



Planning Committee

Wednesday 28 June 2017 at 7.00 pm

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

Membership:

Members

Councillors:

Agha (Chair)
Moher (Vice-Chair)
S Choudhary
Colacicco
Daly
Hylton
Maurice
W Mitchell Murray

Substitute Members

Labour Councillors:

Ahmed, A Choudry, Ezeajughi, Hoda-Benn,
Kabir, Naheerathan, Pitruzzella and Thomas

Conservative 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

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of Interest 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 - 24 May 2017		1 - 8
PART 1 - APPLICATIONS FOR DECISION		
3. 16/1506 - 290B Ealing Road, Wembley, HA0 4LL	Wembley Central	13 - 32
4. 17/1227 - 2 Talbot Road, Wembley, HA0 4UE	Wembley Central	33 - 48
5. 16/5342 - Garages next to 7, Princes Close, London	Queensbury	49 - 64
6. 17/0298 - All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London	Dollis Hill	65 - 86
7. 16/5398 - 76-78 Salusbury Road, London, NW6 6PA	Queens Park	87 - 108
PART 2 - DEVELOPMENT PRESENTATIONS		
8. 17/1080/PRE - Access Storage, First Way, Wembley, HA9 0JD	Tokington	111 - 122
9. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Date of the next meeting: Wednesday 12 July 2017



Please remember to switch your mobile phone to silent during the meeting.

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 24 May 2017 at 7.00 pm

PRESENT: Councillors Agha (Chair), Moher (Vice-Chair), S Choudhary, Colwill (substitute for Councillor Maurice), Daly, Hylton and W Mitchell Murray

Apologies for absence were received from Maurice and Colacicco

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

Car Parking Spaces, 181-189 East Lane, Wembley

Councillor Daly declared that as she had previously expressed her objections to the application, she would withdraw from the meeting room during consideration of the application.

Approaches.

Minavil House, Rosemont Road, Wembley

All members and officers received a brochure from the applicant's agents.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 26 April 2017 be approved as an accurate record of the meeting.

3. **16-2629 Minavil House, Rosemont Road, Wembley, HA0 4PZ**

PROPOSAL: Demolition of existing two storey commercial buildings and erection of a mixed used development ranging from ten to twenty six storeys in height, comprising 251 residential flats (83 x 1bed, 136 x 2bed and 32 x 3bed), 1,942 sqm retail foodstore (Use class A1) on the ground floor, 622sqm of office space (Use Class B1) on the first floor, 634sqm retail floorspace for flexible use as café bar or restaurant (Use class A1, A4 or A3) at lower ground floor and ground floor level; together with associated vehicular access, car and cycle parking spaces, bin stores, plant room, landscaping and private and communal amenity space.

RECOMMENDATION: Grant planning permission, subject to the Stage 2 referral to the Mayor of London, and subject to the completion of a satisfactory Section 106 or other legal agreement to secure the Heads of Terms, delegate 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.

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as

deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

David Glover (Deputy Area Planning Manager) introduced the scheme and answered members' questions. In reference to the supplementary report he corrected the affordable housing to be provided by either Genesis or another Registered Provider and also amended the Section 106 agreement to reflect a minimum of 32 affordable units and 194 intermediate units. He advised members that a replacement tree would be planted.

Andrew Linnie in objection stated that although he supported the principle of the development, he expressed concerns on behalf of the residents in the development to the south of the site regarding the scheme's scale, massing, height and obstruction to light.

Peter Mahoney (applicant) spoke in support of his application and answered members' questions. He added that the proposed development which would offer 251 new homes with affordable and intermediate units and commercial units would assist in the regeneration of the Alperton Growth Area.

In responding to issues raised, David Glover informed members that the separation between the proposed development and existing buildings exceeded minimum distances and thus privacy for neighbouring residents would not be an issue. He added that the layout and design were also acceptable. In reiterating the recommendation, he drew members' attention to the amendments as set out in the supplementary report.

DECISION: Granted planning permission as recommended, with amendments to the Heads of Terms to refer to a minimum of 32 Affordable Rent and 194 Intermediate units and to Genesis or other Registered Provider approved by the Council.

(Voting was unanimous)

4. 16-4478 All Units at Abbey Wharf & Delta Centre and All of 152, Mount Pleasant Road Wembley, HA0

PROPOSAL: Demolition of existing buildings at Abbey Wharf, Delta Centre and all of 152 Mount Pleasant and redevelopment to provide a residential-led, mixed-use development of up to 6 storeys comprising 135 residential units (34 x 1bed, 79 x 2bed and 22 x 3bed) and 247sqm of commercial space (A1, A2, A3, B1, D1 and D2), landscaped amenity space, car and cycle parking and associated works.

RECOMMENDATION: Grant planning permission subject to conditions and informatives and the completion of a satisfactory Section 106 or other legal agreement to secure the matters set out in the Heads of Terms of the agreement and delegate 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 application and answered members' questions.

Vipool Kotecha representing the owners of an adjoining land informed members that they had an intention to redevelop the land in future and were concerned that the proposed development would restrict the redevelopment of their land.

Ben Johnson (applicant) spoke to the Committee and answered members' questions. He continued that the scheme would offer high quality design, new public highway/access and new homes in a highly accessible location with appropriate tenure mix. He added that the scheme had been subjected to a viability assessment which would be reviewed upon its completion. The applicant advised members that details of play space and equipment would be submitted at the detail stage of the application.

In response to members' questions about the affordable housing units that the application would provide, David Glover clarified that although the local target was for 50% of the development, the viability assessment for the application confirmed that 26% was acceptable subject to a post implementation review. David Glover confirmed that the scheme had been set in from the site boundary to ensure it didn't compromise the future development of the neighbouring site. In approving the application, members added an informative that damage to public realm as a result of the development be repaired prior to occupation.

DECISION: Granted planning permission as recommended and an informative that any damage to public realm as a result of the development be repaired prior to occupation.

(Voting on the application was unanimous).

5. 16-0718 Land Surrounding Wembley Stadium Station, South Way, Wembley

PROPOSAL: Reserved matters application relating to condition 1 (layout, scale, appearance, access and landscaping) of outline permission 14/4931 dated 23/12/2016. This application relates to Building 3B within Plot SW03, and Plots SW04 and SW05 and sets out the proposed details for the construction of three buildings ranging from 6 to 20 storey in height, providing 553 residential units (in private rented, affordable rented and intermediate discount market sale), with private communal residential landscaped gardens and other open space, plant, cycle storage, refuse provision and associated infrastructure and ancillary space.

The application seeks to discharge the following conditions relating to Building SW03B of Plot SW03 and Plots SW04 and SW05:

13(h) (wind), 13(k) (internal layout of buildings), 13(i) (access), 13(m) (daylight), 13(n) (private external space), 22 (play space) and 23 (adaptable units).

RECOMMENDATION: GRANT planning permission subject to any direction by the London Mayor pursuant to the Mayor of London Order, any direction by the Secretary of State pursuant to the Consultation Direction and delegate authority to the Head of Planning to issue the planning permission and impose conditions and informatives and a Section 106 deed of variation to secure the matters set out in the agreement.

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.

DECISION: Granted planning permission as recommended.
(Voting was unanimous)

6. 16-5444 2A, Preston Waye and 283, 285 and 287 Preston Road, Harrow, HA3

PROPOSAL: Demolition of the existing buildings and construction of a four storey building with a basement level providing 25 self-contained flats (11 x 1bed, 10 x 2bed and 4 x 3bed) with associated vehicular crossover off Preston Waye, car and cycle parking spaces, bin stores, amenity space and ancillary gym for private use by the residents

RECOMMENDATION: GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out in the agreement, delegate authority to the Head of Planning authority 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.

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 3 months of the committee date (24th August 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.

Members noted the contents of the supplementary report which detailed additional recommendation for 2 additional conditions and a new section 106 Heads of Terms.

DECISION: Granted planning permission as recommended and additional conditions and a new section 106 Heads of Terms as set out in the supplementary report.

(Voting was unanimous)

7. Parking Spaces rear of 181-189, East Lane, Wembley

PROPOSAL: Erection of a two storey three bedroom dwellinghouse with associated new vehicular crossover, car parking spaces, cycle and bin stores, landscaping and amenity space (modification to application 16/1338)

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

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.

David Glover (Deputy Area Planning Manager) introduced the application and answered members' questions. He then referenced the supplementary which tabulated Councillor Daly's objections and officers' responses to them.

In accordance with the Planning Code of Practice, Councillor Daly declared a prejudicial interest in that she had previously expressed objections to the application. Councillor Daly raised highway concerns including traffic problems at the junction of East Lane with Harrowdene Road, access to North Wembley train station and difficulties with the servicing arrangement for the retail units in the area. She then left the meeting room during consideration of the application and took no further part in the voting or discussion.

John Fletcher (Highways) advised that from highways perspective, the scheme was considered acceptable however, he undertook to look again into the highways issues raised by Councillor Daly.

In the ensuing discussion, members sought details of the traffic impact of the application, the level of window obscuration to preserve privacy and also possible land contamination.

David Glover confirmed that there would be no significant traffic impact from the proposed development. He explained that levels of obscuration of windows cannot

be specified but the purpose was to prevent overlooking and that the condition imposed would achieve this.

DECISION: Planning permission granted as recommended
(Voting on the application was: For 6; Against 0; Abstention 1)

8. 16 5237 53 Lonsdale Road, London, NW6 6RA

PROPOSAL: Change of use from vehicle repair garage (B2) to tap room (A4) at ground floor and first floor level.

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

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.

DECISION: Granted planning permission as recommended.
(Voting was unanimous).

9. 17 1000 19 Christchurch Avenue, London, NW6 7QP

PROPOSAL: Conversion of single dwelling into 5 self-contained flats (2 x studio, 1 x 1bed, 1 x 2bed and 1 x 3bed), with associated refuse storage and cycle parking

RECOMMENDATION: 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 matters set out in the report.

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.

Angus Saunders (Area Planning Manager) introduced the application and answered members' questions. With reference to the supplementary report, he advised members about the revised plan which added detail of the front boundary.

He then drew members' attention to requests for the removal of permitted development rights for the building and the removal of the existing outbuilding and the reasons explaining why it was not possible to agree to the removals. Members noted that further objections had been raised by Councillor Shaw which had been addressed in the main report.

Sarah Sanders (objector) stated that the proposed development was excessively large and claimed that as it was not known that its use would be incidental to the main building, the scale and massing would contravene Brent Development Plan policies. She also expressed concerns on traffic impact of the development.

Melissa Collaro (applicant's agent) addressed the meeting and answered members' questions. She advised that the application had been approved following an appeal to the Planning Inspectorate and that the outbuilding complied with permitted development.

Angus Saunders advised members that the proposed development, which was not considered to be an over-development of the site, would have no harmful impact on neighbouring residents. He went on to clarify that if the use of the outbuilding was not incidental to the main building, enforcement action could be taken against the applicant. He advised that the property would need to be occupied for a meaningful period as a dwellinghouse for the permitted development works to be considered lawful before implementing the planning permission.

He went on to clarify that if the use of the outbuilding was not incidental to the main building, the development would constitute a breach of planning condition 7, thus an enforcement action would be taken against the applicant.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 5; Against 1; Abstention 1)

10. 16 1541PRE - Motivation House and HV House, First Way, Wembley

Michael Rottman and Christopher Mitchell 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 the meeting were:

- Employment generation.
- Scale and height of the development.
- Transportation.
- Vehicular movements and air quality.
- Retail function and wider community needs.

11. Any Other Urgent Business

None.

The meeting closed at 9.55 pm

A AGHA
Chair

PART 1 - 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
 - Brent Development Management Policies DPD 2016
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
Item No
Case Number

28 June, 2017
03
16/1506

SITE INFORMATION

RECEIVED	12 April, 2016
WARD	Wembley Central
PLANNING AREA	Brent Connects Wembley
LOCATION	290B Ealing Road, Wembley, HA0 4LL
PROPOSAL	Demolition of existing warehouse (Use Class B8) and ancillary buildings and erection of part-two, part-three storey residential development providing 9 self-contained units (1 x 1 bed and 8 x 2 bed) with associated cycle parking, bin stores, landscaping and amenity space (car free development) (Revised drawings)
APPLICANT	Ms Vazirani
CONTACT	HTA Design LLP
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_127500</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "16/1506" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

It is recommended that the Planning Committee resolve to grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

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

- 1) Payment of Council's legal and other professional costs in preparing and completing agreement, and monitoring and enforcing its performance;
- 2) CPZ contribution of £5,000;

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 Development Plan by concluding an appropriate agreement.

That the Head of Planning is delegated authority to issue the planning permission and Impose conditions (and informatives) to secure the following matters:


Conditions

1. Standard 3 year permission
2. List of all approved plan numbers/documents
3. Water consumption levels
4. Implementation of refuse storage area
5. Restriction of permitted development rights under Part 1 Class A to E of the GPDO
6. that the units are "parking permit restricted"
7. Details of obscure glazed windows
8. Approval of details of materials
9. Approval of landscaping details
10. Approval of cycle parking
11. Approval of an Air Quality Neutral Assessment
12. Approval of insulation to ensure an appropriate noise environment
13. Approval of a Construction and Demolition Environmental Management Plan
14. Approval of a Site Investigation (Contaminated land)
15. Confirmation of the implementation of remediation measures (contaminated land)
16. That the units are "parking permit restricted"

Informatives

1. CIL Liable approval
2. Asbestos
3. Notification of highways regarding the commencement of works to allow a photographic survey of the highway

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 290B Ealing Road, Wembley, HA0 4LL</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is to demolish the existing buildings on site, and construct a part two, and part three storey building in its place. It would contain nine self-contained units, of which one would have one bedroom, and the remaining eight would have 2 bedrooms. There would be associated cycle parking, bin stores, landscaping and amenity space.

EXISTING

The site is located on the western side of Ealing Road, to the rear of a parade of commercial units with residential uses above. The junction with Mount Pleasant is opposite. The site contains a vacant commercial unit, which was used for milk storage and distribution (B8). It is accessed from a passageway to the south. The existing building is two storeys in height, with an ancillary office element to the south, and the main storage element to the north of the site.

The rear of the parade to the east has been extensively altered, although it appears that many of these alterations have been made without planning permission having been sought. To the north are residential properties (and their gardens) which front on to Ealing Road and St James' Gardens. To the west and south is Alperton Community School, which is in the process of being rebuilt following a relatively recent granting of planning permission. On the eastern side of Ealing Road are commercial properties and a relatively recent residential development.

There are no designations on the site itself.

AMENDMENTS SINCE SUBMISSION

Amendments have been made to the development since it was originally submitted. The initial design was for a building to contain two 1 bedroom flats, three 2 bedroom flats, and four 2 bedroom maisonettes. The building was set forward to allow for rear amenity spaces for a number of the units, and there were terraces at the front at second floor level. It was predominantly three storeys in height, but with a two storey element in the northern part of the site. Concerns were raised about the development. In particular, this was due to the impact on neighbouring properties and the quality of the accommodation itself.

The applicant subsequently amended the development. Nine units remained, but the number of 1 bedroom flats increased by one, at the expense of a 2 bedroom unit. Amenity space remained to the rear, with a large terrace at the front serving one of the units. The building was set back further. However, concerns remained, and they again centred around the impact on neighbouring properties and the quality of the accommodation itself.

Further amendments were made, which are the subject of the assessment below. There would be nine units, and all but one would be two bedroom units houses. There would be a further setback with the ground floor now pushed against the western boundary of the site. The element of the proposal at the northern most part of the site has been amended to be single storey.

SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

- **Representations Received:** - There have been 3 separate consultations carried out. The first generated 23 representations. The second generated a further 16 representations, although some were reiterating points made previously. The same applied when the third consultation was carried out, and a further 23 representations were received. They principally raised concerns regarding scale and design of the proposal, the quality of the accommodation, the impact on neighbours and local infrastructure.
- **Land use:** –The loss of the existing uses on site is considered given that it is a vacant commercial use with very limited potential of re-use for employment purposes given its siting and access arrangements, and there is a need for additional housing.
- **Design, layout and massing:** – The height of the building would be taller than what is there now but would be subservient to the frontage block. There is some variation in the heights of buildings nearby. The proposal is considered to be high quality design, making efficient use of the site which provides additional natural surveillance of the rear of the shopping parade, improving the level of safety and security for residents of the existing dwellings above the shops.
- **Quality of the resulting residential accommodation:** – The residential accommodation proposed is of

sufficiently high quality, meeting the appropriate standards for internal space. The flats would have reasonable amenity space, outlook and privacy, but the constraints of the site are such that it is not as high as would be achieved in some other locations.

- **Neighbouring amenity:** – The proposal accords with the guidance set out in SPG17 in terms of the 30 and 45 degree lines, with the exception being the relationship with the garden to the north for which the proposal does not accord with the 45 degree line but actually improves the relationship when compared to the existing building on site. The proposal does not result in an unduly detrimental impact on the amenities of adjoining occupiers.
- **Highways and transportation:** – The site has good access to public transport and the proposed units would be parking permit restricted to mitigate the potential for overspill parking. The proposed units would use the existing access to the rear area which is relatively narrow, but is constrained by the existing parade of shops and it is not possible to improve this.
- **Environmental impact, sustainability and energy:** – There are opportunities to condition that features such as bird and bat boxes, sustainable urban drainage, and water consumption are incorporated into the design.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	871		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
PROPOSED (Flats û Market)	1	8								9

RELEVANT SITE HISTORY

There is no planning history at the site itself, but the following are relevant:

October 2003: Planning permission (ref: 03/1967) **refused** at Alperton Mini Mart, 290 Ealing Road for "Erection of a single-storey rear extension to ground-floor retail shop".

CONSULTATIONS

Consultation with neighbours

Letters were sent to neighbouring properties on in May 2016. Following this 23 representations were received, raising a number of issues. Following amendments to the development further letters were sent in January 2017. Following this a further 16 representations were received, although 9 of these were from people who had objected previously. They mostly raise the same issues as previously Following further

amendments to the development further letters were sent in May 2017. Following this a further 21 representations were received from people who had objected previously. They mostly raise the same issues as previously.

Objection	Paragraph discussed in / response
<p><i>Design</i></p> <ul style="list-style-type: none"> • The building is higher than the existing structure. • The proposal would be visually overbearing. • The proposal is not appropriate to the character of the area. • The building is too high for a backland site, and would have an overbearing impact on nearby residential properties including the school house and 270 Ealing Road. 	<p>See paragraphs 5 - 9.</p>
<p><i>Quality of the resulting residential accommodation</i></p> <ul style="list-style-type: none"> • The proposal represents overdevelopment of the site, and the numerical density needs to be interpreted with caution. • The rear area is used for refuse storage and parking and the relationship with future residential units would not be appropriate. • There would be poor outlook from the proposed residential units on to the service road and the rear of commercial premises. • Children will not be able to play in the rear area safely. 	<p>See paragraphs 10 - 21.</p>
<p><i>Neighbouring amenity</i></p> <ul style="list-style-type: none"> • Overlooking from balconies into existing habitable rooms, balconies, and commercial properties. • The proposal would remove the tranquillity of existing rear gardens which currently exists. • There is currently a locked gate, and security would be compromised by the proposal. • The proposal would ruin the view from the existing terraces. • Perception of security being compromised by overlooking from future residents. • Loss of daylight. • Construction impacts including noise, dust and pollution. • The rear area is used for refuse storage and parking and the relationship with future residential units would not be appropriate. • There would be poor outlook from the proposed residential units on to the service road and the rear of commercial premises. • There are already problems with waste collection and the proposal would make this worse. • The school building is already overbearing and the proposal will make the situation worse. • Future occupiers will be able to look into the classrooms of the school and vice versa. 	<p>See paragraphs 22 - 31.</p>
<p><i>Highways and transportation</i></p> <ul style="list-style-type: none"> • The rear access would be impacted on where deliveries for the commercial uses are undertaken. The proposal may necessitate them taking place at the front, which could impact on the viability of the businesses and create disruption on the public highway. • Vehicles would have to reverse out of the site. • The businesses have car parking spaces at the rear, and use this area for deliveries and servicing. Leases exist to guarantee this. • There are safety concerns about having residents and servicing vehicles using the same space. 	<p>See paragraphs 32 - 36.</p>
<p><i>Other matters</i></p> <ul style="list-style-type: none"> • The proposal would put pressure on local infrastructure. • The applicant has not consulted local residents and businesses, whilst others consider that the consultation done was not adequate. 	<p>See paragraphs 42 - 49.</p>

- Concern about contaminated land and asbestos.
- The proposal could increase problems of rodents.
- The proposal includes a portion of a neighbouring garden.
- Concern about who would end up living in the properties, and whether they would be affordable or not, which would have different impacts.
- The proposal would result in property prices decreasing.
- There is no legal right to access the northern part of the site from the existing access way.
- The proposed amendments do not go far enough to address concerns previously raised.
- Concern about the length of time it has taken to make a decision on the planning application, and unclear why this is the case.
- There is already anti-social behaviour with young men drinking alcohol on the service road, and the proposal will make this worse.

Internal consultations

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

- Environmental Health – No objections subject to conditions.

External consultations

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

POLICY CONSIDERATIONS

National Planning Policy Framework

London Plan (2016)

Policy 2.15 – Town centres

- Policy 3.3 – Increasing housing supply
- Policy 3.4 – Optimising housing potential
- Policy 3.5 – Quality and design of housing developments
- Policy 3.6 – Children and young people's play and informal recreation facilities
- Policy 3.8 – Housing choice
- Policy 3.9 – Mixed and balanced communities
- Policy 3.13 – Affordable housing thresholds
- Policy 5.15 – Water use and supplies
- Policy 6.9 – Cycling
- Policy 6.10 – Walking
- Policy 6.13 – Parking
- Policy 7.4 – Local character
- Policy 7.5 – Public realm
- Policy 7.6 – Architecture

Core Strategy (2010)

- CP 1 – Spatial Development Strategy
- CP 2 – Population and Housing Growth
- CP 6 – Design & Density in Place Shaping
- CP 14 – Public Transport Improvements
- CP 15 – Infrastructure to Support Development
- CP 16 – Town Centres and the Sequential Approach to Development
- CP 18 – Protection and Enhancement of Open Space, Sports and Biodiversity
- CP 19 – Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 21 – A Balanced Housing Stock

Development Management Policies

- DMP 1 Development Management General Policy
- DMP 2 Supporting Strong Centres
- DMP 7 Brent's Heritage Assets

- DMP 12 Parking
- DMP 14 Employment Sites
- DMP 18 Dwelling Size and Residential Outbuildings
- DMP 19 Residential Amenity Space

Supplementary Planning Guides

- Design guide for new developments (SPG 17)
- Waste planning guide

Supplementary Documents

S106 Planning Obligations SPD 2013

DETAILED CONSIDERATIONS

Background

1. The proposal was amended following concerns raised by the Council about the original development. Further consultation was undertaken following these amendments, but it was not considered that this had addressed the issues to the point where planning permission can be granted. The applicant then resolved to further amend the proposal, and a further consultation followed. This assessment is based on the most recent drawings.

Land use

2. The proposal would result in the loss of the existing commercial use, and this is the subject of policy DMP14. It is understood that it was historically used for the storage and distribution of milk, and so is considered to be a B8 use. However, the distribution of milk (and other goods) has changed in character, scale and location, and the site has become vacant. The site visit demonstrated that whilst the building appears structurally sound, it is not equipped for modern distribution. It is relatively small, does not have level access from the street, and the vehicular access is very limited. Therefore, there appears little prospect of it being used for another B8 use.
3. DMP14 considers employment sites more generally and notes that where non-employment uses are proposed the site should incorporate the maximum amount of existing floorspace type or managed affordable workspace. There would be no objection to an element of commercial uses being proposed (which would logically be B1). However, the same problems with access would remain, and there is little prospect of them being rectified. There would be no frontage for a commercial unit, and whilst this is not required for all uses, it would restrict its appeal. Therefore, there is not considered to be an objection to the loss of commercial uses in principle.
4. This suggests that a residential use could be acceptable. Policy CP2 identifies the need for housing, and so there is no objection to this in principle, although the specific details are important and are considered below.

Design

5. The site is not within a conservation area. There are no listed buildings on the site or in the vicinity. The existing buildings and structures on site are not considered to be high quality, and there is no objection to their loss.
6. The replacement building would be part 1 and part 3 storeys, although mostly 3 storeys. The bottom two storeys would be predominately brick, but the set back upper floor would be clad in copper and partly angled at 45 degrees. The context of this is that the terrace in front of the site is part 2 and part 3 storey, and there have been a number of rear extensions to these properties. The southern two-thirds of the terrace has 3 storeys, and the northern third drops to two storeys. Pitched roofs then increase the height. Further north are traditional semi-detached dwellings of two storeys with a pitched roof. To the rear is Alperton Community School, which is being re-constructed and has greater height, bulk and mass reflecting its use. To the west is a largely residential area of semi-detached dwellings and rear gardens. Elsewhere on Ealing Road there is some variation in terms of building design, height and use and it is acknowledged that there is far from being complete uniformity. Nevertheless, it is generally made up of larger buildings fronting on to Ealing Road and residential houses in the roads leading off from this.

7. The siting of the development is such that it would be visible from the south when travelling up Ealing Road, and down the side access way. There would be some views from the north and west but they would be more limited between the northern side of the terrace and 270 Ealing Road. There would be private views from all sides. With the exception of the single storey element, the proposal would be greater in height than the residential properties to the north and north-west. The pitched roof of the existing 3 storey element of the terrace in front of the site makes it taller than the proposal by a little over 3m. However, the difference is negligible where the existing terrace drops to 2 storeys with a pitched roof. The single storey element of the proposal is very small, and it is mostly 3 storeys.
8. When viewed from the garden of 270 Ealing Road the existing site has a high boundary wall, which appears to be a historical arrangement. It is not a wall that would typically be found dividing residential properties, but is more likely due to the site being in commercial usage throughout its life. The proposal is now such that immediately adjacent to this would be a single storey structure (where previously it was two storeys which would have been detrimental). Beyond this the proposal then increases to 3 storeys, and this would be visible from the rear of this property. The depth of the proposal has now been reduced so it is considered to appear less imposing than was previously the case. This is considered to provide some level of balance between the increased height. Comments below on *Neighbouring Amenity* are also considered relevant. The school is larger than the proposal, and other buildings nearby, which is not untypical of a 'public' or civic building. From the south the proposal would also be visible, even though there is some tree cover. The proposal would be more prominent than what is there now (which has very little impact on the streetscene). However, it is not considered to be detrimental to the character of the area.
9. The specific detailing of the proposal is considered appropriate. The windows and doors would be logically spaced. The materials chosen are considered appropriate, and details could be required via a condition to ensure that they are high quality. Overall, although the building would be taller than what is there now, it would not be as deep, and would be more attractive than the current building.

Quality of the resulting residential accommodation (including housing density and mix)

10. The proposal would be for 9 units, and 8 would have 2 bedrooms and 1 would have 1 bedroom. This mix is considered acceptable. The site is constrained and to provide family sized units is not considered ideal in the immediate environment: an objection notes that this would not be suitable for children to play in this area. It logically therefore lends itself to smaller units. An objection notes that the density is misleading. The site has a PTAL of 4, which is good and so in very general terms dense developments are not objected to in principle. When considering this, a more holistic approach to the characteristics of the development has taken place, which is based on more than the numerical density.
11. The units themselves are generously sized. The London Plan standards do not actually provide a standard for 2 bedroom units across 3 storeys, but the units are considered to be sufficiently in excess of the standard given for a 2 bedroom unit across 2 storeys that it is reasonable to conclude that sufficient internal floor space would be provided. The 8 larger units would have living space at ground floor level, and a bedroom and bathroom at first and second floor levels. The 1 storey unit would be marginally in excess of the London Plan standard to accommodate 1 person. It would be across a single level and have its own amenity space to the rear. There is a setback at the front with a small wall providing some defensible space which could be used as amenity space and for the storage of bicycles (see further detail below).
12. The existing access way is not well maintained, and whilst this is not down to the applicant it is not an ideal environment. The existing commercial uses have rear accesses which are used for servicing and deliveries. There are kitchens which will generate odour and noise from air conditioning equipment, which are not regulated by the planning system. It is noted that there are no records of planning permission being granted for a number of the extensions and alterations which have taken place. However, based on dated aerial photographs the extensions appear to have been there for more than 4 years. There are refuse bins in this area, and there appears to be nowhere else for them to be stored. The applicant has looked to address this relationship by setting the building further back than was originally proposed, with defined frontages for each house with a depth of 2.7 to 3.6 m, maintaining an access of a minimum of 4.3 m. This space provides a buffer between the proposed units and the rear access to the shops and flats within the frontage block, whilst increasing natural surveillance of the access route.
13. At their rear, there would be no outlook for the proposed units at ground floor level, with the amended design pushing them to the rear boundary of the site. The outlook would be from the front, which would be onto the front amenity space and the rear of the existing terrace beyond. Above this at first and second floor levels the internal layout means that the windows to the rear would serve landings and

bathrooms which have no real expectation of outlook. The front is again where the outlook would be, with two windows serving the bedroom.

14. The applicant has provided information on the distance between the proposed development and the rear of the parade opposite. The applicant has cited that the guidance within SPG17 is that the 20m distance is between directly facing habitable rooms windows on the main rear elevations. This is slightly complex as it is comparing the front of the proposal with the rear of the existing terrace. Therefore, there is arguably some flexibility within this as the relationship is between dwellings across the primary access to the dwellings (and thus is similar to a street environment, albeit in a mews layout).
 15. The distances between the site and windows in the existing parade would be greater than 20m for much of the length, which is positive. There are points nearer the southern end where the distance would be less, with the tightest point being 17.37m. Responding to this, the three southern units are proposed to have angled windows at first floor level, which would direct the outlook partially away from the existing terrace. At second floor level, there would be a further angled setback which would increase the distance further, and similarly direct the outlook.
 16. There are rear walkways and roof terraces for the existing dwellings where the distance between those walkways and the windows of the proposed dwellings would be less than 20 m. However, as discussed above, this relationship is similar to that across a street and adequate levels of privacy are considered to be achieved for future residents of the proposed units.
 17. Objections note the presence of the school, and there would be terraces at first floor level which would face towards it. The terraces would be very small, and are not considered to be objectionable. The provision of windows and terraces that face school grounds is not contrary to planning policy or guidance and the school has not objected to the proposal.
 18. There is an area for waste storage shown at ground floor level. This is placed to minimise the distance for waste collection (see *Highways and transportation* below). The size is considered appropriate for the residential units, but is not large enough to accommodate the refuse for the commercial units which would have to remain within the rear area.
 19. There is provision for amenity space. Overall, there is less than the 20sqm suggested for each unit, but given the constraints of the site the areas proposed are considered, on balance, acceptable.
 20. The applicant has demonstrated that the internal daylight to the proposed units would be broadly acceptable.
 21. There are site constraints which affect the quality of accommodation, including the current appearance of the access road. However, on balance, the quality of accommodation is considered acceptable.
- Neighbouring amenity***
22. A number of objections note the potential for overlooking from the residential units. The assessment above on the potential for the proposed units to be overlooked applies in reverse: there is potential for the proposed units to impact on the amenity of neighbouring properties.
 23. As noted above the distances between the existing terrace and the proposed development, would be in excess of 20m for much of its length. It does drop below this at some points, towards the south. The angled windows of the proposed development would restrict overlooking to a substantial extent. This would still leave two points where there would be potential overlooking between units, and although the relevant windows would not be absolutely directly facing it is not far off this. To address this, it is proposed to obscurely glaze this window, and this would be secured through a condition.
 24. The existing amenity spaces and walkways which serve some of the existing units within the terrace would be overlooked by the residential units. However, the existing parade can already overlook these spaces anyway and these front the rear service area which is used to access the existing residential units above the shops and the ground floor commercial units. The introduction of additional units is not therefore considered to result in this being materially worse.
 25. The nearest residential unit to the north would be 270 Ealing Road. The straight line distance between the site and this property is less than 20m. As noted above the single storey element would be immediately beyond the boundary wall, with the 3 storey element then beyond this. The windows would face the rear of the existing parade rather than the site itself. For this reason direct overlooking would not

occur, and the angle is such that in practical terms there would be a negligible impact. This is in contrast with the earlier incarnations of the development, where there were concerns about overlooking as the development was two storeys immediately adjacent to the boundary. Further to the north and the north west, other properties are at least 20m away from the site, where they would not experience any overlooking.

26. Objections note that the proposal would overlook the school. As noted above there would be small terraces, and windows serving non-habitable rooms. This is not an untypical relationship and it is not considered that this represents a problem for the operation of the school.
27. The applicant demonstrated that the impact in terms of daylight and sunlight to neighbouring properties of the *original* proposal was acceptable. The amendments have slightly lessened the impact so are considered acceptable in this regard.
28. The proposal would not create additional noise impacts. There is no aspect of the development which is considered inherently unsuitable by virtue of generating noise which would disturb to this environment. The same is true of odour and obtrusive light, and the development is not expected to create any particular problems in terms of microclimate and wind given its height.
29. Objections note the impact on security. There is a locked gate which provides access to the rear of the site. As a general point having more people using this gate could make it more likely that it will be left open. However, the residential units would provide some natural surveillance, and so the overall impact is considered neutral or beneficial. Future residents are also likely to be protective of their own security.
30. An objection suggests that the existing problems with waste collection would be made worse. The proposal would provide its own refuse storage, and so it is not considered that the impacts would be made worse. It would be the proposed units which would be affected more than the existing residents and businesses.
31. There would be construction impacts were the proposal to go ahead. This is a constrained site, with residential and commercial properties nearby. Therefore, in the event that the proposal was considered acceptable, there would be a condition requiring a Construction Management Plan (CMP) to be submitted.

Highways and transportation

32. There are limited opportunities for off-street parking (and this could prevent servicing of the existing commercial units). The PTAL is 4 given proximity to bus routes on Ealing Road and Alperton Station. There is concern that in the absence of on-site parking or a restriction on on-street parking that vehicles could spill onto nearby streets so adding to parking stress. Ealing Road in particular is not an appropriate location for vehicles to park. The solution to this would be to withdraw the rights of future occupiers to on-street parking permits. There are some streets nearby which are not subject to a Controlled Parking Zone (CPZ) at present, and so they could currently be used by future residents even if they are not entitled to a parking permit. It is therefore suggested that a financial contribution of £5,000 towards the cost of extending the CPZ is sought, and compensating existing residents through free or reduced parking permits, given that they are not creating the need for the CPZ extension. This would need to be secured through a legal agreement.
33. Concern is also raised about the general access to the site. It is down a narrow passageway, which is narrow, not well lit or surfaced, and with no real natural surveillance. A small vehicle can fit down it, but a pedestrian cannot pass. It is acknowledged that it would be very difficult for someone with mobility issues or a buggy to negotiate this in its current state. There is no demarcated walkway and vehicles currently use this for deliveries, either parking at the rear or just in front of the gates. Residents would potentially be accessing this at all times of the day and week, whereas the warehouse would have been restricted to business hours (although their business hours could have been different to, for example, 9am – 5pm Monday to Friday). The Design and Access Statement refers to the improved surfacing, but there are no specific plans shown. Without this, a buggy or wheelchair would not move across the surface as smoothly as on much of the public highway. There were concerns that the communal bin store is approximately 30m from the public highway, which would exceed the maximum guidance within the Council's *Waste planning guide*. However, the Council's contractor, Veolia, has confirmed that they are comfortable with the arrangement. The access would have to serve future residents, deliveries for the commercial uses, and in a worst case scenario emergency vehicles. However, this is an existing constraint with no realistic prospect of it being widened. Therefore, if this was to be objected to then it is not clear how the site could be used given that the existing use is unlikely to be resurrected: it is likely

that it would remain in its current state with an existing building that would inevitably deteriorate over time. An alternative commercial uses would have the same problems.

34. The drawings suggest that the level of cycle parking is below the requirements of the London Plan, which seeks 2 spaces for each two bedroom unit, and 1 space for each one bedroom unit, thus making a requirement for 17 spaces. The drawings show 1 space per unit. There appears to be space for additional cycles within the setback area to the front of each of the units, and some communal spaces could be provided within the mews. A condition could require these additional spaces.
35. As noted above a Construction Management Plan would be required to mitigate the impacts on the highways network and on local amenity during construction.
36. Overall, the proposal does some raise issues particularly relating to the quality of the access and distance of the dwellings and refuse store from the highway. However, in a practical sense it is considered that a degree of compromise is required if the site is to be redeveloped at all rather than remaining derelict.

Environmental impact, sustainability and energy

37. As the proposal is not a Major Application, the requirements within planning policy for specific measures to address carbon dioxide are reduced. It is recommended that a condition is attached to ensure that the developments water consumption falls within the guidance within the London Plan. Also, where resurfacing is done it could incorporate basic sustainable urban drainage (SUDs). In addition, a condition could require bird and bat boxes to be incorporated into the development.
38. With such conditions the proposal would enhance the sustainability credentials of the site more than is currently the case.

Contaminated land

39. Given the historic use of the site there is a requirement for the applicant to submit details of investigation and remediation of any potential contamination. This could be secured by condition.

Section 106 / Planning obligations

40. The proposal would require a section 106 agreement in order to mitigate the transport impacts as noted above, but there are no other obligations identified.

Community Infrastructure Levy

41. The GLA and the Brent Council have Community Infrastructure Levies (CIL) in place, which the development would be liable for. The GLA is a flat rate of £35 per sqm of floorspace. The Brent CIL has different amounts for different uses, including £200 per sqm for residential floorspace. This would ensure that the impact on most types of infrastructure is acceptable.

Other issues

42. There are no specific issues of landscaping proposed. Although there is the suggestion by the applicant that they can improve the access way and the rear of the site, this has not been categorically confirmed or demonstrated. Notwithstanding this, the main concerns raised about the access are based on the specific widths and distances of the space which no amount of landscaping improvements can completely address.
43. The site is within flood zone 1, where there is a low probability of flooding. There are not therefore considered to be any further requirements for the development in this regard.
44. As the proposal would be for less than 10 units there is no requirement for affordable housing.
45. Concerns have referred to the consultation done by the applicants. There is no obligation on them to do so, and the Council has carried out an extensive consultation for the development.
46. Whether the proposal would result in changes to property prices is not considered material to the determination of the application.
47. The demolition of the existing vacant buildings could result in the rodents moving to nearby sites. However, the completed development is likely to reduce the chances of rodents given that future residents would take their own precautions to reduce the rodent population.

48. The applicant is considered to have designed a scheme which is not reliant on the land of any other parties.
49. Issues of rights of access are considered to be matters for the various landowners with an interest in the site. The potential section 106 obligation would not be dependent on any of these.

Conclusion

50. The existing situation is not ideal in terms of land use or design. It is not considered to be an attractive building and is not likely to be suitable for continued use as B8. A similar commercial use is also not considered likely to be feasible or viable. Therefore, the principle of a residential use is not objected to, but the detail is important. The existing access is a characteristic of the site which has inherent weaknesses, with the only opportunity to improve it being to re-surface it: widening it is not possible.
51. It is a backland site and much of the development would be similar in height to the existing terrace to the east, taller than the residential units to the north but lower than the school to the west. Overall, this is considered acceptable and high quality materials would ensure a high quality design.
52. The layout of the units responds to the constrained nature of the site. Outlook would not be as good as would be achieved on some other sites, but is a necessary response to maintaining an acceptable relationship with the existing residential units nearby and to provide natural surveillance of the access road. Similarly, amenity space is provided but is not substantial, and the site does lend itself to smaller units as a result. The rears of the existing commercial units are also not an ideal backdrop to residential, but defensible space would as far as possible mitigate this.

The nature and state of the sites access and nature of the rear of the commercial units result in constraints that require careful consideration. However, the redevelopment of the site provides significant benefits in terms of the provision of new homes and the improvement of the area to the rear of the commercial units (in terms of its appearance and the level of natural surveillance). It results in the removal of a building for which there is little likelihood of re-use or redevelopment for commercial uses and provision of a new development of good architectural quality. The level of impact on surrounding residential dwellings is not considered to be unduly detrimental. The approval of this planning application is accordingly recommended.

CIL DETAILS

This application is liable to pay **£0.00*** 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): 0 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
Storage and distribution		578	0	£0.00	£0.00	£0.00	£0.00
Dwelling houses		760	0	£200.00	£35.15	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	286	
Total chargeable amount	£0.00	£0.00

*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: 16/1506

To: Mr Dodd
HTA Design LLP
106 - 110 Kentish Town Road
London
NW1 9PX

I refer to your application dated 12/04/2016 proposing the following:
Demolition of existing warehouse (Use Class B8) and ancillary buildings and erection of part-two, part-three storey residential development providing 9 self-contained units (1 x 1 bed and 8 x 2 bed) with associated cycle parking, bin stores, landscaping and amenity space (car free development) (Revised drawings) and accompanied by plans or documents listed here:
See condition 2
at 290B Ealing Road, Wembley, HA0 4LL

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: 16/06/2017

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 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):

290-ERB_HTA-A_DR_0001 Rev A; 290-ERB_HTA-A_DR_0002 Rev A;
290-ERB_HTA-A_DR_0100 Rev F; 290-ERB_HTA-A_DR_0200 Rev J;
290-ERB_HTA-A_DR_0201 Rev C; 290-ERB_HTA-A_DR_0202 Rev C;
290-ERB_HTA-A_DR_0203 Rev C; 290-ERB_HTA-A_DR_0250 Rev D;
290-ERB_HTA-A_DR_0251 Rev C; 290-ERB_HTA-A_DR_0252 Rev A;
290-ERB_HTA-A_DR_0253 Rev A.

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

- 3 The building shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 4 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment by neighbouring occupiers of their properties.

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

Reason(s): To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 6 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.

- 7 Prior to the commencement of development (excluding demolition) details of a scheme to prevent undue levels of overlooking between the residential units hereby approved and the parade of properties to the east shall be submitted to and approved in writing and the development shall be completed in accordance with the approved details. This shall include details of the angled windows proposed to serve plots 1, 2, and 3 at Level 1, and obscure glazing to the larger window serving plot 4 at level 1.

Reason: To ensure that the existing residential properties are not overlooked to the detriment of their privacy.

- 8 Prior to commencement of the development (excluding demolition) details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature 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 shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is high quality, and in the interest of the privacy of future occupants.

- 9 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the hard and soft landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (d) details of the provision of artificial bird and bat boxes;
- (e) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (f) the location of, details of materials and finishes of, all street furniture, drainage;
- (g) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height;
- (i) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (j) details of materials, lighting, tactile paving, handrails and wayfinding signs;
- (k) details of all tree planting pits (including surfacing);

The approved details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

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

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

ensure that it enhances the visual amenity of the area, and that the opportunities to provide ecological habitats are maximised..

- 10 Notwithstanding the drawings hereby approved, details of secure weatherproof parking facilities, including the provision of two cycle spaces for each two-bedroom unit and one cycle parking space for the one-bedroom unit shall be submitted to and approved in writing by the local planning authority prior to first occupation of the dwellings hereby approved and the approved cycle storage facilities shall be installed prior to first occupation of the dwellings and thereafter retained for the life of the development and not used other than for purposes incidental to the occupation of the dwellings hereby approved..

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 11 Prior to the commencement of development a scheme an Air Quality Neutral Assessment shall be submitted to and approved in writing by the Local Planning Authority. The report must be undertaken in accordance with guidance published by the Greater London Authority (GLA). The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The measures within the approved assessment shall thereafter be implemented in full throughout the construction and occupation of the development (where relevant).

Reason: To ensure that the development would not result in a detrimental impact on local air quality.

- 12 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate that the residential dwelling will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max 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 (8 hr) 45 dB L _{max}

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

Reason: To obtain required sound insulation and prevent noise nuisance

- 13 A Construction and Demolition Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of any construction works on site (including demolition). This shall outline measures that will be taken to control dust, noise and other environmental impacts of the development. The approved Plan shall be fully implemented thereafter throughout the demolition and construction of the development in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 14 Prior to the commencement of works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors and proposals for remediation where required. The recommendations of the approved report shall be implemented in full prior to first

occupation of the dwelling hereby approved.

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

- 15 Any soil contamination remediation measures required by the Local Planning Authority pursuant to condition 13 shall be carried out in full. A verification report shall be submitted to the Local Planning Authority prior to first occupation of the development hereby approved, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

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 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.
- 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 Chris Heather, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5353

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 June, 2017
04
17/1227

SITE INFORMATION

RECEIVED	20 March, 2017
WARD	Wembley Central
PLANNING AREA	Brent Connects Wembley
LOCATION	2 Talbot Road, Wembley, HA0 4UE
PROPOSAL	Redevelopment of the site comprising the erection of a part two, part three storey building providing 5 self-contained flats (4 x 1bed and 1 x 2bed) with associated rear roof terrace, front balconies, cycle parking spaces, bin stores, front boundary railings, amenity space and landscaping
APPLICANT	Gentlecraft Ltd
CONTACT	Loxton & Associates
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_133265</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/1227" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

- That the Committee resolve to GRANT planning permission.
- 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. Implementation of proposed waste and cycle storage made available prior to occupation
4. Crossover to be made good at applicant's expense prior to occupation
5. Obscure glazing of kitchen window and rear lounge window within flat 4
6. The roofs and roof terraces shall not be made accessible for residents and shall only be used for purposes of maintenance
7. Development to be parking permit restricted
8. External materials to be approved prior to commencement
9. Submission and approval of Construction Management Plan prior to commencement
10. Submission and approval of details confirming insulation achieves acceptable internal residential noise levels
11. Approval and implementation of landscaping proposals

Informatives

1. CIL Liable
 2. Party Wall
 3. Building near site boundary
 4. Contact for works to the public highways
 5. Notify highways prior to the commencement of works
- 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.

SITE MAP

	Planning Committee Map
	Site address: 2 Talbot Road, Wembley, HA0 4UE
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

EXISTING

Cleared plot of land on the western side of Talbot Road, south of the junction with Harrow Road. The plot previously accommodated a detached dwellinghouse. Following extensive fire damage to the property the site has since been cleared of all buildings. It is surrounded by residential uses either side and to the rear.

This is not within a conservation area.

SUMMARY OF KEY ISSUES

The key issues for consideration are as follows:

1. Whether the proposed use is acceptable in principle given the surrounding uses and character. The proposal would represent the provision of residential units within a residential area and the general principle of the use is considered to be acceptable.
2. Whether the proposed development provides a suitable standard of accommodation for future occupiers. The standard of accommodation is in accordance with adopted policy and guidance.
3. Whether the proposed development integrates well into the street in design terms and is of good design quality. The development is considered to pay an appropriate regard to the scale and patterns of development in the vicinity, having regard to the Inspectors views within the previous appeal.
4. Whether the proposed development incurs unduly detrimental impacts on the amenities of neighbouring occupiers. The level of impact to adjoining properties is not considered to result in an unduly detrimental level of harm.
5. Whether the proposed development can be supported in terms of its impact on the parking capacity of the local area. The scheme is to be parking permit restricted, which is considered to be appropriate given the high level of public transport accessibility (PTAL 5).

RELEVANT SITE HISTORY

16/5435. Full Planning. Refused. 13/02/2017.

Erection of a part two to four storey building comprising 6 self-contained flats (4 x 1 bed, and 1 x 2 bed and 1 studio flat) with rear roof terrace, front balconies, associated cycle parking spaces, bin stores, front boundary railings, amenity space and landscaping.

15/0506. Full Planning. Refused – Appeal dismissed. 11/04/2016.

Erection of a part three to four storey building comprising 8 self-contained flats (5 x 1 bed and 3 x 2 bed) with rear roof terrace, front balconies, associated cycle parking spaces, bin stores, front boundary railings, amenity space and landscaping.

APP/T5150/W/15/3130828. Appeal – dismissed.

CONSULTATIONS

84 nearby properties along East Lane and Harrowdene Road were consulted regarding the proposal for a minimum of 21 days on 03/04/2017.

Two individual letters of objection were received and one petition, containing 21 signatories, was received. Two of the properties that object within the petition have already sent separate letters of objection. Therefore, it is considered that the petition contains 19 signatories.

No specific grounds of objection were raised within the petition, however the two letters of objection raise the

following grounds of objection:

Ground of objection	Response from officer
<ul style="list-style-type: none"> The proposal represents overdevelopment 	<p>The new building is broadly contained within the established building line along the street and retains a rear garden space. It is therefore considered that the development is in keeping with the suburban character of the area in terms of its scale and placement within the plot.</p>
<ul style="list-style-type: none"> The building will overlook neighbouring gardens, reduce light and invade the privacy of nearby properties. 	<p>The development complies with Brent's SPG17 guidance in terms of protecting privacy and avoiding the creation of unreasonable overlooking. Further information is contained in the detailed considerations (section 3.0) below.</p>
<ul style="list-style-type: none"> The development fails to provide a replacement family dwelling. 	<p>This matter was considered by the Inspector as part of appeal APP/T5150/W/15/3130828 and the Inspectors decision is a material planning consideration. Whilst no family sized units are proposed, there is no longer a dwelling in existence on the site. Consequently, there would be no net loss of family housing as a result of the proposal. Therefore, the current unit mix proposed, without a family unit, is considered acceptable.</p>
<ul style="list-style-type: none"> The proposal is for a bulky, overly large and disproportionate building that will be to the detriment of the streetscene and local character 	<p>The proposed building is considered to pay an appropriate regard to the scale of the surrounding buildings. This matter is discussed in detail within section 2 of the main report (paragraph 2.1 to 2.6 below)</p>
<ul style="list-style-type: none"> Proposed flats will lead to increased parking and congestion on-street. 	<p>This proposal is parking permit restricted, mitigating the potential for overspill parking. This is achieved by applying a condition restricting those residing in the new flats from applying for a residents' parking permit. It is therefore required that all residents should rely on public transport for their transport needs. The local public transport access is considered to be good, which makes this approach feasible.</p>
<ul style="list-style-type: none"> Proposed building will harm the character of the area. 	<p>As the first house on the street, the building will appear as a more prominent corner property and it is therefore considered that the modern architectural approach to the building will appear to add variety to the street without establishing an awkward break in the traditional street frontage to the south.</p> <p>Furthermore, the character of this part of Talbot Road is already considerably mixed, with buildings of varying modernity being present in the immediate surrounds. It is therefore not considered that the building will erode any</p>

	established character.
<ul style="list-style-type: none"> Development is unsustainable and will lead to overcrowding. 	The proposal is for five, adequately sized flats with a projected occupancy of eleven people. The density of development falls within the range set out within the London Plan as discussed later in this report (paragraph 7 below). The building will meet modern building regulations, is in an accessible location and is "parking permit restricted". The proposal accords with the relevant policies with regard to sustainability
<ul style="list-style-type: none"> Flats 4 and 6 fall short of minimum floorspace standards within the London Plan. 	Flat 4 is 50sqm in size, which complies with the London Plan standard for a 1 bedroom, 2 person flat in terms of size. There is no flat 6 proposed within this application.
<ul style="list-style-type: none"> There would be a restricted outlook from habitable windows in the basement flats 	There are no basement level flats proposed within this application.
<ul style="list-style-type: none"> There would be no defensible space between flat 2's rear windows and the communal garden, resulting in a loss of privacy 	Details of landscaping are to be secured through condition. Screen planting will be secured through this condition.

The three members for Wembley Central ward were consulted regarding this proposal. No responses were received.

POLICY CONSIDERATIONS

**National Planning Policy Framework/National Planning Practice Guidance
National Technical Housing Standards**

London Plan 2011/ Mayors Housing SPG 2012

Key policies include:

Policy 3.5 Quality and Design of Housing Developments (and table 3.3)

Policy 6.9 Cycling

Brent Core Strategy 2010

CP17 Suburban Character

CP21 A Balanced Housing Stock

London Borough of Brent Development Management Policies 2016

DMP1: General Development Management Policy

DMP12: Parking

DMP18: Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance 17:- Design Guide for New Development

DETAILED CONSIDERATIONS

Key considerations

- Principle;
- Design;
- Impact on neighbouring amenity;
- Quality of accommodation;
- Parking;
- Environmental Health

1.0 Principle

1.1 The site has long been used for residential use. It is not currently however as the previous detached dwelling has been demolished following fire damage. Proposals for residential use of the site will make efficient use of previously developed brownfield land, in what is a sustainable location well located close to public transport interchanges. This is consistent with the aims of the National Planning Policy Framework (NPPF). Accordingly there is no objection raised to the principle of a residential development, subject to all other material planning considerations.

2.0 Design, layout, massing and scale

2.1 The appeal decision for the previous application (16/0506) found the proposal's design, scale and massing to be unacceptable for a number of reasons, as inserted below:

"The proposed development would be viewed in the context of adjacent two storey dwellings. Its modern design would contrast with the more conventional architecture of its neighbours. Nevertheless, the Council does not object to the contemporary approach and, given the mix of buildings in the area, I consider that it would be unreasonable to insist upon a particular style."

The Council's principal concern is regarding the scale of the development. The proposed building would span the full width of the plot with minimal space to the boundaries on either side. It would be taller than adjacent buildings and with substantially greater mass and bulk. The consequence would be a development which is disproportionately large and cramped within the plot. In my judgement, the building would appear out of scale with neighbouring properties and unduly dominant in the street scene."

2.2 It is considered that the current application has suitably addressed the concerns raised about context. The built form within this application has been reduced so that the development is now contained below the ridge lines of neighbouring buildings, giving the building a complementary form rather than a dominating one.

2.3 The building is also set in more significantly from the boundaries and therefore has a reduced width compared with the design considered at appeal. The width between the development and no. 4 Talbot Road is 2.4m whilst the gap to the garage site next door is 1.3m; this compares with 1.6 and 0.5m within the appeal application respectively. More than 5m distance is established between north flank wall of the development and the rear walls of properties along Harrow Road. The revised proposal effectively establishes a more open character.

2.4 The architectural approach remains contemporary which is supported in principle. The building has been designed with flat roofs, and the fenestration is a mix of red brick, render panels, curtain wall glazing and projecting balconies with steel balustrades. PV panels are proposed on the roof. The stepped heights of the building help to break up the built form and articulate the building's appearance.

2.5 The façade detailing pays mind to the surrounding context, with the first floor fenestration following the plane of windows on the first floor of no. 4 Talbot Road and no. 579 Harrow Road as seen from the eastern elevation. The ground floor fenestration also broadly mirrors the openings of the garages immediately to the north of the building, providing some additional integration with the local context.

2.6 The design, layout, massing and scale of the building is accordingly considered to be in keeping with the area.

3.0 Impact on neighbouring amenity

3.1 The building is not considered to result in an unduly detrimental impact on the amenities of surrounding occupiers. The three-storey element of the building is situated next to No. 4 Talbot Road and does not project beyond the rear wall of that property. As such, the proposal accords with the 45 degree and 30 degree guidance in relation to that property and No. 579 Harrow Road. The one- to two-storey element has been designed to limit the potential impact on No. 579 Harrow Road. The two-storey element is situated next to the large existing garage adjacent to No. 579. The single storey element projects rearward of this. The rearward projection of this element of the building is significantly less than that of the original house and the level of impact associated with this element of the proposal is not considered to be unduly detrimental.

3.2 All windows face to the front (Talbot Road) or to the rear (across the garden). Windows at first and second floor level (those that could feasibly overlook nearby properties) are all located at least 10m from the

boundary of the garden with the neighbouring property to the rear (577 High Road). Even though the southern part of the building is located further back in the plot, the boundary of the garden deepens which ensures that the 10m distance is still maintained. The 10m separation is considered to provide a suitable buffer to prevent unreasonable overlooking in line with SPG17 guidance.

3.3 One of the rear facing windows (the one serving flat 4, close to the boundary with no. 579 Harrow Road), and could allow overlooking of the rear gardens of no. 579 Harrow Road at an angle, even though it is not directly facing the rear of these properties. The primary outlook for the living space that this window serves is at the front of the building and a condition is recommended to require that the secondary rear facing window is obscure glazed to protect the privacy of neighbouring residents.

3.4 Only one window faces north (towards the rear of no's 577 and 579 Harrow Road; however, this window serves the bathroom of flat 4 and therefore can be acceptably obscure glazed to retain privacy for both the residents of the new flat and the existing residents along Harrow Road. A condition will be applied to ensure that this is implemented as part of the development.

3.5 Access to the roof above the two-storey element of the proposed building is shown on the drawings. Photo voltaic panels are shown to occupy almost all of this roof. This could allow overlooking to the north at an unacceptable proximity to the property at no. 579 Harrow Road. A condition will require that the roof terrace is not made available for residents' access and that this space is only used for maintenance purposes.

4.0 Quality of accommodation

4.1 Five flats are proposed, this is broken down as 1 x 2 bed and 4 x 1 bed.

4.2 Quality of accommodation;-

Flats 1, 3, 4 and 5: 1-bed 2 person, area of 50sqm

Flat 2: 2-bed 3 person, area of 69sqm

4.3 The unit sizes have been assessed against the Mayor's residential space standards, set out in the Mayor's Housing Design Guide and London Plan. It is found that all units accord with the minimum floorspace requirements for their respective units. All bedrooms exceed the minimum sizes for double bedrooms (11.5sqm) and single bedrooms (7.5sqm – in the case of flat 2) as specified within the Mayor's standards.

4.4 Residential accommodation is arranged within three stories on the south side of the block and two stories on the north side of the block. There is no subterranean accommodation proposed, and proposals to excavate a part basement from previous proposals have been removed from this application.

4.5 Amenity space is proposed in the form of front balconies (flats 3, 4 and 5), private garden (flat 2 only), private yards (flat 1 and flat 2) and a communal garden area. The overall quantum proposed achieves 170sqm of useable amenity space (both communal and private). This achieves 34sqm of amenity space per flat, which exceeds the SPG17 standard of 20sqm per flat. The balconies are 1.5m in depth, which is likely to make them useable for residents.

4.6 Flat 1 has a private yard area which acts as a buffer between the rear facing residential windows and the communal amenity space. The fence that separates the rear yard from the communal amenity space is 1.2m in height, which is sufficient to retain some outlook for the windows whilst being high enough to provide a suitable amount of privacy for this private yard from the communal space.

4.7 Internal ceiling heights of 2.35m are demonstrated within the sections provided which will provide a good standard of living for residents.

4.8 In terms of the stacking of units, parts of the living room of flat 4 is above the bedrooms of flat 2. A condition requiring details of suitable sound insulation for this part of the building will be required to prevent an unacceptable transfer of noise between rooms.

5.0 Parking & transport considerations

5.1 This site is located on the eastern side of Talbot Road (a traffic-calmed local residential access road), about 30 metres south of its priority junction with Harrow Road (a London distributor road).

5.2 The site is currently vacant, having formerly been occupied by a detached house prior to suffering fire

damage. A 4.5m wide crossover on the northern side of the site (which extends a further 9m northwards to serve a triple block of garages, not part of the applicant's site) provides vehicular access to the site. No off-street car parking is proposed for the development, but secure cycle storage for 6 bicycles and refuse storage is indicated alongside the pedestrian entrance to the building. The site lies within Controlled Parking Zone "C", operational between 8am-6.30pm Mondays to Saturdays (midnight on Wembley Stadium event days). Two pay and display parking bays are located along the site frontage. Talbot Road is not listed in the overnight parking surveys from 2013 as heavily parked.

5.3 Public transport access to the site is very good (PTAL 5), with Wembley Central station (Bakerloo, London Overground & Southern services) and ten bus routes within 640 metres (8 minutes' walk).

5.4 Car parking allowances for residential use are set out in standard DMP 12 of the adopted DMP 2016. As the site is located in a CPZ with very good access to public transport services, a reduced allowance of 0.75 spaces per 1-1/2-bed flat applies. The 5 proposed flats would therefore be permitted up to 3.75* parking spaces and the proposed absence of any parking within the site would therefore accord with standards. However, consideration also needs to be given to the potential impact of any overspill parking on the free and safe flow of traffic in the area, with Policy DMP12 allowing on-street parking to be counted towards standards along the front of the site only, provided the road is not heavily parked and has sufficient width to safely accommodate on-street parking. In this respect, Talbot Road is not noted as being heavily parked at night, so could safely accommodate some overspill parking. However, this would not satisfy the parking standard (and the likely parking demand) for the development.

5.5 Policy DMP12 does also allow car-free housing to be provided in locations where the public transport access, generally with PTAL 4 or above and this site meets the criteria for such a development, with its very good access to public transport and location within a CPZ. Therefore if this scheme was recommended for approval, a condition would be attached to remove the right of future residents of the building to on-street parking permits, thus mitigating the impact of the over-spill parking that is likely to occur.

5.6 Standard 6.13 of the London Plan requires the provision of at least one secure bicycle parking space per 1- / Studio- flat and 2 spaces for all other dwellings. A secure store for six bicycles is indicated alongside the building entrance to the front of the site, which therefore meets the requirement. Similarly, secure bin storage is located to the front of the site for two Eurobins and a wheeled bin, thus meeting storage requirements for the flats in a location that will allow easy access by refuse collection staff.

6.0 Environmental Health

6.1 The development is within an Air Quality Management Area and construction is therefore may contribute to background air pollution levels. A condition requiring a construction method statement is therefore required.

6.2 The proposed 4 storey block of flats is located close to the busy Harrow Road. We therefore need to ensure that the sound insulation is of a sufficient standard to achieve the required internal resting conditions. A condition will be attached.

7.0 Density

7.1 The proposal comprises a total of 5 residential units and 11 habitable rooms. With a site area of 0.0429 Hectares, this results in a density of 117 units per hectare or 256 habitable rooms per hectare. This falls within the range set out within table 3.2 of the London Plan, which suggests a density range of 70-130 units per hectare and 200-250 habitable rooms per hectare for a suburban location with a Public Transport Access Level (PTAL) of 4-6.

8.0 Conclusion

8.1 The proposed scheme offers a good standard of accommodation to future residents and would sit comfortably alongside surrounding buildings along this part of Talbot Road. The scheme has been sensitively designed so as to not unduly diminish the visual amenities of nearby residences. The proposal will not encourage additional on-street parking as the development is to be car free.

8.2 It is for these reasons that the proposal is recommended for approval.

CIL DETAILS

This application is liable to pay **£94,574.39*** 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): 315 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	315		315	£200.00	£35.15	£80,437.50	£14,136.89

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	£80,437.50	£14,136.89

*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: 17/1227

To: Mr Loxton
Loxton & Associates
1 Morland Close
Hampton
TW12 3YX

I refer to your application dated 19/03/2017 proposing the following:
Redevelopment of the site comprising the erection of a part two, part three storey building providing 5 self-contained flats (4 x 1bed and 1 x 2bed) with associated rear roof terrace, front balconies, cycle parking spaces, bin stores, front boundary railings, amenity space and landscaping and accompanied by plans or documents listed here:

Refer to condition 2.
at 2 Talbot Road, Wembley, HA0 4UE

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: 16/06/2017

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/National Planning Practice Guidance
 - London Plan 2011/ Mayors Housing SPG 2012
 - Brent Core Strategy 2010
 - London Borough of Brent Development Management Policies 2016
 - Supplementary Planning Guidance 17:- Design Guide for New Development

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

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

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

L1167/2.3/01
L1167/2.3/02
L1167/2.3/03
L1167/2.3/34
L1167/2.3/35
L1167/2.3/36
L1167/2.3/37
L1167/2.3/38
L1167/2.3/39
L1167/2.3/40

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

- 3 Prior to occupation of the development hereby approved the cycle storage and refuse and recycling facilities shall be installed and completed in accordance with the approved details and shall thereafter be retained and not used other than for purposes incidental to the flats hereby approved for the life of the development.

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

- 4 The development hereby approved shall not be occupied unless the existing crossover serving the site has been reinstated to footway.

Reason: To ensure the development is fit for purpose and not detrimental to the parking capacity of surrounding streets

- 5 The north facing window serving the bathroom of flat 4 and the east facing window serving the living room of flat 4 shall both be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m 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 occupiers.

- 6 The roofs and roof terraces of the building hereby approved shall not be accessible for residents' use at any time and shall not be used other than for purposes of maintenance.

Reason: In the interests of protecting the amenities of adjoining occupiers.

- 7 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.

- 8 Details of materials for all external work, including samples, shall be submitted to and/or made available for viewing on site. The materials shall then be 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.

- 9 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 approved statement shall be implemented throughout the duration of construction.

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

- 10 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate that the residential dwelling will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max 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 (8 hr)

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

Reason: To obtain required sound insulation and prevent noise nuisance

- 11 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in

writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:

1. Planting, including a planting plan detailing plant species, size, location and number/density;
2. Walls / fences / means of enclosure;
3. Any levels or contouring within the site;
4. Hard landscaping, including materials and any proposed furniture;
5. Drainage;

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

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

INFORMATIVES

- 1 The 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 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 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 Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 June, 2017
05
16/5342


SITE INFORMATION

RECEIVED	12 December, 2016
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Garages next to 7, Princes Close, London
PROPOSAL	Redevelopment of the site to provide a 2 storey building comprising 4 self-contained flats (4 x studios) with associated car and cycle parking spaces, bin stores and amenity space
APPLICANT	GRE GROUP
CONTACT	DUSEK LTD
PLAN NO'S	47/P4/1, 47/P4/2E, 47/P4/3, 47/P4/4, 47/P4/5.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_131638</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "16/5342" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

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:
- 3) Conditions
 1. Time Limit (3 Years)
 2. Approved drawings / documents
 3. Implementation of recommendations from tree report
 4. Provision of parking spaces and accesses
 5. Restriction on side wall windows above ground level - obscure glazed and high level opening only
 6. Details of levels of vibration
 7. Approval of a Construction Method Statement
 8. Approval of a Site Investigation (land contamination)
 9. Implementation of remediation (land contamination) and approval of a verification report
 10. Approval of measure to ensure adequate internal noise levels
 11. Approval of external materials
 12. Approval of cycle parking details
 13. Approval of landscaping details, including a planting plan, hard surface materials, fences/walls, drainage and any contouring.
- 4) Informatives
 1. That the applicant should contact Highways to arrange any proposed highways works
 2. Photographic survey of the condition of the highway prior to commencement
 3. Information regarding CIL liability
 4. Information regarding Party Wall agreements
 5. Information regarding building near to the boundary
- 5) 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.
- 6) 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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Garages next to 7, Princes Close, London</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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© Crown copyright and database rights 2017 Ordnance Survey 100025260

This map is indicative only.

PROPOSAL IN DETAIL

Redevelopment of the site to provide a 2 storey building comprising 4 self-contained flats (4 x studios) with associated car and cycle parking spaces, bin stores and amenity space

EXISTING

The site is located along Princess Close and backs onto a railway. The majority of properties directly south and south west of the site comprise of two storey semi detached and terraced properties. A group of terraced properties are located west and north west of the site. It was noted on site that the garages have been demolished.

SUMMARY OF KEY ISSUES

1. General principle of use: The proposal is to provide residential dwellings within a residential area, with the proposed building adjacent to an existing building. The general principle of the residential use of the site is accordingly considered to be acceptable.
2. The design, layout, scale and massing of the building. The proposed building is two-storeys in height within an area characterised by two-storey buildings. A modern design approach has been taken, with the form of the building broken into elements to reduce its visual mass. The building is sited adjacent to an existing residential building. The proposed development is considered to utilise good architecture with quality detailing and materials in order to optimise the site's potential whilst respecting scale and patterns of development within the area.
3. Highways and transportation: The level of parking, access arrangement and the provision of cycle and bin storage is considered to be acceptable, having regard to Brent and London Plan policies and guidance.
4. The quality of the residential accommodation is acceptable. Two of the units fall slightly (2 sqm) below minimum standards, but the layout is efficient; this shortfall is not considered to significantly affect the quality of accommodation.
5. Impact on the living conditions of occupiers of neighbouring dwellings. The proposed building accords with the SPG17 30 degree line from windows of Rose Bates Drive properties. However, it fails to comply with the 45 degree line from the end of the garden of No. 50 and a rear garden corner of No. 52, with the house 2 m from the closest point of the garden of No. 50. However, the garden of that dwelling narrows to a width of approximately 1 m and up to a maximum depth of 2 m of the garden would fail to comply with this part of the guidance, and the impact is accordingly not considered to be unduly detrimental due to the narrow nature of the end of the garden. The proposal materially complies with the SPG17 30 degree line from the side facing window of the adjoining Princes Court maisonette.

RELEVANT SITE HISTORY

Planning history relating to this site:

06/3689 - Demolition of existing garages and erection of 2 storey building comprising 4 one bedroom self-contained flats – Refused

07/1156 - Demolition of existing garages and structures and erection of a two-storey block comprising 2 one-bedroom and 1 two-bedroom flats, with provision of 3 car-parking spaces to front and amenity spaces to front, side and rear – Refused

Planning history relating to the adjoining site (land rear of 234-240 Princes Avenue
16/5111 - 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 8 car parking spaces, cycle and bin store and associated landscaping - Granted

CONSULTATIONS

The nearby properties within the vicinity of the site were notified by letter of this proposal for a minimum of 21 days on 12/02/2017.

Three objections were received.

Grounds for Objection	Response
Cramped form of development and design considered out of character.	The proposal is situated within an area that is considered to have properties with a various architectural styles and designs. More discussion of this matter within the Design and Character section (paragraph 2.1 to 2.5) of the report.
Access arrangements not sufficient.	Princes Avenue in itself is considered to be appropriately sized and laid out for the number and type of vehicles. However, amendments were requested to modified the turning head and associated access arrangements to overcome the concerns regarding the initial form of the proposals. The revised layout is considered to be acceptable.
Neighbours outlined that the proposed development would result in a loss of light.	The development is considered to not to have an unduly detrimental impact on the residential amenities of nearby resident for the reasons set out in paragraphs 4.1 to 4.4 of the report.

Recycling and waste: no comments received. The Council's waste planning guidance has been used and the access arrangements have been considered by the Council's highways officers. . .

Environmental Health: It was advised to include the conditions to any planning consent:

External Consultation

Thames Water: No comments received.

London Underground: No comments received.

POLICY CONSIDERATIONS

National Planning policy Framework 2012

National Technical Housing Standards

London Plan 2011

Key policies include:

Policy 3.5 Quality and Design of Housing Developments

Policy 6.9 Cycling

Core Strategy 2010

CP17 Protecting and Enhancing the Suburban Character of Brent

CP21 A Balanced Housing Stock

Development Management Policy

DMP1 Development Management General Policy

DMP12 Parking

DMP18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

Supplementary Planning Guide

SPG17 – Residential Design Standards

DETAILED CONSIDERATIONS

Detailed Considerations

1. Principle

1.1 The site previously had a number of single storey garages with a large area of hardstanding. There is no objection to the demolition of the garages on the site. The proposal seeks to build a two storey building on the site that would contain four self contained one bedroom flats. Due to the number of flats the proposal, the scheme does not need to include Affordable Housing. The development would not alter the already mixed pattern of development within the area and would be adjacent to an existing residential building. The general principle of the residential use of the site is accordingly considered to be acceptable subject to the remainder of the material planning considerations.

2. Design and Character

2.1 The plots within the vicinity of the site vary in size and shape, as such the area is considered not to have distinct plot sizes. Furthermore the properties within the vicinity of the application site vary between semi-detached and detached properties that vary in size and architectural design. The proposed positioning of the new development would be appear suitable within the cul de sac

and would not appear overbearing or visually obtrusive within along this part of Princes Close.

2.2 Semi-detached and terraced properties are located south and south west of the site. The properties north and north west of the site consists of a mixture between flats and dwellings. Due to the varied nature of the area, it is considered that the design of the proposed scheme would not have a detrimental impact on the character of the area. The proposal is considered to contain some modern design elements however the area is considered not to have a distinct character with properties that contain various architectural designs. In addition to this Paragraph 60 of the NPPF stipulates that planning decisions should not attempt to impose on architectural styles or particular tastes and they should not stifle innovation, originality or initiative.

2.3 The new build would not exceed the height of the current built form south and north west of the application site and would not appear overly prominent along Princes Close. The proposal is also considered to retain sufficient spacing with adjacent neighbouring properties. Additionally there is no established building line south of the application site and the development would not extend beyond the front building line of 7 Princes Close. As a result the proposal would therefore not be harmful in this context.

2.4 The proposal would consist of facing brick and the upper levels are to be clad with a microline, horizontal cedar cladding that will be grey in colour. The proposed windows would have grey aluminium and zinc cladding. These materials are considered acceptable and would be in keeping with the design approach that has been taken for the proposed building.

2.5 The landscaping strategy is generally considered to be acceptable, making an appropriate contribution to the character of the area. Full details of landscaping are recommended to be secured through condition. The tree report has been considered by the Council's tree officer, who raised concerns regarding the report that was initially submitted. However, these concerns were addressed through the submission of a revised report and the tree officer has recommended that a condition is attached securing the implementation of the recommendations of that report.

3. Standard of Accommodation

3.1 The proposed development would result in the creation of four self contained flats. The ground floor flats would measure approximately 35 sqm and the first floor flats 37 sqm. As such the ground floor flats would be 2 sqm below off the minimum level of floorspace required for a 1-bedroom 1-person dwelling. However, the layout is efficient and this is not considered to result in a significantly deficient standard of accommodation. The first floor flats accord with the minimum floorspace levels set out within the London Plan (policy 3.5). All rooms would be suitably sized and would receive an acceptable level of natural light, outlook and ventilation.

3.2 With regards to amenity space, flats are generally required to have 20sqm of private amenity space as set out in Policy DMP19. The ground floor flat towards the northern portion of the site would have a rear garden that would measure approximately 53sqm and the additional ground floor flat will have access to a rear garden that would measure approximately 33sqm. Both first floor flats would share a rear communal area that would measure approximately 40sqm.

4. Impact on Residential Amenity_ _

4.1 The proposed building would be situated adjacent to the adjoining residential building (No. 7 and 8 Princes Close. It does not project beyond the rear wall of that building and therefore accords with the 45 degree guidance set out in SPG17. There are windows in the flank wall of No. 7-8 Princes Close. It is possible that some serve habitable rooms and not clear whether they would be the sole windows of the associated rooms. The submission does not show the finished floor level of those dwellings. However, there are three steps leading up to the front door of that dwelling, indicating that finished floor level is some distance above ground level. The proposed building would be situated approximately 6.3m from the flank elevation of No. 7 Princes Close.

The SPG17 30 degree line is taken from a 2 m height above finished floor level of the associated room. However, when considering this line using ground level, the 6 m high proposed building would project approximately 0.35 m above the 30 degree line. Finished floor level of No. 7 appears likely to be more than 0.35 m above ground level and as such, it is likely that the proposed building accords with the 30 degree guidance in relation to any side facing windows of this property.

4.2 The proposed building accords with the SPG17 30 degree guidance in relation to the windows of Rose Bates Drive houses. It is situated 2 m from the boundary of the garden of No. 50 and is 6 m high, so the proposal will not accord with the 45 degree guidance in relation to the final element of the garden (up to 2 m from the boundary adjacent to the subject site). However, the garden of No. 50 narrows to just over 1 m at its rearward point, and because of this, the level of impact associated with this level of non-compliance with SPG17 is not considered unduly detrimental. The development is 3 m from the eastern corner of the rear garden of No. 52 Rose Bates Drive. The development accordingly does not accord with the SPG17 45 degree guidance in relation to an area of up to 1 m from that corner of the garden. However, as this only relates to a small corner of the garden, this is not considered to result in an unduly detrimental level of impact.

4.3 Habitable room window of the proposed dwellings face the front and area and therefore do not directly overlook adjoining gardens. There are windows in the side walls of the development. However, these are not primary windows of habitable rooms and a condition is recommended for those above ground level to ensure that they are obscure glazed and high level opening only (or fixed closed). The distance to the rear boundary is less than 10 m. However, the rear boundary adjoins railway land and no undue overlook will occur.

4.4 Screening to the sides of the proposed balconies is proposed to mitigate potential overlooking caused by the use of the balconies could result in overlooking (with the exception of one side of one balcony which would not cause undue levels of over-looking).

5. Parking and Access

5.1 The layout of the vehicular accesses within the site were initially considered to be unacceptable as they did not provide an adequate turning head at the end of Princes Close or an adequate area of footway for residents. However, a revised layout was proposed which addressed these concerns and the revised parking and access arrangements are considered to be acceptable.

5.2 The London Plan requires at least one cycle space per flat. Car parking allowances for the existing and proposed use of the site set out in Appendix 1 of the DMP, setting a maximum standard of 1 parking space per unit for sites with low public transport accessibility (PTAL 2). The proposal would provide three parking spaces, which is below the maximum standards but represents 75 % of that standard, which is considered to be sufficient to meet likely parking demand.

5.3 Storage for four bicycles is shown, meeting the London Plan standards. Details of the cycle parking facilities should be secured through condition to ensure that they are suitably secure and weatherproof. The refuse and recycling area shown on the drawings accords with the Council's waste planning guidance.

6. Environmental Impact

6.1 The Environmental Health Officer had no objection with the proposed development but however suggested conditions related to residential sound insulation with outdoor amenity, a vibration assessment, the submission of a Construction Method Statement and the investigation of the soil on the site. They have also recommended a condition regarding the approval of details regarding heat and power system. However, as one is not proposed and would not normally be

delivered for a scheme of this size, a condition has not been added.

7. Density

7.1 The proposal has a residential density of 97 units per hectare of 194 habitable rooms per hectare. This is marginally above the London Plan range of 50-95 units per hectare but within the associated range of 150-250 habitable rooms per hectare.

8. Conclusion

8.1 Overall the proposed development is considered acceptable subject to conditions, in terms of accommodation, character and appearance, impact upon neighbouring amenity, transport, landscaping and environmental health and is in accordance with relevant policies within the London Plan (2016), Brent's Core Strategy and Development Management Policies (2016) and SPG17 Design guide for new development.

CIL DETAILS

This application is liable to pay **£48,028.78*** 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): 159.97 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	159.97		159.97	£200.00	£35.15	£40,849.48	£7,179.30

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	£40,849.48	£7,179.30

*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: 16/5342

To: Mr Dusek
DUSEK LTD
MOOR HOUSE FARM ESTATE
LOWER ROAD
HIGHER DENHAM
UXBRIDGE
UB9 5EN

I refer to your application dated 10/12/2016 proposing the following:
Redevelopment of the site to provide a 2 storey building comprising 4 self-contained flats (4 x studios) with associated car and cycle parking spaces, bin stores and amenity space and accompanied by plans or documents listed here:
47/P4/1, 47/P4/2E, 47/P4/3, 47/P4/4, 47/P4/5.

at Garages next to 7, Princes Close, 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: 16/06/2017

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 the:-
National Planning Policy Framework
London Plan (March 2016)
Brent LDF Core Strategy 2010
Brent Local Plan Development Management Policies 2016
Brent Supplementary Planning Guidance 17

- 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):

47/P4/1, 47/P4/2E, 47/P4/3, 47/P4/4, 47/P4/5.

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

- 3 The construction of the proposed development shall be carried out in accordance with the amended Arboricultural Report prepared by GHA trees arboricultural consultancy hereby approved.

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.

- 4 The development shall not be occupied unless the vehicular and pedestrian accesses and the parking spaces shown on the drawings hereby approved have been completed in full. Thereafter the parking spaces shall not be used other than for purposes ancillary to the residential dwellings hereby approved, and the vehicular accesses shall be maintained open and clear of obstruction and shall be maintained as accessible by vehicles using Princes Close.

Reason: In the interest of the free and safe flow of traffic and pedestrians on the local highway network.

- 5 The windows in the flank walls of the building hereby approved above ground floor level shall be glazed with obscured glass and shall be non-opening or high level opening only (at least 1.7 m above finished floor level of the associated room) and so be maintained as such for the life of the development.

Reason: In the interest of the privacy of adjoining occupiers.

- 6 The residential development shall be designed to ensure the following vibration levels stated in BS6472:2008 Evaluation of human exposure to vibration in buildings (1Hz to 80 Hz) are not exceeded.

Place	Vibration dose values - Low probability of adverse comment (m/s ^{1.75})
Residential buildings 16 h day	0.2 to 0.4
Residential buildings 8 h night	0.1 to 0.2

Details shall be submitted to and approved in writing prior to the commencement of works demonstrating how this standard will be met within the development hereby approved. The development shall be constructed in accordance with the approved details.

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources.

- 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 and the construction of the development shall be carried out 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.

- 8 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. Any mitigation measures set out within the approved report shall be implemented in full prior to first occupation of the development.

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

- 9 Any soil contamination remediation measures required by the Local Planning Authority pursuant to condition 8 shall be carried out in full prior to first occupation of the development. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use.

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

- 10 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate that the residential dwelling will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max 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 (8 hr) 45 dB Lamax
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The development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance

- 11 Details of materials for all external work, including samples which shall be made available for viewing on site or within another location as agreed, 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.

- 12 Details of the secure weatherproof cycle storage facilities shall be submitted to and approved in writing prior to first occupation of the dwellings hereby approved and the approved details shall be implemented in full prior to first occupation and thereafter retained for use incidental to the occupation of the dwellings hereby approved.

Reason: In the interest of sustainable transportation and the free and safe flow of traffic on the local highway network.

- 13 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:

1. Planting, including a planting plan detailing plant species, size, location and number/density;
2. Walls / fences / means of enclosure;
3. Any levels or contouring within the site;
4. Hard landscaping, including materials and any proposed furniture;
5. Drainage;

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

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

INFORMATIVES

- 1 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the any proposed works to the highway to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 2 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.
- 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 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
- 5 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 June, 2017

17/0298

SITE INFORMATION

RECEIVED	20 January, 2017
WARD	Dollis Hill
PLANNING AREA	Brent Connects Willesden
LOCATION	All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London
PROPOSAL	Demolition of all existing mixed used buildings and garages and construction of part three, part four and part five storey building providing 219 sqm of flexible retail floorspace for shop / financial and professional services (Use Classes A1 / A2), hot food takeaway (Use class A5) and 153 sqm for public house (Use Class A4) at ground floor level, and 38 residential units (Use Class C3) on the upper floors comprising 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units with associated car and cycle parking spaces, bin stores and landscaping
APPLICANT	City & Suburban Homes Ltd
CONTACT	Grade Planning
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_132245</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/0298" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

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

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Affordable Housing to provide at least 10 affordable dwellings comprising 4 affordable rent (2 x 1 bed at no more than 80% market rents inclusive of service charge and capped at LHA rates, 2 x 3 bed at no more than 60% market rents inclusive of service charge and capped at LHA rates) and 6 intermediate/shared ownership.
4. Affordable housing review mechanism - post implementation s106 financial review mechanism
5. Training and Employment
6. Sustainability and Energy
7. Financial Contribution – £20,000 towards surveying and/or implementing a future CPZ
8. 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. Standard 3 year permission
2. Approved plan numbers / documents
3. Permit free development
4. Hours of operation A5 unit
5. Hours of operation A4 unit
6. Hours of operation - Outdoor seating area
7. Wheelchair accessibility
8. Parking spaces, cycle storage and public/private footway
9. Vegetation clearance
10. A4 use class restriction and PD rights
11. Materials supply details
12. Mechanical Plant - noise testing
13. Hard and Soft landscaping
14. Water usage
15. Construction CEMP
16. Sustainable Urban Drainage
17. Air Quality
18. Delivery and servicing plan
19. Site investigation


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 1 September 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.

SITE MAP



Planning Committee Map

Site address: All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, London

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of the existing parade of shops, residential units and garages to the rear of the site and the construction of a part three, four and five storey building.

The proposed building would consist of a public house (Use class A4) and three commercial units (Use Class A1/2 and A5) at ground floor level accessed from the Edgware Road side of the site.

The rear ground floor level would consist of a car park with 21 spaces and loading area to serve the residential units and provide servicing for the commercial units.

The residential units would be accessed on three sides of the building and would be contained in the upper floors. The number of units would be 38 and would consist of 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units.

Two communal terraces would be provided for residents with one at 1st floor level and the other at 3rd floor level as well as individual private balconies to provide residents with outdoor amenity space.

EXISTING

The application site concerns a three storey building that consists of a parade of shops/commercial units at ground floor level and residential units in the upper floors that is located on Edgware Road. The shops/commercial units consist of seven units in total, three of which are vacant. The remaining units consist of a public house, hairdressers, a fish and chip takeaway and a retail shop. The parade of shops is not a designated shopping parade but is classed as a local centre. The nearest town centre is Cricklewood, just over 500 metres to the south-east. The residential units consist of six self-contained flats. A row of single storey dilapidated garages are found to the rear of the site accessed by a road from Gladstone Park Gardens.

The site is of no heritage value. It is not located within a conservation area and does not contain any listed buildings.

The area to the west of the site is residential in character with two storey dwellinghouses. A school is located to the north of the site along Edgware Road and there are further commercial buildings located to the south also on Edgware Road. The opposite side of the road is Barnet, where there are a large number of residential developments currently under construction as well as an existing petrol station.

SUMMARY OF KEY ISSUES

Principle: There is no objection in principle to the demolition of the shopping parade provided that a good quality and quantity of residential and non-residential units are re-provided as well as the public house. The proposal would also include 26% family sized units of which there is a recognised need within the borough and provide 30% affordable housing which is the maximum reasonable amount of affordable housing the scheme can currently deliver. The principle of development is therefore considered to be acceptable.

Representations received: Objections were received from 32 local residents and in the form of two petitions raising concerns regarding parking, consultation, impact of construction works, the loss of the shops and fish and chip shop, over development of the site, the impact on character, loss of light and impact on amenity and the amount of affordable housing proposed.

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.

Standard of Accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.

Impact on Neighbouring Amenity: The development has been assessed against loss of light and sense of

enclosure on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable.

Parking & Servicing: It is considered that the combination of the 21 parking spaces proposed and the use of a 'permit free' agreement secured by condition would mitigate against parking concerns in the area. It is considered that due to the revisions made to the proposed servicing arrangements that they would be suitable for the site and not materially harm the surrounding area.

RELEVANT SITE HISTORY

No significant planning history

CONSULTATIONS

Neighbour consultation letters were issued to 94 properties on the 01/02/2017. Two site notices were displayed on 07/02/2017. Press notice advertised on 09/02/2017

Ward Councillors were notified and have not provided comments.

To date 32 objections have been received that have raised the following concerns:

Objection	Response
Residents of an existing flat want confirmation about what will happen to their home if the development goes ahead.	Unfortunately this is not a planning matter and will need to be discussed with the applicant/owner of the property.
No notice served to existing business owners	The applicant has confirmed that there are no individuals within the site that have more than 7 years remaining on their lease.
Impact on parking	The proposal would provide 21 parking spaces and a 'permit free' agreement would also be secured to ensure that new residents do not park in adjoining streets in the event a CPZ is introduced in the future. A financial contribution to survey and/or implement a CPZ would be secured via a planning obligation
No consultation on planning application	Publicity was carried out in accordance with the Council's statutory duty. Neighbour consultation letters were issued to properties within 200 metres of the site, two site notices were erected and an advertisement was placed in the local paper.
Impact of construction works	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.
Loss of local shops, fish and chip shop and pub	The pub will be re-provided as well as two units that could potentially house a shop due to their use class and a unit will be provided that could provide a replacement fish and chip shop.
Over development of the site	The scale of development is considered appropriate in this location.
Impact on character	The existing building is not listed and not in a conservation area and the proposed design is considered to be acceptable.
Loss of light	The applicant has submitted a Daylight/Sunlight report that shows that there would be no material loss of light to neighbouring properties.
Impact on amenity and health	The proposal has been assessed in terms of

	neighbouring amenity and health and found to be acceptable
Amount of affordable housing proposed is too low	This has been increased to 30% which is the maximum viable amount possible.
The density is too high and the flats are too small	The density of units is justified due to the location of the site and the quality of the development. The size of the units complies with minimum space standards.

In addition to this two petitions against the proposal have been received. The first petition consists of 59 signatures and concerns the loss of the fish and chip shop, parking and over development of the site. The second petition consists of 661 signatures and concerns the loss of the fish and chip shop.

Internal consultation

Transport & Highways – no objections subject to revised drawings and conditions
Environmental Health – no objections subject to conditions

POLICY CONSIDERATIONS

Development Plan:

London Plan consolidated with alterations since 2011 (March 2016)
Development Management Policies, London Borough of Brent (2016)
London Borough of Brent LDF Core Strategy 2010

Other material planning considerations:

NPPF (2012)
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)
Mayor's Housing SPG

DETAILED CONSIDERATIONS

Officers hold the key considerations to be the following:

1. Principle
2. Affordable Housing
3. Density
4. Standard of Accommodation
5. Parking, Access and Refuse
6. Impact on Character and Design
7. Impact on Neighbouring Amenity
8. Energy and Sustainability
9. Environment

1. Principle

1.1 The existing shopping parade consists of seven units that are made up of a public house, newsagents, hairdressers/estate agents, furniture shop, fish and chip shop and a convenience store. Four of the seven units are currently trading. In the applicants Retail Assessment reference has been made to the fact that the Fish and Chip shop is currently vacant however it is currently trading. As such there is a 28% vacancy rate in the shopping parade with the newsagents and furniture shop currently closed.

1.2 The application proposes replacing the existing units at ground floor level with four units consisting of a public house (use class A4), two flexible use class A1/A2 units and one hot food takeaway (use class A5) unit.

1.3 Policy DMP21 recognises the valuable contribution that public houses make to the community by adding character to the area, providing employment and a place for social interaction. It is therefore welcomed that this is to be re-provided.

1.4 The shopping parade is considered to be a local centre and therefore the most relevant policy is DMP4. DMP4 states that development resulting in the loss of local retail and service provision will not be permitted

unless there is alternative equivalent provision within 400 metres. The proposal would result in the net loss of two commercial units. This is acceptable when taking the wider merits of the scheme into account.

1.5 Objections have been received about the loss of the fish and chip takeaway. The applicant has agreed to re-provide an A5 unit which could be used as a takeaway. Officers welcome this: whilst there is no policy requirement to re-provide the takeaway or fish and chip shop it is clear the local community values it. However, in planning terms it would not be possible to condition the specific tenant of the unit. Notwithstanding this, the applicant has provided evidence of discussions with the existing tenants and stated that they are willing to engage with them about a future tenancy.

1.5 Turning to the residential aspect of the proposal, the application would see a net increase of 32 homes. Brent has a pressing need for new homes and the provision of 38 new flats, of which 10 would be family sized and 10 would be affordable, is welcomed and considered a significant merit of the scheme.

1.6 The principle is therefore considered to be acceptable.

2. Affordable Housing

2.1 London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought and secured by s106 agreement.

2.2 An independent review of the applicants Financial Viability Assessment (FVA) submission, prepared by Housing & Economic Development Consultancy (HEDC) Ltd, was undertaken by BNP Paribas on behalf of the Council to advise the maximum level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of the proposed 38 unit residential scheme, comprising a mix of 1, 2, 3 and 4 bedroom units. 10 residential units are proposed for affordable housing, representing 30% affordable housing (based on the number of habitable rooms) which is an increase on the original amount of 21% proposed. This still however does not meet the borough strategic target that 50% of new homes should be affordable, and the applicant contends that it is not financially viable to provide a higher level of affordable housing. This position has been rigorously tested by BNP Paribas, as set out below.

2.3 With regard to the Benchmark Land Value, HEDC have used a valuation of the existing properties on Site undertaken by Allsop which is in draft form and dated from October 2016. The existing properties have been valued on the basis of re-letting vacant units and units with tenants holding over at market rents that results in a combined rental income for the residential and commercial floorspace of £195,880 per annum, which Allsop have capitalised at a yield of 5.17%. After purchaser's costs and an allowance for the removal of Japanese Knotweed to the rear of the property, the capital value is £3,600,000. HEDC have suggested that a premium of 20% should be added to the capital value of the existing units. However, in view of the high level of vacancies in the existing units, this was adjusted downwards to 10%, resulting in a benchmark land value of £3.96 million. The BNP Paribas appraisal of the scheme on the basis of 21% affordable housing (50% affordable rent and 50% shared ownership) generates a residual land value of £5.58 million, resulting in a surplus of £1.62 million. With 9 of the 14 units in Core A converted from private housing to affordable rent, the residual land value falls to £4.49 million, which is higher than the benchmark land value of £3.96 million (and also exceeds HEDC's benchmark land value of £4.3 million). This would result in the provision of 50% affordable housing.

2.4 In response to this assessment the applicant provided a cost plan which was again reviewed by BNP Paribas. This subsequent appraisal found that the revised figure of 30% affordable housing was approximately £600,000 below the benchmark and would not be covered by the reduction in costs. Therefore the proposed 10 affordable units (30%) can be viewed as the maximum reasonable amount of affordable housing the scheme can currently deliver.

The following represents the agreed minimum affordable housing position to be secured by a planning obligation within a S106 legal agreement, should Members resolve to grant planning permission:

4 x Affordable Rent Units .

Unit R1 (3 bed)
Unit R2 (3 bed)
Unit R3 (1 bed)
Unit R4 (1 bed)

6 x Intermediate/Shared Ownership Units

Unit R8 (2 bed)
Unit R9 (2 bed)
Unit R19 (2 bed)
Unit R20 (3 bed)
Unit R13 (3 bed)
Unit R14 (3 bed)

2.5 The scheme delivers 30% affordable housing, which is some way below the Local Plan 50% policy target. In line with DMP 15 Officers recommend a proportionate post implementation s106 review mechanism be secured, whereby scheme viability is reappraised 6 months prior to practical completion (or on sale of half the market units), and half of any surplus over the benchmark land value and agreed profit level taken as deferred affordable housing planning obligations in the form of a commuted sum ring-fenced for offsite affordable housing delivery, any such sum capped at a level commensurate with the delivery of 50% affordable housing onsite.

3. Density

3.1 The proposal makes highly 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 (table 3.2) the application site, which is considered to be in an 'Urban' setting, with a PTAL of 3 would be appropriate for accommodating 200 – 450 hr/ha, or 45 to 120 u/ha. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value".

3.2 The proposed scheme would result in a level of density above the matrix range, as development is proposed to be 200 units/ha. However the London Plan Density Matrix should not be applied mechanistically when assessing schemes and this approach is widely recognised. London Plan paragraph 3.28 states that account should also be taken of other factors relevant to optimising potential which can include local context, design and transport capacity, as well as social infrastructure, open space and play.

3.3 The location of the site and the varied existing wider context and character of different buildings and uses locally, together with the regular bus services connecting the area with Willesden Underground Station and Cricklewood Station, the quality of the proposed design and the quantum and quality of on site amenity space and how these contribute to a sense of place are important determining factors when considering residential density. This 'urban' site is within 500m walking distance of Cricklewood Town Centre and has a PTAL rating of 3 which would be increased to 4 subject to the proposed Thameslink. For these reasons the proposed level of density can be supported.

4. Standard of accommodation

4.1 The development would offer a good standard of accommodation

4.2 DMP18 requires all new residential accommodation to comply with London Plan policy 3.5 minimum standards. All of the 38 units comply with minimum size standards. DMP19 requires all new residential units to provide residents with private amenity space with 20 sqm per flat and 50 sqm per family size unit where possible. The proposal would see the use of balconies and communal amenity space with a communal garden at first floor level with an area of 290 sqm and a roof terrace at third floor level with an area of 98 sqm. The combined communal area would give a total of 388 sqm and when this is divided by the 38 flats it would give each unit 10 sqm of communal space. Therefore through the use of private and communal space each of the residential units would have adequate amenity space that complies with policy DMP19.

4.3 All of the units would be well served by windows with the majority being dual aspect. The units to the rear of the site would maintain a separation distance of over 20 metres which would ensure good levels of privacy. With regard to disabled residents four wheelchair accessible layouts have been provided on the first floor deck access level. Each unit can be accessed via the communal courtyard from any of the three cores. This complies with the Mayor's Housing SPG and Brent Council's requirements of 90% of all new housing. The

units would be built to Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new housing designed to meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. Officers also recommend that this is secured by condition.

4.4 As such the proposal would result in a good standard of accommodation for prospective residents.

5. Parking, access and refuse

5.1 Parking

5.1.1 Parking standards are contained in appendix 1 of the Development Management Policies. The existing building has a parking standard of 12 spaces. The proposed residential dwellings and commercial units are permitted a total of 47.5 parking spaces, of which 43.5 would be the maximum for residents' use. 21 off-street parking spaces including three disabled spaces are proposed within the rear of the site, of which 17 would be for residents' use. Whilst the difference of 26.5 residents spaces is significant with the potential to lead to significant overspill parking, Highway Officers have had regard to analysis of the 2011 census data from which it has been calculated that car ownership for flats in the area is 0.4 cars per flat. Based on this calculation 16 spaces would be necessary to meet the demand for the proposed 38 flats. As such, it is reasonable to conclude that the 17 parking spaces proposed is likely to satisfy demand without significant overspill parking. DMP 12 requires that overspill parking can be safely accommodated on-street. The opportunity for safe on-street parking is limited: Edgware Road is a London Distributor Road and Dollis Hill Avenue and Gladstone Park Gardens are both confirmed as heavily parked streets in the Council's parking surveys. Carried out in 2013, these showed 95% occupancy on Dollis Hill Avenue and 116% occupancy on Gladstone Park Gardens. Under normal circumstances with parking meeting less than only 50% of the maximum standard, there would be concerns regarding overspill parking, but having regard to the census data above and the matters discussed below, Officers are satisfied the likely transport impacts would be less than severe.

5.1.2 In further mitigation it is also noted that the Brent Cross Redevelopment would bring a new Thameslink station to this area by 2022 on the current programme, which would lift the PTAL value to 4 (good access to public transport). In addition to this, funding is also reserved from the Brent Cross development for a CPZ consultation in the area. A development could therefore potentially be backed by a 'permit free' agreement, to be applied should a CPZ come into effect. In addition to this the applicant has agreed to also provide funding for a CPZ in the area as part of a s106 agreement to help facilitate a CPZ consultation and implementation if this were required before 2022. There are therefore mitigating factors in place that would enable a 'permit free' agreement to be implemented thereby removing new residents rights to apply for parking permits and park in the surrounding streets.

5.1.3 Taking these mitigating factors into account paragraph 32 of the NPPF is relevant and states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' The 21 spaces proposed are more than the census analysis would suggest are necessary and the effect of car ownership significantly above expectations would not be likely to result in severe harm, when the other mitigation measures discussed herein are taken into account.

5.2 Servicing & Refuse Collection

5.2.1 The loading bay at the rear of the site would serve the public house. A second 'transit' sized loading bay has been provided at the rear of units C2 and C3 and access from the rear of the units has also been provided. Tracking diagrams have been provided that demonstrate vehicles will be able to leave the one-way access road in forward gear.

5.2.2 The two bin storage areas have been located at either side of the development to allow direct access onto the Public Highway for collection. There are existing double yellow lines on Dollis Hill Avenue and Gladstone Park Gardens. Refuse vehicles could stop in this area, located 7 metres from the junction with the Edgware Road. The area should be clear of other vehicles due to the presence of the yellow lines and allow refuse vehicles to temporarily wait to collect rubbish.

5.3 Vehicular Access

5.3.1 The vehicular access, at the rear of the site, will be a one-way system. Access will be from Gladstone Park Gardens and egress will be from Dollis Hill Avenue. This is acceptable due to the proposed width of the access at 3.5 metres and also the design of the building which would be splayed allowing views towards Edgware Road.

5.4 Cycle Parking

5.4.1 The applicant proposes 60 cycle parking spaces for the residents, 4 cycle parking spaces for the commercial units and 10 cycle spaces for visitors. These spaces are compliant with the London Plan and are welcomed. The 64 resident and commercial cycle spaces will be provided in a cycle store at the rear of the building, which will protect from theft and weather. The 10 visitor cycle spaces will be provided within the private forecourt at the front of the building. Although these spaces will be at the front building, on Edgware Road, they will be on private footway and therefore would be maintained privately. The private footway and public footway should be demarcated with a row of setts, to avoid any confusion, with further details secured by condition.

5.5 Construction Management Plan

5.5.1 Due to level of construction currently being undertaken on the opposite side of Edgware Road and the busy nature of the A5 it is recommended that a Construction Management Plan is secured by condition and submitted for approval.

6. Impact on character and design

6.1 In terms of bulk, massing, architectural approach and proposed materials, the building is acceptable.

6.2 The current parade of shops, although slightly run down in appearance from the vacant units at ground floor level, retains a number of attractive and original features in the upper floors and sits well within the streetscene. The parade of shops is also well set back from Edgware Road by a distance of 9 metres which helps to establish its character as a local centre within the area. This can also be seen in the parade to the south of the site which is also well set back from the main road. Further down Edgware Road to the south the street is varied in nature due to the presence of the railway line and some larger commercial/warehouse buildings. The character of the area to the north changes again with the siting of a school opposite the site and large residential buildings further north.

6.3 The proposal would see the complete demolition of the existing parade and its replacement with a five storey contemporary style building. The building would then reduce in height as it extends to the rear from five to four and finally to three storeys in height. The building line would move further forward in comparison to the existing building line and also extend further to the rear. The building line would also be angled towards the Edgware Road with a distance of just over 4 metres from Edgware Road on the northern side of the site down to 8 metres on the southern side of the site. This responds to the building line of the parade to the south of the site. Whilst there would be a shift in the building line towards the road, the angled nature of the building does respond to the existing character and is deemed to be acceptable. The reduction in height from east to west also takes into account the height of the existing residential properties on Gladstone Park Gardens and Dollis Hill Lane. The stepped nature of the building would ensure that it fits comfortably with existing buildings.

6.4 The design has incorporated a mix of window sizes and the use of recessed balconies which helps to break up the side and front elevations. The choice of materials that are similar in tone also offers a good contrast between the side and front elements of the building. Further details would however be secured by condition to ensure that the finished building looks appropriate. The residential entrances on both sides of the development also offer a good sense of legibility and differentiate themselves from the commercial units at the front. The rear of the development would be quite open, however this is so the shared amenity space can be incorporated into the building. It would also be well screened from the side elevations.

7. Impact on neighbouring amenity

7.1 The development would not result in material harm to the living conditions of adjoining and nearby residents.

7.2 Residential units are located directly to the west of the site in the form of two rows of two storey terraced properties, starting with No.1 Gladstone Park Gardens on the south-west side and No.2 Dollis Hill Avenue on the other. Due to the fact that the outlook of these properties is at a right angle to the proposed development it is unlikely that views from the rear windows would be materially harmed. There would however be an increase in mass closer to the boundary of these properties and their rear gardens. Currently the single storey row of garages are located just over 6 metres from the boundaries of the nearest properties. The proposal would see development located 3.4 metres from the boundary at a height of just over 10 metres which is a significant increase. However the height is mostly contained adjacent to the side elevations of each property where there are no habitable room windows. The rear of the development would then drop down to approximately 7 metres to take into account the presence of the rear gardens of the neighbouring properties. Due to the reduction in height in this key location the proposal would comply with the Council's 45 degree line

guidance set out in SPG17. The building would therefore not appear overbearing or create an unacceptable sense of enclosure.

7.3 The applicant has also submitted a Daylight/Sunlight report in support of the application. This report has assessed the potential impact that the proposal could have on the two residential properties located immediately to the west, No.1 Gladstone Park Gardens and No.2 Dollis Hill Avenue and two properties to the south No.2 Gladstone Park Gardens and No.3 Gladstone Parade. There are no residential properties to the north. The report has found that the only property that would have a slight loss of light would be No.2 Gladstone Park. This concerns a room that is also served by additional windows and therefore would mitigate against any potential loss.

7.4 The proposal would see the inclusion of a number of communal and private terraces/balconies to the rear. However the use of planting and privacy screens would ensure that overlooking to the neighbouring properties would be reduced. With regard to outlook the units to the rear of the site have similar direction views to the neighbouring residential units in a north/south direction which would ensure that no overlooking would take place. The units at the front of the building would look westwards towards the rear gardens of No.1 Gladstone Park Gardens and No.2 Dollis Hill Avenue. However the terraces and windows would maintain a minimum separation of 20 metres which is considered acceptable. Officers are therefore confident that the reduction in height of the proposed building towards the rear of the site and the orientation of the existing and proposed buildings would ensure that the proposal would not materially harm the amenity of neighbouring residents

7.5 The application proposes the inclusion of a public house and a takeaway unit. Officers have given consideration to the fact that both of these uses could have potential impacts on the amenity of existing and prospective residents. As such conditions are recommended concerning the hours of use of both premises and any extraction equipment for the takeaway unit.

8. Energy and Sustainability

8.1 London Plan policy 5.2 seeks to minimise carbon emissions through the 'Be lean, Be Clean and Be Green' energy hierarchy. As outlined in the Housing SPG from 1 of October 2016 a zero carbon standard will be applied to new residential development. The Housing SPG defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere (in line with policy 5.2E)

8.2 The application is supported by an Energy Statement which outlines the strategy to reduce the buildings energy consumption and measures that are to be implemented to achieve the target of 35% reduction in CO2 emissions beyond the requirements of Part L of the 2013 Building Regulations. This strategy proposes Be Lean measures through the orientation of the building, the heating system, the building fabric, ventilation and lighting) in order to achieve the required carbon emission reductions target. In addition to this an on-site CHP/Community Heating system is proposed as well as the use of photovoltaics. Before deciding upon the aforementioned strategy a number of renewable technologies were investigated for their feasibility on site, including wind energy, ground source heat pumps, and biomass. For various practical reasons these were not deemed feasible for this development.

8.3 The strategy will achieve an 18.23% reduction in CO2 emissions over Part L 2013 through 'Be Lean, Be Clean, Be Green' measures. Taking this into consideration the proposal would fail to achieve zero carbon however policy 5.2 does state that this shortfall can be provided through a cash in lieu contribution and will be included as part of the s106 agreement to secure the delivery of carbon dioxide savings elsewhere.

8.4 The applicant has not submitted a BREEAM pre-assessment. A rating of Excellent is normally sought for non-residential development however the applicant has raised concerns about the feasibility of this given the small size of the units and intends to provide evidence to demonstrate Very Good is the maximum feasible level. Officers are satisfied that such discussions are not determinative and could be concluded as part of the s106 negotiations should Members be minded to resolve to grant planning permission.

9. Environment

Trees

9.1 A Tree Survey, Tree Protection Plan and Arboricultural Impact Assessment all support the application.

These consider the impacts on trees on and adjacent to the site during the construction stage and the life of the development. It is proposed to remove a number of trees within the site which the Council's Tree Officer is agreeable to subject to replacement planting. Subject to further details of new planting (including new trees), to be agreed as part of a landscaping condition, and implementation of the tree protection plan measures set out there would be no objection.

Air Quality

9.2 The site is within a designated Air Quality Management Area (AQMA); therefore an Air Quality Assessment report prepared by XCO2 has been submitted considering the potential air quality impacts associated with the proposed construction and future operation of the site. The report shows that construction works would give rise to a low to medium risk to air quality through dust impacts. The report recommends measures to mitigate dust emissions during construction phase and securing these by condition. It is found that additional traffic from the development would not significantly affect local air quality. The modelling predicts that the annual mean air quality objective for NO₂ would be exceeded up to second floor level and there is also a risk that the short-term objective would be exceeded at the ground-floor commercial units. Mechanical ventilation is therefore recommended to minimise exposure of the future occupants to poor air quality. In addition to this the addition of gas condensing combination boilers and the increase in cars could potentially contribute to NO₂ levels.

9.3 The Council's Environmental Health officer concurs with the methodology of the assessment. However they have recommended that conditions are secured in relation to the submission of an assessment of the sources of NO₂, the impact on air quality from the additional heating systems for the flats, an air quality neutral assessment, measures to control noise, dust and other environmental impacts during construction (i.e. a Construction Method Statement) and mechanical ventilation. This is considered to be reasonable due to the fact that London Plan policy 7.14 states that major developments should be at least air quality neutral.

Noise

9.4 London Plan policy 7.15 requires development proposals to be designed to minimise the impacts of noise. An Environmental Noise Assessment has been undertaken and supports the application. This quantifies the existing noise climate in the local area, in order to determine building envelope performance requirements (in view of the proposed uses) and plant noise emission levels. The noise assessment has been assessed by the Council's Environmental Health officer, who considers the methodology to be accurate and that the surveyed range of recorded sound pressure levels provided are considered representative of the local noise climate.

Flood risk and drainage

9.5 London plan policy 5.12 requires developments to comply with flood risk assessment and management requirements set out in the NPPF. 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 Assessment 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.

9.6 London plan policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. A Drainage Strategy submitted with this application outlines the proposed strategy for dealing with surface water and foul water drainage. The strategy seeks channel stored water to the manhole located directly south of the development site once storm events have subsided which would equate to a total reduction in required storage of 71% compared to if no SUDS were utilised. Further details of this strategy have been requested by condition by the Council's Infrastructure, Flood and Drainage engineer.

Contaminated Land

9.7 The requirement to deal with contaminated land is set out in London Plan policy 5.21 and reinforced by the NPPF. The site is located on land that has had a previous contaminative land use (garages) this indicates that there is potential for contamination to be present. Therefore Environmental Health officers have recommended a condition concerning site investigations and remediation and verification.

10. Conclusion

Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the locality. This efficient use of the land will result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing. It is considered that the form of development will have an acceptable impact

on and relationship with the existing surrounding development and will not unduly harm surrounding amenity. A well considered landscape strategy is proposed, which combined with the proposed standard of design and layout of buildings will ensure a high standard of development and a good quality residential environment for future occupiers. Officers recommend the application for approval subject to the conditions and s106 obligations set out in this report.

S106 DETAILS

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See 'Recommendation' section for further details.

CIL DETAILS

This application is liable to pay **£420,200.55*** 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): 1529 sq. m.

Total amount of floorspace on completion (G): 3055 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
Shops	167		83.4180032733224	£40.00	£35.15	£4,260.28	£3,743.72
Drinking establishments (2004)	153		76.4248772504092	£40.00	£35.15	£3,903.13	£3,429.87
Hot food take away (2004)	52		25.9744680851064	£40.00	£35.15	£1,326.55	£1,165.71
Dwelling houses	2683		1340.18265139116	£200.00	£35.15	£342,225.21	£60,146.08

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	£351,715.17	£68,485.38

*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: 17/0298

To: Mr Ben Rogers
Grade Planning
14 Great Chapel Street
London
W1F 8FL

I refer to your application dated 20/01/2017 proposing the following:
Demolition of all existing mixed used buildings and garages and construction of part three, part four and part five storey building providing 219 sqm of flexible retail floorspace for shop / financial and professional services (Use Classes A1 / A2), hot food takeaway (Use class A5) and 153 sqm for public house (Use Class A4) at ground floor level, and 38 residential units (Use Class C3) on the upper floors comprising 16 x 1 bed, 12 x 2 bed, 9 x 3 bed and 1 x 4 bed units with associated car and cycle parking spaces, bin stores and landscaping
and accompanied by plans or documents listed here:
See condition 2
at All Units at 4-9 INC, and Garages rear of 4-9 Gladstone Parade, Edgware Road, Cricklewood, 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: 16/06/2017

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 STANDARD TIME FOR COMMENCEMENT

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 APPROVED DRAWINGS AND DOCUMENTS

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

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

3 NO PARKING PERMITS

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.

4 HOURS OF OPERATION - A5 UNIT

The A5 premises shall not be used except between the hours of:

Monday - Thursday: 08:00hrs - 23:30hrs
Friday - Saturday: 08:00hrs - midnight
Sunday and Public Holidays: 09:00hrs - 23:30hrs

Reason: to protect the amenity of neighbouring and nearby residential occupiers.

5 HOURS OF OPERATION - A4 UNIT

The public house shall not be used except between the hours of:-

1. 08:00 hours and 23:00 hours Mondays to Fridays
2. 10:00 hours and 00:00 hours Saturdays
3. 10:00 hours and 23:00 hours Sunday and Public Holidays and at no other time.

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

6 HOURS OF OPERATION - OUTDOOR SEATING

The outdoor seating area shall not be used except between the hours of :

1. 10:00 hours and 22:00 hours Mondays to Saturdays
2. 10:00 hours and 21:00 hours Sundays and Public Holidays

and at no other time whatsoever.

Reason: To protect acceptable local noise levels and neighbouring amenity

7 ACCESSIBILITY

Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority.

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

8 LAY OUT PARKING AND CYCLE PARKING

Prior to the commencement of the use of any part of the approved Development the following shall be constructed and permanently marked out:-

- the approved number of car parking spaces as shown on the approved plans
- cycle parking numbers as approved
- The private footway and public footway should be demarcated with a row of setts

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 and cycle parking provision in accordance with adopted standards.

9 TIMING FOR VEGETATION CLEARANCE

Vegetation clearance of shrubs/trees shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them is required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

10 A4 USE CLASS RESTRICTION AND REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO CHANGE USE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), the public house identified as C1 on approved drawing 0200 Rev A shall be used as a drinking establishment (Use Class A4) only and for no other purpose whatsoever without express planning permission first being obtained from the Local Planning Authority.

Reason: in light of the weight given to the merit of reproviding the public house in accordance with policy DMP 21

11 MATERIALS - SUPPLY DETAILS

Prior to the commencement of above ground works details of materials for all external work, including manufacturer's literature and physical samples of bricks to be provided on site for inspection, 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.

12 MECHANICAL PLANT - NOISE TESTING

Prior to the installation of any mechanical plant together with any associated ancillary equipment ('the plant') further details of the plant shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include: (i) manufacturer's specifications and literature of the plant; (ii) an assessment of the expected noise levels of the plant carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'; and (iii) any mitigation measures necessary for the plant to achieve noise levels of not louder than 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

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

Reason: To protect acceptable local noise levels, in accordance with DMP1 of the Development Management Policies

13 HARD AND SOFT LANDSCAPING INCLUDING TREES

Before any above ground construction work (excluding demolition) is commenced a detailed scheme for the hard and soft landscape works shall be submitted to and approved in writing by

the Local Planning Authority. The approved landscaping works shall be fully completed prior to occupation of the building(s). Such a scheme shall include, but is not limited to:-

- (a) the means of protection (in accordance with BS5837:2012) of all existing trees on site or in close proximity to the site boundaries and not directly affected by the building works and which are to be retained, including detailed proposed protection measures during any demolition or construction works to include locations of all protective fencing, ground protection, site facilities and storage areas. Where, for construction purposes, it is necessary to position tree protection fencing within the RPA of retained trees, suitable ground protection will be installed to prevent undue soil/root compaction from pedestrian and/or vehicular traffic. Such works are to be carried out fully in accordance with Treeline Services Ltd report (ref: 28869) unless otherwise approved in writing.
- (b) Details of proposed walls, fencing and other means of enclosure indicating materials and heights;
- (c) Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm,
- (d) Details of adequate physical separation, such as protective walls and fencing between landscaped and paved areas;
- (e) Details of any balustrade/balcony treatment
- (f) Details of areas of hard landscape works and proposed materials, including details of a robust and durable choice of material for the parking area and loading bays;
- (g) Details of the proposed arrangements for the maintenance of the landscape works.
- (h) Details for the provision for outside seating / benches and children's play equipment
- (i) Details for the provision of on site bird and bat boxes
- (j) Details of demarcation of the private and public footway

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

Reason: To ensure a satisfactory appearance and setting for the proposed development, to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and, ensure that it enhances the visual amenity of the area and to protect trees in the immediate environment and to retain a mature tree cover around the site and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

14 WATER USAGE

Prior to first occupation of the Residential Development ('the Development') 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 (as amended) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect and conserve water supplies and resources in order to secure London's needs in a sustainable manner.

15 CONSTRUCTION - CEMP

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include: (i) The phases of the Proposed Development including the forecasted start and completion date(s) (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme) (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust

management, vibration, site traffic and deliveries to and from the site (v) Details of hours of construction including all associated vehicular movements (vi) Details of the construction compound (vii) A plan showing construction traffic routes (viii) An audit of all waste generated during construction works. The construction shall be carried out in accordance with the approved CEMP.

Reason: To ensure the protection of living conditions, highway safety and managing waste throughout development works due to the particular risk of harm arising from these works in respect of air quality and highway safety.

16 SUSTAINABLE URBAN DRAINAGE

Prior to the commencement of relevant drainage works full details of a drainage strategy detailing any on and/or off site drainage works which shall include but is not limited to a scheme of drainage measures for all areas of hard surface, showing those areas to be treated by means of hard landscape works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the Development.

Reason: To ensure the development meets the requirements of London Plan Policy 5.13 Sustainable Drainage.

17 AIR QUALITY - FURTHER DETAILS

Prior to the commencement of development further details of the impact of the development on air quality and impact of air quality on the development shall be submitted to and approved by the Local Planning Authority and shall include:

- (i) An assessment and modelling results for the nitrogen dioxide and particulate emission levels for the 1st and 2nd floor flats as well as the 3rd floor.
- (ii) Information on the air quality levels from the additional heating systems for the proposed new flats
- (iii) An air quality neutral assessment

The approved details shall be implemented in full for the lifetime of the development.

Reason: To ensure the safe development and secure occupancy of the site for residential use and having regard to the fact the site lies in an Air Quality Management Area and has the risk to increase poor air quality.

18 DELIVERY AND SERVICING PLAN

Prior to first occupation of any building(s) details of a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full for the lifetime of the development.

Reason: To minimise the impacts of the development on the highway.

19 SITE INVESTIGATION AND REMEDIATION

(a) Prior to the commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. 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; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; 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 of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

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

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 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 wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 4 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.
- 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.

- 6 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.
- 7 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 8 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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 June, 2017

16/5398

SITE INFORMATION

RECEIVED	14 December, 2016
WARD	Queens Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	76-78 Salusbury Road, London, NW6 6PA
PROPOSAL	Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 9 self-contained flats (2 x 1bed, 3 x 2bed, 2 x 3bed and 2 x 4bed), retention of the ground floor public house including the provision of an ancilliary function room together with associated alterations to include erection of a partial third floor, new 2nd floor rear extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening and bin stores
APPLICANT	Ashcross Ltd
CONTACT	Iceni Projects
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>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_131699</p> <p><u>When viewing this as a Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "16/5398" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:
The prior completion of a legal agreement to secure the following planning obligations:

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Owners obligations
4. Lettings policy
5. Community Facilities contribution
6. 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. Standard 3 year permission
2. Approved plan numbers / documents
3. Permit free development
4. Noise mitigation measures
5. Tables and chairs on forecourt
6. Access and Egress
7. A4 use class restriction and removal of PD rights
8. Occupancy
9. Function room store
10. Privacy screens
11. Materials
12. Cycle and refuse storage
13. Management plan
14. Disabled access and egress

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 1 September 2017 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 76-78 Salusbury Road, London, NW6 6PA</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes changing the use of the first and second floors and the erection of a second floor roof extension and additional storey at third floor level to create nine residential units.

The first floor currently consists of two large function rooms and the second floor consists of ancillary residential accommodation that was previously used by staff of the public house. The residential units would be made up of 2 x 1bed, 3 x 2bed, 2 x 3bed and 2 x 4bed. The additional floor at third floor level would also contain a terrace to be used by the residents of the top floor flat.

The ground floor of the existing public house would be retained however it would also include an ancillary function room with an area of 153 sqm. The function room would be available to use by members of the local community, community groups and voluntary sector groups between the hours of 12:00 and 22:00 hours, Monday to Thursday. The use of the function room for community groups and voluntary sector groups would be secured as part of a s106 legal agreement.

Some alterations to the exterior of the building are proposed including the blocking up of the entrance on the corner of Salusbury Road and Hopefield Avenue, the replacement and relocation of some of the windows and the insertion of new windows to the rear of the building.

EXISTING

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

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

The building at present accommodates the Corrib Rest public house (Class A4) at basement, ground and first floor levels with an ancillary residential unit at second floor level, which was previously used as staff accommodation but is currently occupied by live in guardians. The public house is not in use and was closed in February 2015. The public house is considered to be an Asset of Community Value (ACV) and was confirmed as such on the 30th of July 2015 following a nomination by the Queens Park Area Residents Association.

SUMMARY OF KEY ISSUES

Principle

The existing function rooms at first floor level would be lost due to their conversion to residential units. However the pub would be retained and a replacement function room would be provided at ground floor level and its priority use for community groups and local people on certain days secured via a legal agreement. The principle of development is therefore considered to be acceptable.

Representations Received

Objections were received from 149 residents, three local Councillors, QPARA and in the form of two petitions raising concerns regarding the loss of the community facility, the viability of the public house, the design of the proposal, parking and the impact on neighbouring amenity and loss of daylight/sunlight.

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.

Standard of Accommodation

The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards.

Impact on Neighbouring Amenity

Document Imaged

*DocRepF
Ref: 16/5398 Page 2 of 21*

The additional storey would be set back from the building edge and privacy screens would be used to limit overlooking. The relationship between the proposed development and all surrounding properties is considered to be acceptable.

Parking & Servicing

The development would be 'car free' which would be secured by condition thereby removing the rights of future residents to apply for parking permits in the local area. Servicing of the public house would be done via the service alley to the rear and is considered acceptable.

RELEVANT SITE HISTORY

15/4590 – REF

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

This application was refused on the 28/04/2016 following a decision by Committee Members on the 06/04/2016. The application was recommended for refusal by officers for the following reason:

1. *The applicant has failed to demonstrate that the proposed works would adequately re-provide a sufficient quality and quantum of community space with appropriate minimum access arrangements to compensate for the loss of the community use of the Asset of Community Value first floor function rooms and in the absence of this and a legal agreement or other means to secure the community access arrangements the proposals would result in the loss of a community facility, contrary to policy CP23 of Brent's Core Strategy 2010, policy 3.16 of the London Plan and paragraph 70 of the National Planning Policy Framework 2012.*

15/1612

This application was to determine whether the property was designated an 'Asset of Community Value' as required by Class A, Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. A reply was made on 10/06/2015 which found that an application to nominate the above property an ACV under section 89(2) of the Localism Act 2011 was received.

98/0315 – GTD

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

CONSULTATIONS

Neighbour consultation letters were issued to 94 properties on the 01/02/2017. A site notice was displayed on 07/02/2017. Press notice advertised on 09/02/2017

To date the three local ward Councillors for Queens Park have objected to the proposal for the following reasons:

- The proposal would not guarantee a viable pub.
- The proposal would not protect the use of the building for the local community
- Loss of existing community space

QPARA, the local residents group, have been notified and have submitted a letter on the 14th March 2017 objecting to the proposal on the following grounds:

1. The limited amount of time that community groups and voluntary bodies would have access to the function room
2. QPARA dispute the content of the planning statement which states that they are in support of the proposal

3. The pub and community space should not be compromised
4. The default position in the s.106 agreement should be for use by community organisations whenever the pub is open.

Following revisions to the heads of terms in the s106, QPARA, the local residents group, wrote on the 15th of June 2017 replacing earlier comments. This letter was based on a meeting with the applicant and the revised hours of access proposed for the function room for community and voluntary groups. The main points from the letter are the following:

Point raised	Response
QPARA regard the increase in hours from 23 to 40 as a significant improvement. However QPARA have also stated that they believe that it would be consistent with the viability of the public house for access to the community room to be available up to 3pm on Fridays and requests that this be incorporated in the s.106 agreement.	The 40 hours that are proposed from Monday to Thursday are the minimum hours that the function room must be made available to community groups and voluntary sector groups and is, on balance, considered appropriate. Nevertheless, there is nothing stopping the owner of the public house offering the use of the function room outside of the agreed minimum hours.
QPARA also wishes to see flexibility in the arrangements such as would allow, for example, mother and toddler groups to use the community room before 12 noon during weekdays.	As above
With regard to the proposed financial sum, QPARA state that it will be for Brent Council to be satisfied that the scheme represents value for money and that the lettings policy for community and other outside bodies is appropriate and in line with that for the community room in the Corrib Rest.	The LPA consider that the financial sum and scheme proposed represents value for money and that the lettings policy is reasonable and will provide community groups with a reasonable level of access.
QPARA are satisfied with the make-up of the Residents' Management Board. However QPARA are not sure if it is clear enough that the Board will oversee the lettings policy for the function room.	The lettings policy concerns the administration of the community access to the function room and would be the subject to the legal agreement between the Council and interested parties.
QPARA are satisfied that the standard of acoustic protection in the plans is adequate provided tests are carried out next to Hopefield houses and not just immediately outside the building.	A condition recommending a post completion test to be carried out to demonstrate that the acoustic insulation measures result in the required internal noise levels for residential units within the building and to the nearest noise sensitive receivers on Hopefield Avenue comply with standards has been recommended by officers.
QPARA want the limit of 75 persons attending social functions to apply to all parts of the ground floor of the building and not just the function room.	This is not considered to be reasonable or enforceable.

To date 149 objections have been received from local people that have raised the following concerns:

Objection	Response
The loss of the community/function rooms	There is no objection in principle to converting the existing pub's function rooms to flats provided that an acceptable space is re-provided within the

	building with priority for community groups to book that space.
The developer wont work with the local community and is unreliable	The s106 agreement is a legal document that would ensure that the owner is legally obliged to provide the priority use of the function room for community and voluntary groups for 40 hours per week.
Viability of the pub would be affected due to the residential development. The viability of the pub should be tested against the CAMRA viability test.	<p>The ground floor of the pub would be retained and as such the only loss of floorspace would be the function rooms which are ancillary to the pub. The pub is currently closed and the proposal would see it re-open and provide a dedicated space for local people to use.</p> <p>When applying the CAMRA viability tests to the public house it was found that the site is located within an urban area, in a town centre and close to a large park that is regularly frequented by visitors. In terms of competition there are three pubs in the area but the proposed pub would offer flexibility with the inclusion of the function room. Parking is limited but there is good access to public transport with a regular bus service and an Overground/underground station located 375 metres away. The area also has multiple facilities including shops, a post office and schools. As such the public house appears to accord with the criteria set out in the Public House Viability Text.</p>
Displacement of businesses/people outside of the borough who used to use the function rooms to hold classes	Contact has been made and it has been established that a number of people who previously held classes have found alternative locations within the borough. The pub's function room would also be able to be used by these individuals if they wished to return.
There are clauses in the draft s106 to remove the s106 altogether which would remove the function room.	The clause here refers to a review mechanism whereby if the function room has been properly advertised but has not been used by community groups or Voluntary Sector Organisations then the requirement to provide the function room to community groups would cease.
The size of the community room is too small for dance groups and choirs and its location beside the pub would not be suitable.	The function rooms in the first floor consist of two separate rooms with areas of approximately 118 and 188 sqm. The proposed function room would have an area of 152 sqm which is the average size of both rooms and would therefore likely be sufficient to hold classes. The pub's function room would be separated from the main part of the pub.
The wording of the s106 restricts the use of the community room for social groups.	The s106 is in draft form and the wording has been changed to be more inclusive for social groups.
23 hours per week is not enough access for local people.	This has been increased to 40 hours per week and would form a legal obligation within the s106.
Inclusion of two family units is inconsistent with location over a commercial premises	There is no policy against providing family units above commercial premises provided they are of an acceptable standard of accommodation.
Potential to convert the community room into residential accommodation	DMP21 seeks to protect existing public houses and the applicant would have to apply for planning permission to change the use of the pub's function room to residential accommodation.
The proposed community room would have no	A revised ground floor plan would be secured by

reasonable secondary fire access and would be difficult for wheel chair users to access as the corridor is only 0.9 metres wide.	condition that includes a secondary fire access. A disabled management strategy for safe access and egress would be secured by condition.
The residential stair core would block access to the community room.	The stair core would separate the community room and pub. However, access to the pub's function room would be via the front entrance of the pub and through its own corridor once inside, located away from the stair core.
Limited toilet facilities	The pub would have its own toilets including male, female and disabled. The pub's function room would have its own individual toilets including a unisex toilet and separate disabled toilet.
Overlooking of proposed residential units to Hopefield Avenue	Windows on the upper floors of the building would be obscure glazed and the proposed additional storey and terrace would be set in from the building edge.
Reduction in the amount of space dedicated to community use.	The proposed pub function room would have an area of 152 sqm which is the average size of both existing rooms that would previously have been used separately. The shortfall in space would be offset by a financial contribution to community facilities in the local area.
If the development is approved the ACV status would be removed	If the application were to be granted this would not automatically result in the loss of the ACV listing.
Impact of additional floor to building	The additional floor would be set back from the edge of the building and would largely be out of view of the surrounding area
The nine flats will not be affordable homes	The number of flats proposed is under the threshold of ten that requires a proportion to be affordable.
The original s106 should not be changed	The proposed s106 has been amended by officers to reflect the spirit of the original s106
Impact on parking in the area	A 'permit free' condition restricting the rights of residents to parking permits in the area has been recommended.
The pub should not be turned into housing	The ground floor pub would be retained. The upper floors would be converted to residential units.
Loss of light	The daylight/sunlight report has confirmed that there would be no material loss of light to neighbouring residential properties adjacent to the site.
Flaws in the daylight/sunlight report	The flaws concern the points that the calculation of the windows was taken at, the glazing and the build up of dirt. This has been clarified in the main body of the report.
There is already a lack of community facilities in the area	The proposal would result in a replacement function room for which community groups would have a priority to book it for their use for 10hours a day Monday to Thursday inclusive.

In addition to the letters of objection two petitions have been received. The first petition consists of 1,410 names and addresses and states that the petitioners wish to ensure that people retain the use of the community rooms as demanded in the 106 agreement. The second petition consists of 558 signatures and addresses and states that the petitioners object to the redevelopment of the Corrib Rest Community Rooms into luxury flats and wish to retain a community facility as agreed in the section 106 agreements of 2000 and the pub on the ground floor.

To date five letters of support have been received that raised the following points:

- Noise disturbance from the function rooms and anti social behaviour would be removed
- Use of ground floor as community room would benefit the community
- The entrance to the pub on Salusbury Road would be an improvement and help to reduce noise
- The third floor extension would be hidden from view

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)

Development Management Policies

DMP1	Development Management General Policy
DMP7	Heritage Assets
DMP12	Parking
DMP18	Dwelling Size and Residential Outbuildings
DMP19	Residential Amenity Space
DMP21	Public Houses

Supplementary Planning Guidance

SPG17 Design Guide for New Development

DETAILED CONSIDERATIONS

Officers hold the key considerations to be the following:

1. Principle
2. Public House Operation
3. Function Room Operation and Community Use
4. Standard of Accommodation
5. Character and Appearance
6. Impact on neighbours
7. Parking and Access
8. Energy and Sustainability

1. Principle

1.1 Core Strategy policy CP23 seeks to protect existing community facilities or mitigate their loss where necessary. Policy DMP 21 seeks to protect public houses. Therefore Officers consider it essential that the viability of the pub not be harmed and a space for the community to use, on a similar priority booking basis as secured by the extant s106, be adequately re-provided. This would reflect the historic use of the pub's functions rooms by community groups, as evidenced by representations made during this application and the listing of the property as an Asset of Community Value (ACV) in July 2015. As part of the current application the upper floors of the existing building where the function rooms are currently located would be converted to residential use and a single function room would be re-provided at ground floor level. This would result in the loss of two function rooms with a combined space of over 300sqm and their replacement with a function room with an area of 152sqm at ground floor level. This is a significant decrease; however, weight has been given to:

- The layout, which means the proposed function room would be more accessible to all the community and this better connection between the function room and the main part of the pub means when not in use for community purposes it can support the viability of the pub.
- The fact the premises are currently closed and therefore currently local people do not have any access.
- The need to use land efficiently and to maximise the development of sites, in a balanced and sustainable manner. In this case the development as a whole provides the significant merit of the provision of new homes in a sustainable urban location.
- The re-opening and renovation of a public house, as supported by policy DMP21.

- Physical and management changes to reduce harmful impacts on Hopefield Avenue residents.
-

Therefore the loss of some 148sqm of pub function space is acceptable, on balance.

2. Public House Operation

2.1 As previously discussed the public house is currently closed and has been since 2015. As part of the application the ground floor would be retained as a public house. The area of the pub that could be used on a daily basis would reduce, as the function room would at times be used by community or voluntary groups. However, the main part of the pub would remain viable as it would be better laid out than current, renovated to increase its attractiveness as a venue and given new kitchen facilities to support a food offer, which is common to many pubs in London. Bring this vacant pub back into use combined with these improvements offset any harm from the reduction in size and thus the proposal would still comply with policy DMP 21.

2.2 The entrance to the pub would be moved to Salusbury Road. This change is welcomed due to a number of historic complaints from neighbours on Hopefield Avenue and letters of support from residents for the change.

2.3 The applicant has submitted an Operational Management Plan in support of the proposal that would be controlled by condition to ensure that the day to day use of the premises does not harm neighbouring amenity. The hours of use of the premises would be controlled by the same condition and would not change from the existing licence with the exception of New Years Eve where the premise would remain open until 1am.

2.4 The applicant has proposed that the management of the building will be run by means of a Residents Management Board (RMB) that would form part of the s106 agreement. The RMB would be made up of five individuals who would review the running of the public house and community space to see whether there were any harmful impacts on neighbouring amenity.

3. Function room operation and community use

3.1 It is common ground that the pub's function rooms have historically been used for community activities and also used by customers for special events. Presently this is secured by a legal agreement pursuant to permission 98/0315 by which one of the function rooms is dedicated for priority use by community or voluntary groups (with the other used for those groups if the first is taken for other activities). This in turn reflects the intent of permission reference 96/1348, which gave permission for the wider block to be converted to residential and for this unit to be a community centre with ancillary bar.

3.2 The evolution of the space from community centre with ancillary bar to pub with ancillary function rooms with community uses occurred in a short space of time at the end of the last century. Officers are satisfied that the use of the first floor space continued to meet the objectives of permission 98/0315 until the business was closed. For instance, evidence has been provided by a number of local businesses that classes such as swing dancing, Zumba, salsa, choir and Irish Dancing all took place regularly. Significant weight has been given to the need to re-provide a function room for similar priority community use within the development.

3.3 The applicant proposes that use of the community room would be limited to 40 hours per week between 12pm and 10pm Mondays to Thursday (up from 23 hours per week on Mondays to Wednesdays as originally proposed). Whilst the local residents' group have requested additional hours, Officers are satisfied the number of hours and days of the week offered are acceptable. This conclusion is based on balancing the need for community access with the need to maintain the viability of the pub as a whole and the desirability of making efficient use of the site by providing residential units. Officers recommend a legal agreement be entered into with the applicant, and any other necessary parties, to ensure the administration and operation of the function room reflects that of the existing function rooms. Key elements to secure include:

- As set out above, the time when it is available on a priority basis for community and voluntary groups
- The rates at which it can be hired
- The means by which it will be advertised, to ensure use reflects demand
- Other management details

3.4 The function rooms have also provided a place where local people can hold special events such as birthday parties. A large number of objectors have raised concerns that this facility will be lost. The dedicated function room at ground floor level could again serve this purpose and be used as ancillary space to the pub which would also go some way towards its viability, however it would be for the pub operator to decide

whether the function room would be available for such events, and if so it would be up to the operator to determine the cost of hire. The s106 agreement would only control the cost of hiring for community and voluntary groups.

3.5 Officers have also given consideration to the fact that the pub's function room would be on the ground floor so level access can be provided for all members of the community, but separate to the main part of the public house so that it would provide a good degree of privacy. This is a significant merit. The proposed space would also have dedicated storage and toilets and access to the kitchen should food be needed. Although the room would be smaller than existing provision, a contribution would be sought via the S106 for the provision and/or improvement of community facilities in the local area, to mitigate this shortfall.

3.5 A number of objectors have raised concerns that the public house would lose its ACV status. However the grant of planning permission would not automatically result in the loss of an ACV listing. The ACV currently applies to the ground and first floor and if the first floors were to be converted to residential this would remove the first floor of the building from the ACV listing. However permission for the pub and the ancillary community use on the ground floor would almost certainly have no adverse impact on the overall listing of the premises as an ACV. If anything, it would validate the listing as the inclusion of a function room with priority for community groups at ground floor level would reinforce the fact that the public house has community value.

3.6 In summary, the proposal would maintain adequate community access to the pub's function room, subject to controls on its administration and management and a financial contribution to mitigate the reduction in floorspace, secured via a S106 agreement.

4. Standard of accommodation

4.1 DMP18 requires dwellings to be consistent with London Plan policy 3.5 Table 3.3. In this case all flats would comply with minimum size standards.

4.2 DMP19 requires all new dwellings to have external amenity space with 20sqm per flats and 50sqm per family sized or three bed unit. The proposed units on the first floor would not have access to any amenity space. However in this case it would not be practical to provide balconies as this would involve large extensions to the building that may harm its character and appearance and neighbouring amenity. In addition to this the majority of the units exceed minimum size standards. As the proposal is a conversion a more flexible approach can also be taken. The units on the second floor would have access to individual terraces with areas of 33 and 22 sqm respectively. The top floor unit would have access to two separate terraces giving a combined area of 42 sqm.

4.3 With the exception of Flat 6 all units would have good access to natural light. Flat 6 would be north facing which would restrict light slightly however as the proposal is a conversion again a more flexible approach can be taken.

5. Character and Appearance

5.1 The application proposes alterations to the existing building at ground floor level and an additional storey to the building. The building already has an existing dormer style addition to the rear of the building which is considered to be poorly positioned. The site also borders the Queens Park Conservation Area located directly to the west of the site and separated by the service yard. It is therefore important to consider views into and out of the conservation area so the conservation area is not materially harmed.

5.2 The proposed second floor extension would consist of tiles to match the existing roof and the additional storey would consist of light grey Rheinzink to blend in with the sky and appear as a lightweight structure on top of the building. The roof would consist of a single-ply membrane to match the appearance of lead and traditional roofs in the area. This design approach has been taken in order to ensure that the additional storey and extensions do not draw unnecessary attention to the building or impact on views of the adjacent conservation area. Officers are of the opinion that the existing second floor extension does not make a positive contribution and whilst it is well established, the role it would play in the future development would justify it being reclad to match or complement the new extension. The standard material condition would be used to require further details of materials and can specify that further details of the cladding of the existing roof extension be reconsidered.

5.3 As part of the submission the applicant has prepared a number of CGIs and views taken from points around the application site including Hopefield Avenue and Salusbury Road. These views highlight the fact

that due to the additional storey's set in from the edge of the building the only location from which it will be readily visible is directly beside the site on Hopefield Avenue and across the road on Salusbury Road. The other alterations to the building include the insertion of rooflights, the relocation of windows and the blocking up of the corner entrance at ground floor level. The building could do with some renovation and the proposed alterations will help to improve its appearance and that of the streetscene.

5.4 In summary, there are no concerns with the alterations and additional storey as they will not materially harm the character or appearance of the building or the neighbouring conservation area, subject to further details of materials and specifically reconsidering the cladding of the existing roof extension.

6. Impact on neighbours

6.1 The development would not materially harm the living conditions of neighbouring residents.

6.2 With regard to the residential aspect of the development, obscure glazing is proposed on the western elevation overlooking Hopefield Avenue to reduce overlooking. The windows on the northern elevation would look towards residential properties however the separation distance would ensure that this would not be materially harmful. Privacy screens are also proposed for the roof terraces to again ensure that overlooking would be kept to a minimum.

6.3 An objector has raised concerns about potential loss of light to neighbouring properties. The report has analysed the potential loss of light to habitable room windows in neighbouring buildings and found that with regard to daylight and sunlight all windows would pass the Vertical Sky Component and Daylight Distribution Test and BRE direct sunlight requirements. In addition to this the report found that all gardens and open spaces would receive at least 2 hours of sunlight on the 21 March which is equal to the BRE recommendations. The objector has also raised concerns with potential inaccuracies in the report that concern the calculation points taken, the window glazing, the window transmission and the dirt correction. Officers are satisfied the report has been carried out correctly. The report has marked each of the windows on photographs and plans that formed part of the analysis. However this is not to show that the calculation was taken from outside but rather to clearly identify the windows. With regard to glazing in this particular area there is a mixture of single and double glazing in properties. Dirt correction concerns a build up of dust or oil on windows or whether a window is broken or not. However the BRE good practice guidelines do not refer to the need to take into account dirt correction. It was also noted during the site visit that there are no broken windows present in the neighbouring sites and that for the most part they appeared relatively free from dirt or other substances.

6.4 As previously discussed neighbouring residents have reported problems with the premises mostly to do with excessive noise and parties that extended past normal opening hours. Generally pubs which operate outside of their licensed hours can be investigated and have those licenses removed and the licensees prosecuted. Similarly, pubs which cause noise disturbance can be served with Notices under the Control of Pollution Act 1974 with further criminal activity should be reported to the Police. In order to reduce noise from the premises the applicant has provided evidence that they will use acoustic equipment to limit noise and also implement the Operational Management Plan that would see the use of security staff. In addition to this the corner entrance would be blocked up from the inside to prevent patrons from congregating on Hopefield Avenue. All of the proposed measures would form part of the s106 that in tandem with environmental legislation would go towards protecting residential amenity. Due to historic complaints regarding noise and disturbance from the pub by some residents in Hopefield Avenue, the application has proposed acoustic protection for the building to limit noise.

6.5 In summary the impact on the living conditions of neighbours would not be materially harmful.

7. Parking and Access

7.1 The development would be acceptable in terms of parking and servicing, subject to a condition to restrict parking permits and further details of cycle and refuse storage.

7.2 The public house requires servicing by 10m rigid lorries for deliveries which can take place via the rear service road, as existing.

7.3 Car parking allowances for the existing and proposed uses of this building are set out in Appendix 1 of the adopted DMP 2016, with servicing requirements set out in Appendix 2. As the site has good access to public transport services and is located within a CPZ, the lower residential allowance applies. There are no particular parking standards for the existing public house. The three existing spaces alongside the rear

service road are therefore surplus to requirements.. The nine proposed flats will be permitted a maximum of 8.55 parking spaces, which is a significant increase in the parking standard for the site. With no alterations to off-site parking provision, the maximum standards will continue to be complied with.

7.4 The applicant proposes to retain two of the off-street parking spaces for use by the larger 3-bedroom flats and to designate the other for use as a Car Club bay. However, the surrounding area is already very well served by Car Club bays, with at least five vehicles stationed on-street within a 500m radius of the site. Given the size of the development it is not considered that the proposal would support a viable Car club vehicle. It is proposed instead to condition that this become a disabled bay. The applicant also refers to seven further off-street spaces alongside the rear access road to the north, but these appear to be allocated to 25 existing flats at St. Eugene Court to the north. However, the three spaces that are available are unlikely to satisfy parking demand from these nine flats. In cases where limited off-street parking is proposed, Policy DMP12 requires that any additional on-street parking that is generated can be safely accommodated on-street or restricted in some other way. In this case, Salusbury Road is a distributor road and bus route that is not generally suitable for on-street residential parking, whilst Hopefield Avenue is already heavily parked so has no spare capacity.

7.5 As such, mitigation is sought to minimise any increase in parking demand in the area and to this end, Policy DMP12 encourages 'car-free' developments in areas with good access to public transport services. An agreement to oblige the developer to notify all prospective future residents that they will not be entitled to on-street parking permits is therefore recommended, to be secured through a planning condition.

7.6 The London Plan requires the provision of a secure bicycle parking space per 1-bed flat and two spaces per 2+bed flat, giving a requirement for 16 secure spaces. An internal storage room is proposed, which is welcomed, but it appears possibly a little small unless bikes are mounted on double-height racks. Further details of bicycle storage are therefore sought as a condition of any approval. Similarly, a room is also shown for refuse storage alongside the entrance lobby and this also appears small for the amount of residential development to be served, so further details of refuse storage are also sought by conditions.

7.7 The public house would be accessed via a doorway on Salusbury Road that previously provided access to the bar area and a stairs to the function rooms on the 1st floor. An existing door on the corner of Salusbury Road/Hopefield Avenue is proposed to be fixed shut. This is based on historic complaints from residents and is to ensure that patrons don't exit via Hopefield Avenue. The function room would be accessed via a corridor to the rear of the public house. A fire exit is proposed in the service alley to the rear of the site. However following consultation with Building Control officers a secondary fire exit would also be necessary. The most practical location for this exit would be the doorway on the corner of Salusbury Road/Hopefield Avenue. The applicant has agreed to this and a revised ground floor plan will showing this arrangement will be secured by condition. In addition to this a Disabled Management Strategy will also be secured by condition to ensure that there are safe measures in place in the event of an emergency.

8. Energy and Sustainability

8.1 Policy 5.2 of the London Plan requires major development proposals to submit a detailed energy assessment. Also as outlined in the Housing SPG, from 1 October 2016 the Mayor will apply a zero carbon standard to new residential development. In this case neither the residential or commercial aspects of the proposal are on their own considered to be 'major' developments, and compliance with these elements can be difficult to achieve in conversion schemes such as this. Therefore Officers are satisfied that policy 5.2 is not relevant in this case.

9. Conclusion

9.1 Overall the proposal would bring back into use a vacant pub with an ancillary community use and would make efficient use of a site that is currently vacant by introducing nine flats to the boroughs housing stock. The proposal would be subject to a legal agreement to re-provide a function room for community groups to use for forty hours per week, along with a financial contribution. Officers consider that the proposal would have significant planning merits and are therefore recommending the application for approval.

S106 DETAILS

A legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) is required to secure a number of planning obligations that are most appropriate to secure as obligations rather than as planning conditions. See 'Recommendation' section for further details.

CIL DETAILS

This application is liable to pay **£291,979.66*** 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): 972.5 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	972.5		972.5	£200.00	£35.15	£248,334.82	£43,644.84

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	£248,334.82	£43,644.84

*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: 16/5398

To: Mr Hodgson
Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

I refer to your application dated 14/12/2016 proposing the following:
Change of use of the 1st, 2nd and part of the ground floor of the public house (Use class A4) to create 9 self-contained flats (2 x 1bed, 3 x 2bed, 2 x 3bed and 2 x 4bed), retention of the ground floor public house including the provision of an ancilliary function room together with associated alterations to include erection of a partial third floor, new 2nd floor rear extension, replacement and relocation of some of the windows, insertion of new windows and rooflights, terraces and screening and bin stores and accompanied by plans or documents listed here:
See condition 2
at 76-78 Salisbury Road, London, NW6 6PA

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: 16/06/2017

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 STANDARD TIME LIMIT

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 APPROVED DRAWINGS/DOCUMENTS

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

5331/021
5332/022B
5332/023A
5332/024A
5332/025
5332/025.1A
5332/026A
5332/027A
5332/028A
5332/028.1A
5332/029A
5332/030A
5332/031A
5332/031.1A

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

3 NO RESIDENTS PARKING PERMITS

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.

4 NOISE MITIGATION MEASURES AND AMPLIFIED SOUND

(a) Within three months of the commencement of the development, further details of noise insulation shall be submitted to and approved in writing by the local planning authority. Such details shall include means of mitigating the transmission of sound from the ground floor

uses to the upper floor residential units within the building and beyond the building envelope to nearest noise sensitive receivers on Hopefield Avenue so that the development complies with BS8233:2014.

- (b) Prior to the installation or use of any proposed fixed or portable amplified sound system, further details of the system and any noise mitigation measures shall be submitted to and approved in writing by the local planning authority. Any such system shall be specified to ensure the required internal noise levels for residential units within the building and to the nearest noise sensitive receivers on Hopefield Avenue comply with BS8233:2014 and be accompanied by such mitigation measures as are necessary. Any system shall be installed and maintained in accordance with the approved details.
- (c) Prior to the use of any fixed or portable amplified sound system, the results of a post-completion test shall be submitted to and approved in writing by the Local Planning Authority. Such a test shall confirm the efficacy of the acoustic insulation measures. This acoustic test shall include a minimum of 2 testing locations at properties along Hopefield Avenue. Should the results show that the required internal noise levels for residential units within the building and to the nearest noise sensitive receiver have not been met, a scheme of further mitigation works shall be submitted to and approved in writing by the Local Planning Authority, and the approved works fully implemented prior to a further post-completion test to also be submitted to and approved in writing by the Local Planning Authority, before the system is used. The system shall be maintained in accordance with the approved details for the lifetime of the development.
- (d) Prior to the installation of any mechanical plant together with any associated ancillary equipment ('the plant') further details of the plant shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include: (i) manufacturer's specifications and literature of the plant; (ii) an assessment of the expected noise levels of the plant carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'; and (iii) any mitigation measures necessary for the plant to achieve noise levels of not louder than 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. The plant shall be installed and maintained in accordance with the approved details for the lifetime of the development.
- (e) During the operation of the public house, no noise, music, public address system or any other amplified sound shall be audible shall be heard within the dwellings within the building and in surrounding residential properties that exceeds the maximum noise levels within BS8233:2014.

Reason: To protect acceptable local noise levels, having regard to the amenity of neighbouring residents within the building and nearby, in accordance with Brent's Noise Policy

5 TABLES AND CHAIRS

No tables and chairs shall be placed on the forecourt of the premises.

Reason: in the interest of neighbouring amenity

6 ACCESS AND EGRESS

The public house and ancillary function shall not be occupied unless, and thereafter shall at all times be operated in accordance with, the following measures have been carried out:

- (i) All entrance doors shall be made self-closing to minimise emission of odours and/or noise to the neighbouring area.
- (ii) All doors or gates must be hung so that they do not open over or across the road or pavement.
- (iii) The rear doors to the premises at the northern side ground-floor level, as shown on the approved plans, shall not be used by the public, except for disabled access to or exit from the premises, save in the case of emergency, but shall only be used by staff.
- (iv) The door at the rear of the community room, as shown on the approved plans, shall only be used as an exit in the event of fire or other emergency. The door shall be a standard fire

door unable to be opened from the outside and shall be installed with an audible alarm which shall sound in the event that the door is open.

- (v) Notwithstanding the approved plans, a door shall be provided at the corner of Hopefield Avenue and Salisbury Road which shall only be used as an exit in the event of fire or other emergency. The door shall be a standard fire door unable to be opened from the outside and shall be installed with an audible alarm which shall sound in the event that the door is open

Reason: in the interest of neighbouring amenity and fire safety

7 A4 USE CLASS RESTRICTION AND REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO CHANGE USE

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), the ground floor of the building shall be used as a drinking establishment (Use Class A4) with ancillary function room only and for no other purpose whatsoever without express planning permission first being obtained from the Local Planning Authority.

Reason: in light of the weight given to the merit of re-providing the public house in accordance with policy DMP21

8 OCCUPANCY

The public house and ancillary function room shall be operated so that, unless fire safety or licencing dictates a lower figure, the maximum occupancy of the entire public house and ancillary function room shall be 300 patrons and the maximum occupancy of the ancillary function room on its own shall be 75 patrons.

Reason: in the interest of safety and neighbouring amenity

9 FUNCTION ROOM STORE

The storage room provided within the function room shall only be used by community groups and not the public house operator.

Reason: to provide adequate facilities for community/voluntary groups

10 PRIVACY SCREENS

The security privacy screen to the balcony of Flat 7 and Flat 9 shall be installed, maintained, retained and fixed permanently in position prior to the occupation of the flats. The privacy screens shall not be removed without the express written permission of the Local Planning Authority

Reason: To ensure the amenity of neighbouring properties on Hopefield Avenue is protected.

11 SUBMIT MATERIALS

Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. Such details shall include:-

- (a) materials (samples and or manufacturer's literature) to be used on all external surfaces of the building, including balustrades/privacy screens;
(b) further details of the cladding to the existing roof extension

The development shall be carried out in accordance with the details so approved before the buildings are occupied.

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

12 CYCLE AND REFUSE STORAGE

The cycle parking spaces and refuse/recycling storage facilities (for both the residential units and Public House/Function Room) shall be fully installed in accordance with details to be submitted to and approved in writing by the local planning authority prior to the first occupation of a residential flat. The approved details shall be maintained as such for the lifetime of the development.

Reason: in the interest of sustainable travel and proper refuse storage

13 MANAGEMENT PLAN

Prior to the occupation of the development, a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall contain:

- (i) Details of entrances and exits to the Public House;
- (ii) Details of measures to prevent drinking or access onto Hopefield Avenue
- (iii) Details of security staff for the Public House and Function Room
- (iv) Hours of opening of the Public House which shall be:
 - 08:00 hours and 23:00 hours Mondays to Fridays
 - 10:00 hours and 00:00 hours Saturdays
 - 10:00 hours and 23:00 hours Sunday and Public Holidays and at no other time except on New Year's Eve when the premise may stay open until 01:00
- (v) The servicing of the Public House from the rear service road
- (vi) Arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site

The approved details shall be adhered to for the lifetime of the development.

Reason: in the interest of neighbouring amenity

14 DISABLED ACCESS/EGRESS

Details of facilities necessary to enable disabled people (including wheelchair users and people with sensory disabilities) to use and escape from the building(s) shall be submitted to and approved by the Local Plan prior to the commencement of works. Such facilities shall include:

- (i) ramped access (preferred gradient 1:20) to the main entrance, or such other entrance as may be agreed, and to fire exits where appropriate;
- (ii) access for wheelchair users to all parts of the building which are normally accessible to non-disabled people;
- (iii) 1 parking bay of 3.6m minimum width, marked out and reserved for the exclusive use of disabled people

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

Reason: in the interest of safety.

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.

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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PART 2 - DEVELOPMENT PRESENTATIONS

Introduction

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

Advice to Members

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

Further information

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

Public speaking

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

Recommendation

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

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PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on 28 June 2017
Item No 06
Case Number 17/1080/PRE

SITE INFORMATION

RECEIVED: 2017

WARD: Tokyngton

LOCATION: Access Self Storage, First Way, Wembley HA9 0JD

SCHEME: Proposed demolition of existing building and erection of a mixed use scheme of approximately 448 residential units (build-to-rent), 6,000 sqm storage space and 1,000 sqm office space. The scheme currently has a breakdown of 21 studio, 187 1-bed 2 person, 41 x 2 -bed 3-person, 151 x 2-bed 4 person and 48 x 3-bed 5 person homes. Heights vary from 8 – 22 storeys across five main blocks/buildings above a three storey podium..

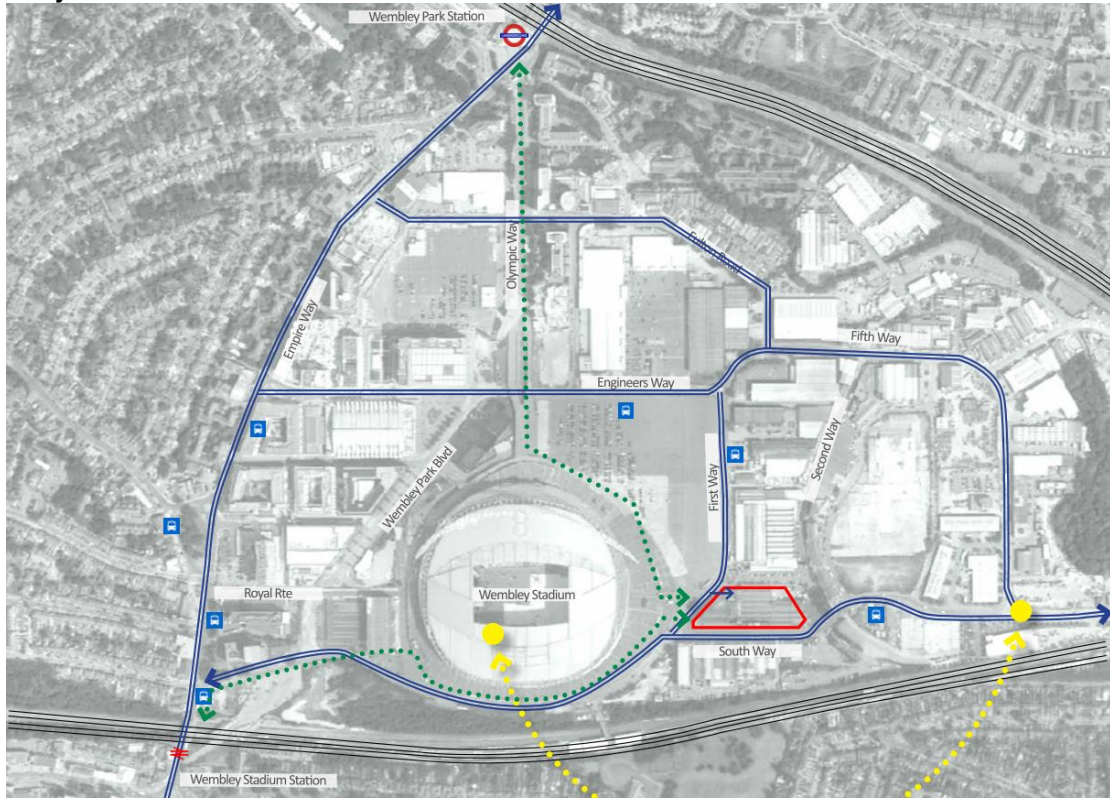
APPLICANT: Access Self Storage

AGENT: DP9 Planning Consultants/ Collado Collins Architects

SITE MAP

This map is indicative only

Subject site noted with red outline



DEVELOPMENT DETAILS

Ref: 17/1080/PRE

Location: Access Self Storage, First Way, Wembley HA9 0JD

Ward: Tokyngton

Description: Proposed demolition of existing building and erection of a mixed use scheme of approximately 448 residential units (build-to-rent), 6,000 sqm storage space and 1,000 sqm office space. The scheme currently has a breakdown of 21 studio, 187 1-bed 2 person, 41 x 2-bed 3-person, 151 x 2-bed 4 person and 48 x 3-bed 5 person homes. Heights vary from 8 – 22 storeys across five main blocks/buildings above a three storey podium.

Applicant: DP9 Planning Consultants/ Collado Collins Architects

Case Officer: Terry Natt (North Team)

BACKGROUND

1. This pre-application submission for a new mixed use development is being presented to enable Members of the committee to view it before any subsequent applications are 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 revised application and the comments received as a result of consultation, publicity and notification.
2. This is the first time the proposals shown within this submission have been presented to Members.

PROPOSAL and LOCATION

Proposal

3. The application will seek approval for the demolition and rebuilding of the Access Storage building located on the corner of First Way and South Way, Wembley. It is proposed to provide a mixed use development including retaining the existing Access Storage operation of around 6,000 sqm, 1,000 sqm affordable office space on the lower floors of the new building with residential uses located on top of a podium.
4. Above the storage facility and affordable office space, it is proposed accommodate 448 residential units in five blocks located onto of a podium with height that range from 8 – 22 storeys.

Proposed residential mix

5. The following residential mix is proposed:

Size	Number	Percentage
Studio	21	4.7
1-bed	187	41.7
2-bed	192	42.9
3-bed	48	10.7
Total	448	

The break down of units by tenure has not been provided yet and will be subject to further discussion.

Car parking and cycle storage

6. A total of 11 parking spaces (including 2 disabled spaces) are proposed for the storage and non-residential uses, situated within the building at ground level. A

servicing bay is also provided at ground level. 143 residential parking spaces are proposed at basement level, comprising 122 standard spaces and 26 accessible spaces. This equates to a parking ratio of 0.32. Cycle storage is also proposed at basement level.

Site and Surroundings

7. The site is approximately 0.94 hectares (ha) in area and is currently occupied by an 'Access Self-Storage' commercial unit. The Site is bound by First Way to the west, with Wembley Stadium directly beyond First Way; South Way (the B4557) to the south; light industrial units along Second Way to the east and commercial units housing food wholesalers to the north.
8. The site is not within a conservation area, nor does it affect the setting of a listed building.
9. The site is located within Wembley Growth Area and Strategic Cultural Area. It forms part of site allocation W28 which is identified as appropriate for leisure, tourism, cultural and office uses and has an indicative capacity of 1,500 residential units.

Planning History

10. There is no relevant planning history for this property

CONSULTATION

11. 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. No details on such consultation have yet been provided, however this will be expected as part of a full application.
12. The proposals to date have been subject to internal consultation with the Council's Planning Policy department, Transport officers and Regulatory Services.
13. The following will be consulted regarding any subsequent planning application:

Consultee:-
(Internal)

- Ward Councillors for Wembley Central (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Heritage & Conservation officer (Brent)
- Tree Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Flood/drainage engineer (Brent)

(External)

- Secure by Design Officer (Met Police)
- Thames Water
- Greater London Authority (GLA)
- Transport for London (TfL)

- 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)

POLICY CONTEXT

14. The National Planning Policy Framework (NPPF) 2012. At the heart of the NPPF is a presumption in favour of sustainable development. Building a strong, competitive economy is of the core principles of the NPPF and paragraph's 21 and 22 are of relevance.
15. London Plan consolidated with alterations since 2011 (March 2016)
16. Mayor's Housing SPG
17. Brent Local Plan Development Management Policies 2016
18. Brent LDF Core Strategy 2010
19. Brent Wembley Area Action Plan 2015
20. Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

MATERIAL PLANNING CONSIDERATIONS

21. The main issues relevant to this proposal that the Committee should be aware of at this stage are:
 - Principle of development
 - Scale, height, massing and design of the development within its local context
 - Height and protected views
 - Quality of residential accommodation
 - Affordable housing provision
 - Transport, access and parking
 - Environmental health

Issue 1

Principle of development

22. The site is located within Wembley Growth Area and Strategic Cultural Area. It forms part of site allocation W28 which is identified as appropriate for leisure, tourism, cultural and office uses and has an indicative capacity of 1,500 residential units. The principal of mixed-use residential and employment development on the site is therefore supported.
23. Policy WEM 10 promotes the inclusion of low-cost business start up space as part of major mixed-use developments. The inclusion of affordable office floorspace is strongly supported. The Council normally secures arrangements to ensure that Affordable workspace is managed by a recognised operator of such space.
24. The pre-application documents indicate a "cycle cafe" space would also be provided as part of the development. The site is within an out-of-centre location but in an area where a significant number of new homes are to be provided. The café unit is of a size that is likely to serve a very local catchment and would not affect the viability of the nearby designated town centres.

Issue 2

Scale, height, massing and design of the development within its local context

25. Due to the prominent siting and scale of the development, the scheme is currently being considered by a CABE Design Review Panel. The first stage including a site visit, discussion and feedback have been undertaken with final written comments expected from CABE in late June 2017. It is expected that the current proposal will change as a result of feedback from CABE.
26. The council supports the applicant's approach to a thorough character and context analysis performed in line with the GLA's SPD and London Plan Policy. This design approach is considered to be appropriate though there are areas where further work/justification is required.
27. Given the scale and the proximity of the tower elements within the scheme, it will need to be demonstrated that the proposal meets relevant standards of in terms of separation, daylight and sunlight etc.
28. The south elevation with recessed ground floor and planting will need to be carefully considered to ensure it provides an appropriate setting for the building. The scheme seeks to strike a balance between active ground floor uses, and security and access, particularly in consideration of Wembley Stadium event days where thousands of people use the immediately surrounding area for access and milling about.
29. The relationship of the proposed development with the existing and emerging Quintain masterplan needs to be explored and demonstrated in supporting documents. How the proposal relates to the surrounding development will be the key to its success. In seeking to justify the heights the applicant points to local precedents and the Quintain masterplan.
30. This is a reasonable approach as the emerging context into which this building will be inserted is of high importance. Both the applicant and developer await response from CABE prior to finalisation of the design of this scheme. It is recognised that the corner location can accommodate more height than the adjoining buildings.
31. Full details of the proposed materials would need to be submitted at application stage to ensure that the finished appearance of the building is appropriate. 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.

Issue 3

Height & Protected Views

32. The site is identified in the Wembley Area Action Plan as appropriate for tall buildings, subject to demonstrating the highest architectural quality, and assessment of impact on views and amenity. In accordance with policy WEM 5 a 3D digital model will be required to allow a full assessment of the design quality and visual impact. It is noted the presentation includes photographs to the site from the protected views identified in the Wembley area Action Plan.
33. In response the applicant has designed a series of towers ranging in height from 8 to 22 storeys on each side of an east – west axis in order to maximise views towards Wembley stadium from the east of the site. This approach is supported in principle, subject to the reasonable satisfaction of standards such as amenity for future inhabitants, sunlight access and open space provision.

34. The proposal is a very large addition to the Access Storage site when compared to the surrounding plots. The justification for the height needs to be clarified but also the resultant scale of the building needs to be justified in terms of its impact on the locality. This is in terms of its relationship with surrounding properties and their occupants, as well as the effects it will have on and contributions that it will make to the local area.
35. 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.

Issue 4

Quality of residential accommodation

36. All residential units will need to be compliant with London Plan space standards, and the Part M4(2) criteria in relation to accessible and adaptable housing, expressed in the nationally prescribed optional housing standards.
37. Details will need to be submitted which easily present the layout of the proposed units and demonstrate that it complies with the London Plan, Mayor's Housing SPG, Lifetime Homes standards, the Wheelchair Accessibility Standards (M4(3), for 10 % of units) and the Council's SPG17 guidance relating to external amenity space.
38. The layout and access for communal areas will also need to be made clear with an appropriate layout being provided.
39. The development of the site is to create a buffer between proposed residential development to the west and the industrial uses in Wembley Strategic Industrial Location to the east. The development will be required to have careful regard to the relationship with, and impact of, the waste facility on Fifth Way and adjoining industrial uses, and demonstrate an acceptable amenity can be achieved.
40. It should also be noted the sites is located within an Air Quality Management Area, as such London Plan policy 7.14 applies and the development should demonstrate it is air quality neutral and makes provision to address local air problems. For example through greater use of sustainable transport modes, green infrastructure and buffer zones.
41. A communal garden is contained on the podium inside of the development and is surrounded by towers to the north and south. It is also noted that the communal gardens will have a fairly enclosed character by virtue of the scale and immediacy of surrounding buildings. The design and layout of the communal roof garden will need to be carefully considered to ensure its success.
42. The development would be expected to meet the standards for external amenity space set out in Brent Policy DMP19. Shortfalls in external amenity space can be off-set through the provision of additional internal space (beyond minimum standards) or contributions towards off-site improvements or provision. The application submission should also demonstrate how the scheme will accord with the Mayors policy and guidance regarding childrens' and young persons play space.
43. Most residential units will benefit from a good level of outlook, with the number of dual aspect units maximised and the few single aspect units that are present being no larger than one bedroom flats and providing east or west facing outlook which is considered acceptable.

Issue 5

Affordable housing provision

44. 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 boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
45. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) level of 50% of all new homes in the borough to be provided as Affordable Housing. The maximum reasonable amount will be sought on sites capable of providing 10 units or more. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
46. London Plan policy 3.12 says that the maximum reasonable amount of affordable housing should be sought when negotiating on schemes and that negotiation on sites should take account of their individual circumstances including development viability.
47. The Financial Viability Assessment has not been submitted to the Council as yet and this would not normally be undertaken and submitted with the planning application.
48. Brent policy DMP15 sets out a local target ration of Affordable Rented to Intermediate accommodation of 70:30. The London Plan sets out a target of 60:40. However, greater weight is typically given to the local target as it represents local housing need.
49. The provision of private rented accommodation is supported through Brent Policy WEM22, providing long term financial, management and nomination arrangements are in place.
50. The current mix of units proposed is as follows:

APARTMENT NUMBERS					
Studio	1 Bed 2P	2 Bed 3P (1 bath)	2 Bed 4P (2 baths)	3 Bed 5P (2 baths)	TOTAL
21	187	41	151	48	448
4.7%	41.7%	9.2%	33.7%	10.7%	100.0%

21	187	192	48	448
4.7%	41.7%	42.9%	10.7%	100.0%

51. Targets for the mix of homes is set out within Policy WEM18 and table 7.1 of the Wembley Area Action Plan. This sets out the following mix of units by tenure for the plots fronting First Way (see table below). As the tenure split is not known at present, it is not clear at this point in time whether the mix of units will accord with these target percentages.

	Affordable Rent	Intermediate	Private
1-bed	15%	45%	30%
2-bed	35%	45%	55%
3-bed	45%	10%	15%
4-bed	5%		

Target mix of units by size and tenure from table 7.1 of the Wembley Area Action Plan.

52. WEM 22 allows flexibility on the mix of target where PRS is delivered, however this is subject to a reasonable proportion of units being made available at or below local housing allowance levels. Therefore further information will be required on the level of affordable housing before a suitable mix can be established. The Mayor's emerging Housing SPG sets out an approach to build to rent homes, including an approach to covenants to secure new homes as build to rent and clawback mechanisms in the event units are sold during the covenant, which the application will need to adhere to.

Issue 6

Transport, access and parking

53. The site generally has a low level of public transport accessibility at present, with a PTAL value varying from 1 to 2. TfL proposals to significantly improve bus services to the eastern side of the Stadium and the shortening of the walking route to Wembley Park station once the Quintain eastern lands are built out are likely to increase the PTAL value at the western end of the site to 3 / 4 in the future. TfL have secured funding towards the improvements to the bus serves through all major schemes in the area and are likely to request Section 106 funding from this scheme towards these improvements.
54. The quality of the pedestrian and cyclist environment around the site is currently poor and will improve when the roads in the area are amended in line with WAAP proposals. The WAAP proposals for South Way include:
- The removal of the one-way system to allow two-way flow on both First and South way,
 - The widening of the carriageway to accommodate cycle lanes, which allows a three-lane tidal flow system alongside the site on Wembley Stadium event days, and
 - Signalisation of the First Way/South Way junction.
55. The northern access (to First Way) will be retained as the primary vehicular access to the site, serving the basement car park and commercial parking/servicing. A new egress is proposed from South Way to accommodate large delivery vehicles. There will be periods at the end of Wembley Stadium events where surrounding roads will become inaccessible as vehicles cannot be allowed to emerge from the site at these times.
56. Council officers are working closely with the applicant to secure high quality pedestrian routes both through and around the site including working to provide separate vehicular and pedestrian access.
57. The amount of parking proposed complies with standards for the office use (5 spaces proposed), self-storage (12 spaces proposed) and residential (143 spaces proposed) and the proposed provision of a disabled space for each wheelchair accessible unit, plus electric vehicle charging and Car Club spaces, is noted and welcomed. The cycle stores will need to satisfy London Plan standards and a publicly accessible bicycle stand should be provided,

58. It will be important for the applicant to provide upon submission of a planning application, a full Transport Assessment, Travel Plans, a Delivery & Servicing Plan and Construction Logistics Plan. This will ensure a full consideration of wider transport impacts. The Travel Plan will need to include a promotion of local Car Clubs to future residents, including subsidised membership.

Issue 7

Environmental Health

59. Key environmental health issues include: Noise insulation for residents given the proximity to commercial premises and the adjoining road, management and security on Wembley Stadium Event days, impact on air quality, construction noise and dust, asbestos and the potential for light pollution from any external lighting.
60. The abovementioned concerns will be addressed as part of a full planning application with planning conditions or informative notes as appropriate. The noise insulation will be addressed through requirements for:
- Adherence to (and a test of) the relevant British Standards for sound insulation;
 - The submission of an air quality impact assessment to consider the air quality impact building works and the operations of the building will have on local air quality and future residents;
 - The submission of an air quality neutral assessment in accordance with GLA guidance;
 - A construction method statement to detail measures that will be taken to control dust, noise and other environmental impacts of construction , and;
 - A lighting spillage plan to demonstrate that the external lighting from the new development will not impact on the surrounding residential premises.

OTHER CONSIDERATIONS

61. A detailed energy/sustainability strategy would need to be submitted as part of any subsequent full application to demonstrate compliance with the Mayor's strategy of Be Lean, Be Clean, Be Green, as well as London plan policies relating to reduction carbon emissions and renewable energy, in accordance with London Plan policy 5.2.

PLANNING OBLIGATIONS

62. If approved, planning obligations under a Section 106 agreement will be necessary to secure and monitor certain aspects of the development. With the information available at present, it is likely that a Section 106 agreement will be needed for the following aspects:
- The delivery of affordable housing, including a post completion review of financial viability and a contribution towards affordable housing should viability conditions improve;
 - To ensure that the Council is notified of development commencement at least 28 days prior to works starting;
 - To enable the development of the proposal to improve the training and employment of Brent residents
 - To secure and monitor a travel plan
 - To secure funding for the provision of a publically accessible cycle stand on the public footway fronting the commercial unit
 - To secure any other financial contributions that may be required by the Council
 - Any other obligations required (at this time not known)

COMMUNITY INFRASTRUCTURE LEVY (CIL)

63. 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

64. 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.

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