



Planning Committee

Wednesday 15 February 2017 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

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

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

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		1 - 4
PART 1 - DEVELOPMENT PRESENTATIONS		
3. Olympic Office Centre, 8 Fulton Road, Wembley, HA9 0NU (Ref. 15/0139/PRE)	Tokington	7 - 14
PART 2 - APPLICATIONS FOR DECISION		
4. 16/3377 Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL	Kenton	19 - 34
5. 16/5111 Land rear of 234-240, Princes Avenue, London, NW9 9QU	Queensbury	35 - 54
6. 16/5130 Street Record, Neasden Lane, London	Dudden Hill	55 - 70
7. 16/3682 211 Willesden Lane, Kilburn, London, NW6 7YR	Brondesbury Park	71 - 96
8. 16/4003 10 Villiers Road, London, NW2 5PH	Willesden Green	97 - 110
9. 16/4174 Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville 09 Kilburn Close, 2 Canterbury Road & Peel Site Garages, London, NW6	Kilburn	111-166
10. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Date of the next meeting: Wednesday 15 March 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 18 January 2017 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 Colwill

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

None.

Approaches:

The following approaches, having been notified to the Monitoring Officer in advance of the meeting, were recorded:

750 – 756 Harrow Road, London, NW10 5LE (Ref. 16/4565)

Councillor Marquis received an email from Sam Dix on behalf of his resident clients at 1 and 2 Regent Street.

91D-F Mora Road, London NW2 6TB (Ref. 16/4054)

All members received an email from Roger Pigeon on behalf of objectors.

All members re-affirmed that they would consider the applications with an open mind

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 14 December 2016 be approved as an accurate record of the meeting.

3. **Stonebridge Pre-Application (Ref. PRE16/0495 and 16/0496)**

PROPOSAL: The Reserved Matters for the development of Hillside open space and Milton Avenue pursuant to the outline application reference 16/0077.

Proposed construction of an apartment block part 4 and part 6-storey's comprising 51 residential units (15x 1bed, 25x 2bed and 11x 3bed flats) and 246sqm of commercial floorspace (Use class A3), car parking at ground floor and on-street within the proposed reconfiguration of Shakespeare Avenue, with associated external amenity space, hard and soft landscaping, and the construction 22 x 3-storey townhouses at Milton Avenue.

And

The Reserved Matters for the development of Stonebridge Primary School annexe, Twybridge Way pursuant to outline application reference 16/0073.

Proposed construction of 14 x houses up to 3-storeys in height (Use class C3), one apartment block comprising 13 residential units (4 x 1bed and 9x 2bed) up to 5-storeys in height (Use class C3) and one apartment block comprising 28x 1bed flats up to 5-storeys in height for NAIL accommodation with an element of care (use class C3b) and a new one-way access loop road and on-street parking bays, with associated external amenity space, hard and soft landscaping.

Susan Cummins and Richard Bradley gave a presentation on the development and responded to questions. Members then questioned the presenters and raised issues for further consideration prior to submission of a planning application.

The main issues raised at this meeting were:

- Financial Viability Assessment (FVA)
- Privacy
- Street context with neighbouring houses
- Parking allocations.
- Bin store
- Height of walls
- Lamp columns.
- Details of café and any subsidy.
- Further details on the open space

4. 750 - 756 Harrow Road, London NW10 (Ref. 16/4565)

PROPOSAL: Demolition of the existing buildings on site and redevelopment for a mixed use development comprising two buildings of 5 storey (plus basement) and 2 storeys, to provide 17 residential (Class C3) units and 461sqm (GIA) of commercial (Class B1) floor space over ground and basement levels. Ancillary residential space is provided at ground and basement levels, and includes residents' amenity space, cycle and refuse stores, and enclosed plant. A separate commercial refuse store and cycle store are provided at ground floor level.

RECOMMENDATION: To grant planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out in the report, delegated authority to the Head of Planning to negotiate the legal agreement and to issue the planning permission and impose conditions (and informatives) to secure the matters set out in the report.

Angus Saunders (Deputy Area Planning Manager) introduced the scheme and answered members' questions. With reference to the supplementary report, he addressed members' queries on Harrow Road elevation and the visual impact of the louvers. He also referenced additional representations from Kensal Triangle residents' Association (KTRA) and residents of numbers 1 and 2 Regent Street and in addressing the issues raised, he drew members' attention to additional conditions as set out in the supplementary report.

Sean Tickle and Felix von Bechtolsheim (applicant's agent and architect respectively) addressed the Committee and answered members' questions.

Members then discussed the application and approved the application as recommended and subject to additional conditions on further details of the Harrow Road elevation and ecological survey as set out in the supplementary report and an informative requesting the applicant to engage with other neighbouring residents prior to completion

DECISION: Granted planning permission as recommended and additional conditions on further details of the Harrow Road elevation and ecological survey as set out in the supplementary report and an informative requesting the applicant to engage with other neighbouring residents prior to completion.

5. 91D - F Mora Road, London NW2 6TB (Ref. 16/4054)

PROPOSAL: Erection of a part two and part three storey building providing 3 self-contained flats (2 x 1bed and 1 x 3bed) with associated car and cycle parking space, bin stores, landscaping and amenity space.

RECOMMENDATION: Remove from the agenda pending further investigation of a procedural matter.

DECISION: Removed from the agenda as recommended.

6. Roseland Care Home, 57 Draycott Avenue, Harrow HA3 0BL (Ref 16/3377)

PROPOSAL: Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).

RECOMMENDATION: To defer to the next meeting for further explanation of the heritage considerations within the report..

DECISION: Deferred as recommended.

7. 30 Beaumont Avenue, Wembley, HA0 3BZ (Ref. 16/4273)

PROPOSAL: Demolition of existing three-bedroom bungalow and erection of 2-storey building comprising 2 x 3 bedroom semi-detached dwelling houses, with new vehicular access, provision of 2 off street car parking spaces. bin stores, landscaping and amenity space.

RECOMMENDATION: To GRANT planning permission and 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.

David Glover (Deputy Area Planning Manager) introduced the scheme and answered members' questions. With reference to the supplementary report, he informed members that a Construction Method Statement was submitted with the application which had received acceptable comments from the Council's Environmental Health. He also referred to an additional condition requiring the construction of the development to be carried out in accordance with the Construction Method Statement and an informative as set out in the decision column below.

Ross Lakani (applicant's agent) addressed the Committee and answered members' questions.

Members then discussed the application and approved the application as recommended and as set out below.

DECISION: Granted planning permission as recommended and an additional condition relating to the Construction Method Statement, an amended informative as set out in the supplementary report and an additional informative for the applicant to inform the Council's Highways Authority prior to commencement of works so that any damage to public realm can be repaired.

8. Any Other Urgent Business

None.

The meeting closed at 8.50 pm

COUNCILLOR MARQUIS
Chair

PART 1 DEVELOPMENT PRESENTATIONS

Introduction

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

Advice to Members

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

Further information

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

Public speaking

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

Recommendation

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

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DEVELOPMENT DETAILS

Ref: 15/0139/PRE

Location: Olympic Office Centre, 8 Fulton Road, Wembley HA9 0NU

Ward: Tokyngton

Description: Demolition of existing 8 storey office block and erection of Part 21 / part 15 storey residential building with basement comprising: 242 mixed tenure homes, including 1, 2 and 3 bedroom apartments, and 10% wheelchair accessible units; 24 blue badge parking spaces for residents; 399 residential cycle spaces; external communal amenity space; and approximately 850sqm of ground floor commercial space.

Applicant: Network Housing Group

Agent: JLL

Case Officer: Andy Neidhardt (North Area Team)

BACKGROUND

1. This proposed development is being presented to enable Members of the committee to view it before a planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.
2. This is the first time the proposed development is being presented to Members.
3. Prior to this the applicants have been engaged in an extensive period of pre-application discussion with Council Officers, the Commission for Architecture and the Built Environment (CABE) Design Review Panel and the Greater London Authority (GLA). The application, when submitted, will be referable to the GLA under the provisions of the Mayor of London Order 2008 as it meets criteria 1A, development which includes the provision of more than 150 units, and 1C(c), the building is more than 30m high and outside of the City of London.

PROPOSAL and LOCATION

Site and Surroundings

4. The subject site located in Wembley and it sits within Site Proposal W17 – Olympic Office Centre Site, It is situated between Rutherford Way, Olympic Way and Fulton Road and is directly to the north of Plots B and C which have been / are being developed, implementing planning permission 14/0363 and 14/4981. These plots have been redeveloped for residential and student accommodation with mixed uses at ground floor. The site is within a designated Opportunity Area (London Plan) and Growth Area (Brent LDF Core Strategy). The site is within Flood Risk Zone 1 (low risk of flooding).
5. The site covers an area of approximately 0.44ha with a high PTAL rating of 4/5 due to its close proximity to Wembley Park Underground. There is an existing eight storey office building on the site, occupied by the applicant, Network Homes.

Proposal

- Part 21, part 15 storey scheme, with ground floor level commercial projections that front Olympic Way;
 - 242 mixed tenure homes, including 1, 2 and 3 bed apartments, and 10% wheelchair accessible units;
 - Approximately 850sqm of ground floor commercial floorspace;
- 24 blue badge parking spaces for residents located in an underground basement;
- 399 residential cycle spaces located in secure stores, in addition to commercial cycle spaces;
- All homes have external private amenity space in the form of balconies or terraces;

- External communal amenity space for resident use (including play space for children), located on the 1st, 15th and 21st floors;
- The taller block projects towards Olympic Way, whilst the southern block aligns with Plot B;
- The northern retail drawer projects fully to front Olympic Way, whilst the southern drawer is slightly pulled back.

Proposed Residential Mix

Number of dwellings: 242

Dwelling Mix (no. residential units):

	Number	Percentage
1 bed/2 person	85	35%
2 bed/4 person	115	48%
3 bed/5 person	42	17%

Dwelling mix: Floorspace within each unit

Unit Type	Average GIA	Max GIA	Min GIA
1 bed/2 person	52.8	57.6	50.0
2 bed/4 person	75.7	80.2	73.3
3 bed/5 person	100.0	122.2	92.7

Commercial Provision

Approximately 850m² of commercial floorspace located with frontages onto Olympic Way, Fulton road and Rutherford Way. Servicing of the commercial units to take place along Rutherford Way

Planning History

6. The building originally included a large car parking area to the South of the existing office building. Outline planning permission (ref:13/1522) was approved in January 2014 for the redevelopment of the surface car park to provide two buildings, referred to in that application as Plots B and C. The existing building that is the subject of this proposal was known as Plot A.
7. Permission was granted for extensions to Plot A (the existing building) to provide car parking under and to the side of the building, and retail units fronting Olympic Way (reference 13/1512). This consent was not been implemented and it expired in early January this year.
8. The recently completed Unite student accommodation block is situated within Plot B. The southern plot (Plot C) contains the Barratt London residential building that is currently being built.

CONSULTATION

9. The following will be consulted regarding any subsequent planning application:

Consultee:

(Internal)

- Ward Councillors for Tokyngton
- Transportation
- Environmental Health
- Landscape Design
- Tree Officer
- Sustainability Officer
- Housing

- Urban Design Officer
- Planning Policy
- Flood/drainage engineer
- Streetcare/waste/refuse
- Public Safety Team

(External)

- Greater London Authority (GLA)
- Transport for London (TfL)
- Secure by Design Officer (Met Police)
- Thames Water
- Wembley National Stadium Ltd
- Quintain

- All existing properties and addresses within at least 100m of the application site.

(N.B. This is not a final list and is subject to further review/change should any formal planning application be submitted)

COMMUNITY ENGAGEMENT

10. In accordance with the National Planning Policy Framework and Brent's Statement of Community Involvement the developer is required to engage with the local community whilst developing their proposals for the site, as part of the pre-application process. No details of any pre-application consultation have been provided to date. Full details should be submitted as part of a Statement of Community Involvement document in support of any future planning application.

POLICY CONTEXT

- **National**
- National Planning Policy Framework 2012
- **Regional**
- The London Plan consolidated with alterations since 2011 (March 2016)
- **Local**
- Brent Local Plan 2016
- Wembley Area Action Plan 2010
- Brent Local Development Framework Core Strategy 2010
- Brent Supplementary Planning Guidance
- SPG17 Design Guide for New Development

11. Site specific context:

12. The Wembley Area Action Plan (AAP) was adopted in January 2015, and sets out the strategy for growth and regeneration in Wembley over the next 15 years.

13. The existing site sits within the boundary of the Wembley AAP, and there are a number of important sections contained within the Wembley AAP that will affect the layout, scale and massing of any proposed development on the site.

14. The site is located on the eastern side of the central Olympic Way route. The Wembley AAP identifies both the eastern and western sides of Olympic Way as appropriate sites for tall buildings.

- Regard should be had to the impact of development on local and wider views of Wembley Stadium.

- Proposed Development on Olympic Way must be carefully designed and scaled to respect the predominance of Wembley Stadium and its arch.
 - Tall buildings must demonstrate that they have no adverse visual impacts on views of the stadium from Olympic Way.
15. The Wembley AAP identifies Fulton Road as Primary Highway Access. Therefore, the junctions between Fulton Road and Olympic Way and Rutherford Way respectively will need to be carefully considered in relation to any proposed development on the proposed site. The Wembley AAP states that development of the site plot should ensure that buses can be accommodated on Rutherford Way, turning in and out of Engineers Way and Fulton Road.
16. The site is designated within the WAAP as Site W17 - Olympic Way Office Site (1.2 hectares). The site description is as follows: "The redevelopment of this site should largely mirror the development pattern on the western side of Olympic Way in scale and form - these are detailed and illustrated in the Wembley Masterplan.
17. This requires the pulling back of taller elements to secure an 80m zone (40 m either side of the centre of Olympic Way) with maximum projections for the lower floors of 25m separated by 'outdoor rooms'. Office and hotel development would be acceptable throughout the development, while residential development should be confined to upper floors as set out in the Wembley Masterplan. Development of this plot should also ensure that buses can be accommodated on Rutherford Way, turning in and out of Engineers Way and Fulton Road".

MATERIAL PLANNING CONSIDERATIONS

Proposed Uses

18. In relation to this site, the Wembley Area Action Plan specifies that office and hotel development would be acceptable throughout the development and that residential development should be confined to the upper floors. It sets out that the Council will encourage active ground floor uses such as cafes, restaurants and bars on the Olympic Way side.
19. As such, the primary use of the proposed building as residential accommodation is in accordance with this policy. The inclusion of such a use is also in accordance with adopted planning policy which seeks the provision of residential homes (Use Class C3) on brownfield land. Whilst the Area Action Plan refers to the inclusion of cafes, restaurants and bars fronting Olympic Way, the inclusion of Use Class A1 floorspace would also provide activity along Olympic Way and the site is considered to adjoin a major town centre.

Affordable Housing

20. The submission documents have not included details on the proposed provision of affordable housing within the scheme, officers understand that this is still under consideration by the application team and will be included within any submission. London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires borough's to take account of economic viability when negotiating on affordable housing.
21. The applicant will be required to demonstrate that the maximum reasonable amount of affordable housing is being provided in this scheme, and this would need to be tested through the submission of a financial appraisal submitted with any future planning application which would be subject to scrutiny by or on behalf of your Officers.

Design, massing and scale

22. An indicative visual impact assessment has been submitted which demonstrates the potential impacts of the proposal on some of the surrounding views to the stadium. The proposed

building is generally shown as being below the roof of the Stadium within the majority of the views.

23. Wembley Area Action Plan Site Proposal W17 specifies that the development should largely mirror the development pattern on the western side of Olympic Way in terms of scale and form.
24. The taller element of the proposed building is higher than the surrounding properties in this envelope of development (Olympic Way, other sites in Office Centre plot along the approach to the stadium). However, taller buildings have been approved nearby, including the Apex House building at the corner of Fulton Road and Albion Way and Plot NE06 within the Quintain Masterplan.
25. The lower element of the proposal continues and replicates the established form of development. The detail and execution of the design have not been included in the submission. Full details of the proposed materials would need to be submitted at application stage rather than being secured via condition, this is to ensure that the finished appearance of the building is appropriate.
26. A Design Code which provides further information and sets some key principles regarding the detailed design of the building should be included at application stage. The redevelopment of the site has the potential to result in a high quality building that contributes significantly to the regeneration of Wembley.

Impact

27. The proposed siting of the building's footprint and open spaces around it appears to be generally in accordance with site proposal W17 within the Council's Wembley Area Action Plan which specifies that the taller elements of buildings should secure an 80m zone between buildings on either side of Olympic Way (so therefore 40m from the centre) with maximum projections of 25m separated by "outdoor rooms", however, this will need to be clarified.
28. The proposal is a large addition to the subject site when compared to the surrounding buildings in the adjoining plots. The resultant scale of the buildings needs to be justified in terms of their impact on the locality. This is in terms of the relationships with surrounding properties and their occupants, surrounding potential development sites, as well as the effects it will have on and contributions that it will make to the local area.
29. Shadow casting should be undertaken to evaluate the potential overshadowing of surrounding properties. A daylight and sunlight report which tests the potential impacts of the proposal on the existing and consented buildings and spaces in the vicinity undertaken in accordance with BRE209 should be submitted with a planning application.

Layout

30. The proposal provides a central entrance, accessed from both Olympic Way and Rutherford Way providing access to both Building A and B. To encourage further pedestrian activity along Rutherford Way, a second entrance is located on the eastern side of the building which provides access to the lower floors of Building B. Both entrances are generous in frontage width, are clear and easily identifiable from the adjacent streets.
31. The proposal responds to the surrounding public realm by activating key frontages on all four sides of the building blocks. Extensive commercial frontages front onto Olympic Way along the western edge and Fulton road to the north. A proposed residents' gym is located on the north-eastern corner, whilst residents' entrances help to animate Rutherford Way along the eastern edge.
32. It has been stated that all apartments meet, or exceed, the minimum London Plan Housing SPG space standards. This will need to be clearly presented within application submission. The residential units appear to have favourable orientations either east or west, with many

corner units enjoying dual aspects. The unit layouts maximise light within habitable rooms, whilst bathrooms, stores and kitchen spaces are located towards the rear of the units.

Amenity

33. All units will have private external amenity spaces (balconies or terraces) and will have access to communal roof terraces. The proposal includes 3,599 m² of external amenity space, which is an average of 14.9 m²/unit. While this falls below the Council's target (20 sqm), the site will be in close proximity to the new park (Quintain Masterplan). Play space requirements are to be met.

Density

34. 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.
35. The London Plan indicative residential density for this site is 650-1,100 habitable rooms per hectare. The proposed number of units amounts to a density of 573 units per hectare, or 1716 habitable rooms per hectare. The density would be above the indicative ranges, although given the highly accessible and central nature of the site, a high density scheme would not necessarily be a concern.

Vehicular Access and Servicing

36. Vehicular access to the basement is located on Rutherford Way to the southeast of Building B. Refuse collection and deliveries/loading/unloading will take place along Rutherford Way. This will avoid vehicles needing to access the tightly controlled Olympic Way, and will allow the northern part of the site to become a 'green' landscaped link that will tie together Olympic Way and the northern gateway to the new park.
37. *Car Parking*
38. 24 blue badge parking spaces (10% provision); 5 active car charging points (20% of provision); 5 passive car charging points (20% of provision).
39. *Cycle Parking*
40. Main cycle stores located at ground floor; overflow cycle store located within the basement; two-tier cycle racks proposed within secure stores; London Plan cycle standards met with 1 space per 1 bed unit, and 2 spaces per 2+ bed units.
41. *Refuse Storage*
42. Based on 242 units compliant with Brent's NW residential mix, the following bin provisions will be required: 242 units: = 40x 1100L bins for residual waste; = 40x 1100L bins for dry waste; = 24x 240L bins for organic waste.
43. The proposed bin stores have been sized based on a twice-weekly refuse collection. Twice-weekly refuse collections will greatly reduce the amount of bin storage space required at ground floor, enabling a greater proportion of active frontage.
44. The headline figures provided above are in accordance with the relevant policies and will ensure that appropriate levels of parking, as well as suitable servicing are incorporated into the scheme.

Landscape

45. Only indicative layouts of the landscaping at the site have been included. These appear to provide a similar amount of hard and soft landscape to the surrounding sites. Tree planting is

indicated which is welcome and will help contribute to the character and appearance of the locality, as well as to the quality of the local environment.

46. The plans show roof terraces/gardens/planting included at all opportunities which is again encouraged and looked at favourably. Obviously the Council encourage green roofs and planting but these need to be safe and work for future occupants of a site.
47. Any landscape proposals would need to tie in and link with the Unite and Barratt schemes in order to provide a considered and tidy finish for the redevelopment of the whole site. Reference should also be made to the public park that forms part of the wider masterplan for the area.
48. Landscape officers have stated that they are asking other applicants in the locality to provide extensive landscaped frontages, public realm space and tree planting and very much welcome the same approach here.
49. The delivery of a top quality public space will be a key factor to the development's success and therefore the final details of materials, planting species and layout of this area are to be provided within any application to ensure that it is of sufficient quality and is delivered to a standard that a redevelopment scheme in this location deserves.

PLANNING OBLIGATIONS

50. In accordance with the Councils Planning Obligations SPD, the proposal would be likely to attract the following obligations to mitigate the impact of the development, if it is acceptable in policy terms:
 - Affordable Housing - Final proportion to be subject of a detailed financial viability assessment if less than 50% proposed, and a post implementation/occupation review.
 - Employment and training opportunities during construction.
 - Car-Parking Permit Free development to remove the rights of future residents to apply for parking permits in the surrounding roads in the vicinity of the site in the event a Controlled Parking Zone is introduced, and a contribution towards CPZ consultation and/or extension and implementation
 - Join and adhere to Considerate Constructors scheme
 - Energy – For residential buildings achieve Zero carbon in terms of improvement over the Target Emission Rate (TER) 2010 Building Regulations on CO2 emissions and to provide a carbon off-set contribution of (amount to be agreed) to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target level. For non-domestic buildings achieve a BREEAM 'Excellent' rating and achieve a reduction in CO2 emissions in line with London Plan (2016) policy 5.2.
 - Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTruTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
 - Undertaking of any highway works through an agreement under S38/S278 of the Highways Act 1980 (N.B. the precise nature of highway works necessary to be confirmed at application stage).
 - Contribution towards bus capacity enhancement, subject to this being confirmed as necessary by TfL, and an amount to be agreed with TfL

(N.B this is not a definitive list of required obligations and maybe subject to further changes)

Community Infrastructure Levy (CIL)

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

CONCLUSIONS

52. Members should note the above development is still in the pre-application stage and that additional work remains to be carried out prior to the submission of any subsequent planning application. Any such application would be referable to the Mayor of London.

PART 2 APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

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

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

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

Provision of infrastructure

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

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

Further information

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

Public speaking

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

Recommendation

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

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COMMITTEE REPORT

Planning Committee on 15 February, 2017
Item No 05
Case Number 16/3377

SITE INFORMATION

RECEIVED: 1 August, 2016

WARD: Kenton

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

PROPOSAL: Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).

APPLICANT: Mr Sumaria

CONTACT: DB PLANNERS

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_129507

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

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/3377" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

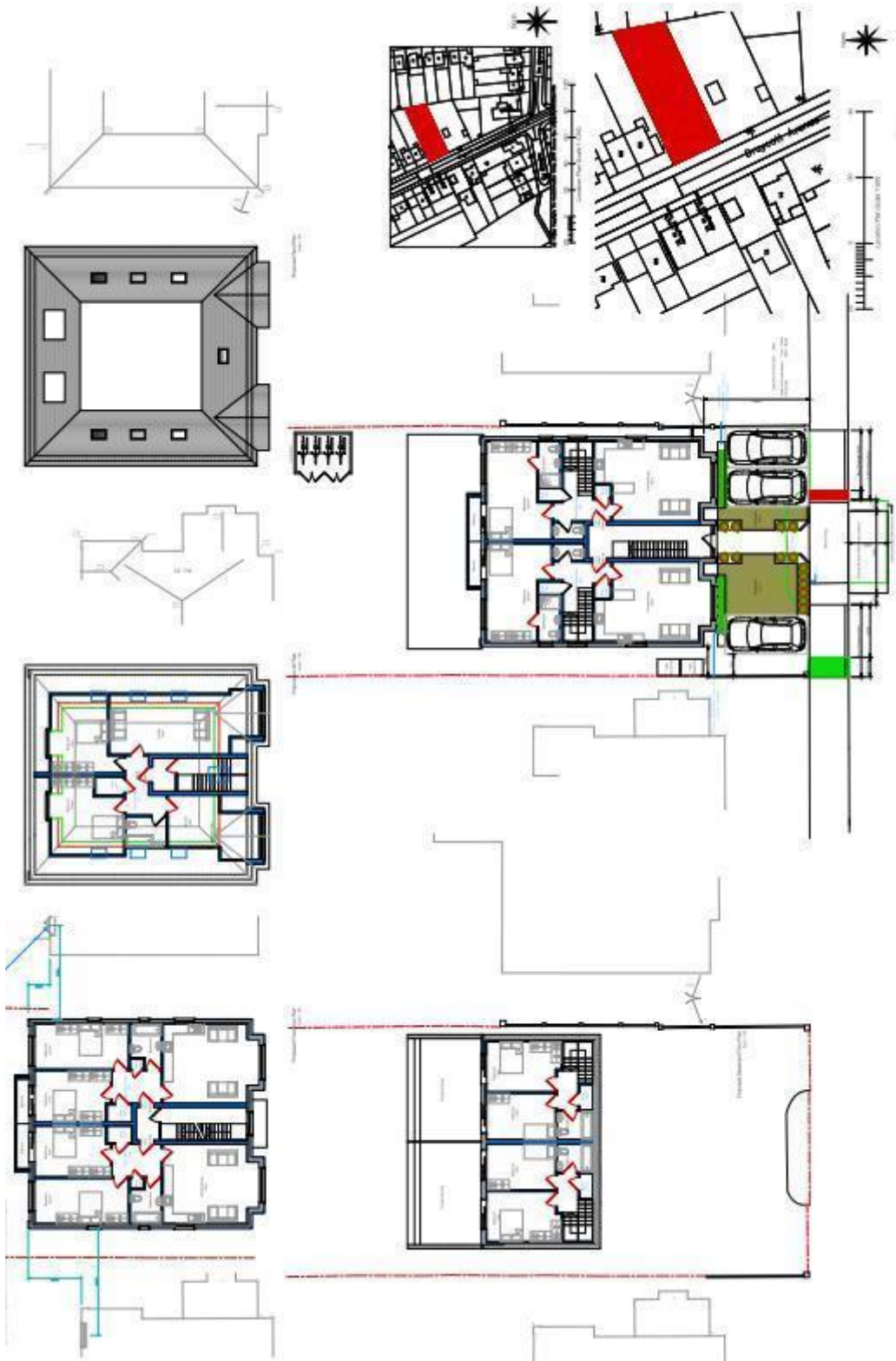
Site address: Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

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This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS



The scheme is considered to result in limited to no harm to the conservation area. The scheme as proposed has little effect on the setting or views into and out of the conservation area. The bulk and height is of a similar height to the surrounding properties.

The Planning Inspector for the previous appeal set out that the "views of the basement of the building from neighbouring properties would be limited. This would minimise the impact of this level of the building on the character and appearance of the area". It is noted that the previous scheme that was considered by the Planning Inspector included a stepped rear wall which reduced its bulk within the rear elevation to some extent. However, the design and appearance of the rear elevation is considered to be acceptable, with the facade broken up through the use of fenestration. The reduced articulation in the rear facade compared to the appeal scheme is not considered result in an impact on the adjoining conservation area.

The proposed development is considered to accord with the National Planning Policy Framework, London Plan Policy 7.8 and Brent Development Management Policy DMP7.

Recommendation

It is recommended that the Planning Committee confirm that they would have granted planning permission for the proposed development subject to the conditions set out within the committee report.

The remainder of this report has not changed from the previous planning committee agenda aside from the recommendation which reflects the fact that the application has been appealed.

RECOMMENDATIONS

That the Committee resolve that they would have GRANTED planning permission had the application not been appealed subject to conditions and informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Materials
4. Construction Method Statement
5. Parking laid out and retained for residents use
6. Landscaping implemented and retained
7. Windows to side elevations glazed in obscure glass and retained

Informatives

1. Party Wall
2. Noise on site
3. Use of Asbestos and Council Policy
4. Asbestos Removal & use of Licensed Contractor

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

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

A) PROPOSAL

Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed flats and 3 x 2 bed flats) with associated car

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*DocRepF
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and cycle parking spaces, bin stores, amended drop kerb and landscaping.

B) EXISTING

Two-storey detached property on the eastern side of Draycott Avenue. Its lawful use is as a residential care home, however it is understood that the premises are no longer in use for this purpose and that the property is currently in multiple occupation. There is a carriage driveway arrangement and the frontage is fully hardsurfaced for parking. Surrounding uses are residential. This is not within a Conservation Area, nor is it a listed building.

C) AMENDMENTS SINCE SUBMISSION

Amended plans were received on 22 December 2016 showing three off-street parking spaces and associated landscaping

D) SUMMARY OF KEY ISSUES

1. Whether the proposed development is acceptable in principle given the surrounding uses and character including the loss of care home facility
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers and appropriate housing mix
3. Whether the proposed development integrates well into the street in terms of design, scale and massing and is of good design quality
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers
5. Whether the proposed development can be supported in terms of its impact on the parking and flow of traffic on Draycott Avenue and surrounding roads

RELEVANT SITE HISTORY

Application:	Enforcement	Number:	E/16/0104
Validated:	01/03/2016	Type:	ECOU
Status:	Decided	Date:	Serve notice
Completion		Summary:	
:			
Description:	Without planning permission , the material change of use of the premises to a House of Multiple Occupation.		

Application:	Planning	Number:	15/2607
Validated:	04/08/2015	Type:	FUL
Status:	Decided	Date:	22/04/2016
Completion		Summary:	Dismissed Appeal
n:			
Description:	Demolition of existing former care home building and erection of a two storey building with a converted loft space and basement level to provide 7 self-contained flats (5x2 bed and 2xstudios) with associated car and cycle parking, bin stores, amended drop kerb and landscaping.		

Application:	Planning	Number:	02/1028
Validated:	09/05/2002	Type:	FUL
Status:	Decided	Date:	03/07/2002

Completion**Summary:** Granted**n:****Description:** Erection of part first-floor rear extension and part two-storey side extension to care home.

CONSULTATIONS

Letters were sent to 27 neighbouring properties and during the statutory 21 day period 17 neighbour objections including the Northwick Park Residents Association plus 2 councillor objections were received in response.

Statutory consultees notified about the application include the Kenton Ward Councillors, Environmental Health Officer, Transport Officer, Policy and Research Officer and the Landscape and Design team at Brent.

A summary of the comments received are outlined below:

Residents Objections

- Increased noise, dust and traffic on an already congested road;
- Loss of light due to scale and size of the proposal which would be out of character for the area;
- Increased traffic congestion arising from the increased number of dwellings;
- Existing parking issues will be exacerbated as a result of increased residents and visitors;
- Confirmed decision to mark double yellow lines on the one side of Draycott Avenue and this will mean that parking on the opposite side will cause immense problems resulting in safety issues for pedestrians and cyclists;
- Erosion of family sized dwellings;
- Strain on schools which are already under pressure from the amount of children.
- Overdevelopment
- Dropped kerb would result in a loss of a disabled bay;
- Insufficient parking spaces proposed on-site
- The existing house could accommodate up to 9 residents, this proposal could potentially house 19 residents.
- Second and upper storey flats would be visually intrusive to the rear garden at 30 Greystone Gardens.

Northwick Park Residents Association

- The proposal is out of scale and not in keeping with the area;
- Overdevelopment of the site;
- The mass, bulk and proximity to the rear properties would result in an overbearing and intrusive element;
- The Inspectors decision in terms of parking is contrary to what exists and the area is heavily congested;
- Kenton suffering from a large rise in population density.

Councillor Objections

- Heavily congested roads hence why action is being taken with the Transportation Service to have double yellow lines painted on one side of the road. Recommends that the application decision is rejected for at least 6 months whilst traffic calming measures are implemented.
- Out of character with the area.

Brent Council Consultees

Environmental Health

- The development is located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition requiring a Construction Method Statement is therefore recommended to be imposed to any approval.

Transportation

- No transportation objections subject to conditions requiring the submission and approval of a revised site layout showing four off-street spaces at a 90 degree angle to the highway accessed via the existing crossovers on either side of the site frontage; and confirmation from the applicant that the existing on-street disabled bay can be removed.

All the above objections have been addressed in the next section.

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POLICY CONSIDERATIONS

National Planning Policy Framework/National Planning Practice Guidance

London Plan 2011/ 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

DMP1 Development Management General Policy

DMP12 Parking

DMP16 Resisting Housing Loss

DMP18 Dwelling size and residential outbuildings

DMP19 Residential Amenity Space

DMP20 Accommodation with shared facilities or additional support

Supplementary Planning Guidance 17:- Design Guide For New Development Supplementary Planning Guidance 5 Altering and extending your home.

Domestic Vehicle Footway Crossover Policy 2008

DETAILED CONSIDERATIONS

1. Context

1.1 A similar proposal was submitted and refused on 29th September 2015 (Application ref: 15/2607) and subsequently dismissed at appeal (APP/T5150/W/15/3137379). The proposal comprised the demolition of the former care home (subject property) to provide a two storey building with a converted loft space and basement level to provide 7 self-contained flats with associated car and cycle parking spaces, bin stores and landscaping. The initial reasons for refusal were as follows:

1.2 This proposal will result in a significant increase in parking standards that cannot be accommodated within the site and will therefore result in additional demand for overspill on street parking, which cannot be accommodated along the site frontage, and the overspill parking that will follow will be to the detriment of free and safe flow of traffic and pedestrians along an already heavily trafficked route. Furthermore the proposed vehicle access widening will result in illegal crossing of the footway, this, and the absence of sufficient soft landscaping to the site frontage are both contrary to Brent's Domestic Vehicle Footway Crossover Policy (2008), Policies BE7, TRN24 and TRN27 and standard PS14 of the adopted UDP 2004.

1.3 The proposed building by virtue of its scale and massing (as viewed from the rear), lack of articulation of this rear facade and crown roof design would result in an overbearing building which fails to pay appropriate regard to the scale and massing of development in the surrounding area. Furthermore, the building frontage is overly dominated by hard landscaping, access and parking and fails to make an appropriate contribution to the streetscene. This represents a poor design that would be harmful to the visual amenities of the area and is contrary to policies BE2, BE7 and BE9 of Brent's adopted Unitary Development Plan 2004, Core Strategy (2010) policy CP17 and the guidance as outlined in SPG17 "Design Guide for New Development".

1.4 The proposed loft floor flats, by reason of their reliance on rooflights for the provision of outlook and the size and height of those rooflights, fails to provide adequate levels of outlook for future residents and as such, represents a poor standard of residential accommodation. This is contrary to Policy BE9 of the Brent Unitary Development Plan 2004 and Supplementary Planning Guidance No. 1

1.5 However, the inspector took a slightly different stance and concluded:

"Whilst I have concluded that the appeal proposal would not cause harm to highway safety, this would not outweigh the harm I have found to the character and appearance of the area and the living conditions of

future occupiers.”

2. Principle of use & loss of care home

2.1 Core Strategy policy CP21 and Development Management Policy DMP17 and 18 seek to maintain a balanced housing stock in the Borough by protecting existing accommodation that meets a known Borough need. The Borough has a need for a wide range of accommodation sizes and types which has been satisfactorily addressed in the past. Maintaining and providing a balanced housing stock is a key Core Strategy housing objective. Development Management Policy DMP20 allows for the loss of such accommodation where it has either been demonstrated that residents needs can be better met by other existing accommodation or unsatisfactory accommodation cannot be improved to achieve current standards.

2.2 Brent Adult Social Care (Commissioning & Quality) had been consulted during the previous application (15/2607) on the key issue concerning loss of a residential care home. In response they advised that the Council's position is one where it is working to develop alternatives to residential care and this particular care home was not large enough to meet the complex needs of customers in a cost efficient way. As such they raised no objections to the closure of the care home.

2.3 The site is not currently in use as a residential care home, it is believed to be used for multiple occupancy though there is no permission in place for this. It is stated that the former 9 bedroom care home ceased operating as a small scale care home as it was no longer financially viable. It is understood that the care home use ceased around November 2014.

2.4 It is considered the information supplied from Brent Adult Social Care (Commissioning & Quality) is sufficient evidence to warrant the loss of the care home, which in any case is no longer in use for this purpose. Furthermore, proposals for residential use of the site will make efficient use of previously development brownfield land, in what is a sustainable location. This is consistent with the aims of the National Planning Policy Framework (NPPF) and the Council's Development Management Policies. Accordingly, there is no objection in principle to the residential development subject to all material planning considerations.

3 Design and Scale

3.1 The existing building is a 2 storey detached property with extensions to the rear. The scheme proposes a building which is narrower than the existing footprint on site by 1.4m. This allows for a set in on both sides. At ground floor the property would be infilled at both sides to the rear and also to the front to form a more consistent frontage as opposed to the stepped approach the property currently takes. This forms two symmetrical front gables. At first floor, the proposal seeks to create first floor extensions which would follow through the same footprint as the ground floor.

3.2 Following amendments and a re-consultation commencing 11 November, the building was moved further east to minimise the impact of first floor rear extensions on neighbouring properties. Whilst SPG5 is not directly relevant in this case it provides a useful guide for assessing such relationships and the proposal accords with this guidance. A 1.7m set in from No. 55 is proposed which results in a 6.4m distance between the edge of the extension and nearest habitable room. This allows for the 3.2m depth proposed. On the other side the first floor rear element only protrudes 1.3m which is within the allowable limits. It is therefore considered that in complying with this policy, there would be no detrimental impact to the neighbouring occupiers either side as a result of the first floor extensions.

3.3 Whilst the proposed building comprises four storeys, when viewed from Draycott Avenue it has the appearance of a two-storey building with accommodation in the roof, this is similar to the approved scheme next door at Mulberry Court (App. Ref: 08/2267). Contrary to the previous scheme, this proposal also appears as two storey with roof accommodation to the rear more in keeping with the character of the area due to the construction of the basement level.

3.4 As was considered within the Inspectors report in the previous appeal decision, the basement level which is shown within the Section Drawing indicates sufficient screening via the retaining wall to the existing garden, as well as boundary fencing so that the views of the basement of the building from neighbouring properties would be limited. This would minimise the impact of this level of the building on the character and appearance of the area.

3.5 The inspector on commenting on the previous design stated that overall the footprint, massing, scale and proposed crown roof was deemed acceptable. It is also noted that its scale and massing is similar to the neighbouring flats at Mulberry Court and would therefore sit comfortably in the context of the adjacent

properties, particularly when considering the increased set in from the boundary of No.55. In light of the general street scene, the design particularly at the frontage would mirror that of the neighbouring flats at Mulberry Court. The inspector did however raise concerns in relation to the use of materials and finish detailing of the building fearing that the previous proposal would look uninteresting compared to the rear façade at Mulberry Court and its use of balconies. As such, this design adds more reflective detailing which include rear balconies and two cottage dormers on the roof, which are subservient to the roof plane and host dwelling.

3.6 The frontage now has additional glazing in the roof for the provision of outlook and mirrors the neighbouring property at Mulberry Court. This has also helped to overcome the lack of outlook for the bedrooms within the loft level. The number and location of rooflights is also acceptable.

3.7 The architectural approach of the building to the front is therefore considered to be in keeping with the streetscene. The front elevation is very much in keeping with the approach at the neighbouring Mulberry Court. Furthermore, over 30% landscaping has been proposed to create an enhanced frontage. This is in line with Development Management Policy DMP1 which seeks development which improves and complements the locality.

3.8 A landscaping scheme detailing the proposed front forecourt planting has been submitted as part of the proposal. More than 30% landscaping has been provided which is acceptable and provides a welcomed improvement from the fully hard landscaped frontage which currently exists.

4 Housing mix

4.1 Five flats are proposed, this is broken down as 2 x 3 bedroom and 3 x 2 bedroom flats.

4.2 The housing offer does include 2 family sized units (defined by the Core Strategy policy as 3 bedrooms or more). This meets the needs of the borough and is therefore acceptable in policy terms.

5 Quality of accommodation

Ground and Basement Level (Flats 1 & 2)

Flat 1 (5 person, 3 bedroom): 112 sqm; 2 x double rooms + 1 x single room.

Flat 2 (5 person, 3 bedroom): 112 sqm 2 x double rooms + 1 x single room.

First Floor accommodation

Flat 3 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Flat 4 (3 person 2 bedroom flat): 73 sqm: 1 x double room + 1 x single room.

Loft accommodation

Flat 5 (3 person 2 bedroom flat): 70 sqm: 1 x double room + 1 x single room

5.1 These would all have primary front or rear facing windows, fixed obscurely glazed side facing windows. There will also be a shared and private sunken courtyard with 3.5m deep light wells (serving flats 1 & 2) on the ground floor flat which also has one allocated parking space for each flat. The first floor flats also benefit from rear facing balconies. The loft flat will have rooflights across the flank elevations, one front rooflight and two rear dormers which would provide sufficient outlook and sunlight in the habitable rooms for the occupiers.

The section plans demonstrate that internal headroom of 2.3m is achieved at all levels which satisfies SPG17.

5.2 The above standards comply with the London Plan residential unit sizes, as set out in table 3.3 and are therefore acceptable. Furthermore, the proposed refuse storage and 6 cycle stores in a secure store comply with the London Plan cycle standards.

5.3 At basement level there is a sunken courtyard to provide sufficient private amenity for the ground floor flat. The first floor benefits from private balconies and also shared garden space with the loft flats. The proposed amenity space amounts to over 20 sqm per flat as required by SPG17.

5.4 The development to the rear would introduce a large number of rear facing habitable windows, these are located more than 10m from the rear site boundaries and more than 20m from facing windows on Greystone Gardens. This satisfies SPG17. No primary, habitable flank wall windows are proposed.

5.5 There are secondary flank wall windows at ground and first floor to serve the kitchens, however these will

not compromise the amenity of neighbouring occupiers. Neither No.55 Draycott Avenue or Mulberry Court contain any habitable flank wall windows, therefore no direct overlooking or loss of privacy would follow.

5.6 Correct stacking in terms of accommodation layout has been achieved throughout all floors of the building.

6 Highways and Transportation

6.1 The site has two crossovers forming a carriage drive and accommodating approx. 3/4 off street parking spaces. The south-eastern crossover is 3.4m wide and the north-western crossover is 4.2m wide. There is a disabled bay, on street, between the crossovers and along the site frontage. The front garden has no soft landscaping at present.

6.2 The proposal is to provide three off street parking spaces accessed via the two crossovers. The position of the northern space is not at the edge of the boundary and therefore does not comply with Brent's Crossover Policy, whilst also reducing on-street parking. Transportation have requested that the crossovers are retained as they are at the edge of the boundary wall to serve two spaces on either side of the frontage at a 90 degree angle to the highway. Some soft landscaping can be provided in the middle of the front garden between the two access points. As a result of this the on-street disabled bay along the site frontage is no longer required. This would provide a further on-street parking bay for residents or visitors and transportation have requested that confirmation is provided that the disabled bay is no longer required in order for it to be removed.

6.3 The existing care home is permitted 1 car space per 10 bedrooms and 1 space per 5 employees under standard DMP Appendix 1 Parking Standards. The number of former employees is unknown however, we can assume approx. 5 employees and therefore a total of 2 spaces would be permitted for the former use.

6.4 The proposed new residential dwellings will have a parking allowance of 1.2 spaces each for the 2 bedroom flats and 1.6 spaces each for the 3-bedroom flats under parking standards set out within Appendix 1 of the Development Management Policies. This totals 6.8 parking spaces for the proposed new flats and this would be a significant increase in parking requirements.

6.5 A parking survey submitted by the applicant follows the Lambeth methodology whereby bays are 5m in length. However, this is considered overly optimistic and a general length of 6m is required to allow average sized vehicles to manoeuvre in and out of spaces parallel to the highway. Using a 6m length, the survey found that Draycott Avenue north, which is closest to the site, had a 60% occupancy overnight and Draycott Avenue south of the site had a 76% occupancy. This demonstrates that the street is not heavily parked overnight and this accords with the Council's own survey findings undertaken in 2013. The survey details for the small section of The Ridgeway found that it was heavily occupied with 130% occupancy overnight.

6.6 Under the new DMP policies, the proposed 5 dwellings are within a high PTAL and therefore have reduced parking allowance, permitting 4.6 spaces. Therefore the three off street spaces, approved in drawing number DA57-2003 along with the removal of the disabled bay to provide a fourth space on street, do satisfy standards. The parking survey does ease any concerns of overspill parking due to the fact that the surrounding sections of Draycott Avenue are not heavily parked.

6.7 The resultant provision of four off-street parking spaces plus one on-street parking space along the site frontage will satisfy 75% of the parking standard and keep overspill parking to a manageable level so that it does not encroach across neighbouring frontages.

6.8 Amended plans were received on 22 December 2016 showing three off-street parking spaces and associated landscaping these were considered acceptable (Drawing DA57-2003). As a result the following changes to the proposal were made:

- Increase dropped kerb to 4.2m max to accommodate two adjacent off-street parking spaces;
- Reduce existing dropped kerb to 3.2m max. width to accommodate a single off-street parking space at the front.
- More than 30% soft landscaping proposed; and
- Existing disabled bay to the front is removed to create the additional off-street parking space.

6.9 It should also be noted that in the earlier appeal the Planning Inspector commented that there was very little on street parking during the time of her visit in the day however, the street is not listed as heavily parked and therefore night time occupancy is low. Therefore the inspector concluded that the proposal would not cause harm to the highway safety in the area.

6.10 The site is also well served by Public Transport, PTAL 4, with access to 6 different bus routes and a rail and tube stations within walking distance.

6.11 Cycle storage has been proposed within the rear garden for 6 bicycles in a secure store to comply with DMP12.

7. Impact to Residential Amenity

7.1 All flank elevation windows are proposed to be obscurely glazed and therefore there are no concerns in relation to the of loss of privacy for neighbouring properties.

7.2 The degree to which the proposed building will project beyond the rear of neighbouring properties is in accordance with DMP1 and therefore is not considered to be overbearing or result in unacceptable loss of light or outlook to these properties.

7.3 The impact of the proposed use is not considered to be unacceptable in terms of its scale when judged against the former care home use, and in the context of an 8 unit scheme directly next door.

7.4 Refuse storage has been shown on the proposed drawings.

8 Summary

8.1 Based on the reduced scale of the scheme and taking into account the previous decision by the Planning Inspectorate along with the introduction of the Council's new DMP policies the proposal is considered to comply with planning policy and it is therefore recommended for Approval subject to appropriate conditions.

CIL DETAILS

This application is liable to pay £43,242.40* 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 289sq. m.

Total amount of floorspace on completion (G): 441sq. 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
C3	441	289	152	200	£35.15	£36,778.57	£6,463.83

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
Total chargeable amount	36,778.57	6,463.83

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

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

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



DECISION NOTICE – APPROVAL

Application No: 16/3377

To: Patel
DB PLANNERS
2 The Oaks Juniper Road
Cove
Farnborough
GU14 9XU

I refer to your application dated 31/07/2016 proposing the following:
Demolition of existing care home building and erection of a two storey building with a converted loft space and basement level to provide 5 self-contained flats (2 x 3 bed and 3 x 2 bed) with associated car and cycle parking spaces, bin stores, amended drop kerb and landscaping (Revised proposed plans to show adjustment of building location and revised forecourt plans).
and accompanied by plans or documents listed here:
See Condition 2
at Roseland Care Home, 57 Draycott Avenue, Harrow, HA3 0BL

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: 03/02/2017

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

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

Brent Development Management Policies 2016
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

REASONS

- 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):

\$DA57-2003 (Received 30/12/2016)
DA57-2004 (Received 11/11/2016)
DA57- 2005 (Received 11/11/2016)
DA57-2006 (Received 11/11/2016)

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

- 3 Prior to the occupation of the flat development the parking space/s shall be completed in accordance with the approved plans and maintained as such and used solely for purposes ancillary to the flats for the lifetime of the development.

Reason: in the interest of highway and pedestrian safety.

- 4 The landscape works, planting and other front forecourt works shown on the approved plans shall be carried out prior to the occupation of any part of the development;

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.

- 5 The windows on the side faces of the development 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).

- 6 Details of materials for all external work 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 Prior to the commencement of the development a 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 development must be carried out in accordance with the approved Construction Method Statement.

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

INFORMATIVES

- 1 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.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 Attention is drawn to S.S. 60 & 61 of the Control of Pollution Act 1974 and to the association British Standard Code of Practice B.S.5228: 1984 which set down statutory requirements for the control of noise during construction and demolition works. The Contractor should also be made aware of the requirements of the Clean Air Act 1956 and 1968 and the Control of Pollution Act regarding the prohibition of site bonfires. Council's Chief Environmental Health Officer can provide advice and assistance in this regard.
- 4 Although no provision exists within the Building Regulations to prohibit the use of materials containing asbestos, it is the policy of this Council to discourage such use where alternative materials are available that would equally satisfy the requirements of these Regulations.
- 5 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 Chief Environmental Health Officer should be contacted.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 February, 2017

16/5111

SITE INFORMATION

RECEIVED: 25 November, 2016

WARD: Queensbury

PLANNING AREA: Brent Connects Kingsbury & Kenton

LOCATION: Land rear of 234-240, Princes Avenue, London, NW9 9QU

PROPOSAL: Erection of a terrace of 5 two storey dwellinghouses (5 x 4 bedroom) with basement levels and front and rear lightwells, to the rear of 234-240 Princes Avenue with vehicular and pedestrian access from Princes Close, provision of 9 car parking spaces, cycle and bin store and associated landscaping

APPLICANT: HERMITAGE DEVELOPMENT AND CONSTRUCTION LTD.

CONTACT: Loren Design 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_131390

When viewing this as an Hard Copy .

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/5111" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

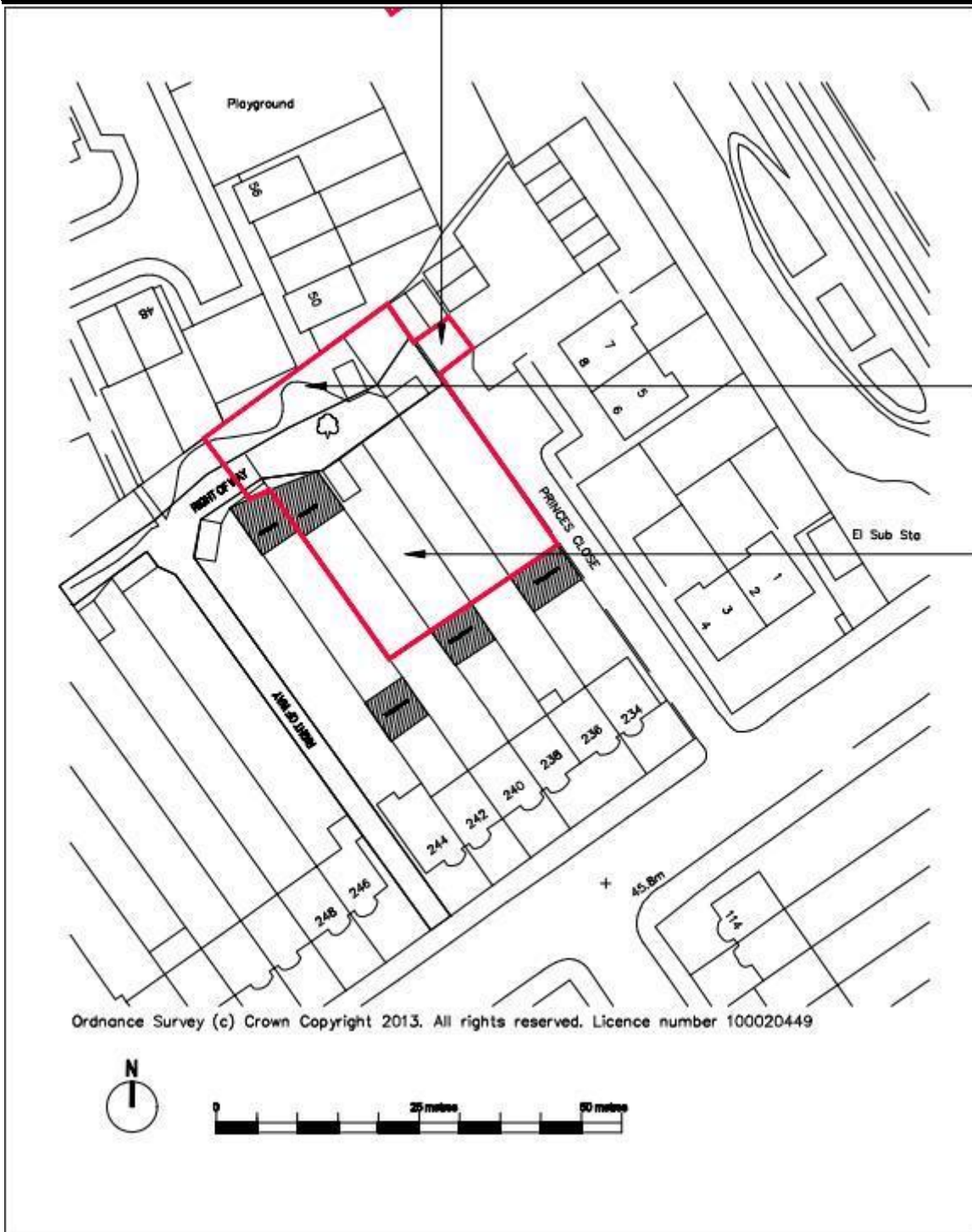
SITE MAP



Planning Committee Map

Site address: Land rear of 234-240, Princes Avenue, London, NW9 9QU

© Crown copyright and database rights 2011 Ordnance Survey 100025260

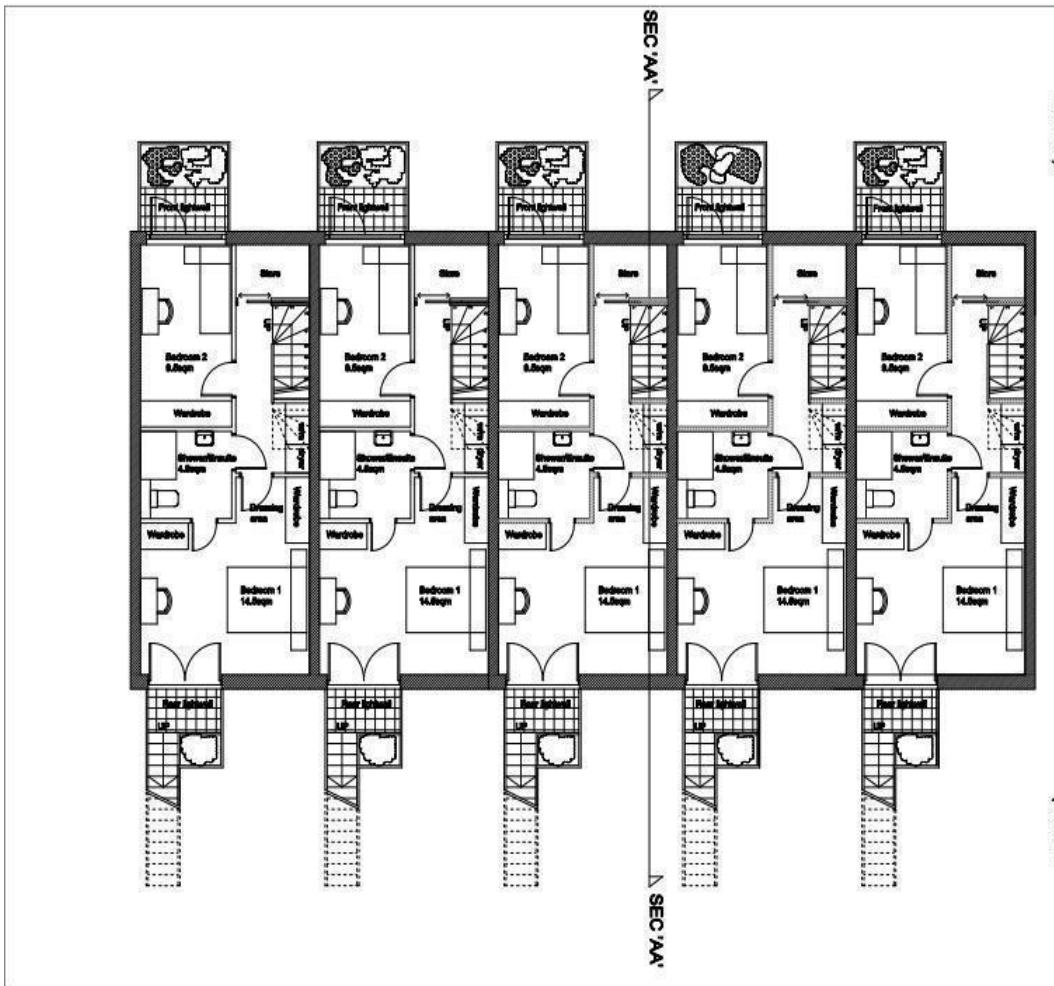


This map is indicative only.

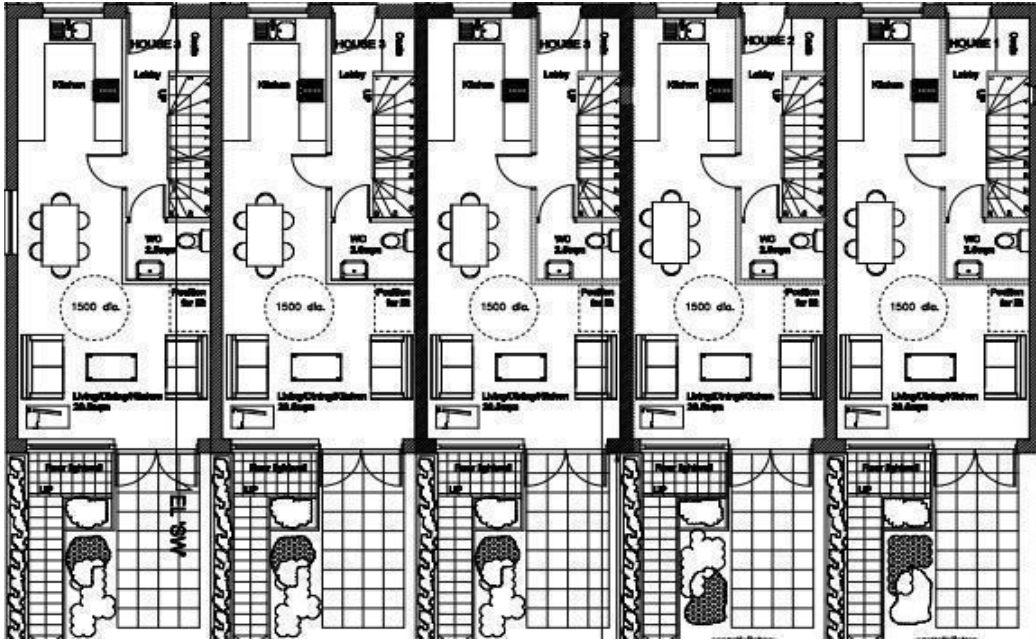
Ordnance Survey (c) Crown Copyright 2013. All rights reserved. Licence number 100020449

SELECTED SITE PLANS

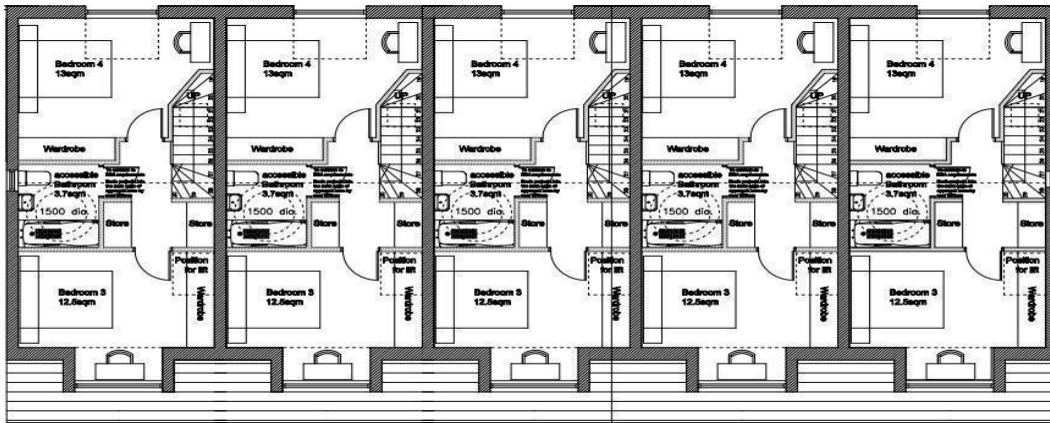
SELECTED SITE PLANS



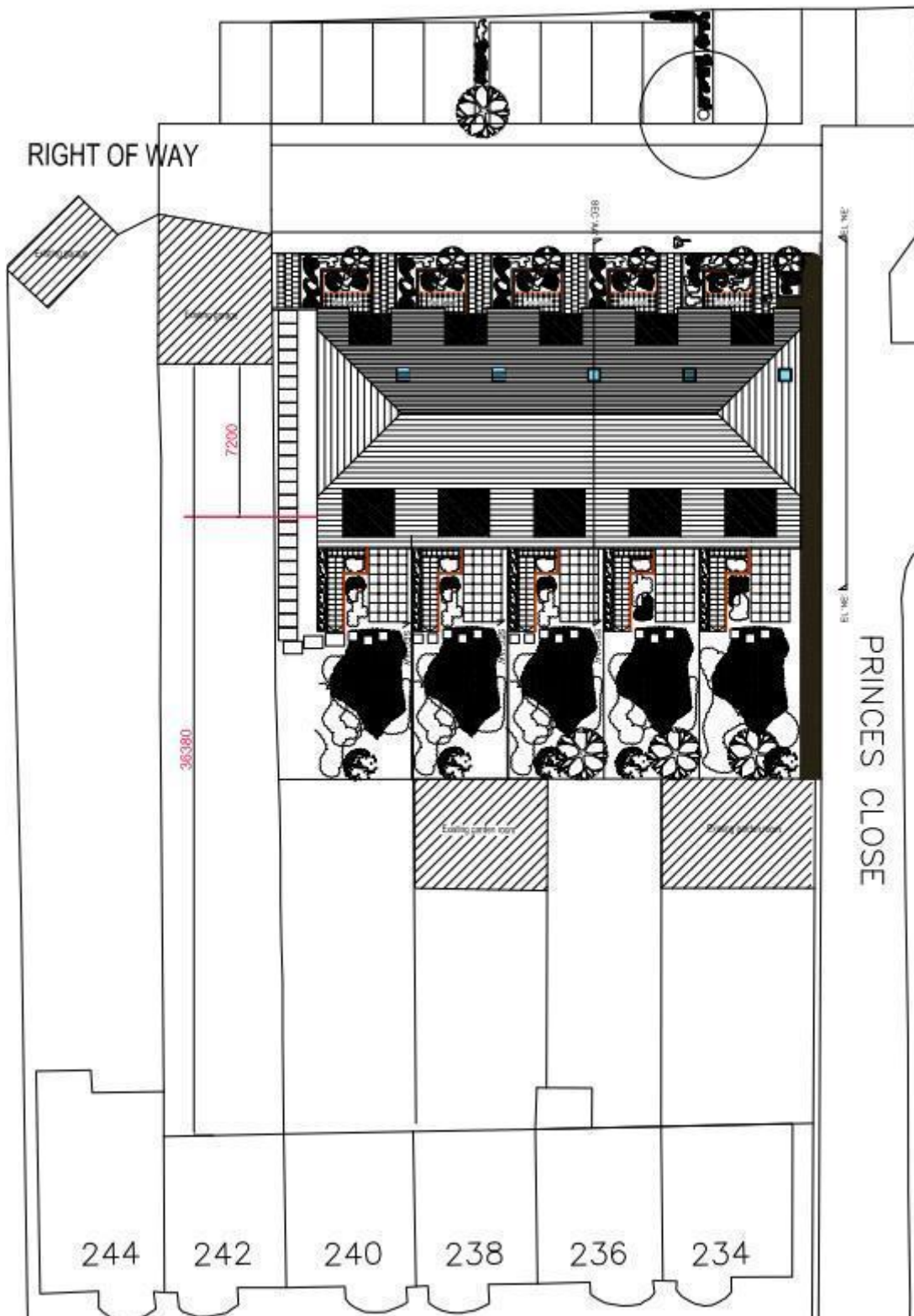
BASEMENT PLANS



GROUND FLOOR PLANS



FIRST FLOOR PLANS



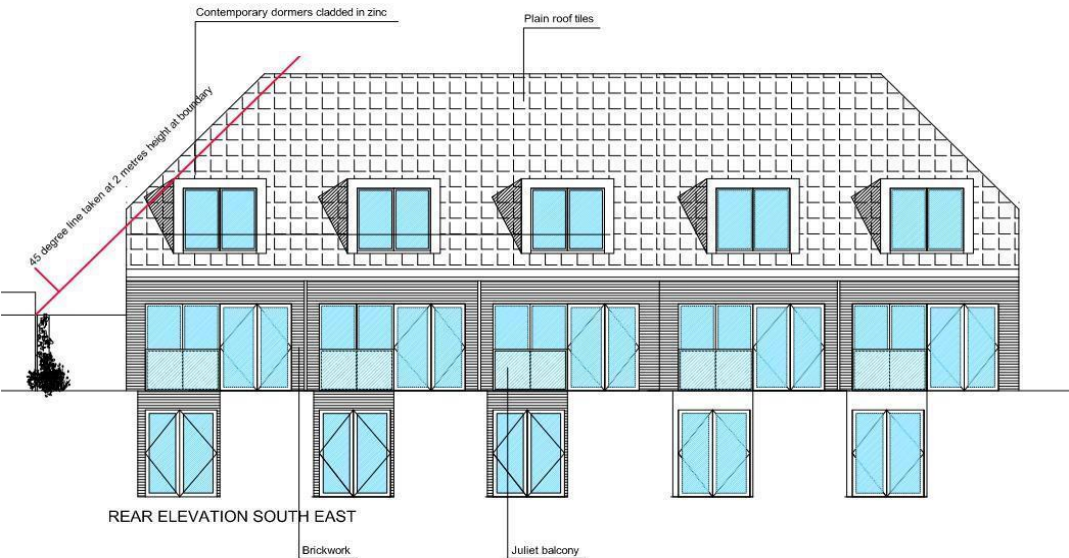
SITE PLAN AND ROOF PLANS



VISUALISATION 1



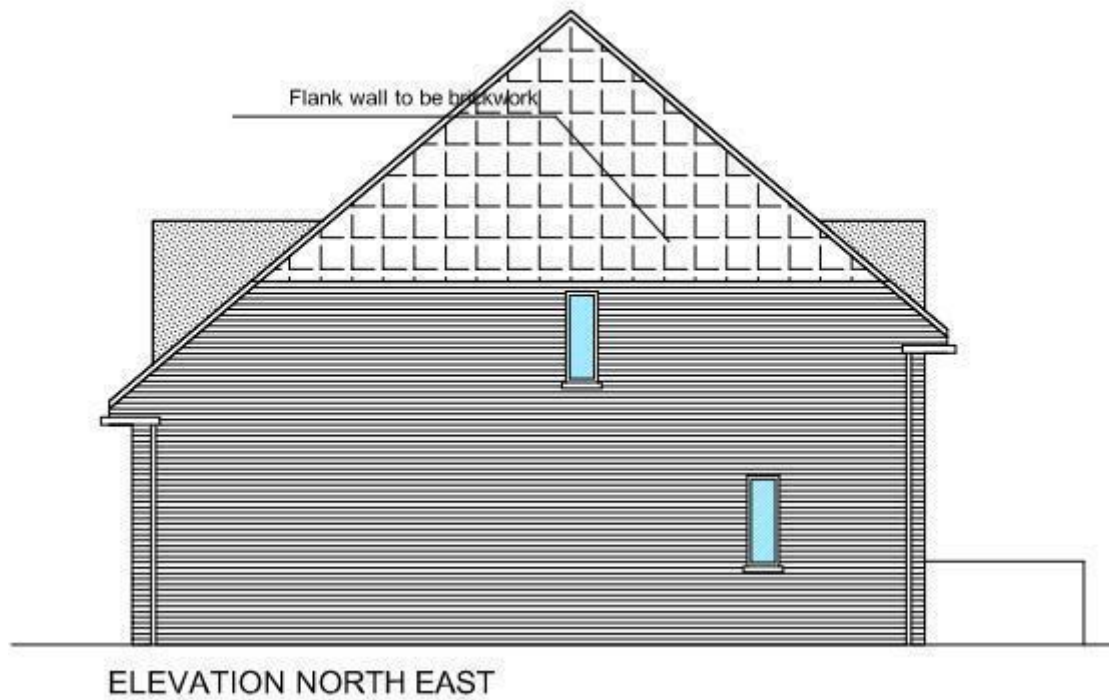
VISUALISATION 2



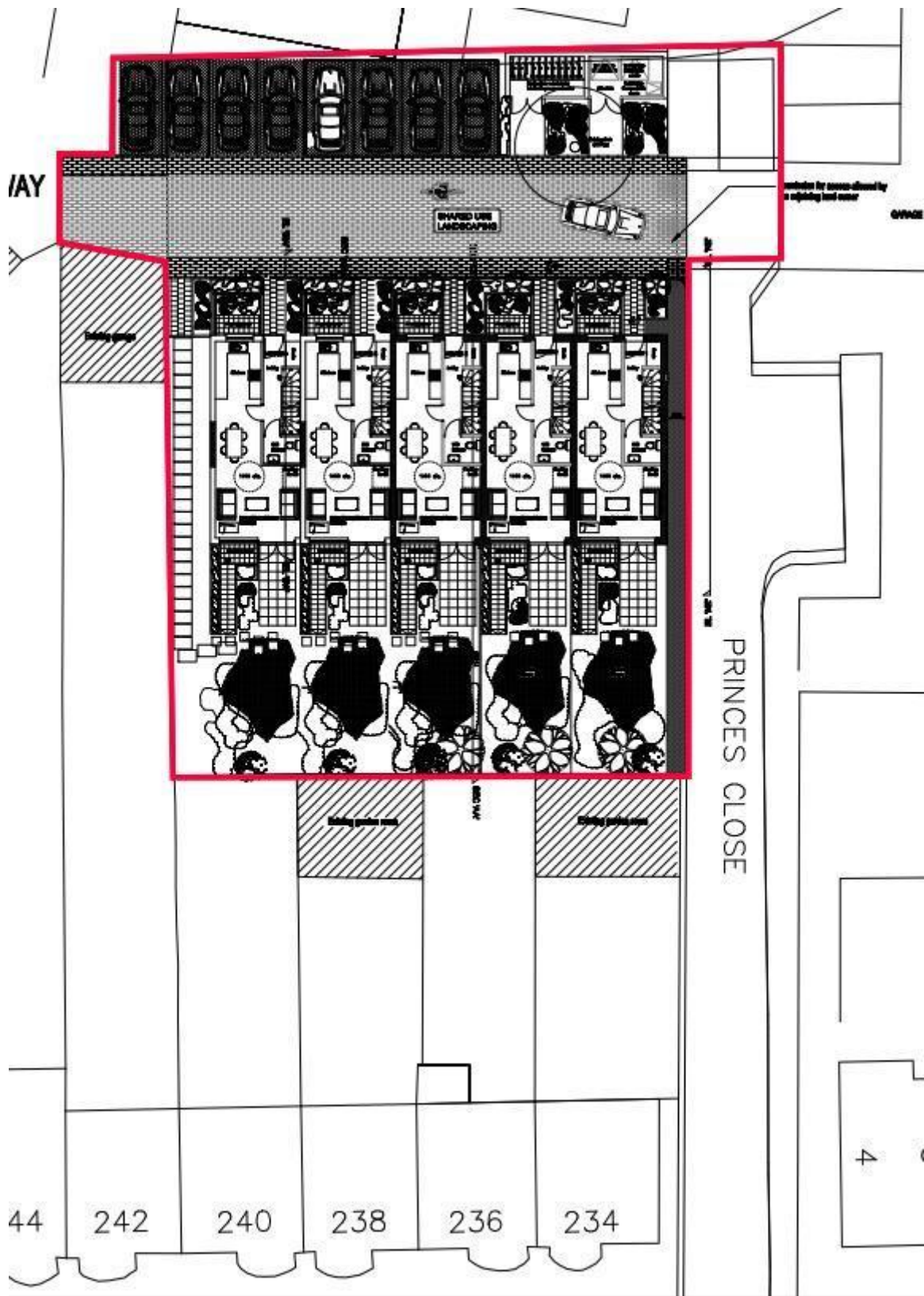
REAR ELEVATION



FRONT ELEVATION



SIDE ELEVATION



PROPOSED SITE PLAN

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 informatives to secure the following matters:

Conditions

1. Time Limit (3 Years)
2. Approved drawings / documents
3. Adherence to the Considerate Constructors Scheme
4. Provision of parking, cycle parking, refuse storage and access
5. Approval of external materials
6. Details of sound insulation
7. Approval of a Landscaping Scheme
8. Approval of a Construction Method Statement

Informatives

1. CIL Liability
2. Party Wall
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, 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.
4. 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 erection of five, two storey terraced dwellinghouses (5 x 4 bedroom) with a basement level, in rear gardens of Nos. 234 to 240 Princes Avenue with vehicular and pedestrian access from Princes Close and associated front and rear lightwells, car and cycle parking, bin stores and landscaping.

B) EXISTING

The application site is located on backland in between the rear gardens of 234, 236, 238 and 240 Princes Avenue and properties along Rose Bates Drive. The site would be accessed from Princes Close.

C) AMENDMENTS SINCE SUBMISSION

The gable end roofs at each end of the proposed terrace of houses have been reduced down to hipped roofs so as to lessen the visual amenity impact on the rear garden at no. 242 Princes Avenue. This is confirmed to have retained a suitable ceiling height within the first floors of the houses and to also have an acceptable impact on the overall aesthetic design of the terrace.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

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Ref: 16/5111 Page 9 of 20*

1. Appeal decision: The decision on a previous planning appeal is a material consideration in the determination of this application. While the appeal was dismissed, the Inspector disagreed with three of four reasons for refusal, citing on the impacts on the living conditions of No. 240 with particular regard to outlook when dismissing the appeal. The recommendation for this application has regard to this decision.
2. Principle: The appeal established that although the development would alter the pattern of development in the immediate vicinity, this would not cause unacceptable harm to the character and appearance of the area. The principle of development is therefore considered to be acceptable.
3. Character and appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development.
4. Standard of accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.
5. Impact on neighbouring amenity: This previous reason of refusal has been addressed by the establishment of a 2m gap to the shared boundary and the use of hipped roofs rather than gable end roofs to lessen impact. The relationship between the proposed dwellings and all surrounding properties is considered to be acceptable.
6. Parking & servicing: It is considered that the modest amount of traffic that would be generated by the development would not undermine highway safety

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	600	600

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

16/1755 - Erection of a single storey dwelling with basement level and associated landscaping. **Granted.** (Rear of No. 238)

16/0629 - Erection of two storey 3 terraced dwellinghouses (3 x 4 bedroom) with a basement level, in rear gardens of Nos. 234 to 238 Princes Avenue with vehicular and pedestrian access from Princes Close and associated front and rear lightwells, car and cycle parking, bin stores and landscaping. **Granted.** (Rear of No. 234-236)

15/0566 - Erection of two storey 4 terraced dwellinghouses (4 x 4 bedroom) with a basement level, in rear gardens of Nos. 234 to 238 Princes Avenue with vehicular and pedestrian access from Princes Close and associated car and cycle parking, bin stores and landscaping. **Refused. Appealed (under ref: APP/T5150/W/15/3082065) and dismissed.** (Rear of No 234-238)

These relationship between these applicaiton and the development proposed within this application is discussed within the Detailed Considerations element of this report.

CONSULTATIONS

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The owner/occupier of 25 nearby and surrounding properties were notified of the application on 13 December 2016.

Two representations and one petition containing 6 signatures were received objecting to the proposal. Two of those who signed the petition had already sent separate objections, so it considered that four representations were received in total. Objections were made on the following grounds:

Objection	Response
The proposal will result in additional parking and traffic pressures. This would cause problems for emergency and service vehicles and pose danger to children and residents.	This is discussed in paragraphs 7.1 to 7.7 of the Detailed Considerations element of the report.
Proposal will affect existing parking provision and servicing within the locality	This is discussed in paragraphs 7.1 to 7.7 of the Detailed Considerations element of the report.
Proposed development by reason of its siting, bulk and size is incongruous and is contrary to local Policies	This is discussed in paragraphs 4.1 to 4.8 of the Detailed Considerations element of the report.

Environmental Health

Raised no objections subject to a condition relating to sound insulation being attached to any consent.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

The London Plan Consolidated with alterations since 2011

- 3.3 Increasing Housing Supply
- 3.5 Quality and design of housing developments
- 5.3 Sustainable Design and Construction
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture

Mayor's Housing Supplementary Planning Guidance

Brent Core Strategy – July 2010

- CP2 – Population and Housing Growth
- CP17 – Protecting & Enhancing the Suburban Character of Brent
- CP21 – A Balanced Housing Stock

Brent DMP 2016

- DMP1 – General Development Management Policy
- DMP11 – Forming an Access on to a Road
- DMP12 – Parking
- DMP18 – Dwelling Size and Residential Outbuildings

Supplementary Planning Guides

- SPG17 – Design Guide for New Development

DETAILED CONSIDERATIONS

1. Background

1.1 The site originally formed part of the rear gardens of properties 234, 236, 238 and 240 Princes Avenue. It is located in between Princes Avenue and Rose Bates Drive.

1.2 The planning history for the site is outlined in the relevant section above. An important application for context is application 15/0566 which saw the refusal of a similar scheme which was dismissed at appeal on 11 January 2016. The scheme has since been redesigned to address the inspector's reason for refusal. Redesigned proposals of this scheme have since been approved under applications 16/0629 and 16/1755, albeit with fewer units than are proposed within this application.

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1.3 The initial decision notice issued by the Council included four reasons of refusal. Following the assessment of the Planning Inspector, the appeal decision notice included one reason of refusal which was as follows:

“The development would therefore unacceptably harm the living conditions of the occupiers of No 240 with particular regards to outlook. This would conflict with policy BE9 of the Brent Unitary Development Plan (the UDP) which states that new development should provide a satisfactory level of outlook for existing residents. It would also conflict with guidance in the Council’s Supplementary Planning Guidance - Design Guide for New Developments (SPG17).”

1.4 This scheme failed to comply with the 45 degree guidance set out within SPG17. All other matters raised by the Council were considered acceptable by the Planning Inspector.

1.5 The appeal decision is a material planning consideration and the Local Planning Authority must take in to account the findings of the Planning Inspector when assessing a subsequent application.

2. Proposal

2.1 Each of the five dwellings would have four bedrooms and be comprised of two stories above ground in addition to a basement level, with capacity for 7 persons each. Two bedrooms are proposed at basement level with two more at first floor level.

2.2 Externally, each dwellinghouse would have a lightwell at the front and rear that would serve the basements. A single dormer is also proposed in each roofslope (front and back) of each dwellinghouse. A single rooflight is proposed in the front roofslope of each dwellinghouse.

2.3 The roof form of the properties would be hipped with a ridge height of 8.39 m. Each property would have a depth of 10.5 m and width of 4.55 m.

2.4 Each property would have a modest forecourt area. Communal parking is proposed opposite the properties, where refuse and cycle storage would also be provided.

2.5 Direct access to the rear gardens would be provided from both the ground floor and basement levels.

2.6 The majority of the proposal remains the same as the previous scheme; however, the number of units has been increased from three to five following the owner’s acquisition of additional land within the rear garden of no. 240 Princes Avenue and the roof is to be hipped rather than gable ended.

3. Principle of Development

3.1 Residential rear gardens do not fall within the definition of Previously Developed Land. This policy position came into force in June 2010, where Local Planning Authorities were required to have regard to this new policy position in preparing development plans and, where relevant, to take it into account as a material consideration when determining planning applications. In the case of Brent, the adopted Core Strategy sets out the chosen local strategy as one of directing new housing to the identified growth areas (policy CP1, CP2) and to protect and enhance the suburban character of Brent (policy CP17). This policy position is reinforced in Paragraph 53 of the NPPF which states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example, where development would cause harm to the local area.

3.2 Previously officers considered the principle of the redevelopment of this land to be inappropriate and contrary to Policy, however, following the appeal decision in which the Inspector found that *“although the development would alter the pattern of development in the immediate vicinity..... this would not cause unacceptable harm to the character and appearance of the area. The proposal would thus accord with policy CP17 of the CS and policies BE2, BE7, BE9 and H15 of the UDP insofar as they seek high quality design that has regard to the character of its surroundings and does not inappropriately challenge or dominate surrounding development”*. The principle of the development of the application site is considered to be acceptable in this instance.

4. Character and appearance

4.1 The National Planning Policy Framework advises that housing applications should be considered in the

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context of the presumption in favour of sustainable development. Chapter 7 under the heading 'Requiring Good Design' states that development should respond to local character and reflect the identity of local surroundings.

4.2 The requirements of National Policy are further enforced by Policy DMP1 of the Brent Local Plan 2016, which set out that development should be "of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality."

4.3 The area is characterised by rows of terrace properties occupying rectangular plots which front onto the local road network. There is an area of newer development to the north that is markedly different to the settlement pattern of the wider area.

4.4 The appeal site comprises part of the rear gardens of Nos 234, 236, 238 and 240 Princes Avenue, the dimensions of which are significantly larger than that which prevails in the locality. They are not therefore the typical suburban gardens found in the locality.

4.5 The Planning Inspector found that *"Although the orientation of the proposed dwellings to the cul-de-sac would be different, their overall relationship to the houses fronting Princes Avenue would not be dissimilar to that which currently exists on the east side of Princes Close where properties are sited to the rear of properties that front onto Princes Avenue. I accept the proposed dwellings would be positioned side-on and present a largely blank elevation to Princes Close. However, there is nothing unusual about this type of arrangement and I noted a similar example on Rose Bates Drive to the north of the appeal site."*

4.6 The general layout and approach to the siting of the properties remains the same within this current proposal and is therefore considered to be acceptable. The visual bulk of the terrace of houses has been reduced in some ways through the change in design to hipped roofs rather than gable end roofs. The change in design is considered acceptable and will not detract from the visual quality of the houses.

4.7 The overall design, layout and finish of the proposed dwellings remains the same as within the previous proposal and are therefore considered to be acceptable within this application. Accommodation will be provided over three floors including a basement level; consequently the dwellings would be two-storeys in height. The majority of the dwellings would be screened by the existing frontage development along Princes Avenue. The dwellings would not therefore be unduly prominent or visually obtrusive.

4.8 The appeal decision concluded that although the development would alter the pattern of development in the immediate vicinity *"this would not cause unacceptable harm to the character and appearance of the area"*. There is no reason for a different view to be formed in this instance and it is considered that the proposal would accord with policy CP17 of the Core Strategy and policies BE2, BE7, BE9 and H15 of the UDP. The proposal is considered to have a high quality design that has regard to the character of its surroundings and does not inappropriately challenge or dominate surrounding development.

5. Standard of accommodation for future occupants

5.1 The Planning Inspector concluded that *"the living conditions of future occupiers of the development with particular regards to outlook from basement level bedrooms would be acceptable. Consequently, the proposal would accord with UDP policy BE9 and guidance in SPG17."*

5.2 The layout of each unit proposed remains the same as within the previous scheme and is therefore considered to be acceptable. A small change for this application is the ceiling height within the first floor accommodation following the re-design of the terrace for hipped roofs. Sections confirm that the ceiling height will achieve the London Plan requirement of 2.5m for an acceptable extent of the upstairs rooms. The proposed dwellings meet the local, mayoral and national standards for the quality of accommodation and accord with policies DMP18 and DMP19 of the Brent Local Plan 2016, Policy 3.5 of the London Plan 2016 and the national technical housing standards.

6. Impact of the proposed development on neighbouring occupiers

6.1 Within application 15/5066, dismissed at appeal, the south-west gable wall of the development extended right up to the boundary with No 240 Princes Avenue. Consequently it appeared as a large, featureless and bland expanse of masonry up to the boundary, when viewed from the rear garden of No 240. This would have resulted in a significantly detrimental impact on the outlook currently enjoyed by the occupiers of that property and would have been overbearing. Additionally the proposal failed to comply with the 45 degree guidance set

out within SPG17 which looks to ensure that new development is not overbearing or visually obtrusive to residential gardens.

6.2 In order to address this reason for refusal the subsequent application 16/0629 removed the fourth dwelling from the proposal and reduced the scheme to three. This created a 4.4m wide open area within the application site adjacent to the common boundary with No. 240. Whilst the reduction did not result in a proposal that was fully compliant with SPG17's 45 degree rule (the top 1.3m of the gable end would sit above the line), it resulted in a proposal that was far less intrusive on the neighbour's rear garden amenities compared to 15/5066 and was considered to be acceptable. The fourth dwelling, in the rear garden of No. 238, was subsequently approved (reference 16/1755) with this dwelling also designed to materially accord with the 45 degree line set out in SPG17.

6.3 This proposal now utilises no. 240's rear garden and as such has the potential to impact the rear garden amenity of no. 242 Princes Avenue. The south-west wall would sit 2m from the boundary with no. 242. The terrace of houses has hipped roofs at either end (amended from the gable ends initially proposed). The proposed terrace of houses project 0.4 m above the SPG17 45 degree line. Whilst it does not fully comply with this guidance, the small level of additional impact is not considered to result in an unduly detrimental level of harm to the amenities of the adjoining occupiers due to the size of the garden of the adjoining property and the small extent of the projection above the 45 degree line.

6.4 Given the unusually generous garden plot of this property, the significantly deep part of this garden that the proposed development will impact upon and the placement and massing of the approved development within application 16/0629, it is considered that the current proposal with hipped end roofs will have an acceptable impact on the rear garden amenity at no. 242 Princes Avenue.

7. Highways

7.1 The layout of the proposed parking, access and servicing for the development within the current application is the same as within the previous application. The Council refused the previous scheme on the grounds that the lack of any confirmed right of access over the unregistered land to the rear of the properties to provide the proposed parking spaces, combined with the absence of any turning head at the end of Princes Close and the absence of a satisfactory footway into the site, meant that the applicant had failed to demonstrate that the site can be safely accessed by vehicles and pedestrians, to the detriment of highway safety.

7.2 Transportation officers took the same approach to the current proposal as the previous scheme. Within the Planning Inspectors decision, which as set out above is a material planning consideration, the Inspector formed a different view on these matters as set out below:

"...there is no legal requirement for the appellant to offer the road for adoption and the development is wholly within the site boundary as depicted by the red line on the location plan. Furthermore, it is undisputed that the relevant legal notices have been served. Accordingly, I am satisfied that the correct procedures have been followed and that the subsequent delivery of any scheme would be a private matter to be resolved between the parties at the appropriate time."

7.3 This approach has therefore been adopted for this current application. This is also the case for the other issues raised by transportation officers.

7.4 With regard to the other points raised, it is accepted that Princes Close has a substandard width which results in poor turning provision, however, these are existing problems and it is not the applicant's responsibility to address these issues.

7.5 Currently refuse vehicles have to reverse down Princes Close as there is nowhere to turn. It is not considered that the development would materially increase either the frequency or length of these manoeuvres and therefore would not result in any material impact.

7.6 The development would make satisfactory provision for off-street parking within the site and therefore it would not exacerbate existing levels of on-street parking as a result. The Parking Standards set out in the Local Plan would allow a maximum of 10 spaces (2 per dwelling). 8 spaces are proposed. The operational demand for parking for the homes within the borough is typically 75 % of the maximum standard. As such, the proposed parking provision exceeds the minimum level considered to be necessary but is below the maximum parking allowance and is therefore considered acceptable.

7.7 To conclude it is now considered that the modest amount of traffic that would be generated by the development would not undermine highway safety and therefore it is concluded that the proposal would not have a detrimental impact on highway safety providing the access and parking arrangements are secured through a grampian condition. It would thus accord with policies DMP 11 and DMP 12 of Brent's DMP 2016.

8. Conclusion

8.1 The proposed development is considered to be acceptable. The scheme is of an appropriate siting and design, would have an acceptable relationship with surrounding properties, would not undermine highway safety and is consequently recommended for approval subject to the same principle conditions as set out in the decision notice for application 16/0629.

CIL DETAILS

The proposal is liable to pay CIL as set out below 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 **£180,141.70*** 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): 600 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	600		600	£200.00	£35.15	£153,214.29	£26,927.41

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)	286	
Total chargeable amount	£153,214.29	£26,927.41

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

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

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



DECISION NOTICE – APPROVAL

Application No: 16/5111

To: Mr Loren
Loren Design Ltd
GARDEN STUDIOS
8A Muswell Hill
Muswell Hill
Greater London
N10 3TD

I refer to your application dated 25/11/2016 proposing the following:
Erection of a terrace of 5 two storey dwellinghouses (5 x 4 bedroom) with basement levels and front and rear lightwells, to the rear of 234-240 Princes Avenue with vehicular and pedestrian access from Princes Close, provision of 9 car parking spaces, cycle and bin store and associated landscaping and accompanied by plans or documents listed here:
See condition 2.
at Land rear of 234-240, Princes Avenue, London, NW9 9QU

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: 03/02/2017

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
London Plan 2011
Wembley Area Action Plan Jan 2015
Brent Local Development Framework Core Strategy 2010
Brent Development Management Policies 2016
Council's Supplementary Planning Guidance

- 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 99
PL 100
PL 101
PL 200 Rev A
PL 201 Rev A
PL 202 Rev A
PL 203
TS 01
LP 100
SPL 101
SPL 102

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

- 3 The constructor of the development shall join the Considerate Constructors Scheme prior to the commencement of works on the development hereby approved and shall adhere to the scheme throughout the duration of construction works.

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

- 4 The development hereby approved shall not be occupied unless the car parking spaces, cycle parking spaces, refuse storage and the accesses within the site and to and from the adopted highway (both vehicular and pedestrian) detailed within the drawings and documents hereby approved have been implemented in full accordance with the approved drawings and details and are available for use for the residents of the development. Thereafter, they shall be retained and maintained for the life of the development and they shall be used solely for purposes ancillary to the houses hereby approved, and the parking spaces shall be allocated at a minimum of 2 parking spaces per dwelling.

Reason: In the interest of highway flow and safety, and the amenities of future occupiers.

- 5 Details of materials for all external work, including samples which shall be made available for viewing on site or in an agreed location, shall be submitted to and approved in writing by the

Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

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

- 6 Prior to the commencement of development (excluding any demolition, site clearance and the laying of foundations), details shall be submitted to and approved in writing demonstrating that the development will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following noise levels:

Time	Area	Maximum noise level
Daytime noise (07:00-23:00)	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise (23:00 - 07:00)	Bedrooms	30 dB LAeq (8hr) 45 dB L _{Amax}

The development shall be constructed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance

- 7 A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the units hereby approved. The approved scheme shall be completed in full prior to first occupation of the development hereby approved and thereafter retained for the life of the development.

The landscaping scheme shall include:

- Details of plants, including species, size and density/number;
- Details of trees to be removed and retained;
- Proposed walls and fencing, indicating materials and heights;
- Materials used for the hard landscaping
- Screen planting along all boundaries.
- Adequate physical separation, such as protective walls and/or fencing, between landscaped and paved areas.
- Any contouring and any alteration of the ground levels;

Any trees and shrubs planted or to be retained 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.

- 8 Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved 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 constructed in accordance with the approved statement.

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

INFORMATIVES

- 1 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.

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

Any person wishing to inspect the above papers should contact 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

15 February, 2017

16/5130

SITE INFORMATION

RECEIVED: 29 November, 2016

WARD: Dudden Hill

PLANNING AREA: Brent Connects Willesden

LOCATION: Street Record, Neasden Lane, London

PROPOSAL: Temporary planning permission for erection of 44no temporary market stalls along the northern and southern pavements of Neasden Lane to provide a new street market operating between the hours of 0700 - 1800 every Wednesday and Saturday for a period of 3 years

APPLICANT: London Borough of Brent Property unit

CONTACT: Motion

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_131410

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

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/5130" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

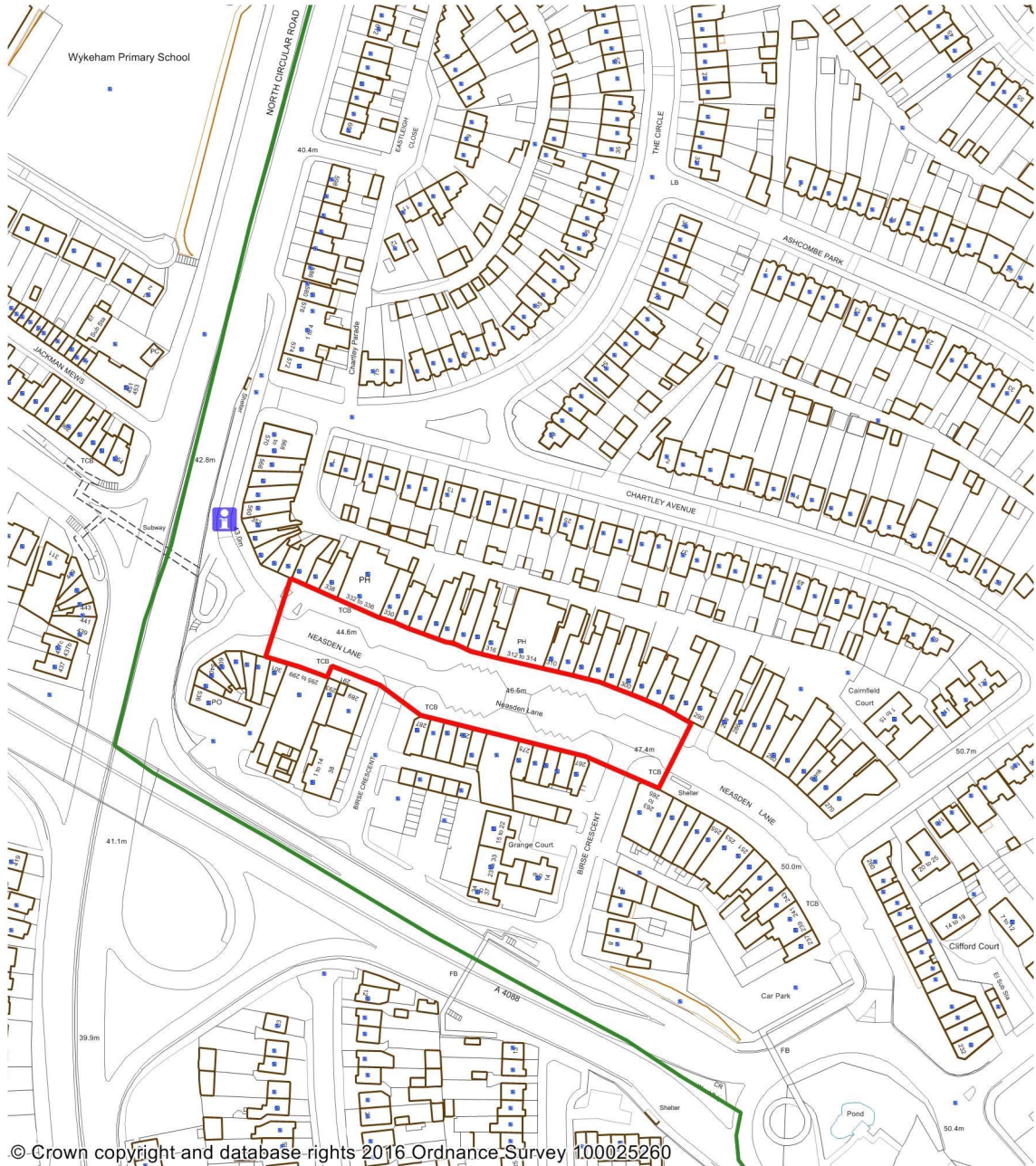
SITE MAP



Planning Committee Map

Site address: Street Record, Neasden Lane, London

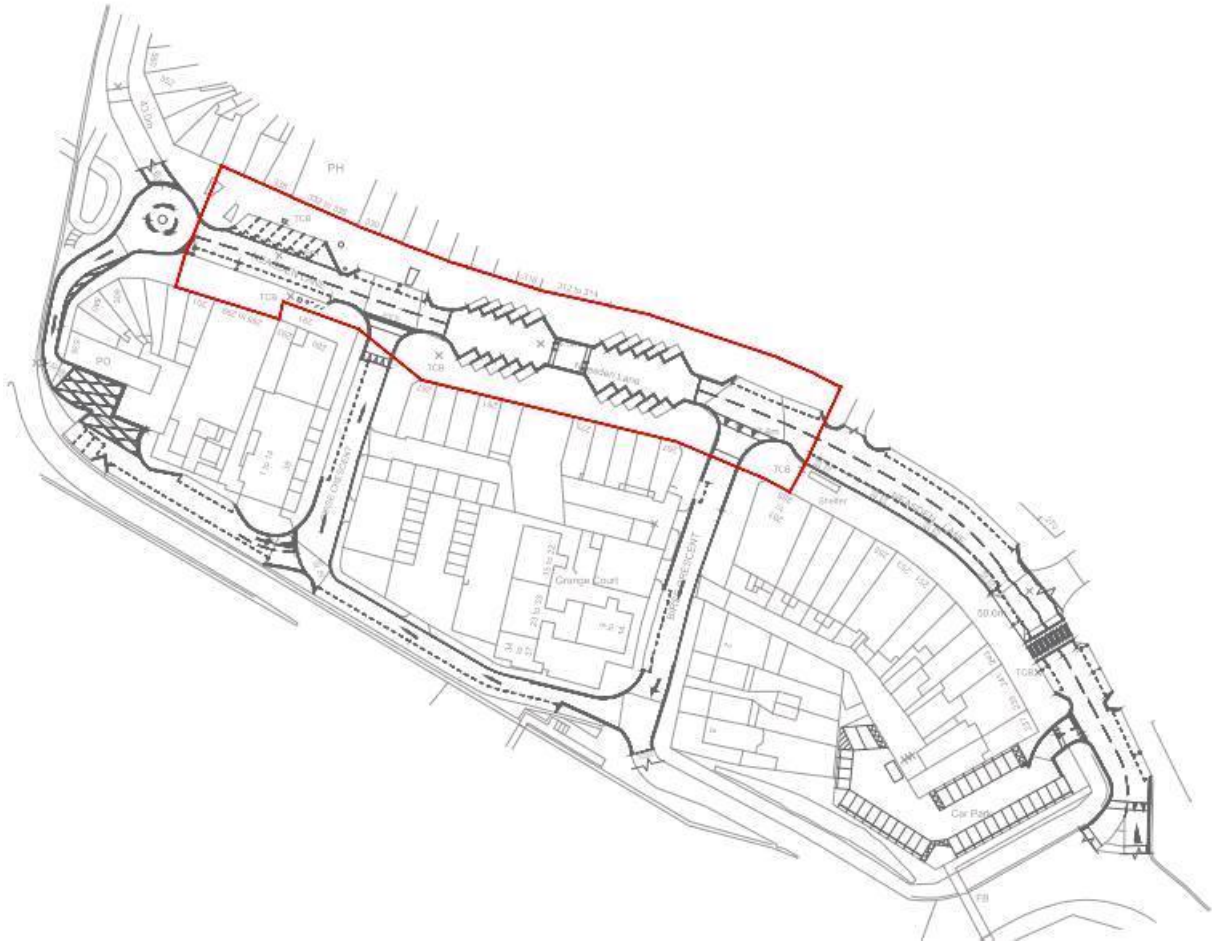
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This map is indicative only.

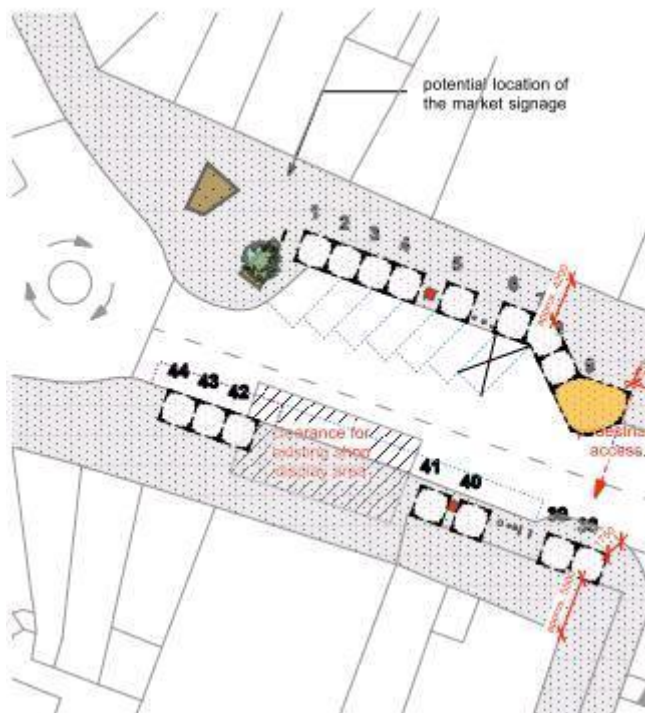
SELECTED SITE PLANS SELECTED SITE PLANS

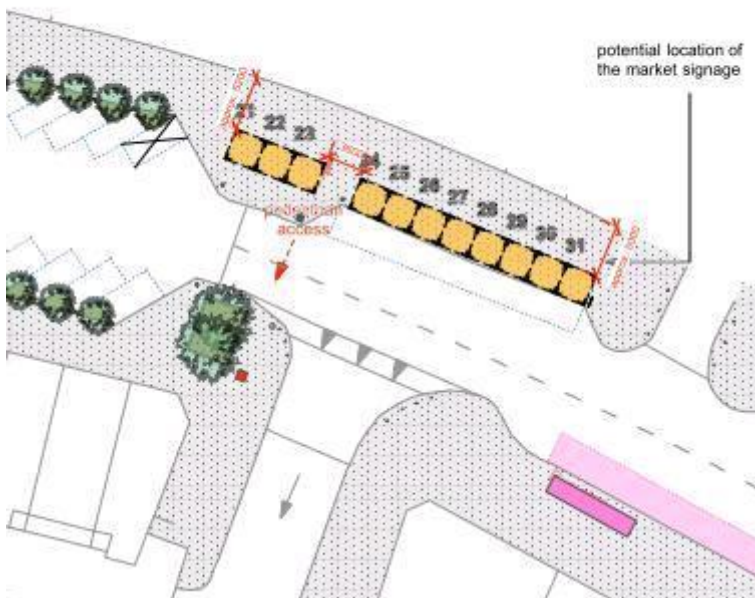
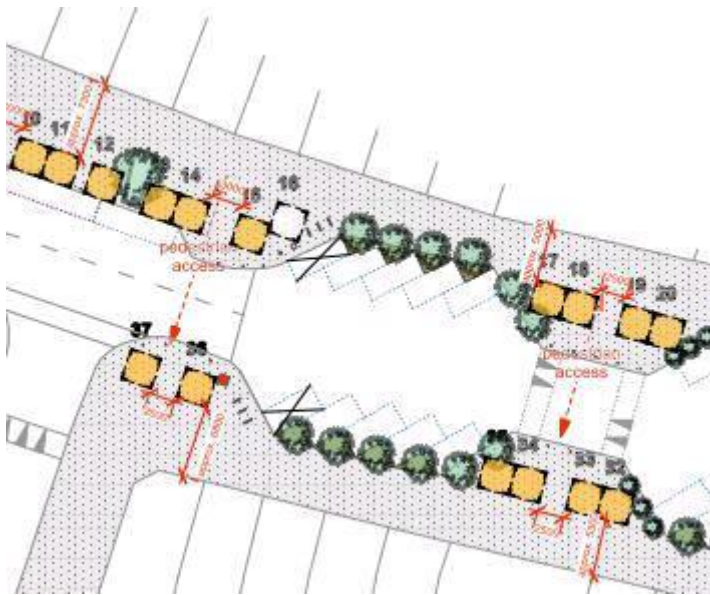
Site Location Plan



Market Base Layout

<p>Pitch size in ft: small 10 x 10 ft large 10 x 15 ft</p> <p>Pitch size in m: small 3 x 3 m large 3 x 4.6 m</p> <hr/> <p>small pitch no: 16 large pitch no: 28</p> <p>Total pitch no: 44</p>	<p>KEY</p> <ul style="list-style-type: none">  : Small pitch footprint  : Potential large pitch footprint  : New market signage  : Short stay parking bays  : Loading bays  : Bus lane  : Refuse collection point
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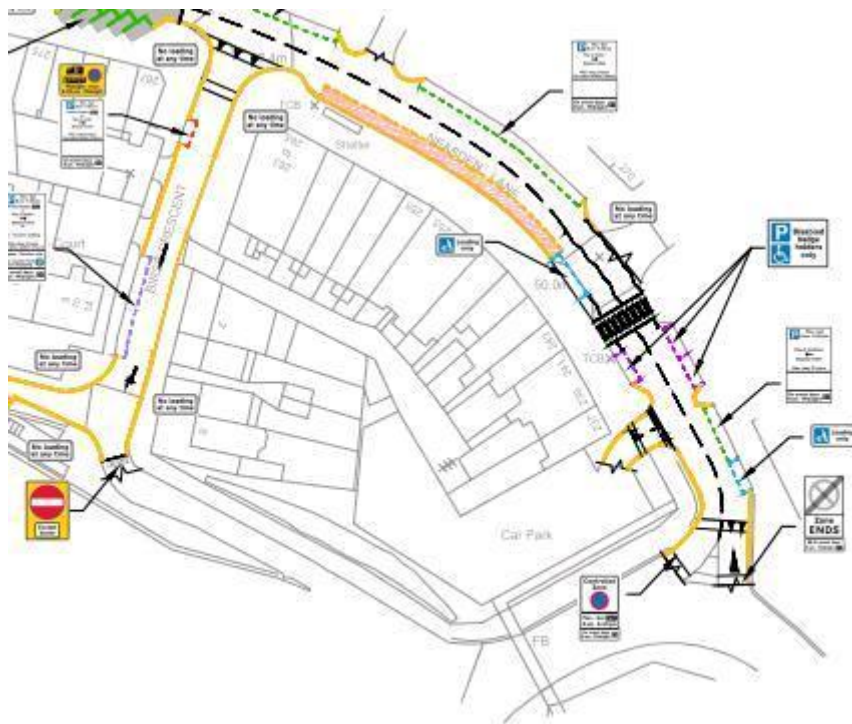
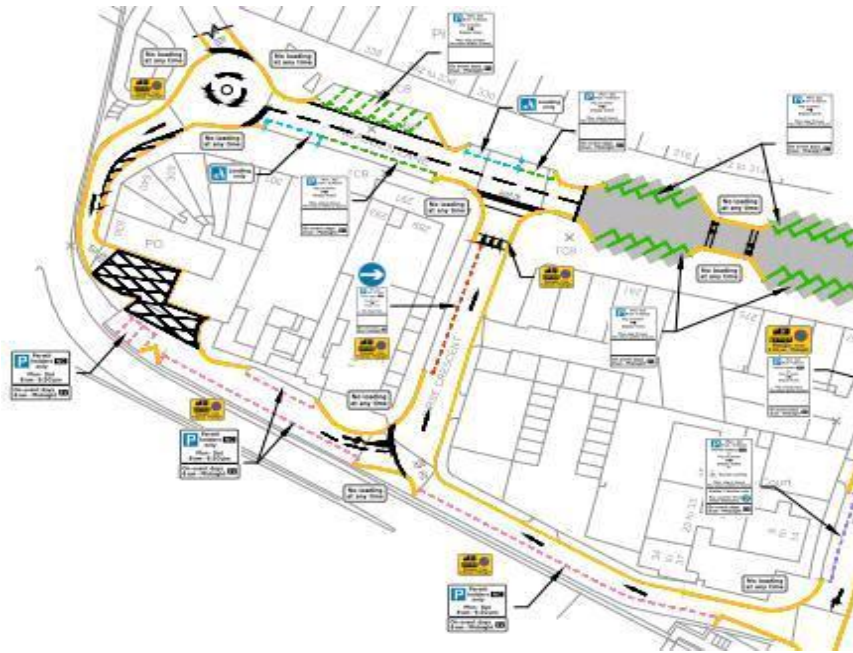




Existing Highway arrangement

LEGEND

- Loading Bays 
- Disabled Parking Bays 
- Permit Holders Parking Bays 
- Shared Use Long Stay Parking Bays 
- Shared Use Short Stay Parking Bays 
- Shared Use/W Voucher Parking Bays 



RECOMMENDATIONS

Recommendation

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

Conditions

1. Time limit (temporary period of 3 years)
2. Approved Plans
3. Management Plan
4. Hours of use
5. Parking bays
6. Any other planning conditions considered necessary by the Head of Planning

Informatives

1. Advertisements
2. Contact Waste and Recycling Department

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

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

A) PROPOSAL

The application proposes the erection of 44 temporary market stalls along the northern and southern pavements of Neasden Lane to provide a new street market. The market is proposed to operate between the hours of 0700 - 1800 every Wednesday and Saturday for a period of 3 years, from spring 2017 to late 2020. The traders would commence setting up their stalls at 7:00 and be ready to trade at 8:00. Trading would continue until 16:00 with all stalls and traders gone by 18:00. The market stalls would be located in existing on street parking bays.

The market will provide a similar range of goods to those sold at the existing Church End market, including fresh produce and clothes and CDs etc.

Neasden Lane and all shops would remain open and the existing parking and loading bays would be available as usual, although the stall holders will use them during set up and dismantling. The stall holders vans would be parked in the car park at the eastern end of the High Street.

Street signs could be provided, however these would be subject to separate advertisement consent.

Dedicated refuse bins would be provided and the market would be run by a professional operator appointed by the Council and in accordance with a Management Strategy to be secured by condition.

B) EXISTING

The application concerns an area of Neasden Lane located east of the roundabout adjacent to the North Circular Road and west of the junction of Birse Crescent and Neasden Lane. The site takes up approximately 150 metres of space between these two points located on the northern and southern sides of Neasden Lane. The application site is located within Neasden Town Centre and consists of commercial properties with residential units located in the upper floors. The application site is not located within a conservation area nor does it contain any listed buildings.

C) AMENDMENTS SINCE SUBMISSION

Previously the hours of use of the market were Wednesday and Saturday 06:00 to 18:00 however in response to concerns from residents the time has been amended to 07:00 to 18:00.

D) SUMMARY OF KEY ISSUES

The key issues are as follows:

1. The principle of erecting market stalls on a temporary basis in Neasden town centre
2. Parking, access and refuse: the impact on traffic movement from activities associated with the market which might otherwise compromise patronage and/or servicing of existing retail premises to the detriment of the centre
3. The impact on neighbouring amenity with regard to the setting up of the market and the hours of use proposed.

RELEVANT SITE HISTORY

No significant planning history

CONSULTATIONS

372 properties were sent neighbour consultation letters on the 13/12/2016. To date four objections have been received that have raised the following concerns:

Objection	Response
Enough pound shops in the area already	The market is proposed to bring more footfall to the area to improve Neasden
Impact on parking	Parking surveys of the area have been carried out and have found that there is capacity in nearby streets to convert existing residential parking pays to support the market and to compensate for the loss of parking space in Neasden Lane.
Increased litter	The Market Management Plan and the use of four designated bins that would be collected after the market finishes each day would ensure that litter is kept to a minimum
Start time of 6am is too early	Due to concerns with the early start time of 6:00am the applicant has agreed to start setting up the market at 7:00am instead to reduce the impact on residential properties.
Increased noise	The set up times would be controlled and enforced by the market management plan. Although additional people may be present during the operation of the market noise levels

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)

DETAILED CONSIDERATIONS

Officers hold the key considerations to be the following:

- Principle
- Parking, access and refuse: the impact on traffic movement from activities associated with the market which might otherwise compromise patronage and/or servicing of existing retail premises to the detriment of the centre
- Impact on neighbouring amenity: set up

1. Principle

1.1 The principle of a street market in this location is acceptable. Development Management Policy (DMP) DMP 5 Markets and Car Boot Sales criterion c) sets out that the Council will give favourable consideration to proposals for new markets in town centres which diversify provision. The application is part of a wider project of seeking to improve and enhance Neasden town centre and the scale of activity is not excessive and would not harm the continued viability of existing businesses.

1.2 Extensive consultation has been undertaken by the applicant, including a meeting in July 2016 and letters sent to nearby residents, and generally the local businesses appear to be supportive of the proposals. The proposal would see the erection of 44 market stalls on a temporary basis on Wednesdays and Saturdays and would replace the existing market in Church End. Church End is a priority area within the borough that requires regeneration due to significant levels of deprivation. The site that the market is located on in Church End is proposed to be brought forward for housing and as such the Neasden Lane site will provide a replacement whilst also benefitting the town centre of Neasden. The proposal seeks to erect the market on a temporary basis for a period of three years before it returns to Church End. Officers therefore consider that the principle of erecting a market on a temporary basis for three years is acceptable subject to detail on transport and amenity matters.

2. Parking, access and refuse

2.1 Parking and Access

2.1.1 The impact of the market on traffic movement is acceptable, subject to conditions to include the alteration of some nearby residents' bays in Birse Crescent to general short term pay and display. Neasden Lane would remain open throughout the market times. Stalls would be located on footway areas, meaning there is no loss of carriageway and visibility splays would be maintained. This would ensure that cars can still use the road and buses would not have to be rerouted. Pedestrian crossings would be retained with a gap of 2.5 metres between stalls. The stalls would be located 4.2 metres from the existing shop frontages at the narrowest point which would allow sufficient space for pedestrian movement.

2.1.2 A Transport Statement has been submitted in support of the application that includes a parking survey of the area. There are currently 45 pay and display bays, three disabled bays and three loading bays along the section of Neasden Lane that is proposed to contain the market. The survey was undertaken on a Wednesday and Saturday to establish the usage of the bays and to correspond with the proposed days the market would take place. The survey found that the bays were heavily occupied during the middle part of the day on Wednesday and Saturday. There is minimal spare on-street parking capacity in the area during the busiest middle part of the day to accommodate any additional customer parking by market shoppers. However there are residents' permit holder only bays located in Birse Crescent that were surveyed and have been found to be less than 50% occupied and never more than 70% occupied during the busy daytime period. Transport & Highways officers have proposed converting some of these bays to support the market and to compensate for the loss of parking space in Neasden Lane. Officers therefore recommend that the temporary conversion of these bays on Wednesdays and Saturdays is secured by condition.

2.1.3 The stall holders would use the pay and display bays to unload and load their stalls in the morning from 7.00am before the market starts and at the end of trading at 16:00 with all stalls cleared by 18:00. It is unlikely that the bays on Neasden Lane would be occupied by the time the majority of shops open at 9am; therefore the stall holders would be able to make use of the bays and loading bays without significantly affecting existing businesses. The surveys undertaken show that the bays are still heavily occupied in the evening at 6.30pm however the stall holders will have left the area by 18:00 which will allow people to use the bays if they are visiting shops along Neasden Lane such as restaurants and supermarkets that are open later. Officers therefore recommend that a Management Plan is secured by condition to ensure that there is minimal disruption to the area and also that the hours of use of the market, including set up and dismantling of the stalls strictly between the hours of 7:00 and 18:00 is secured by condition. With regard to servicing the applicant has consulted with local businesses and found that the majority utilise the rear of their premises for servicing which would ensure that the presence of the stalls does not cause disruption.

2.1.4 During the operation of the market the traders vans are proposed to be parked in the nearby pay and display car park adjacent to number 237 Neasden Lane: this is not currently fully utilised so could accommodate the traders vans. It is proposed that the 'transit' sized vans would be block parked (see drawing 160606-SK01 Rev A in the draft Development Management Plan prepared by Motion dated 21/11/2016) in order to retain the maximum number of car parking spaces for customers in the car park. Further details of the proposal to park the vans in this location would however form an essential part of the Management Plan in order to ensure that the storage of vans does not cause disruption to other vehicles.

2.2 Refuse

2.2.1 Refuse will be controlled via a Management Plan, to be secured by a condition. Concerns have been raised by a number of objectors about the potential for excess litter in the area. In response to this the applicant has stated that a full Management Plan would be prepared and would be implemented by the market operator once they have been fully appointed.

2.2.2 DMP5 states that Management Plans for the operation of markets should include adequate arrangements for the storage and/or collection of waste during sales, as well as its disposal afterwards. Four dedicated on-street refuse bins would be provided for the duration of market days. This is proposed to be implemented through the suspension of four on street parking spaces located at strategic points along the market thoroughfare. The refuse storage and collection would be controlled by market management and collected each day by the Council's refuse collectors (Veolia) at the end of each trading period, with the streets also being cleaned. It is proposed that refuse vehicles would stop on the highway to collect the waste. Officers therefore recommended that an informative is added advising the applicant to contact the Head of Waste and Recycling to ensure that this process is carried out properly. The measures to collect waste would be put in place to ensure that the streets are kept clean.

3. Impact on neighbouring amenity

3.1 The impact of the market on neighbouring amenity would be acceptable, subject to conditions. The market is now due to set up from 7am in response to some residents' concerns about the original 6am start. DMP 1 seeks to ensure new development, amongst other things, does not unacceptably increase exposure to noise, light and general disturbance whilst DMP 5 seeks to ensure access and parking arrangements for trading and customer vehicles would not cause noise disturbance to nearby residents at unsociable hours. Residential properties are located within the 150 metre stretch along Neasden Lane where the market is proposed to be erected. The properties are mostly contained in the upper floors of the retail/commercial units.

3.2 The applicant has provided clarification on the need to set up at this time of the morning. This is based on the traders need to set up their stall and unload their stock prior to people who may be shopping in the area using the designated parking bays. A later start such as between 8:00 and 9:00am would be problematic and have potential for greater conflict along the pavement as traders attempt to set up and move stock whilst navigating pedestrians and vehicles. A 7am set up is therefore considered to be an acceptable balance between the needs of the traders and local businesses and the needs of the local residents. The impact of additional noise from the operation of the market is not considered to result in material harm to the living conditions of neighbours, having regard to the current busy nature of this High Street.

3.3 This area of Neasden Lane is located within an air quality management area. Environmental Health officers have assessed the proposal with regard to the potential increase in people using vehicles to attend the market. Although people may travel to the area in vehicles this is expected to be low as this part of Neasden has good public transport accessibility (a PTAL rating of 4) with a regular bus service and Neasden underground station located 500 metres away. As such the impact on local air quality is expected to be low

and is unlikely to require mitigation. However in compliance with London Plan policy 7.14 – Improving Air, a condition requiring further investigation of the air quality impact of the proposal could be secured by condition, should Members deem it necessary.

4. Conclusion

4.1 The proposal would provide a replacement market for Church End within Neasden town centre for a temporary period. This would help to contribute to the Council's wider regeneration aims of Church End and Neasden. The proposal would increase footfall in Neasden town centre, contributing to the regeneration of the area. The market would be subject to a management plan and the set up time conditioned to ensure that disruption to local people is kept to a minimum. The application is recommended for approval.



Brent

DECISION NOTICE – APPROVAL

Application No: 16/5130

To: Mr Tungatt
Motion
8 Duncannon Street
London
WC2N 4JF

I refer to your application dated 29/11/2016 proposing the following:
Temporary planning permission for erection of 44no temporary market stalls along the northern and southern pavements of Neasden Lane to provide a new street market operating between the hours of 0700 - 1800 every Wednesday and Saturday for a period of 3 years and accompanied by plans or documents listed here:
See condition 2
at Street Record, Neasden Lane, London

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

Date: 03/02/2017

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 Plan and relevant material planning considerations.

- 1 This permission shall be for a limited period of three years only, expiring on 22nd February 2020 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued.

Reason: The proposed use is a temporary one to accommodate the requirements of the market in accordance with DMP5 of the Development Management Policies 2016

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

\$

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

- 3 The market shall not trade except between the hours of 8:00 and 16:00 hours on Wednesdays and Saturdays only and no stall set up or dismantling activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the area except between the hours of 07:00 to 8:00 and 16:00 to 18:00.

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

- 4 No development shall take place until such a time a Market Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Market Management Plan shall contain details of the following:

- (i) Servicing of the existing shops and market stalls
- (ii) All agreed closures and suspensions of the car park and on street parking bays
- (iii) The method for parking the traders vans
- (iv) Refuse collection

The development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: in the interest of highway safety and residential amenity.

- 5 No development shall take place until such a time as the applicant has made appropriate arrangements in writing with the Local Highway Authority and Parking Service to review and implement a scheme for the use of the residential parking bays in Birse Crescent as overspill short-stay parking during the hours of 07:00 to 18:00 Wednesday and Saturday only. The approved scheme shall be implemented in full and maintained as such for the lifetime of the development.

Reason: in the interest of highway safety

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 advertisements or signage.
- 2 The applicant is advised to contact the Council's Waste and Recycling Department with regard to the refuse collection points and physical collection of refuse after each market takes place.

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

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COMMITTEE REPORT

Planning Committee on 15 February, 2017
Item No 07
Case Number 16/3682

SITE INFORMATION

RECEIVED: 22 August, 2016

WARD: Brondesbury Park

PLANNING AREA: Brent Connects Kilburn

LOCATION: 211 Willesden Lane, Kilburn, London, NW6 7YR

PROPOSAL: Demolition of existing dwelling and erection of a new 4 storey building with a basement to provide 6 self-contained flats (3 x 1bed, 1 x 2bed and 2 x 3bed) with associated car and cycle parking space, bin stores and amenity space

APPLICANT: Mr M Ali

CONTACT: Neo 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_129841

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

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1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/3682" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

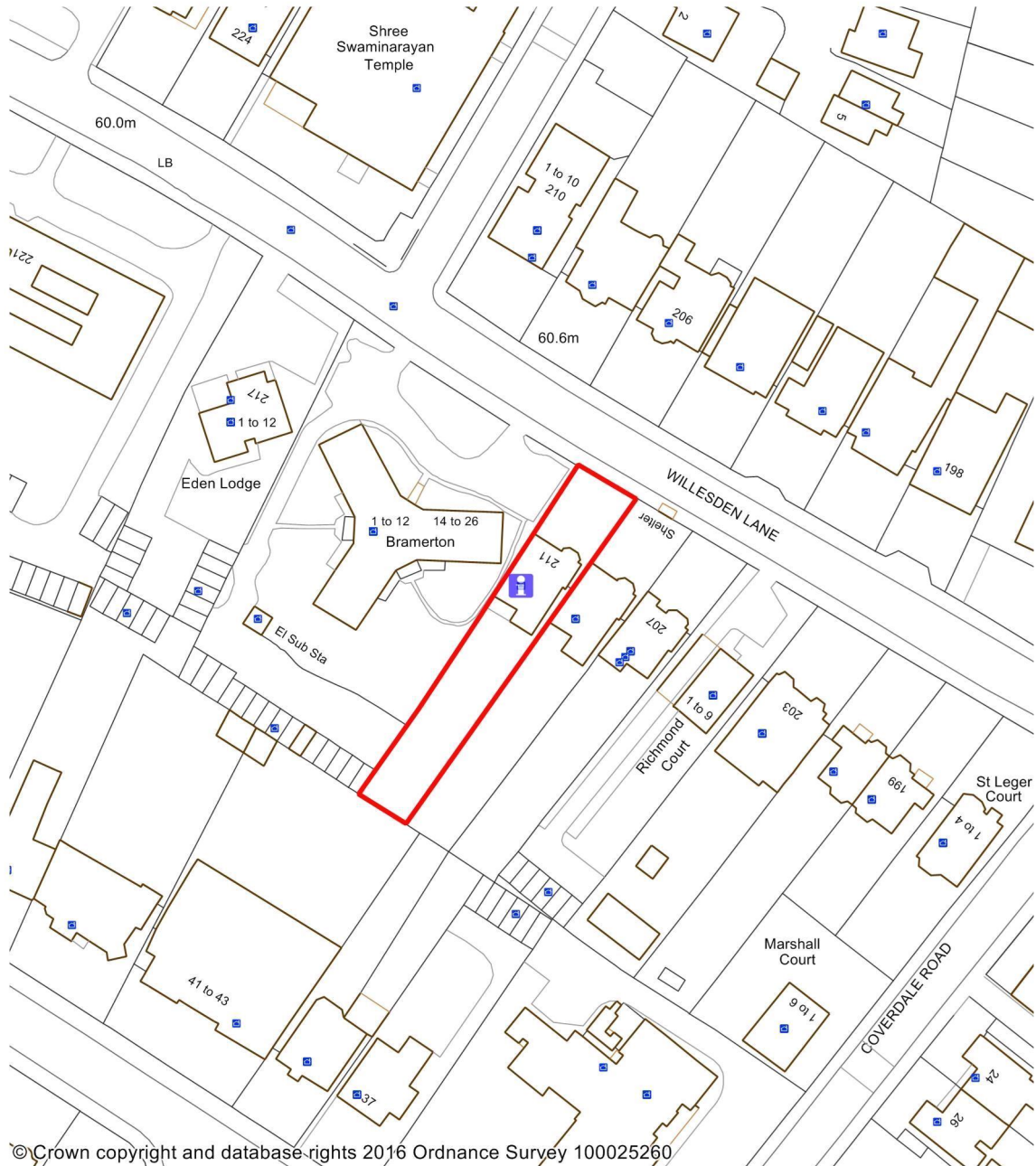
SITE MAP



Planning Committee Map

Site address: 211 Willesden Lane, Kilburn, London, NW6 7YR

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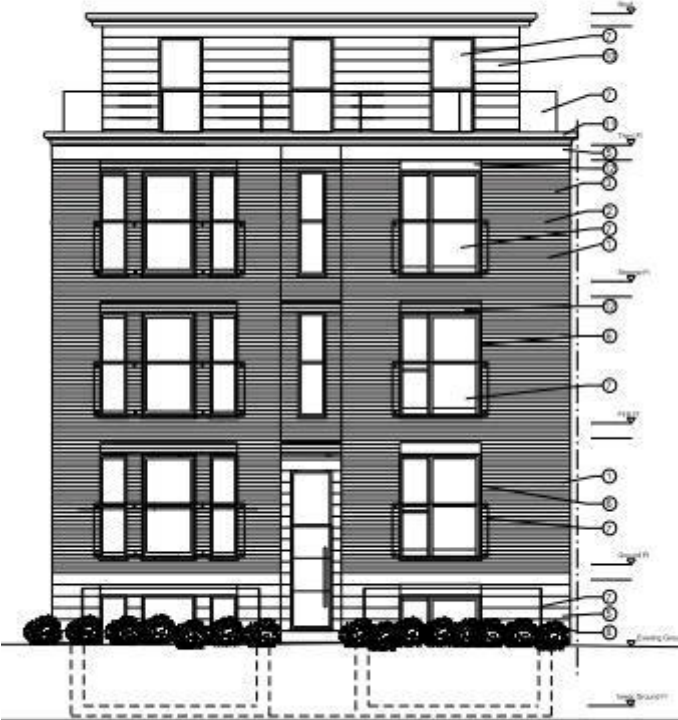
This map is indicative only.

SELECTED SITE PLANS
SELECTED SITE PLANS

SITE LOCATION PLAN



Front Elevation

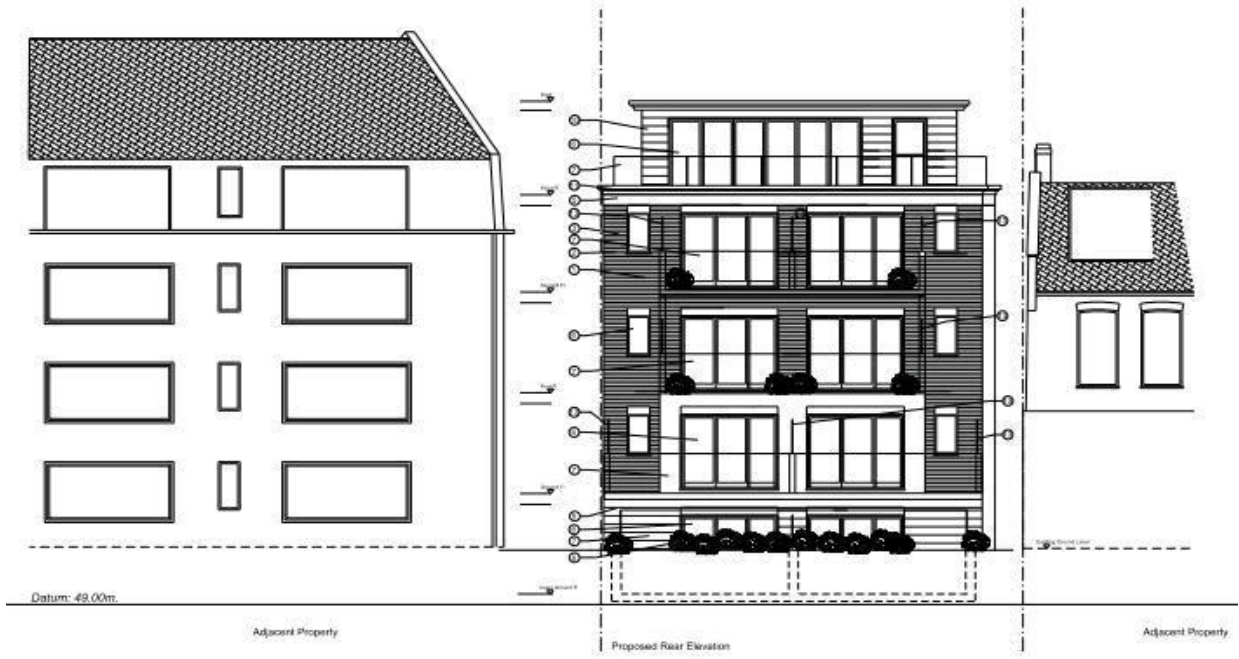


Proposed Front Elevation

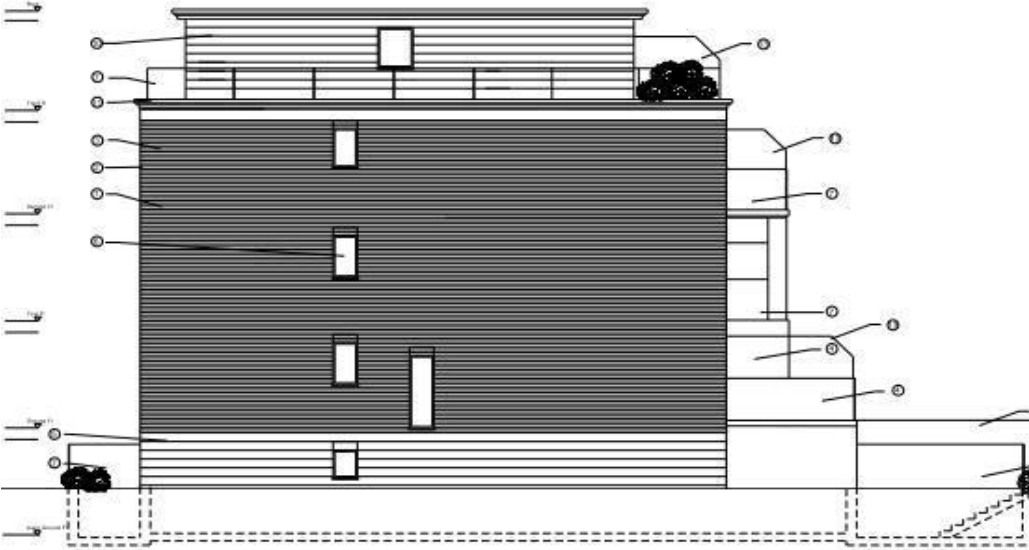


Rear Elevation

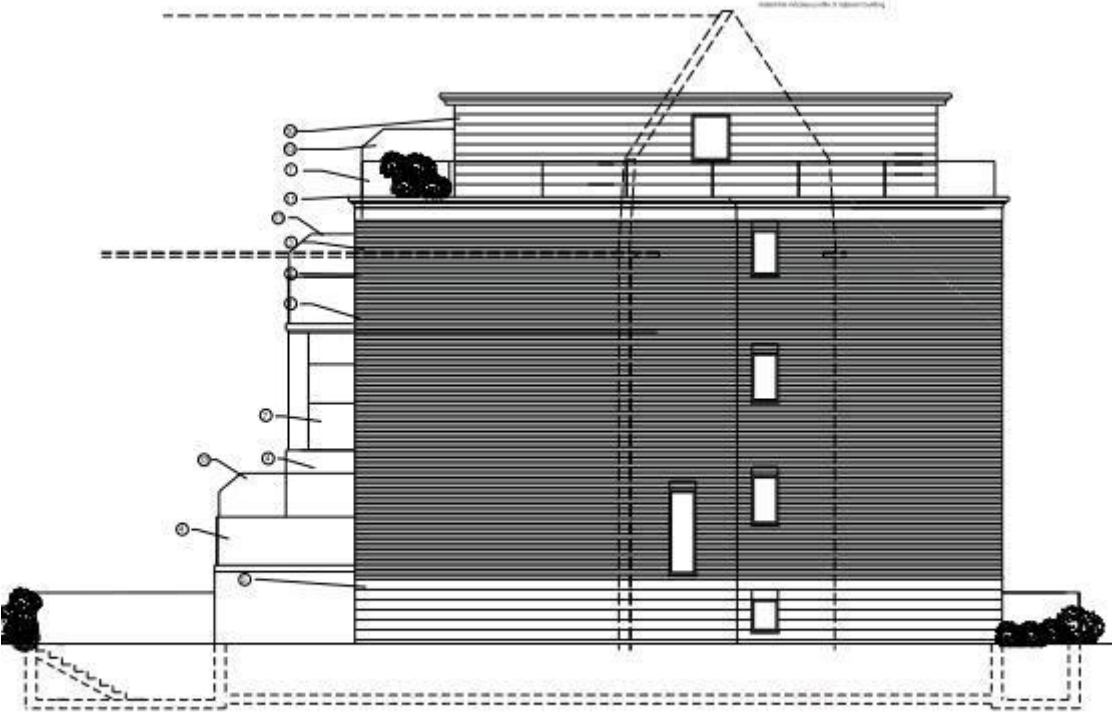
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Side Elevations



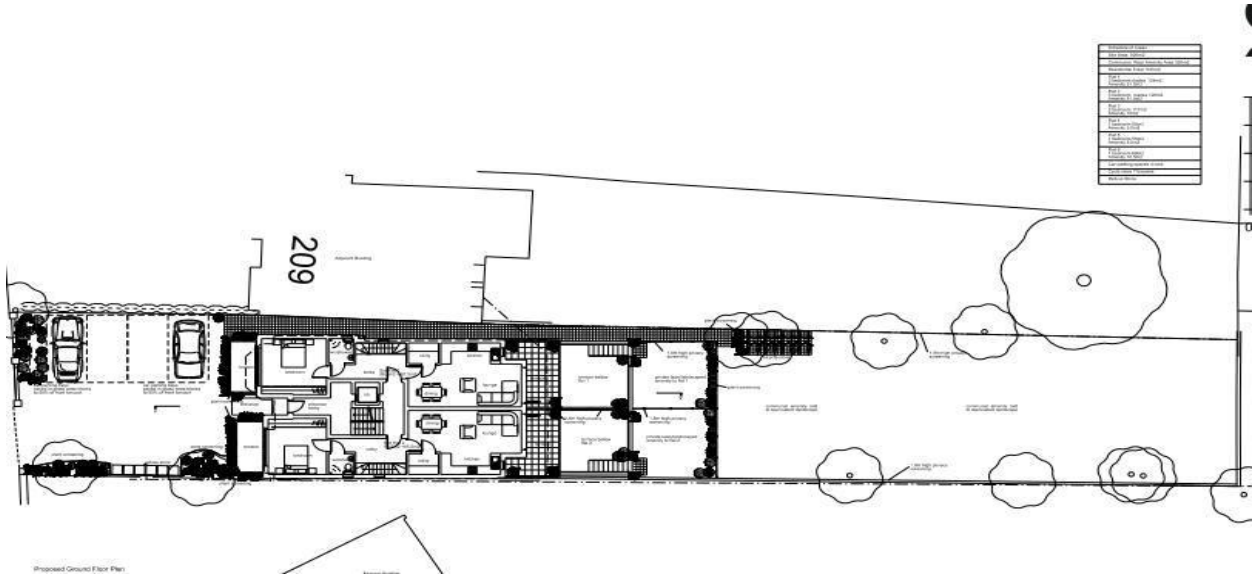
Proposed Side Elevation



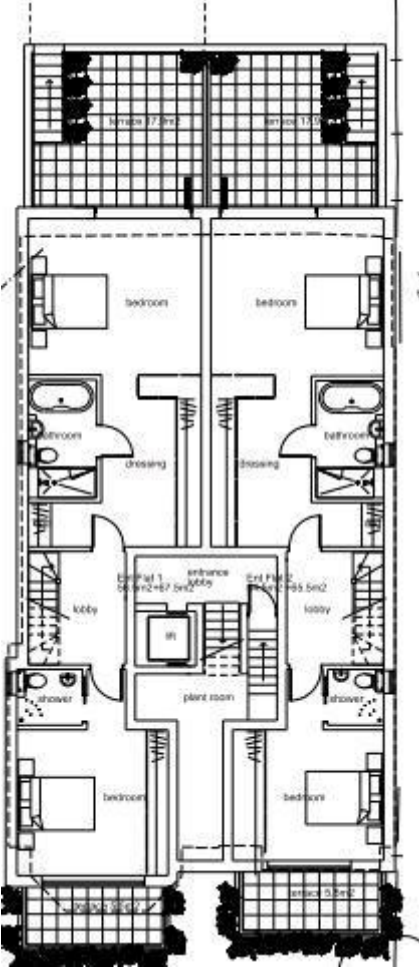
Proposed Side Elevation

Material Key
1 Facing Brick (Black & Red mix) Brick
2 Facing Brick (Black & Red mix) Brick
3 Facing Brick (Black & Red mix) Brick

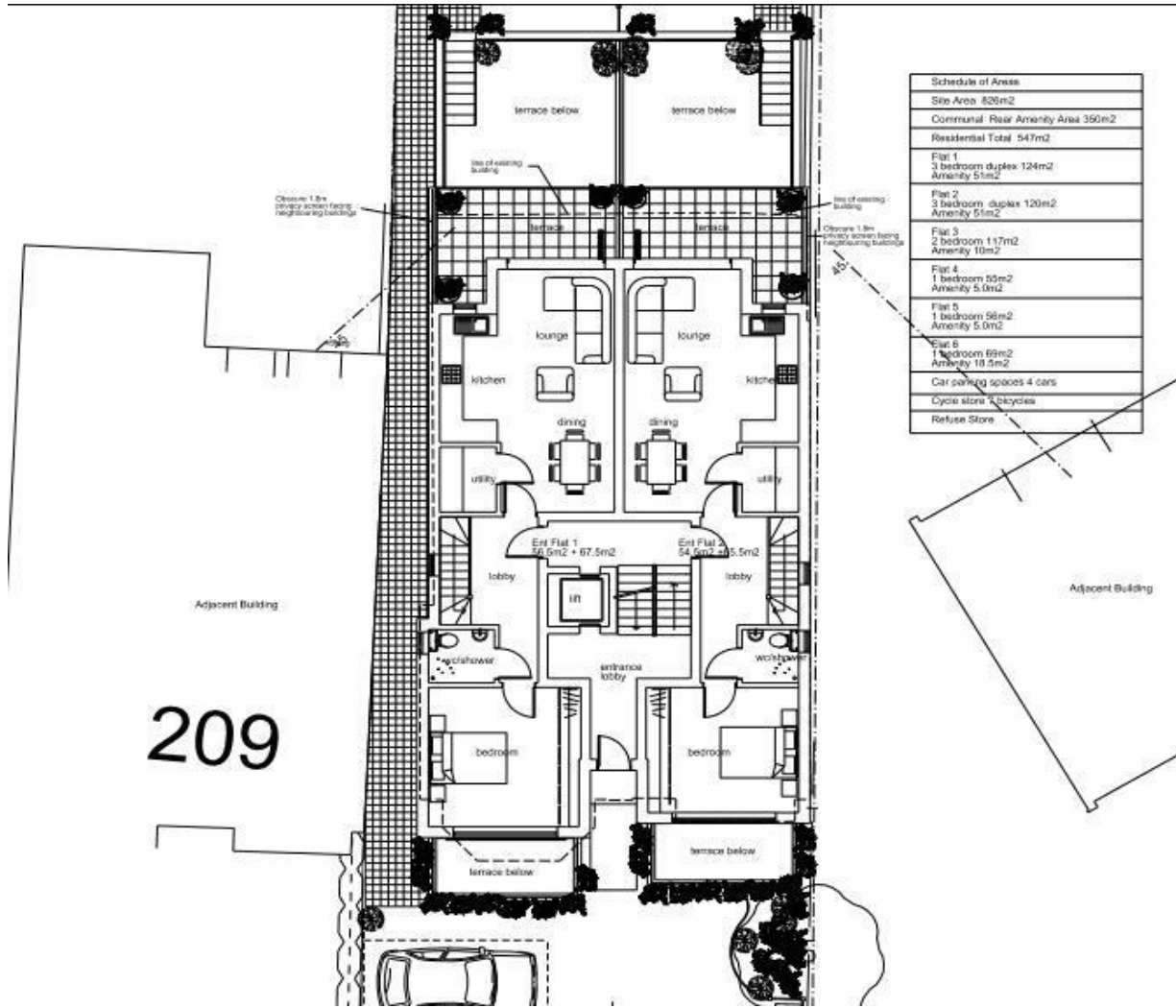
Block Plan



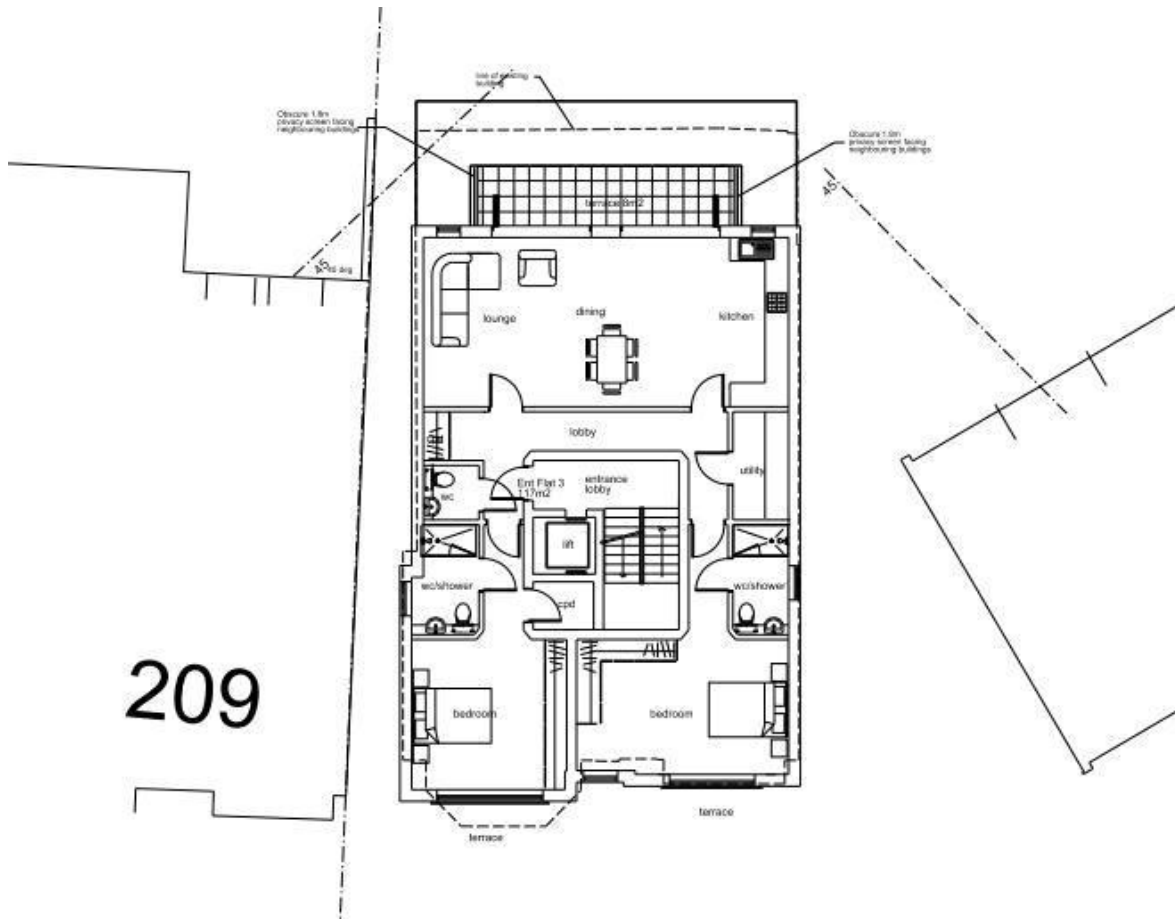
Lower Ground Floor Plan



Ground Floor Plan

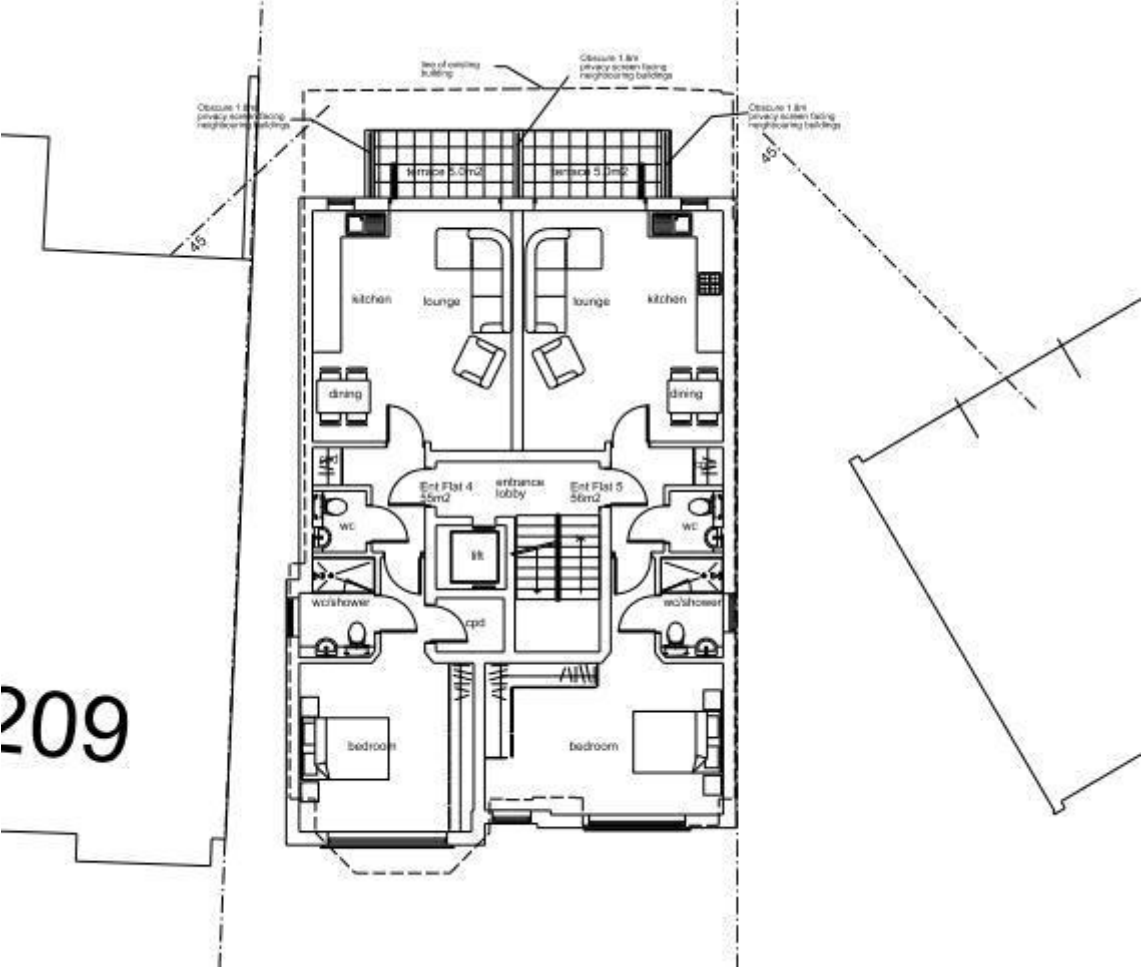


First Floor Plan

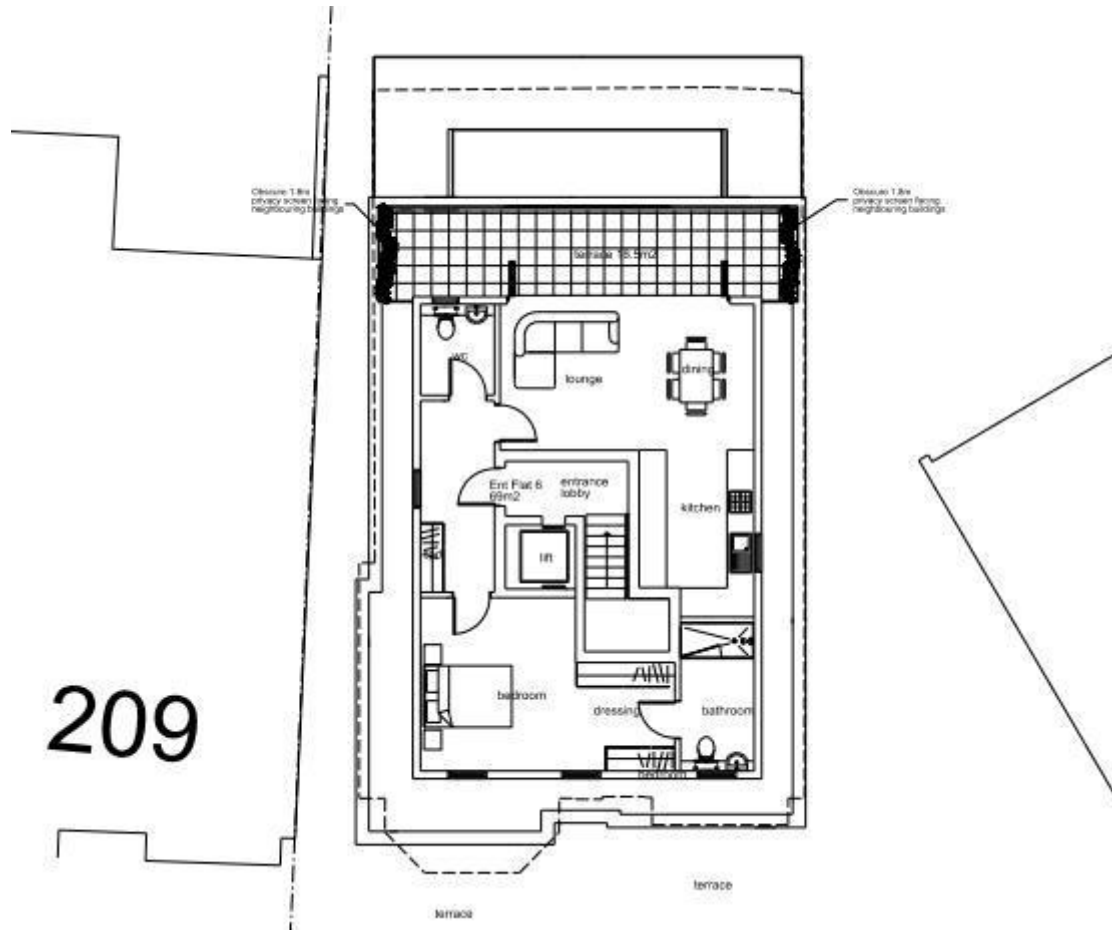


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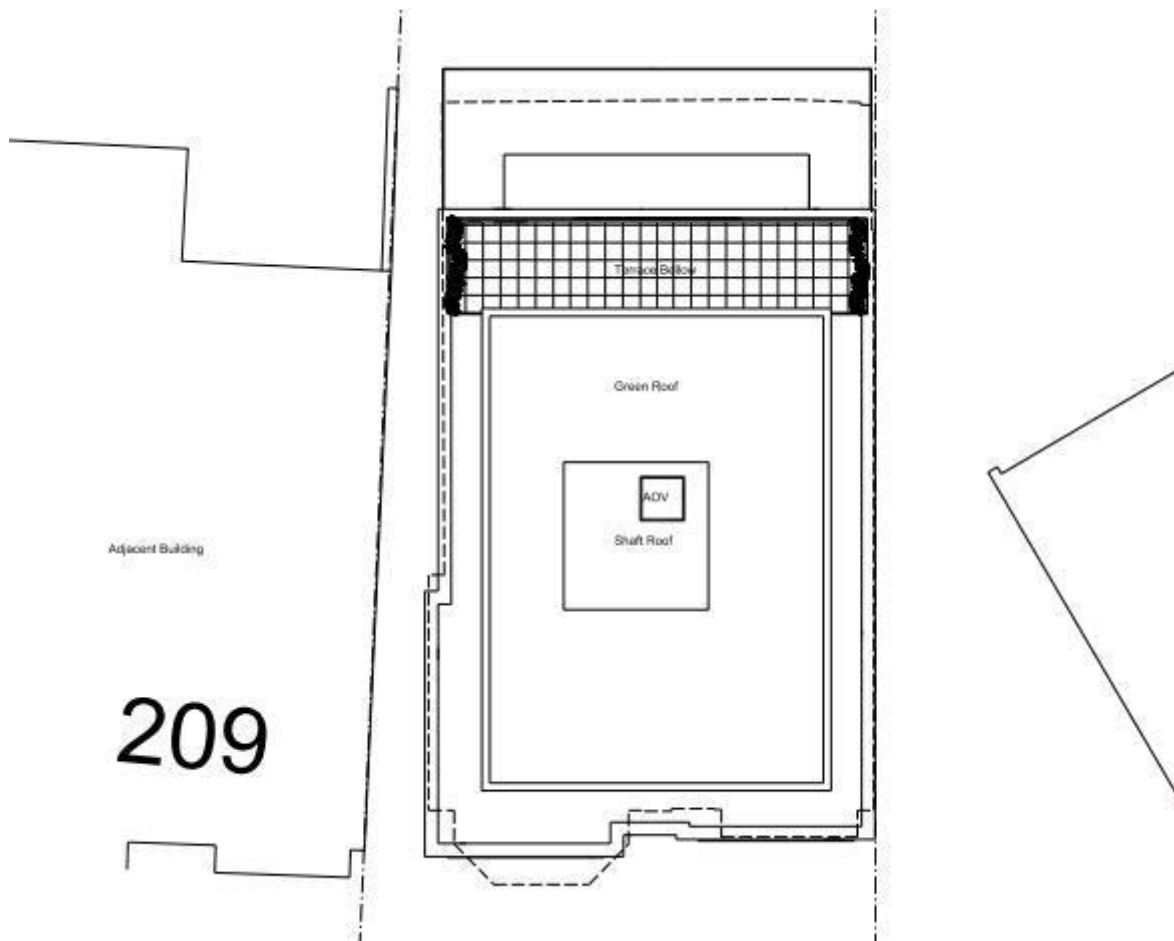
Second Floor Plan



Third Floor Plan



Roof Plan



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 limit (3 years)
2. Approved Plans
3. Submission of details of materials for external works
4. Submission of details of cycle storage
5. Submission of details of landscaping plan
6. Restriction of permitted development rights to convert residential units to small scale HMO accommodation
7. Removal of residents rights to parking permits
8. Any other planning conditions considered necessary by the Head of Planning

Informatives

1. Party Wall
2. Draw the Applicant's attention to the CIL liability
3. Any other informatives considered necessary by the Head of Planning

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

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

A) PROPOSAL

The application proposes demolishing the existing building and erecting a four storey building with a lower ground floor level. The proposed building will consist of six self-contained flats consisting of 3 x 1bed, 1 x 2bed and 2 x 3bed units. The rear of the property will consist of a number of terraces and balconies for use as private amenity space. Residents will also have access to a large communal garden to the rear of the property. The application also proposes a forecourt car parking area and bin storage, with cycle storage located in the rear of the site.

B) EXISTING

The subject property is a detached two storey dwellinghouse situated on the south side of Willesden Lane. The property is situated in a residential area and was previously in use as an HMO. With regard to the character of the area this part of Willesden Lane is mostly residential with the exception of the Willesden Temple and Royal Majestic Hall located to the north of the site and on the opposite side of Willesden Lane. The residential properties in the area included older detached Victorian town house properties and more modern additions such as purpose built apartment blocks. The application site is not situated within a conservation area nor is it a listed building.

C) AMENDMENTS SINCE SUBMISSION

The applicant previously proposed the creation of five self-contained flats; however this has been amended to six self-contained flats. One of the larger two bedroom units is now proposed to be split into two one bedroom units making better use of space.

The two ground floor units have been allocated more private amenity space to the rear to comply with minimum standards.

The forecourt parking area has been reduced from five to four spaces to comply with standards.

D) SUMMARY OF KEY ISSUES

The key issues are as follows:

1. The principle of converting the currently unlawful HMO property to six self-contained flats.
2. The standard of accommodation that would be afforded to residents in the proposed flats.
3. The amount of parking provided and the forecourt parking area.
4. The impact of the proposed building on the amenity of neighbouring residents
5. The character and appearance of the proposed building

RELEVANT SITE HISTORY

Planning History

10/3080 – REF

Change of use of dwellinghouse into 6 self contained flats and alterations to the front forecourt and retrospective application for erection of single storey rear extension.

This application was refused for the following reasons:

1. The proposed development, by reason of a lack of internal floor space, poor outlook and daylighting to habitable room windows and a poor vertical stacking relationship, would provide a cramped and substandard form of residential accommodation that would prejudice the amenity of future occupiers contrary to saved policies BE9, H12 and H18 of the London Borough of Brent Unitary Development Plan 2004 and Supplementary Planning Guidance 17:- Design Guide For New Development
2. The proposed development, by reason that it would generate excessive on-street parking demand which cannot be accommodated on Willesden Lane, a London Distributor Road; would result in a vehicular access that would interfere with a nearby bus cage and would fail to provide an independent pedestrian access to the site, would result in conditions prejudicial to highway and pedestrian safety contrary to saved policies TRN3, TRN10, TRN24 and PS14 of the London Borough of Brent Unitary Development Plan 2004.
3. The retention of the single-storey rear extension to the property, by result of its poor design and use of unsympathetic external materials would cause harm to the character and appearance of the property and surrounding area in general contrary to saved policies BE2 and BE9 of the London Borough of Brent Unitary Development Plan 2004
4. The retention of the single-storey rear extension to the property, by result of its excessive size, would cause harm to the outlook of neighbouring occupiers contrary to policy BE9 of the London Borough of Brent Unitary Development Plan 2004
5. The proposed development results in the provision of an excessive area of forecourt parking and hardstanding to the front of the proposed building which would be harmful to the setting and appearance of both the proposed development and surrounding streetscene contrary to saved policies BE2, BE7, TRN15 and H12 of the London Borough of Brent Unitary Development Plan 2004 and advice contained in Supplementary Planning Guidance 17:- Design Guide For New Development
6. In the absence of a legal agreement to control the matter, the development would result in an intensification of the existing use which would place additional pressure on transport infrastructure, without any contribution to sustainable transport improvements in the area, increased pressure for the use of existing open space, without contributions to enhance public open space, increased pressure on local sports facilities, without contributions to improve public sports facilities, and an increased pressure on education infrastructure, without any contribution to education improvements. As a result, the proposal is contrary to policy CP15 of the London Borough of Brent Core Strategy 2010 and Supplementary Planning Document:- S106 Planning Obligations.
7. The proposed development would result in an uncompensated loss of a good quality self-contained family-sized residential unit, for which there is an identified need within the Borough, in order to provide substandard accommodation that would not be suitable for family occupation. As such the development would fail to make an appropriate contribution towards meeting housing demand within the Borough contrary to policy CP21 of the adopted London Borough of Brent LDF Core Strategy 2010

Enforcement History

There is a significant planning enforcement history on the property. The most relevant cases are summarised below:

E/14/0048

The change of use of the premises to a House in Multiple Occupation (HMO) & offices

This case relates to the current use of the property. No enforcement notice has yet been served however the owner has begun removing additional bathrooms and partitions associated with the unlawful use of the

property. T

E/10/0012

Without planning permission, the formation of a hard surface to the front garden of the premises.

An enforcement notice was served. The front area of the property has been converted to a completely hardstanding area that is used to park cars. The enforcement notice required the unauthorised surface to be removed and replaced with turf. This has not taken place and the forecourt area has remained the same with cars still parked there.

CONSULTATIONS

Publicity period: 17/10/2016 – 07/11/2016

39 neighbouring properties were notified. To date three objections have been received that have raised the following concerns:

Objection	Response
The size of the development is overbearing and the development is out of character with the area	There will be a slight increase in height but the building will be no taller than the neighbouring building Bramerton. The area consists of a variety of building types and styles with a mix of older and more modern additions.
Overlooking from the balconies	Privacy screens are proposed on the side elevations of each balcony/terrace.
Overlooking from windows in north elevation	It is assumed that this refers to the NW elevation as they overlook Bramerton where the objection has been received from. These windows serve bathrooms however a condition will be attached requiring them to be obscure glazed.
Loss of light	The rear building line will be similar to the existing on the side of No.209 Willesden Lane and will see a reduction on the side of Bramerton. This will ensure that there will be no material harm caused to the residents of Bramerton.
Noise from terraces through increase activity and close proximity of living areas to the bedrooms of Bramerton	Whilst people may use the terraces this is not considered to be unusual in a suburban and domestic setting. The terraces will also be set in from the nearest windows by 7.5 metres.
Removal of single family home from the area	The property was unlawfully converted to a HMO removing a family sized unit from the area. However the proposal will introduce two family sized units to the area. (Please see paragraph 1.1)
Impact of basement	The proposal doesn't involve a full basement development however lower ground floor works are proposed. Due to the need to demolish the property officers recommend an informative is added reminding the applicant to ensure

demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

Ward Councillors notified

Cllr Shaw has objected to the proposal based on how the proposed works will be undertaken and the change to the appearance of the building.

Internal consultation

Transport & Highways – no objections subject to car free condition

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)
- Supplementary Planning Guidance No. 5 “Altering and Extending Your Home” (2002) and No. 17 (Design Guide for New Development) [ADD YEAR]

London Plan 2016

Policy 3.5

Core Strategy (2010)

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

Draft Development Management Policies

DMP1 – Development Management General Policy

DMP12 - Parking

DMP16 – Resisting Housing Loss

DMP17 – Conversion of Family Sized Dwellings

DMP18 – Dwelling Size and Residential Outbuildings

DMP19 – Residential Amenity Space

DETAILED CONSIDERATIONS

Your officers hold the key considerations to be the following:

1. Principle
2. Standard of accommodation
3. Parking, access and landscaping
4. Impact on neighbouring amenity
5. Design and impact on character

1. Principle

1.1 The principle of the redevelopment is acceptable. Development Management Policy (DMP) 17 is relevant and seeks to prevent the loss of accommodation suitable for families without adequate replacement whilst Core Strategy policy CP21 seeks to protect accommodation that meets a known need within the borough. Until recently the property was unlawfully in use as a House of Multiple Occupation (HMO) with up to 14 rooms and 27 residents living there. In this case the HMO accommodation does not meet any specific need except for the private rental market and the property was converted to this use without the benefit of planning permission. The proposal would see the creation of six self contained units in the form of two three-bedroomed suitable for families (to which significant weight is given due to the shortage of such homes

in the borough), two two-bed units and a one bed-unit. This is considered to be a better use of the property and will replace one HMO with six additional self-contained units to the boroughs housing stock. Taking these factors into consideration, officers consider that the redevelopment of the existing HMO accommodation to six self-contained units is acceptable in principle.

2. Standard of accommodation

2.1 All of the units exceed the minimum space standards required as per London Plan policy 3.5 and DMP 18. DMP 19 *Residential Amenity Space* requires new dwellings to have private amenity space with 20 sqm per flat and 50 sqm for family size units the required standard. Both of the ground floor family sized units will have access to 50 sqm of private amenity space through a combination of rear and front terraces. All of the units will be dual aspect to the front and rear of the property and allow good levels of natural light. Views from the bedrooms located at lower ground floor level would be slightly restricted however 0.9 metres of the windows would be above street level allowing light in. Overall officers consider that the proposal would provide a good standard of accommodation for prospective residents.

3. Parking, access and landscaping

3.1 The parking provision of four spaces is acceptable. Car parking allowances for residential use are set out in Appendix 1 of the DMP. As the site has a PTAL level of 3 and is in a Controlled Parking Zone, the full allowances set out in the Table 6 of the standard apply, a maximum of six spaces. The proposed provision of four spaces would therefore accord with standards, whilst a condition securing "permit free" would prevent overspill parking. The crossover would remain unaltered and the balance of parking spaces and increased soft landscaping to improve the visual appearance of the front of the property is welcomed. Officers recommend that a condition requiring further details of this landscaping is submitted.

3.2 Turning to cycling, the proposal falls short however this can be addressed by condition. London Plan policy 6.13 requires a total of nine secure cycle parking spaces. A store to the rear for eight bicycles is proposed so officers recommend a condition requiring further details of this store to establish its appearance and increase to nine spaces.

3.3 A suitable volume of refuse storage is proposed for six wheeled bins at the front of the site, in a location that allows easy collection from Willesden Lane without the vehicles needing to enter the site. Officers recommend a condition requiring details of the storage area to be submitted to ensure it is visually acceptable.

3.4 In terms of landscaping, the applicant has submitted indicative plans showing front and rear hard and soft landscaping; officers recommend a condition requiring the submission of a more detailed landscaping plan to improve (a) the appearance of the frontage; and (b) the appearance and usable space for the communal garden.

4. Impact on neighbouring amenity

4.1 The new building would not materially harm the living conditions of neighbouring residents, having regard to the particular circumstances of this site and the adjoining properties. DMP 1 seeks to ensure new development, amongst other things, provides high levels of external amenity and does not unacceptably increase exposure to noise, light and general disturbance. Residential properties are located either side of the application site:

- To the east: 209 Willesden Lane a two storey detached building that utilises the loft space consisting of four self-contained flats.
- To the west: Bramerton, a large four storey building that consists of 26 self-contained flats.

4.2 It is the rear of the proposed building that requires attention.

Relationship to 209 Willesden Lane

- At ground floor level, the main body of the building will be set in from the east boundary by 1.5 metres, to account for habitable room windows in the rear elevation of No.209.
- A privacy screen with a height of 1.8 metres is also proposed to prevent overlooking from the proposed terrace.
- At first and second floor level the building will extend 1.45 metres beyond the rear elevation of No.209. When applying the Council's 1:2 guide, the distance from the proposed side elevation to the centre of the nearest habitable room window is 3.8 metres. As such the proposed rear element is 0.35 metres less than the maximum depth usually allowed (1.9m).
- Terraces are proposed at the rear of the building however they will be set in from the shared boundary and the use of privacy screens will reduce the potential for overlooking.

Relationship to Bramerton

Bramerton has an unusual plan form which results in a number of habitable room windows angled towards this site with the closest at a distance of 6 metres (measured from the shared boundary to the centre of the window). The existing building has a length of 16.75 metres on the shared boundary with Bramerton.

- The proposed building will have a length of 14.3 metres which is a reduction in terms of the current building.
- A ground floor terrace would extend 3.2 metres beyond the rear of the building however the height at 1.8 metres is not considered to be excessive and has been put in place reduce overlooking..
- At first floor level the depth of the building would be increased by 2 metres from the existing situation; however, whilst there would be a slight increase in the depth of the building, residents' views would still be maintained to current levels due to the angled nature of the building.
- At third floor level the proposed roof terrace will be set in from the boundary by 0.35 metres.

4.3 An objection has been received concerning potential noise from the terraces. Whilst people may use the terraces this is not considered to be unusual in a suburban and domestic setting where residents frequently use their back garden area.

4.4 Officers consider that, due to the proposed set in from the shared boundary at ground floor level, the use of privacy screens for the terraces and balconies and the overall design of the building that ensures that current levels of outlook are maintained, the proposal would not materially harm the amenity of neighbouring residents. The proposal does not involve a full basement development however lower ground works and demolition of the existing building is proposed. Due to the need to demolish the property, officers recommend that the applicant's attention be drawn to the provisions of Section 72 of the Control of Pollution Act 1974 to ensure demolition and construction works follow Best Practicable Means (BPM) to minimise noise and vibration effects on neighbouring properties.

5. Design and impact on character

5.1 The proposed building is acceptable in scale, form, design and indicative materials, in accordance with DMP 1. Whilst the existing building possesses an inherent character which contributes positively to the streetscene, the buildings in the surrounding area do not adhere to a consistent character and include examples from a wide variety of architectural styles due to more modern additions and replacements. The proposed design is contemporary in nature and would consist of a four and a half storey building. The fourth floor would be set back and set in from the sides to offer a contrast. The building would result in a gradual increase in height from No.209 Willesden Lane to the taller Bramerton Court; as such the building would not appear overly dominant in the street. The front building line would also be in a similar position to the existing and not protrude beyond No.209.

5.2 It is proposed to finish the building in brick on the ground, first and second floors, render on the lower ground floor and steel cladding on the fourth floor. The properties in this part of Willesden Lane have a variety of materials due to the different building types and styles. Further details of all materials would be secured by condition to ensure that they are visually acceptable in the area and help to maintain the character and appearance of the street.

6. Conclusion

Overall the loss of the existing HMO accommodation is considered to be acceptable and the proposed residential units will provide a good standard of accommodation for prospective residents whilst adding additional units to the boroughs housing stock. The proposal will not materially harm the character or appearance of the street or the amenity of neighbouring residents. The application is therefore recommended for approval.

CIL DETAILS

The proposal is liable to pay CIL as set out below because the applicant has not provided sufficient evidence to satisfy officers that the existing floorspace to be demolished passes the vacancy test by being occupied for a lawful purpose for a period of at least six months continuously within the past three years from the anticipated decision date, in accordance with Reg 40(7) of the CIL Regulations 2010 (as amended). This may be reviewed by the officer if there is a delay in issuing the decision.

This application is liable to pay **£194,628.09*** 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): 648.25 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	648.25		648.25	£200.00	£35.15	£165,535.27	£29,092.82

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)	286	
Total chargeable amount	£165,535.27	£29,092.82

*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: 16/3682

To: Neocleous
Neo Architects
8 The Drive
New Barnet
EN5 1DZ

I refer to your application dated 20/08/2016 proposing the following:
Demolition of existing dwelling and erection of a new 4 storey building with a basement to provide 6 self-contained flats (3 x 1bed, 1 x 2bed and 2 x 3bed) with associated car and cycle parking space, bin stores and amenity space
and accompanied by plans or documents listed here:
See condition 2
at 211 Willesden Lane, Kilburn, London, NW6 7YR

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: 03/02/2017

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 Plan and relevant material planning considerations

- 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):

0425_00_001
0425_00_101bc
0425_00_102bc
0425_00_103ab
0425_00_104ab
0425_00_014ab
0425_00_001abc
0425_00_002abc
0425_00_003abc
0425_00_004abc
0425_00_005abcd
0425_00_006abc
0425_00_007a
0425_98_010a
0425_00_101
0425_00_102
0425_00_111ab
0425a_98_201

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

- 3 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted levels of parking availability.

- 4 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing

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

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

- 5 Prior to occupation of the development further details of secure and covered refuse storage to provide sufficient space for all refuse and recycling bins for all six flats shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation and shall be retained for the lifetime of the development.

Reason: in the interests of residential and visual amenity.

- 6 Details including manufacturer's details and/or samples provided for inspection on site of materials for all external work, including hard surfacing, shall be submitted to and approved in writing by the Local Planning Authority before any above ground 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 Notwithstanding the plans hereby approved, the development shall not be occupied until further details of secure and covered cycle storage are submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plans. Such facilities shall be retained for the lifetime of the development.

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

- 8 Landscape proposals for the treatment of the areas so designated within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works on site and shall include but not be limited to details of boundary treatment and boundary planting and a planting scheme for the front garden. The landscape works shall be completed in accordance with the approved details in accordance with a programme agreed in writing with the Local Planning Authority.

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

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

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
- 2 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.

- 3 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.
- 4 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

15 February, 2017

16/4003

SITE INFORMATION

RECEIVED: 13 September, 2016

WARD: Willesden Green

PLANNING AREA: Brent Connects Willesden

LOCATION: 10 Villiers Road, London, NW2 5PH

PROPOSAL: Erection of a rear dormer window and three front roof lights, conversion of garage, erection of a single storey rear extension, creation of a basement level, erection of rear extension at first floor level and sub-division to provide an additional 2 flats to existing flats (totalling 1x 3bed, 1x 2bed, 1x 1bed and 1x studio) with associated bin and cycle stores.

APPLICANT: Mr John Cawley

CONTACT: Mr Damon Peddar

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_130180

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

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/4003" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

SITE MAP



Planning Committee Map

Site address: 10 Villiers Road, London, NW2 5PH

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This map is indicative only.

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 limit (3 years)
2. Approved Plans
3. Submission of details of materials for external works
4. Submission of details of cycle storage
5. Submission of details of landscaping plan
6. Restriction of permitted development rights to convert residential units to small scale HMO accommodation
7. Reinstatement of footway
8. Submission of Construction Management Plan
9. Any other planning conditions considered necessary by the Head of Planning

Informatives

1. Party Wall
2. Draw the Applicant's attention to the CIL liability
3. Applicant to notify Highways and to repair any damage to the Highway
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.

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

Revised drawings were submitted on 08/01/2017. The development proposes consists of the following.

Creation of two additional flats (4 in total) _

- Studio (Flat A) on ground floor
- 3 bed 6 person (Flat B) on ground and basement levels
- 2 bed 3 person (Flat C) on first floor
- 1 bed 2 person Flat D) on first and second floors

Extensions and Alterations _

- Creation of a part basement and excavation of part of the rear garden nearest the house.
- Erection of 3 metre deep single storey extension directly behind existing two-storey outrigger (following demolition of existing).
- Part demolition of existing garage and erection of a side/rear single storey extension. This extension

- would not project past the rear wall of the original two storey outrigger.
- L-shaped flat roofed first floor rear extension nearest to No.8
- Erection of two rear dormer windows on rear roof slope, installation of three skylights on front roof slope and two skylights on roof of outrigger
- The existing garage doors to the front would be retained and used for refuse/recycling and bicycle storage

Original submission - The original submission differed as follows;

- The applicant proposed a large rear dormer roof extension which would span across both the main roof and roof of side extension (see existing section). It was advised the applicant alter the design, as above.
- The proposed rear/side extension would have projected 5.9 metres past the rear wall of the original outrigger, 12.20 from the rear wall of the main house.

B) EXISTING

The application site comprises a two storey mid-terraced Victorian property located on the eastern side of Villiers Road. The property is currently in use as two self-contained residential flats. A neighbour has commented that these flats have existing for over 30 years. Unlike the other houses on the street, the property has a side extension which abuts no.8, which appears an original feature. This comprises a car garage at ground floor level and residential space above. The roof of this side extension is slightly stepped down from that of the main roof. The rear garden has been divided into two, providing outdoor amenity space for each flat. A single storey rear extension is located directly behind the original two storey outrigger.

Villiers Road is a residential street characterised by similar style residential terraced properties. The Willesden Green Town Centre, a Secondary Shopping Frontage, is located approximately 30 metres to the south of the site. The property is not listed and is not situated within a conservation area.

C) AMENDMENTS SINCE SUBMISSION

Since the original submission of the application the following amendments have been made to the scheme:

- The large dormer was omitted and replaced with two smaller dormer windows.
- The side/rear extension was reduced in depth to a depth of 6.42 m, as measure from the rear wall of the main house.

D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. Principle: The principle of converting the existing substandard residential accommodation to self-contained residential units is considered to be acceptable.
2. Standard of accommodation: The residential units comply with minimum space standards
3. Parking and Access: A condition would be included requiring the proposal to be a car free development
4. Impact on character and design: The proposed extensions would improve the appearance of the property, host terrace and surrounding area.
5. Impact on neighbouring amenity: The proposed extensions would not materially affect the amenity of any neighbouring resident

RELEVANT SITE HISTORY

None

CONSULTATIONS

Consultation period: 09/01/2017 – 30/01/2017

38 neighbouring properties were consulted. To date

Consultation period: 09/01/2017 – 30/01/2017

38 neighbouring properties were consulted.

To date 14 letters of objection have been received. Details of the comments have been outlined in the table below.

Objections

Objection	Response or paragraph in report
The creation of two additional flats would increase demand for parking on the street, which is already limited	See Paragraph 3.1
Skips and vehicles used for construction would take up valuable parking spaces	An application cannot be refused on the grounds of disruption caused by construction works. Relevant building control regulation would also mitigate potential disruption to neighbouring residents.
The proposal would constitute an over development and result in overcrowding	The site is considered to be of sufficient size to provide 4 residential flats.
The proposed flats would be too cramped	See paragraph 2.1
Loss of family size accommodation	See paragraph 1.2
Concerns the proposed works would cause subsidence and damage adjacent properties	See paragraph 4.7
The proposed development would not be in keeping in the character of the area.	See section 4
Would set a precedent within the area and similar proposals would follow	Each proposal is considered on its own merits. There is a presumption in favour of development, as set out in the NPPF. Development would only be refused if it is not in accordance with the borough's planning policies.
Safety concerns regarding construction works, especially to school children and clients existing nearby health centre	A condition would be included requiring a construction statement be submitted and approved by the local authority, to mitigate against any potential damage. The works would also need to comply be building control legislation.

Creation of 4 flats may result in anti social behaviour	There is no evidence to suggest a larger number of flats would result in antisocial behaviour
Concerns regarding noise created by additional flats	See paragraph 5.6
Neighbours not consulted on first application	All adjoining properties were consulted, the statutory requirement.
Councillors were not formally consulted upon application	Councillors were consulted on the re-consult.
The extension to the roof is at odds with the character of the street	See paragraph 4.3 - 4.4
Basement drawings were not sufficiently detailed	A construction statement would be required by condition

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)
- Supplementary Planning Guidance No. 5 “Altering and Extending Your Home” (2002)
- Brent Basements Practice Guide (2013)

DETAILED CONSIDERATIONS

1. Principle of development

1.1 Residential extensions and alterations to dwelling houses associated with the creation of additional self-contained units are acceptable in principle. London plan policy 3.3 Increasing housing demand and Policy CP 2 Population and Housing Growth of the Local Plan have identified a rising population and a need for additional homes across London and the borough. The proposed development would see the alteration of the existing two flats and the creation of an additional two flats, creating four in total.

1.2 CP 21 A balanced Housing Stock recognises a need to maintain a balance housing stock by protecting existing accommodation that meets a known need. DMP 17 relates to the conversion of family sized dwellings and whilst this is of some relevance it is not directly applicable to this scenario. Family sized units, 3 bed and above, are in demand in the borough. As the property has an existing 3 bed flat, a family sized unit would need to be provided. Given that a family size unit is proposed, this objective has been met.

1.3 Although contributing to the housing supply is an important consideration, the following material planning considerations would need to be assessed to determine whether the proposal is acceptable.

- Standard of Accommodation
- Parking and Access
- Impact on Character and Design
- Impact on neighbouring amenity

2. Standard of accommodation

2.1 It is considered that all habitable rooms would provide adequate levels of outlook and natural light. Habitable rooms at basement level often have restricted outlook and natural light. However, in this case, as part of the garden would be excavated to basement level and large patio doors proposed, both bedrooms at basement level are likely to receive adequate levels of natural daylight and outlook. The new first floor rear window would be restricted in terms of outlook and natural light. However, as this window would serve a kitchen which is not large enough to incorporate a dining area, this room would be classified as a non-habitable. For this reason it is considered the flat would offer an acceptable standard of accommodation.

2.2 The ground floor family flat would provide 104sqm of outdoor amenity space, far exceeding the requirement of 50sqm as outlined in DMP 19 Residential Amenity Space. None of the other flats would provide any outdoor space. Although DMP 19 seeks outdoor amenity space for all residential units, the guidance does state that in certain circumstances site constraints make it impossible to provide private open space for all new dwellings. Due to the limitations of existing Victorian properties a more flexible approach can be taken with flat conversions as realistically it would not be possible to provide amenity space without creating balconies which would detract from the character and appearance of the building.

2.3 Given the existing constraints of the property, the existing situation and the proposed family sized unit would provide ample outdoor amenity space, on balance, the overall standard of accommodation is considered acceptable.

2.4 To ensure the proposed 3 bed unit is used as a family sized dwelling and having regard to the size of the other units, it is recommended that a condition be attached to any permission removing permitted development rights to convert the property from C3 residential to C4 HMO use.

3. Parking and access

3.1 The parking impact of the proposal would be acceptable, subject to a "permit free" condition. Currently the site includes a car garage which would be demolished. The site has very good access to public transport with a PTAL of 5 and is located within a Community Parking Zone (CPZ) and town centre. Where the full residential parking standard cannot be met within the site, Policy DMP 12 requires the impact on on-street parking to be considered, with on-street parking permitted to be counted towards meeting demand in certain circumstances. However, Villiers Road is a local access road that is already heavily parked, so would not be able to safely accommodate overspill parking demand from these proposed self-contained flats. To mitigate impact, Policy DMP 12 does encourage 'car-free' developments where the site is located within a CPZ and has good access to public transport services, as is the case here. This would need to be secured through a condition that would apply to the four self-contained flats, with the right of future residents of the flats to on-street parking permits being withdrawn.

3.2 A new bin store has been provided at the front of the property at ground level within the front forecourt. Policy 6.13 of the London Plan requires at least one secure bicycle parking space per 1-2 bed flat and two per 3 bed flat, where possible. The proposal has included two bicycle storage sheds at ground level that is accessible by all units, thus providing an adequate number of spaces in a secure and sheltered manner.

3.3 With no vehicular access to the site required for the new development, the existing crossover would become redundant. This must be reinstated to footway with full height kerbs at the developer's expense prior to occupation of the development, and would be secured by condition.

4. Impact on character and design

4.1 On balance, the visual impact of the proposal would be acceptable. London Plan policies 7.4 – Local Character and 7.6 Architecture and DMP 1 of Development Management General Policy promotes high quality design. SPG 5 - Altering and extending your home provides more detailed guidelines regarding

acceptable design for residential properties. Any alterations or extension to a property should respect the architectural character of the original building and its setting.

4.2 Only the front skylights would be noticeable from the front elevation. Given the skylights' modest scale and low profile design, the impact upon the street scene is expected to be minor. The proposal includes the part demolition and part conversion of the side garage, however as the existing garage doors would be retained, this development would not be noticeable from the front.

4.3 Roof Extensions should be designed to compliment the existing design of the house, streetscape and be of a scale that is proportionate to the existing roof. The design of the proposed rear dormer windows complies with the guidelines set out in SPG 5. They would be well set into the roof slope and would not dominate the roof.

4.4 The scale and form of the rear extensions would broadly comply with the guidelines set out in SPG 5. The basement and its rear lightwell would not materially affect the appearance of the property. The ground floor rear extension would be subservient to the existing property. The flat roof of the first floor extension is not normally considered acceptable however the views to this will be limited and the contemporary materials proposed would suit such a flat roof extension. The existing rear extensions (garage and extension behind outrigger) are considered to be of low aesthetic appearance. The demolition of these structures and proposed extensions are expected to improve the appearance to the rear of this property.

4.5 Turning to materials, zinc Cladding is proposed for the external surfaces of the extensions at basement, ground floor levels and dormers windows. White render is proposed at first floor level. The exposed brickwork to the rear of the building has been painted white to the rear and different materials and shades exist on both on adjoining properties. Given the lack of continuity to the rear of the terrace, in terms of materials and colour, the proposed external materials are not expected to appear out of keeping on the terrace or surrounding area.

4.6 Part of the rear garden nearest the house, would be excavated to basement level, at total area of 17sq m. As this area is considered to be modest in size and the large majority of the rear garden would be retained, it is not considered to significantly alter the appearance of the garden.

4.7 As no details of landscaping has been included a condition would be included requiring a landscape scheme be submitted and approved by the local planning authority in respect of the front garden only.

5. Impact on neighbouring amenity

5.1 The development would not materially harm the living conditions of neighbouring occupants. All development must have an acceptable impact upon residential amenity. DMP 1 states that design should provide high levels of internal and external amenity. The potential impacts of the extension on the amenity of neighbouring properties relate to daylight/sunlight, outlook (including bulk and dominance issues) privacy matters and noise disturbance.

5.2 It is considered that only the adjoining properties no.8 and no.12 could feasibly be affected in terms of residential amenity. The spatial relationship to all other properties is such that the proposed development is unlikely to impact upon their amenity. Property no. 8 has an existing two storey ground floor rear extension. As the rear/side extension would not project past this existing structure, which has no side facing windows, the proposed extensions are not expected to cause any loss of natural light or outlook.

5.3 The proposed rear extension abutting the existing outrigger would extend along the boundary of no.12 by three metres and have a height of 3 metres; this is in line with the usually acceptable depth and height set out in SPG5 and there are no reasons to suggest this would not be acceptable here. The proposed extension would only be marginally larger than the existing extension and the impact in terms of loss of natural light upon the occupiers is expected to be minor.

5.4 Although additional openings would be introduced at roof level and large patio doors are proposed at ground floor level, windows already overlook onto the rear garden of no.8 and no .12. Therefore no significant

further loss of privacy is expected to arise over the existing situation.

5.5 The creation of basements are subject to additional concerns, particularly relating to structural concerns. Objections regarding potential subsidence and possible damage to nearby properties have been raised. The structural stability of the works would be controlled via the Building Regulations process however, in the interests of encouraging the applicant to limit potential problems for neighbours and in accordance with Brent's Basement Practice Guidance, a condition is proposed to require a Construction Statement, Build Methodology and more detailed site survey be submitted and approved by the local planning authority.

5.6 Concerns have been raised that the creation of two additional flats would cause noise disturbance for nearby neighbours. As these units would be used for residential purposes, no significant increase in noise is expected over the existing situation.

6. Conclusion

6.1 The Development Management Policies set out Brent Council's positive attitude towards development and the potential benefits it can provide to residents, business and visitors. Brent also seeks to support the presumption in favour of sustainable development within the NPPF. In this case your officers have given considerable weight to the creation of additional homes in a sustainable urban location and improvements to the visual amenities of the area and therefore recommend approval subject to suitable conditions.

CIL DETAILS

This application is liable to pay **£25,982.44*** 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): 21.46 sq. m.

Total amount of floorspace on completion (G): 310 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	310	202	86.54	£200.00	£35.15	£22,098.61	£3,883.83

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)	286	
Total chargeable amount	£22,098.61	£3,883.83

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

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

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



DECISION NOTICE – APPROVAL

Application No: 16/4003

To: Mr Damon Peddar
22 Redfern Road
London
NW10 9LB

I refer to your application dated 05/09/2016 proposing the following:
Erection of a rear dormer window and three front roof lights, conversion of garage, erection of a single storey rear extension, creation of a basement level, erection of rear extension at first floor level and sub-division to provide an additional 2 flats to existing flats (totalling 1x 3bed, 1x 2bed, 1x 1bed and 1x studio) with associated bin and cycle stores.

and accompanied by plans or documents listed here:
See condition 2
at 10 Villiers Road, London, NW2 5PH

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: 03/02/2017

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:-

Brent Development Management Plan (2016)
Core Strategy (2010)

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

Chapter 1 General Development management Policy
Chapter 4 Built Environment
Chapter 6 Environmental Protection
Chapter 7 Sustainability
Chapter 8 Transport
Chapter 9 Housing

- 1 Landscape proposals for the treatment of the areas so designated within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works on site. The landscape works shall be completed in accordance with the approved details in accordance with a programme agreed in writing with the Local Planning Authority.

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

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

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

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

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

160801/01; 160801/02; 160801/03; 160801/04; 160801/05; 160801/06; 160801/10A;
160801/11B; 160801/12A; 160801/13B; 160801/14A; 160801/16A; 160801/17 B; 160801/18;
160801/19; 160801/23A B;160801/23B

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

- 4 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted levels of outlook and access to natural light of the bedrooms adjacent to the outrigger.

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

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

- 7 The existing crossover must be reinstated to a footway with full height kerbs prior to the occupation of the development.

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

- 8 No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:-

(a) Dust mitigation measures.

(a) The location and operation of plant and wheel washing facilities

(a) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process

(a) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site

with the intention and aim of reducing the impact of construction relates activity.
(iii) Measures to deal with safe pedestrian movement.

(e) Security Management (to minimise risks to unauthorised personnel).

(e) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties.

9 Details of materials for all external work, including manufacturer's literature and samples to be provided for inspection on site, shall be submitted and approved by the Local Planning Authority before any work commences. 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.

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
- 2 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.
- 3 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.

Any person wishing to inspect the above papers should contact James Carleton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1004

COMMITTEE REPORT

Planning Committee on 15 February, 2017
Item No 09
Case Number 16/4174

SITE INFORMATION

RECEIVED: 21 September, 2016

WARD: Kilburn

PLANNING AREA: Brent Connects Kilburn

LOCATION: Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

PROPOSAL: Hybrid Application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.

- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

APPLICANT: London Borough of Brent

CONTACT: Mr Brooker

PLAN NO'S: See Condition 4

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_130364

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

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "16/4174" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

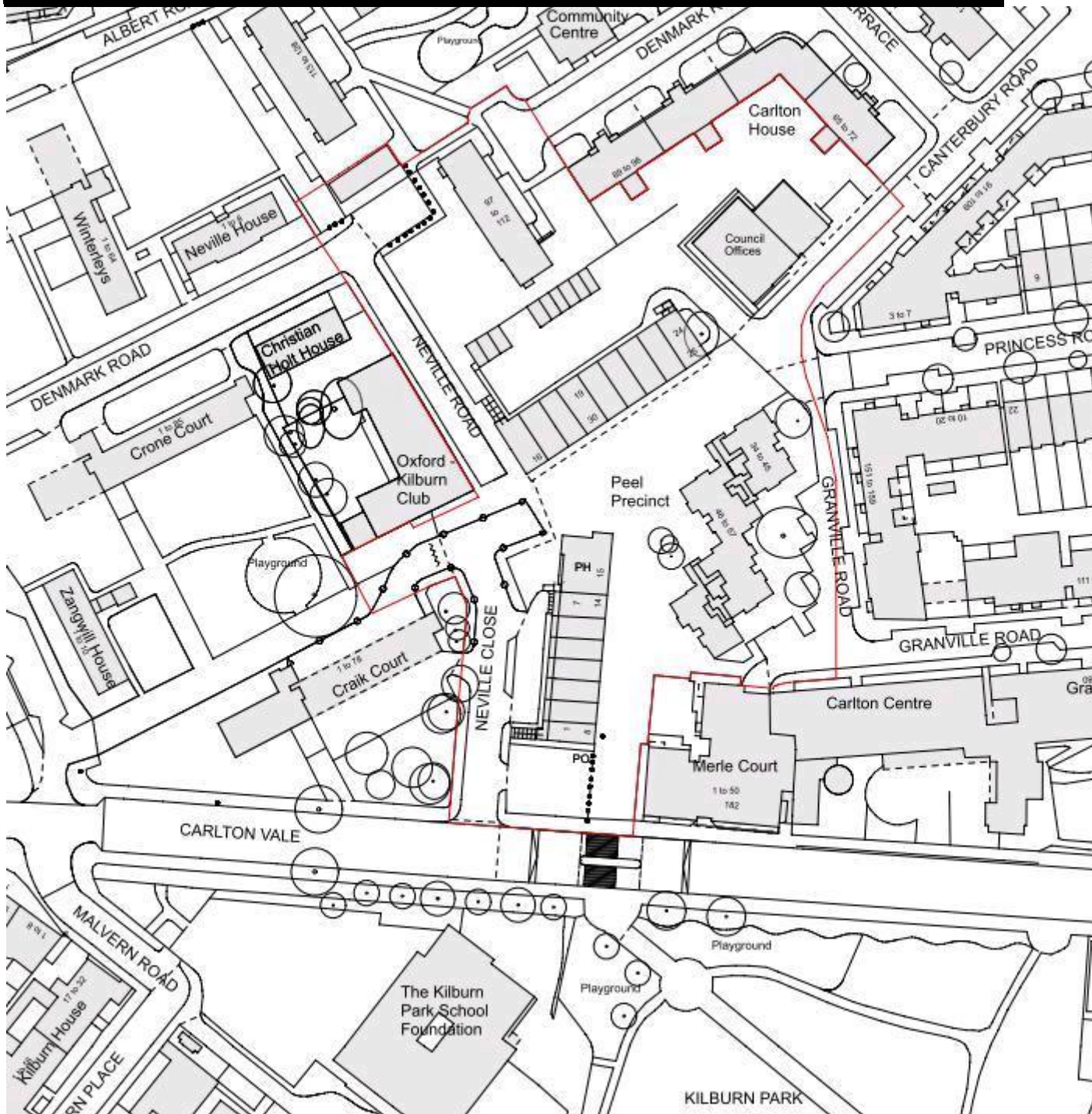
SITE MAP



Planning Committee Map

Site address: Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

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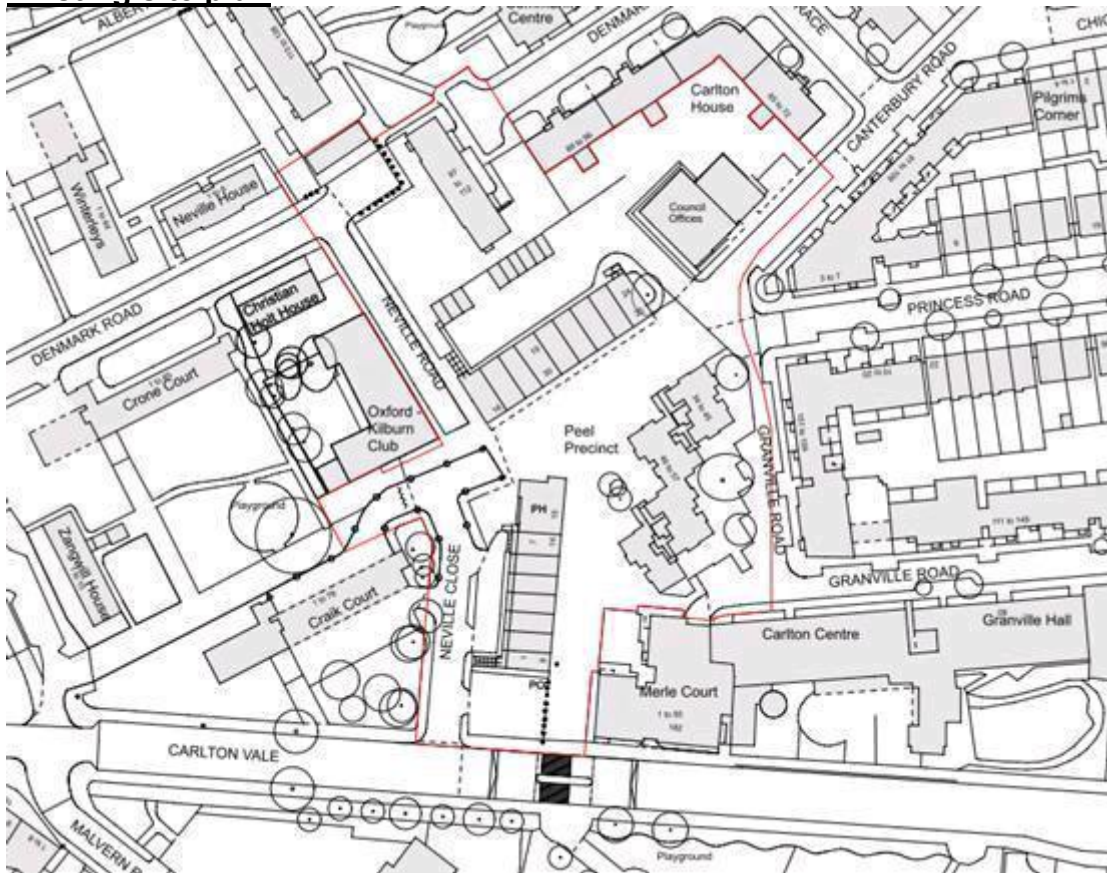


This map is indicative only.

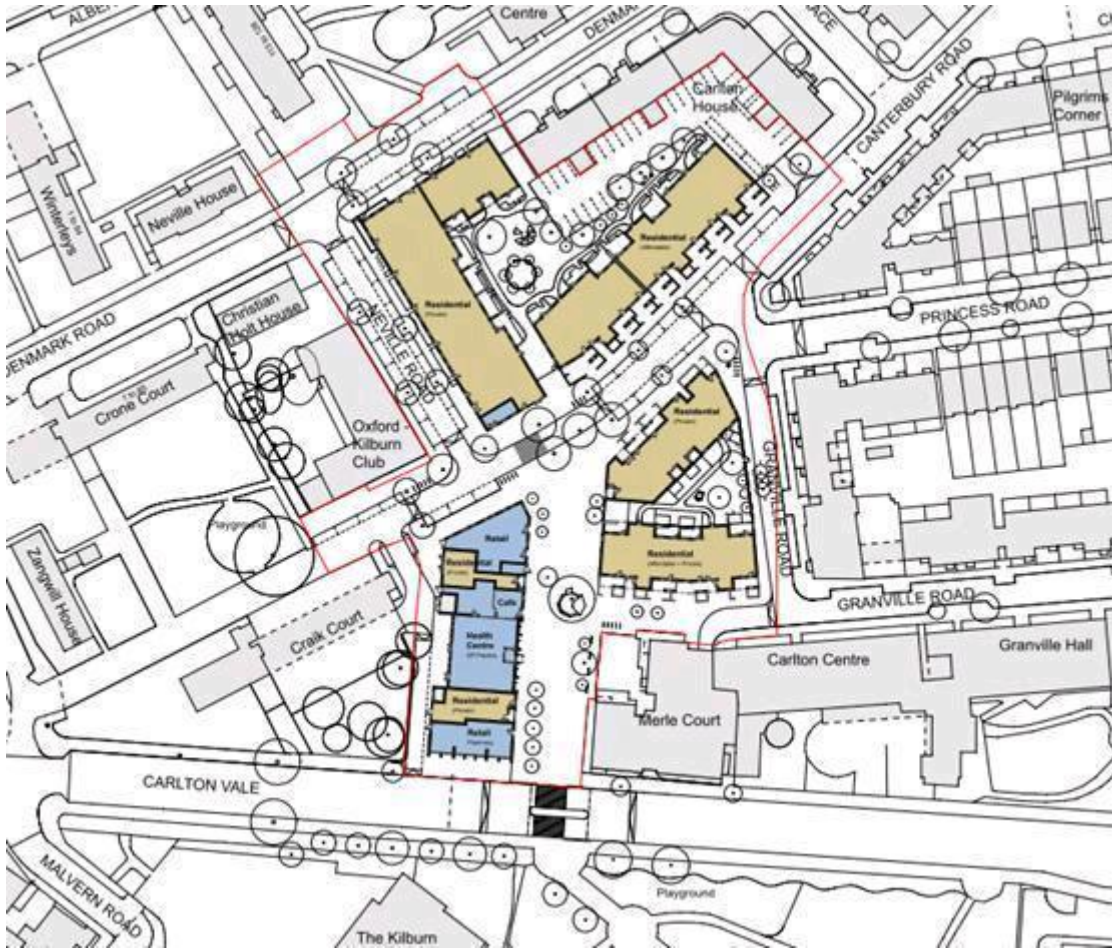
SELECTED SITE PLANS

SELECTED SITE PLANS

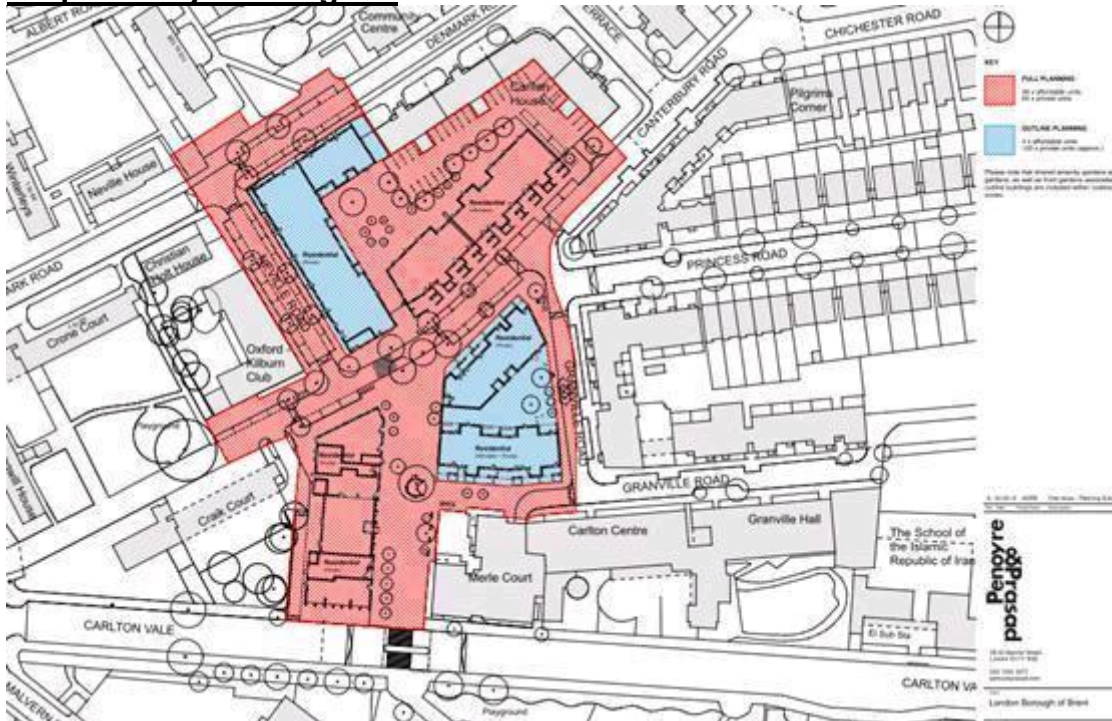
Existing site plan



Proposed site plan



Proposed Hybrid diagram

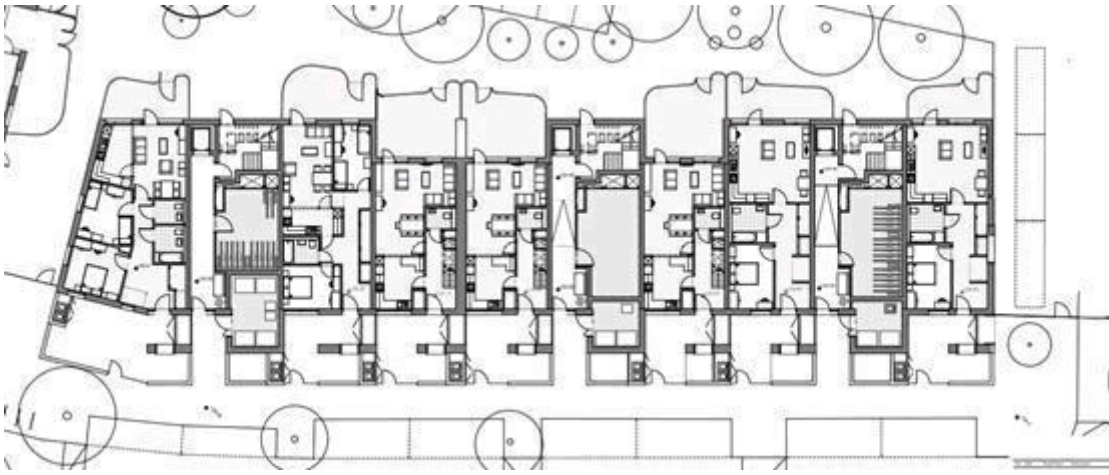


(n.b. areas marked red part of Full application and those showblue in Outline)

Proposed ground floor layout, buildings A, B and C



Proposed ground floor layout, building E



Proposed massing, layout and context



Proposed massing, layout and context



View from Kilburn Park looking north west



View along Carlton Vale



Looking towards new public space and health centre building from Carlton Vale



Health centre entrance demonstrating stone fins detail



View along Canterbury Road of building E



View of shared amenity/parking space for buildings D, E & Carlton House



View along Neville Road with building D on the left and health centre building beyond



View from Peel public space looking north east along Canterbury Road towards building E



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 35% 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 non-residential parts of the development will be constructed to such

- specification to achieve a rating of 'Excellent' and post completion review with Certification and mitigation measures if not met.
- e) Submission and approval in writing of a revised overarching Framework Travel Plan and separate Health Centre and Residential Travel Plans of sufficient quality to score a PASS rating using TfL's ATTrBuTE programme including clear modal shift targets and financial support towards future residents' membership of local Car Clubs and provision of interest-free season ticket loans for health centre staff
 - f) A minimum 18.6% affordable housing (42 social rented units at target rent levels), comprising the following mix:
11 x 1-bed, 12 x 2-bed, 15 x 3-bed and 4 x 4-bed
 - g) An appropriate post-implementation s106 financial review mechanism, such that the scheme financial viability shall be fully reassessed based on the agreed Benchmark Land Value within 6 months of practical completion.
 - h) Enter into a 'permit-free' agreement, so that future residents of buildings A, C, D and F 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.
 - i) Highway works, subject to a Safety Audits, to construct and adopt as publicly maintainable highway through an agreement under S38/278 of the Highways Act 1980 the following:
 - (i) extension of the eastern cul-de-sac of Denmark Road westwards to its junction with Neville Road;
 - (ii) opening of Canterbury Road to vehicular traffic westwards from its junction with Granville Road to its junction with Neville Close;
 - (iii) widening of Neville Road along its eastern side to provide on-street parking bays on either side of a 4.8m carriageway, with 2m minimum width footways behind;
 - (iv) widening of Granville Road along its western side to provide a 5.5m carriageway width and a 2m footway along its western side;
 - (v) realignment of Neville Close to a carriageway width of 4.8m with 2m footways for its northern 25m length, with a 4.8m shared surface for its southern 35m with access restrictions allowing vehicular access for goods vehicle loading only;
 - (vi) resurfacing of Peel Precinct and the northern footway of Carlton Vale fronting the site; together with installation of traffic calming features to include raised junction tables at all new road junctions, kerb build-outs/pinch points, a zebra crossing on Canterbury Road adjacent to Peel Precinct, provision of on-street parking bays within the Controlled Parking Zone, lining, signing, street lighting, street furniture, planting drainage, all associated Traffic Regulation Orders and any ancillary and accommodation works including any necessary alterations to statutory undertakers' equipment, in general accordance with the proposals shown on drawing 643-PL-104A;
 - j) 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
 - k) 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. Approval of Reserved Matters required
2. Standard 3 year permission for FULL elements
3. Timeframe for submission of Reserved Matters applications
4. List of approved plans/documents
5. Accessible housing
6. D1 Use Class restriction
7. Provision of parking
8. Health centre doors
9. Phasing

10. Construction & Environmental Management Plan
11. Construction Logistics Plan
12. Approval of materials
13. Details of non-residential frontages
14. Public realm delivery plan
15. Landscaping
16. Children's play equipment
17. Lighting
18. Block A elevations
19. Drainage strategy and SUDS
20. Mechanical plant details
21. Crossover width
22. Contamination - site investigation and remediation
23. Remediation verification
24. Air quality mitigation measures
25. Hours of operation non-residential uses
26. Delivery and servicing plan
27. Water usage
28. CHP
29. Internal noise standards
30. Piling method statement
31. Tree Protection measures

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 15 May 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.

INFORMATIVES

1. Party Wall Act
2. Thames Water - building over sewer agreement
3. CIL
4. Survey condition of existing road network
5. Advertisement consent required
6. Asbestos
7. Thames Water - waste comment
8. Thames Water - water comment

A) PROPOSAL

The proposed development is submitted as a hybrid application and seeks full and outline permission for the demolition of all existing buildings on site and its redevelopment comprising of:

FULL planning is sought for the following elements;

- Erection of four buildings (Blocks A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units)
- New health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2) – building B
- 3no A-class retail units at ground floor (397sqm)
- Associated landscaping, highways and public realm improvements, including new public space, private open space, associated car parking, cycle parking and servicing provision.
- Highway improvement works will include re-opening of Canterbury Road to vehicles westwards from

its junction with Granville Road to its junction with Neville Close, and the extension of Denmark Road westwards to its junction with Neville Road so that these once again become connected thoroughfares for vehicles.

OUTLINE planning is sought for the following elements;

- Erection of three buildings (Blocks D, F and G) ranging in height between up to 4 and up to 8 storeys to provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private sale units, with associated landscaping, private open space and cycle parking.
- Detailed approval is sought in relation to Access and Layout with the following matters reserved;
 - Appearance,
 - Landscaping and
 - Scale (height/width/length of buildings are set by the parameters set out on drawing number 643-PL-107 Development Framework, and these maximum parameters would be secured by condition)

The 42 affordable homes proposed would replace the current 36 Council properties occupied by secure tenants.

The following housing mix is proposed:

Building	A	C	D	E	F	G	%	Total
1-bedroom	12	15	41	11	6	5	39.8%	90
2-bedroom	25	10	13	12	13	6	34.9%	79
3-bedroom	2		30	11	3	7	23.4%	53
4-bedroom				4			1.7%	4
Total	39	25	84	38	22	18		226

(Table 1.1)

42 affordable units are proposed:

- 11 x 1-bedroom
- 12 x 2-bedroom
- 15 x 3-bedroom
- 4 x 4-bedroom

184 private sale units are proposed:

- 79 x 1-bedroom
- 67 x 2-bedroom
- 38 x 3-bedroom

B) EXISTING

The site is located in within the South Kilburn Estate, on the northern side of Carlton Vale. It covers an area of approximately 1.44 hectares and includes parts of Canterbury Road, Neville Road, Neville Close, Denmark Road and Granville Road. The site and wider area are both covered by the South Kilburn Masterplan and regeneration programme.

The site comprises buildings of between 1 and 4 storeys housing both residential and commercial uses at:

- Peel Precinct,
- 97-112 Carlton House,
- 8-14 Neville Close,
- 2 Canterbury Road; and
- Peel site garages.

The site currently has 56 residential units, which house a mixture of local authority secure tenants and owner occupiers / leaseholders, and a range of retail/commercial uses; these include the West Kilburn branch of the Royal British Legion, located in a building formerly known as the Sir Robert Peel public house. This is no longer a public house for planning purposes (current planning use is Sui Generis, see more detail below), and the temporary South Kilburn Studios at 2 Canterbury Road. Peel Precinct and part of the site is pedestrianised at present.

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

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

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

The site has a Public Transport Accessibility Level (PTAL) of 5, with Queens Park Station 430m away.

C) AMENDMENTS SINCE SUBMISSION

Since the application was submitted it is worth noting that the following amendments have been made:

- It is proposed to revise the treatment of the flank and north elevations of building A.

D) SUMMARY OF KEY ISSUES

- Principle of development: loss of existing uses, and proposed health centre offer
- Affording housing provision
- Place-making
- Quality of residential accommodation
- Impact of the proposal on the amenity of existing surrounding properties
- Access, road connections, parking and traffic impacts
- Environmental considerations; including sustainability, wind and microclimate, air quality and flooding/drainage

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 / research and development	435		435		
Non-residential institutions	120		120	2169	2169
Shops	963		963	384	384

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)	1	19								
EXISTING (Houses û Social rented)	8	28								
PROPOSED (Houses)	79	67	38							
PROPOSED (Houses û Social rented)	11	12	15	4						

RELEVANT SITE HISTORY

Relevant history is limited to planning permission (LPA ref 11/3228) that was granted in 2011 for a the change of use of the Sir Robert Peel public house (Use Class A4) to a British Legion club (private members, sui generis) with some minor physical alterations. This has been implemented

CONSULTATIONS

Consultation letters were sent on 29 September 2016, to a total of 1195 addresses.

Multiple site notice(s) were displayed on 27/10/2016
 Press notice advertised on 13/10/2016

To date four objections and one representation in support have been received, these are summarised in the table below:

Grounds of objection	Response
Proposed 16 storey building would result in overlooking of properties in Malvern Road.	The property in question would be approximately 135m away from the development. Kilburn Park open space will also separate the respective buildings. With this level of separation it is not considered overlooking would unduly harm existing amenity.
Increase in population and lack of social infrastructure for children would lead to anti-social behaviour and disturbance.	New social infrastructure in the area to support population growth can be funded through the amount of CIL that this scheme will be liable for. There is no evidence to show that an increase in population will result in increased anti-social behaviour.
Not enough doctors or dentists surgeries locally to cater for the growing population.	The proposal would deliver a new multi-use health centre, with space for 3 GP's to practice, as well as other related services. This would represent a significant increase in provision to the area.
Scale and massing of the 16 storey building would be harmful to outlook.	See paragraphs 73-83
Scale and massing of the 16 storey is out of keeping with the area.	See paragraphs 40-49
The loss of existing shops has not been adequately replaced, and there is nowhere for local people to meet and congregate.	New retail space is proposed, which would adequately replace the existing units that would be lost, and this provision would serve the local community.
Not enough affordable housing is being proposed.	As discussed in paragraph's 21-28 the level proposed is considered to represent the maximum reasonable proportion that the scheme can viably support. Also, a review mechanism will be secured through the s106 agreement to capture any uplift in viability.
Construction traffic would cause noise issues for residents and St Mary's Primary School.	A Construction Management and Logistics Plan will be required, prior to commencement of any works, to ensure the impact of constructions works on the highway network are minimised (see paragraph 116).
Would result in a loss of light to properties in Canterbury House.	Flats within this building face either north-west or south-east, and due to the orientation of the building to the proposed development it is not considered that there would be any undue loss of light.
The scheme is excessively dense	See paragraph 32 - the proposed density falls comfortably within the London Plan density matrix range.
Minimal open space is being proposed	The proposal would deliver an enhanced public square at the heart of South Kilburn. This would be a welcoming space for people to congregate and enjoy. Aside from this the proposal would deliver a sufficient quantum of private and communal amenity space for prospective residents.
Why won't existing residents elsewhere within the SK masterplan area be re-housed in the new Peel homes?	The scheme proposes affordable homes in excess of those required for the secure tenants currently residing on the Peel site. These excess

	units will be made available to existing secure tenants residing in the wider South Kilburn masterplan area.
Concern that the new social rent properties will not be affordable for future tenants.	The Peel site will deliver affordable rented housing at social rents (not affordable rents at 80% market rent), let at target rents in line with the national rent regime, in order that existing estate tenants can be re-housed.
A 16 storey building is not in accordance with the South Kilburn SPD.	See paragraphs 40-53
The Daylight/Sunlight analysis has not considered properties in Canterbury House, Canterbury Road	Due to the properties distance from the site its inclusion in the analysis was not necessary.
Grounds of Support	
The proposed multi-use health centre is welcomed, and would be an important addition at the heart of South Kilburn	

CONSULTEES

Ward Councillors for Kilburn ward

No response received to date.

Transportation:

No objection raised, subject to obligations as set out below in the Remarks sections and conditions in relation to:

- the need for a Construction & Logistics Management Plan (CLP)
- disabled parking provision
- Electronic Vehicle Charging Point (EVCP) provision
- widening of vehicle access to Carlton House car park

See paragraphs 111-127 for detailed discussion.

Local Lead Flood Authority:

No objection, subject to condition to secure:

- SuDS.

The site is served by the combined sewer system and surface water discharges to the existing foul sewer network. There are no known flooding problems in the area and existing sewers are considered to be adequate in size. The proposed discharge from the development would have controlled discharge and it would be reduced from existing discharge, so flood risk in the area would be reduced. The proposed storage tanks and SuDS features would also be beneficial and would improve the water quality.

Environmental Health:

No objection, subject to conditions in relation to:

- noise limits for plant,
- internal noise levels for residential and health centre,
- the need for a Construction Method Statement (CMS),
- air quality mitigation,
- remedial works for contaminated land and verification of this.
- odour control/extraction equipment in the event that an A3 use is operated on site.

Landscape Design:

No objection, subject to conditions in relation to:

- Further details of hard and soft landscaping including tree planting
- Tree protection

Comments are discussed in the Remarks section, see paragraph's 60-69.

Thames Water (Development Control):

No objection raised, subject to conditions relating to drainage:

Met Police, Secure by Design:

No response received to date.

Greater London Authority (GLA), Stage 1 report and Transport for London:

The Mayor's Stage 1 report (dated 16 November 2016) advises that the GLA considers the scheme to be broadly acceptable in strategic planning terms. A summary of this and some areas of London Plan non-compliance identified is provided below;

Principle -

- The redevelopment of the site to provide higher density housing is supported in accordance with London Plan policy 3.3.
- The proposed health centre would provide both social infrastructure and health care facilities that meet the needs of the local community, and this is supported by London Plan policies 3.16 and 3.17.
- The loss of the West Kilburn branch of the Royal British Legion (RBL), who operates as a private members club (Sui Generis), and who occupy the former Sir Robert Peel public house should be clarified further ahead of any Stage 2 referral, noting London Plan policy 3.1.
- The closure of the South Kilburn Studio's is noted, so too is the fact the Granville Centre in South Kilburn has been identified for the Studio occupiers.

Housing -

- London Plan policy 3.3 confirms the pressing need for more homes. The proposed scheme would equate to 14% of the Boroughs annual monitoring target.
- It is noted that there would be no loss of affordable housing. The existing 36 social rented units would be replaced by 42 social rented units. This accords with London Plan policy 3.14.
- London Plan policy 3.8 requires new developments to offer a range of housing choices. It is considered the scheme would provide a balanced mix of residential units.
- London Plan policies 3.11 and 3.12 seek to maximise the delivery of affordable housing. It is noted that the Councils regeneration programme for South Kilburn seeks to deliver 2,400 new homes, of which 1,200 would be delivered as affordable for existing tenants. Affordable housing delivery is being secured on a phase by phase basis to deliver a minimum of 50% across the entire programme. To date 1,368 homes have either been completed, are under construction or have detailed planning consent, and 51% are affordable. This demonstrates the regeneration programme is on track to deliver a policy compliant level of affordable homes. The proposal would deliver 42 social rented homes (18.6%). The estate regeneration does allow for some phases to provide a higher proportion of private sale, to generate cross subsidy for the development of affordable units and community uses to deliver a target of 50% across the entire programme. It is noted that this phase is delivering a new enlarged health centre and enhance public realm. In this context the wider regeneration is considered to satisfy policies 3.11 and 3.12.
- The housing unit mix is considered to provide a good mix of units from one to four bedrooms, with 25% of units three bedrooms or more.

Children's play space -

- The proposed development provides a wide variety of public and private amenity space, including doorstep play and play elements within communal gardens for younger age ranges. Provision for over 11's would be met through a combination of on-site provision and existing play provision in the adjacent Kilburn Park.

Density -

- Based on the characteristics the site can be regarded as having an 'urban' setting with a PTAL of 5. The density matrix in the London Plan suggests an indicative range of 200-700 habitable rooms per hectare (hr/ha). The proposed scheme is 545 hr/ha, which complies with London Plan policy 3.4.

Urban Design -

- The proposals demonstrate a well thought out street-based layout that responds successfully to existing context, enhancing the public realm.
- The hierarchy of routes and proposed blocks respect the existing urban grain. The western frontage of the health centre building should however look to respond to Neville Close, and the building should not turn its back on Craik Court. Further details of the pedestrian routes/access to the western side of the building should be provided.
- Residential blocks form strong and active street-based frontages with individual front door entrances.
- Residential layouts are broadly supported, with efficient core to unit ratios and a good balance of through units and duplex which results in no north facing single aspect units. A variety of private amenity spaces are provided, each designed to be accessible with good levels of daylight/sunlight penetration.
- The form and massing of buildings is supported. Taller elements would create a 'spine' of

development running north to south through the site. Daylight/sunlight analysis undertaken confirms the location and form of the tallest 16-storey element would not have significant overshadowing effects.

- The architectural response, housing typologies and palette of materials are all supported.

Inclusive Design -

- The quantity of wheelchair units proposed meets the requirements set out in London Plan policy 3.8. However, only 2 wheelchair units are proposed as affordable, and this should be increased.
- Routes through and around the site have been designed to be accessible and easy to navigate.

Climate change mitigation -

- Based on the submitted energy assessment the development can be expected to achieve an overall carbon reduction saving of 35%. Verification should be provided in relation to cooling demand, district heating, the use of CHP, and the use of air source heat pumps.

Flood risk and sustainable drainage -

- The proposal is acceptable in terms of flood risk and drainage.

Transport -

- With regards to vehicle access it is requested that a Stage 1 Road Safety Audit be undertaken.
- TfL raises no highway capacity concerns, and notes spare capacity on local bus services. The impact is considered to be negligible.
- The quantum of parking (24 on-street and 30 private spaces) is accepted by TfL. A permit-free legal agreement would need to be secured for units not eligible for on-street permits.
- The provision is 18 blue badge and 5 adaptable spaces is welcomed. Provision of 20% electric vehicle charging points should be ensured (this would be secured by condition).
- Increased provision of 33 long-stay cycle spaces should be provided to ensure compliance with London Plan cycle parking minimum standards.
- A final version Travel Plan should be secured by s106 agreement.
- A delivery and Servicing Plan and Construction Logistics Plan should be secured by condition.

Member pre-submission engagement:

The proposed development was presented as a pre-application development presentation item to Planning Committee on 5 July 2016. Clarification was sought from Members in relation to the amount of affordable housing, parking, the health centre offer, potential for overshadowing from the tower element and the closure of the Royal British Legion, and South Kilburn Studios.

Community involvement:

A Statement of Community Involvement (SCI) supports the application, and sets out in detail the lengthy process of community consultation that has been undertaken.

In accordance with the NPPF, the developer has consulted Ward Councillors and the local community as part of the community consultation process.

- Engagement meetings have been held with local residents and stakeholders, as well as existing secure tenants who the Council anticipates would move into the new homes.
- Three public consultations during the design evolution
- 1 public exhibition prior to submission of planning application
- A series of Residents' Design Group meetings have been held.
- Regular updates provided at South Kilburn Tenant Steering Group.
- Updates provided at Brent Connects event.
- Proposals displayed on Brent Councils website

Formal pre-application consultation was held with Brent Council officers and the GLA.

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)
- Mayor's Housing SPG (2016)
- Mayor's Sustainability Design SPG (2014)
- Brent's South Kilburn Supplementary Planning Document (2005)
- Brent's Supplementary Planning Guidance No. 17 (Design Guide for New Development) (2001)
- Brent's Supplementary Planning Document S106 Planning Obligations (2013)

DETAILED CONSIDERATIONS

PRINCIPLE OF LAND USES:

South Kilburn regeneration context:

1. The proposed development is allocated as part of phase 3a of the Council's South Kilburn Masterplan and regeneration programme; this is supported by an adopted Supplementary Planning Document (SPD) from 2005. The SPD refers to the area to the north of Carlton Vale as the Urban Quarter, and the Peel site sits on the eastern end of this area.
2. The principle of redevelopment is acceptable and complies with Council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is located on previously developed brownfield land, currently supports residential use and is in a sustainable location (PTAL 5). Officers give significant weight to the planning merit of providing new homes (including provision of affordable homes), new community facilities, to an enhanced public realm and to making efficient use of the land by providing these homes at a reasonably high density.
3. 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.
4. The adopted South Kilburn SPD (2005) supports the regeneration of South Kilburn, and the increase in the mix and proportion of tenures to create a balanced community, provided that there is no loss of existing affordable housing. The need for new health care facilities is identified, with Peel Precinct noted as being an appropriate location for this. In order to help achieve the wider objectives for the redevelopment of the area it would be considered acceptable to reduce the number of town centre uses in Peel Precinct.

Loss of existing uses:

5. London Plan policy 3.1 says that development proposal should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving the loss of these facilities without adequate justification or provision for replacement should be resisted.
6. To enable development to come forward all existing residential and non-residential buildings on site require demolition. This includes:
 - the former Sir Robert Peel public house currently occupied by the West Kilburn Branch of the Royal British Legion (RBL); and
 - South Kilburn Studios (SKS).

Former Sir Robert Peel public house:

7. In planning terms the current occupation and use of the former public house by the RBL as a social club is considered to have a Sui Generis use class, also agreed by the GLA in the Mayor's Stage 1 response. The planning use of this building was formally changed from a Public House (Use Class A4) to Sui Generis in 2012 under planning permission ref: 11/3228, granted on 27/01/2012. The RBL relocated here from previous premises on Albert Road, South Kilburn when that site came forward for regeneration. The RBL received payment at that time from the Council for their former site. The re-location to Peel Precinct was on the basis this would be a temporary home until such time that the Peel Precinct site came forward for redevelopment, as part of a later phase of the South Kilburn regeneration programme.
8. The RBL provides a members-only service which by definition is not accessible to the wider public, or

local community in the same way as a public house or community use. There is no policy basis that would resist the loss of a private members club, as such it is not considered the loss of this use without re-provision or suitable re-location would conflict with current planning policy that affords protection to community facilities.

Loss of South Kilburn Studios:

9. South Kilburn Studios occupy 2 Canterbury Road, and this use was approved as a temporary meanwhile use in order to ensure continued occupancy and active use of these former Council offices. By its very nature this meanwhile use was only ever intended to be temporary. It is not afforded policy protection, and this or any other form of meanwhile use should not become a barrier to regeneration. Given its temporary nature there is no policy requirement for SKS to be accommodated within the proposed development. It should be noted however that the Council does provide part funding for the Studios and an alternative site within the wider South Kilburn regeneration area (the Granville Centre) has been identified for the Studios to move to and occupy. There are plans to refurbish the Granville Centre during 2017 to become an Enterprise Hub. When these works are complete there would be an opportunity for the Studios use to be re-accommodated within the existing area; nevertheless, this application is not contingent on the Enterprise Hub plans.

New social and amenity infrastructure:

10. In the context of the above uses ceasing it is important to weigh up the wider planning merits of the proposal. An alternative and enhanced form of community use is proposed: a large, multi-use health centre is proposed for the heart of South Kilburn, and adjacent to this an enhanced public square. The health centre provision meets one of the key objectives of the South Kilburn SPG, and Core Strategy policy CP6, as well as conforming to London Plan policy 3.17.
11. Core Strategy policy CP9 relates to the South Kilburn growth area and it is anticipated that a range of new infrastructure will be delivered in support of this growth, including the need for multi purpose community centres. The adopted South Kilburn Masterplan SPD identifies the Peel Precinct as a possible suitable location for new large scale community facilities including an indoor sports facility and healthy living centre. This scheme proposes a new large scale health centre however does not propose the indoor sports facilities as these have already been provided elsewhere with the St Augustine's sports centre and the redevelopment of the Moberly Sports Centre, rebuilding Moberley sports centre. This is considered to be sufficient to meet local needs.
12. Currently there are 18 commercial properties within the Peel site. This comprises a range of A1-A3 uses, GP surgeries and the aforementioned uses in the former public house and South Kilburn Studios.
13. The GPs would have the opportunity to relocate to the new health centre (see below), and an existing retailer has already secured new premises on Rupert Road, delivered as part of an earlier phase of regeneration.

The Health Centre:

14. This would be a GP led health centre arranged over five floors in the heart of the new precinct (within Block B). It would provide the opportunity accommodate the GP currently located within Peel Precinct plus an additional two practices to help meet projected population growth and space for other associated health services. With a gross internal area (GIA) of 1,997sqm it represents a significant increase in health provision for this part of the borough. Each floor would be laid out with a series of clinical rooms around a central waiting area and has been designed to be capable of future adaptation and flexibility to meet patient needs.
15. Funding for this facility would come from the revenue generated by the new homes for market sale.
16. At first floor level, flexible 'wings' spaces are proposed either side of the core health centre. The applicant seeks greater flexibility of the use of these spaces, to help increase the likelihood of finding future occupants. Flexible A Class uses, D1 and D2 uses are sought for these spaces. Access to these would be through the main health centre entrance and reception.

Commercial amenities:

17. To complement the health centre a new pharmacy is proposed at ground floor, with a frontage onto

Carlton Vale. A new café is proposed, and this would be connected to the main waiting area of the health centre, whilst also having its own entrance direct from the public square. A retail unit is proposed to the north of the core health centre, with a frontage onto Canterbury Road bringing further activity. The aforementioned flexible 'wings' could also accommodate commercial uses.

18. An aspiration for the site is a future market for the public square, however this is not proposed as part of this application. The option to have a market would be supported by the provision of a market store/office within Block D, and through providing the necessary utilities infrastructure.
19. Consolidation of town centre uses in Peel Precinct is supported through the adopted South Kilburn SPD (2005), and the ranges of uses proposed are welcomed as they will help to generate footfall through the area, increase the vitality of the area, encourage use of the public space, provide local amenities for residents and provide replacement floorspace for the commercial units that are currently within Peel Precinct, and are to be demolished. The health centre would become a hub building, a focal point, and would be strategically located at the heart of South Kilburn.
20. For the reasons set out the mixed use, residential lead development is considered acceptable in principle, subject to compliance with other aspects of the Development Plan and other material planning considerations.

HOUSING

Affordable Housing:

21. The 18.6% affordable housing proposed is on balance acceptable, subject to a post implementation review to capture viability improvements.
22. London Plan Policies 3.11A, 3.11B and 3.12 require boroughs maximise affordable housing provision, set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the local plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output and Brent's DMP15 – Affordable Housing provides further guidance on how the Council will evaluate such appraisals.
23. The South Kilburn Regeneration programme is committed to re-providing social rented housing for existing tenants and to deliver 50% affordable housing. Whilst not each and every phase has delivered 50% affordable housing, that level has been achieved across the wider programme. To date the programme has and is delivering 943 new homes of which 536 (57%) are affordable, with 509 (54%) social rent and 27 (3%) intermediate. Planning permission has been secured for a further 425 new homes of which 163 (38%) are social rent. Overall there are 1368 homes which have been completed, are under construction or have detailed planning consent, and 51% are affordable.
24. The Peel Precinct scheme proposes 226 new homes, of which 42 are social rent (18.6%). The South Kilburn Estate Regeneration Team appointed Deloitte to draw up a Financial Viability Assessment (FVA). Deloitte contend that 18.6% social rented housing represents the maximum reasonable amount of affordable housing the scheme can viably deliver, with the scheme £9.4m in deficit against the £15.1m benchmark land value and a blended profit of 19% on GDV. The Local Planning Authority appointed BPS to review the Deloitte FVA, and the financial viability of the scheme more generally.
25. With respect to benchmark land value, BPS reviewed the schedule of multiple residential and commercial interests that form the site, provided by the South Kilburn Estate Regeneration Team. BPS consider the Deloitte EUV + 20% premium approach to valuing the land proportionate for what are income generating assets and consequently agree the £15.1m land valuation appropriate. BPS consider blended profit at 19% GDV and other assumptions such as 6% finance, 10% professional fees and 5% contingency, as reasonable and in line with market expectations. BPS do however view Deloitte's assumed residential sales values for the proposed flats on the upper floors to be under-valued, and make additional value engineering savings on the build costs. BPS in summary conclude that at 18.6% social rented housing the scheme would be in deficit by not £9.4m, but by the lower £4.5m, and therefore that 18.6% social rented housing does represent the maximum reasonable amount of affordable housing the scheme can viably deliver.

26. Deloitte have responded to the BPS analysis and maintain their view on both residential sales values and build costs. Whether one agrees with Deloitte or BPS (or assumes a viability position somewhere in-between), the scheme with 18.6% social housing is any case agreed to be in deficit, and as such to represent the maximum reasonable amount of affordable housing the scheme can viably deliver. Officers note in this case that the relatively high costs of assembling the site, the net £2.5m cost to the development of delivering the health centre, and all the affordable housing being delivered at social rents, are key factors that drag down the viability and overall amount of affordable housing.
27. The agreement that 18.6% is the maximum viable amount of affordable housing that this scheme can provide notwithstanding, the applicant and officers have investigated other options in response to Member’s challenge at the pre-application presentation to provide more affordable housing. In line with Council policy and CIL Regulation 73, Officers instructed BPS to model the impact of taking an in-kind infrastructure payment in lieu of CIL cash liability, for that part of the health centre considered to be strategic infrastructure, rather than meeting local health needs identified by the NHS and necessary to make the scheme acceptable in planning terms. BPS estimate such in-kind infrastructure payment at £1.425m. BPS will confirm the final figure after consideration of Deloitte’s latest comment on build costs. If £1.425m in-kind payment is taken, then both BPS and Deloitte calculate an additional 9 flats can be taken as shared equity units, to be made available to existing leaseholders in the area at a price commensurate with the value of their current properties, and increases the amount of affordable housing to 22.6%. In line with the November 2015 Cabinet decision, this matter is delegated to the Operational Director of Regeneration in the event that Members decide to grant planning permission.
28. Given the affordable housing level falls significantly below the Local Plan 50% target, and the inherent uncertainty associated with FVAs, in line with DMP15 it is recommended a post implementation review mechanism be secured in the s106 agreement. Such review to examine actual costs and values closer to practical completion of the scheme, with half of any surplus against the agreed benchmark land value and profit taken in the form of a commuted payment (capped at level commensurate with 50% on site affordable housing) for offsite affordable housing.

Unit mix:

29. A broad range of one to four bedroom units are proposed, as shown in the table below:

	1B2P	2B3P	2B4P	3B4P	3B5P	3B6P	4B6P	Total
Affordable	11	-	12	-	15	-	4	42 (18.6%)
Market	79	33	34	16	18	4	-	184 (81.4%)
Total	90		79			53	4	226

(Table 1.2)

30. This demonstrates the provision of a well balanced mix of residential units in terms of sizes and types. It comprises of;-
- The maximum reasonable proportion of affordable homes, and 25% of homes would be family sized which would help to meet an identified Borough need, as set out in Core Strategy policy CP2.
 - Replacement homes (social rent): 42 (incl 4 wheelchair units) = 18.6%
 - Homes for open market sale: 184 (incl 19 wheelchair units) = 81.4%
31. In terms of housing choice it is considered this would satisfy London Plan policies 3.8, 3.9, 3.11 and the Mayor’s Housing SPG, Core Strategy policies CP2, CP6 and CP21, as well as the South Kilburn SPD.

DENSITY

32. The proposed scheme would result in a level of density of 543 hr/ha, which complies with London Plan policy 3.4. At the same time would make efficient use of this land to provide a significant contribution to Brent’s annual housing target of 1.525 homes. 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 the application site, which is considered to be in an ‘Urban’ setting with a PTAL of 5, would be appropriate for accommodating 200 – 700 hr/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”.

PLACEMAKING

Layout and access:

33. A comprehensive redevelopment of the Peel site is proposed in the form of seven new buildings (referred to as Blocks A – G) of varying heights and with different typologies and extensive public realm and highway improvements with the aim of creating a network of streets and active frontages.
34. Blocks A and C would include retail floorspace and Building B would accommodate the multi-use health centre. Residential units would be placed within Blocks A, C, D, E, F and G.
35. It is proposed to re-establish road connections in order to re-connect roads that were disconnected through estate redevelopment in the 1960s and 1970s. This would see the re-connection of Canterbury Road which runs through the site in an east-west direction, and Denmark Road, which lies further north. Both roads would be re-connected for vehicular access. This is welcomed as it would improve permeability, remove existing dead-end routes and would re-introduce a street-based layout that responds well to the existing network.
36. The public realm strategy proposes to make use of traffic calming and landscaping measures to maintain pedestrian priority through these routes.
37. The street-based layout would create a clear hierarchy of routes which would repair the urban grain. Canterbury Road would be the primary route through and maintain a 20m width between buildings. Denmark Road would maintain similar widths of between 18-20m. Neville Road and Granville Road would be secondary routes, and this is reflected by them being narrower at 12-15m.
38. At the heart of the site is the proposed linear public space. Currently there is a pedestrian only link from Peel Precinct to Carlton Vale and the park on the southern side of Carlton Vale. This is unattractive, unwelcoming and is not a space where people would choose to linger and enjoy. The proposal is to maintain this as a pedestrian only link, but to make this an improved public space. Vehicle access would be restricted to emergency service vehicles only. The public realm through this area would be enhanced through new hard and soft landscaping, seating and this would ensure this area is future proofed for the potential provision of a street market, and flexible to other potential uses, including community events. This space would be flanked by a range of different uses, including A1-A3 and the new health centre. These uses would help to increase footfall and further activate the public space. In urban design terms this layout is supported, and further details of the landscaping treatments would be secured by condition, particularly to ensure the palette of materials used is consistent.
39. Individual buildings across the site have been designed to have strong and active street-based frontages; key to this is the provision of individual front entrance doors. All ground floor units have their individual entrances from the street, including private front gardens or other form of defensible space. Level access would be provided throughout for wheelchair users.

Scale and massing:

40. The scale and massing of the proposal are considered acceptable and in this respect the scheme complies with the relevant London Plan (policies 7.6 and 7.7) and Brent policies and the guidance within the NPPF.
41. The South Kilburn SPD (2005) identifies the Peel site as appropriate for accommodating a landmark building and identifies the adjacent Craik Court site as being appropriate for accommodating a building of 10 stories or more. Brent Core Strategy policy CP6 identifies tall buildings as being acceptable within the South Kilburn growth area.
42. There are existing examples of tall buildings locally; Craik Court is 12 storeys, Hereford House is 18 storeys, and more recently development up to 10 storeys has been built along Albert Road.
43. The South Kilburn Conservation Area is situated to the east of the Peel site. The application has been assessed against the NPPF Chapter 12 and Brent's policy DMP 7 which seeks to preserve or enhance Brent's heritage assets. The edge of the Conservation Area is separated from the closest edge of the application site, and no designated heritage asset would be directly affected by the proposal. Taller elements of the proposed development would be visible from locations within the Conservation Area,

however this is no different to the existing situation whereby existing tall buildings can be viewed from various locations within. Arguably there would be an improvement as the tower element has been designed to be slender with high quality detailing and materials. The tallest buildings have been sensitively located furthest away from the Conservation Area so as to minimise their potential impact. On balance the proposal is far enough away that it would preserve the setting of the South Kilburn Conservation Area.

44. Given the context, location and mix of uses the SPD recognises that there is an opportunity to introduce a wide mix of building heights.
45. Building heights within the proposed scheme range from 4 to 16 storeys, with building heights rising from north and east towards the south. This places the tallest element, the 16 storey Block A, fronting Carlton Vale which is the main thoroughfare of South Kilburn. Block A terminates the southern end of a south-north spine of development along the western side of the public square.
46. The new health centre sits at the heart of this spine. In both place-making and urban design terms this is considered the most appropriate location on which to site the tallest element, as it is along the main Carlton Vale route and overlooking Kilburn Park. It is also in close proximity to Queens Park Station (PTAL 5) where higher density development is most appropriate. Contextually this would also relate to the scale and massing of neighbouring Craik Court, which, although lower at 12 storeys, is bulkier than the current proposal.
47. The health centre and its ancillary uses would become a community hub, strengthened by the new and improved public square that it would front. It is considered appropriate therefore for the 'heart' of South Kilburn to be symbolised by a landmark building, and one which accommodates greater height than its existing context.
48. In order to further justify the height, high standards of design and architecture are required so that the building makes a positive contribution to its environment; this is reinforced through London Plan policies 7.6 (Architecture) and 7.7 (Design of Tall Buildings). It is considered that this would be achieved with the current design, through its simple, yet well considered palette of materials and the architectural detailing. That is achieved through the 'fins' and the use of reconstituted stone surrounds, which would contrast well with the brick and glazed elements. The form of architecture proposes a building that appears slender, elegant and well composed with a clearly defined base, middle and top. This would be evident from close up and from more long distant views, and the quality of architecture and how this building would benefit its environment is evident in the submitted perspective views.
49. The treatment of the commercial uses at ground floor would help to 'ground' the building. The pharmacy would have its main frontage and entrance onto Carlton Vale; this is expressed through floor to ceiling glazing, framed by the stone 'fins'. The entrance would be legible, with a secondary entrance also provided from the public square. The café and the second retail unit would also have a presence onto the public square and Canterbury Road respectively. Signage in relation to these uses would need to be designed sensitively so as not to detract from the overall appearance of these buildings, in any event this would require separate advertisement consent.
50. The treatment of the health centre through the use of vertical stone fins helps to signpost this building, and makes this easily distinguishable from the residential buildings either side (Blocks A and C).
51. Lower rise terrace buildings are proposed fronting Canterbury Road. Block E is part 4, 5 and 6 storeys, which is broadly in keeping with the scale of neighbouring Carlton House. The scale of buildings increases in height as you move further away from Carlton House, with roof 'pop ups' along the terrace.
52. Blocks F and G also seek to echo the approach to Block E and would range from 5 to 6 storeys. These have been designed as terrace buildings, with repeating bays, individual front doors, 'pop up' roof elements and front and back gardens.
53. In the interests of making efficient use of previously developed land, the need to optimise housing potential of sites and having had due regard to the site context the ranging scale of development is considered to respond appropriately to the existing and the emerging townscape.
54. With buildings of this scale there is potential for them to adversely impact on surrounding amenity, so detailed daylight/sunlight analysis has been undertaken to test this. The results of this are discussed below.

Elevations: architecture, fenestration and materials:

55. A simple palette of materials is proposed to ensure a consistent language between the buildings, with individuality to the buildings to be achieved through differing approaches to fenestration and articulation. Brick would be the dominant material, which is appropriate given the existing and historical context in South Kilburn and its durability and textural qualities.
56. The health centre (Blocks A, B and C) would have verticality to it, achieved through the use of reconstituted stone fins. This approach is also proposed to make the primary health centre element (Block B) easily distinguishable from the residential parts, and helps to express the southern elevation (overlooking Kilburn Park). Windows and bricks would be set back from the reconstituted stone frame, and this would give depth to the elevations. Elsewhere the elevations would have a clear and repeating rhythm of windows and door openings to the brickwork. A light coloured brick is proposed, which would complement the reconstituted stone material.
57. The architectural language is repeated for Block E through the use of light coloured brick, and reconstituted stone window surrounds. Projecting bays and roof 'pop ups' help to break up the terrace and the use of glazed bricks to highlight the 'pop ups' is considered to add a further interesting element.
58. Whilst Blocks D, F and G are all submitted as outline (with 'Appearance' a Reserved Matter) it has been demonstrated that these would be in keeping with the materials palette and design of Blocks A, B, C and E, and that they would maintain the same level of quality. In any event further details of all external materials would be required as a condition of any approval.
59. On the whole the use of materials and articulation of individual buildings is well considered, and would result in a high quality development, subject to a number of conditions to ensure the quality and detailing would be delivered.

Trees and landscaping:

60. Removal of 11 trees is necessary in order to facilitate development and this is accepted by Officers. A comprehensive tree planting and landscape strategy is proposed, which would result in the planting of 66 new trees of varying maturity and species and this would be secured by condition.
61. Council's have a duty to ensure adequate provision is made for the preservation or planting of trees under s197 of the Town and Country Planning Act 1990 (as amended). A tree survey has been carried out in accordance with British Standard BS5837:2012. This shows that tree coverage across the site is relatively low. The largest concentration of trees is found close to nos 34-57 Peel Precinct. Other trees dispersed across the site area are local authority planted, are of mixed maturity and are either category B or C rated.
62. It is proposed that street trees be arranged in an orderly format, with some laid in the carriageway (subject to Highways approval) in order to assist with traffic calming measures. All street trees are proposed to be one species, Acer Campastre, to complement existing street trees in the area. A range of different tree species would then be used within the shared amenity spaces, and would also be introduced within the linear public space. A landmark tree is proposed to act as a focal point within the centre of this new public space.
63. Landscaped private front gardens are included for Block E units. These would achieve the 50% landscaping target through an arrangement of shrubs and hedges, which would contribute positively to Canterbury Road.
64. Detailed proposals for the shared amenity spaces (Blocks D and E) and roof terraces (Blocks A and C) demonstrate that the choice and range of plants would enhance biodiversity. These spaces would incorporate bespoke play features, informal opportunities for play, doorstep play for 0-5 years, seating, benches.
65. Blocks D, F and G are submitted in outline form, therefore the approach to planting that is shown is only indicative and is intended to demonstrate the strategy that would follow and in any event further details would come forward at Reserved Matters stage. Notwithstanding this the landscape strategy in general submitted does demonstrate an approach to both the public realm and private areas that would strike the correct balance in terms of ensuring these spaces are green, attractive for users and encourage people

to enjoy the spaces.

66. Low level and transparent boundary treatments (typically 1.1m high) are proposed which would differentiate public and private areas, without appearing overly defensive within the streetscene.
67. Some of the detailed design elements of the landscaping strategy have the potential to conflict with the Highway Works. These matters, which primarily relate to the location of trees, can be addressed through a detailed landscaping condition that would require the submission and approval of further details. This would also control the hard landscaping treatment through the public space, as the cast iron circular pieces are not supported, neither are the Broxap bollards – stainless steel bollards would be preferable, nor the style of benches proposed.
68. The 'PEEL' freestanding lettering that would be installed within the public space has the potential to add an interesting element to the landscape. This would also help to signpost the space. The applicant has two options currently for the lettering, and final details would be subject to a condition.
69. On balance the landscape and planting strategy would increase tree coverage, would result in greater species variety, enhance biodiversity and help to contribute positively to the public realm. It would also lead to the creation of good quality and interesting private and shared amenity spaces. In any event detailed surfacing, planting and play proposals would be secured as a condition of approval, and in respect of Phase 3 works Landscape details would be submitted as a Reserved Matter.

QUALITY OF ACCOMMODATION (proposed):

70. All homes (226 in total) meet the minimum space standards as set out in the London Plan, and the nationally described space standards. This complies with London Plan policy 3.5 and Brent DMP policy DMP 18.

Accessibility:

71. London Plan policy 7.2 seeks to ensure that new development achieves the highest standards of accessible and inclusive design. 23 dwellings (10%) have been designed to be wheelchair adaptable dwellings and meet the requirements set out in Part M4(3) 'wheelchair user dwellings'. All other dwellings across the scheme have been designed to meet the requirements set out in Part M4(2) 'accessible and adaptable dwellings'. This will be secured by condition. The GLA has confirmed the quantity of wheelchair adaptable units proposed meets the requirement of London Plan policy 3.8. Four of the wheelchair units are proposed as affordable housing.
72. The layout and arrangement of buildings has allowed the proportion of dual aspect units to be maximised through a combination of through units and dual aspect units. The result is that there is no north facing single aspect units.

Outlook and privacy:

73. Adopted Supplementary Planning Guide 17 'Design Guide for New Development' says that a minimum distance of 20m should be achieved between facing habitable room windows, in order to safeguard against overlooking and loss of privacy. The proposed development is not fully compliant in this regard; however, in justified circumstances this standard can be relaxed: for example where there is an appropriate design response that mitigates, where facing windows are not sole habitable room windows, where it is demonstrated that what is proposed respects the existing urban grain or where the wider planning merits would outweigh any shortfall.
74. The arrangement of Blocks A-G is informed by the street based layout, which results in variations in separation distances between individual buildings within the site. These variations reflect the existing urban grain within South Kilburn, where there are differences in typologies of buildings, and how these relate to one another.
75. Block C which forms part of the central 'spine' of development through the site would be separated from the western flank ends of Blocks F and G by a distance of 17.4m. This distance would be across the public space, which would be tree planted in places so at lower levels, and once established the trees would provide a natural screen between facing elevations.
76. Units within Block C facing east would not directly face primary habitable room windows within the flank

ends of Blocks F or G. Although permission is only sought in outline for Blocks F and G, 'Layout' is not a Reserved Matter so it can be determined from this that a reasonable level of separation would be provided, and opportunities for directly facing habitable rooms within these buildings would be limited through the orientation of units and the arrangement of windows.

77. Blocks F and G are expressed as two terraces, which share a central courtyard. The splayed orientation of the terraces ensures that habitable windows do not directly face one another. These are not back-to-back facing terraces. In part only, the south facing elevation of Block G is to be 12m from the rear of Merle Court, and some directly facing windows will result. Normally a separation of 20m would be required. However the proposed level of separation, at 12m is more generous than the current arrangement, it impacts on a proportion of flats only in Merle Court and when planning permission was granted in 2010 for Merle Court this was in the knowledge that Peel Precinct, and buildings to the north of Merle Court were likely to come forward for comprehensive redevelopment at a later date. Due to the existing context, density and scale of the proposed development, its setting within an emerging urban context and the wider planning benefits that this would bring a more flexible application of SPG17 guidance is considered appropriate.
78. Canterbury Road would be the principal road through the site, this dictates the degree of separation for buildings either side of this. Resulting in 20m between facing elevations of Blocks E and F, which is compliant with SPG17.
79. Due to the siting of Blocks D and E there is a pinch point where the south western end of Block E is within 6m of the facing elevation of Block D. Direct overlooking does not occur, however, due to the siting of the lift/stair core in Block D.
80. Block D would provide a strong and active frontage along Neville Road which would enclose the street. The eastern elevation of this would be 15m from the building on the opposite side of the road (Oxford – Kilburn Club). As this building opposite is not in residential use then overlooking and loss of privacy would not occur.
81. The distance between the north east corner of Block E and Carlton House is 16.5m at its narrowest. In response to this relationship where Block E comes to within 20m, or less, of the facing elevation of 89-96 Carlton House the internal unit layouts have been arranged so that windows opposite one another would not be directly in line. Where there are existing forward projections to Carlton House these have been lined up so that they are opposite stair cores in the proposed development (building E).
82. The north eastern gable end of Block E is 15.5m from Carlton House, however this is only applicable up to third floor level because after this the building steps back. Windows within this elevation are secondary only so could be obscure glazed if that was considered necessary, and once again these windows have been placed so that they do not sit directly opposite Carlton House windows.
83. When regeneration which seeks to optimise the housing potential is proposed within an existing densely populated urban area, then there will often be a need to apply standards more flexibly. As discussed, this scheme does have some shortfalls in terms of separation distances, but for the reasons set out above, overlooking and loss of privacy have been largely mitigated and on balance it is considered a good standard of accommodation would be achieved for prospective and neighbouring residents.

Residential amenity space:

84. Brent DMP policy DMP 19 states that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its residents'. This is normally expected to be 20sqm per flat and 50sqm for family housing. The proposed scheme is compliant in this regard.
85. Each property would benefit from some form of private amenity space in the form of private gardens or recessed balconies. The private space is complemented through the provision of communal gardens, for Blocks D and E, and Blocks F and G. Communal roof terraces are also proposed for Blocks A and C.
86. In total the different forms of amenity space amount to 5,636sqm. This quantum is in accordance with both the Mayor's Housing SPG and policy DMP 19.
87. Additionally, the site is well served by existing open space. Kilburn Park is opposite, on the southern side of Carlton Vale. Paddington Recreation Ground and Queens Park are both within 800m of the site. The recently completed Woodhouse Urban Park, which includes play for older children, is within 400m of the

site.

Children's play space:

88. Play space provision to cater to a range of age groups is proposed in accordance with the Mayor's 'Play and Informal Recreation' SPG and London Plan policy 3.6.
89. The estimated child yield overall is 77 children, which generates a requirement for approximately 775sqm. A variety of doorstep play and play elements within communal gardens is proposed. Roof terraces for Blocks A and C would include doorstep play for ages 0-5, it also suggested that Block D's roof terrace could also. The private shared communal space for Blocks D and E is relatively large, this allows for the provision of a wider range of play opportunities. Here two bespoke pieces of play furniture are to be provided to encourage play and social interaction. The communal space between Blocks F and G would accommodate smaller scale play features, more appropriate for the size of this space.
90. In any event further details would be required by condition, or at Reserved Matters stage (Blocks D, F and G).

AMENITY/ENVIRONMENTAL CONSIDERATIONS:

Wind and microclimate conditions:

91. The wind and microclimate effects of the development would, on balance, be acceptable. London Plan policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to wind and microclimate. The same applies through policy 7.7 when considering tall and large buildings.
92. Due to the building heights proposed there is the potential for harm to occur. In view of this a detailed wind assessment has been carried out. This assesses the likely effects of the proposed development on local wind conditions. The analysis indicated that this is not likely to have a significant adverse impact on the wind conditions on site and in several areas has a beneficial impact when compared to the baseline condition (the existing site).
93. With the proposed development in place the future wind conditions around existing properties are predicted to be suitable for their intended use and there are no adverse impacts predicted when compared to existing site conditions. Wind conditions for entrances within the proposed development are also considered to be within acceptable limits.
94. Conditions around amenity spaces were also assessed. Conditions for existing amenity spaces were found to be suitable for their intended use. Two areas located east of Block A were identified minor adverse effects when compared to their intended use. However, it is recommended that this can be mitigated against through carefully considered local landscaping to help act as wind shields, and this can be secured by condition. A seated area in the park on the opposite side of Carlton Vale, was assessed and whilst it was predicted to not achieve the correct wind conditions for its intended use under proposed conditions, it does not under the existing conditions. It is considered unlikely that any on site mitigation measures would effectively reduce the impact on this area due to the distance of this from the site.
95. Wind conditions to amenity spaces within the proposed development are considered to be suitable for their intended use. Balconies would be recessed and roof terraces would have parapets and be provided with local landscaping to act as buffers and wind shields.
96. Wind conditions to footpaths, road and car park spaces show an improvement in comparison to their intended use, and no adverse impacts were recorded.
97. On balance the results do not indicate any major adverse effects on local wind conditions with the proposed development in place, subject to some limited mitigation measures to be secured by condition.

Daylight and sunlight conditions: Impact on neighbour amenity and prospective occupiers:

98. The daylight and sunlight conditions for future and neighbouring residents would be acceptable, on balance.
99. A daylight and sunlight report has been submitted which has been used to understand the impact upon

daylight and sunlight amenity of the existing surrounding buildings which may arise from the proposed development. It also looks at internal daylight and sunlight conditions for the proposed units to determine whether or not these would receive sufficient daylight and sunlight levels.

External conditions:

100. The results of this report are that 73% of the identified surrounding receptors tested meet the Building Research Establishment (BRE) guidelines for daylight, and 88% in terms of sunlight analysis. The existing buildings most affected by the proposal are 65-96 Carlton House and Merle Court.
101. All daylight and sunlight calculations have been carried out in accordance with the BRE report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' (2nd Edition, 2011) and also British Standard 8206 – 2:2008 'Lighting for Buildings, Part 2 – 'Code of Practice for Daylighting', to which the BRE guide refers.
102. The main purpose of the BRE guide is to assist in the consideration of new and existing buildings to ensure that each retains a potential to achieve good daylight and sunlight levels. It is important to note that the guidelines have been drafted primarily for use with low density suburban developments and should therefore be applied more flexibly when dealing with more dense urban sites, such as this one. The BRE guidelines state that in existing buildings daylight and sunlight can be reduced by as much as 20% of their original value before this loss is materially noticeable.
103. Looking first at the effects of the proposed development on daylight conditions on existing surrounding buildings: in total, 923 windows were tested for Vertical Sky Component (VSC). The VSC test is a test of the amount of available daylight from the sky, received at a particular window. The target figure for VSC recommended by BRE is 27%. However it is generally recognised that this level can be difficult to achieve in more built up urban areas, and for this reason the existing urban context is an important consideration. Of the windows tested it is deemed that 673 (73%) would continue to meet target values.
104. There are a number of mitigating factors that result in this outcome. The location of the site is urban with existing dense development, meaning levels of natural light are often lower than the BRE's guide targets, which as previously stated were developed primarily for more suburban areas. The precise use of rooms in existing surrounding buildings is unknown, but not all windows tested would serve habitable rooms. In addition a large proportion of the affected windows are situated below existing overhanging balconies which limit the amount of daylight received (e.g. this is evident at Craik Court and Carlton House), so this relates to an inherent design issue associated with these properties which is un-related to the proposed scheme. Factors such as this call for a more flexible application of the BRE guidance.
105. When looking at the effects of the proposed development on sunlight conditions on existing surrounding buildings, of the 442 windows tested 392 (88%) would continue to meet the target values as set out in the BRE guide. Again, mitigating factors including the urban location, dense nature of existing development and the existing balconies have an impact on this outcome.
106. In the majority of instances where daylight is below a VSC of 27%, sunlight levels either achieve BRE compliance or are close to 100% compliance which helps to offset the impacts. The exception to this is the Tabot Centre Building (nos 151-159), Granville Road which would achieve 65% BRE compliance. Of the 80 windows tested, 28 fall short of the criteria for Annual Probable Sunlight Hours, and of these 19 (68%) are positioned directly beneath projecting balconies or recessed into the building. So, once again the inherent building design is a contributing factor.

Internal conditions:

107. Turning to the analysis of internal daylight and sunlight conditions for the new residential properties: this analysis looked at Blocks A, C and E only for which detailed consent is sought. Blocks D, F and G were excluded as these are submitted in outline only, where the internal layouts are not fixed, and Block B is exempt as this is non-residential. Of the 62 windows tested for Average Daylight Factor (ADF), 48 (77%) of these would meet the target values set out in the BRE guide. All of those tested within Block A meet the guide. Where failure to meet the target was noted in Blocks C and E it is stated that this is down to mitigating circumstances, including rooms/windows being beneath projections, occupying recessed positions, or being adjacent to protruding building elements all of which limit their ability to achieve higher levels of daylight. The dense urban location is again a mitigating factor.

108. Of the 62 rooms tested for Daylight Distribution, 45 (72%) would meet the target values set out in the BRE guidelines. The mitigating factors discussed above would be applicable to these rooms also.
109. Internal sunlight conditions were assessed for 62 windows, and 34 (55%) would meet the BRE guide. This level of compliance can be explained by the fact the majority of bedrooms are recessed and are limited in terms of the level of sunlight that can be achieved. Other rooms are also affected by the mitigating circumstances discussed previously, including inherent building design features and aspect.

Summary of daylight and sunlight

110. Due to the density and scale of the proposed development and its setting within an urban context, it is inevitable there would be some level of impact on daylight and sunlight conditions. Within this context a more flexible application of the BRE guide is considered appropriate. Due consideration must also be given to the wider planning merits of the scheme. This scheme would provide a significant number of new homes and would result in a well-considered place, whilst for viability reasons and in order to maximise the site's housing potential, which in turn translates to the proportion of affordable housing that can be delivered, a certain scale and density of development is required to be achieved. What the results discussed show is that the majority of existing buildings would continue to receive good levels of daylight and sunlight with the proposed buildings in place. Equally the results for the rooms within the new units show that the majority would receive good levels of both daylight and sunlight for future occupiers. On balance, it is considered that the overall impacts on daylight would not be so severe to outweigh the benefits of the development.

TRANSPORT

Transport considerations: Access, parking and servicing:

111. The transport impacts of the proposal are acceptable and in this respect the scheme complies with the relevant London Plan and Brent policies and the guidance within the NPPF.

Transport impact

112. The development is considered likely to have a negligible impact on vehicular traffic flows in the local area, subject to conditions and planning obligations. The London Plan policy 6.3 sets out the need for developments to address impacts on the movement network while policy 6.11 seeks to smooth traffic flow and tackle congestion and 6.12 relates to the Road Network Capacity. London Plan policies 6.9 (cycling) and 6.10 (walking) are also relevant.
113. The application is supported by a Transport Assessment and this, combined with the constraints on car parking and "permit free" restrictions, give officers confidence the transport impact will be acceptable. The impact of changes to the highway layout (see below) have been considered and found to be acceptable.
114. Public transport capacity in the area would not be materially affected; there are 120 buses and 24 rail/Underground services per hour passing close to the site.
115. Turning to walking and cycling, audits have been carried out which do not identify any major issues however there is a need to resurface Peel Precinct and improve pedestrian crossing facilities on Salisbury Road. The former will be addressed as part of this development whilst the later will be addressed as part of a separate development at Cullen House.
116. A Construction Management and Logistics Plan will be required, prior to commencement of any works, to ensure the impact of constructions works on the highway network are minimised. A framework Travel Plan has been submitted however it requires revisions, so an improved Travel Plan of sufficient quality to achieve a PASS rating using TfL's ATTrBuTE assessment criteria must be approved, prior to occupation of any of the units.

Highway layout

117. Significant alterations are proposed and are considered acceptable, meeting the relevant standards for a 20mph zone. London Plan policy 6.7 (Better Streets and Surface Transport) is relevant. These alterations are designed to prioritise the pedestrian, calm traffic, improve the streetscene and provide parking and include:
- Demark Road and Canterbury Road - opened to link Canterbury Terrace to Neville Road, to allow vehicular access around the entire Carlton House block

- Neville Road and Granville Road - widened, to provide parking bays on both sides and a more uniform carriage width, but also pinch points built out for street trees and traffic calming
 - Neville Close - narrowed and southern 35m section closed except for loading. The car park for Craik Court is currently accessed via Neville Close. To ensure access is maintained, the extension to Canterbury Road will extend beyond Neville Road as far as Neville Close. In the future vehicles travelling to Craik Court from Carlton Vale would travel via Rupert Road, Denmark Road, Neville Road and Canterbury Road and although this route is longer, it is considered to be an acceptable alternative arrangement. In the long term, it is proposed through the Masterplan to provide a more direct route by continuing the extension of Canterbury Road westwards to meet Rupert Road directly, but this does not form part of this particular application.
 - Canterbury Road/Neville Road junction - 30m wide raised table for pedestrian access to the precinct
- These changes are welcomed, subject to a number of conditions: a consistent palette of materials for the works to any non-adopted highway; amend the kerb line along the eastern side of Neville Close retain a 2m wide footpath; ensure the rear doors to the medical centre do not open outwards.

118. A planning obligation, secured via a S106 legal agreement, is required to secure the highway improvement works. The extended and widened streets, including Peel Precinct and Neville Close, should all be offered for adoption by the Highway Authority and construction works should therefore be undertaken under S38/S278 of the Highways Act 1980 under the supervision of Brent Council's transportation officers, which will include the cost of amending Traffic Regulation Orders to suit the new on-street parking layout. Whilst a Stage 1 safety Audit has been carried out a Stage 2 Safety Audit and details of materials and street furniture will be also secured via that process.

Parking

119. The parking provision is acceptable, having regard to the site's accessibility. DMP 12 seeks to manage parking provision in line with Appendix 1 of the DMP DPD 2016 and manage parking impact. The site has good to very good public transport accessibility (PTAL 4-5) and surrounding roads are subject to parking controls; therefore a reduced parking standard is appropriate. Policy DMP 12 sets a maximum parking standard of 198 spaces for this development. No off street parking is proposed within the development, instead 45 parking bays will be provided on-street as a mix of 20 existing and 25 new spaces. These will be incorporated into the local controlled parking zone (CPZ) and "permit free" agreements will be applied selectively to the residents:

- Blocks A-D and F (170 homes, majority private housing) will be "permit free"
- Blocks E and G (56 homes, majority affordable housing) will be allowed to purchase parking permits - this includes the right for residents of Block E to purchase private parking permits for the existing but to be reconfigured 32 space car parking shared with Carlton House.

120. Parking for disabled residents can be accommodated on-street as Blue Badge holders are exempt from the "permit free" arrangements and bays can be specifically marked on-street on request. A number of bays would be wider, to allow easy conversion. Two dedicated wider spaces would be provided in the reconfigured car park at Carlton House.

121. Turning to the commercial uses, some of the on-street bays will be shared or exclusive pay and display during CPZ hours, giving some space for visits to the medical centre. Doctors will be able to apply for a doctor's bay to be marked on-street and four potential bays have been identified on Canterbury Road.

122. Electric vehicle charging points should be incorporated into the reconfigured car park in line with the London Plan standards and this will be secured by condition.

Cycling

123. Bicycle parking will be provided in accordance with the London Plan standards in secure storerooms. In Blocks A, C and E these include basement level storage, accessed by lift. Cycle stands would be provided in the precinct for visitors to the homes, shops and health centre.

Servicing

124. Residential refuse stores of sufficient size are provided in acceptable locations, generally located alongside entrances; access for collection is straightforward and where the distance between the store and the highway is greater than 10m, smaller, more easily moved bins can be used. This complies with Brent's DMP 13 and standards set out in Appendix 2 of the DMP DPD 2016.

125. The health centre refuse store would be located on Neville Close, at the rear of the building. To

service this, one-way access southbound along Neville Close is required, with a left-hand turn only onto Carlton Vale eastbound. A traffic order and robust surfacing that highlights the area as a pedestrian priority zone will be required by obligation, and secured as part of the highway improvement works.

126. Entrance cores to all units are easily accessible for fire access and delivery of other goods.

Transportation Summary

127. The proposal is acceptable, subject to a number of conditions and planning obligations as set out in the Recommendations section.

ENVIRONMENTAL CONSIDERATIONS

Air quality:

128. The air quality is acceptable for residential accommodation, subject to conditions, and the development would have a neutral impact on air quality, subject to conditions during construction. 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 uses of the site.

129. Emissions from traffic have the potential to expose future occupants to elevated levels of nitrogen dioxide and particulate concentrations. This is predicted at the proposed blocks closest to Carlton Vale, and so for these units mitigation is proposed in the form of mechanical ventilation with heat recovery (MVHR). This is also proposed for ground and first floor levels of the health centre (building B) in order to protect users of this facility from poor air quality. The proposed mitigation can be secured by condition.

130. Increased traffic flows resulting from the development are predicted, and these have been considered in order to assess if this would significantly affect existing receptors. The results of this show that increases in concentrations of pollutants would be negligible. It has been shown that the energy centre, and the use of a Combined Heat and Power (CHP) unit would be air quality neutral.

131. The report identifies that during the construction phase there is potential for dust nuisance to be generated beyond the application boundary. However, through the implementation of a Dust Management Plan (DMP), the impacts can be successfully minimised, and are unlikely to be significant. Further details of this DMP would be secured by condition.

132. The Council's Environmental Health Officer concurs with the findings of the assessment and recommends that conditions are secured in relation to internal noise levels, construction noise and dust and air quality.

Noise conditions:

133. The noise conditions are acceptable for residential accommodation, subject to conditions. A noise survey has been undertaken to assess the site's suitability for residential and other proposed uses. Existing dominant noise sources were noted to be road traffic in the surrounding area, particularly along Carlton Vale. Notwithstanding this, the site is currently in residential use, and is surrounded by residential uses so its redevelopment for residential use is considered to be entirely appropriate, however some mitigation is likely to be required.

134. It is proposed that any plant installations adhere to plant noise emission criteria, and on this basis the Council's Environmental Health Officer recommends that any plant shall be installed so that the rated noise shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

135. In relation to recommended internal noise levels then a condition is recommended to ensure these are achieved, together with a scheme of sound insulation measures to prevent transmission of noise between residential and non-residential floors.

Flood risk and drainage:

136. The site is not at low risk of flooding. London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF.

137. 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.
138. London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS) and to aim to achieve greenfield run-off rates whilst ensuring 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: there are three rain gardens included in the landscape strategy, permeable paving (subject to suitable ground conditions) and the provision of below ground attenuation tanks on site. Further details of this strategy would be secured by condition.
139. Thames Water has recommended conditions to secure further details of the drainage strategy.

Contamination:

140. There is the potential for there to be contaminants in the ground however further investigation and remediation measures can be secured via condition. The requirement to deal with contaminated land is set out in London Plan policy 5.21, and is reinforced by the NPPF.
141. A preliminary risk assessment supports the application. The assessment identifies potential contaminants in made ground. Remediation measures are therefore deemed to be necessary to ensure the site is suitable for its end use.

PHASING

142. The development would be built in a number of phases, in part to enable properties for secure tenants to be built for them to move into, and this would release other parts of the site for the remainder of the development.
143. The first phase (Phase 1) would require the demolition of the building housing South Kilburn Studios (2A Canterbury Road), as well as 16-33 Peel Precinct. This would allow the first 38 affordable units to be constructed in Block E, housing all secure tenants currently residing in 16-33 Peel Precinct. This would ensure all existing secure tenants are accommodated.
144. Phase 2 would require 1-7 & 15 Peel Precinct and 8-14 Neville Close to be vacated. Once vacancy has been secured blocks A, B and C can be constructed. This will contain 64 private sale units, the health centre and the commercial units.
145. Phase 3 would require the demolition of 34-57 Peel Precinct and 97-112 Carlton House. This would allow for the construction of blocks D, F and G (submitted in outline), which will contain 120 private sale units and 4 affordable units.
146. In any event a detailed phasing plan would be secured by condition and details conditions worded to enable development of the early phases without having to discharge conditions on all phases.

CONCLUSION

147. The proposal would deliver the following wider planning benefits:
- The delivery of both affordable and private housing in a sustainable location, and at a dense level of development which optimises the housing potential
 - A new multi-use health centre
 - New commercial units providing local amenities
 - A new and enhanced public open space at the heart of South Kilburn
 - Re-establish historic road connections, highway improvement works and public realm enhancements
 - High standards of urban design and architecture
 - Sustainable design which will result in low levels of carbon emissions
 - A CIL contribution of +5M towards local infrastructure.
 - The redevelopment of the next phase of the South Kilburn Masterplan

Officers consider that on balance the scheme would make a positive contribution to the regeneration of South Kilburn and recommend the application for approval subject to the conditions and obligations set out in this report, and Stage II referral to the Mayor.

SUSTAINABILITY ASSESSMENT

Energy:

The scheme would meet the relevant energy and sustainability targets, subject to planning obligations with a S106.

The NPPF promotes sustainable development and the transition to a low carbon future, through the delivery of renewable and low carbon energy. The London Plan policy 5.2 requires carbon dioxide emissions to be limited and this scheme is required to improve the reduction in CO2 emissions by 35% above the 2013 Building Regulations targets. Policy 5.3 seeks sustainable design and construction and policies 5.5 and 5.6 expect Decentralised Energy Networks to be brought forward in accordance with an energy hierarchy. Policy 5.7 encourages the use of renewable sources of energy, where feasible. Policy 5.9 seeks to reduce the urban heat island effect. Policy 5.15 seeks to minimise the use of mains water. The Mayor's SPG "Sustainable Design and Construction" (2014) is also relevant. Brent Core Strategy policy CP19 requires non-residential development within a growth area to achieve BREEAM "Excellent".

A detailed Energy Strategy supports the application, this seeks to demonstrate how the proposed scheme complies with the above aspects of the Development Plan.

The proposed Energy Strategy seeks to reduce energy demand through the use of enhanced building fabric, air tightness and insulation, heat recovery ventilation and cooling. Clean energy generation is to be achieved through the use of a CHP system, this would provide heating and power across the site until connection to the future district heat network can be established. This heat network will come forward as the regeneration of South Kilburn progresses; the Council is currently procuring a delivery partner for the Gloucester House and Durham Court development which will house the energy centre. It is hoped to have the energy centre complete in summer 2020. To provide some comfort that future connection is feasible and would occur, drawings have been provided to show the route of the heat network and how this can be connected to the application site.

The proposed development would generate renewable energy through the use of Photovoltaics (PV) (325sqm) and Air Source Heat Pumps (ASHP), which are considered necessary to meet the heating and cooling demands of the non-residential areas.

The Energy Strategy has been reviewed by the GLA who have verified that the development can be expected to achieve the London Plan targets. For the non-residential elements of the development a BREEAM rating of 'Excellent' is targeted.

The proposal complies with the energy and sustainability requirements, subject to planning obligations in a S106 legal agreement (see the Recommendation section). Compliance with the carbon reductions target and the delivery of the wider sustainability measures would be secured in a s106 agreement.

Environmental Impact Assessment (EIA):

A request for an EIA Screening Opinion for the Peel Site was received at pre-application stage. The Council carried out a screening opinion in view of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (as amended).

Having considered the scope of the proposals it was determined that the proposal does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2011 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects (ii) the development includes more than 150 dwellings. Consideration was given to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the EIA Regulations 2011 and Planning Practice Guidance.

Having given full consideration of the possible impacts and effects of the proposed development a screening opinion was given that the Local Planning Authority does not consider that the impacts would be significant to warrant an Environmental Impact Assessment (EIA).

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

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 **£5,256,808.45*** 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): 5586 sq. m.

Total amount of floorspace on completion (G): 23662 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	22571		17242.5575 183839	£200.00	£35.15	£4,403,010.22	£773,829.05
Shops	1091		833.442481 616093	£40.00	£35.15	£42,565.10	£37,404.08

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)	286	
Total chargeable amount	£4,445,575.32	£811,233.13

*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.



Application No: 16/4174

To: Mr Brooker
The Charlotte Building
17 Gresse Street c
London
W1T 1QL

I refer to your application dated 21/09/2016 proposing the following:
Hybrid Application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.

- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

and accompanied by plans or documents listed here:

See Condition 4

at Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6

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: 03/02/2017

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 Plan and relevant material planning considerations

- 1 **RESERVED MATTERS TO BE APPROVED**

Permission is granted subject to the written approval by the Local Planning Authority of the details of the following reserved matters in respect of the areas of the Development shown as Outline Planning (hatched blue) on drawing 643-PL-106 Rev A (hereinafter called "the reserved matters"):

- (i) scale of the buildings and structures in accordance with the approved parameter plan number 643-PL-107 Rev A titled Development Framework Maximum Building Envelope;
- (ii) appearance of the buildings and structures in accordance with the relevant sections 5.8, 5.9 and 5.10 within the Design and Access Statement dated August 2016;
- (iii) landscaping of private and public space

The plans and particulars of the Reserved Matters for each Phase referred to in the Phasing Condition shall be approved in writing by the Local Planning Authority prior to the commencement of any part of the development to which those Reserved Matters relate EXCEPT that this shall not prevent works of site clearance, demolition of existing buildings and structures, ground investigation and site survey works, erection of temporary boundary fencing or hoarding and works of decontamination and remediation (hereafter 'preparatory works') and each Phase shall be carried out only as approved.

Reason: To ensure the development is carried out in accordance with the prevailing relevant policy and to meet the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015

- 2 **FULL PLANNING TIME TO COMMENCE**

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

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

- 3 **OUTLINE PLANNING TIME TO SUBMIT RM AND COMMENCE**

In the case of any reserved matter, application for approval must be made not later than the expiration of four years beginning with the date of this permission, and that the development to which this outline permission relates must be begun not later than whichever is the later of the following dates:

- (i) the expiration of four years from the date of this permission; or
- (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990.

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

PLANS

643-PL-100 SITE LOCATION PLAN

643-PL-101 EXISTING SITE PLAN
 643-PL-102 PROPOSED DEMOLITION
 643-PL-104 PROPOSED SITE PLAN
 643-PL-105 Rev B PROPOSED PHASING PLAN
 643-PL-106 Rev A HYBRID APPLICATION DIAGRAM
 643-PL-107 Rev A DEVELOPMENT FRAMEWORK MAXIMUM BUILDING ENVELOPE
 643-PL-200 Rev A PROPOSED GROUND FLOOR
 643-PL-201 Rev A PROPOSED FIRST FLOOR
 643-PL-202 Rev A PROPOSED SECOND FLOOR
 643-PL-203 Rev A PROPOSED THIRD FLOOR
 643-PL-204 Rev A PROPOSED FOURTH FLOOR
 643-PL-205 Rev A PROPOSED FIFTH FLOOR
 643-PL-206 Rev A PROPOSED SIXTH FLOOR
 643-PL-207 Rev A PROPOSED SEVENTH FLOOR
 643-PL-208 Rev A PROPOSED EIGHTH - THIRTEENTH
 643-PL-214 Rev A PROPOSED FOURTEENTH FLOOR
 643-PL-215 Rev A PROPOSED - FIFTEENTH FLOOR
 643-PL-216 Rev A PROPOSED ROOF PLAN
 643-PL-217 Rev A PROPOSED BASEMENT PLAN
 643-PL-220 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-221 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-222 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-223 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-224 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-225 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-226 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-227 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-228 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-234 Rev A PROPOSED BUILDINGS A, B AND C – FOURTEENTH FLOOR PLAN
 643-PL-235 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-236 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-237 Rev A PROPOSED BUILDINGS A, B AND C
 643-PL-250 Rev A PROPOSED BUILDING E – GROUND FLOOR
 643-PL-251 Rev A PROPOSED BUILDING E - FIRST FLOOR
 643-PL-252 Rev A PROPOSED BUILDING E - SECOND FLOOR
 643-PL-253 Rev A PROPOSED BUILDING E – THIRD FLOOR
 643-PL-254 Rev A PROPOSED BUILDING E – FOURTH FLOOR
 643-PL-255 Rev A PROPOSED BUILDING E – FIFTH FLOOR
 643-PL-256 Rev A PROPOSED BUILDING E – ROOF

Flat layouts

643-PL-270 Rev A TYPICAL PRIVATE 1 BED 2 PERSON
 643-PL-271 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-272 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-273 Rev A TYPICAL PRIVATE 3 BED 6 PERSON
 643-PL-274 Rev A TYPICAL PRIVATE 2 BED 3 PERSON
 643-PL-275 Rev A TYPICAL PRIVATE 1 BED 2 PERSON
 643-PL-276 Rev A TYPICAL PRIVATE 2 BED 4 PERSON
 643-PL-277 Rev A TYPICAL AFFORDABLE 1 BED 2 PERSON
 643-PL-278 Rev A TYPICAL AFFORDABLE 2 BED 4 PERSON
 643-PL-279 Rev A TYPICAL AFFORDABLE 3 BED 5 PERSON
 643-PL-280 Rev A TYPICAL AFFORDABLE 3 BED 5 PERSON
 643-PL-281 Rev A TYPICAL AFFORDABLE 4 BED 6 PERSON UNIT
 643-PL-282 Rev A TYPICAL AFFORDABLE 4 BED 6 PERSON (DUPLEX)
 643-PL-283 Rev A TYPICAL AFFORDABLE WHEELCHAIR UNIT
 643-PL-284 Rev A TYPICAL AFFORDABLE WHEELCHAIR UNIT
 643-PL-285 Rev A TYPICAL PRIVATE 1 BED 2 PERSON UNIT (LIFETIME HOMES)

SECTIONS

643-PL-300 Rev A EXISTING SITE SECTIONS/ELEVATIONS
 643-PL-301 Rev A EXISTING SITE SECTIONS/ELEVATIONS
 643-PL-302 Rev A PROPOSED SITE SECTIONS/ELEVATIONS
 643-PL-303 Rev A PROPOSED SITE SECTIONS/ELEVATIONS

ELEVATIONS

643-PL-305 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-306 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-307 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-308 Rev A EXISTING BUILDING ELEVATIONS PEEL SITE
643-PL-320 Rev A EXISTING ELEVATIONS 34-57 PEEL PRECINCT
643-PL-321 Rev A EXISTING ELEVATIONS 1-15 PEEL PRECINCT
643-PL-322 Rev A EXISTING ELEVATIONS 16-30 PEEL PRECINCT
643-PL-323 Rev A EXISTING ELEVATIONS 16-30 PEEL PRECINCT
643-PL-324 Rev A EXISTING ELEVATIONS 97-112 CARLTON HOUSE
643-PL-325 Rev A EXISTING ELEVATIONS 97-112 CARLTON HOUSE
643-PL-326 Rev A EXISTING ELEVATIONS SOUTH KILBURN STUDIOS

643-PL-310 PROPOSED BUILDINGS A, B & C – SOUTH AND EAST ELEVATIONS
643-PL-311 Rev A PROPOSED BUILDINGS A, B & C – WEST AND NORTH ELEVATIONS
643-PL-312 Rev A PROPOSED BUILDING E - SOUTH EAST AND NORTH WEST ELEVATIONS
643-PL-313 Rev A PROPOSED BUILDING E - SOUTH WEST AND NORTH EAST ELEVATIONS
643-PL-330 Rev A PROPOSED BUILDINGS A, B & C – EAST ELEVATION
643-PL-331 Rev A PROPOSED BUILDINGS A, B & C – SOUTH ELEVATION
643-PL-332 Rev A PROPOSED BUILDINGS A, B & C – WEST ELEVATION
643-PL-333 Rev A PROPOSED BUILDINGS A, B & C – NORTH ELEVATION
643-PL-335 Rev A PROPOSED BUILDING E – PROPOSED SOUTH EAST ELEVATION
643-PL-336 Rev A PROPOSED BUILDING E - NORTH WEST ELEVATION
643-PL-337 Rev A PROPOSED BUILDING E - SOUTH EAST & NORTH WEST ELEVATIONS.

LANDSCAPE

131_PP_01.010 Rev R PUBLIC REALM

131_PP_01.090 Rev A PARKING LAYOUT

OTHER

XCO2, Energy Statement (June 2016)

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

5 ACCESSIBLE HOUSING

Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

Reason: To ensure suitable facilities for disabled users and to future proof homes.

6 D1 USE CLASS RESTRICTION

The elements of the building(s) permitted for "D1 Use" as shown on approved drawings 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

7 PARKING TO BE PROVIDED

Prior to occupation of the relevant Phase the following shall be constructed and permanently marked out to serve the relevant Phase:

- (a) 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
- (b) at least 2 spaces designed and laid out for disabled parking

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).

Reason: To ensure adequate parking provision in accordance with adopted standards

8 HEALTH CENTRE DOORS

The doors to the Health Centre on the Neville Close facade including entrance doors and refuse storage doors shall open inwards.

Reason: to prevent obstruction of the highway.

9 PHASING CONDITION

The development hereby permitted shall be carried out in the following Phasing programme unless an alternative Phasing programme is approved in writing by the Local Planning Authority pursuant to this condition:

- (i) Phase 1: Demolition of former Local Authority office unit and 16-24 & 25-33 Peel Precinct and erection of Block E to provide 38no. affordable units [and associated landscaping, private open space, associated car parking, cycle parking and servicing provision]
- (ii) Phase 2: Demolition of 1-7 & 15 Peel Precinct and 8-14 Neville Close and erection of Blocks A, B and C to provide 64no. private sale units, new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision
- (iii) Phase 3: Demolition of 34-57 Peel Precinct, 97-112 Carlton House and remaining structures within the application site and erection of Blocks D, F and G to provide 4 no affordable units and 120no private sale units [and associated landscaping, private open space, associated car parking, cycle parking and servicing provision]

Notwithstanding the above the delivery of the public realm works will be subject to further details as approved through Condition 14

Reason: In the interests of clarity and proper planning

10 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

No works at all including 'preparatory works' shall commence for each Phase of the development until a Construction Environmental Management Plan (CEMP) for:

- (a) the Preparatory works
- (b) Phase 1
- (c) Phase 2
- (d) Phase 3

have been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate the impact of the demolition, construction and all associated works on noise, vibration and air quality for sensitive receptors including:

- (i) Management: Appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on environmental matters for the borough, other external bodies and the general public.
- (ii) Working Hours: Standard construction hours (e.g. Monday to Friday 08:00 to 18:00 hours, Saturday 08:00 to 13:00 hours, with no working on Sundays or Bank Holidays);
- (iii) Access Routes: Routing construction traffic away from NSRs.

- (iv) Equipment: The use of quieter alternative methods, plant and/or equipment, where reasonably practicable.
- (v) Screening: The use of site hoardings, enclosures, portable screens and/or screening nosier items of plant from NSRs, where reasonably practicable.
- (vi) Location: Positioning plant, equipment, site offices, storage areas and worksites away from NSRs, where reasonably practicable.
- (vii) Maintenance: Maintaining and operating all vehicles, plant and equipment in an appropriate manner, to ensure that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
- (viii) Piling: Ensuring that piling is undertaken using most appropriate technique, with minimal noise and vibration generation in mind. The piling method will be agreed in conjunction with the LBB, prior to work commencing.
- (ix) BS 5228-1 indicates that between 10 and 20dB attenuation may be achieved during the construction phase by selecting the most appropriate plant and equipment and enclosing and/or screening noisier items of plant or equipment.
- (x) Site Planning: Erect solid barriers to site boundary; no bonfires; machinery and dust causing activities located away from sensitive receptors; training and management; hard surface site haul routes.
- (xi) Construction Traffic: vehicles to switch off engines; vehicle cleaning and specific fixed wheel washing on leaving site and damping down of haul routes; all loads entering and leaving site to be covered; ensure no site runoff of water or mud; all non-road mobile machinery to be fitted with appropriate exhaust after-treatment; on-road vehicles to comply with the requirements of a possible future LEZ as a minimum; minimise movement of construction traffic around site.
- (xii) Demolition: use water as dust suppressant; use enclosed chutes and covered skips; and wrap buildings to be demolished.
- (xiii) Site Activities: minimise dust generating activities ensuring that any crushing and screening machinery is located well within the site boundary; use water as dust suppressant where applicable; enclose stockpiles or keep them securely sheeted; if applicable, ensure concrete crusher or concrete batcher has a permit to operate

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

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

11 CONSTRUCTION LOGISTICS PLAN

No works at all including 'preparatory works' shall commence for each Phase of the development until a Construction Logistics Plan (CLP) for:

- (a) the Preparatory works
- (b) Phase 1
- (c) Phase 2
- (d) Phase 3

have been submitted to and approved in writing by the Local Planning Authority. The CLP, which shall be accompanied by a site layout plan showing the following elements, shall include details of:

- (i) the construction vehicle access(es) and routing, which shall avoid those roads that have width restrictions;
- (ii) timing of deliveries (to avoid peak hours and to comply with local road restrictions) and the control of traffic entering the site such as use of a banksman;
- (iii) the parking of vehicles of site operatives and visitors;
- (iv) loading and unloading of plant and materials;
- (v) storage of plant and materials used in constructing the development;
- (vi) wheel washing facilities to be installed prior to commencement of any works; and
- (vii) a scheme of road-cleaning along construction routes

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

Reason: To ensure impact of demolition and construction activities are controlled including the impact of traffic, noise and air pollution and in particular to ensure demolition and construction traffic does not cause congestion or contribute towards a lack of safety on the local highway network which includes a significant route into London (Carlton Vale) and narrow residential streets

12 MATERIALS TO BE SUBMITTED

Prior to commencement of the relevant Phase with the exception of 'preparatory works' further details of all exterior materials including samples and/or manufacturer's literature for:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) building envelope materials e.g. bricks, render, cladding;
- (ii) windows, doors and glazing systems including colour samples; and
- (iii) balconies and screens

The works for each Phase shall be carried out in accordance with the approved details for the relevant Phase and shall be retained thereafter for the lifetime of the development.

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

13 NON-RESIDENTIAL FRONTAGES

Prior to commencement of above ground works to Blocks A, B and C further details of the exterior of the non-residential ground floor shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (i) windows, doors, shop fronts and glazing systems including colour samples; and
- (ii) details of where advertisements would be applied notwithstanding that the advertisements themselves would require separate advertisement consent

At least 50% of the area of the windows on the non-residential frontages shall be kept free from anything that would obscure views through the window including but not limited to applied lettering and screens, posters, screens set behind the windows. This shall not apply to the health/community group room, treatment/clinical room(s), interview/baby change and pharmacy consultation space as shown on the approved plans, which shall be provided with a reasonable level of privacy.

The works shall be carried out in accordance with the approved details and shall be retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality and to ensure the non-residential elements provide an active frontage in the interests of natural surveillance and the viability and vitality of the area.

14 PUBLIC REALM DELIVERY PLAN

- (a) Prior to commencement of any works except 'preparatory works' a site wide draft public realm delivery plan shall be submitted and approved in writing by the Local Planning Authority; and
- (b) Prior to commencement of the relevant Phase a detailed public realm delivery plans to serve:

- (i) Phase 1
- (ii) Phase 2
- (iii) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be informed by the site wide draft public realm delivery plan.

The works shall be carried out in accordance with the approved delivery plan and shall be retained for the lifetime of the Development.

Reason: to ensure the public realm is delivered in a timely manner

15 LANDSCAPING

On commencement of the relevant Phase further details of the hard and soft landscaping to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include (but are not limited to):

- (i) Walls and fences: Details of proposed walls, fencing and other means of enclosure indicating materials and heights.
- (ii) Trees: Details for minimum 66 new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm, with sizes to be agreed in writing.
- (iii) Planting: Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities). 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 relevant Phase, or in accordance with a programme agreed in writing with the Local Planning Authority.
- (iv) Physical separation: Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas.
- (v) Mounds existing contours and any alteration of the ground levels, such as earth mounding.
- (vi) Hard landscaping: Details of all areas of hard landscape works and proposed materials.
- (vii) Cycle parking: Details of all external public cycle parking, including within Peel public square.
- (viii) Signboards and seating: Other appropriate matters within the context of a landscaping scheme, such as details of signboards, seating, foot ways and other paved pedestrian and vehicle parking areas. Such details to also include further details of the 'PEEL' lettering within the public square
- (ix) Other details to include: measures to mitigate against adverse wind conditions for those receptors identified as likely to experience adverse wind conditions in the XCO2, (X) Wind and Microclimate Analysis Report (June 2016) .
- (x) A Landscape Management Plan including details of the proposed arrangements for the maintenance of the landscape works.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

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.

16 CHILDRENS' PLAY

- (a) Prior to commencement of any works except 'preparatory works' a site wide draft children's play space delivery plan shall be submitted and approved in writing by the Local Planning Authority; and
- (b) Prior to commencement of the relevant Phase detailed children's play space delivery plans to serve:
 - (i) Phase 1
 - (ii) Phase 2
 - (iii) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) the location of the play area and/or equipment
- (ii) details of the equipment and/or earthworks to meet the minimum standards for play

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: to ensure there is sufficient provision of areas and equipment for childrens' play

17 EXTERNAL LIGHTING

On commencement of the relevant Phase further details of the external lighting to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) highway street lighting;
- (ii) other public realm lighting;
- (iii) communal amenity space including roof garden lighting; and
- (iv) car park lighting

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: These details are required to ensure that public and private spaces are adequately lit for pedestrian and highway safety and to prevent light pollution.

18 BLOCK A ELEVATIONS

Prior to commencement of above ground works to Block A further details of the elevations shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason: to ensure the tall building displays the highest architectural standards

19 DRAINAGE STRATEGY AND SUDS

No works to any Phase shall be commenced until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. Such a strategy shall include:

- (i) adherence to the principles of Sustainable Urban Drainage Systems and the drainage hierarchy set out in London Plan policy 5.13; and
- (ii) all on or off site drainage works

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 details of the drainage strategy and shall be retained for the lifetime of the Development.

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 and to ensure the development meets the requirements of London Plan Policy 5.13

20 MECHANICAL PLANT

Prior to the installation of any mechanical plant within the relevant Phase further details of such mechanical plant, including but not limited to refrigeration, air-conditioning, ventilation system, air source heat pumps, combined heat and power units and kitchen extraction systems, to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) detail the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (ii) details of any ducting in terms of its appearance and siting;
- (iii) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (iv) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (ii)
- (v) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (vi) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The approved mechanical plant shall be installed in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure that users of the surrounding area do not suffer a loss of amenity by reason of noise, vibration and odour nuisance

21 CROSSOVER WIDTH

Prior to commencement of Phase 1 except 'preparatory works' further details of the vehicular crossover to the Carlton House car park from Canterbury Road shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include increasing the width to 4.1m.

Prior to the occupation of the relevant Phase the works shall be carried out in accordance with the approved plans and shall be retained for the lifetime of the Development.

Reason:

22 CONTAMINATION - SITE INVESTIGATION AND REMEDIATION STRATEGY

Prior to commencement of any works except 'preparatory works' a Site Investigation to determine the nature and extent of any contamination present, carried out in accordance with the principles of BS 10175:2011 by competent persons, shall be submitted to and approved in writing by the local planning authority to determine the nature and extent of any soil contamination present. The Site Investigation shall include:

- (i) the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and
- (ii) a Remediation Strategy containing an appraisal of remediation options should any contamination be found that presents an unacceptable risk to future site users. If required, the Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The strategy 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. The works shall be carried in accordance with the approved details in accordance with the approved timetable and the Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

23 REMEDIATION VERIFICATION

Prior to the occupation of the relevant Phase the measures identified in the approved remediation strategy shall be completed in full for each relevant Phase and a Verification Report that demonstrates that the remediation of:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

has been carried out in accordance with the approved remediation scheme and the relevant Phase is permitted for end use shall be submitted to and approved in writing by the local planning authority UNLESS the local planning authority has previously confirmed that no remediation measures are required for the relevant Phase.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors

24 AIR QUALITY MITIGATION MEASURES

Prior to occupation of the relevant Phase a report which demonstrates that air quality mitigation measures have been complied with for each Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include evidence that the mitigation measures set out in the approved Air Quality Impact Assessment (XCO2 Energy air quality assessment dated 19th January 2017: Job no 8.637) relating to that Phase have been fully implemented and shall be retained for the lifetime of the Development.

Reason: To ensure the safe development and secure occupancy of the site for residential use within the Air Quality Management Area.

25 HOURS OF OPERATION OF NON-RESIDENTIAL USES

Prior to the occupation of any non-residential Use hereby approved further details of the hours of operation for the relevant Use shall be submitted to and agreed in writing by the Local Planning Authority. The relevant Use shall operate in accordance with the approved hours of operation for that Use for the lifetime of the development.

Reason: in the interests of the amenity of local residents

26 DELIVERY AND SERVICING PLAN

Prior to the occupation of the relevant Phase a Delivery and Servicing Plan (DSP) to serve:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

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

On occupation of the relevant Phase the approved DSP shall be implemented in full and shall be adhered to for the lifetime of the development.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure that deliveries and servicing are planned to minimise their impact on the local highway network.

27 WATER USAGE

Prior to first occupation of a relevant Phase hereby approved, confirmation from the Building Control body 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 for each Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

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

Reason: In order to ensure a sustainable development

28 CHP

The Combined Heat and Power (CHP) unit installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Impact Assessment (XCO2 Energy air quality assessment dated 19 January 2017: Job no 8.637). Prior to the commencement of the use of the CHP unit details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. The CHP unit shall thereafter be maintained in such a way as to ensure that

these standards continue to be met.

Reason: To protect local air quality.

29 INTERNAL NOISE STANDARDS

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) 45 dB Lmax

Prior to first occupation of any Phase Tests shall be carried out 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 for the relevant Phase as follows:

- (a) Phase 1
- (b) Phase 2
- (c) Phase 3

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

Reason: To obtain required sound insulation and prevent noise nuisance

30 PILING METHOD STATEMENT

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 water 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 water utility infrastructure. 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 the piling method statement.

31 TREE PROTECTION

Prior to commencement of any development including 'preparatory works' further details of tree protection shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the locations and the means of protection (in accordance with BS5837:2012) of existing trees on site or in close proximity to the site identified for retention, 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.

No works shall be carried out until the tree protection is installed in accordance with the approved details and is retained for the duration of those works.

Furthermore, all trees within the approved details 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 protection measures 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.

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 in accordance with s.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
- 2 The applicant may be 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. Thames Water should be contacted prior to any works commencing.
- 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.
- 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 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
- 6 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.

- 7 Thames Water waste comments:

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

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.

Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed

illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: 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 wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

8 Thames Water water comments:

Thames Water 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.

There is a Thames Water main crossing the development site which may need to be diverted at the Developer'S cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

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