Parade would be moved to the north so creating additional public realm in front of the library.
25. Objections received have highlighted the loss of the existing parking spaces on site, as well as those on-street spaces which would be impacted on by the change in road layout. There are currently 8 spaces shown on site, one of which is for disabled users. However, the disabled space could not be occupied without preventing use of one of the spaces, and creating significant difficulties in using another. If all are occupied then it is not possible for vehicles to access the rear of the site. Therefore, in practice the site contains 6 usable spaces, and to also allow access to the rear only 5 could be accommodated. Nine on-street spaces would be removed by the proposal, of which 2 are for disabled users. This equates to the loss of 15 spaces in absolute terms but only 13 in practical terms.
26. The proposal would see 2 disabled spaces reinstated to the rear of the site, and the Transportation team has indicated that there is potential for on-street spaces to be re-provided on Ealing Road. This would be either 2 disabled spaces and one non-disabled space, or 4 non-disabled spaces. The preference would be for the additional disabled spaces, and this would reduce the overall loss from 15/13 to 12/10.
27. Over and above the disabled spaces there is no specific requirement for staff parking at the site, and so it becomes an issue of the overall provision within the area. The existing spaces in front of the library are intended to be used by library users only, although it is understood that this is often not the case. As noted above, the site and wider town centre has good public transport accessibility, and so many visitors would be expected to use public transport. Notwithstanding this, there are pay and display spaces nearby which visitors to the area could

use. The site is also within a Controlled Parking Zone (CPZ), which assists in managing parking in the area. Whilst there are many instances where the loss of this number of parking spaces would be problematic, it is not considered that in this instance it would be.

28. Servicing would be required for the new uses proposed, although there are no specific requirements for servicing a library. A transit van is likely to be sufficient for both, and access to the rear would be possible, and on exiting vehicles would continue to be subject to the one way system for the servicing road. The location of the bin storage would remain unchanged, and is within a suitable distance to allow for waste to be collected. There is sufficient bin storage space for the library and the proposed uses. A condition is suggested to ensure that the area is specifically marked out for waste, so ensuring that the access is not impeded for vehicles needing to access the rear.
29. The proposal would result in an additional 2 Sheffield cycling stands, so increasing the capacity from 6 to 10 (based on two cycles being able to use each stand). This is supported. This would accord with policy 6.9 of the London Plan which seeks to encourage cycling.
30. The most significant change would be the changed layout for the access road, with the increased area of public realm. This would involve the stopping up of the part of the highway to be removed, via the Town and Country Planning Act. This will need to be formally agreed between the applicant and the Local Highway Authority. However, there is no objection to the principle of it, and it would result in an increased area of public realm, which would be higher quality than what is there now. This would accord with policies 6.10 and 7.5 of the London Plan and policy WEM3 of the Wembley AAP. Pedestrians would benefit from this alteration.

#### ***Trees, landscaping and public realm***

31. There are a number of mature trees to the rear of the site, but as noted above there is no operational development to the rear which would impact on them. To the front there are trees within the property immediately to the south, and the café unit would be in quite close proximity to them. The applicant submitted an arboricultural report, and no objections have been raised in regard to this by the tree officer. There is already hardstanding on the application site and to the south, and the modular nature of the construction means that foundations are different to a more traditional construction. However, in order to ensure that the impact of the development is acceptable during and post construction it is suggested that conditions be imposed. These would cover details of excavation, ground protection and details of the foundation design. This would require a permeable cellular confinement system beneath the proposed resurfacing in proximity to the root protection areas of the nearby trees. With these details provided by condition, the proposal is considered acceptable in this regard.

#### ***Socio-economic and community effects***

32. The land use section provides details on the additional floorspace. Whilst not directly altering the quantum of library floorspace the proposal is expected to make it more attractive and so reflects the aims of policy CP23, which seeks to enhance existing community facilities. There would be some loss of light to the library building itself due to existing windows being removed where the existing building meets the modular units, but the library would still be able to function well. The external alterations would not directly allow for more activities to take place inside, but a more attractive facility is expected to make the library more viable going forward.

#### ***Community Infrastructure Levy***

33. The threshold for payment under the Community Infrastructure Levy (CIL) is 100sqm. The proposal falls below this, and so is not liable.

#### ***Other issues***

34. There would be level access to the modular units, and the existing level access to the library would remain. Although there is no service hatch to the café unit, having this suitable access would allow for those with mobility issues to access the buildings. The site is not within an area

which is known to flood. The proposal would make some positive impact on the thermal performance of the existing library building, so reflecting the aims and objectives of energy saving.

35. Finally, there is a Wildlife Corridor to the rear of the site. The proposal would have a neutral impact on it: it would not directly alter the rear of the site, and the reintroduction of disabled parking is something that could occur anyway, without the need for planning permission. To the front there is already hardstanding to the front, and so the proposal would not result in the loss of green space.

### **Conclusion**

36. The proposal to provide additional floorspace and open space on the site is supported, and would contribute to the vitality and viability of the Wembley Town Centre, as well as the aims and objectives of the Wembley Growth Area. The modular buildings would not dominate the existing building, and although the café unit would extend beyond the building line of Coronet Parade there is not complete uniformity nearby and it does assist with the creation of the courtyard space. The external alterations to the existing library would result in a more uniform appearance. The impact on neighbours would be acceptable with the imposition of conditions, in particular those which would manage the use of the courtyard space and make sure that details of ventilation and extraction for the café use is provided.
37. The proposal would alter the transport arrangements, with the access road moved further north, and existing parking removed from the library frontage and on-street. However, there is considered to be justification for this, given the particular set of circumstances at the site. Cycling would be improved and there would be a greater area of public realm for pedestrians.
38. However, the most positive aspect of the proposal is the potential for the existing library to be more attractive to all members of the local community, and this weighs heavily in its favour.

## **SUSTAINABILITY ASSESSMENT**



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/4257

To: Mr Smith  
Mark Projects Ltd.  
Unit G04  
Regents Studio  
Thane Villas  
London  
N77PH

I refer to your application dated 30/09/2016 proposing the following:  
Landscaping to library forecourt with addition of café (A3) and community and enterprise hub (B1/D1) modular units. Alteration to existing public highway including provision of additional footway, stopping up of part footway, and alteration to existing highway access. Replacement of windows and doors in library street facade. Gate to frontage.  
and accompanied by plans or documents listed here:  
See condition 2.  
at Ealing Road Library, Ealing Road, Wembley, HA0 4BA

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**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:-  
National Planning Policy Framework  
Brent LDF Core Strategy 2010  
Brent Development Management Policies 2016
  
- 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):  
  
056\_000; 056\_001 Rev 02; 056\_002 Rev 02; 056\_003 Rev 02; 056\_004 Rev 02; 056\_005 Rev 02; 056\_006 Rev 02; 056\_007 Rev 02; 056\_008 Rev 02; 056\_009 Rev 02; 056\_010 Rev 02; 056\_011 Rev 02; 056\_012 Rev 02; 056\_013 Rev 02; 056\_014 Rev 02; 056\_015 Rev 02; 056\_101 Rev 03; 056\_102 Rev 03; 056\_103 Rev 03; 056\_104 Rev 03; 056\_105 Rev 03; 056\_106 Rev 03; 056\_107 Rev 03; 056\_108 Rev 03; 056\_109 Rev 03; 056\_110 Rev 03; 056\_111 Rev 03; 056\_112 Rev 03; 056\_113 Rev 03; 056\_114 Rev 03; 056\_115 Rev 03; 056\_116 Rev 03; 056\_117 Rev 01. Design and Access Statement - Draft E (27 September 2016); Pre-Development Arboricultural Survey and Impact Assessment - RT-MME-123559 (September 2016).  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 All new external work shall be carried out in materials as indicated within the Design and Access Statement - Draft E (27 September 2016), and maintained as such thereafter unless the prior written consent of the Local Planning Authority is obtained.  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 4 The two disabled parking bays to the rear of the property shown on approved drawing 056\_103 Rev03 shall be provided prior to the occupation of the Cafe unit (A3) or the Community and Enterprise Hub (B1/D1), whichever is the earliest, and maintained as such thereafter unless the prior written consent of the Local Planning Authority is obtained.  
  
Reason: To ensure that sufficient provision for disabled parking is provided at the site.
  
- 5 The cycle parking shown on approved drawing 056\_103 Rev03 shall be provided prior to the occupation of the Cafe unit (A3) or the Community and Enterprise Hub (B1/D1), whichever is the earliest, and maintained as such thereafter.  
  
Reason: To ensure that sufficient cycling provision is provided at the site.
  
- 6 Details of how the gate hereby approved, shown on approved drawing 056\_103 Rev03, shall be managed to control access to the side and rear of the property shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to occupation of the Cafe unit (A3) or the Community and Enterprise Hub (B1/D1), whichever is the earliest, and maintained as such thereafter unless the prior written consent of the Local Planning Authority is

obtained.

Reason: To ensure that there is sufficient control over access to the rear, to protect the amenity of neighbouring residents.

- 7 Details of how access to the WC approved as part of the modular unit containing the Café unit (A3), shown on approved drawing 056\_103 Rev03, shall be managed to control access during and outside of library opening hours shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to its use commencing, and maintained as such thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure that there is sufficient control over access, to protect the amenity of neighbouring residents, and to reduce opportunities for anti-social behaviour.

- 8 A Management Plan detailing the use of the performance area, as shown on approved drawing 056\_103 Rev03, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to use of the space. This should describe the various uses of the space, with details including layouts of market stalls, type and frequency of particular events, and measures to ensure that the library would remain accessible at all times. It should also hours of use, and details of noise generation, and suitable mitigation.

Reason: To protect the amenity of neighbouring residents and to ensure the continued operation of the library.

- 9 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to occupation of the Cafe unit (A3) or the Community and Enterprise Hub (B1/D1), whichever is the earliest, and maintained as such thereafter unless the prior written consent of the Local Planning Authority is obtained.

The insulation shall be designed so that noise from the units shall be at least 10 dB(A) below the measured background noise level at the nearest noise sensitive premises.

Reason: To protect the amenity of neighbouring residents.

- 10 Details of the extract ventilation system and odour control equipment for the Cafe unit (A3) shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to the occupation of the unit and be operated during the operating hours of the A3 use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of neighbouring residents.

- 11 Details of adequate arrangements for the storage and disposal of refuse, inside and outside the premises, and including an adequately sized area marked out to the side of the building, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to occupation of the Cafe unit (A3) or the Community and Enterprise Hub (B1/D1), whichever is the earliest, and maintained as such thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

- 12 Prior to the commencement of development an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of tree protection to T1 and T2 (as identified within the Pre-Development Arboricultural Survey and Impact Assessment)), excavation, ground protection and foundation design . The details shall be fully implemented prior to works commencing on the cafe unit.

Reason: To ensure that the existing trees are suitably protected.

INFORMATIVES

- 1 The applicant is reminded of the need to fully stop up the area of highway on which the café is proposed to sit through Section 247 of the Town & Country Planning Act 1990 and to extinguish vehicular rights along the existing length of service road fronting the site under Section 249 of the Town & Country Planning Act 1990.

Any person wishing to inspect the above papers should contact Chris Heather, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5353



## COMMITTEE REPORT

Planning Committee on 18 January, 2017  
Item No 05  
Case Number 16/1698

### SITE INFORMATION

RECEIVED: 25 April, 2016

WARD: Tokyngton

PLANNING AREA: Brent Connects Wembley

LOCATION: Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

PROPOSAL: Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units, with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space

APPLICANT: Jaysam Developments Wembley Ltd

CONTACT: Studio Aitken Ltd

PLAN NO'S: See condition 2.

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

#### When viewing this on an Electronic Device

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

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_127703](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_127703)

#### When viewing this as an Hard Copy .

Please use the following steps

1. Please go to [pa.brent.gov.uk](https://pa.brent.gov.uk)
2. Select Planning and conduct a search typing "16/1698" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

# SITE MAP



## Planning Committee Map

Site address: Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

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This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS

Location/Site plan



Visualisation from Wembley Hill Road



Visualisation from junction of Wembley Hill Road and Linden Avenue



View of the western elevation



View looking north down Wembley Hill Road



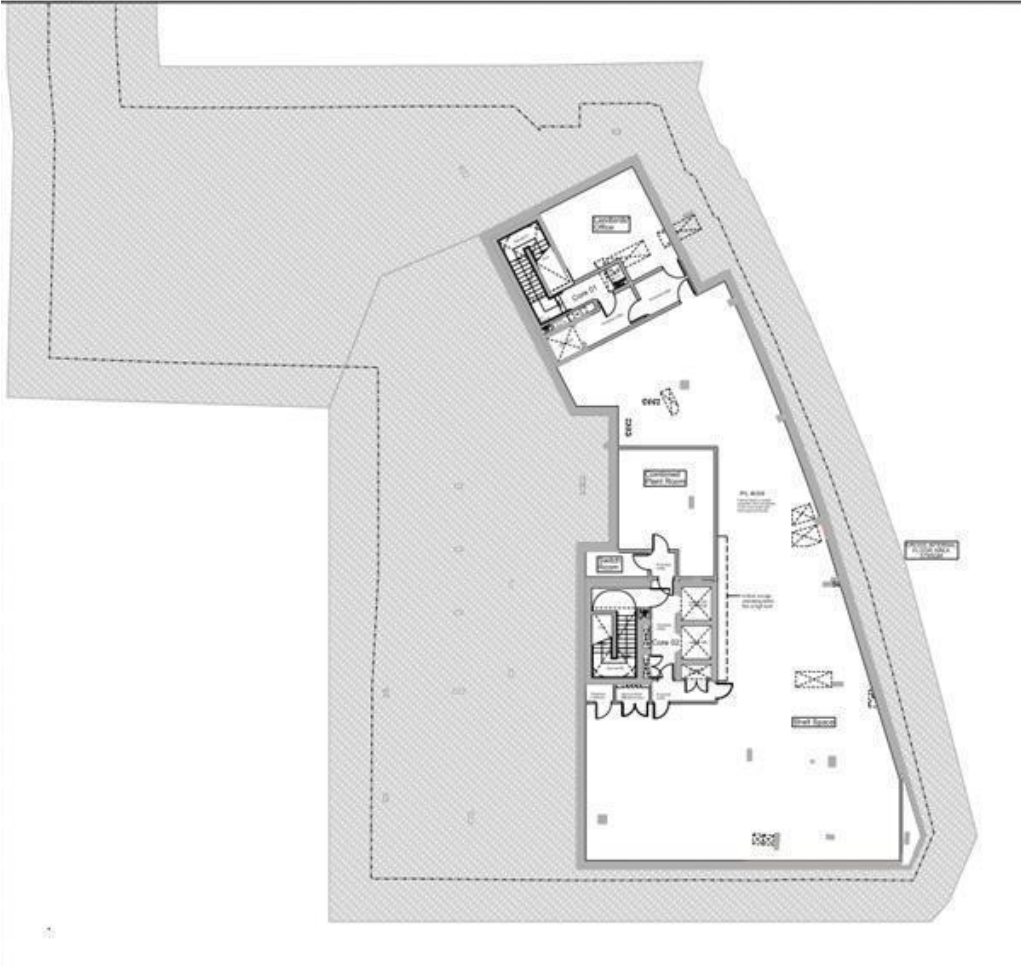
View looking east down Linden Avenue



View looking north west from car park of Mahatma Gandhi House

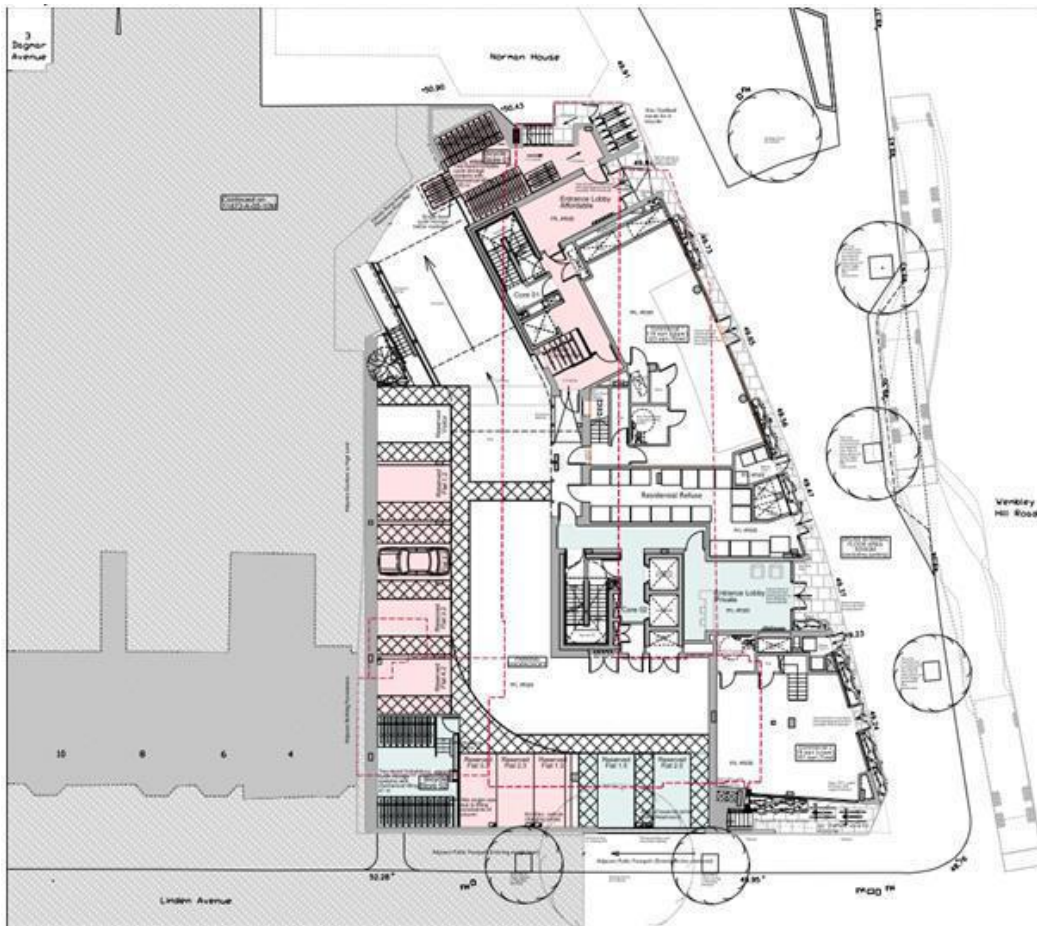


Proposed Basement Floor

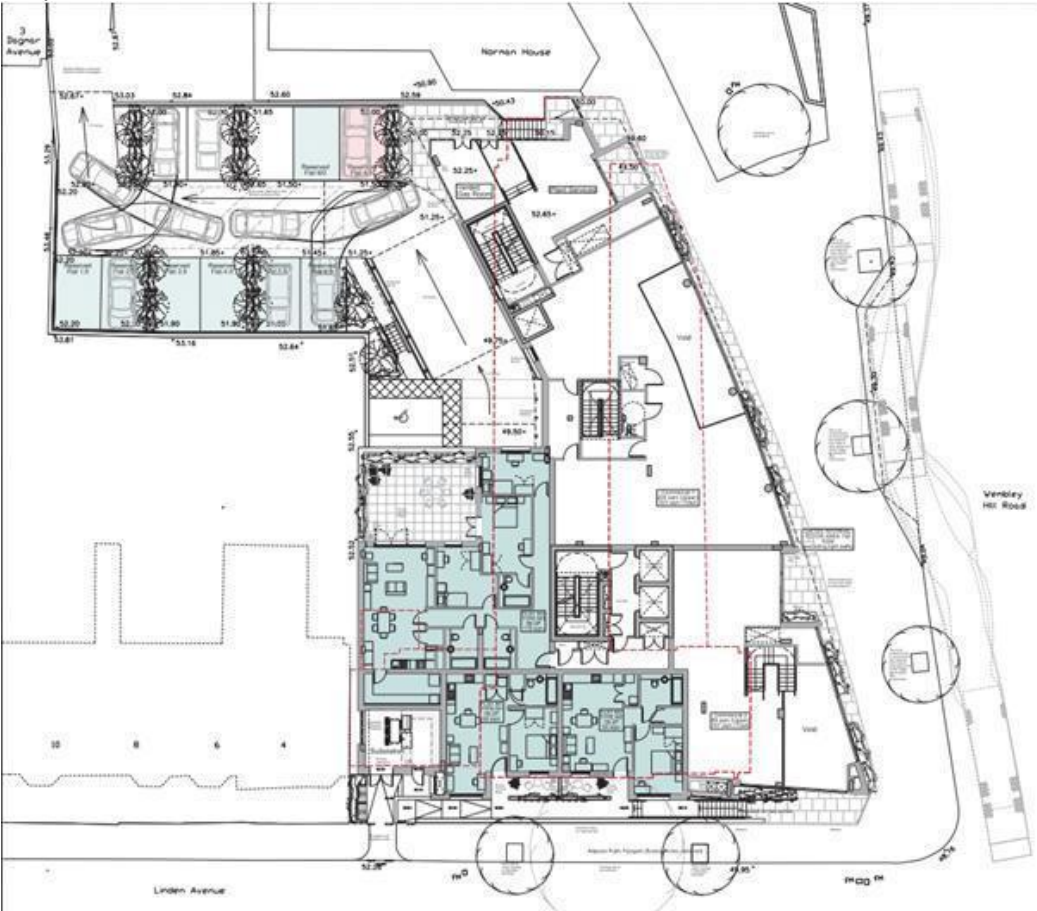


Proposed Ground Floor





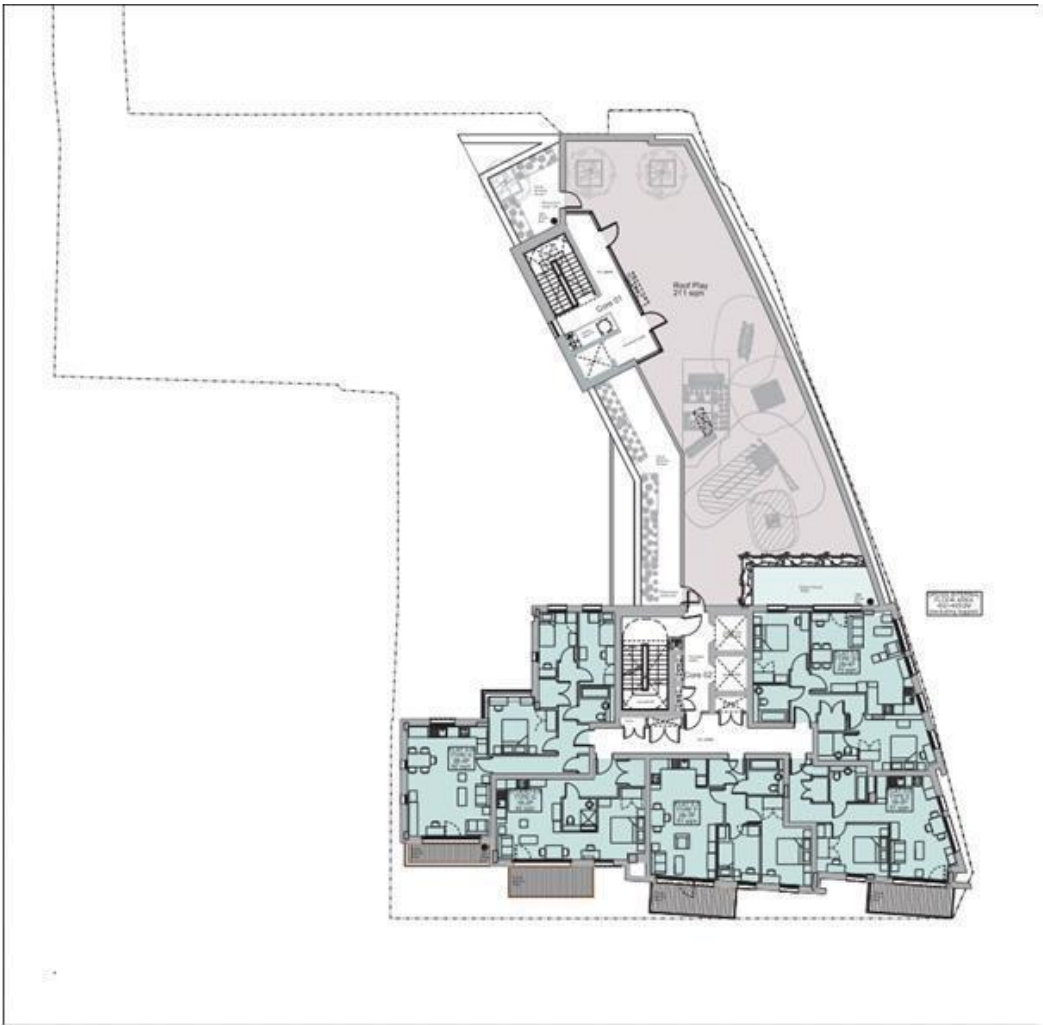
Proposed Mezzanine Floor



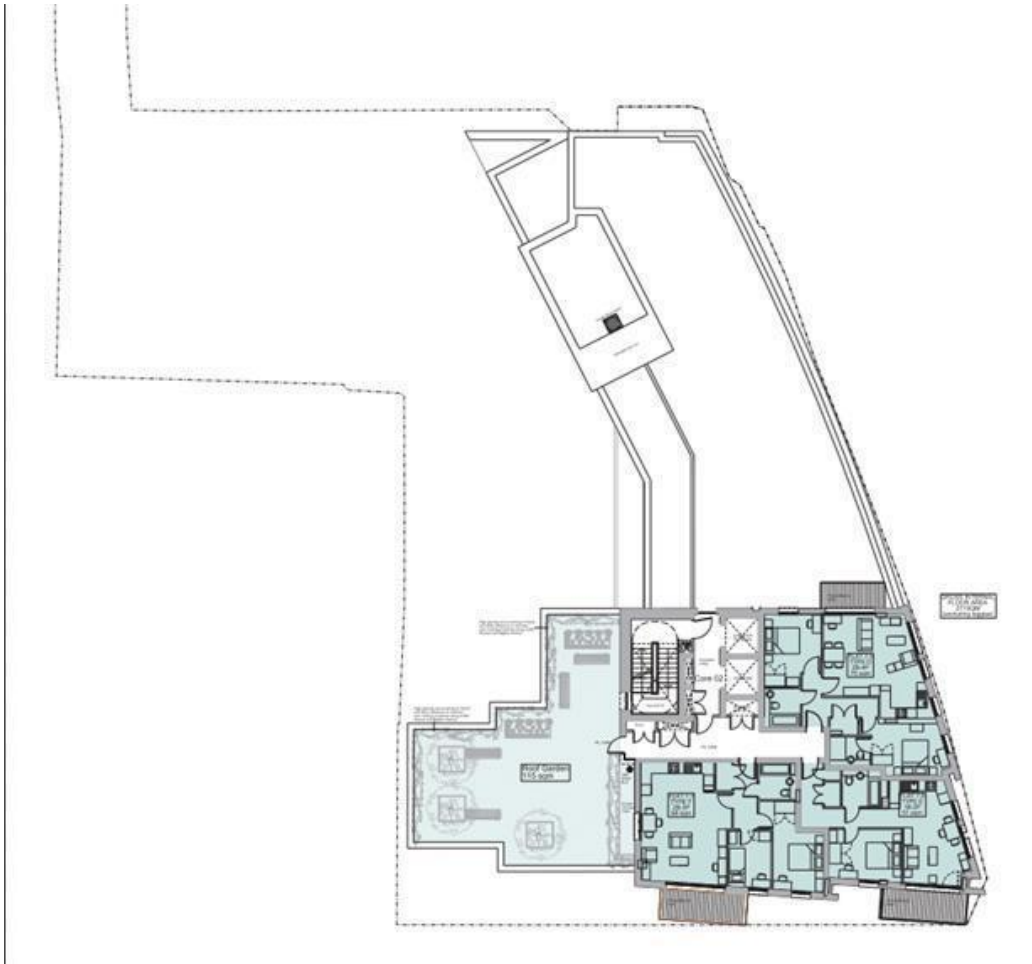
Proposed First Floor



Proposed Fifth Floor



Proposed Seventh Floor



Proposed East Elevation



Proposed South Elevation



Proposed West elevation



## RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
  - A. Any direction by the London Mayor pursuant to the Mayor of London Order
  - B. Any direction by the Secretary of State pursuant to the Consultation Direction

- C. The prior completion of a legal agreement to secure the following planning obligations:
- a) Payment of legal and professional costs;
  - b) Affordable Housing (13 homes, 9 units will be affordable rent and 4 will be shared ownership - a 69:31 ratio of Affordable Rent to Shared Ownership);
  - c) A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred Affordable housing planning obligations;
  - d) A commuted payment of £141,969 towards the provision or enablement of offsite affordable housing
  - e) Notification of commencement;
  - f) Undertaking of highway works through an agreement under S38/S278 of the Highways Act 1980;
  - g) Training and employment plan targetting Brent residents;
  - h) The architects for the scheme shall be retained on at least a consultative basis for the delivery and construction of the development;
  - i) A financial contribution of £14,000 towards the planting of street trees in Linden and Dagmar Avenues
  - j) A financial contribution of £5,000 towards the cost of reviewing and extending Controlled Parking Zones in the locality
  - k) Contribution towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in condition 7, should those targets not be met through on-site measures.
  - l) Any other planning obligation(s) considered necessary by the Head of Planning
2. That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
3. 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 limit for commencement
2. Approved drawings/documents
3. Travel plan
4. Assurance of accessible and adaptable dwellings
5. Parking permit restriction
6. Considerate constructors scheme
7. Limitation of carbon dioxide emissions
8. Future connection to a district heating network
9. Water efficiency
10. Delivery and servicing plan
11. Noise impact assessment measures
12. Contamination remediation measures
13. Measures for minimisation of disturbance during piling
14. Planting and landscaping
15. Details of materials
16. Energy centre layout and specification
17. Sustainable drainage
18. Thames water foul water sewage study

19. Thames Water piling condition
20. Any other planning condition(s) considered necessary by the Head of Planning

#### Informatives

1. Party Wall Act
  2. Building near boundary
  3. Community Infrastructure Levy
  4. Thames Water - Ground Water Risk Management
  5. Thames Water - petrol / oil interceptors
  6. Any [other] informative(s) considered necessary by the Head of Planning
1. 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.
  2. That, if by 3 months of the committee date (14th December 2016) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
  3. 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**

Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units (6 x studios, 16 x 1bed, 22 x 2bed and 11 x 3bed) along with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space.

#### **B) EXISTING**

The site is located within the Wembley Growth Area and Wembley Town Centre. It is bounded by Linden Avenue to the south, Wembley Hill Road to the east, Dagmar Avenue to the north and residential units to the east. The site is located approximately 300m to the west of Wembley Stadium. The existing site comprises of a part residential, part commercial building with four residential units.

The surrounding area predominantly comprises residential development to the west and commercial development to the north, south and east.

Wembley Park station is located approximately 950m to the north-east of site. Wembley Stadium station is approximately 160m to the south-east of the site.

Given the site's access to the rail and bus services outlined above the site records a public transport accessibility level (PTAL) of 4, representing good accessibility.

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

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

- Decreased car parking spaces from 24 to 21 as a result of widening the 5 disabled parking spaces to meet London Plan standards
- Alterations to cycle storage, including relocation of adapted cycle storage and reconfiguring of access to improve the environment for users transporting bikes from the two main storage plants to the highway

- The addition of ventilation grilles to the lower side of the south elevation
- The shrub planting to the ground floor frontages has been altered to remove the pyracantha and to introduce more appropriate, ornamental species, as recommended by the landscaping consultee
- Further information has been provided regarding the carbon dioxide emissions and savings claimed. Further information on district heating and the Combined Heat and Power System is also provided with an amended sustainability report.

Confirmation that the cycle storage stands to be provided are 'Josta 2' stands, with some provision of Sheffield stands for 10 larger bicycles at the front of the building.

#### D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. The sites opportunity to deliver new private and affordable homes. Your officers give great weight to the viable delivery of private and affordable housing, in line with the adopted Development Plan.
2. The design and appearance of a building of this height in this location. The proposal replaces an already substantial building, utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development.
3. The transport impacts of the proposed development. Your highway officers consider that the proposal adequately addresses highway concerns.
4. 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
5. The potential impact on living conditions of neighbours, which your officers believe are not unduly detrimental given the size and siting of the existing building and the design of the scheme.

#### E) MONITORING

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

##### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and offices	1252		1252		
Dwelling houses	331		331	5871	5871
Restaurants and cafes	367		367		
Shops	287		287	605	605

##### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )		4								4
EXISTING ( Flats û Social Rented )										
EXISTING ( Flats û Intermediate )										
PROPOSED ( Flats û Market )	19	15	8							42
PROPOSED ( Flats û Social Rented )	2	4	3							9
PROPOSED ( Flats û Intermediate )	1	3								4

#### RELEVANT SITE HISTORY

This property has no planning history.

#### CONSULTATIONS

Press Notice published on 16/06/2016



The owner/occupier of 199 different properties were notified of the application 06/06/2016. This included properties in the following locations:

*Dagmar Avenue  
Linden Avenue  
Empire Way  
Mostyn Avenue  
South Way  
Wembley Hill Road  
York House  
Mahatma Gandhi House  
Crown House*

Four letters of objection have been received to date. Three of these letters are from residents of the same address. The grounds for objection are indicated and discussed in the table below:

<b>Grounds for objection</b>	<b>Response</b>
There are health and safety concerns for residents regarding dust, pollution, noise and vibration during construction. There is also a desire for asbestos reports to be compiled and for assurances that the demolition will be carried out in accordance with Health and Safety law.	<p>The applicant will be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contract is employed to remove all asbestos-containing materials and arrange for the appropriate disposal of such materials. The applicant has already acknowledged the protocol for asbestos disposal within their Construction Management Statement.</p> <p>The applicant has explained how their construction will be carried out with due regard to environmental hazard and disturbance. Further details have been requested regarding piling methodology (see paragraph 67).</p>
The proposal is too large and is out of keeping with the neighbouring properties	The existing building on the site is substantial in its height and scale. Officers consider that the scale and height of the proposal to be acceptable for the reasons discussed in paragraphs 27-30 of the report below.
The building will overlook gardens along nearby residential roads. The increased height of the building will result in a further loss of privacy beyond that which is already present.	The impact of the proposal on surrounding properties has been assessed in the report in paragraphs 29 and 42 and is found to be acceptable.
There is a need for a second opinion on Sunlight and Daylight reports to ensure that the building will not have a detrimental impact on neighbouring properties' light and outlook. The building could damage amenity, television signals, ecology within gardens and increase neighbours' energy bills.	The sunlight and daylight assessment was produced by a suitably qualified organisation using the BRE methodology and reviewed by Council officers. Officers have no reason to question the accuracy of the calculations within the assessment. Full details are in paragraphs 51-59.
We would not like neighbours who cause noise disturbance	The potential noisy behaviour of individual prospective residents would not be within the remit of planning control. This would be a matter to raise with environmental health/nuisance control and/or the police if and when such disturbance occurs.
The impact on surrounding controlled parking zones (CPZs) needs to be carefully considered. It is likely that the amount of	The scheme is recommended to be "parking permit restricted", where future residents would not be eligible for on-street parking

vehicles using the site will exceed the provision of parking capacity within the proposal. Linden and Dagmar Avenues are already at full capacity.

permits. Parking has been assessed by the transportation team and is discussed in paragraphs 71-77 below.

### **Tokyngton Ward Councillors**

Cllr Ketan Sheth, Cllr Muhammed Butt and Cllr Orleen Hylton  
No comments received.

### **Highways**

Highways initially advised that the application should be resisted, on the grounds that the existing vehicular access from Dagmar Avenue is of insufficient width to allow vehicles to pass one another and in the absence of a secondary means of access, would lead to increased instances of vehicles standing on or reversing out into Dagmar Avenue. This is to the detriment of pedestrian safety and free and safe flow of traffic and contrary to Policies TRN3, TRN10 and TRN14 of the adopted UDP 2004 and Brent's Crossover Policy.

Transportation initially recommended that a revised parking layout and access arrangements were submitted for LPA approval, either widening the entrance from Dagmar Avenue, retaining a secondary access from Linden Avenue or reducing the number of off-street parking spaces.

Following a reduction in parking provision and amendments to the parking layout, highways commented that the proposals are acceptable subject to conditions and Section 106 obligations as set out later in this report.

### **Environmental Health**

Environmental health do not object to the proposal but recommend conditions. This is discussed later in this report.

### **Trees**

The tree officer observed that the proposal would result in the loss of four street trees, including the first adjacent mature Lime in Linden Avenue and three recently planted London Plane trees on the Wembley Hill frontage.

The applicant is entering into a section 278 agreement to relay the pavement following works; this will also include a like for like replacement of the London Planes that need to go to allow site access at the front of the property. The applicant is proposing two Pyrus trees on Linden Avenue to replace the Lime Tree.

The tree officer has requested a contribution of £14,000 towards local street tree planting along Linden and Dagmar Avenues, to finance the planting of approx. 10 new street trees.

### **Planning Policy**

The policy officer considers the proposed uses to be acceptable. The development will contribute to the provision of new homes towards the Council's target of 5,000 new homes per year between 2007 and 2016 and 6,500 per year thereafter until 2026, in accordance with CS policy CP2. The subject property is also within the boundary of the designated Wembley Action Area which states that the combined site of Cottrell and Norman Houses is suitable for a mixed use development that could include: residential, retail, commercial and community facilities. The Action Area Plan also seeks a strong built frontage along the Wembley Corridor with a range of uses, and calls for a 'consistent approach' to the public realm.

The principle of the development is also in accordance with the London Plan, whereby the plan designates Wembley as an opportunity and intensification area, a regeneration area and a town centre. Wembley is also a designated Strategic Outer London Development Centre (Policy 2.16) which promotes an intensification of development, placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development as well as any more specialist forms of accommodation.

In conclusion, planning policy support the redevelopment of Cottrell House for residential and commercial uses.

### **Landscape and Design Team**

The landscape and design team did not object to the application but identified concerns regarding the provision of amenity space on site as well as the necessary loss of street trees along Wembley Hill Road. Tree planting along Dagmar and Linden Avenues has been secured.

Concerns were also raised as to the species of plant used for frontage landscaping, as well as the potential

for overlooking issues from the roof garden.

These matters are discussed in the Detailed Considerations part of this report.

### **Local Lead Flood Authority**

The Council's Local Lead Flood Authority is satisfied that the applicant's flood risk strategy and flood risk assessment comply with Brent's requirements as well as national policies and guidelines.

The proposed surface water discharge will be restricted to 5 l/sec and this will reduce the surface water discharge to existing surface water sewer system and hence further reduce the risk of flooding in the area.

The Foul sewer system does not fall within the scope of Flood Risk as part of Flood and Water Management Act 2011 and there is no mention of Foul Sewer discharge in the report. However, the LLFA has expressed some concern regarding the foul sewer discharge from the proposed development, as this will discharge to existing foul sewer system in Wembley Hill Road. The foul sewer pipe goes under the railway tracks at Wembley Stadium Station via a Syphon and there are known failure problems with this syphon. The syphon has blocked many times and this causes foul sewer to overflow in Wembley Hill Road. This is the responsibility of Thames Water and the developer will need a consent from Thames Water regarding discharge rate and if there is adequate capacity in their foul sewer network.

### **Thames Water**

Concerns were initially raised with the proposals surface water discharge. A SUDS report has confirmed that a 5l/s surface water discharge rate will be achievable, thus satisfying Thames Water's requirements.

Thames Water have recommended that a condition is attached requiring a details of a drainage strategy to be approved before works commence in order to ensure that the development does not result in sewage flooding. Such a condition is recommended.

A piling method statement is also recommended to be secured through condition.

### **Greater London Authority**

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

The Stage 1 report from the Mayor of London sets out that the principle of the housing-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application did not initially accord with London Plan Policy.

- **Housing:** 32% affordable housing by habitable room is proposed on-site. The proposed affordable units are all shared ownership units. GLA officers are working with the Council and the Housing and Land team to seek to maximise the amount of affordable housing on site. Given that the site is in a designated Housing Zone, the applicant is strongly encouraged to continue discussions with the Council, the identified registered provider and the CLA Planning and Housing and Land teams on the viability of the scheme and potential GLA grant to ensure the proposal maximises the amount of affordable housing on site in accordance with strategic and local policies.
- **Urban design:** The scale and architecture approach is supported, however, a reduced material palette and simplified building elevations is encouraged. The Council is also strongly encouraged to secure the retention of the architects during detailed design phases, in addition to utilising appropriate conditions securing design detail and materials.
- **Inclusive design:** A condition should be set to secure the Building Regulation requirements M4(2) and M4(3).
- **Flood risk and sustainable drainage:** Clarifications on sustainable drainage measures to minimise surface water flooding on site should be provided.
- **Climate change mitigation:** Further information should be provided to support the carbon dioxide emissions and savings claimed. Further information on district heating and the CHP proposed is also needed.
- **Transport:** Transport for London is generally satisfied with the proposed approach to transport. Appropriate obligations and conditions should be secured by the Council to ensure the proposal complies with London Plan transport policy.

Officers consider that these matters have been adequately addressed. Once Members have resolved to

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

### **Transport for London**

TfL is satisfied that the development will not cause any strategic level impact on the transport network, However TfL initially requested that the design of both the cycle and car parking areas of the ground floor is revisited. In its initial state, the area and parking provided does not meet the relevant London Plan standards.

### **Statement of Community Involvement**

Within the Planning Statement, the applicant has set out the level of pre-consultation that was carried out, as required through the Localism Act (2011). The consultation process was based around the following methods:-

An open 'walk-in' exhibition was held on Tuesday 25th August 2015 within Cottrell House on Wembley Hill Road from 3.30pm – 8.30pm.

On Wednesday 19th and Thursday 20th August invitations to the event were issued by hand to some 300 households in the locality of the site as well as commercial units to the western edge of Wembley Hill Road. Ward Councillors were also invited by email.

The event was staffed by representatives from the applicant's development company together with representatives of the consultant design team. A series of exhibition boards showing the site, its context, scheme development and the draft proposals were displayed for discussion with attendees.

The applicant reports that some 20 people visited the exhibition.

## **POLICY CONSIDERATIONS**

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

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015
- London Plan Consolidated with amendments since 2011 (March 2016)
- Mayors Housing SPG 2016
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Development Management Policies 2016
- London Borough of Brent Wembley Area Action Plan 2013
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent's 106 Supplementary Planning Document

## **DETAILED CONSIDERATIONS**

### **Land use principle**

1. The subject property is within the boundary of Wembley Town Centre and is designated as being suitable for retail uses and mixed use development. Speciality shops and entertainment uses are also indicated as

being suitable. Residential and offices uses are also acceptable town centre uses. Policy CP2 states that the Wembley area is expected to provide some 5,000 new homes per year between 2007 and 2016 and 6,500 per year thereafter until 2026.

2. The subject property is also within the boundary of the designated Wembley Growth Area for which significant regeneration has been planned and is currently being delivered. It is within Wembley Area Action Plan Site Proposal W20 (Cottrell House and Norman House) and the Wembley Park/Empire Way Corridor.

3. The Wembley Area Action Plan Site Proposal states the combined site of Cottrell and Norman Houses is suitable for a mixed use development that could include: residential, retail, commercial and community facilities. Residential uses should include amenity space. The residential capacity for the combined site is stated as being in the region of 55 units with acknowledgment that it is serviced by good transport accessibility levels. The Action Area Plan also seeks a strong built frontage along the Wembley Corridor with a range of uses, and calls for a 'consistent approach' to the public realm.

4. In terms of the London Plan, the site is located within an Opportunity and Intensification Area (Policy 2.13), a Regeneration Area (Policy 2.14), and a Town Centre (Policy 2.15). As such regeneration and redevelopment schemes, particularly high quality mixed use schemes such as this, are promoted and appropriate. Opportunity Areas Policy 2.13 states that development proposals in these areas should: "seek to optimise residential and non-residential output and densities provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses". London Plan Town Centre Policy 2.15 states specifically that "development proposals and applications ... in town centres should:

- sustain and enhance the vitality and viability of the centre
- accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services
- be in scale with the centre
- promote access by public transport, walking and cycling
- promote safety, security and lifetime neighbourhoods
- contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure.
- reduce delivery, servicing and road user conflict".

5. The site is also located within a designated Strategic Outer London Development Centre (Policy 2.16) which promotes an intensification of development, placing a strong emphasis on creating a distinct and attractive business offer and public realm through design and mixed use development as well as any more specialist forms of accommodation.

### **Loss of existing building**

6. The last existing uses on the site comprised a total floor area of 2,236sqm made up of 1,906sqm of commercial space (A1, A3 - 655sqm; B1 & B8 - 1,252sqm) with 330sqm residential. This was configured in the following manner: 4 flats to the upper floors of the taller element of the building; a restaurant at the first floor within the lower rise element of the building; and retail at ground floor.

7. The remainder of both elements of the building were in B1 office space with some ancillary storage. The site is now vacant and boarded up. Wembley is the primary growth area of the Borough as stated in Policy CP1 of Brent Core Strategy and suitable for an intensification of land uses including housing. The Wembley Area Action Plan Site Proposal identifies the potential to redevelop the site for the purposes discussed above, including retail and residential uses as proposed. As such, the loss of the existing building to facilitate this can be supported.

### **Housing**

#### *Affordable Housing*

8. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable.

9. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to

affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement. DMP 15 also notes that 70% of new affordable housing provision should be social/affordable rented housing and 30% should be intermediate housing in order to meet local needs.

10. 16 residential units were originally proposed for affordable housing, all as shared ownership, representing 29% affordable housing. This does not meet the borough strategic target that 50% of new homes should be affordable. Nor would the proposal deliver a tenure mix compliant with the DMP 15 70:30 affordable rent to intermediate policy split. The applicant however contended that it would not be financially viable to provide additional affordable housing. In line with planning policy, the applicant submitted a Financial Viability Assessment (FVA) undertaken by Savills in support of their contention, which concluded that delivering the scheme with 29% affordable housing, all as shared ownership, would generate a residual land value below a benchmark land value of £3.5m.

11. BNP Paribas independently reviewed the FVA on behalf of the Council, including dedicated QS reviews of both the proposed scheme cost plan to confirm gross development costs, and the refurbishment costs for the existing building in order to determine the existing use value of the site. BNP Paribas disagreed with Savills on a number of underpinning financial assumptions, including residential sales values, shared ownership values, car parking revenue, professional fees, planning obligations, legal fees, development phasing and sales rates, and the benchmark land value.

12. Officers also instructed BNP Paribas consider the maximum reasonable amount of affordable housing on a policy compliant 70:30 affordable rent to intermediate basis, rather than a non-policy compliant 100% shared ownership scheme given the need for Affordable Rented housing in the borough and the associated planning policies. BNP Paribas have concluded the scheme can viably deliver 9 affordable rented and 4 shared ownership units, representing 24% affordable housing, together with a residual commuted sum of £141,969 for offsite affordable housing, against a benchmark land value of £3.2m calculated on an EUV+ basis in line with planning policy. The applicant has amended their proposals to reflect this mix of housing.

13. Officers consider this to be maximum reasonable amount of affordable housing the scheme can currently viably deliver in line with planning policy. Given the proposal falls significantly below the local strategic 50% affordable housing target, and the sensitivity of the scheme to residential values, Officers also recommend that an appropriate post implementation review mechanism is secured in the s106 agreement.

*Proposed residential mix*

14. Core Strategy Policy 21 (A Balanced Housing Stock) outlines the need to maintain and provide a balanced housing stock in Brent. These needs include an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation (capable of providing three or more bedrooms).

15. The table below shows the proposed housing mix. The proposed proportion of 3-bedroom Affordable Rented and Intermediate units falls below the Wembley Area Action Plan targets by 1.5 and 0.9 units respectively, whilst the overall proportion of 3 bedroom units (20%) falls below the target of 25 %. However, the proportion of private 3-bedroom units exceeds the Area Action Plan target by 1.7 units. Officers consider the proposed provision of family (3-bedroom) accommodation to be acceptable given the nature and layout of the site and the need to maximise the provision of Affordable Housing, whereby the provision of additional family sized units would negatively affect scheme viability and result in a lower proportion of Affordable Housing.

Unit mix by number of units:

	Private	Shared ownership	Affordable Rent	Total
Studio	6	0	0	6
1-bed	13	1	2	16
2-bed	15	3	4	22
3-bed	8	0	3	11
Total	42	4	9	55

Proposed unit mix by percentage of units:

	Private	Shared ownership	Affordable Rent	% Total units
Studio	14.3%	0%	0%	10.9%
1-bed	31%	25%	22.2%	29.1%
2-bed	35.7%	75%	44.5%	40%
3-bed	19%	0%	33.3%	20%

Wembley Area Action Plan target mix (percentage of units):

	Private	Shared ownership	Affordable Rent
1-bed	30%	45%	15%
2-bed	55%	45%	35%
3-bed	15%	10%	45%
4-bed	0%	0%	5%

#### *Layout and accommodation*

16. The proposed building will broadly replicate the form of the existing building, with a much improved architectural approach and visual appearance. The greatest height and massing is focussed on the southern side of the building. This southern section of the building will contain the smaller of the two retail units at ground floor level and 30 of the residential units in floors 1-6 (five on each floor). The built form narrows at this point, with the building's western side giving way to a communal amenity space. Floors seven and eight are smaller, containing three units each, topping out the building in excess of 30 metres.

17. The northern part of the building covers a longer and thinner footprint than the southern section of the building, and only provides internal accommodation between floors 1 and 4 (4 units on each floor). The fifth floor is occupied by a rooftop amenity space. The north and south sections of the building are served by separate cores, with the north side of the building accommodating the affordable units (and 3 of the private units) and the south side of the building accommodating the remainder of the private units.

18. The building has an active ground floor facing the street comprising retail units together with two residential entrances. This configuration will further help to reinforce the town centre location and provide a more seamless frontage up from the south. The building will sit considerably closer to the public highway than the existing Cottrell House with a much reduced forecourt space.

19. Three private accessible units will have direct entrances off the south side of the street (along Linden Avenue) and are located at the building's mezzanine level. These provide a more domestic scale and feel in keeping with the residential character of Linden Avenue. These also help to provide active frontages at ground level, improving natural surveillance and provide visual animation to the street frontage. Small forecourts with landscaping will be provided to further improve the streetscene.

20. There are two communal entrances to the development: Both along Wembley Hill Road and serving the private and affordable units respectively.

21. Access from the undercroft car parking area to the two main circulation cores is safe and level. Level threshold access will be provided to all communal and private building entrances. Three passenger lifts are distributed in two cores and will take the residents to the accommodation on the upper floors of the two building sections.

22. The communal amenity spaces and gardens located on the fifth (northern part of building) and seventh (southern part of building) respectively. As rooftop spaces, these are all level and fully accessible. This is discussed in more details below.

23. All dwellings have been designed to meet the space standards as stipulated in the London Plan (2016). Eight of these are proposed as accessible dwellings. Conditions will ensure that the dwellings are implemented to be compliant with Building Regulations M4(3) (accessible adaptable dwellings) in relation to private and shared ownership dwellings and Building regulations M4(2) (wheelchair user dwellings) in relation to the Affordable Rented dwellings as required by policy. All units have been designed to meet the requirements of Lifetime Homes and the Mayor's London Housing Design Guide standards.

24. 25 of the flats are dual aspect while 30 are single aspect facing either south, west or east. All have living rooms with large amounts of glazing as well as private outdoor amenity areas which enhance the quality of the new homes.

### *Density*

25. This site has a public transport accessibility level of 4 and the site has the characteristics of a "central" setting. The London Plan density matrix (Table 3.2) therefore suggests a residential density of between 215 and 405 units per hectare and between 650-1,100 habitable rooms per hectare for this scheme. The density of the proposed development is 523 units per hectare or 1,300 habitable rooms per hectare, which exceeds the upper ranges of the density matrix identified by the London Plan. The London Plan recognises the particular scope for higher density residential and mixed use development in opportunity areas, however, to be supported, schemes which exceed the ranges in the density matrix must be of a high design quality. The applicant has demonstrated that the application would deliver a high quality residential development with an appropriate mix of units, sufficient play and amenity space and create a good quality public realm.

### **Urban Design**

#### *Layout, scale and appearance*

26. The scheme has been developed working with the Council and GLA officers early on in the development process. Issues with regard to the layout of the scheme and in particular the aspect along Linden Avenue at ground floor level and the change in level have been satisfactorily resolved and the scheme now includes ground floor units along Linden Avenue with their own front door being accessed from the street. This provides a well activated ground floor, which contributes to the animation of the public realm, and is strongly supported.

27. The proposed massing is generally positioned within the footprint of the existing building and respects existing separation distances and building lines. Similar to the existing Cottrell House building, the taller element is positioned at the south eastern part of the site, reflecting the established built form. The massing respects the existing alignments with Linden Avenue to create a coherent street scape and improve the public realm in proximity to the application site. The massing of the building has been brought forward to the east so that it fronts the footway along Wembley Hill Road more closely. This will be important in establishing new active frontages at ground level along Wembley Hill Road.

28. The height of the building is considered appropriate, having regard to the existing building on site, as it establishes a transition between the suburban development on Linden Avenue and the larger scale developments on the other side of Wembley Hill Road.

29. The introduction of a glazed parapet to reduce the visual appearance of the 7-storey element adjacent to Linden Avenue terrace is welcomed. It is noted that whilst this element is higher than existing, it does project rearward like the existing terrace. Subject to the Daylight/Sunlight Assessment demonstrated that the proposal maintains acceptable levels of Daylight/Sunlight for the terrace properties on Linden Avenue, this element should be acceptable.

30. The architectural approach of the current proposal is generally supported. The scheme proposes a simple high quality approach to architectural detailing and materials that would complement the form of the building massing. The proposed use of high quality brickwork contrasted with corten steel is supported, and would provide robust and durable elevations which help to articulate the building's different components. The detailing and build quality will however be critical to achieving the highest possible standard of architecture and the Council will secure key details through condition to ensure this is achieved and built through.

31. The windows are generally formed as full height, fixed glazing elements, to optimise natural daylight and views.

32. Mixes of projecting balconies and inset loggias have been developed, which animate the facade and create rhythm and proportion. Projecting balconies are present along the building's southern elevation facing St George's hotel across Linden Avenue, as well as some at the higher stories facing north. Inset balconies have been placed in the more exposed locations of the building, facing east and west.

33. Two storey Corten Steel surrounds articulate spacious entrances from the street into the building at both the affordable and private entrances. Their striking placement within the otherwise continuous, heavily glazed



active frontages makes the entrances clearly recognizable and welcoming.

34. In order for the development to be delivered to the highest quality and to truly reflect the details and quality of finish submitted within the application it is important for the architects to be retained in the delivery and construction of the scheme. This will be secured through the S106 agreement ensuring Aedas are retained in an appropriate capacity following the decision.

35. The future relationship to the adjacent Norman House site has been considered, and the applicant proposes to provide a flank edge with no window facing the Norman House site. This will allow it to be developed flexibly and is welcomed.

36. It is clear that this building will be higher than those in the immediate surroundings; however, the overall design and finish of the building are considered to be of good quality which help to soften the overall visual impact.

37. The GLA support the general scale and architecture approach of the proposed development, however, a reduced material palette and simplified building elevations is encouraged. Brent Council consider that the distinct elements and strong identity of each aspect of the architecture helps to break up the built form, improving articulation between different elements and minimising the visual bulk and mass of the building. Subject to a carefully managed implementation of the materials to the build, Brent Council firmly believes that the building will provide a better visual addition than that of a building with a reduced material palette. Nevertheless, details of materials are to be secured through condition.

38. The Council is also strongly encouraged by the GLA to secure the retention of the architects during detailed design phases, in addition to utilising appropriate conditions securing design detail and materials. Brent Council agrees with this and this will be secured through a S106 obligation.

#### *External Amenity Space and Landscape*

39. GLA Housing SPG Standard 26 and 27, Private Open Space, states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant and that the minimum depth and width for all balconies and other private external spaces should be 1500mm.

40. No ground floor residential units are proposed and the remaining units all meet the GLA standards as stated in paragraph 25. The two exceptions are flats M1 and M2 at the Mezzanine level, accessed directly from the street along Linden Avenue. Whilst 6sqm of screened forecourt amenity space is provided, the space is not particularly useable and its immediate proximity to the footway does not result in the space having a particularly private nature. However, given the small size of these flats, the low occupancy (2 people) and the town centre location, it is considered that this is acceptable in this instance.

41. The balconies provide private amenity spaces of between 4.5 and 15sqm for all remaining flats, with the majority having between 5 and 9 sqm of private amenity space. Access is usually provided directly from the living-kitchen space. Private landscaped terrace/gardens are provided for some flats, with flat M3 on the mezzanine floor having a 42sqm private garden, Flat 5.9 on the 5th floor having a 19sqm private terrace and flat 7.7 on the 7<sup>th</sup> floor having a 7sqm private terrace. In the case of the latter two, these terraces represent small subdivided parts of communal rooftop gardens which are appropriately screened for privacy.

42. Communal rooftop gardens are present on floors 5 (above the northern wing) and 7 (above the western part of the southern wing) and have different characters. Respectively, these communal gardens measure 211sqm and 115sqm, with the communal garden on floor 5 being designated as a 'roof play' space.

43. The roof play garden does not extend across the full extent of the rooftop, with a significant section to the west being restricted for maintenance access. This is important in ensuring that the existing residences along Linden and Dagmar avenues cannot be overlooked. This maintenance area is to be planted along its edges to reduce any perceived overlooking as well as to enhance the visual appearance of the building's western elevation. The roof garden on floor 7 (which is exclusively for use of the private tenure flat residents) does not have restricted area to remove overlooking, but will have high planting and screening to its north and west aspects to minimise any such overlooking. A glass balustrade will also be in place for safety and protection from wind. As further justification for this arrangement, this garden is located to the south and as such will not provide such a direct view across private gardens as would be possible with the 'roof play' garden.

44. A total of 326 sqm of amenity space is proposed, which equates to an average communal amenity space

provision of 5.9 sqm per unit. All but three residential units benefit from balconies that are typically 5 sqm to 9 sqm in size. The scheme therefore provides less than the SPG17 and Policy DMP 19 target of 20 sqm of external amenity space per unit. However, the scheme is immediately adjacent to an area of public open space and in this instance, the deficit in external amenity space is not considered to warrant the refusal of a development that will deliver 55 new homes including 13 Affordable homes.

45. The projected number of children to be accommodated on the site is 21 of which the majority are generated by the social and intermediate housing flats. Based on the GLA play space requirements, developments should seek to accommodate on average 10sqm of outdoor play space per child. With a required maximum provision of 210sqm of play area, this has been provided at roof level above the 4th floor element, within this 263sqm amenity area. Also in accordance with the GLA's formula for play provision, it is likely that 18% (i.e. 4 children) of these children will be 12+. At this age, older children are likely to make use of the nearby local parks with their larger and more active sports related facilities. The number of under 12's generated on the site, 17 children, are more likely to be the main users of the play area within the scheme.

46. The communal roof gardens will be overlooked by a number of apartments further promoting safe and amenable recreational areas.

47. The provided micro-climate report confirms that the fifth and seventh floor amenity spaces are suitable for the proposed usage during the summer, lasting from April to September, and outdoor comfort conditions will be acceptable for the users. It is noted that instances with increased wind speeds may occur between October and April, during which threshold levels, as defined by the Lawson Criteria and the Beaufort Scale, could be exceeded. Overall, the findings of the report are positive and it is considered that the likely microclimates as experienced on the amenity spaces will be acceptable for users.

48. The communal areas are immediately accessible to residents through the central cores (lift and stairs) with dedicated access doors at opposite ends of the roof play garden, providing communal space for both tenures. The 7<sup>th</sup> floor roof garden is only directly accessible from the southern core and serves the residents of the southern wing more directly. The two 1 bed flats with entrances onto Linden Avenue do not have internal access to these spaces.

49. In terms of external landscaping provision, 14 trees will be planted in the car park, helping to demarcate spaces between car parks as well as visually softening the environment.

50. The proposal will require the loss of three street trees: one Lime tree and three London Plane trees will need to be removed to accommodate the necessary access and works. The Council's tree protection and landscape design officers consider that this loss should be mitigated by the payment of contributions towards ten new street trees (£14,000) along Linden and Dagmar Avenues. This contribution will be secured as part of a S106 agreement.

### **Impact on neighbouring residents – Amenity, sunlight and daylight**

51. The building has been configured in response to its favourable orientation, with the front of the building facing east towards Wembley Hill Road and the rear facing west. The design ensures that overshadowing to the nearby houses along Linden and Dagmar Avenues has been minimised, having regard to the size and siting of the existing building.

52. The sunlight and daylight study submitted with the application assessed the windows and gardens of surrounding properties. The study concluded that a minor impact would be incurred in terms of sunlight and daylight levels with 3 residential windows of the 89 windows tested that were tested seeing a loss of sunlight beyond BRE Guidance levels. With regard to sunlight, 3 of the 11 windows that were tested experienced a loss of daylight beyond BRE criteria. However, the assessment noted that all of these windows only experienced a minor change in sunlight hours over the winter period where access to sunlight is more critical.

53. There are seven amenity spaces in close proximity to the proposed development. The study has noted that there will be no undue impact on the surrounding external amenity spaces as a result of the new built form, having regard to the BRE Criteria.

54. St George's Hotel is the adjoining building to the south. Given the transient nature of a hotel use, less weight is applied to the level of daylight received by the windows of the hotel. The middle floors of this hotel building comprise north facing flats which do not receive direct sunlight by virtue of facing directly towards the existing Cottrell House. This situation will be unchanged alongside the new Cottrell House. There will be a slight reduction in vertical sky component as experienced from these flats and three of the nine windows

associated with the flats will fail the recommended BRE daylight guidelines.

55. No's 4, 8 and 12 Linden Avenue all have half width single storey rear extensions with east facing windows (towards Cottrell House). It is likely that these extensions house kitchens or utility rooms with a sole eastern aspect, although no planning history exists to confirm this. At present, a lift shaft protrudes into the line of sight of these extensions. This lift shaft is approx. 2.75m to the east of the extension at no. 4. The proposed development would remove this obstruction and set in the built form of Cottrell House by 1m (for the part that is to the rear of the building line along Linden Avenue). The built form will however protrude a further 3.5m than the existing lift shaft. Whilst the set in provided on the new building is welcomed, the additional projection depth is likely to incur a net loss of outlook at no. 4.

56. No. 8 and 12 Linden Avenue are significantly far away from the western elevation of Cottrell House (15m and >20m respectively) that the general outlook will remain intact; with the material impact being in the form of some sunlight loss during the winter months to the east facing extension windows only. These windows are to ancillary parts of the houses and are unlikely result in a significant worsening in living standards.

57. The general primary outlook from the rear elevations of houses along Linden and Dagmar Avenues will only be affected obliquely, with the east/west arrangement of the houses relating to Cottrell House favourably, as the outlook will only be impeded as seen to the far right (in the case of Linden) or left (in the case of Dagmar) of the field of view with the majority of the rearward facing outlook remaining intact.

58. With the exception of the protruding ground floor element on the west side of the building, the remainder of the built form of the proposal meets SPG17's requirement for the building to fall within a 45 degree line, drawn at a height of 2m on the boundary with the nearest property alongside the development (2 Linden Avenue). As such, it is not considered that the height and massing of the building will result in an unduly detriment impact on the amenities of this property.

59. In summary, the assessment demonstrates neighbouring residential units will mostly receive good levels of daylight and sunlight and with the loss of light in comparison to the existing situation typically being within BRE guidance levels. There will be some instances where the BRE sunlight guidelines will not be achieved, in relation to neighbouring properties. However, it is accepted that this is a normal outcome of a fairly high density, development of this scale in an urban area. The regenerative benefits of such a proposal would far outweigh the relatively minor losses of sunlight and amenity to select nearby dwellings.

### **Assessment of Flood Risk and Drainage**

60. The submitted report notes the proposed measures which can be incorporated into the development to mitigate the identified risks. The report states that as the site is located within Flood Zone 1 and is therefore considered to be at a low risk from fluvial or tidal sources. No significant risks have been identified in relation to flooding from other (non-pluvial) sources.

61. The Flood Risk Strategy and Flood Risk Assessment Report has been assessed by Brent's Local Lead Flood Authority. It is considered that the report meets Brent's requirements and that the applicants have followed national policies and guidelines.

62. The proposed surface water discharge will be restricted to 5 l/sec and this will reduce the surface water discharge to existing surface water sewer system and hence further reduce the risk of flooding in the area.

63. The Foul Sewer System does not fall within the scope of Flood Risk as part of Flood and Water Management Act 2011 and there accordingly is no mention of Foul Sewer discharge in the report. However, the foul sewer system in Wembley Hill Road has a faulty syphon at the point where the pipe goes under the railway tracks at Wembley Stadium Station. The syphon has blocked many times and has caused foul sewage to overflow in Wembley Hill Road. This is the responsibility of Thames Water and the development will need consent from Thames Water regarding discharge rate and to ascertain whether there is adequate capacity in their foul sewer network.

64. Thames Water have reviewed the application and are satisfied that the proposal will have an acceptable impact on existing infrastructure, subject to a 5l/s surface water discharge rate being achievable. The applicant's SUDS report confirms that the surface water discharge of the scheme is restricted to 5l/s, meeting Thames Water's requirements.

### **Environmental Health**

65. The measures as laid out in the submitted Noise Impact Assessment are considered to be acceptable to the Council's Environmental Health Officer. A condition has been recommended to ensure that the mitigation measures have been implemented.

66. The proposed layout of the building will have commercial units and car park below flats. These mixed uses between floors could result in noise disturbance to residents within the flats of the first floor if the sound insulation between the floors is not adequate. The Environmental Health Officers have recommended that a condition is attached to ensure that Building Regulations Approved Document E 'Resistance to the passage of sound' is met and implemented in full. However, this would duplicate a control that is within the Building Regulations and it is therefore not necessary to include this within a planning condition.

67. The proposed demolition of the existing building and construction of the new building will be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and also dust emissions may adversely impact on local air quality. It is noted that there has been a construction method statement and a piling method statement submitted with the application. There is however concern about the proposed driven piling as the piling works will be undertaken close to residential properties which may result in impact on the adjoining dwelling. It is therefore considered that a condition should be attached so that additional information regarding minimisation of noise and vibration disturbance can be considered before piling commences.

68. The air quality impact assessment submitted with the application – Aether/AQA/2015/WHR\_Brent has been assessed. Further information was requested from the applicant as to why 2013 was chosen as the meteorological data year. The agent confirmed that this year was the most recent for which data was available when the assessment was carried out in March 2015. Further details were also requested regarding the emissions from the combined heat and power system and a condition is recommended in relation to this.

69. The site investigation report submitted with the application; Structa LLP; Report reference 3633-GE001 dated 16<sup>th</sup> January 2015 has been reviewed. The methodology of the report and the conclusions are acceptable to the Council. A condition is recommended so that a remediation strategy can be provided for the further works stated within Section 11 of the report.

## **Transport**

70. The site is within the Wembley Area Action Plan and therefore reduced parking allowances are applicable for the residential units.

### *Parking and Access*

71. The car parking allowance for the existing building is 9.8 spaces and the break down is as follows:

1. 1 spaces for the retail unit
  - 1 space for the restaurant
  - 5.8 spaces for the existing offices
  - 2 spaces for the existing 4 flats

72. The proposed new 55 flats will have a total maximum parking allowance of 24.2 spaces, whilst the proposed two A1 commercial uses will have a parking allowance of 1 space each, giving a total parking allowance of 26 spaces for the building, which is a significant increase in parking standards from that of the existing building. Initially a total of 24 spaces were proposed, including 7 disabled bay spaces and 5 electric charging points and the parking will be located on the ground and mezzanine level. However, the level was decreased to 21 spaces for the reasons discussed below. This level of parking, including 7 disabled parking spaces, is satisfactory, meeting the maximum level of residential parking and falling marginally (2 spaces) below the maximum parking standard if the commercial units are included. A 'parking permit-free' agreement should still be applied to mitigate against the potential impact of overspill parking.

73. The parking spaces will be accessed from Dagmar Avenue only and therefore the existing access from Linden Avenue will be made redundant. The crossover onto Linden Avenue must therefore be reinstated back to footway and the double yellow lines removed to provide further on-street parking for approx. 3 cars.

74. However, the access onto Dagmar Avenue is not currently wide enough (3.8m) to allow two-way flow into and out of the site. Appendix H of the Transport Assessment shows vehicular tracking and only one car can turn into and out of Dagmar Avenue. This will result in vehicles waiting on the Public Highway whilst trying to

gain access, which is not welcomed for a car park of this size.

75. The land required to widen the access from Dagmar Avenue is not within the control of the applicant. Proposed site plan drawing 11473-A-05-011D does show how this development might relate to a future potential development on the adjoining site, which might then provide an opportunity to widen the shared access drive to allow two-way flow. However, this can be no more than an aspiration at the present time, with no proposals having yet come forward for that site.

76. To address this, the Council's highways officers recommended that a secondary access onto Linden Avenue was created, so that cars can enter via one access and exit via another, or that the number of parking spaces was reduced to accommodate just the disabled parking requirement, thus reducing concern over the number of vehicles entering and exiting the car park.

77. The applicants have proposed to reduce the parking provision of the site down to 21 spaces. While the reduction in parking provision is not to the level initially suggested by Highways, given the site constraints, the highways officers consider the proposed access arrangements to be acceptable.

#### *Transport Statement*

78. TRICS assessment has been carried out and survey data from 20 sites in Greater London were used to produce estimated trips from this development. The majority of these sites were in Controlled Parking Zones with a good PTAL rating and the sites selected had off-street parking levels ranging from none to a ratio of 1:1 or more.

79. The data shows that the proposed development is estimated to generate morning peak hour vehicular movements of 2 arrivals/5 departures, with 4 arrivals/3 departures forecast in the evening peak hour. No off-street parking has been proposed for the commercial units and therefore fewer vehicle trips are expected from them. These flows represent a low trip generation and so the impact on roads is considered to be negligible.

#### *Refuse*

80. Standard PS17 requires a shared transit sized bay for the servicing of the two retail units. To this end, Appendix I of the Transport Assessment proposes changes to the existing loading bay on Wembley Hill Road to allow loading/unloading to take place from this area, as well as refuse collection for the flats.

81. Changes to the loading bay include lengthening the bay to the north and modifying the entry point. The highway works will need to be carried out under S278 of the Highways Act 1980 at the developer's expense.

82. Bin storage will be located within the site and near the loading bay, which will allow for straightforward collection from Wembley Hill Road. This option is welcomed and agreed with Brent's Refuse & Recycling team and addresses previous concerns with refuse vehicles standing on the steep Linden Avenue, causing difficulties with unloading Eurobins.

#### *Cycle Parking*

83. The drawing proposes 91 cycle parking spaces which satisfies PS16 of the UDP-2004. The spaces will be in a secure and covered shed to protect against theft and weather.

#### *Construction Management Plan*

84. The developers have been in discussion with Brent Council's Transport Unit regarding construction logistics and the construction management arrangements have been amended as a result of these discussions. It is now proposed to hoard off majority of the footway fronting the site to allow construction vehicles access/egress as well as closing the footway on Linden Avenue. The existing loading bay will be raised and filled to provide a sufficient footway width for pedestrians and pedestrian crossing facilities on Linden Avenue should be provided for the complete footway closure there. The closure of the footway will encompass a pay and display machine which will need to be relocated at the developer's expense.

85. A banksman should be on site to ensure that vehicles can access the site with ease without obstructing the carriageway and footway, in the interests of pedestrian safety.

86. Temporary traffic management arrangements must be agreed with the Highway Authority and put into

place prior to any construction. The developer must also agree to cease any operation 4 hours before a Wembley Stadium event and not recommence until 4 hours after an event for the safety of the large number of pedestrians coming to the Stadium and this will be agreed as part of the temporary traffic management plan.

87. Once construction has been completed the entire footway on Wembley Hill Road, fronting the site, should be repaved due to any damage of the footway caused from the vehicles.

88. Wheel washing will occur on the site and a local drainage system within the site, should be provided, to ensure that the settling of silt is not discharged onto the Public Highway.

89. The roads should also be swept/cleaned on a daily basis, particularly during the ground works element.

#### Highway Works and Contributions

90. The following Highway Works must be completed under a Section 278 Agreement of the Highways Act 1980:

1. Amendments to the existing loading bay on Wembley Hill Road
2. Removal of redundant crossovers on Wembley Hill and Linden Avenue to be reinstated back to footway
3. If the access on Linden Avenue is made redundant then on street parking bays should be provided.
4. This will also require amendments to the Traffic Road Order.
5. On street cycle stands
6. Temporary Traffic Management and Temporary Road and Footway Closure.
7. Resurfacing of the footway on Wembley Hill Road after construction has been completed.

91. The Section 278 Agreement must be entered into prior to any construction works commencing on site.

92. The Local Highways Authority would also seek an additional £5,000, independent of the CIL, towards the cost of reviewing and extending CPZs in the local area. The money will also contribute to the subsidisation of the cost of parking permits for existing residents, which cannot come from CIL funds. This will need to be secured through a Section 106 agreement.

93. Transport for London's Assessment

94. TfL is satisfied that the trips generated will have a negligible impact on local public transport and road network, therefore mitigation measures will not be necessary.

95. TfL however raised concern with the location and design of the disabled parking. According to the London Plan car parking standards, parking spaces designated for use by disabled people should be 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone, to enable a disabled driver or passenger to get in or out of a vehicle and access the boot safely. From the Ground Floor plans provided (drawing no. 11473-A-05-100), it appeared that the disabled spaces for the visitor, flat 1.2, flat 2.2, flat 3.2, flat 4.2 & flat 1.5 do not meet these standards. Revisions to the drawings were secured to address these concerns.

96. Concerns were also raised regarding cycle parking regarding clarification of the number of spaces to be provided and the arrangement of the storage of such cycling spaces. This information has since been clarified by the applicant on a revised Transport Statement, identifying 91 cycle storage spaces and explaining how this exceeds the relevant London Plan standard.

97. TfL's concerns about the cycle parking provision have since been addressed. This includes adding an adapted cycle storage close to the access doors for improved accessibility.

98. TfL also requested that a full travel plan should be submitted to the Council for approval prior to the occupation of the development and should include provisions for reviewing and monitoring. A detailed travel plan has since been submitted to the Council, which demonstrates that the scheme achieves a TfL ATTrBuTe score of 34 out of 38, resulting in a pass of the assessment. The travel plan also includes acceptable measures for reviewing and monitoring of the travel plan.

#### Conclusion

99. Officers consider that the scheme meets planning policy objectives and is in general conformity with local,

regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

**SUSTAINABILITY ASSESSMENT**

The application has included an Energy and Sustainability Statement.

At the time the planning application was submitted London Plan policy 5.2 requires a reduction in carbon dioxide emissions of 40% based on 2010 Building Regulations (equivalent to 35% based on the 2013 regulations). The Energy Statement indicates the scheme will include CHP and PV panels, resulting in a 35.49% improvement on Part L 2013. This will need to be secured by condition, and after completion should this not be achieved a contribution will be required to the local carbon off-setting scheme.

Core Strategy policy CP 19 requires non-residential development to achieve BREEAM excellent. The BREEAM pre-assessment demonstrates that a 'Very Good' rating can be achieved which is acceptable to the Council.

London Plan policy 5.6 sets out the energy hierarchy, requiring major developments to connect to existing or heating or cooling networks, or if this is not possible include site wide CHP. There is not an existing network, however, the establishment of a network has been found to be feasible and is proposed. As such Wembley Area Action Plan WEM 30 requires developments completed prior to the completion of the heat network to be designed so that they can switch to the heat network when it is available. The energy statement sets out that provision of both future connection points within the plant room and appropriate ducting through the external envelope to enable a district heating system to be installed at a later date will be provided. This will need to be secured by condition.

London Plan policy 5.15 states residential developments are to be designed to meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use. It is highlighted this will be sought, but final calculations based on sanitary ware specifics will need to be undertaken. This will need to be secured by condition.

**CIL DETAILS**

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£966,610.34\*** 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): 2861 sq. m.  
 Total amount of floorspace on completion (G): 6476 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	5871		3277.27995	£200.00	£35.15	£795,910.85	£139,881.33
Shops	605		337.720043	£40.00	£35.15	£16,403.54	£14,414.62

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)	272	
<b>Total chargeable amount</b>	<b>£812,314.39</b>	<b>£154,295.95</b>

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

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

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





**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/1698

To: Ms Aitken  
Studio Aitken Ltd  
105 Southwood Lane  
London  
N6 5TB

I refer to your application dated 22/04/2016 proposing the following:  
Demolition of the existing mixed use building and erection of a part 6, 8 and 10 storey building comprising 55 residential units, with 2 commercial units (Use class A1) located over ground and mezzanine floors fronting Wembley Hill Rd, and associated car and cycle parking spaces, bin stores, landscaping and amenity space and accompanied by plans or documents listed here:  
See condition 2.

at Flats 1-4 INC, First Floor Front and Cottrell House, 53-63 Wembley Hill Road, Wembley, HA9 8DL

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012  
Brent Core Strategy 2010  
Brent Development Management Policies 2016  
Brent Wembley Area Action Plan 2013  
London Plan Consolidated with amendments since 2011  
Brent Supplementary Planning Guidance 17: Design Guide for a New Dwelling 2001

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

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

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

11473-A-01-100 VISUALISATIONS 1 Rev D  
11473-A-01-101 VISUALISATIONS 2 Rev B  
11473-A-01-102 VISUALISATIONS 3 RevA  
11473-A-01-103 VISUALISATIONS 4 Rev A  
11473-A-01-104 VISUALISATIONS 5 Rev A  
11473-A-01-105 VISUALISATIONS 6 Rev A  
11473-A-01-106 VISUALISATIONS 7 Rev A

11473-A-05-050 Site Location Plan Existing A3 1:1250  
11473-A-05-001 Site Plan Existing A1 1:250 Rev D  
11473-A-05-011 Site Plan Proposed A1 1:250 Rev E  
11473-A-05-099 GA PLAN Basement Floor Plan A1 1:100 Rev L  
11473-A-05-100 GA PLAN Ground Floor Plan A1 1:100 Rev X  
11473-A-05-10M GA PLAN Mezzanine Floor Plan A1 1:100 Rev W  
11473-A-05-101 GA PLAN First Floor Plan A1 1:100 Rev V  
11473-A-05-102 GA PLAN Second Floor Plan A1 1:100 Rev N  
11473-A-05-103 GA PLAN Third Floor Plan A1 1:100 Rev W  
11473-A-05-104 GA PLAN Fourth Floor Plan A1 1:100 Rev N  
11473-A-05-105 GA PLAN Fifth Floor Plan A1 1:100 Rev T  
11473-A-05-106 GA PLAN Sixth Floor Plan A1 1:100 Rev N  
11473-A-05-107 GA PLAN Seventh Floor Plan A1 1:100 Rev M  
11473-A-05-108 GA PLAN Eighth Floor Plan A1 1:100 Rev N  
11473-A-05-109 GA PLAN Roof Plan A1 1:100 Rev J  
11473-A-05-121 GA PLAN Accessible Flat Affordable A1 1:100 Rev B  
11473-A-05-122 GA PLAN Accessible Flat Private A1 1:100 Rev B  
11473-A-05-130 EXISTING PLAN Ground Floor Plan A1 1:100 Rev A  
11473-A-05-131 EXISTING PLAN Mezzanine Floor Plan A1 1:100 Rev A  
11473-A-05-132 EXISTING PLAN First Floor Plan A1 1:100 Rev A  
11473-A-05-133 EXISTING PLAN Second Floor Plan A1 1:100 Rev A  
11473-A-05-134 EXISTING PLAN Third & Fourth Floor Plan A1 1:100 Rev A  
11473-A-05-135 EXISTING PLAN Fifth & Sixth Floor Plan A1 1:100 Rev A

11473-A-06-100 Section A-A A1 1:100 Rev P  
11473-A-06-101 Section B-B A1 1:100 Rev K  
11473-A-06-102 Section C-C A1 1:100 Rev L  
11473-A-06-103 Section D-D A1 1:100 Rev L  
11473-A-06-104 Section E-E A1 1:100 Rev H

11473-A-06-105 Section F-F A1 1:100 Rev G  
11473-A-06-106 Section G-G A1 1:100 Rev D

11473-A-07-100 EXTERNAL ELEVATION EAST A1 1:100 Rev H  
11473-A-07-101 EXTERNAL ELEVATION SOUTH A1 1:100 Rev G  
11473-A-07-102 EXTERNAL ELEVATION WEST A1 1:100 Rev G  
11473-A-07-103 EXTERNAL ELEVATION NORTH A1 1:100 Rev G  
11473-A-07-120 CONTEXTUAL ELE' W.H.R. & L.A A1 NTS Rev A  
11473-A-07-130 EXISTING ELEVATION East A1 1:100 Rev A  
11473-A-07-131 EXISTING ELEVATION South A1 1:100 Rev A  
11473-A-07-132 EXISTING ELEVATION West A1 1:100 Rev A  
11473-A-07-133 EXISTING ELEVATION North A1 1:100 Rev A

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

- 3 The Travel Plan hereby approved (dated October 2016) shall be implement in full from first occupation of the development hereby approved and shall be fully adhered to throughout the lifetime of the development.

Reason: To ensure the development has an acceptable impact on the local transport network

- 4 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 5 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 6 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.

- 7 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details shall be submitted to and approved in writing demonstrating how the development will achieve a reduction carbon dioxide emissions of 40% below the 2010 Building Regulations Target Emissions Rate (or 35% based on the 2013 Building Regulations), unless this target cannot be reasonably achieved and a contribution to off-set the shortfall through a local carbon off-setting scheme is paid to the Council pursuant to the Section 106 agreement for this consent. The approved details shall be implemented in full.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.2.

- 8 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 9 Prior to occupation of the development hereby approved, details shall be submitted to and approved in writing demonstrating that the following water efficiency target has been met:

- The residential dwellings shall use less than or equal to 105 litres of water per person per day, allowing 5 additional litres or less per person per day for external water use.

The development shall be completed in accordance with the approved details prior to first occupation.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.15

- 10 Prior to occupation of the development hereby approved, a full delivery and servicing plan, including swept path analysis should be submitted to and approved in writing by the Local Planning Authority. The plan should indicate the site arrangement following the S278 works to the highway. The approved plan shall thereafter be implemented for the lifetime of the development.

Reason: To ensure the development has an acceptable impact on the local transport network.

- 11 Prior to the occupation of the development, a report demonstrating that the mitigation measures described in the approved Noise Impact Assessment (KP Acoustics Report Reference 12050.NI.01.Rev A dated 9<sup>th</sup> March 2016) have been implemented shall be submitted to and approved in writing of the Local Planning Authority. The mitigation measures shall be retained for the lifetime of the development.

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

- 12 The site contamination remediation measures as stated within section 11 of the Structa LLP; Report reference 3633-GE001 dated 16<sup>th</sup> January 2015 shall be carried out in full prior to first occupation of the development hereby approved. Prior to first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use.

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

- 13 Prior to the commencement of piling, details of proposed mitigation measures that will be adopted in order to prevent noise and vibration disturbance to nearby residents as a result of the piling process shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be adhered to in full for the full duration of the piling works.

Reason: To protect the amenities of nearby residents during construction

- 14 Prior to occupation of the development hereby approved, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, including the roof terraces, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full prior to first occupation and thereafter retained.

The details shall specify species, densities and heights of plants proposed together with hard landscaping materials and other landscaping features.

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

Reason: To preserve the amenities of nearby residents and to prevent privacy being compromised

- 15 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). 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.

- 16 Prior to commencement of the development, with the exception of demolition and site clearance, further information on the floor area and internal layout of the energy centre and the specification of the CHP engine, including the emissions from the energy centre, shall be submitted to and approved in writing by the local planning authority. The development should be built in accordance with the approved details and the plant shall be retained and maintained in accordance with the manufacturers specifications for the lifetime of the development, unless an alternative arrangement is first approved in writing by the Local Planning Authority.

Reason: In the interest of carbon reduction, climate change and air quality.

- 17 Prior to commencement of works (excluding demolition and site clearance), further details of the sustainable drainage measures to achieve a 5l/s discharge rate for surface water 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 and retained for the lifetime of the development.

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

- 18 Prior to the commencement of development (excluding demolition and site clearance), a drainage strategy detailing any on and/or off site drainage works shall be submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

- 20 Details of any external lighting, including details of the fixtures and luminance levels, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting and the lighting shall thereafter be installed in accordance with the approved details.

Reason: In the interest of the amenity of adjoining occupiers and the safety of pedestrians and vehicles using the parking and communal areas within the development and on the local highway network.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
- 5 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.



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



## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 December, 2016  
  
**16/3731**

## SITE INFORMATION

**RECEIVED:** 24 August, 2016

**WARD:** Queens Park

**PLANNING AREA:** Brent Connects Kilburn

**LOCATION:** 111-115 Salusbury Road, London, NW6 6RG

**PROPOSAL:** Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom flats and 2 No. 3-bedroom) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear

**APPLICANT:** Allenby Investments Holdings Limited

**CONTACT:** ROH 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\\_129893](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_129893)

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

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/3731" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## SITE MAP



### Planning Committee Map

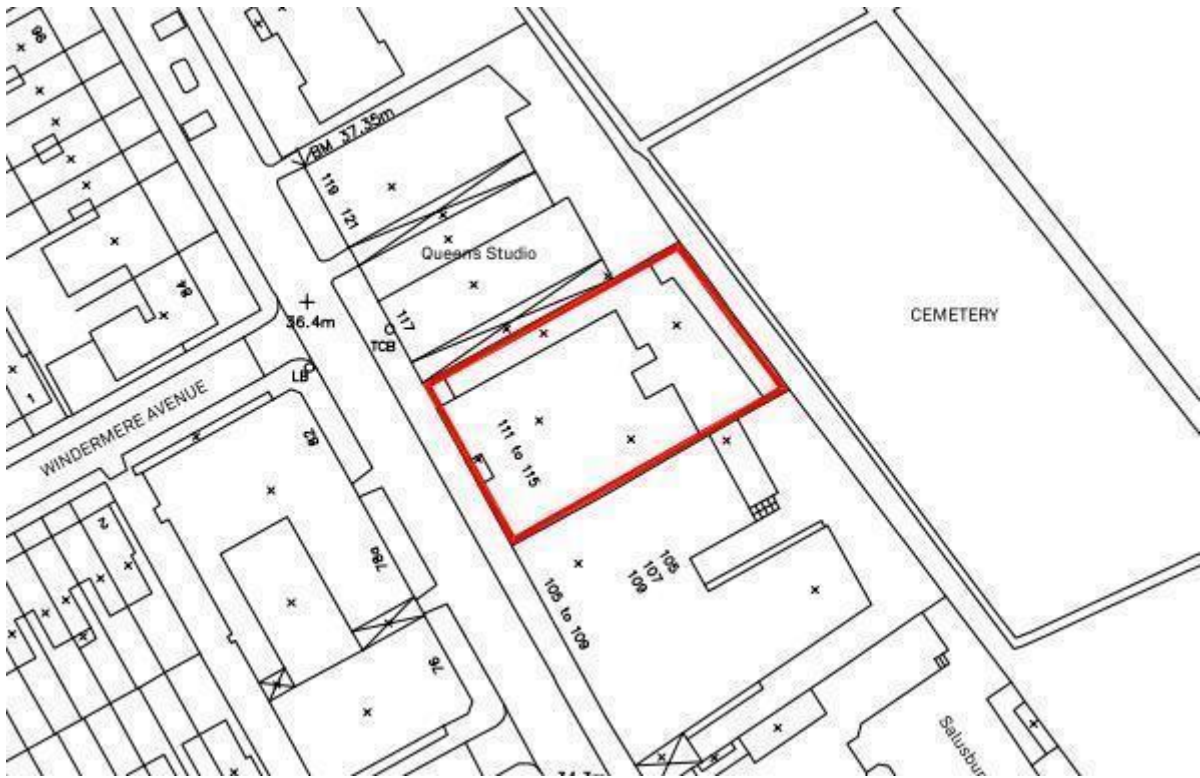
Site address: 111-115 Salusbury Road, London, NW6 6RG

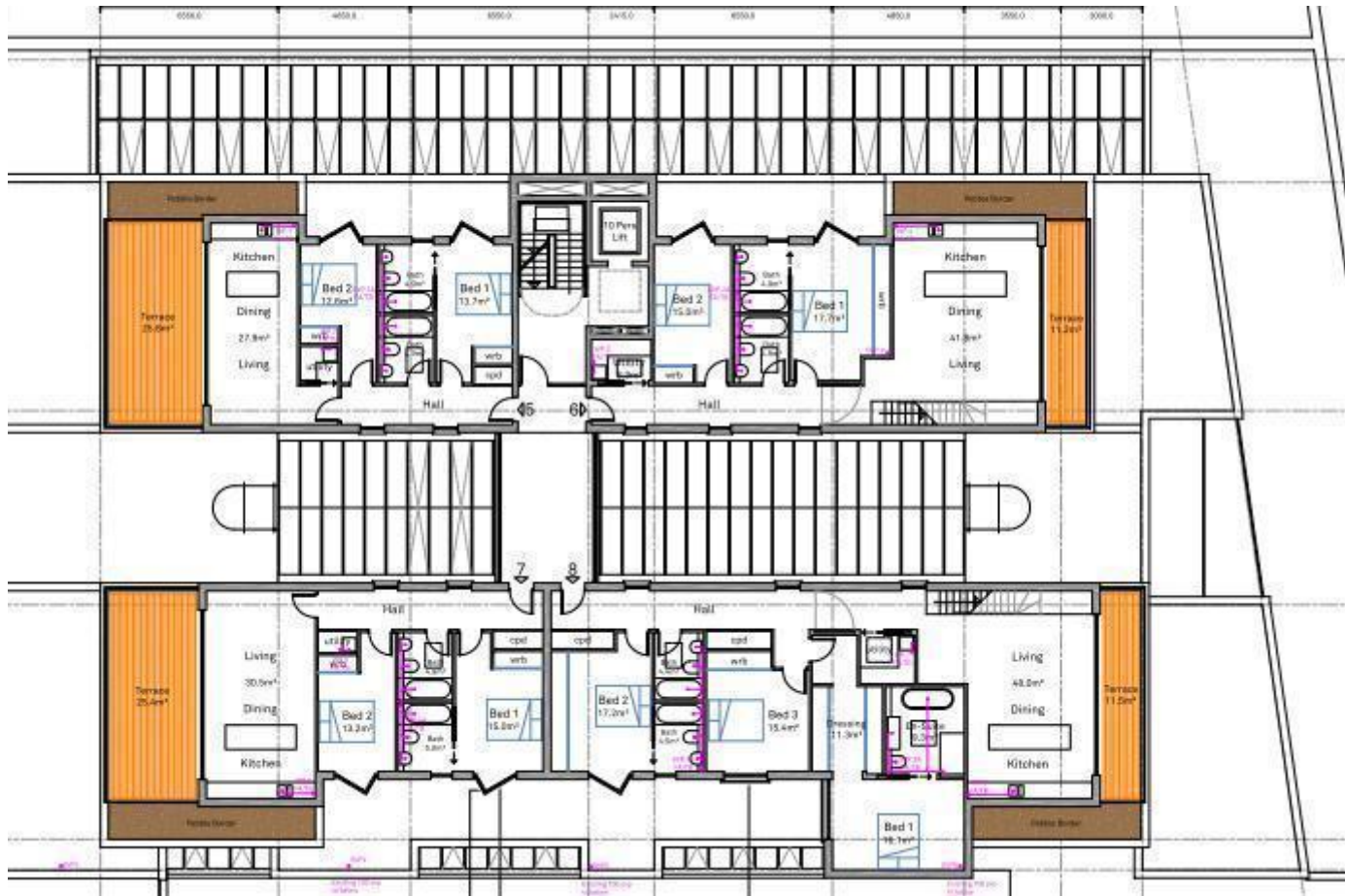
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This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS







## RECOMMENDATIONS

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 condition of 3 years
2. Details of the Approved Plans
3. Further details of proposed materials
4. Cycle parking and refuse provision
5. Installation of communal satellite dish
6. Removal of the Residents Parking Permits from Proposed Flats
7. Further details balcony treatments and privacy screens
8. Landscaping
9. Any other planning conditions considered necessary by the Head of Planning

### Informatives

1. Party Wall
2. Building Near Boundary
3. Repair the highway if damaged during works
4. 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.

### **A) PROPOSAL**

Erection of a fourth and fifth storey over existing three-storey office building to create six No. two-bedroom flats and two No. three-bedroom flats with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear

### **B) EXISTING**

The subject site comprises a 3-storey office (B1) building comprising of approximately 3000sqm of floor space. To the rear of the subject site are 16 car parking spaces and 10 cycle spaces, accessed via shared 3.6m wide rear gated service road with 3.8m headroom, also extending around nos. 105-109.

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

The applicant has made several minor amendments since submission.

- Reduced the size and scale of the fourth floor extension by pulling it back in line with the frontage of the 4th floor of 109 Salusbury Road. This was in response to officer and resident comments.
- Introduced angled windows on the north elevation to overcome loss of privacy concerns
- Reduced the size of the roof terraces to reduce the visual impact of the scheme

None of these points are considered to change the general description of the proposal.

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

The key issues for consideration are as follows:

- The site's opportunity to deliver new homes in a sustainable, urban location to which your officers give significant weight;
- The impact of the proposal on the character and appearance of the area, which your officers consider to be limited and not harmful;
- 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 an excellent standard of accommodation, within a building demonstrating strong design credentials, which is in line with the adopted Development Plan; and
- The living conditions of neighbours, which your officers consider are not materially harmed as a result of the proposal.

### **RELEVANT SITE HISTORY**

Of relevance to this application:

16/0288 - Erection of two additional storeys over existing three-storey office building to create 8 self-contained flats (6 x 2bed and 2 x 3bed) with proposed residential access from the ground floor side elevation, new lift and stairs along with glazed link bridge, cycle parking spaces and bin stores to the rear, installation of solar panels and associated amenity space - Withdrawn by applicant

## CONSULTATIONS

Neighbours have been consulted on the application. Ward Councillors have been notified. The Queens Park Residents Association have been notified.

There have been five responses to date. One supporting the application. Four objections, including the Queens Park Residents Association

### Support

Comment	Response
Attractive scheme	None required
Welcome new neighbours and the scheme	None required

### Objections

Comment	Response
Building height and building design	See point 4.3 and 4.4
Wind tunnel effects	See point 4.4
No requirement for new homes	See key summary
Four and five storeys are not in keeping with the area	See point 4.3
Congestion from additional cars	See Highways summary.- Car Free

Your officers have responded to these points to within the report.

## POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

- The National Planning Policy Framework (2012)
- London Plan Housing SPG (2016)

Brent SPG17 – Design Guide for New Development (2001)

## DETAILED CONSIDERATIONS

### 1. Key Considerations

The key issues for consideration are as follows:

- The site's opportunity to deliver new homes in a sustainable, urban location to which your officers give significant weight;
- The impact of the proposal on the character and appearance of the area, which your officers consider to be limited;
- 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 an excellent standard of accommodation, within a building demonstrating strong design credentials, which is in line with the adopted Development Plan; and
- The living conditions of neighbours, which your officers consider are not materially harmed as a result of the proposal

### 2. Principle of Development

- 2.1. The subject site is within a residential area and does not have any site specific designations.
- 2.2. The subject site is in close proximity to retail/local centre type facilities, good public transport links and open spaces. The proposal is also consistent with the Core Strategy policy of seeking to provide 25% of dwellings as 3 bed or more.
- 2.3. Your officers note that very little office space is lost as a result of these proposals and that the owner is using the opportunity to extend as part of a wider reinvestment/desire to keep a mixed use development and sustain the economic activity/interest that the existing units provide to Salusbury Road.
- 2.4. Your officers consider the proposal to be acceptable in principle, and give significant weight to the provision of residential units in a sustainable urban location. Further considerations relating to Quality of Accommodation, Impact on Character and Appearance of the Area, Impacts on Neighbouring Amenity and Highway Impacts will be considered.

### 3. Quality of Accommodation

3.1. Policy DMP 1 *Development Management General Policy* requires high levels of amenity for future occupants and DMP 18 *Dwelling Size and Residential Outbuildings* refers to the London Plan policy in terms of space standards. 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.

3.2. The proposal consists of eight new residential units, comprising

Flat	Size	Amenity
1 - 2b 4p	113sqm	30 sqm external balcony
2 - 2b 4p	128sqm	27 sqm external balcony
3 - 2b 3p	124sqm	33 sqm external balcony
4 - 3b 6p	177sqm	50 sqm external balcony
5 - 2b 4p	75sqm	26 sqm external balcony
6 - 2b 4p	107sqm	33 sqm external balcony
7 - 2b 4p	87sqm	25 sqm external balcony
8 - 3b 6p	155sqm	33 sqm external balcony

3.3. All properties greatly exceed the minimum requirements for London Plan (Supplementary Housing Guidance 2016, MALP 2016) though not in such a way as to lead officers to conclude the units are artificially oversized to avoid an affordable housing contribution. All units have ample storage and are laid out in a sensible arrangement with all units being dual aspect. Your officers note that the proposal does not have any single aspect, north facing units. The units are given generous outlooks to the front and rear which aids in providing an acceptable standard of accommodation.

3.4. The bedroom windows are all on the flank which is an acceptable solution given the sites lack of frontage. The bedrooms are inset from the building edge and whilst the outlook is limited due to the window design, this is to be expected in the denser parts of the Borough and the size of these rooms plus the generous space directly adjacent to their windows is considered to be acceptable. The rooms will also be afforded plenty of light.

3.5. Policy DMP 19 *Residential Amenity Space* sets targets for amenity space for new dwellings. The proposal provides private amenity space in the form of generous external balconies.

3.6. Your officers consider the overall standard of accommodation provided for future occupants of this proposal is very good and is in accordance within the Development Plan.

### 4. Impact on Character and Appearance of the Area

4.1. The subject site is in a relatively sensitive location, being adjacent to the Paddington Cemetery (Grade II Listed Park) and opposite the Queens Park Conservation Area. As such policy DMP 7 *Brent's Heritage Assets* is of some relevance, though it is not of paramount importance. The applicant has submitted a Heritage Statement to explain the significance of the proposal in relation to the designated and non designated heritage assets. Your officers accept the conclusions within the report and generally find the Heritage Statement sound in its summary.



4.2. The proposal seeks two additional storeys on top of the existing three storey property. The increase in height is 6.2m (3.1 on each floor) and the proposal is staggered. Officers have considered the height, massing and siting of the schemes adjacent, their design approaches and the relative heights/setbacks in comparison to the proposal and the objections received in this respect.

4.3. Salusbury Road is a relatively wide road with a commercial character with the facilities of a town centre, where both sides of the road the buildings are three storeys in height, to the south and decreasing in density to the north as the buildings on the west side of the road reduce to two storeys. The scale of the existing block and the one immediately to the south are at odds with the western side of the street in terms of numbers of storeys, floor to ceiling heights and width. In this context, providing additional storeys with a substantial set back is not harmful to the character of the existing building. Whilst these additional storeys will be noticeable from the public realm both at a distant and closer to the site, the impact is not likely to be harmful to the character of the area.

4.4. The set in from the frontage of the third floor is 3.85m and the fourth floor is set back 7.75m. Officers consider this to be an appropriate design response to a sensitive area and due to this set back and gaps between the buildings is unlikely to create a 'wind tunnelling' effect. The set in from the rear of the 2nd storey is between 4.2m and 6.5m between roof additions. Officers consider that the size and massing of the proposal is appropriate, given the local context and development adjacent to the subject site.

4.5. The roof addition is proposed to be clad in a zinc standing seam cladding with ppc aluminium frames to match the existing. This material approach is broadly acceptable however further details of this will be required as a condition.

4.6. Your officers have tested the proposal against the requirement within the NPPF (para. 134) and have concluded that the proposal would have less than substantial harm to the identified Heritage Assets and the public benefit of providing new homes in a sustainable location outweighs any harm. The proposal also finds accordance with Policy 7.8 of the London Plan which states that development affecting Heritage Assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

4.7. The proposals meet the NPPF's core principles; particularly that planning should be seeking to secure high quality design and a good standard of amenity whilst making efficient use of land. The proposal is considered to have a less than substantial impact on the adjacent Heritage Assets and is in accordance with the NPPF (chapter 12), London Plan Policy 7.8, DMP1 and DMP7 of the Development Management Policies Document and SPG17, Design Guide for New Developments.

## **5. Neighbouring Residential Amenity**

5.1. The Council, via DMP1 and SPG17, 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.

5.2. 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. The tight relationships are evident with the proposal, given the adjacent properties with planning permission, however with appropriate design responses (obscure glazing, directional oriel windows, internal balconies) the proposals have overcome this to a point that your officers find these relationships acceptable.

5.3. To assess the impacts on neighbouring properties, officers have assessed: the distance between habitable room windows; the aspects/outlooks from neighbouring properties; and the design treatments given to various windows. The adjacent properties have not yet implemented (117-121) or completed (105-109) their schemes, however officers have still assessed the potential impacts on these neighbours by assessing their sets of approved plans.

5.4. Your officers have concluded that whilst distances between flank habitable rooms are on the thresholds of acceptability as outlined in SPG17, it is understood that the design of the neighbouring properties is a constraint with regards to the extent of development available at the subject site. To overcome this the applicant has proposed angled windows on the flank windows and obscure glazed treatment of certain sections of the balconies/windows. Additionally, the main habitable rooms have uninterrupted outlooks to the front or rear of the proposals. As a result, your officers conclude that none of the proposed windows will have an uninterrupted, direct outlook onto the sole habitable rooms of neighbouring properties. The outlook from these flank windows are acceptable and the levels of privacy of the habitable rooms of the adjacent properties are not considered to be materially affected as a result of this proposal.

5.5. The applicant has also supplied information relating to Sunlight/Daylight. Your officers consider that the conclusions within this report are adequate and the provisions made for the site constraints - such as the adjacent internal balconies and existing distances between the flank walls - as generally acceptable.

5.6. In conclusion, your officers are of the opinion that there will be affects on the amenity of these neighbours, however they are not considered to be material given the nature of the urban area, the existing relationships and the design responses to the proposal to reduce impacts.

## **6. Transportation**

6.1. Car parking allowances for the existing and proposed uses of the building are set out in standards within DMP 12 *Parking* and Appendix 1. As the site has good access to public transport services and is located within a CPZ, a reduced residential allowance applies to the proposed flats.

6.2. The existing offices are therefore permitted up to 21 off-street car parking spaces and the existing provision of 16 spaces accords with standards, with the disabled parking provision (25% of the total) more than satisfying LBB standards.

6.3. The proposed addition of eight flats on two new floors above the building would increase the parking allowance by 6.6 spaces to 27 spaces. However, no new spaces are proposed to be allocated to the eight new flats. This is acceptable in principle in this location, subject to it being supported by a car-free agreement to remove the right of future residents to on-street parking permits and the applicant has offered this.

6.4. There are no concerns if the owner wishes to make some of the existing office spaces on site available for use by residents at night and weekends, but they will need to manage this themselves.

6.5. Two existing spaces are proposed to be removed from the rear car park, including a disabled space. With a weekday CPZ in operation in the area to effectively prevent overspill parking by staff on local streets, this is fine in principle, helping to encourage travel by non-car modes. The reduction in disabled parking to three spaces is also fine, with only one space required as a minimum.

6.6. The Development Management Policies require a secure bicycle parking space per flat. A secure storeroom is indicated at ground floor to the rear of the site for ten residents' bicycles to supplement the ten existing spaces for the offices, which is acceptable.

6.7. Space for four Eurobins has also been added to the rear of the site and it is assumed that refuse vehicles will continue to access the rear of the site via 105-109 to service the site, which is acceptable. Adequate fire access is available from Salusbury Road without vehicles needing to enter the site.

6.8. Additionally, this amended scheme now proposes a residential entrance directly from Salusbury Road, so that future residents will not need to walk along the narrow and poorly lit side access road to access these properties, thus addressing previous concerns. A secondary access door onto the access road is still retained to reduce the distance between the flats and the refuse and bicycle stores at the rear of the site, which is sensible.

6.9. In summary, there are no objections on transportation grounds to this proposal subject to a 'car-free' condition to withdraw the right of future occupiers of these flats to on-street parking permits in the area.

## **7. Summary**

7.1. The proposal is in broad accordance with the NPPF (2012), the London Plan (2015 as amended), Brent's Development Management Policies DPD (2016), the Brent Core Strategy (2010) and SPG17, Design Guide

for New Developments.

7.2. The proposal contains eight new dwellings of an excellent standard, in a sustainable location making efficient use of land. Your officers attach significant weight to these points. Given the very limited harm to the character and appearance of the area, and surrounding neighbours, your officers accordingly recommend this application for approval.

## CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£308,953.51\*** 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): 1082 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	1082	0	1082	£200.00	£35.15	£262,771.43	£46,182.08

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)	272	
<b>Total chargeable amount</b>	<b>£262,771.43</b>	<b>£46,182.08</b>

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

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

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



**Brent**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/3731

To: O'Hara  
ROH Architects  
25 Lonsdale Road  
London  
NW6 6RA

I refer to your application dated 24/08/2016 proposing the following:  
Erection of a fourth and fifth storey over existing three-storey office building to create 8 self-contained flats (comprising 6 No. 2-bedroom flats and 2 No. 3-bedroom) with associated new street level entrance to the front and secondary entrance to the side, new lift and stairs along with glazed link bridge, amendments to car parking arrangements and provision for refuse and cycle stores to the rear and accompanied by plans or documents listed here:  
See condition 2  
at 111-115 Salusbury Road, London, NW6 6RG

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**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:-

Development Management Policies 2016  
Council's Supplementary Planning Guidance 17 - Design Guide for 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):

P-100 REVL GRD FL

P-101 REVP 1ST FL

P-102 REVC 2RD FL

P-103 REVP 3RD FL

P-104 REVS 4TH FL

P-105 REVF ROOF

P-201 REVK SECTIONS

P301 REVJ Front and Rear Elevations

P-302 REVK Side Elevations

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

- 3 Further details of the landscape works and planting, including the brown roof, shown on the approved plans shall be submitted to and approved in writing prior to the occupation of the Development. Any planting shall take place within the first available planting season post occupation.

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

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

- 4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to

Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 5 Prior to the occupation of the Development, further details of all privacy screens, oriel windows, opaque glazing and terrace balustrades shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as per the approved details prior to the occupation of the units and retained for the lifetime of the development.

Reason: To ensure that neighbouring residents are not unduly impacted by the proposal.

- 6 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 given the site's relationship with established heritage assets.

- 7 Details of materials for all external work, including samples and/or manufacturer's literature as appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any external 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 Notwithstanding the plans hereby approved, the development shall not be occupied until further details of secure and covered refuse storage and further details of 10 x secure and covered cycle spaces are submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved plans and such facilities shall be retained for the lifetime of the development.

Reason;- To ensure an adequate amounts of refuse anc cycle facilities are available for future occupants

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent.

Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).

- 4 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.

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



## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 December, 2016  
  
**16/4010**

## SITE INFORMATION

**RECEIVED:** 13 September, 2016

**WARD:** Dudden Hill

**PLANNING AREA:** Brent Connects Willesden

**LOCATION:** Warranty House, Dudden Hill Lane, London, NW10 1DD

**PROPOSAL:** Proposed demolition of all existing buildings and construction of part five / part six / part seven / part eight / part nine storey buildings comprising 136 residential units (Use Class C3, comprising of 42 x 1 bed, 56 x 2 bed and 38 x 3 bed flats) and community/retail floorspace (Use Classes D1/A1/A3); related lower ground car park comprising 44 car parking spaces; cycle parking, vehicular access; footways; landscaping; plant and associated works.

**APPLICANT:** Harley Property Investments and DPMM Enterprises Ltd

**CONTACT:** DP9 Ltd

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

### LINK TO DOCUMENTS ASSOCIATED TO THIS APPLICATION

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

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

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_130188](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_130188)

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

Please use the following steps

1. Please go to [pa.brent.gov.uk](http://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "16/4010" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

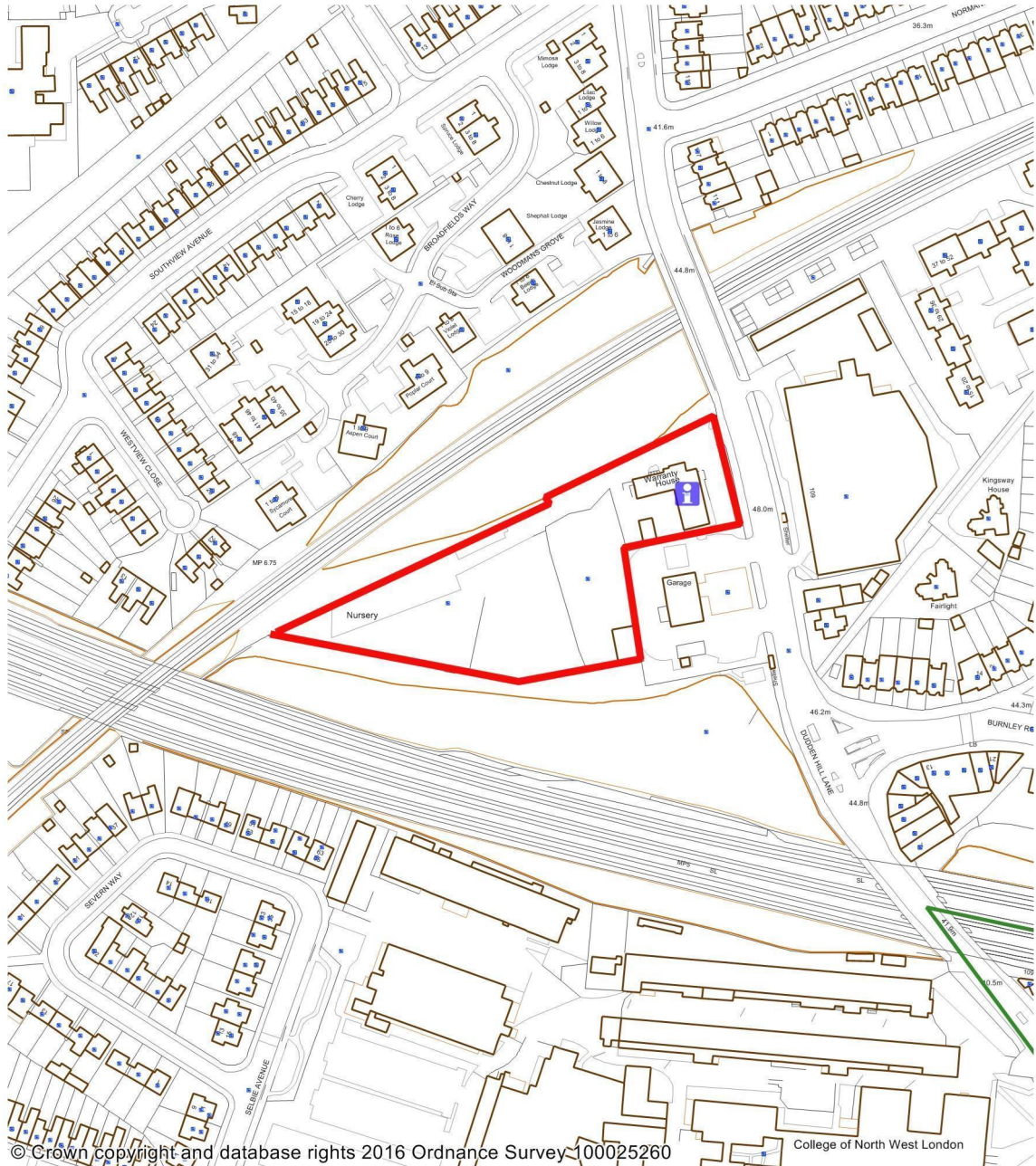
# SITE MAP



## Planning Committee Map

Site address: Warranty House, Dudden Hill Lane, London, NW10 1DD

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College of North West London

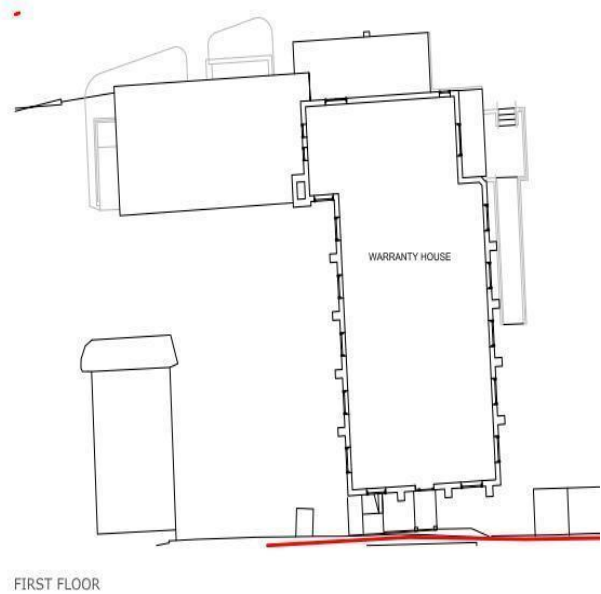
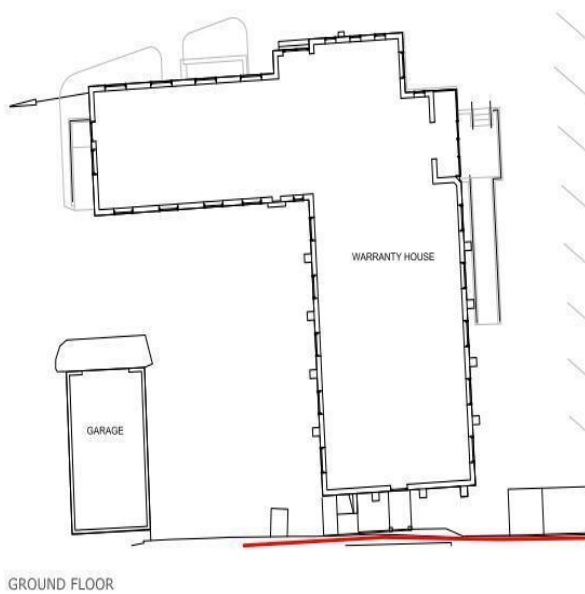
This map is indicative only.

# SELECTED SITE PLANS

## SELECTED SITE PLANS



**Proposed site plan**



**Existing floor plans, Warranty House**



**Existing aerial overview**



**Lower ground floor proposed**



**Ground floor plan proposed**



**First floor plan proposed**



**Second floor plan proposed**



**Fifth floor plan proposed**



**Eighth floor plan proposed**



**Proposed north elevation**



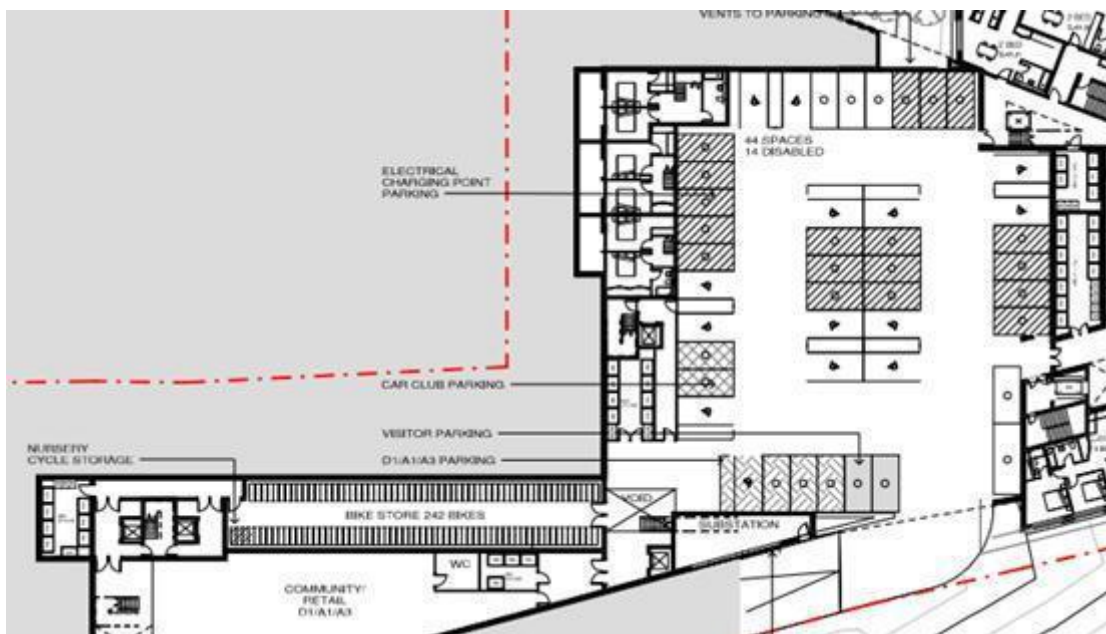
**Proposed south elevation**



**Proposed west elevation (from Dudden Hill Lane)**



**Scheme overview - relationship between buildings**



**Lower ground floor parking layout - building A**





**Landscape masterplan**



**Proposed view from south of site**



### **Proposed view from north of the site**

## **RECOMMENDATIONS**

**That the Committee resolve to GRANT planning permission subject to:**

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

- a) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- b) Notice of commencement within 28 days of a material operation.
- c) Implementation of the approved Energy Strategy Report to achieve the CO2 reduction of at least 36.5% below 2013 Part L Building Regulations Target Emission Rate, unless an alternative Energy Strategy is otherwise submitted to and approved in writing by the Local Planning Authority. Not later than two months after completion of the development to submit to the Council for its approval an Energy Assessment Review, to demonstrate the measures set out in the Energy Strategy Report have been achieved. If the evidence of the above shows that any of these sustainability measures have not been implemented, then the following will be required (a) the submission and approval of measures to remedy the omission: or, if this is not feasible (b) the submission and approval in writing of acceptable compensatory measures on site, or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure carbon offset measures on other sites in the Borough.
- d) Submission and approval in writing of a design stage BRE interim certificate of compliance is required to demonstrate the development will be constructed to such specification to achieve a rating of Very Good and post completion review.
- e) Submission and approval in writing of a revised residential Travel Plan, with improved targets, prior to occupation, scoring a PASS on TfL's ATTrBuTE programme shall be fully implemented, monitored and reviewed in accordance with the approved details. The revised Travel Plan shall also include provision of a subsidised Car Club membership per residential unit in accordance with details to be approved by Brent Council in consultation with local Car Club operators.
- f) A minimum 20% affordable housing, comprising the following mix:
  - I. 4 x 1 bed affordable rent units at rents no more than 80% of market rents (inclusive of

- service charge) and capped at LHA rates
- II. 7 x 2 bed affordable rent units at rents no more than 70% of market rents (inclusive of service charge) and capped at LHA rates
- III. 8 x 3 bed social rents units at target rents
- IV. 9 intermediate units (3 x 1, 4 x 2 and 2 x 3 bed) to be delivered as Shared Ownership Units, or other Intermediate tenure agreed in writing by the Council

An appropriate pre-implementation s106 financial review mechanism, such that the scheme financial viability shall be fully reassessed based on the agreed Benchmark Land Value in such case that the planning permission is not implemented, and a substantial commencement to development subject to a binding and arm's length contract for the construction of the development to base slab level not made, within 18 months of the date of consent.

Development shall be carried out accordance with Phasing Plan ((PP)010-P1) unless otherwise agreed in writing by the Council, and no more than 50% of the private units in Phase 1 (buildings B and C) shall be occupied before the transfer by freehold or minimum 125 year leasehold of 24 affordable units in Phase 2 (building A) to a Registered Provider, and no more than 50% of the private units in Phase 3 shall be occupied before the transfer by freehold or minimum 125 year leasehold of the remaining 4 affordable units in Phase 3 (building D) to a Registered Provider.

- g) Enter into a 'permit-free' agreement, so that future residents and business occupiers would not be eligible for permits to park in adjoining streets during CPZ hours. The properties shall not be occupied until this agreement has been entered into.
- h) Prior to a material start (excluding demolition and piling) to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development
- i) Public Access to the external areas denoted as "publically accessible" within the Design & Access Statement hereby approved shall be provided (save for temporary closures of parts of the space that are required for maintenance purposes) and shall be permanently maintained thereafter for the lifetime of the development.
- j) Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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. Reason for granting
2. Standard 3 year permission
3. Approved plan numbers / documents
4. Materials
5. Landscaping
6. Construction & Environmental Management Plan
7. Internal noise levels (residential environment)
8. Plant noise levels
9. Signage details
10. Water efficiency measures
11. Part M compliance – wheelchair accessibility and adaptability
12. Parking/cycle provision
13. External lighting scheme
14. Noise impact mitigation measures
15. Vegetation clearance works
16. Construction & Logistics Plan
17. Drainage works
18. Air Quality Assessment mitigation measures
19. Extraction details (A3 use)
20. Hours of operation to be agreed (D1/A1/A3 Uses)
21. Restrictive D1 use – no use as a place of worship without the express consent of the LPA

22. Delivery & Servicing Management Plan
23. Sound insulation details
24. Phase 2 site investigation (contamination)
25. Verification report of Phase 2 remedial works (contamination)
26. Considerate Contractors Scheme
27. Accessible cycle parking details
28. Layout of service/drop-off area
29. Prior to occupation of the larger of the commercial units marketing of this for use as childrens nursery and/or other D1 uses (save for place of worship)

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, if by 14 February 2017 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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 proposed development seeks full permission for the demolition of all existing buildings on site and its redevelopment comprising of:

- Ground floor commercial floorspace for A1/A3/D1 uses, within Block A (586sqm)
- Four buildings, of between five and nine storeys, accommodating 136 residential units (including 20% affordable housing)
- Associated car parking, with 44 on-site spaces, car club and 240 cycle parking spaces.
- Associated amenity space, landscape works and tree planting

The following housing mix is proposed:

42 x 1 bedroom flat (30.9%)  
 56 x 2 bedroom flat (41.2%)  
 38 x 3 bedroom flat (27.9%)

Building	A	B	C	D	Total
1 bed	8	15	8	11	<b>42 (31%)</b>
2 bed	12	15	21	8	<b>56 (41%)</b>
3 bed	12	7	15	4	<b>38 (28%)</b>
<b>Total</b>	<b>32</b>	<b>37</b>	<b>44</b>	<b>23</b>	<b>136</b>

## B) EXISTING

The application site is located on the western side of Dudden Hill Lane, approximately 5 minutes walk from Dollis Hill Jubilee Line Underground Station. The site is 0.68 hectares and comprises Warranty House, a two storey brick building currently in use by the NHS. To the rear of Warranty House the site is used for coach parking and also as a garden centre and nursery.

## C) AMENDMENTS SINCE SUBMISSION

Since the application was submitted no significant revisions have been made to the proposal.

It is worth noting that the following amendments have been made since the submission of earlier applications

16/0775 (now withdrawn) and 16/0776;-

- Reduction in the proposed number of new buildings from five to four, and a re-arrangement of the massing of buildings resulting in buildings of smaller footprint, some of greater height, buildings more slender in their form and with increased separation between buildings on site.
- Increased level of separation of building B from petrol filling station
- Removal of a terrace of townhouses from the southern part of the site.
- Proposal to have segregated pedestrian and vehicle access, and to utilise the existing site access for vehicle entry/exit.

## D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- a) Principle of development, loss of and re-provision of D1 use.
- b) The opportunity for new housing and to make a contribution to the borough's housing delivery targets on this sustainable, brownfield site.
- c) The level of affordable housing being proposed.
- d) Scale, massing, design and impact on the existing townscape.
- e) The ecological context and the impact of the scheme in biodiversity and ecology terms.
- f) The transport impacts of the proposed development, level of proposed parking and consideration of proposed mitigation measures.
- g) The quality of the proposed residential accommodation.

## 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)
Non-residential institutions	496		496	20	
Restaurants and cafes	0		0	0	
Shops	0		0	70	

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
EXISTING ( Flats û Social Rented )										
EXISTING ( Flats û Intermediate )										
PROPOSED ( Flats û Market )	35	45	28							108
PROPOSED ( Flats û Social Rented )	4	7	8							19
PROPOSED ( Flats û Intermediate )	3	4	2							9

## RELEVANT SITE HISTORY

### 16/3843 – Current application being considered

Erection of two single storey portacabins for ancillary office use to existing D1 premises, for a temporary period between 3 to 5 years.

### 16/0775 - Withdrawn

Proposed demolition of all existing buildings and construction part three / part five / part six and part seven storey buildings comprising 134 residential units (44 x 1 bed, 44 x 2 bed and 41 x 3 bed flats, and 5 x 3 bed townhouses) and 540sqm community/retail floorspace (Use Classes D1/A1/A3), with associated basement car park comprising 88 car parking spaces, 228 cycle parking spaces, new vehicular access, footways, landscaping, amenity space, plant and ancillary works.

### **16/0776 – Application not being progressed in view of this current application**

Proposed demolition of all existing buildings and construction of part three / part five / part six and part seven storey buildings comprising 133 residential units (44 x 1 bed, 45 x 2 bed and 39 x 3 bed flats, and 5 x 3 bed townhouses) and 516sqm community/retail floorspace (Use Classes D1/A1/A3), with associated lower ground car park comprising 44 car parking spaces, 226 cycle parking spaces, new vehicular access, footways, landscaping, amenity space, plant and ancillary works.

Although broadly similar to one another in terms of built form the main differences between applications 16/0775 and 16/0776 relate to the number of residential units, the proposed level of affordable housing in each, and parking provision.

### **97/0161 – Granted**

Change of use from office to clinic.

## **CONSULTATIONS**

Consultation letters were sent on 29 September 2016, to a total of 548 addresses on the following roads:-

- Aberdeen Road
- Broadfields Way
- Burnley Road
- Dudden Hill Lane
- Cornmow Drive
- Southview Avenue
- Selbie Avenue
- Severn Way
- Westview Close
- Woodmans Grove
- Westview Close
- Mulgrave Road
- Colin Road

Site notice(s) were displayed on 14/10/2016  
Press notice advertised on 06/10/2016

No neighbour representations were received to this consultation. One query was received from a resident of Cornmow Drive who had received the notification letter and was having difficulty locating/accessing the planning application documents on the Council website. Guidance was given as to how to access the information and no further comments have since been received.

### **CONSULTEES**

*Ward Councillors for Dollis Hill and Willesden Green:*  
No response received to date.

### *Transportation:*

No objection raised, detailed discussion is set out in the remarks section. In the event of approval it is recommended that (a) a permit-free agreement is secured so that future residents are not eligible to park in adjoining streets during CPZ hours; (b) revised details of the servicing area and nursery drop off/pick up area, which can be secured by condition; (c) revised Travel Plan to be submitted, and secured through a s106 agreement; (d) Construction Method Statement to be secured by condition and (e) implementation of the Delivery & Servicing Management plan.

### *Local Lead Flood Authority:*

No objection raised, and conditions are recommended in relation to the approval of further details of the proposed SuDS strategy.

### *Environmental Health:*

No objection raised, conditions are recommended in relation to noise attenuation, air quality and contaminated land.

### *Principal Tree Officer:*

No objection raised.

*Landscape Design:*

No objection raised, further details of hard landscaping requested by condition.

*Transport for London:*

No objection raised, conditions have been recommended.

*Thames Water (Development Control):*

No objection raised, conditions have been recommended.

*Network Rail:*

Comments received that relate to matters which fall outside of planning control. No conditions recommended. Informatives have been added to advise the applicant of the requirement to agree an Asset Protection Agreement with Network Rail prior to works commencing.

*NHS Property Services Ltd:*

No response received to date.

*Met Police, Secure by Design:*

Prior to submission of the application a meeting was held with the Secure by Design officer. A number of observations and recommendations were made, which are summarised below along with the applicants response:

- Concern with the location of the commercial units and how these interact with the residential elements.
- Residential entrances should be legible.
- The double height undercroft pedestrian route is not clearly defined as it will serve both uses, and who will manage the seating provisions along the Entrance Gateway Plaza.

*Response:* The two residential entrances to building A are defined along the southern façade. There are no commercial entrances along this façade. The entrances are accessed via a safe, well used and lit pedestrian path. The undercroft is sufficiently high (4.1m) and wide (2m) and will be well lit.

- The access control strategy throughout the site should be identified.

*Response:* Exact details cannot be detailed at this time, specialist input is required. The following principles will however be followed; (i) development covered by fob controlled access, monitored and maintained by on site security (ii) fob controlled access to gated car parks, all buildings, stairs, lifts, refuse stores and cycle stores, and (iii) no public access to buildings or basement.

- A proportion of bicycle storage should be within close proximity to the core it serves, and basement cycle parking should be split into smaller stores and not accessed externally.

*Response:* Entrances to the cycle parking will be fob controlled.

- Residential and commercial uses must not be linked which is the case with the basement.

*Response:* The commercial staff parking occupies a small element, and access will be fob controlled. No visitor parking is provided at the lower ground floor level.

- Maximise glazing opportunities to stair cores at roof level, and providing access to terraces.

*Response:* The design does incorporate glazing to achieve passive surveillance of these spaces.

- Ground floor plan suggests a large number of bathrooms/bedrooms face onto the communal areas which doesn't aid surveillance.

*Response:* Within building B there will be 11 rooms facing the central communal area, 6 of these are fully glazed living rooms. When balanced against the number of bedrooms/bathrooms this is considered to be appropriate. Further surveillance is achieved at first and second floors.

*Member pre-submission engagement:*

The proposed development was presented as a pre-application development presentation item to Planning Committee on 10 August 2016. Clarification was sought in relation to car parking, nursery drop-off, servicing, details of proposed nursery, explanation for the loss of the NHS clinic, disabled/wheelchair access, design, location and provision of affordable housing, views of the proposal and its townscape impact, all of which are addressed in the following remarks section.

#### *Community involvement:*

A Statement of Community Involvement (SoCI) supports the application, and sets out in detail the process of community consultation that has been undertaken.

In accordance with the NPPF, the developer consulted Ward Councillors for Dudden Hill and the local community as part of the community consultation process that preceded the submission of earlier applications 16/0775 and 16/0776. A public exhibition was held (December 2015) and this attracted approximately 30 attendees, a newsletter was distributed to 2670 addresses in the surrounding area and briefing sessions were undertaken with ward councillors and local stakeholders.

Prior to the submission of this revised application further community consultation was undertaken, and feedback was invited. A public exhibition was held in September 2016, and this attracted approximately 20 attendees. Ahead of this exhibition a newsletter was distributed to 2,670 addresses and briefing sessions were offered to Dudden Hill ward councillors. A dedicated residents enquiry email address has been set up also. The applicants have also engaged with Council officers in developing their proposals, and as mentioned with Members.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework 2012**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaces Planning Policy Guidance and Planning Policy Statements with immediate effect. It includes a presumption in favour of sustainable development in both plan making and decision making. It is considered that the saved policies referred to in the adopted UDP and Core Strategy are in conformity with the NPPF and are still relevant. The NPPF states that good quality design and a good standard of amenity for existing and future occupants of land and buildings are required. Accordingly, the policies contained within the adopted SPG's, London Borough of Brent Unitary Development Plan 2004 and Core Strategy 2010 carry considerable weight in the determination of planning applications and appeals.

### **London Plan consolidated with alterations since 2011 (March 2016)**

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

### **Development Management Policies, London Borough of Brent (2016) – adopted 21 November 2016 (N.B this has superseded the Brent Unitary Development Plan 2004)**

### **London Borough of Brent LDF Core Strategy 2010**

### **Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)**

### **Supplementary Planning Document – s106 Planning Obligations**

## **DETAILED CONSIDERATIONS**

### **Context and existing use:**

1. The site is in an elevated position along the west side of Dudden Hill Lane. Indented to the south and east of the site is an Esso petrol filling station and directly opposite on the east side of Dudden Hill Lane is a large self storage warehouse building.
2. The site is triangular in shape and bound to the north and south by railway lines in cuttings which meet to the west and to the east by Dudden Hill Lane. The open areas of vegetation along the railway lines which border the site to the north, west and south form part of a locally designated wildlife corridor and Sites of Borough (Grade I) Nature Conservation Importance (SINC). There is a significant fall in levels of 10m



across the site from east (Dudden Hill Lane) to west (where the north and south railway lines overlap).

3. On the opposite side of the railway lines to the south is the College of North West London campus. This has a number of buildings of varying scales. To the north on the opposite side of the railway is a residential development accessed from Southview Avenue off Dudden Hill Lane, which comprises a series of blocks of flats of 3 and 4 storeys height. These railway lines and green corridors create buffer distances of between 30m and 60m to the nearest residential properties.
4. All existing buildings on site are to be demolished and all existing uses are to cease under the proposals.
5. Existing Warranty House is a two storey brick building fronting Dudden Hill Lane. This is not considered to be of significant architectural merit and as such the buildings demolition does not present any issues. It is currently used as the NHS Brent Child and Family Clinic (Use Class D1), and is run by the Central and North West London NHS Foundation Trust. To the rear of Warranty House is a part of the site referred to as 'middle yard', this is used for coach parking and has its own secure gated access. To the west of 'middle yard' and at the rear of the site is Dudden Hill Nursery and Garden Centre. A number of ancillary structures support this use, including polytunnels, sheds and stacked portacabins which are used as offices.
6. This site is not within a Conservation Area, nor is it a Listed Building.

**General principle of redevelopment of site for residential use and loss of and re-provision of D1 use:**

7. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value". These principles also include to "proactively drive and support sustainable economic development to deliver homes ..." The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
8. The development site is located on previously developed brownfield site, and is in a sustainable location. Therefore the redevelopment of the site for residential purposes is supported in principle and your officers give significant weight to the planning merit of providing new homes (including provision of affordable homes), and to making efficient use of the land by providing these homes at a reasonably high density.
9. The principle of the proposed development complies with Council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is not covered by a restrictive land use designation within the adopted development plan and therefore there is a presumption in favour of residential development.
10. To enable this site to come forward for redevelopment the existing building (Warranty House), currently used for class D1, purposes requires demolition. Existing social infrastructure such as this is afforded protection through London Plan policy 3.1, Brent's Core Strategy policy CP23 and Development Management Policy DMP 1.
11. London Plan policy 3.1 says that 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. Local Brent policy CP23 (Core Strategy 2010) also affords protection to existing facilities, or where necessary their loss permits their loss to be mitigated.
12. Adopted Development Management policy DMP1 says that development will be acceptable provided it results in no loss of community facilities or other land/buildings for which there is an identified need. Paragraph 11.4 of the Development Management Policies DPD provides guidance on how London Plan and Core Strategy policies will be applied. It states that if it is to be demonstrated that social infrastructure is no longer needed then this is to be demonstrated through, amongst other things, consultation with service providers and the local community, and redevelopment is part of an agreed programme of social infrastructure re-provision.
13. Warranty House is currently used by the NHS as a child and family clinic. In accordance with the policy context referred, to the applicant offered to re-provide the existing facility on site as part of any proposed development. The applicant approached the existing provider of the NHS clinic to confirm whether it would wish to remain on site after its lease expires on 25 March 2018, and in the event that this site should be redeveloped. Contact was made with Central and North West London NHS Foundation Group

(CNWL), Brent Clinical Commissioning Group and the Director of Public Health at the Council. Correspondence with the CNWL established that the NHS is intending to consolidate its existing estate by 2016 / early 2017 and that while supportive in principle of the idea to redevelop the site to incorporate its clinical services the time needed to redevelop the site would not fit into the NHS's timescales to deliver a Brent / Harrow hub. In light of the service provider confirming its intention to replace the existing facility as part of the consolidation of its wider estate any re-provision of the facility was removed from the proposed scheme.

14. It should be noted that the NHS were formally consulted as part of this application, and to date no representations have been received.
15. An alternative form of social infrastructure is however proposed, subject to there being demand from a nursery operator. This provision means that, subject to demand from a nursery operator, or other community use, D1 floorspace would be retained on the site. The applicant's review of the 'Brent early year's strategy – taking stock' (2006) has identified some under provision in the area for day nurseries that cater to the under 3's age range. The applicant has advised there have also been some positive indications from day nursery operators who have confirmed an interest at this stage.
16. In total 586sqm of floorspace is proposed that could potentially be used as class D1 floorspace, which is greater than existing on site. This floorspace is located within proposed building A at lower ground and ground floor.
17. A flexible permission is sought that would allow uses within classes A1/A3/D1 to operate in the event that there is a lack of demand from D1 operators and in order to accommodate any future change in need or demand for use of the premises. In relation to the children's nursery, it was suggested by the applicant that a planning condition is attached that requires marketing of the premises initially as a D1 community use particularly targeting nursery operators, and for this to be undertaken prior to occupation, in order to fully test demand for this use prior to an A1 or A3 use coming forward. This is welcomed and is considered necessary and reasonable.
18. The remaining parts of the site, currently in use for coach parking and as a garden centre and nursery are not afforded any policy protection. Their proposed loss as part of a residential led mixed use development is acceptable in principle, subject to compliance with other aspects of the Development Plan and other material planning considerations.

#### **Affordable housing:**

19. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability.
20. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable.
21. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement.
22. An independent review of the applicant DS2 Financial Viability Assessment (FVA) submission was undertaken by BNP Paribas on behalf of the Council to advise the maximum level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of the proposed 136 unit residential scheme, comprising a mix of 1, 2 and 3 bedroom units.
23. A total of 28 residential units are proposed for affordable housing, representing 20% affordable housing on a per unit basis. This does not meet the borough strategic target that 50% of new homes should be affordable, and the applicant contends that it is not financially viable to provide a higher level of affordable housing. This position has been rigorously tested by BNP Paribas, as set out below.
24. BNP Paribas reviewed the FVA submittals associated with the applicant's previous proposals for the site under planning applications 16/0775 and 16/0776 and therefore are familiar with the scheme. BNP Paribas have reached agreement on a number of assumptions adopted by DS2 in their assessment,

including those relating to private housing revenue, car parking revenue, affordable housing values, ground rent income, commercial revenue and finance costs. BNP Paribas however take a different view on some of the financial assumptions underpinning the FVA, including construction costs and developer's assumed profit margin.

25. The Benchmark Land Value based upon a Current Use Value valuation report provided by Colliers International (December 2015) was agreed in so far as this relates to Warranty House. With respect to the remainder of the site (i.e. coach yard and nursery/garden centre) Colliers adopted a rate per acre approach. BNP Paribas did not consider this to be the appropriate approach for the site benchmark as the site had a variety of uses. It was considered that a more appropriate approach to assessing the value of the remainder of the site is via a rent and yield method. This culminated in a different site benchmark value to that which DS2 originally relied upon. However, for the purposes of the most recent FVA DS2 adopted the site benchmark value that BNP Paribas considered to be appropriate (£3.48m).
26. Based on the benchmark land value (£3.48m), and with different assumptions applied on construction costs and profit levels, the development as proposed produces a residual land value of £380,000. When compared to the site benchmark value of £3.48m this produces a deficit of £3.1m. The proposed development does not therefore deliver a surplus over and above the site benchmark value.
27. BNP Paribas note that, given the applicant is willing to develop the scheme even at its current unviable status this would imply that the applicant expects revenue growth over the course of the development. Having run a sensitivity analysis in order to determine what level of sales value growth would be necessary for the development to generate a surplus, it is concluded that a sales growth of 11.5% would generate a surplus over the site benchmark value.
28. In view of the above, the proposed 28 affordable units (20%) can be viewed as the maximum reasonable amount of affordable housing the scheme can currently deliver. It is recommended by BNP Paribas that a review mechanism is secured by s106 agreement, and this is considered to be reasonable given the non policy complaint level of affordable housing proposed, and the phased implementation. The applicants agree to a pre-implementation review such that should the scheme not be implemented and substantial commencement not made within 18 months of any decision, then the financial viability will be re-assessed at that time to determine whether more than 20% affordable housing can be delivered. Officers consider that such an approach is proportionate in this case only, and that this will be reflected in the s106 agreement.
29. The following represents the agreed affordable housing position:-

Affordable Rent – Building A

1 bed	x 4
2 bed	x7
3 bed	x8

Intermediate – Building D

1 bed	x3
2 bed	x4
3 bed	x2

Social rented/affordable (4 x 1bed, 7 x 2bed, 8 x 3bed)	= 19
Intermediate (3 x 1bed, 4 x 2bed, 2 x 3bed)	= 9
Market (35 x 1bed, 45 x 2bed, 28 x 3bed)	= 108
<b>Total (42 x 1bed, 56 x 2bed, 38 x 3bed)</b>	<b>= 136</b>

**Density:**

30. The proposal makes highly efficient use of this land to provide a significant contribution to Brent's annual housing target of 1,525 homes.
31. 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 considered to be in an 'Urban' setting, with a PTAL of 2 to 3 would be appropriate for accommodating 200 – 450 hr/ha, or 45 to 170 u/ha. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing

land that has been developed previously, provided that it is not of high environmental value”.

32. The proposed scheme would result in a level of density above the matrix range, as development is proposed to be 631 hr/ha or 212.5 units / ha. However the London Plan Density Matrix should not be applied mechanistically when assessing schemes and this approach this is widely recognised. London Plan paragraph 3.28 states that account should also be taken of other factors relevant to optimising potential which can include local context, design and transport capacity, as well as social infrastructure, open space and play.
33. The location of the site and its isolated nature with immediate boundaries defined by landscaped buffers and railway lines, the level of separation from the site to the nearest neighbouring buildings, the site topography and the varied existing wider context and character of different buildings and uses locally, together with the close proximity to transport infrastructure (Dollis Hill Underground station, 450m and Willesden Bus Garage 775m, both within walking distance), the quality of the proposed design and the quantum and quality of on site amenity space and how these contribute to a sense of place are important determining factors when considering residential density. This ‘urban’ site is within 800m walking distance of Neasden District Centre, it is also on the very edge of a PTAL 4 area. For these reasons the proposed level of density can be supported.

#### **Placemaking - Scale, massing, design and layout:**

34. Development is proposed in the form of four buildings of varying heights (referred to as buildings A, B, C and D throughout). The buildings are set within a well considered landscape that includes a series of communal amenity spaces, woodland areas and children’s play areas. A lower ground level extends beneath much of the proposed built footprint and central public amenity space. The lower ground level includes car parking, with access gained off Dudden Hill Lane via a ramped access which makes use of the existing site access and natural gradient of the site.
35. Building A fronts onto Dudden Hill Lane. This is rectangular in footprint and is part five, and part nine storeys in height, stepping up in height away from Dudden Hill Lane. At ground floor it is proposed to accommodate the D1/A1/A3 floorspace, arranged as two separate units, with one smaller unit placed along the street frontage. The larger unit is situated behind this and is arranged over lower ground and ground floor levels. A concierge office is also proposed at ground floor.
36. A first floor overhang feature around the building provides covered entrances to commercial and residential parts, and also cover to a ground floor private external/amenity play area that is to serve the larger of the commercial units should this be utilised as a children’s nursery.
37. From first to ninth floors 32 residential units are proposed (12 x 3-bed, 12 x 2-bed and 8 x 1-bed). This building shall accommodate a large proportion the affordable housing 24 units/85%). At roof level a communal amenity area is proposed above the fourth floor, and a green roof above the taller set back element.
38. Building B is orientated north-south and is west of the petrol filling station, set further back in the site than building A. This is rectangular in footprint and is seven storeys in height. This building encloses the eastern side of the central communal amenity space (referred to as the ‘Formal Woodland Plaza’). There is a landscape buffer between the building and the petrol filling station boundary, which gives rise to a separation of 8m, and it is proposed to landscape this edge with new tree planting. To the south of the building a children’s play area is proposed. A two storey height cut through to the northern end of the building provides a link between the Entrance Gateway Plaza (south of building A) and the formal Woodland Plaza. Ground floor residential units each have their own front door entrance, and duplex units at ground floor will have lightwells provided.
39. Building B comprises 37 residential units (15 x 1-bed, 15 x 2-bed and 7 x 3-bed), all for market sale.
40. Building C is orientated east-west and is positioned at an angle which means it is to be parallel to the sites northern boundary. Separation from the boundary is provided in the form of a landscape buffer. This results in a separation of between 3.2m and 5.1m. The eastern side of the building encloses the northern end of the Formal Woodland Plaza and the southern flank the main pedestrian route through to the woodland area. A plant level is situated beneath the lower ground level, and this is to accommodate the energy centre.
41. This is part five, part six and part nine storeys high. It is to comprise of 44 residential units (8 x 1-bed, 21

x 2-bed and 15 x 3-bed), all for market sale. At roof level a communal amenity area is proposed at the eastern end of the building. The western section of roof is proposed as a green roof.

42. Building D is part seven and part eight storeys in height and is situated in the southern part of the site, orientated at an angle, and parallel to the boundary with a separation and landscape buffer proposed. The northern elevation encloses the main pedestrian route through the site to the through to the woodland area to the west.
43. This building will comprise 23 residential units (11 x 1-bed, 8 x 2-bed and 4 x 3-bed), with four of these affordable units. Much like building C, the topography across the site is such that part of the lower ground floor is wholly above ground to the building's southern façade. At roof level, a green roof and private terraces to two 7<sup>th</sup> floor units are proposed.
44. Due to the location of the site, surrounding land uses and topography it is somewhat isolated. This results in generous separation distances from existing surrounding buildings. Residential properties to the north, on the opposite side of the railway will be between 38.7m and 44m away from building C. Residential properties to the south, on the opposite side of the railway will be in excess of 60m from building C. This generous level of separation means officers have no concerns about neighbouring residential amenity being harmed by the scale of buildings, or by loss of daylight, sunlight or increased overlooking (see paragraph's 67-71 in relation to the daylight and sunlight assessment).
45. The siting of building A results in this being in excess of 20m from building B at its closest point, which is SPG17 compliant. The eastern elevation of building B is 8m from the boundary with the petrol filling station, which although less than the 10m referred to in SPG17, on balance it is considered a sufficient distance from the petrol filling station use with a landscape buffer and tree planting proposed as mitigation. The southern elevation is 15m from the adjacent railway line/wildlife corridor boundary. The siting of building B means that building D is 16m away at its closest point, which is the north-eastern corner at ground floor level, however there are no directly facing habitable windows so this is acceptable. At first floor this relationship results in a separation of less than the normally acceptable 20m between directly facing habitable windows. Flats B.01.06 (building B) and D.01.08 (building D) are the only units impacted by this relationship, and it is a bedroom window in each flat that is affected. The staggered siting of these buildings helps to provide mitigation for this relationship, with reasonable outlook maintained. From second floor level and above building D is rotated on its podium meaning that directly facing habitable windows no longer present an issue. Buildings C and D are separated by the central pedestrian route through the site and the buildings are between 23m and 11.5m apart. At ground floor there are no directly facing habitable windows. At first floor the relationship is tightest, with directly facing balconies (recessed) 15.7m apart and directly facing habitable windows 13m apart. In view of this relationship weight is given to the fact that just three units out of 136 proposed (2.2%) are affected by this, all of which are dual aspect and have outlook in another direction. It is appropriate that this be given weight when balancing the planning merits of the proposal, which provides housing at a reasonably dense level in order to help meet the borough's housing need in a well-designed and attractive scheme. At second floor and above there is not an issue with directly facing habitable windows, due to the proposed design and arrangement of building D, which proposes to rotate this on its podium as discussed above, as this avoids directly facing windows above first floor.
46. Buildings C and D are sited parallel to the northern and southern site boundaries respectively. The northern elevation of C will place habitable windows within 3.3m of the boundary, and in the case of building D, 3.4m. Normally a distance of 10m is required between habitable rooms on the main rear elevation and a rear boundary, and 5m is required for habitable windows on the flank wall and a site boundary for privacy reasons, as set out in Supplementary Planning Guidance 17 'Design Guide for New Development'. Due to the site characteristics, the nature of adjoining land (i.e. green wildlife corridors) and the distance to the nearest residential properties no privacy concerns exist as a result of the relationship of buildings C and D to site boundaries.
47. A pedestrian only route is provided through the centre of the site, this is segregated from the vehicle access and begins south of building A (referred to as the 'Entrance Gateway Plaza'). Segregating pedestrian movement from vehicles is welcomed as it gives priority within the site to pedestrian movement, and it will create a strong sense of arrival through the proposed treatment of the landscape. The pedestrian route will link the different areas of outside space as you travel through the site, and the levels change is addressed through the provision of a lift via the atrium of building C. Wayfinding is aided by the linear water features at ground level, these will help guide pedestrians and they are a key part of the landscape concept.

### ***Townscape impact:-***

48. An assessment of the proposed developments impact on the existing townscape has been undertaken. Various view points have been used for this, as set out in the Assessment. This demonstrates that the site topography has the effect of reducing the buildings visibility from various viewpoints. Also, that the site is within an unusual and varied surrounding built context, with no distinctive pattern in terms of the height, scale and mass of buildings in the locality. The spacing between individual buildings on site and the variation in heights ensure an appropriate scale, bulk and mass on this relatively unconstrained site.
49. No heritage assets will be affected by the proposed development.
50. In townscape terms it is considered this would make a positive contribution to this section of Dudden Hill Lane.

### ***Appearance and Materials:-***

51. The architectural approach is to keep the elevations simple; this is reflected by the palette of materials. Brick is proposed as the predominant material, with a darker brown brick to give consistency between all four buildings. Secondary materials are proposed through the use of concrete features. Recessed glazing is proposed to inset windows, canopies to signify core access points and simple metal railings.
52. Articulation and expression is provided in the form of horizontal and vertical elements to buildings, these help to visually break down the massing and bulk. Verticality to the upper floor elements is to be achieved using brick fin features, which contrasts well with the horizontal rhythms on the lower floors, expressed through the brickwork and coloured concrete panels. The ground floor of each building is expressed as a plinth, this breaks up the massing into separate elements, and creates an active frontage at ground floor. The inclusion of recessed and projecting balconies, floor to ceiling glazing, brick detailing and the depth of window reveals will also help to give interest and depth to the facades.
53. In summary the overall design is considered to be of high quality, and further details of all external materials will be required as a condition of any approval.

### **Quality of residential accommodation:**

#### ***Internal floorspace and accessibility:-***

54. London Plan policy 3.5, the Mayor's Housing SPG and the nationally prescribed, Technical Housing Standards (2015) set guidance on design standards for new residential development, including minimum space standard requirements for new housing. It has been confirmed and demonstrated that the minimum internal floor space standards are met or exceeded in 100% of residential units. Also that minimum floor-to-ceiling height standards would be met or exceeded in accordance with the Mayor's Housing SPG. All units are designed to Lifetime Homes, Part M compliant and 10% of the dwellings will be Wheelchair Accessible, and that these accessible units (total 14) will be split across unit types and tenures, which is supported and welcomed. The wheelchair adaptable homes (90%) have been designed to comply with the Building Regulations Part M4(3), which is in line with National Housing Standards.

#### ***Light, outlook and privacy:-***

55. Separation distances between individual buildings within the site does display some variation, which in places propose a separation distance of less than 20m. In terms of the impact on residential amenity the relationships have been tested, and this is discussed in detail above (see paragraph's 45-46 ).
56. The orientation, siting of buildings and internal layouts mean that there is just a single unit which is north facing, this is a one bedroom single aspect unit. When viewed in its wider context this is considered acceptable on a development proposing this level of density.
57. Daylight and sunlight conditions for prospective occupiers have been modelled, expressed as Average Daylight Factor (ADF). Across the whole scheme just two windows fall below the BRE guidelines for internal daylight, resulting a level of compliance in excess of 99%. In context, given the number of windows across the development this is a very low proportion, and must be balanced against other planning merits associated with the development.

58. Within the development site all external ground areas and communal spaces will perform well in terms of overshadowing and comply with BRE guidelines, except for one small area of private amenity space. This is one isolated instance.

***External amenity space and play space:-***

59. The scheme is supported by a detailed and well considered landscape strategy and the high quality of landscaping that is proposed is an important part of creating a valued place that is attractive for residents. Your officers consider the high quality of this aspect of the proposal to be a planning merit.

60. A hierarchy of external spaces are proposed incorporating a series of landscaped communal amenity spaces, woodland areas and children's play areas. These will be at different levels taking advantage of the sloping topography of the site from east to west. These spaces are designed to start off as formal spaces around the site entrance that become more informal as you travel through the site. Inclusive design is achieved across these levels with the inclusion of an atrium lift, in building C.

61. An entrance gateway space is proposed to the south of building A. This will be publicly accessible and creates a pedestrian only arrival point and marks the route through the site. This will be planted, and will have a linear water feature running through it, and this water feature forms part of the wayfinding strategy to guide pedestrians through the site. This also creates a welcoming entrance to building A for residents.

62. To the west of building A a publicly accessible square is proposed. A formal woodland themed area is situated to the west of building B, this also will be publicly accessible and also function as communal space for prospective residents. A mid-level semi-formal woodland seating area is proposed within the centre of the site, between buildings B and C. The water feature wayfinding theme continues here connecting this space to the entrance gateway space and terracing is proposed to take advantage of the topography. Seating will be provided to encourage people to use and enjoy this space and good levels of natural surveillance will be achieved as it is flanked by buildings B and C either side. As you move through this central space you will then reach the informal nature themed woodland area at the western end of this triangular shaped site (west of building C).

63. Private amenity spaces are provided at ground floor for three bedroom duplex units, and private balconies or roof terrace to serve all other units. Communal roof gardens will supplement the communal ground level spaces. All private balconies meet, or exceed the 5sqm minimum standard set out in the Mayor's Housing SPG. Overall the outdoor space amounts to approximately 4,760 sqm of external amenity space (including dedicated child play space). This is broken down into 1,214sqm of private amenity space, 3,264sqm of ground floor communal amenity space, and 282sqm of communal rooftop amenity space. This exceeds the external space standards set out in Development Management policy DMP 19.

64. On balance the different types of external amenity space and the quantum of private amenity space will create a high quality development for future residents, with buildings located within an attractive and useable landscape setting.

***Play space:***

65. The proposal also incorporates children's play space, which is required by London Plan policy 3.6. The amount of play space required is determined by expected child yield population. The application is supported by a child yield calculation, which has been carried out in line with the Mayor's SPG methodology. This gives rise to a requirement of 390sqm, with an additional 195sqm required for the under 5's age range. It is proposed to provide this play space on site, split between two dedicated areas. An area for younger children is sited to the south of building B, this is to include inclusive play equipment and play mounds, and this will be 212sqm. In addition play space for the older children is to be provided at the western end of the site (178sqm) and this is supplemented by an incidental play area incorporated into the central communal space. This area, which is 152sqm, is aimed at the 12+ age range that are to contain playable aspects such as sculptural features, seating elements, changes to levels all of which will provide opportunities for informal play. Nearby playgrounds and parks can be used for children in the older age ranges too, and it is noted that Gladstone Park is within walking distance.

66. The amount, and range of play space satisfies London Plan policy, and further details of the play equipment will be secured through planning condition.

**Impact on neighbour amenity:**

### ***Daylight, sunlight and overshadowing assessment:***

67. A full assessment has been carried out, in accordance with BRE's "Site Layout Planning for Daylight and Sunlight 2011. This has assessed the likely impact of the proposal on neighbouring amenity in terms of daylight and sunlight conditions, as well as shadowing.
68. The results show that in daylight terms all of the neighbouring 94 rooms/windows assessed will fully and comfortably comply with BRE guidance for daylight in No Sky Line terms, as well as Average Daylight Factor.
69. In sunlight terms all 42 rooms assessed will comply with the BRE guidance for sunlight in Annual Probable Sunlight Hours (APSH). Many of the rooms are served by more than one window and there is a single individual window within 1-6 Sycamore Court (to the north) which will experience a loss of just over 22%, but importantly it will still remain BRE compliant.
70. The shadow analysis indicates that all neighbouring public and private amenity space outside of the development site will continue to remain fully BRE compliant in shadowing terms.
71. On balance, the assessment results demonstrate that daylight and sunlight conditions for neighbouring accommodation will not be unduly impacted upon or harmed by the siting and scale of the proposed buildings. The proposal is BRE compliant in daylight, sunlight and overshadowing terms and would have an acceptable impact on surrounding residential amenity in this regard.

### **Transport considerations: Access, parking and servicing:**

72. Dudden Hill Lane is a London Distributor Road. On-street parking is prohibited at all times due the double yellow lines along the site frontage as well as the site's close proximity to the signal controlled junction of Dudden Hill Lane/Burnley Road. Although this length of Dudden Hill Lane is not covered by any CPZ, all surrounding residential streets are with various CPZ restricting parking Mon-Fri 8am – 6.30pm. The one exception is nearby Broadfields Way to the north, which is not included in the Controlled Parking Zone 'NS'.
73. The site has poor to moderate access to public transport services (PTAL 2-3), with Dollis Hill station (Jubilee tube) and two bus routes (226, 302) within 640 metres of the eastern end of the site. The southern end of the site has a PTAL of 3, and the site is on the edge of what might be considered to be a PTAL 4 location.
74. Access arrangements have been revised since the submission of earlier applications (16/0775 and 16/0776). Vehicle access will now utilise the existing site access located close to the northern boundary, this is completely separate from pedestrian access. The existing crossover is wide enough to allow a two way flow. The vehicle access point is 30m away from the petrol filling station exit, and allows for a safe, segregated pedestrian only access south of building A, which is welcomed.
75. Car parking allowances for the existing and proposed uses of the site are set out in the recently adopted Development Management Policy DMP 12 (appendix 1). For residential parking the full allowance is applied due to the low-moderate PTAL level (1 and 2 bedrooms = 1 space, 3 bedrooms = 1.5 spaces). Therefore a maximum of 155 spaces are permitted for this site. The DMP car parking and servicing allowances for A1/A3 uses would allow as maximum provision 1 space for the smaller unit and 5 – 10 spaces for the larger unit. The car parking allowance for nursery use (40 children and 10 staff) would allow as a maximum 5 spaces.
76. The application proposes a total of 44 spaces within the lower ground car park, of which 36 spaces will be for residents use (ratio of 0.3 spaces per unit), four staff only spaces for the intended nursery, two visitor spaces and two car club spaces. 14 (+10%) of spaces will be for disabled parking, in accordance with adopted standards.
77. The DMP parking allowance for the commercial elements is greater than under the now superseded UDP standards; however, this is a maximum provision and as such the proposed level of parking complies with standards. The Council's Transportation officer supports this provision, in view of the fact extensive waiting restrictions along Dudden Hill Lane and a CPZ in the wider area address concerns regarding overspill on-street parking from these uses.



78. The number of proposed residential spaces falls below the maximum standard and therefore consideration needs to be given to the impact of any overspill parking on traffic flow and highway safety. To this end, parking demand amongst flats is generally assumed to average 75% of the maximum allowance (50% in the case of affordable housing) and a total of 112 cars are estimated to be owned by future occupiers of these flats, leaving 76 vehicles needing to park in the area.
79. As parking cannot be safely accommodated on Dudden Hill Lane, with it being a London Distributor Road with extensive double yellow lines along it, appropriate mitigation is required to prevent excessive overspill parking occurring on nearby roads.
80. To this end, the surrounding streets (save for Broadfields Way) are within a Controlled Parking Zone, so a more flexible parking standard can be applied as long as this is supported by a 'permit-free' agreement, so that future residents would not be allowed to park in adjoining streets during CPZ hours. This can be enforced by Brent Council. A higher PTAL value (4 or above) is usually sought to support low- or no-car housing and ensure residents will still have options for travel by other modes. This site does not have a PTAL 4 rating, but it is within walking distance of Dollis Hill Underground station and is also only fractionally beyond the 640m walking distance threshold for seven further bus services at Willesden bus garage. Given these characteristics and the presence of a CPZ it is considered that any concerns regarding overspill parking can be appropriately managed. Two car club bays are also proposed on site, these are welcomed in terms of helping support the lower level of parking provision. For these reasons any approval would be subject to the right of future residents for on-street parking permits being withdrawn.
81. It is proposed that 20% of the car parking spaces will have active electric vehicle charging facilities, with a further 20% of spaces having passive electric charging facilities, this meets policy requirements.
82. The area to the rear of building A will be used for servicing of the D1/A1/A3 use and nursery drop off/pick up. The area is 16m wide and approximately 18m deep and the applicant proposes for this area to be used as a turning circle allowing vehicles entering one way and exiting another, therefore allowing parents to use this zone as a drop off and collection point and preventing unsafe and obstructive parking on the highway. The area is also reserved for the servicing and deliveries for the residential units and the commercial units and a delivery management plan states that deliveries and servicing will be avoided during nursery drop off and pick up times. Further details of appropriate layout and markings in this turning area will however need to be secured by condition.
83. The Transport Assessment (TA) does state that the nursery can expect 13-25 vehicular arrivals during morning and evening peaks. The drop off and pick zone incorporated is considered sufficient to accommodate these vehicles and the flexible starting and finishing times that area proposed for the nursery will also help to spread demand over a longer period and should form a key element of any Travel Plan secured.
84. A total of 260 cycle spaces on the lower ground, with 18 cycle parking spaces available on ground level for visitor parking are proposed. The cycle spaces also include provisions for the nursery and café staff to use. The TA states that stepped access to the lower ground cycle facility will be provided with channels set within the steps to assist pushing of cycles and lift services will also be provided for the cyclists, and shower facilities for the D1/A1/A3 uses to encourage cycling.

***Refuse and emergency access:***

85. The area to the rear of the nursery and café (building A) will be used for servicing and refuse collection as the space is large enough to accommodate vehicles turning around and leaving in forward gear. A refuse collection point is proposed whereby bins for collection will be moved to the designated collection point on collection day. This will be managed by the on site concierge.

***Delivery and servicing management:***

86. The TA anticipates 12-14 deliveries per day for the site as a whole. It is submitted that deliveries will be subject to time restrictions so that these do not conflict with peak nursery drop off and pick up times. It is also expected that a nursery staff member will marshal the nursery drop-off and pick ups, which is welcomed. Delivery and servicing will be managed by the concierge and suppliers will be required to pre book delivery slots which are also welcomed. The deliveries will be programmed to avoid refuse collection and the marshal/concierge will be actively discouraging any illegal parking/waiting activity.

87. The Council's Transportation officer has recommended that the implementation of the Delivery and Servicing Management Plan be secured by condition.

***Transport Assessment:***

88. Baseline traffic flows were carried out over a week long period and accident statistics along Dudden Hill Lane were looked at over a five year period. There were no recurring patterns that would be likely to be worsened by the proposed development.
89. Comparable residential sites and nursery uses were used to predict vehicle generation. The predicted flows amount to less than 2% of the existing traffic flow along Dudden Hill Lane and are not therefore considered to be significant enough to warrant further junction capacity assessment.

***Travel Plan:***

90. The Council's Transportation officer has assessed the draft residential travel plan, and advises that this is not of sufficient quality to pass TfL's ATTrBuTE programme. This is due to the low targets set to reduce car travel, and it would be expected that improved targets be set. A revised Travel Plan, with improved targets, will be secured through the s106 agreement.
91. In summary, there would be no objection on transport grounds. The low level of on site parking is supported due to site accessibility to Dollis Hill Underground Station, Willesden Bus Garage and the ability to control overspill parking by the surrounding CPZ. A more detailed plan is required to show what the servicing area to the rear of building A will look like and how it will be laid out.
92. Subject to a S106/conditions to secure: (i) a 'permit-free' agreement withdrawing the right of future residents to on-street parking permits in the area; (ii) provision of a subsidised Car Club membership per residential unit in accordance with details to be approved by Brent Council in consultation with local Car Club operators; (iii) submission, approval of and implementation of a revised Travel Plan; (iii) further details of a Construction Method Statement, implementation of the Delivery and Servicing Management plan there would be no objections on transportation grounds to this proposal.

***TfL position:-***

93. The quantum of on-site parking is supported, being in line with London Plan standards and the wider London objective to deliver sustainable developments. The provision of on site car club is also welcomed. The provision of 20% active and 20% passive EVCP's is welcomed and should be secured by condition. The quantum of cycle parking is welcomed. A permit free restriction is also supported, and a Travel Plan should be secured by s106 agreement.
94. In view of the above no objection has been raised, subject to alterations to the disabled parking spaces and securing of further details through conditions.

**Ecology and biodiversity:**

95. The NPPF states that "the planning system should contribute to and enhance the natural and local environment protecting and enhancing valued landscapes" and that it should minimise impacts on biodiversity. London Plan policy 7.19 states that wherever possible, proposals should make a positive contribution to the protection, creation and management of biodiversity, and gives sites of borough and local importance for nature conservation the level of protection commensurate with their importance. Brent Core Strategy policy CP18 is also relevant.
96. Adopted Development Management policy DMP1 says that for development to be acceptable it must "maintain or enhance sites of ecological importance" and DMP8 says that where open space is proposed it should "enhance biodiversity and integrate into the existing green infrastructure network" and that green chains and wildlife corridors will be protected from development which would compromise its biodiversity function.
97. The ecological context is formed by the adjacent railway embankment to the north and south of the site. The area to the north is locally designated as a Site of Importance for Nature Conservation (SINC), known as the Dudding Hill loop SINC, and to the south the Metropolitan line SINC. These are designated for their importance locally as wildlife corridors. Due to these designations an Ecological Constraints and Opportunities Assessment supports the application.

98. The current ecological value on the site is relatively low, it is comprised mainly of buildings and areas of hardstanding, and is absent of trees on site. There are existing hedgerows on site, these have been identified as having potential to support nesting birds and foraging bats.
99. An Ecological Constraints and Opportunities Assessment (ECO) has been provided, one of the recommendations of this was to carry out bat surveys to establish whether or not bat roosts are present in two buildings on site. In accordance with the ECO recommendations bat roost surveys were undertaken for existing buildings on site identified as having potential to support roosting bats. These were undertaken in July and August, which is considered the optimum survey period. During the surveys there was no recorded evidence of bats emerging or re-entering the potential roost spots, and no evidence of foraging or commuting bats. In the absence of any recorded bat activity no specific bat mitigation measures have been recommended by the survey report, nor are they considered necessary.
100. The lack of bat activity may be a result of the relatively high levels of lighting on site, particularly at night due in part to the proximity to the petrol filling station.
101. It is considered the proposed landscaping measures, which will include new native tree/shrub planting, will increase foraging habitat, and the installation of bird and bat boxes will improve nesting opportunities. The implementation of a Construction and Environmental Management Plan (CEMP) shall demonstrate what measures will be implemented to minimise lighting impact on the neighbouring SINC areas.
102. An extended Phase 1 habitat survey was undertaken (April 2015) and all habitats mapped and assessed for their potential to support protected species. European protected species are protected by Reg 40 of the Conservation of Habitats and Species Regulations (2015) (as amended), protection is also afforded to European protected species under the Wildlife and Countryside Act 1981 (as amended).
103. A desktop investigation was undertaken to establish if any legally protected species had previously been recorded within close proximity of the site. In August 2016 all habitats on site were surveyed for their potential to support protected species.
104. The habitat survey noted the adjacent Dudding Hill and Metropolitan line SINC areas. The latest review of these did not show any habitats of principal importance to be present though they are known to support House Sparrows and hedgehogs.
105. With any construction work there will be a level of impact, and there is the potential for increased pollution during this period. However, there is recognition that the adjacent SINC areas will already receive light and noise pollution due to their locality, and the implementation of a CEMP to reduce potential pollution, the implementation of a sensitive lighting scheme, provision of a nature area at the western end of the site (where the neighbouring SINC areas meet) and the new habitats that are to be created on site will, on balance, provide sufficient mitigation against any harm that may arise.
106. It is important to recognise that the proposed scheme does not propose any alterations into, encroachment of, or clearance of the adjacent SINC areas, which fall on land outside of the application boundaries, and on land outside of the applicant's control.
107. The proposed scheme has been designed to be sensitive to the local ecology and respect the adjacent SINC areas, and to not adversely effect nature conservation. The proposed landscape strategy has been designed to positively respond to the local context by:
- Setting back building lines from site boundaries
  - Proposing new landscaping corridors adjoining site boundaries, including a large number of new trees along site edges
  - Proposing a sensitive lighting strategy, further details of which shall be secured by condition
  - Proposing a high quality landscape scheme as a setting to the proposed buildings which provides habitat for biodiversity. Water swales have been proposed, and the heavily wooded area to the south-west of the site will function as a continuation of the adjacent SINC areas.
  - The green edges proposed will integrate into the existing green infrastructure
  - Provision of green roofs on site
108. On balance it is considered the impacts on ecology and biodiversity ecological impacts would not cause material harm, and would be acceptable subject to conditions.

### **Trees:**

109. A Tree Survey, Tree Protection Plan and Arboricultural Impact Assessment all support the application. These consider the impacts on trees on and adjacent to the site during the construction stage and the life of the development. It is proposed to remove a single tree in close proximity to the vehicle access, which the Council's Tree Officer is agreeable to given its low quality, and subject to replacement planting. A significant number of new trees are proposed as part of the landscaping strategy which is welcomed. These will provide a buffer in selected areas, will act as green corridors around the site that can act as a continuation of the adjacent SINC areas.
110. Subject to further details of new planting (including new trees) to be agreed as part of a landscaping condition, and implementation of the tree protection plan measures set out there would be no objection.

### **Environmental considerations:**

#### ***Air Quality:***

111. The site is within a designated Air Quality Management Area (AQIA), therefore a report has been submitted considering the potential air quality impacts associated with the proposed construction and future operation of the site.
112. The report shows that construction works will give rise to a medium risk to air quality through dust impacts. It recommends measures to mitigate dust emissions during construction phase and securing these by condition. It is found that additional traffic from the development will have a negligible impact. Emissions from the proposed CHP and boiler plant have been assessed, and in terms of nearby properties any impact is found to be negligible.
113. Air quality conditions for prospective occupiers has been assessed, and pollutant concentrations are predicted to be below the air quality objectives at the worst-case locations assessed, as such air quality conditions for residents will be acceptable. The Council's Environmental Health officer concurs with the methodology and findings of the assessment and recommends that conditions are secured in relation to measures to control noise, dust and other environmental impacts during construction (i.e. a Construction Method Statement), and also that prior to occupation the applicant shall provide a report to verify that all proposed mitigation measures in the approved Air Quality Impact Assessment have been implemented in full.

#### ***Noise conditions:***

114. London Plan policy 7.15 requires development proposals to be designed to minimise the impacts of noise.
115. A Noise and Vibration Assessment (NVA) has been undertaken and supports the application. This quantifies the existing noise climate in the local area, in order to determine building envelope performance requirements (in view of the proposed uses) and plant noise emission levels.
116. The NVA has been assessed by the Council's Environmental Health officer, who considers the methodology to be accurate, the ventilation strategy is considered to be reasonable (subject to chosen plant/machinery), and the information in relation to vibration levels is acceptable.
117. Conditions are recommended in relation to plant noise, façade attenuation and noise transmission between commercial units and residential uses.

#### ***Flood risk and drainage:***

118. London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF.
119. The site is situated within Flood Zone 1 and therefore has the lowest level of flood risk, and is below the 1 hectare threshold for undertaking a full Flood Risk Assessment (FRA). However a Flood Risk Statement does support the application. This confirms the site is at low risk of tidal or fluvial flooding, and that flood risk from all other sources is deemed to be low.

120. London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. A Drainage Strategy submitted with this application outlines the proposed strategy for dealing with surface water and foul water drainage. The strategy seeks to incorporate SUDS by collecting run off for reuse on site, to utilise swales and permeable paving (subject to ground conditions) and the provision of attenuation tanks on site. Further details of this strategy have been requested by condition by the Council's Infrastructure, Flood and Drainage engineer.

***Contamination:***

121. The requirement to deal with contaminated land is set out in London Plan policy 5.21, Brent UDP policy BE12 and reinforced by the NPPF.

122. A Phase 1 land contamination assessment supports the application. The assessment concludes that the potential risk to future site users from contaminants in the made ground is low to medium if the development exposes the shallow soils. However, the risk increases with the need to remove material in order to accommodate the lower ground floor level parking.

123. The Council's Environmental Health officer has recommended that conditions be secured requiring further site investigation works post demolition to determine the nature and extent of any soil contamination present, and proposed remediation measures if necessary and secondly a verification report to demonstrate any remedial works have been carried out fully in accordance with the agreed strategy.

**Other:**

***Phasing:***

124. It is proposed to implement the development in phases for practical construction reasons. Phase 1 will include buildings B and C, Phase 2 building A and Phase 3 building D. This is set out through phasing plan (PP)010 –P1, and is secured by condition unless an alternative Phasing Plan is submitted to and approved in writing by the Local Planning Authority.

**Conclusion:**

125. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the locality. This efficient use of the land will result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing. It is considered that the form of development will have an acceptable impact on and relationship with the existing surrounding development, is sensitive to its ecological context, and will not materially harm the adjacent SINC areas, nor will it unduly harm surrounding amenity. A well considered landscape strategy is proposed, which combined with the proposed standard of design and layout of buildings will ensure a high standard of development and a good quality residential environment for future occupiers. Officers recommend the application for approval subject to the conditions and s106 obligations set out in this report.

## **SUSTAINABILITY ASSESSMENT**

### **ENERGY**

London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. All major development submitted before the 30 September 2016 is required to reduce carbon emissions by at least 35% over the 2013 Building Regulations Target Emission Rates. London Plan policy 5.3 requires development to achieve the highest standards of sustainable design.

Brent Core Strategy policy CP19 requires all development to contribute towards achieving sustainable development.

The application is supported by an Energy Strategy Report and Sustainability Statement (including BREEAM Pre-Assessment) which outlines the strategy to reduce the buildings energy consumption and measures that are to be implemented to achieve the target 35% reduction in CO2 emissions beyond the requirements of Part L of the 2013 Building Regulations.

This strategy proposes Be Lean measures through the building fabric, the use of a Combined Heat and Power (CHP) system in order to supply energy efficiently (Be Clean), and photovoltaic panels (Be Green) in order to achieve the required carbon emission reductions target.

The strategy, which follows the GLA’s Energy Hierarchy will achieve a 36.5% improvement in CO2 emissions over Part L 2013 through ‘Be Lean, Be Clean, Be Green’ measures, and will satisfy the relevant London Plan and local Brent policies.

Before deciding upon the aforementioned strategy a number of renewable technologies were investigated for their feasibility on site, including wind energy, ground source heat pumps, and biomass. For various practical reasons these were not deemed feasible for this development.

This level of carbon reduction is in conformity with policy 5.2 of the London Plan. The energy strategy proposed is also in conformity with the GLA’s Energy Hierarchy. Compliance with this target and the wider sustainability measures should be secured by s106 agreement.

The BREEAM pre-assessment relates to the community/retail element. At this stage it is envisaged that a proposed score of 68.15% could be achieved, which corresponds to a BREEAM rating of Very Good. A rating of Excellent is normally sought, however it is recognised that the commercial elements within this development are relatively small, and that Excellent may not be feasible. It is therefore considered reasonable to support the envisaged Very Good rating. BREEAM post completion certification will be secured by s106 legal agreement.

**S106 DETAILS**

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See ‘Recommendation’ section for further details.

**CIL DETAILS**

This application is liable to pay **£3,710,100.51\*** 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): 616 sq. m.  
 Total amount of floorspace on completion (G): 14025 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	13386		12798.0658 823529	£200.00	£35.15	£3,108,101.71	£546,248.88
Shops	639		610.934117 647059	£40.00	£35.15	£29,673.94	£26,075.98

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)	272	
<b>Total chargeable amount</b>	<b>£3,137,775.65</b>	<b>£572,324.86</b>

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

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

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

development that may benefit from relief, such as Affordable Housing.



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/4010

To: Mr Fyall  
DP9 Ltd  
100 Pall Mall  
London  
SW1Y 5NQ

I refer to your application dated 13/09/2016 proposing the following:  
Proposed demolition of all existing buildings and construction of part five / part six / part seven / part eight / part nine storey buildings comprising 136 residential units (Use Class C3, comprising of 42 x 1 bed, 56 x 2 bed and 38 x 3 bed flats) and community/retail floorspace (Use Classes D1/A1/A3); related lower ground car park comprising 44 car parking spaces; cycle parking, vehicular access; footways; landscaping; plant and associated works.  
and accompanied by plans or documents listed here:  
(See Condition 2)  
at Warranty House, Dudden Hill Lane, London, NW10 1DD

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 that reads "Alice Lester".

**Alice Lester**  
Head of Planning, Transport and Licensing

**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:-

Central Government Guidance

Council's Supplementary Planning Guidance/Documents 17 'Design Guide for New Development' (2002), Supplementary Planning Document – s106 Planning Obligations

Development Management Policies, London Borough of Brent (2016) – adopted 21 November 2016

- 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):

(PL)000

(PL)001 -P1

EX(PL)001

EX(PL)010

EX(PL)011

EX(PL)300

(PL)008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018 and 019

(PL)200

(PL)201

(PL)300

(PL)301

Building A

A(PL)099, 100, 101, 102, 103, 104, 105, 106, 107, 108 and 109

A(PL)300

A(PL)301

Building B

B(PL)099, 100, 101, 102, 103, 104, 105, 106 and 107

B(PL)300

B(PL)301

B(PL)302

Building C

C(PL)098, 099, 100, 101, 102, 103, 104, 105, 106, 107 and 108

C(PL)300

C(PL)301

C(PL)302

Building D

D(PL)099, 100, 102, 103, 104, 105, 106, 107 and 108

D(PL)300

D(PL)301

(PP)010 -P1

tga, 'Indicative External Lighting Calculations', Revision 04 (13 September 2016)

Ramboll Environ, 'Noise and Vibration Impact Assessment' (ref: 1620000888-AC-R01C) (9 September 2016)  
 Air Quality Consultants, 'Air Quality Assessment' (report number J2356/3/F1) (12 September 2016)  
 Caneparo Associates, 'Delivery and Servicing Management Plan' (September 2016)  
 Caneparo Associates, Drg 001, 'Pedestrian Priority & Temporary Refuse Container Storage Area'  
 Mendrick Waring Ltd, 'Energy Strategy Report' issue 01 (September 16)  
 Lynas Smith, 'Design & Access Statement' (09/09/2016)

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

- 3 The Development hereby approved shall be carried out in Phases in accordance with the approved Phasing Plan (drg (PP)010 –P1), unless an alternative Phasing Plan is submitted to and approved in writing by the Local Planning Authority pursuant to this condition.

Reason: In the interests of proper planning.

- 4 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)

Tests shall be carried out prior to first occupation of any phase within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval in writing.

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

- 5 Any plant together with any associated ancillary equipment shall be installed 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 5dB(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. The plant shall thereafter be installed prior to the first use of the building to which the plant relates and maintained in accordance with the approved details for the lifetime of the Development

Reason: To protect acceptable local noise levels.

- 6 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) 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.

- 7 Prior to the commencement of the use of any part of the approved Development the following shall be constructed and permanently marked out:-

- the approved number of car parking spaces as shown on the approved plans which shall include the provision of at least 20% active and 20% passive electric vehicle

charging points and at least 14 spaces designed and laid out for disabled parking  
- cycle parking numbers as approved

Thereafter the approved parking shall be retained and used solely for the specified purposes in connection with the Development hereby approved for the lifetime of the Development and shall not be obstructed or used for any other purpose/s unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate parking and cycle parking provision in accordance with adopted standards.

- 8 External lighting shall be carried out in accordance with the tga report, Revision 04 titled 'Indicative External Lighting Calculations' The approved details relating to a Phase shall be fully implemented prior to occupation of the building(s) within that Phase and retained as such for the lifetime of the development.

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

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

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

- 10 Elements of the building(s) permitted for "D1 Use" as shown on approved drawings (PL) 009, (PL)010, A(PL)099 and A(PL)100 shall under no circumstances be used as a Place of Worship within Class D1 (Non-residential Institutions) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) without express planning consent from the Local Planning Authority first being obtained.

Reason: in order to ensure that the use of the premises has an acceptable impact on transportation grounds and on residential amenity

- 11 Use of the site shall be carried out fully in accordance with the Delivery and Servicing Management Plan, as set out in the Transport Statement (dated September 2016) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impacts of the development on the highway.

- 12 The developer or constructor shall sign up to the Considerate Constructors Scheme prior to commencement of works on site and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for that part of the development.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 13 Before any above ground construction work (excluding demolition) is commenced on any Phase, details of materials for all external work for that Phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

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

- 14 Before any above ground construction work (excluding demolition) is commenced on any Phase

a detailed scheme for the hard and soft landscape works of any undeveloped land within that Phase shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping works for a Phase shall be fully completed prior to occupation of the building(s) within that Phase, or within 12 (twelve) weeks of the commencement of the next planting season. Such a scheme shall include, but is not limited to:-

(a) the means of protection (in accordance with BS5837:2012) of all existing trees and shrubs on site or in close proximity to the site boundaries and not directly affected by the building works and which are to be retained, including detailed proposed protection measures during any demolition or construction works to include locations of all protective fencing, ground protection, site facilities and storage areas. Where, for construction purposes, it is necessary to position tree protection fencing within the RPA of retained trees, suitable ground protection will be installed to prevent undue soil/root compaction from pedestrian and/or vehicular traffic. Such works are to be carried out fully in accordance with Indigo report (ref: 15166/A3\_AIA\_RevA) unless otherwise approved in writing.

(b) Details of proposed walls, fencing and other means of enclosure indicating materials and heights, including secure fencing around the boundary of the site and the neighbouring designated SINC areas;

(c) Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm,

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

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

(f) Details of any balustrade/balcony treatment

(g) Details of areas of hard landscape works and proposed materials, including details of a robust and durable choice of material for the refuse turning area ;

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

(i) Details for the provision for outside seating / benches and children's play equipment

(j) Details for the provision of on site bird and bat boxes

Furthermore, all trees within the Indigo report (dated 12 September 2016) that are identified for retention as part of this development that fall into irreversible decline and/or die as a result of non-adherence to the approved documents within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed with the Local Authority.

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

Reason: To ensure a satisfactory appearance and setting for the proposed development, 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, ensure that it enhances the visual amenity of the area and to protect trees in the immediate environment and to retain a mature tree cover around the site and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 15 Prior to the commencement of the Development, including any preparatory works or demolition works, a detailed Construction and Environmental Management Plan shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The Development shall be carried

out fully in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Owing to the fact the site is within an Air Quality Management Area and to safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

- 16 Details of all external signage, naming and numbering on any building within a Phase shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the relevant building and implemented in accordance with the approved details and retained as such for the lifetime of the Development.

Reason: In order to ensure a legible development.

- 17 Prior to first occupation of any building within a Phase hereby approved, confirmation from the Building Control body shall be submitted to the Local Planning Authority to demonstrate that the relevant building 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: In order to ensure a sustainable development.

- 18 Prior to first occupation of any building(s) within a Phase a report which provides evidence that the mitigation measures described in the approved Noise Impact Assessment (Ramboll Environ Project Number 1620000888, Report Reference 1620000888-AC-ROIC, dated 9 September 2016) relating to that Phase have been fully implemented shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be retained for the lifetime of the Development.

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

- 19 Prior to the commencement of the development, including any enabling works or demolition works (save for site investigations and surveys), a Construction Management and Logistics Plan shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out fully in accordance with the approved details thereafter. The approved Plan shall include any required temporary traffic management or temporary highway closures required for loading/unloading of materials/equipment.

Reason: To comply with London plan policy 6.14. This condition is required to be pre-commencement to ensure the Plan is in place before harmful works commence.

- 20 Prior to the commencement of relevant drainage works for any Phase full details of a drainage strategy detailing any on and/or off site drainage works which shall include but is not limited to a scheme of drainage measures for all areas of hard surface within the relevant Phase, showing those areas to be treated by means of hard landscape works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for any relevant Phase shall be implemented in full prior to first occupation of that Phase and shall be retained for the lifetime of the Development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

- 21 Prior to first occupation of any building(s) within a Phase a report which demonstrates that the mitigation measures set out in the approved Air Quality Impact Assessment (Air Quality

Consultants Report Number J2356/1/F2 dated 15/02/16) relating to that Phase have been fully implemented shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be retained for the lifetime of the Development.

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

- 22 Any extract ventilation fan, together with any associated ducting shall be installed so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any extraction plant together with any associated ducting, shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to the Local Planning Authority in writing for approval. The extraction system shall thereafter be installed prior to the first operation of the A3 use to which the extraction system relates and maintained in accordance with the approved details for the lifetime of the Development

Reason: To safeguard the amenity of the neighbours from the transmission of noise from any future A3 use on site.

- 23 Details of hours of operation for any Use Class D1/A1/A3 Use hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the relevant use and the relevant Use shall be carried out in accordance with the approved hours of operation for that Use unless otherwise agreed in writing.

Reason: To safeguard the amenity of residential occupiers.

- 24 A scheme of sound insulation measures between the proposed commercial and residential uses of Building A, shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be installed before commencement of the uses hereby permitted within Building A and permanently retained thereafter. This shall demonstrate that the insulation of separating floors between commercial and residential uses meet the standards of the Building Regulations Approved Document E 'Resistance to the passage of sound'.

Reason: To safeguard the amenity of residential occupiers.

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

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

- 26 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works on any Phase. Prior to the occupation of each phase a verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that remediation has been carried out for that Phase in accordance with the approved remediation scheme and the land within that Phase 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.'

- 27 Prior to first occupation of any building(s) within a Phase the applicant shall submit for the approval in writing of the Local Planning Authority further details of accessible cycle parking for that Phase. The approved details relating to a Phase shall be fully implemented prior to occupation of the building(s) within that Phase and retained as such thereafter

Reason: To comply with London Plan policy 6.13

- 28 Prior to first occupation of any of the buildings further details of the layout of the service/drop off zone shall be submitted to and approved in writing to the Local Planning Authority to demonstrate how this area will be marked appropriately for users. The approved details shall be implemented in full prior to first occupation and retained as such thereafter

Reason; In the interests of pedestrian and highway safety.

- 29 Prior to first occupation of the largest commercial unit identified within the approved drawings A(PL)099, A(PL)100 and Design and Access Statement for use as a children's nursery at ground and lower ground levels within Building A, the permitted retail uses (Classes A1/A3) must not be implemented until the unit has been actively marketed for D1 nursery use and/or other D1 uses (excluding as a place of worship) by all reasonable means for a minimum period of six months, and a Marketing Report which 1) provides details of the marketing undertaken and 2) demonstrates that there is no suitable D1 operator interest, shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed). Details of the proposed first use of the unit shall be submitted to and approved in writing by the Local Planning Authority, prior to first occupation.

Reason: To ensure D1 community uses are adequately re-provided to meet the Development Plan requirements and to fully test demand for the proposed D1 use prior to implementation of a Class A1 or A3 use.

## INFORMATIVES

- 1 As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with them to enable approval of detailed works. More information can also be obtained from the website at [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx).
- 2 The site is adjacent to London Underground land. The applicant is advised to contact London Underground Infrastructure Protection in regard to the site's close proximity to LU lines in order to enter into any necessary agreements and or licenses before carrying out of works on site.
- 3 (a) Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of any piling works in advance of such works.  
  
(b) Thames Water advise that they will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.  
  
(c) Pursuant to Condition 19, Thames Water advise that the Strategy submitted should include the current and proposed point(s) of connection to the public sewer system as well as peak


discharge rates for both the pre- and post- development scenarios. Pump rates will need to be confirmed. They would expect peak surface water discharge rates to remain consistent or be reduced from current levels.

- 4 The applicant is advised that prior to commencement of any works on site, a condition survey of the existing road network, together with a regime for monitoring the condition of the road network during construction and subsequent repair works, shall be agreed by the Local Highway Authority. The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 5 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 6 The applicant is required to enter into a "Building Over sewer" Agreement with Thames Water Utilities Ltd before commencing construction of any part of the building over a public sewer.
- 7 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
- 8 Given the age of the building(s) to be demolished it is possible that asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Environmental Health Officer should be contacted.
- 9 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 10 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).



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

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 <b>Brent</b>	<p><b>Planning Committee</b> 14<sup>th</sup> December 2016</p> <p><b>Head of Planning, Transport &amp; Licensing</b></p>
<p>For Information</p>	<p style="text-align: right;">Wards affected: All except parts of those wards in Tokyngton, Stonebridge, Harlesden, Kensal Green that fall within the Old Oak and Park Royal Development Corporation boundary</p>
<p><b>Draft Basement Supplementary Planning Document</b></p>	

**1.0 Summary**

1.1 This report sets out the rationale for consultation on a draft Brent Basement Supplementary Planning Document (SPD). It provides a high level summary of the content of the document. It provides clarity on what are planning matters and which matters are the remit of other legislation/statutory functions.

**2.0 Recommendations**

2.1 That Planning Committee recommend to Cabinet that the draft Basement SPD in Appendix 1 be agreed for public consultation.

**3.0 Detail**

**Background**

3.1 In response to residents' concerns about adverse impacts of basement developments councillors have requested up to date planning guidance on how the Council will deal with basements applications. It should be noted residential basement developments can be permitted development, however, where planning permission is needed this SPD will be a material consideration in determining planning applications.

**The draft Supplementary Planning Document contents**

3.2 The basic structure of the document is:

- a) Introduction and purpose of the document.
- b) The planning matters
- c) Checklist and list of validation requirements
- d) Other regimes and controls.

3.3 The SPD provides guidance on planning matters and focusses on these key planning policy requirements:

- a) Sustainability – Sustainable design standards are to be integral to the proposal, including its construction and operation. Basement development should optimise natural ventilation, cooling and lighting, and utilise energy efficient products and sustainable materials.
- b) Amenity –Basements are only acceptable as living accommodation as part of a single dwelling.
- c) Design & Heritage – Basement development should be subordinate in scale to the above ground portion of building (generally they should not be more than 1 storey, or extend further than 3 metres from the rear of the property), not unduly intensify the use of a site, or cause significant environmental harm. Structures forming part of a basement are to respond positively to the building and landscape character and not create visual clutter. Basement development impacting on heritage assets should conserve and enhance their significance.
- d) Trees & Gardens – Development is to contribute to local character and urban greening by preserving existing gardens, reinforcing soft landscaping and protecting trees, including those on site, on adjoining sites and within the street or other areas of public space.
- e) Flood Risk & Drainage – Basement developments are to be located to avoid areas of floodrisk, minimise the risk of flooding and not contribute to flooding elsewhere.
- f) Contamination – Basements which are extensions to existing housing are unlikely to be at risk from contamination, but where the potential for pollution is identified further investigation will be required which might include removal of the contamination to remove or reduce the identified risk.

3.4 As with many other types of developments there are a number of other permissions and consents that will need to be applied for in the development process, and these are summarised in the introduction and appendix of the SPD. Planning policies cannot replicate or cut across matters within the scope of other legislative requirements. The courts have been clear that planning must not stray into matters that are the remit of other legislation and to do so would put the Council at risk of legal challenge.

- 3.5 The full version of the draft document is attached in Appendix 1 to this report.

### **Engagement to Date**

- 3.6 Officers across a wide range of disciplines have met with Councillors of the wards most affected by residential basement activity. The most recent was on 15<sup>th</sup> November chaired by the Lead Member Regeneration, Growth, Employment and Skills, and attended by the Chair of the Planning Committee. This included a positive and wide ranging discussion and presentation of a draft version of the SPD. There was recognition of the complexity of the differing regimes and that many aspects are covered by mechanisms outside the remit of planning legislation. As such in terms of the draft SPD it was identified that the document would benefit from better sign-posting of related matters and the times at which they might become relevant. Brent's Operational Director of Environment Services also indicated that a more proactive approach to dealing with monitoring of construction is something that will be pursued. This will not solely be related to basements but other significant developments where environmental impacts such as damage to highways infrastructure are recognised as significant problems not currently being satisfactorily addressed. It is likely that this work will proceed in parallel with the consultation/adoption process associated with the Basement SPD.

### **Timescales**

- 3.7 Approval will be sought from Cabinet on 17<sup>th</sup> January 2017 to consult on the draft SPD. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) the SPD will be subject to a 6 weeks public consultation during January and February 2017.
- 3.8 Following the consultation period representations received will be reported to a future Cabinet, along with officer comments and any associated proposed modifications prior to its recommendation for Cabinet adoption. It is anticipated the SPD will be adopted in Spring 2017.

## **4.0 Financial Implications**

- 4.1 The cost of drafting, consulting on and adopting the SPD are small and will be met from existing planning policy budgets. The main cost incurred is from staff time; consultation costs will be negligible, with a small amount of printing costs covered from existing budgets.
- 4.2 The environmental monitoring work proposed by the Operational Director Environment will be subject to a separate paper to CMT/PCG with an associated business case.

## **5.0 Legal Implications**

- 5.1 Regulations provide for Local Planning Authorities to adopt SPDs. These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications.

Supplementary Planning Documents cannot introduce new policy or allocate sites for development.

## **6.0 Diversity Implications**

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 Statutory public consultation will be carried out in the process of preparing and adopting the Supplementary Planning Document. An Equalities Impact Assessment screening opinion has been undertaken which identified no positive or negative impacts in relation to those with protected characteristics as a result of the document.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

7.1 None arising specifically from the draft Supplementary Planning Document.

### **Contact Officers**

Paul Lewin Planning Policy & Projects Manager [paul.lewin@brent.gov.uk](mailto:paul.lewin@brent.gov.uk)

# BASEMENT

## SUPPLEMENTARY PLANNING DOCUMENT

# Contents

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1.0

Introduction

# 1.0 Introduction

## 1.1 Purpose of the Document

This Supplementary Planning Document (SPD) provides guidance on planning matters related to basement development. It supplements London Plan and Local Plan policy and, where planning permission is needed, will be a material consideration in determining planning applications. Although elements of this SPD will be relevant to new build developments including basements, the guidance primarily focuses on basements as householder extensions.

## 1.2 Planning Permission

Page 27/30  
Some basement developments fall within permitted development rights and therefore do not require planning permission. Basement developments are more likely to require planning permission where excavation involves major works, a new separate unit of accommodation will be created, or the work involves alterations to the external appearance of your house, for example by adding light wells. If you live in a conservation area or your property is a flat you will require planning permission. If you are unsure if your basement development requires planning permission you can apply for a Certificate of Lawful Development from Brent's Development Management Team. Even where planning permission is not required other consents (as outlined in paragraph 1.3) are still required

Due to the complexity of basement developments, when permission is needed, **you are strongly encouraged to enter into pre-application advice with the Development Management Team.** You can find out more about our paid pre-application advice service on our website. **We also strongly encourage you to engage with your neighbours at the earliest stage to ensure issues are dealt with and reduce objections.**

If you live in a listed building you will require listed building consent in addition to planning permission.

## 1.3 Other Consents

Certain aspects of basement development are not controlled by the planning system. **As with many other types of developments there are a number of other permissions and consents that will need to be applied for in the development process, and these are summarised below and in more detail in Appendix 1.** Planning policies cannot replicate or cut across matters within the scope of other legislative requirements. As such it would be unreasonable to assume that these matters can be assessed and dealt with as part of the planning application process and indeed applications refused because they do not address these matters.

- **Building Control** - Building Regulations are required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.
- **Party Wall Act** - The Act controls matters such as structural stability, method of construction and impacts on neighbouring properties.
- **Highways Act** - If you need to put a skip or building materials on the public highway, or if you wish to erect a scaffold, hoarding or gantry you will need to apply for a license under the Highways Act. You will also need to obtain the consent of the appropriate highway authority if your proposal involves any work under any part of the highway or footway.

- **Environmental Protection & Control of Pollution Act** - These Acts control matters such as nuisance from noise, dust and odour.
- **Housing Act** - If you intend to rent out accommodation there will be additional requirements under the Housing Act.

The flow diagram adjacent gives an indication of the process to be followed in applying for consents relevant to a typical basement development.

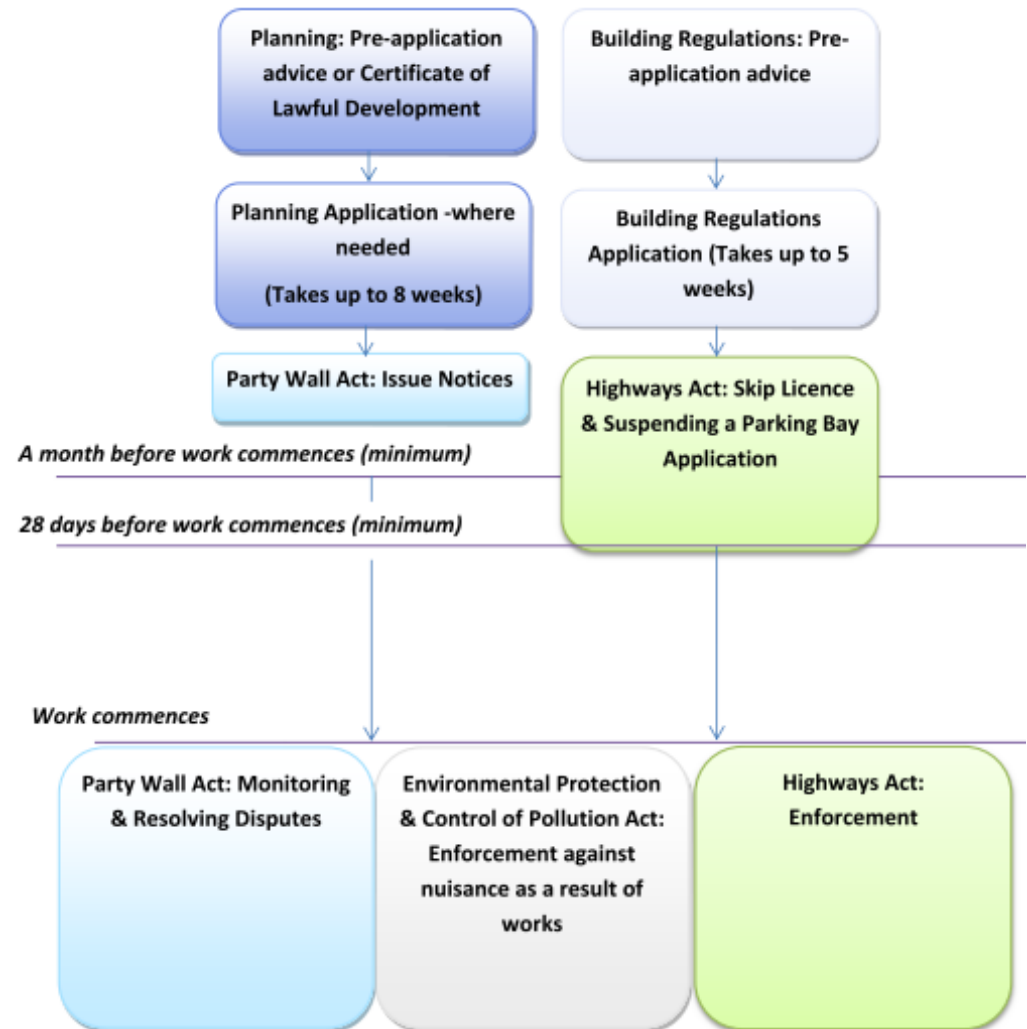
### 1.4 Public Consultation

You are invited to comment on this draft SPD for a 6 week period between xxx and xxx 2016. Further copies of this document can be downloaded from [www.brent.gov.uk/spd](http://www.brent.gov.uk/spd) and hard copies are available to view on request in Brent libraries. Make your comments by emailing [ldf@brent.gov.uk](mailto:ldf@brent.gov.uk); or in writing to: Planning Policy, London Borough of Brent, Brent Civic Centre, Engineer's Way, Wembley Middlesex, HA9 0FJ. All comments must be received by xxx 2016. Following the close of consultation all comments will be considered and the SPD amended as necessary, before being taken to the Council's Cabinet for adoption.

**Useful links**

- Certificate of Lawful Development and Pre-application Advice - [www.brent.gov.uk/planning](http://www.brent.gov.uk/planning)
- Conservation Areas and Listed Buildings - [www.brent.gov.uk/heritage](http://www.brent.gov.uk/heritage)
- Building Control - [www.brent.gov.uk/buildingcontrol](http://www.brent.gov.uk/buildingcontrol)

### Basement Consents Flow Diagram



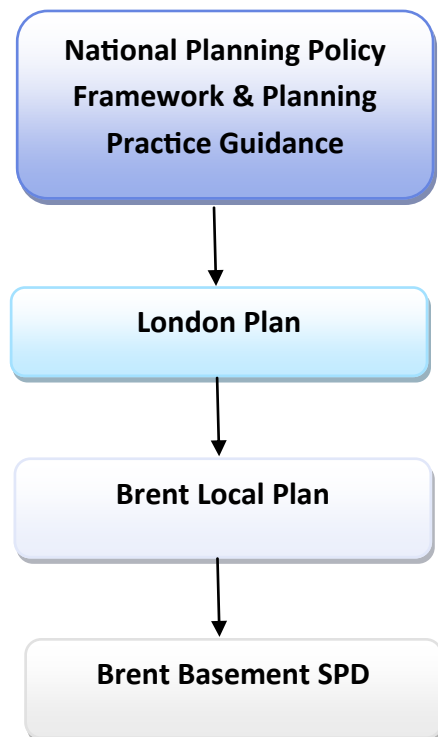
2.0

Key Planning Matters

## 2.0 Key Planning Matters

### 2.1 Planning Matters

This chapter provides detailed advice on how we will apply planning policies when making decisions on those basement developments requiring planning permissions. It brings together policy requirements in the National Planning Policy Framework, Planning Practice Guidance, London Plan and Brent Local Plan and will be a material consideration in determining planning applications.



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Figure 1: The Planning Policy Framework

### 2.2 Sustainability

Basement developments often have high energy demands due to reduced opportunities for natural light and ventilation. In addition, their construction

#### Relevant Policies

**London Plan policy 5.3 Sustainable Design & Construction**  
**Sustainable Design & Construction SPG, GLA**

**Planning policy requirement: Demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.**

is energy intensive.

Brent Council encourages best practice in sustainable development. In designing basements consideration should be given to optimising natural ventilation, cooling and lighting. The Council encourages the use of energy efficient products, and sustainably, responsibly sourced materials. In addition biodiversity and green infrastructure should be protected and reinforced as outlined in section 2.5.

## 2.3 Amenity

Due to issues around daylight, ventilation and flood risk basements do not provide quality residential accommodation in isolation. A basement forming a separate dwelling is unlikely to accord with the requirements of Building Regulations, the Housing Act, Environmental Health standards or amenity standards set out in planning policy.

### Relevant policies

[Brent Local Plan DMP 1 Development Management Policy General](#)  
[London Plan policy 3.5 Quality & Design of Housing Developments](#)  
[Housing SPG, GLA](#)

**Planning policy requirement: Housing developments should be of the highest quality both internally and externally. Basements are only acceptable as living accommodation as part of a single dwelling.**

Development must optimise amenity, including natural daylight and ventilation. Consideration should be given to using products which facilitate improved light penetration, such as reflective devices in to habitable rooms.

## 2.4 Design & Heritage

Basement developments can result in a loss of gardens which cumulatively impact on the character of an area. They can also include external features, such as roof lights, lightwells and railings. If poorly designed and located these features can create visual clutter and detract from the character of an area. This can have a particularly detrimental impact on heritage assets including conservation areas, listed and locally listed buildings. Furthermore, given that basements involve excavation work, particular regard must be given to the potential to affect archaeological remains.

### Relevant policies

[Brent Local Plan DMP 1 Development Management Policy General](#)  
[Brent Local Plan DMP 7 Brent's Heritage assets](#)  
[London Plan policy 7.4 Local Character](#)

**Planning policy requirement: Basement development should be subordinate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm. Structures forming part of a basement are to respond positively to the building and landscape character and not create visual clutter. Basement development impacting on heritage assets should conserve and enhance their significance.**

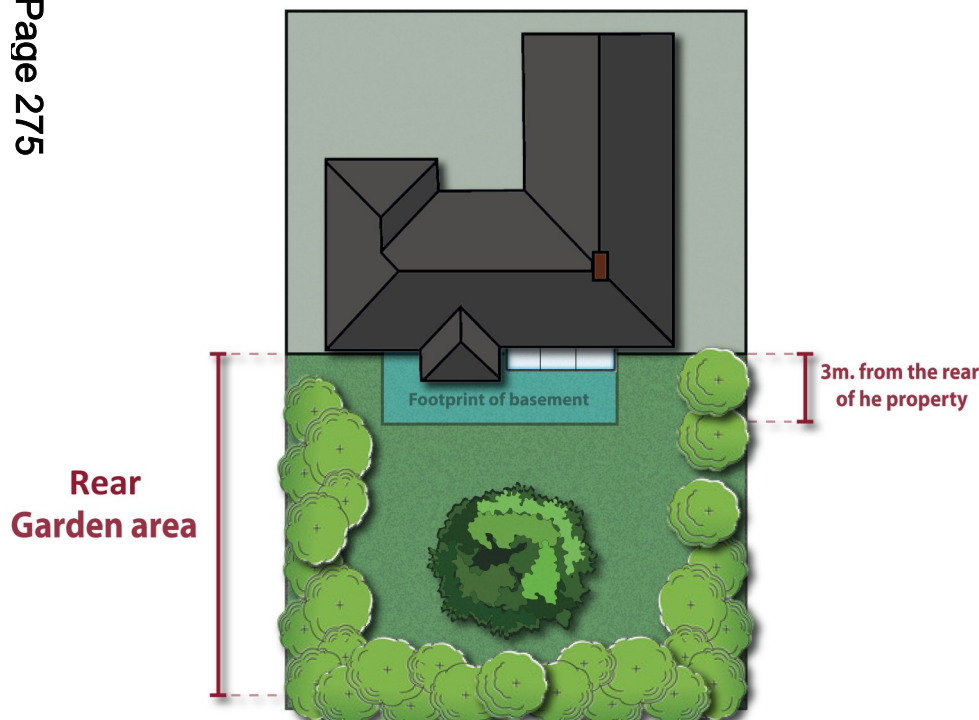
## Scale

Basement development should not:

- be wider than the original house;
- extend further than 3m from the rear of the property; or
- involve excavation of more than 1 storey (4m floor to ceiling height for a detached house or 3m in other cases).

In exceptional circumstances, such as major commercial or residential developments, a larger basement may be acceptable subject to consideration of all other factors.

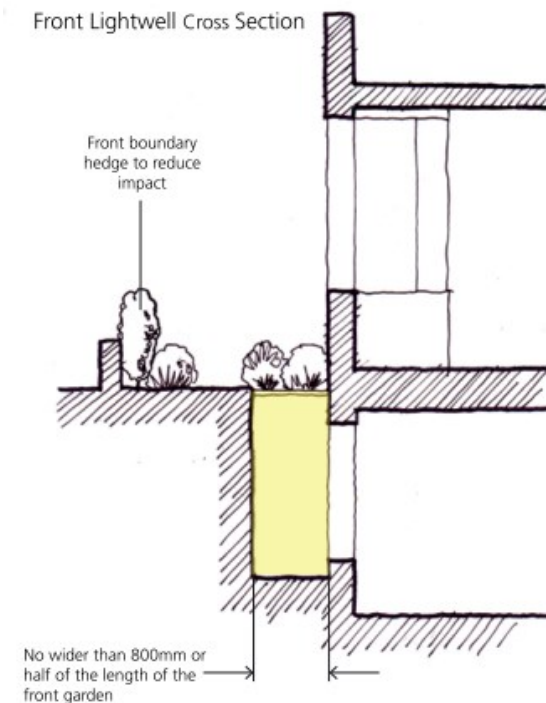
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## External Elements

Basements must be designed so that above ground structures do not create visual clutter or negatively impact on the character of an area. Roof lights will only be acceptable if flush and close to the rear of the building.

Light wells are to be modest in scale and located to the rear of the property wherever possible. If new front light wells are proposed they should project from the front wall of the house by no more than 800mm or half the length of the front garden, whichever is less. On bay fronted houses the light wells must follow the profile of the bay and be no wider than the bay or windows above. Light wells should be finished with a horizontal metal grill or flush glazing and not a vertical balustrade.



Consideration should also be given to how light wells and roof lights can be screened for privacy. Metal railings or reinforced glass alongside soft landscaping are the most appropriate solution as they do not reduce permeation of light. In all cases robust, high quality materials should be used which reflect the character of the property and area. In the case of light wells to the front of the property, if front boundary hedges don't currently exist they will need to be planted behind the front wall to reduce visual impact.

Alterations to infill existing front light wells will not be supported.



### Heritage

A Heritage Statement will be required for any basement development for or affecting a heritage asset, including a conservation area, listed or locally listed building, registered park or garden. Within conservation areas, there

are additional safeguards to ensure development does not harm the special character of the areas. As such permitted development rights do not apply in Conservation Areas. It must also be demonstrated how the proposal accords with the Conservation Area Design Guide.

### Listed Building

Applications for listed buildings will be assessed on a case by case basis. You can find out if your property is listed online at: [www.brent.gov.uk/heritage](http://www.brent.gov.uk/heritage). It must be demonstrated the development will preserve the hierarchy and interrelationship of spaces, existing fabric, structural integrity of the building, and any features that are architecturally important.

A number of listed buildings in the borough already have basements and this is part of their character. However, simpler more modest properties were not constructed with such a feature. Introducing such a feature to these properties will affect the original building's historic integrity. The historic floor levels, location and hierarchy of rooms, foundations, scale, plan form and historic features can all be harmed by the introduction of a basement or an extension of an original basement, cellar or vault. Therefore, in most cases, the special architectural or historic interest will be harmed and the application will be resisted.

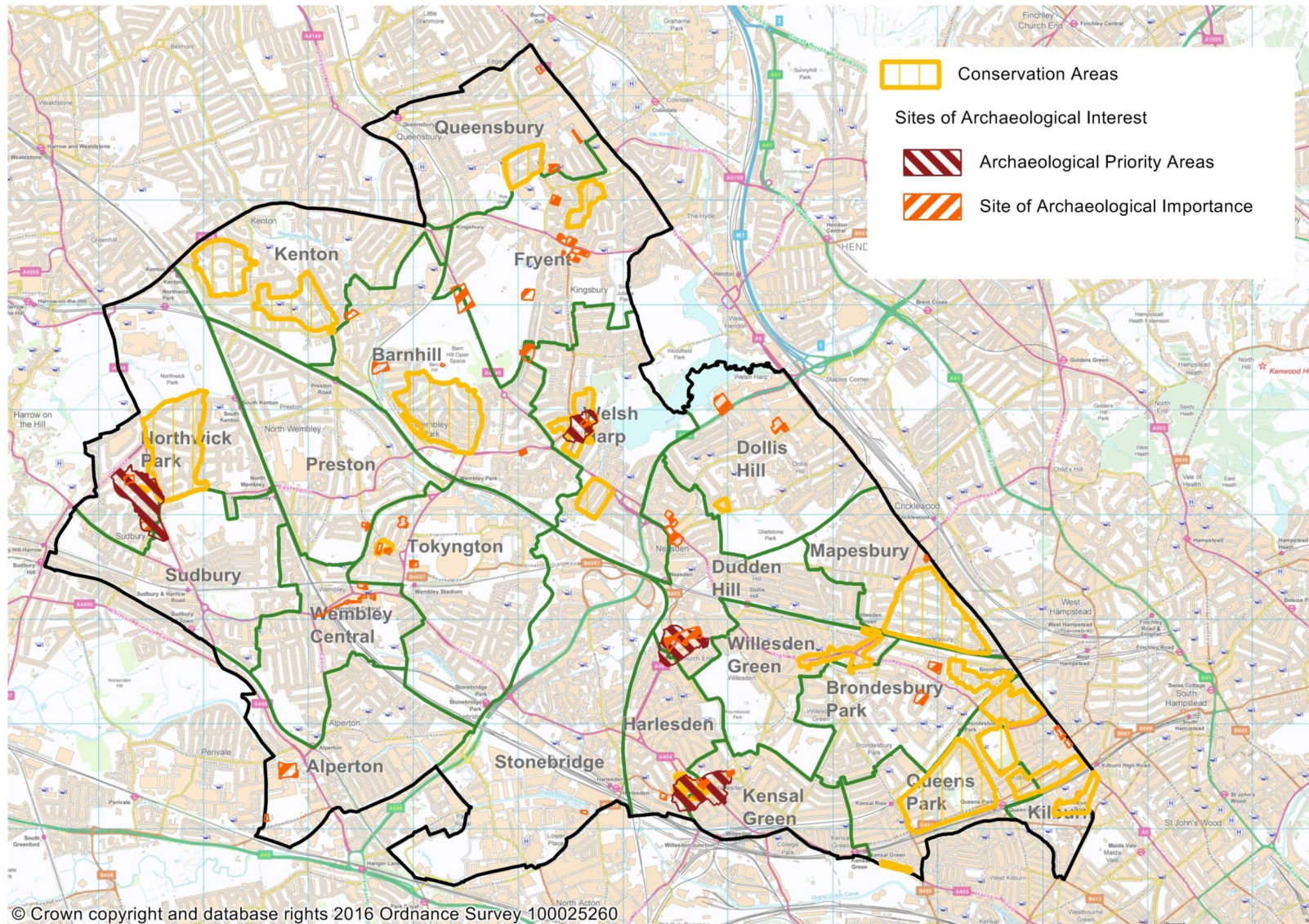
Furthermore, we will need to be satisfied that effective measures will be taken during demolition and construction works to ensure that damage is not caused to the listed building.

### Archaeology

An Archaeological Assessment will be required for applications within Archaeological Priority Areas and Sites of Archaeological Importance. These areas and sites are shown on Map 1 and also the Brent online policies map



at [www.brent.gov.uk/policies-map](http://www.brent.gov.uk/policies-map). Within these areas a desk based assessment will be required, and where necessary a field evaluation. Even outside of these areas vigilance for archaeological remains will be required during construction.



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Map 1. Heritage Assets

## 2.5 Trees & Gardens

Construction of basements can have a direct or indirect impact on survival of trees. They can also result in a loss of gardens which, in isolation and cumulatively, can negatively impact on the character of an area, biodiversity and surface water run off.

### Relevant Policies

[London Plan policy 5.10 Urban Greening](#)

[London Plan policy 7.4 Local Character](#)

[London Plan policy 7.21 Trees and Woodland](#)

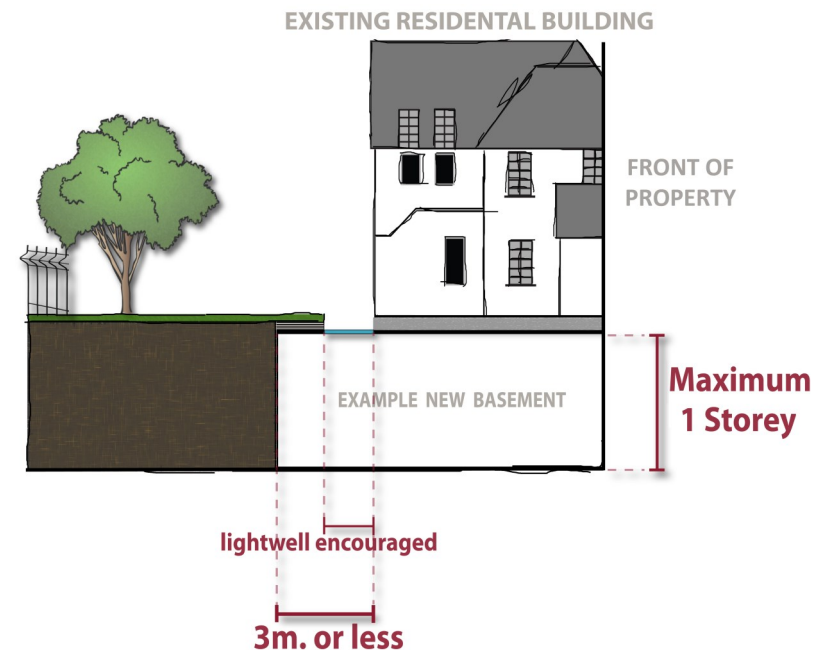
**Planning policy requirement: Development is to contribute to local character and urban greening by preserving existing gardens, reinforcing soft landscaping and protecting trees, including those on site, on adjoining sites and within the street or other areas of public space.**

An initial site survey should be undertaken to ascertain the likely impact on trees and gardens. Where a basement development is likely to impact on trees on site, on adjoining sites and street trees, an Arboriculture Report will be required. It should be demonstrated that:

- trees of value will be retained;
- the impact on retained trees, both during and post construction, will be minimised;
- sufficient rooting volumes and access to deep soil areas will be provided to ensure long term survival of trees; and
- any tree or root loss will be mitigated following the 'right place right tree' principle.

Basement development is to extend no further than 3m from the rear of the property into the garden. Roof lights should be located close to the building to minimise disruption to garden.

Where a basement development will impact on the garden, soft landscaping will be required to be reinstated and reinforced following completion. Where light wells are proposed the remaining front garden should be re-landscaped to provide at least 50% soft landscaping. Consideration should be given to how planting can be used to create privacy, soften the built form and contribute positively to local character.



## 2.6 Flood Risk & Drainage

Basements are low lying and therefore highly vulnerable to all forms of flooding, including fluvial (rivers), pluvial (surface water and sewers) and groundwater. They can also affect off-site surface water flood risk. Parts of the borough are affected by flooding from the River Brent and its tributaries. Map 2 provides an indication of flood zones in the borough. The Environment Agency's online flood map, which provides greater detail and is updated annually, can be viewed online at: <http://maps.environmentagency.gov.uk>.

The geology of Brent consists predominantly of London Clay underlain by a chalk aquifer. The London Clay acts as a protective barrier both to infiltration as well as rising groundwater from within the chalk aquifer. Localised flooding in the borough is therefore usually related to local surface drainage issues rather than groundwater. Local drainage issues could include surcharge of the underground sewer system, overland flow from blockage of culverts and gullies, and surface water flooding. The Brent Strategic Flood Risk Assessment (SFRA) includes recorded data on localised flood events.

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### Relevant Policies

[Planning Practice Guidance on Flood Risk](#)

[London Plan policy 5.12 Flood Risk Management](#)

[London Plan policy 5.13 Sustainable Drainage](#)

[Brent Local Plan DMP9a Managing Flood Risk](#)

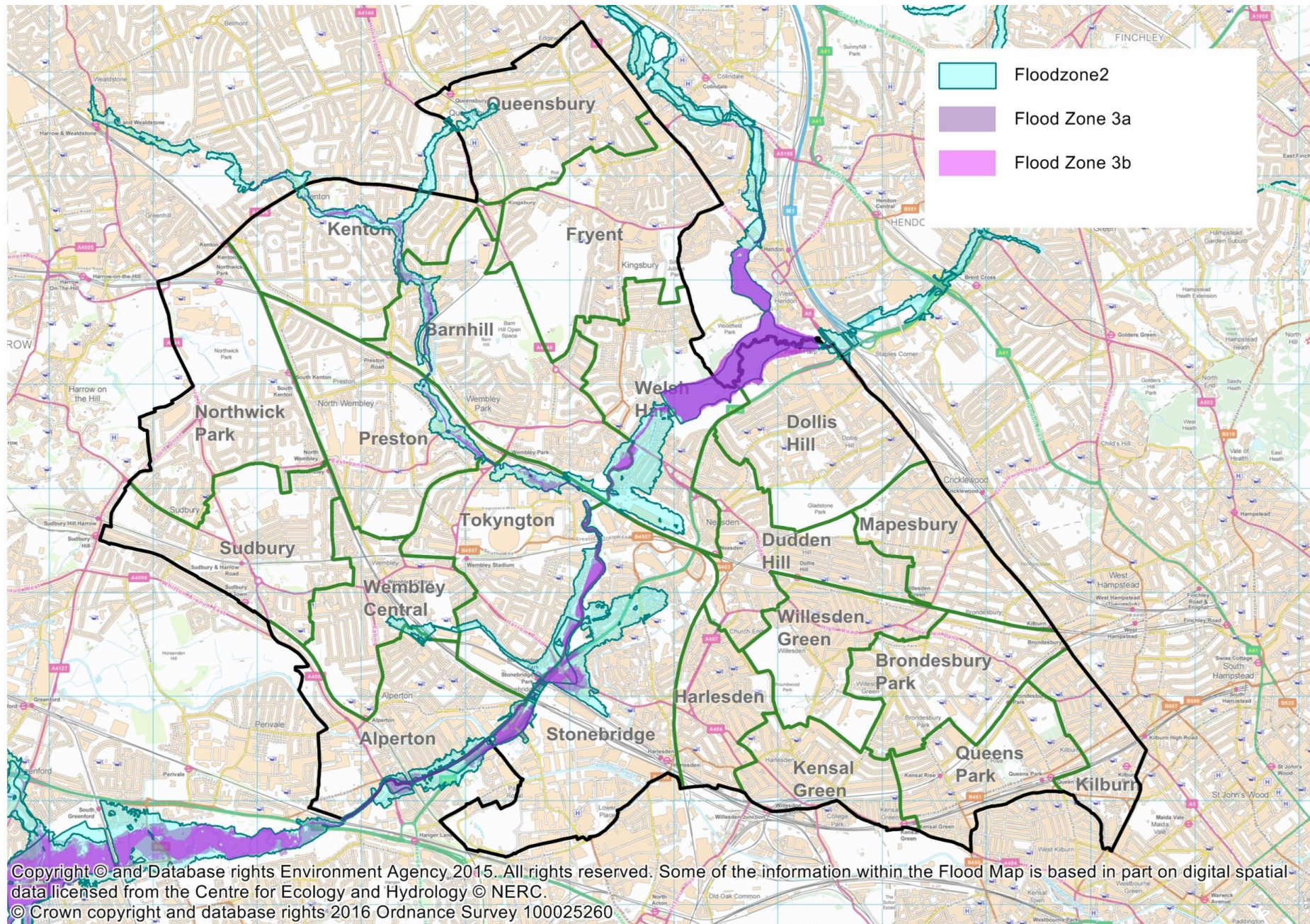
[Brent Local Plan DMP9b Water Management and Surface Water Attenuation](#)

**Planning policy requirement: Basement developments are to be located to avoid areas of flood risk, be designed to minimise risk from flooding and not contribute to flooding elsewhere.**

The Environment Agency classes self-contained basement dwelling (i.e. with no internal access to the upper floors) as 'highly vulnerable' to flooding. Such uses are not permitted in flood zone 3a or 3b. A basement dwelling with access to upper floors above the flood level (plus climate change allowance) or an extension to an existing dwelling would be classed as 'more vulnerable,' and may be acceptable in flood zone 3a subject to the exceptions test. To pass the exceptions test it must be demonstrated development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. A summary of the requirements for each flood risk zone is included in Table 1.

Table 1: Flood Risk Requirements

Flood risk zone	Self-contained basement dwelling (Highly vulnerable)	Basement dwelling as an extension/access to upper floors above flood level (More vulnerable)	Flood Risk Assessment Required
1	May be acceptable but consider flood resilience		No
2			Yes
3a	Not acceptable	Subject to exceptions test	Yes
3b	Not acceptable	Not acceptable	Yes



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Map 2. Flood Zones

London Plan policy 5.13 requires development to include Sustainable Urban Drainage Systems (SUDS) and aim to achieve Greenfield run-off rates. Details of how the development will meet this requirement and not increase flooding elsewhere are to be set out as part of the planning application. In areas with a history of localised flooding, applications should be informed by a site specific assessment of geological and hydrological conditions.

Brent's SFRA and Surface Water Management Plan states all basement developments should be fitted with resilience measures. Building regulations require resilience measures, including waterproofing of walls and floors, and inclusion of a positive pumped device to protect from risk of sewer flooding in line with Thames Water recommendations.

## 2.7 Contamination

Basements which are extensions to existing housing are unlikely to be at risk from contamination, but where the potential for pollution is identified further investigation will be required.

For development on land that may have been associated with a potentially contaminative use an initial assessment of this risk will need to be carried out by a suitably qualified person. Sites with a history of industrial use are shown in Map 3. Remediation will be required where unacceptable risks are identified.

### Relevant Policies

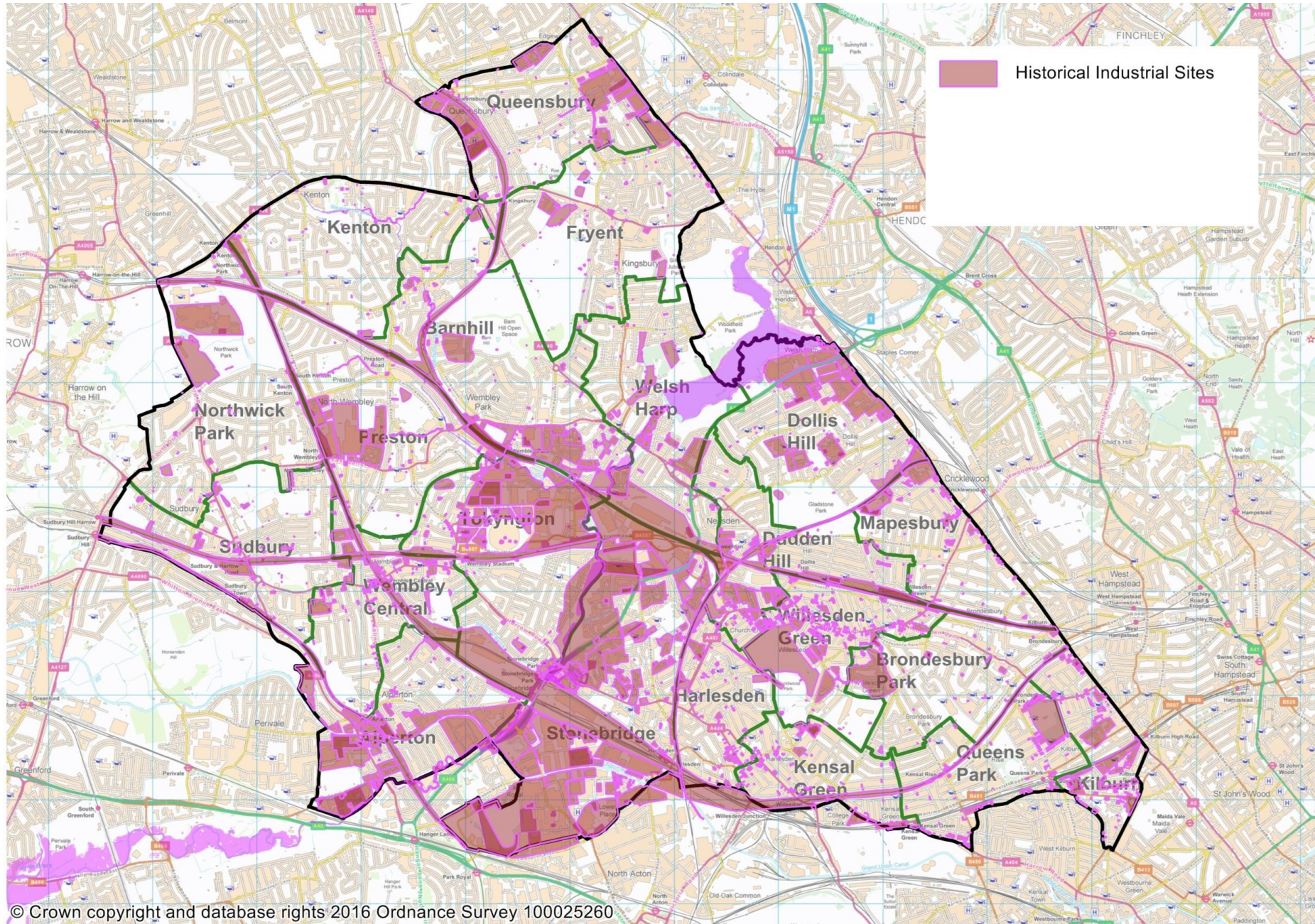
[Planning Practice Guidance Land Affected by Contamination](#)  
[London Plan policy 5.21:Contaminated Land](#)

**Planning policy requirement: Appropriate measures are to be taken to ensure that development on previously contaminated land does not activate or spread contamination, and that after remediation land must be suitable for use.**

## 2.8 Construction

It is not the purpose of the planning system to assess the structural stability of works, this is assessed through other controls including Building Regulations and the Party Wall Act. If you do not take appropriate action to ensure the structural stability of works you risk damage to your own property and potentially neighbouring properties, which could result in legal action. As outlined in appendix 1 adjoining owners should be given notice of works and offered a party wall award. This will agree the technical requirements to ensure structural stability of existing properties and it is therefore highly advisable that you use people with the necessary experience and technical expertise in the construction phase to deliver these requirements.

Informatives and conditions will be applied relating to construction as appropriate.



Map 3. Historic Industrial Sites

# 3.0

## Checklist of Requirements

## 3.0 Checklist of Requirements

This checklist should be used to help ensure the principles in this SPD have been met.

### General

- Have you undertaken consultation with neighbours prior to submission of the planning application, to ensure issues are sufficiently dealt with and reduce objections?
- Have you entered into a party wall agreement with your neighbours?
- Have you provided your neighbours with an indicative timetable of works and the contact details of the site manager?

### Sustainability

Has natural ventilation, cooling and lighting been optimised?  
Have you sought to use energy efficient products and sustainably, responsibly sourced materials?

### Amenity

- Is the basement development to be part of a single dwelling?
- Will suitable amenity be provided, including natural light and ventilation?

### Design & Heritage

- Is the basement subordinate in scale to the original building (see section 2.4)?
- Has it been ensured works respect the character of the area (i.e. will not result in the loss of trees, gardens or infilling) and, where relevant, be consistent with the Conservation Area Design Guide?

- Are any external features modest in scale, located to the rear of the building and close to the building?
- Have robust and high quality materials been used?
- If the site is within an Archaeological Priority Area or Sites of Archaeological Importance is the application supported by an Archaeological Assessment?

### Trees & Gardens

- Does the development have the potential to impact on trees on site, on adjoining sites and street trees? If so is the application supported by an Arboriculture Report?
- Will soft landscaping be reinforced?

### Flood Risk & Drainage

- In the case of self contained basement dwellings, is the development outside of flood zone 3?
- If the basement is an extension to an existing dwelling and in zone 3b has the exceptions test been met?
- If the development is in flood zone 2 and 3 is the application supported by a Flood Risk Assessment?
- Is the basement resilient to the risk of flooding, and will not increase flooding elsewhere?

### Contamination

- If the site is potentially contaminated has a Preliminary Risk Assessment, and if necessary, site investigation been undertaken by a suitably qualified person?



## Validation Requirements

Alongside standard validation requirements, the following information must be submitted alongside basement planning applications, where relevant.

Validation Requirement	When required
Site Survey	All basement applications
Tree/Arboriculture Report	Where the proposal is in proximity to trees within site, on adjoining sites or street trees. To be agreed with Landscaping Team.
Landscaping Assessment	Where a basement development will impact on a garden. To be agreed with Landscaping Team.
Heritage Statement	Where the application is for or impacting on a heritage asset, including a conservation area, listed or locally listed building, registered park or garden.
Archaeological Survey	Within Archaeological Priority Areas and Sites of Archaeological Importance. (see policies map)
Flood Risk Assessment/ Drainage Strategy	Where proposal is in flood risk zone 1 or 2 (see Environment Agency flood zone map), or where there are localised flooding issues.
Land Contamination Assessment	Where there is a risk of contamination.

The site survey is to record existing ground levels and landscaping on the site and on adjoining boundaries. It should include:

- levels - across the site (front to back and side to side) as well as that of adjoining property;
- established landscaping and any significant other planting including tree canopies and root areas;
- details of areas of existing hard and soft landscaping.

# Appendix 1: Other Regimes & Controls

## Other Regimes & Controls

### Building Control

Building regulations are required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

#### Brent Building Control Contacts & Useful Links

- 020 8937 5210 or [planandbuild@brent.gov.uk](mailto:planandbuild@brent.gov.uk)
- [www.brent.gov.uk/buildingcontrol](http://www.brent.gov.uk/buildingcontrol)

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### Party Wall Act

The Party Wall Act provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavation near neighbouring buildings. In relation to basement developments, the Act applies when excavation is:

- within 3 metres of a neighbouring structure;
- would extend deeper than that structure's foundations; or
- within 6 metres of the neighbouring structure and which also lies within a zone defined by a 45 degree line from that structure.

Adjoining owners must be informed of work by serving a notice at least one month before the planned start date for excavation. **If work commences without notice being given in the proper way, adjoining owners may seek to stop work through a court injunction or seek other legal redress.**

If the adjoining owner/s gives written notice within 14 days consenting to the proposed works, the work (as agreed) may go ahead.

If the adjoining owner does not respond, or objects to the proposed work, a dispute is regarded as having arisen. Under the Party Wall Act in the event of a dispute a surveyor or surveyors are appointed. The surveyors are then responsible for:

- agreeing the structural method statement and any necessary additional investigation into issues such as groundwater;
- drawing up the party wall award;
- monitoring works to ensure compliance with the terms of the award;
- resolving disputes between owners during construction; and
- deciding whether there is damage which needs to be put right.

The Party Wall Act allows adjoining owners to request the building owner to provide a bond or insurances to provide security in the event of a dispute. The money remains the building owner's throughout but can be drawn upon to pay for rebuilding or repair, in the event the surveyors identify there is damage as a result of the works which needs to be put right.

#### Party Wall Act Useful Links

- [www.gov.uk/guidance/party-wall-etc-act-1996-guidance](http://www.gov.uk/guidance/party-wall-etc-act-1996-guidance)

## Highways

Under the Highways Act a licence is required to put a skip or building materials on the public highway, reserve space for deliveries/trades within a controlled parking zones, erect a scaffold, hoarding or gantry. Consent is also required from the appropriate highway authority for proposals involving any work under any part of the highway or footway.

It is the responsibility of the householder to ensure they have a licence, and the builder has responsibility for following the licence conditions. Materials are not allowed to block the public highway, or to damage or stain public ground. Permission is also required to store materials in a controlled parking bay.

If materials are being stored on the public highway without a licence this can be reported to [coo@brent.gov.uk](mailto:coo@brent.gov.uk); or in a parking bay without permission to [parking.suspensions@brent.gov.uk](mailto:parking.suspensions@brent.gov.uk). Damage to the public realm can be reported to the Council at [coo@brent.gov.uk](mailto:coo@brent.gov.uk). Please note that the Council can only take action against contractors who have damaged the public realm where there is sufficient evidence. Therefore to assist investigations in your email please include photographs, the company name and vehicle registration number.

### Highways Useful Links

- Skip Licence Application Service - [www.mylicence.brent.gov.uk](http://www.mylicence.brent.gov.uk)
- Parking Bay Suspension Application Service - [www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations](http://www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations)

## Noise, Vibration & Dust Complaints

The Council's Community Protection Team (Environmental Health) enforces issues related to the Environmental Protection Act and Control of Pollution Act. In the first instance disturbance experienced during works should be reported to the site manager and, where a party wall award is in place, the appointed surveyor. If nuisance from noise, dust, vibration or any other environmental impacts from the ongoing development continues, this should be reported to the Council's Community Protection Team for investigation. The Council limits noisy works to Monday to Friday - 08:00 to 18:00; and Saturday - 08:00 to 13:00. Where noisy works occur outside these hours or on Sunday or Bank holidays the Council will investigate.

### Community Protection Contact Details

- during office hours (Mon-Fri 9am to 5pm) – 020 8937 5252 or [customer.service@brent.gov.uk](mailto:customer.service@brent.gov.uk); or
- outside of these hours (Mon- Fri 5pm to 2am, Sat and Sun 6pm to 2am) 020 8937 1234 [ens.noiseteam@brent.gov.uk](mailto:ens.noiseteam@brent.gov.uk); or [business.licence@brent.gov.uk](mailto:business.licence@brent.gov.uk)

## Housing Act

If you intend to rent out accommodation there will be additional requirements under the Housing Act.

**Planning Policy & Projects Team**

Brent Civic Centre

Engineer's Way

Wembley HA9 0FJ

[www.brent.gov.uk/localplan](http://www.brent.gov.uk/localplan)

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