



## Planning Committee

**Wednesday 18 October 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

Councillors:

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

Councillors

Davidson and Shaw

**For further information contact:** Joe Kwateng, Governance Officer  
020 8937 1354 ; [joe.kwateng@brent.gov.uk](mailto: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](http://democracy.brent.gov.uk)

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

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

## **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
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2.	Minutes of the previous meeting held 13 September 2017	1 - 8
<b>PART 1- APPLICATIONS FOR DECISION</b>		
3.	Manor Park Works, Manor Park Road, London, NW10 4JJ (Ref. 17/2331)	Kensal Green 13 - 40
4.	Heron House 109-115 Wembley Hill Road, Wembley, HA9 8DA (Ref. 16/4156)	Tokington 41 - 66
5.	Roe Green Hall, Princes Avenue, London, NW9 9JL (Ref. 17/1577)	Queensbury 67 - 82
6.	29 Stadium Business Centre, North End Road, Wembley, HA9 0AT (Ref. 16/5144)	Tokington 83 - 94
7.	Knowles House and Ananci Hostel, 51 & 53 Longstone Avenue, London, NW10 3UN (Ref. 17/2516)	Kensal Green 95 - 116
8.	97-101 Willesden Lane, Kilburn, London, NW6 7SD (Ref. 17/2540)	Queens Park 117 - 128
9.	Garage next to 21 Spezia Road (Ref. 17/3480)	Kensal Green 129 - 142

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

**Date of the next meeting: Wednesday 15 November 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 13 September 2017 at 7.00 pm

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

ALSO PRESENT: Councillors Nerva, Shaw and Warren.

Apologies for absence were received from Councillor Colacicco.

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

The Head of Planning, Transport and Licensing declared that she was acquainted with the applicant for 44 Hardinge Road.

Approaches.

All members received a correspondence from the applicant for The Willows, 136 Honeypot Lane NW9.

#### 2. **Minutes of the previous meeting held on 9 August 2017**

RESOLVED:-

That the minutes of the previous meeting held on 9 August 2017 be approved as an accurate record of the meeting.

#### 3. **17/1829 The Willows, 136 Honeypot Lane, London, NW9 9QA**

PROPOSAL: Demolition of the existing care home building and redevelopment of the site comprising the erection of a five storey building providing 50 self-contained flats (4 studios, 11 x 1bed, 23 x 2bed and 12 x 3bed) with associated basement level, car and cycle parking space, bin stores, amenity space and landscaping

RECOMMENDATION: To grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement to secure the Heads of Terms. Set out in the report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the draft decision notice

That the Head of Planning be granted 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 the legal agreement has not been completed, the Head of Planning be granted 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.

David Glover (Area Planning Manager) introduced the report and answered members' questions and in referencing the supplementary report, he responded to issues raised by members at the site visit. Members heard that the applicant had advised that the care home operators wound down their operation on site from 2013 onwards, relocating tenants and not filling bed spaces when they became vacant. The site become fully vacant prior to August 2016, after which time "building guardians" were in place. He confirmed that the street tree identified in the arboricultural study and adjacent to the proposed substation access would be protected and retained.

He continued that being a new major development, construction methods would allow a significant reduction of noise between floors and thus address the issue of stacking that could arise. In regards to impact on the temple in Bowmans Trading Estate, members heard that the temple was situated on Westmoreland Road, to the rear of the Alpine House and some 255 m distance from the proposed development and as such there would be no material impact. The dwellings proposed were not considered to result in a material impact on parking in the surrounding streets, as sufficient levels of parking were proposed and a CPZ is scheduled to be introduced. Additionally, if planning permission was granted for the proposal the new homes will be "parking permit restricted". He then clarified the ecology impact and mitigation measures as set out in the supplementary report.

Hanif Ghourbandi, in objection, raised concerns about the height of the proposed development and its impact on outlook for residents in Acacia Court. He drew members' attention to the parking problems in the area which he added would be made worse by construction traffic and the proposal itself.

Councillor Dattani (Kenton East, Harrow) addressed the Committee highlighting inadequate parking provisions for residents in Alpine Place and the resulting overspill parking in neighbouring streets, particularly in Harrow. He continued that Harrow Council was not consulted, and that only half of Ruskin Road residents were consulted about the proposed development. He added that in order to address the parking overspill following possible introduction of CPZ, the proposal should incorporate two levels car parking spaces.

Lawrence Quail and Luke Cadman (applicant's agents) addressed the Committee and answered members' questions. Members heard from the agents that the proposal would deliver 50 homes with 10 intermediate affordable housing and 39 car parking spaces as well as a contribution towards the introduction and implementation of controlled parking zone (CPZ) in the area. They added that the siting of the substation was in accordance with UKPN standards and that heating would be provided via a communal boiler system.

The agents clarified that the affordable housing proposed was based on viability assessment by the Council's independent consultant with a review mechanism to capture any uplifting in land values. They added that should a grant become available, the affordable housing element would be further reviewed. In response to a member's question, the agents confirmed that the applicant would be agreeable to an additional condition in the s106 Heads of Terms to make financial contribution to Harrow Council for the introduction and implementation of CPZ in the Harrow area.

Alice Lester (Head of Planning) confirmed that Harrow Council were notified about the scheme but no response was received. In summing up, David Glover stated that the mixed unit scheme proposed accorded with guidelines and standards in terms of design, scale, amenities and materials. He drew attention to the highway works which would be secured via s278 and recommended a further condition to capture the applicant's undertaking to make a contribution under the s106 Heads of Terms of up to £25,000, the exact amount to be delegated to the Head of Planning, to Harrow Council for its introduction and implementation CPZ. In responding to Councillor Daly's enquiry about the trees, David Glover undertook to ask the tree officer to consider if the trees could be granted preservation orders (TPO). He also added a further condition regarding measures to reduce noise transfer between floors and an additional informative specifying that the applicant be encouraged to ensure that the maximum standards were achieved in relation to fire safety

DECISION: Granted planning permission as recommended with additional conditions for the applicant's contribution to Harrow Council for its CPZ introduction of up to £25,000 (the exact amount to be delegated to the Head of Planning), measures to reduce noise transfer between floors and an additional informative specifying that the applicant is encouraged to ensure that the maximum standards were achieved in relation to fire safety.  
(Voting was unanimous).

#### **4. 17/2331 Manor Park Works, Manor Park Road, London, NW10 4JJ**

PROPOSAL: Redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) over 6 storeys; and erection of a seven storey residential building with basement level accommodating 22 units (4 x studios, 14 × 2bed and 1 x 2bed and 1 3 x 3 bed maisonettes) with associated car and cycle parking, refuse

storage, landscaping and amenity space provision, including a roof terrace at each building

David Glover (Area Planning Manager) informed the Committee that due to amendments required to the application and the resulting changes to the description, it was necessary that a consultation period was extended to give consultees the opportunity to fully appraise the current scheme prior to a decision being made. He therefore recommended that the application be deferred for an extended consultation period and the report updated accordingly.

DECISION: Deferred for further consultation.

**5. 17/2643 44 Hardinge Road, London, NW10 3PJ**

PROPOSAL: The erection of a single storey ground floor rear extension, conversion of existing garage, a hip to gable roof extension, enlargement of existing dormer and associated internal alterations to accommodate for the conversion of a 4 bedroom single semi-detached dwelling house into 2 self-contained flats (1x3 bed and 1x2 bed).

RECOMMENDATION:

That the Committee resolve to GRANT planning permission and that the Head of Planning be granted 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 be granted 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 (Area Planning Manager) introduced the report and answered members' questions. He set out the proposal and added that the proposed conversion of the dwellinghouse into two flats and associated extensions was considered to be in accordance with relevant policy.



Heather Jones (objector) raised the following issues;

- i) Lack of consultation with residents
- ii) The proposed change of use would set an undesirable precedence for similar developments in the Hardinge Road area.
- iii) The proposal, with its excessive footprint, would constitute an overdevelopment of the site.
- iv) Inadequate parking provision which would exacerbate the current parking situation.
- v) Inadequate amenity space provision.

Denny Fitzpatrick in objecting to the application referenced a petition signed by 59 residents opposing the proposed development and added that residents were not properly consulted and that no site notices were put up. She continued that the proposal which would be the only sub-divided property in Hardinge Road would alter the character of the streetscene. In addition, it would worsen the existing parking situation as well as give rise to waste management problems.

In commenting on the claim about lack of consultation, David Glover stated that in accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by serving the notice on the adjoining owners or occupiers and other neighbours on 30/06/2017. He thus referenced the significant responses from consultees as set out in the consultation paragraph of the report. He added that site notices and consultation meetings were not necessary for the application which was considered to be a small scale development.

In accordance with the provisions of the Planning Code of Practice, Councillor Warren (ward member) stated that he had been approached by some of the local residents. Councillor Warren circulated some photographs to the Committee. He then referenced several aspects of the policy paragraphs of the officer's report to support his contention that the application contained several breaches of the guidelines and policies. He clarified that the proposed alterations and extensions to the original residential property did not appear subordinate or respect the character of the original dwellinghouse and would therefore not be in harmony with its surroundings. He continued that the proposed conversion with its garden space deficiency, would be an uncharacteristic addition, adversely impacting the character of the streetscene and would also increase on-street parking pressures in Hardinge Road. Councillor Warren urged members to be minded to refuse the application or to defer it to enable residents' concerns to be addressed.

In accordance with the provisions of the Planning Code of Practice, Councillor Shaw (ward member) stated that she had been approached by some of the local residents. Councillor Shaw stated that the purpose of the proposal was to enable the applicant to accommodate his elderly mother within the family home rather than in a care home. She continued that the he proposal would not alter the character of the area, would not set a precedence nor give rise to parking problems as the area was already within a controlled parking zone. She added that claims for loss of amenities and loss of light were unfounded as the proposal complied with the criteria set out within policy DMP17.

Guy Parsons (applicant) informed members that the scheme had been revised to comply with guidelines and policies and urged members to endorse the recommendation.

In responding to the issues raised above, David Glover informed members that the application exceeded the requirements of policy DMP17 on minimum sizes and satisfied SPG5 in that it would improve the appearance of the property. He added that there already existed properties in the area with large dormer windows and that outlook and privacy would not be an issue. Members heard that the scheme accorded with parking standards and that the provision of 1.95 car parking spaces were acceptable. He added that the hip to gable roof would not substantially increase the size of the property and that the roof form of the gable would be an improvement.

Prior to voting members agreed an informative requiring the applicant to ensure that any damage to public realm is repaired and that the maximum standards were applied to fire safety issues.

DECISION: Granted planning permission as recommended subject to an additional informative that any damage to public realm is repaired and that the maximum standards were applied to fire safety issues.  
(Voting was as follows: For 5; Against 1; Abstention 2)

## **6. 17/1139 Garages rear of 39 Keslake Road, Peploe Road, London**

PROPOSAL: Demolition of four existing garages and erection of a 4 bedroom dwellinghouse set at ground and basement level, with associated on-street car parking, cycle parking, bin stores, landscaping and amenity space

RECOMMENDATION: That the Head of Planning be granted 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 be granted 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 it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Queen's Park Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

David Glover (Area Planning Manager) introduced the report and answered members' questions. He referenced and gave weight to the Planning Inspector's decision on application 16/0440. Members heard that the current application

addressed the Inspector's conclusions in terms of harm by reducing the height and bulk of the development so that its effect on the character and appearance of the conservation area and on the living conditions of the occupants of 44 Kempe Road would now be acceptable.

Duncan McCausland (objector) circulated photographs to support his views that the proposed development would not be in keeping with the character of the business park. He added that it would set a poor precedence for similar undesirable developments in the area. He continued that as the properties in the area had shallow foundations and therefore prone to subsidence, excavation which could cause subsidence to neighbouring properties should not be allowed. Members heard that due to high incidence of subsidence, residents found it difficult to obtain buildings insurance for their properties without piling.

Jan Lambrecht (objector) echoed similar sentiments and concurred with the views expressed by the previous objector and added that the wall and roof did not comply with the design guide for Queens Park Conservation Area.

In accordance with the provisions of the Planning Code of Practice, Councillor Nerva (ward member) stated that he had been contacted by local residents. Councillor expressed a view that the following factors had not been properly explored; parking problems in an over-parked area; impact on local residents; compliance with the design guide for Queens Park Conservation Area. Councillor Nerva also raised concerns about excavation, digging and piling for the basement element of the proposed development.

Nick Sutton (applicant's agent) addressed the Committee and answered members' questions. He informed members that the scheme had been revised following the Planning Inspector's decision on appeal to ensure that it complied with guidance and standards. In response to a member's question on the subsoil, Nick Sutton stated that extensive structural appraisal had been undertaken and that a concrete box would be erected around the basement to afford it a greater stability.

In summing up, Dave Glover informed members that the issues for which the Planning Inspector refused the application on appeal; height, bulk, massing and impact on the Conservation Area and the living conditions of number 44 Kempe Road had been addressed in the application. The scheme had therefore overcome the previous objections and would now be in compliance with DMP Policies such as DMP Policies DMP1, DMP7, DMP12, DMP16, DMP17 and DMP19, having regard to paragraph 132 of the NPPF and S72 of the P(LB&CA)A 1990. It was also in compliance with the criteria as set out in the London Plan as well as the Queen's Park Design Guide.

In approving the application as recommended, members added an additional informative that any damage to public realm be repaired at the applicant's cost.

**DECISION:** Planning permission granted as recommended subject to an additional informative that any damage to public realm is repaired at the applicant's cost.

(Voting was unanimous).

**7. Any Other Urgent Business**

None.

The meeting closed at 9.25 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
  - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

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

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

#### **Provision of infrastructure**

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

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

**Further information**

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

**Public speaking**

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

**Recommendation**

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
03  
17/2331

## SITE INFORMATION

<b>RECEIVED</b>	<b>25 May, 2017</b>
<b>WARD</b>	<b>Kensal Green</b>
<b>PLANNING AREA</b>	<b>Harlesden Neighbourhood Forum</b>
<b>LOCATION</b>	<b>Manor Park Works, Manor Park Road, London, NW10 4JJ</b>
<b>PROPOSAL</b>	Redevelopment of industrial site to residential to form a total of 45 units comprising: change of use of the existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) and an extension above the existing building with alterations to form 7 storeys; and erection of an 8 storey residential building plus a basement level, accommodating 21 units (3x studios, 14 x 2bed and 1 x 2bed and 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building <b><u>(amended plans, fire safety information and description updated 12/09/2017)</u></b>
<b>APPLICANT</b>	<b>Beckley Group</b>
<b>CONTACT</b>	<b>Planning Co-operative</b>
<b>PLAN NO'S</b>	2128-00DR-0002 2128-00-DR-0001 2128-00-DR-0050 2128-00-DR-0010 2128-00-DR-0011 2128-00-DR-0012 2128-00-DR-0013 2128-00-DR-0015 2128-00-DR-0016 2128-00-DR-0017 2128-00-DR-0018 2128-00-DR-0020 2128-00-DR-0051 2128-00-DR-0052 2128-00-DR-0108 2128-00-DR-0109 2128-00-DR-0110 2128-00-DR-0111 2128-00-DR-0112 2128-00-DR-0113 2128-00-DR-0114 2128-00-DR-0115 2128-00-DR-0116 2128-00-DR-0117 2128-00-DR-0401 2128-00-DR-0402 2128-00-DR-0403 2128-00-DR-0604

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2128-00DR-0601 rev D09  
212-00dr-0412-DO6  
212-00-DR-0117-D03  
2128-00-GR-00-D39

**LINK TO DOCUMENTS  
ASSOCIATED WITH  
THIS PLANNING  
APPLICATION**

**When viewing this on an Electronic Device**

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

[https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR\\_134470](https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_134470)

**When viewing this as an Hard Copy \_**

**Please use the following steps**

1. Please go to [pa.brent.gov.uk](https://pa.brent.gov.uk)
2. Select Planning and conduct a search tying "17/2331" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab

## INTRODUCTION

The application was deferred from the Planning Committee meeting on 13 September 2017 due to an inaccurate description of development, having been advertised following amendments to the scheme. The accurate description of development was subsequently publicised by further neighbour notification letters, a press advert and a site notice. The publicity period ended on 12 September. Three further letters of objection were received (see below).

The main changes to the scheme are detailed below:

- An updated fire strategy;
- Relocation of the disabled parking bay at ground level;
- Relocation of visitor cycle store at ground level;
- Location of dry risers and inlet provided;
- Addition of balconies to four flats at fifth floor of existing building; and
- Revisions to sixth floor plan (8th storey) to reduce size of building by deleting one studio flat.

### Assessment of proposed changes

Fire Strategy: In summary the document states that the development is designed in accordance with Building Regulations 2010 (Approved Document B) and will meet minimum standards and exceed these requirements in some respects including:

- By fitting all apartments with sprinklers and enhanced fire and alarm detection.
- All elements of main structure including between apartments and between apartments and corridors to be provided with 50 minutes fire rating.
- Scheme includes fire fighting shafts, fire fighting stairs, fire fighting lifts, fire fighting lobby, dry riser provision, smoke ventilation to fire fighting stair and lobby.
- Common corridors and basement areas provided with smoke ventilation.
- All travel distances and fire brigade access to comply with guidance.
- Three fire brigade access options are suggested, with details of the preferred option to be developed at the next design stage.

The Council's Building Control officers have advised that the London Fire Brigade confirm that of the three Fire Strategy access options set out in the Fire Strategy, option 1 is acceptable in principle. This option involves dry riser inlets outside both residential buildings and within 18m from the street. In combination with the apartment sprinklers this is considered acceptable.

Changes to the housing mix and impact on affordable housing: The scheme has been amended by deletion of a studio flat at 6th floor (8th storey) of the new building, resulting in a change at this level from the originally proposed three flats (one 2-bed and two studios) to two flats (one two bed flat and one studio). The deletion of the studio unit does not affect the affordable housing offer which remains the same as previously set out. The two flats exceed London Plan minimum space standards.

Revisions to sixth floor (8th storey of new building): The deletion of the studio flat at 6th floor (8th storey) of the new building allows the built form to be pulled back from the originally proposed building frontage on its west and south west elevations. This both improves the daylight and sunlight relationship to the rear of nos. 34 - 38 Manor Park Road and increases the amount of balcony amenity space for the two flats now proposed (now 45sqm for two flats against the original proposal's 20sqm for three flats). This is an enhancement of the level of amenity space proposed for future residents and improves on the overall amount of amenity space provision which was considered acceptable as originally submitted. (see Neighbouring Amenity section in the main report).

Revision to fifth floor (existing building): Balconies are added to the four flats at fifth floor. Again, this is an enhancement of the level of amenity space proposed for future residents, and improves on the overall amount of amenity space provision as originally submitted. (see Neighbouring Amenity section in the main report).

Bin collection: The bin collection area shown on the original site plan at the front of the vehicle access is not shown on the amended site plan (although it is shown, in the same location, on the vehicle tracker plans

accompanying the Fire Strategy). The applicant confirms that a caretaker-would be employed who would move the bins from the basement to the holding area and back again after collection. A condition is recommended to ensure the refuse and recycling storage is implemented.

Additional Comments received.

Three further representations were received raising objections to the application. These representations were received from The Rucklidge Avenue Residents' Association, an occupier of Manor Park Road and an occupier of Willows Terrace

### **Objection**

### **Officer's response**

Residents barred from site visit

Pre committee site visits are for members to view the physical aspects of the site and its surrounding to appreciate a site and its context. These visits are not used as discussion forum for interested parties.

Object to scale and design. Conflict with policies and Site Specific Allocations document (indicates capacity of 30 dwellings). Too many units. Housing shortage does not justify scheme.

Refer to Detailed Considerations section of report.

Inadequate useable outside space; ground floor family units open directly into living area.

Refer to Detailed Considerations section of report. Direct opening onto a living space is not an unusual arrangement.

Some rooms will not receive minimum levels of daylight / sunlight and would have inadequate living conditions.

Refer to Detailed Considerations section of report.

Severe demand placed on schools and medical facilities.

Refer to Detailed Considerations section of report.

No consideration of traffic problems arising from deliveries and taxis.

Tracking plans are submitted which demonstrate acceptable van access/turning space. It is not considered that taxi trips generated by a development of this size in this location would add significantly to traffic in the area or result in any material adverse impact on traffic flow/highway safety.

Eight storeys is too high, should be maximum five storeys.

Refer to Detailed Considerations section of report.

Overlooking and loss of privacy to neighbouring occupiers including a school.

As noted within paragraph 20 the separation distances between properties are sufficient. It is not unusual for new development to have windows facing schools or playgrounds. The proposal has included angled windows to avoid direct overlooking towards the school and no objection is raised on this basis.

Concern was raised over the required Community Infrastructure Levy payment being an influence in the recommendation.

This has not been given weight in the assessment and the proposal has been justified on its merits.

Parking provision and vehicular access

A legal agreement is proposed to ensure that the future residents of the development are not eligible for parking permits. The servicing of the site has been addressed in the Transport assessment of the Detailed Considerations section of report.

### **Recommendation:**

That the Committee resolve to GRANT planning permission subject to:

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

- Fees for monitoring and enforcing its performance
- Notification of material Start
- Affordable Housing - 15% of dwellings shall be for Affordable Rented Units
- Affordable Housing Review Mechanism - end of scheme
- Training and Employment targets
- Highway works
- Travel plan including car club incentives
- Considerate Contractors Scheme
- Energy - zero carbon

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:

1. Standard three year
2. Approved drawings (**Condition 2 to refer to revised drawings and the submitted Fire Safety Report**)
3. Water efficiency
4. Requirement to provide refuse and recycling, cycle storage and disabled parking
5. Means of enclosure
6. Landscape works
7. Accessibility
8. Lighting
9. Materials
10. Sustainable urban drainage
11. Air quality
12. Contaminated land
13. Any other planning condition(s) considered necessary by the Head of Planning

#### Informatives

1. CIL liable
2. Repair highway if damaged
3. Fire Safety Strategy
4. Soil verification
5. Asbestos
6. Air quality
7. Vibration
8. Highways
9. Licences
10. Noise
11. Structural integrity

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 it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Harlesden Conservation Area(s) as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

That, if by 13/12/2017 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

## RECOMMENDATIONS

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# SITE MAP



## Planning Committee Map

Site address: Manor Park Works, Manor Park Road, London, NW10 4JJ

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This map is indicative only.

## **SELECTED SITE PLANS**

### **SELECTED SITE PLANS**

#### **PROPOSAL IN DETAIL**

The application seeks permission for the redevelopment of industrial site to residential to form a total of 45 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) over seven storeys (lower ground plus six); and erection of an eight storey (basement and lower ground plus six) residential building with basement level accommodating 21 units (3 x studios, 14 x 2bed and 1 x 2bed and 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building.

The proposal will retain the principal existing building however the ground level will be lowered to create an additional floor at lower ground level and the proposal will include a roof extension to add two new floors to the building. The corrugated metal staircase lift enclosure will be removed from the front of the building.

The existing single storey structures would be demolished and a new eight storey building would be erected.

#### **EXISTING**

The existing is known as Manor Park Works and comprises principally of a four storey warehouse building. In addition the application site also contains a single storey extension to the main building and a single storey outbuilding. The site is located to the north of the junction between Manor Park Road and Park Parade within the centre of Harlesden. Vehicular access to the site is from Manor Park Road and there is a narrow pedestrian access route from Park Parade.

The existing industrial site covers an area of 0.146ha and contains a 4 storey industrial building. The surrounding building heights in the area are up to five storeys.

The building is not listed nor is the site within or particularly close to the Harlesden Conservation Area, though the proposal's relationship with the Conservation Area has been considered, see Remarks section below. The site is designated as an Archaeological Priority Area and a Site of Archaeological Importance.

#### **AMENDMENTS SINCE SUBMISSION**

#### **SUMMARY OF KEY ISSUES**

The key material planning considerations are:

1. Principle of development - this site is a Site Specific Allocation and its efficient use is a significant merit as contributing to the supply of homes in Brent in a sustainable urban location (PTAL 6a)
2. Density of development - as above, the efficient use of land is a significant merit given the high public transport accessibility of this location, subject to matters such as standard of accommodation and impact on neighbours discussed below.
3. Affordable housing - the scheme is providing the maximum viable amount of affordable housing and the applicant agrees in principle to a pre-completion affordable housing review mechanism
4. Design and appearance - this proposal is acceptable on balance, having regard to its town centre location, the merit of retaining the existing non-designated heritage asset and limited visual impact on public areas
5. Heritage - this proposal would have an acceptable impact on designated heritage assets including Harlesden Conservation Area and the Area and Site of Archaeological Importance and would retain a non-designated heritage asset
6. Standard of accommodation - this proposal is acceptable on balance in terms of internal and external amenity, having regard to its town centre location and the merit of retaining the existing non-designated heritage asset
7. Impact on living conditions of neighbours - this proposal is acceptable on balance, having regard to its



town centre location and the character of the area.

8. Landscaping and trees - subject to conditions, the proposal would provide adequate landscaping and provision of trees
9. Highways and access - this proposal is acceptable on balance, having regard to the existing access which could be brought back into more intensive use without further planning permission

These and other planning considerations are discussed in more detail in the Remarks section, below.

## RELEVANT SITE HISTORY

16/4917 - Redevelopment of industrial site to residential to form a total of 51 units comprising: conversion, top floor extension and change of use of existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 25 units (two studios, two 1-beds and 21 × 2-beds) over 6 storeys; erection of adjacent linked seven storey residential building accommodating 26 units (six studios, 12 × 1-beds, five 2-beds and three 3-beds) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building. - **Application withdrawn**

## CONSULTATIONS

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by serving notice on the adjoining owners or occupiers on 19/06/2017. In addition to this consultation letters were sent to a total of 502 addresses in the surrounding area. A press notice was advertised on 29 June 2017 and multiple site notices were displayed from 20 June 2017.

Eight objections have been received, comprising two ward councillors, the Rucklidge Avenue residents' association and five other local residents.

Cllr Hector has objected on the following grounds:

- Principle: no pressing need for new homes in light of Old Oak Park Royal Mayoral Development Corporation plans
- Design and scale: height of the building resulting in harm to character of area
- Access: width restrictions and their implications for fire safety
- Highway and pedestrian safety: No separate pedestrian path along the access route
- Density: too high in terms of traffic safety given accident record on Manor Park Road
- Standard of accommodation: in terms of lack of outdoor amenity space

Cllr Kelcher has objected and requested the case be decided by Planning Committee on the following grounds:

- Standard of accommodation: in terms of room sizes
- Access: width restrictions and their implications for fire safety

Rucklidge Avenue Residents Association objected on the following grounds:

- Design and scale: design and height of the building resulting in harm to character of area, site does not integrate with area
- Living conditions of neighbours: height of buildings would overlook and overshadow neighbouring school, loss of privacy to neighbours, overwhelming
- Access: width restrictions and their implications for fire safety
- Highway and pedestrian safety: increase in traffic crossing pavement on Manor Park Road, limited access for emergency vehicles, lack of parking
- Density: over development of the site
- Standard of accommodation: lack of amenity space, poor level of residential amenity, poor levels of daylight, sunlight
- Infrastructure: additional demand on social infrastructure that cannot be accommodated

Five other local residents objected (although to date--5 September--one has not confirmed their postal address) on the following grounds:

Representation	Response
<u>Character</u> The development too high for area and towers above Harlesden Skyline Building too high and will change skyline	See Remarks section

Building should be smaller Density too high	
<u>Highways</u> Insufficient parking spaces and residents bays already under pressure. Not enough Parking Edge of busy road where there have been accidents involving pedestrians	See Transport section
<u>Fire Safety</u> Risk of Fire i.e Grenfall due to lack access for emergency vehicles	See Remarks section
<u>Standard of accommodation</u> Crammed housing, Room sizes too small Lack of green space	See remarks section
<u>Landscaping</u> Retain trees	See Landscaping section
<u>Impact on neighbours</u> Overlooking of neighbouring school	See remarks section

In addition to the responses above the Council two responses received letters in support of the proposal.

#### STATUTORY CONSULTEES

Historic England - No objection raised

#### OTHER CONSULTEES

##### *External*

Metropolitan Police Design Advisor - Comments initially raised regarding residents having access to both blocks however the proposal has been amended which has addressed the comments and therefore there is no objection to the proposal.

##### *Internal*

Transport: No objection subject to conditions requiring: (i) designation of the development as car-free, with the right of future residents to on-street parking permits withdrawn; (ii) full implementation of the submitted Travel Plan Statement; and (iii) submission and approval of a Construction Logistics Plan, there would be no objections on transportation grounds to this proposal.

Landscape Design -No objection

Heritage Officer – No objection

Design Officer - No objection following the amendments to the application.

## 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:

Brent Site Specific Allocations DPD 2011  
National Planning Policy Framework 2012  
Mayor's Housing Supplementary Planning Guidance  
SPG17 – Design Guide for New Development  
Emerging draft SPD1 - Brent Design Guide

## DETAILED CONSIDERATIONS

### GENERAL PRINCIPLE OF DEVELOPMENT:

1. The principle of development is accepted. This site is part of a Site Specific Allocation (SSA11) for residential development with an indicative capacity of 30 units.
2. Some objections relate to the need for homes here in light of the Old Oak Park Royal Mayoral Development Corporation located to the south of Harlesden in parts of Brent, Hammersmith and Fulham and Ealing. Whilst this will provide much needed new homes over the next 20 years the majority of the housing site is not within Brent and this site is identified as forming part of Brent's five year supply of land for new homes. Policy 17 of the National Planning Policy Framework (NPPF) sets out 'core planning principles, including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value". These principles also include to "pro actively drive and support sustainable economic development to deliver homes ...". The NPPF goes on to state that development proposals that accord with the development plan should be approved without delay.
3. The development site is located on previously developed land, within a sustainable location and has been vacant for over a year. Therefore the redevelopment of the site for residential purposes is supported in principle as the proposal would provide new homes and would make efficient use of the land by providing these homes at a reasonably high density.
4. The principle of the proposed development complies with Council objectives and national policy as outlined in the Brent Core Strategy and the NPPF respectively. The development site is not covered by a restrictive land use designation within the adopted development plan and although the site is a local employment use, the SSA means there is a presumption in favour of residential development.

#### **AFFORDABLE HOUSING:**

5. London Plan Policies 3.11A, 3.11B and 3.12 require boroughs to maximise affordable housing provision, set an overall target in Local Plans for the amount of affordable housing provision needed over the plan period, and seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. Brent's Core Strategy Policy CP2 identifies capacity for at least 22,000 homes over the local plan period 2007-2026 and sets a target that 50% of new homes should be affordable. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output. This is supported by recently adopted policy DMP 15 of the Development Management Policies DPD (2016).
6. An initial viability assessment was undertaken by The Beckley Group to assess what level of affordable housing the scheme could viably deliver. This assessment was carried out on the basis of a 45 unit residential scheme, comprising a mix of 1, 2 and 3 bedroom units. The Viability report submitted by the applicant concludes that high building cost and existing use value would result in a deficit of £3,010,000, however the applicant is still prepared to provide 4 number 3 bedroom units for Discounted Market Rent, or 15% affordable housing by habitable room.
7. The Council commissioned BNPP to carry out an independent review of the viability report. The purpose of this was to determine if the affordable housing offer at that time represented the maximum reasonable proportion that the scheme could viably deliver.
8. Whilst BNPP has disputed a number of assumptions, they do accept that the proposed development would be currently by unable to viably deliver a greater proportion of affordable housing units. One major factor in this case is that the relatively high build costs associated with the refurbishment of the existing building and the high construction cost associated with the new building development.
9. However BNPP recommend that a post implementation viability review is included in the s106 agreement and this is supported by DMP 15 which also requires that appropriate provisions to re-appraise viability be sought on major sites where the proportion of affordable housing agreed is significantly below 50%.
10. Officers have therefore agreed in principle a post implementation s106 review mechanism with the applicant, to be secured by a planning obligation within a S106 legal agreement. This would re-appraise scheme viability 6 months prior to practical completion against an agreed residual land value of £1.9m and profit margin of 15%.
11. Therefore subject to agreement of such s106 review mechanism, Officers recommend that the scheme proposes the maximum reasonable amount of affordable housing in line with planning policy.

## **RESIDENTIAL MIX:**

12. The proposal includes a mix of 6 x Studio units (13%), 8 x 1-bed (17%), 25 x 2 bed (54%) and 7 x 3-bed (15%). All are proposed as private rented units. This mix would result in 15% of units being family accommodation (3+ bedrooms), which is not strictly in accordance with the 25% policy target for family accommodation set out in Core Strategy policy CP2 however given the characteristics of the site including the refurbishment of the existing building, the proposed level of family accommodation is considered to be acceptable.

## **DENSITY:**

13. The site is located within Harlesden town centre and for the purposes of emerging draft Brent Design Guide SPD 1, it is considered to be a 'transitional' area typology site which can accommodate higher density than existing.
14. London Plan policy 3.4 aims to optimise the housing potential of sites, especially in locations that are sustainable, with 'good' public transport accessibility. In applying the density matrix to this location with a PTAL of 6a and of a urban location, a density of between 70 and 260 units per hectare would be deemed to be appropriate. The proposed density of 310 units per hectare is above the indicative density range for this location however this is a guide only and site specific circumstances should be taken into account. In this case, the site is considered capable of accommodating this slightly higher density without compromising design or living standards of future or neighbouring residents. Officers give this efficient use of land resulting in the provision of a substantial number of new homes in a sustainable location significant weight.

## **LAYOUT:**

15. Existing building: the proposal would involve retaining and extending the existing building and its conversion into residential. This would involve removing the corrugated metal staircase and lift enclosure and the insertion of an additional floor finished in Corteen which is harmonious with the industrial heritage of the existing building
16. The new building: the proposed new building has been designed to compliment the existing works building and footprint of the new building would have an irregular hexagon shape. The proposed new building has been set back at upper floors and would be hidden from view by the Salvation Army building when viewed from the street and would only become visible from the existing works building.
17. Access: Pedestrian and vehicular access to the site is via a shared surface drive from Manor Park Road and the existing pedestrian access from Park parade would be closed for security reasons. The eight maisonettes have their own front doors and the entrances to the two circulation cores are in the centre of the two front elevations.

## **MASSING, DESIGN and MATERIALS:**

18. The character of the area is mixed and the site is located to the rear of an area of mixed commercial and residential buildings fronting Manor Park Road and Park Parade with school grounds behind. The existing building is higher than the majority of nearby buildings.
19. Objections have been received on the basis of the impact of the development on the character and appearance of the area.
20. The proposal would increase the height of the existing warehouse which is currently four storeys and alter the roof to accommodate a lower ground and upper ground floors and six storeys above the lower ground level. This would result in a roof height which would be a storey higher than the existing ridge line of the existing roof, however this additional floor comprises a combination of an open metal frame, small areas of filled in gaps and set back structures, so the appearance and impact is lessened.
21. The new building would also have a lower ground and seven storeys above and whilst this building would be taller than the surrounding buildings; the building would be mostly screened from public areas by the existing buildings on the Manor Road frontage. In addition to this the proposed top floor of the building has been amended and is now set further back from the front of the building in order to reduce the massing.

22. The applicant's Design and Access Statement indicate that views of the new building would be limited, with views from Manor Park Road to the existing building along the entrance route and also views of the top of the existing building from the junction of Park Parade and Rucklidge Avenue. Given the limited views and the mixed character of the area, the proposal is considered to be in keeping with the character and appearance of the locality, in accordance with Development Management Policy DMP1 and having regard to the emerging guidance in the draft Brent Design Guide.
23. The quality of material is critical to the success of the buildings. The overall approach to the materials is considered to be acceptable. The brick work of the existing works building would be repaired and proposed palette of materials for the new building would be complimentary to the existing building. Powder coated aluminium and steel is proposed for the balconies and window frames and Corteen type weatherboard steel would be used for the top floors to create further visual interest and is considered acceptable.

#### *Summary*

24. Whilst the buildings would be higher than their surrounding context, their location is such that their appearance from the public highway would be limited. They would be noticeable and potentially prominent from the windows and gardens of nearby homes, including those that do not immediately adjoin the site (e.g. properties on Harlesden Gardens) however this is not in itself a reason for refusal and officers have given weight to the town centre location and its 'transitional' typology. Therefore the proposed massing and building heights are considered to be appropriate and in keeping with the overall context in the surrounding area. The proposed materials palette is also considered appropriate to its context and the design is supported by officers.

#### **HERITAGE:**

25. The site is in close proximity to the Harlesden Conservation Area however given the siting of the development to the rear of the properties; the proposed development is considered to preserve the setting of the conservation area in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Development Management Policy DMP7.
26. The site is also located within an Archeological Priority Area and a Site of Archaeological Importance and as such the proposal was supported with a Desk Based Archeological Assessment. The results of the assessment indicated that the archeological potential for the site is very limited and therefore recommends that no archaeological mitigation is necessary. Historic England have raised no objection to this proposal and accept the conclusions of the desktop assessment and agree that no further conditions are required. This is considered to be acceptable and complies with policy DMP 7.
27. The existing building is itself considered to be a non-designated heritage asset and officers welcome the efforts to retain this building. Officers give weight to its retention and recognise that in order to accommodate retention of the building, some compromises have been accepted in terms of design and living conditions.
28. In terms of impact on heritage assets, the proposed is acceptable.

#### **PUBLIC REALM:**

29. The proposal would include a shared surface space which has been designed to prioritise the pedestrian and fronting the new building however these works would not run over the highway and as such is not considered to have a material impact on the public realm. In addition to the shared surface area each terrace would be separated with planting beds hosting evergreen shrubs in order to soften the appearance.
30. The existing boundaries to the site would generally be retained and extensive tree planting would be incorporated into the northern and western boundary to mitigate any views from the neighbouring gardens.

#### **LANDSCAPING and TREES:**

31. Roof gardens would provide the main opportunity for landscaped areas and planting is proposed within these courtyard spaces (including new trees) to create interest, privacy and screening. Full details of the materials, seating, boundary treatments, play equipment etc that are to be laid out within these areas

would be required by condition.

32. In addition to this on the western boundary a communal private amenity has been provided to create informal play space and would be landscaped with ornamental shrub beds and a mix of tree planting.
33. There are no concerns from a Landscape perspective and a detailed landscaping plan would in any event be required by condition; this will include measures to retain or replace boundary trees as appropriate that form a screen in pursuance of section 197 of the Town and Country Planning Act 1990.

#### **QUALITY of RESIDENTIAL ACCOMMODATION:**

##### *Internal floorspace and accessibility*

34. London Plan policy 3.5 and the Mayor's Housing SPG set out minimum space standard requirements for new housing. An objection has been received on the basis of the standard of accommodation in terms of unit size. It has been demonstrated that the minimum internal floor space and floor-to-ceiling height standards would be met, or exceeded. It has also been demonstrated that all units are designed to Lifetime Homes and 10% of the dwellings would be Wheelchair Accessible have been designed to comply with the Building Regulations Part M4(3), which is in line with National Housing Standards. Therefore subject to a condition to ensure that 10% of the dwellings would be wheelchair accessible; the proposal is considered to be in accordance with Development Management Policy DMP18.

##### *Light, outlook*

35. In accordance with Development Management policy DMP1 65% of flats have more than one aspect in the converted building and none have a sole northern aspect. The remainder of the flats with a sole aspect have a south west aspect which allows good levels of light penetration. This is acceptable having regard and weight to the merit of retaining the existing building.
36. The applicants have submitted a Daylight/Sunlight report to assess the level of direct sun-light to each unit and the results confirm that each unit would meet or exceed the level required to provide natural warmth and direct sunlight. Therefore the level of light and outlook is considered to be acceptable and in accordance with the BRE guidance .

##### *External amenity space and play space*

37. Objections have been received in terms of amenity space. The proposal incorporates landscaped communal roof gardens within both buildings. Residents at the lower ground floor would be provided with small front gardens. Units on all other floors would be afforded a private balcony, the sizes of which meet or exceed the 5sqm minimum standard set out in the Mayor's Housing SPG. The proposal also includes a informal communal space at ground floor level. This is considered to be acceptable and in accordance with the requirements set out in DMP 19. The private rear gardens to the family houses are less than 50sqm, however on balance there is sufficient communal provision, and access to a park locally to make up for any shortfall. Therefore the proposed level of amenity space is considered to be sufficient for the site and is considered to satisfy the proposed residents needs in accordance with Policy DMP 19 and having regard to the provisions of the emerging Brent Design Guide section 4.1.4 for 'transitional' areas.
38. The proposal also incorporates children's play space, which is in accordance with London Plan policy 3.6 and therefore the proposed level of amenity and play space is considered to be acceptable.

#### **NEIGHBOURING AMENITY:**

##### *Privacy/ Outlook*

39. Some objections have been received on the basis of harm to the living conditions of adjoining residents; however, no objections have been received from residents of properties directly adjoining the site. Whilst not determinative in itself, this fact is given some modest weight by officers when considering the impact of the development on the living conditions of those properties.
40. Separation distances between individual buildings within the site does vary, resulting in some relationships where a distance of less than 20m is proposed. Due to the inclusion of habitable windows within these facing elevations the relationships have been rigorously scrutinised, and mitigation proposed,

as discussed in the following paragraph. Officers note, however, that the emerging draft Brent Design Guide reduces the separation distance between habitable room windows to 18m for 'typical' area typologies and reduced distances in 'transitional' and 'transformational' areas, subject to general compliance with BRE standards on daylight and sunlight (see below).

41. On the balance it is considered the use of projecting directional windows is an appropriate design response for a dense urban scheme such as this, which is seeking to optimise housing potential and this form of mitigation would reduce potential for direct overlooking and loss of privacy.
42. At various locations the separation distances between the existing properties and the proposed buildings exceed the 20m separation distance referred to in SPG17. However there are some locations where the level of separation is less than 20m but are substantially in line with the emerging Brent Design Guide standards: e.g. the proposed new building is 18m from the rear of the two-storey outrigger of Nos.38 and 36 Manor Park Road, increasing to 24m to the rear of the main part of those properties. This is in line with the emerging Brent Design Guide for 'typical' areas and is therefore acceptable. The closest facing relationship is from the balcony to the west facing unit in the new block, which would be 16m to the rear of the two storey outrigger of No. 34 Manor Park Road; however this is considered to be broadly in keeping with the existing urban grain and street pattern locally which displays similar relationships and therefore the proposal is not considered to be harmful to the residential amenities of the properties on Manor Park Road, having regard to the approach suggested in the emerging Brent Design Guide for 'transitional' areas.
43. Due to the siting of existing building and the rear windows of Park Parade the separation between facing internal facades is over 22m and this reduces down to 16m from the flank wall of the warehouse to the rear outriggers of Park Parade. Whilst below the 20m and 18m separation distance discussed above, opportunities for direct overlooking and loss of privacy have been designed out through the use of projecting directional windows where necessary over ground, first and second floors. In the main any windows facing these properties are secondary and could be obscured glazed if necessary, via condition.
44. The separation distance to the boundary of the neighbouring school site is only 5 metres and objections have been received relating to the overlooking of the school grounds. However the existing building has not moved any closer to the boundary of the school and the increase in height by one storey is not considered to increase the impact of the building on the neighbouring school. With regards to the proposed new building; the building would be sited 5 metres from the boundary of the school grounds playing area, however the elevation facing the school would have angled windows to ensure there is no direct overlooking of the school. In addition to this it is not uncommon for residential development to overlook school grounds in built up areas of London and therefore the proposal is not considered to result in material harm to the amenities of the neighbouring school site.

#### *Overshadowing/Loss of Light*

45. A daylight/sunlight report has been submitted assessing the impact of the proposals on daylight/sunlight conditions for surrounding residential properties and amenity areas/gardens, and also assessing the potential daylight and overshadowing levels of the proposed residential accommodation (habitable rooms) and amenity spaces. The report has assessed the scheme for compliance with the BRE Guide "Site layout planning for daylight and sunlight: A guide to good practice", which is the recognised standard and considered a robust method of assessment.
46. Daylight criteria within the BRE Guide have been used as a basis to assess the potential impacts on surrounding properties: the two relevant tests are (i) Vertical Sky Component (VSC) and (ii) No-Skyline (NSL). VSC assesses the impact on daylight based on the total amount of unobstructed view that is available from a habitable room window. NSL is a measure of the distribution of daylight that a room would receive, however for this test to be accurate internal room layouts must be known, which is not strictly the case for this proposal.
47. Sunlight criteria to assess the impact on surrounding properties is referred to as a test of Annual Probable Sunlight Hours (APSH). This tests the potential effect of a development to the existing sunlight amenity of occupants of neighbouring dwellings. It involves the prediction of potential sunlight availability for the main window of each habitable room, which face within 90 degrees of due south. The overshadowing impact to surrounding amenity areas/garden spaces have also been considered.
48. With regards to daylight, 76 windows in total were analysed regarding existing and proposed daylight (VSC) levels, of these 67 were excluded as they passed the BRE negligible impact test. Of the remaining

9 windows, 3 windows (34 Manor Park and 38 Manor Park) would experience a minor adverse impact, 4 windows ( 2 at 34 Manor Park and 2 at 36 Manor Park) would have a moderate adverse impact and 2 windows (1 at 36 Manor Park & 1 at 38 Manor Park) would have a major adverse impact. Given that some of the latter windows falls below the 27% target; an Average Daylight Factor test have been undertaken.

49. Daylight levels (ADF) within the habitable rooms of Nos 36 and 38 Manor Park Road have been assessed and results show that all of the windows would achieve the required ADF levels for daylight.
50. On the basis of the results it is considered that the impacts of the development on daylight/sunlight conditions for surrounding properties would not unduly harm existing levels of amenity. Furthermore, the daylight/sunlight conditions that are to be experienced for residents of the proposed accommodation perform would against the BRE criteria.

#### *Noise and Disturbance*

51. The closest residential properties are the properties on Manor Park Road and Park Parade, however the existing commercial use of the site and the fact this could be brought back into use without further planning permission is a material consideration. The proposed residential use is considered to be more in keeping with the surrounding land uses and therefore the proposal is not considered to result in significant noise and disturbance to the neighbouring properties.

#### *Summary*

52. The extensions to the

#### **TRANSPORTATION:**

##### *Parking*

53. Policy DMP12 and Appendix 1 of the DMP 2016 allow up to two car parking spaces for the existing workshop, whilst Policy DMP13 and Appendix 2 require servicing by full-size delivery vehicles.
54. There is a car park/service yard for the premises available, which provides considerably more parking than allowed in the DMP. It can also accommodate servicing by vans, but the narrowness of the access and tightness of the 90° turn in the access in front of the building prevent access by delivery lorries, so full servicing requirements cannot be met.
55. With the high PTAL rating, the proposed use is permitted up to 0.75 spaces per 1-/2-bed flat and 1.2 spaces per 3-bed unit, giving a total car parking allowance of 37.65 spaces. No standard sized parking spaces are proposed, so maximum allowances are not exceeded.
56. However, Policy DMP12 requires that development does not add to on-street parking demand where on-street provision cannot meet this demand. With the site fronting a major London distributor road, any over spill parking would harm on-street parking conditions.
57. To address this, Policy DMP12 does support 'car-free' development in areas with high PTAL values and it is therefore recommended that a 'car-free' agreement be secured for this development through a legal agreement. This would remove future residents rights to on-street parking permits in the vicinity of the site and would require proper written notification of this restriction to be provided to all prospective residents.
58. The DMP requires 10% of spaces to be widened and marked for disabled drivers. Although no standard width parking spaces are proposed, two wide disabled bays are to be provided within the site, which meet standards in terms of dimensions and turning space. Any further Blue Badge holders would be exempt from the 'car-free' agreement, so could purchase permits to park on-street in the wider area.

##### *Cycle parking*

59. The London Plan requires at least 64 long-term bicycle parking spaces and two short-term spaces. Secure storage has been indicated within the basement for 80 bicycles (assumed to be on double-height racks) with access via a lift with suitable internal dimensions for cyclist use from the ground floor courtyard. Two further bicycle stands are shown in the courtyard area for visitors and therefore bicycle



parking requirements are met. A condition would require these be provided prior to occupation.

### *Access and Servicing*

60. With regard to servicing, tracking has been provided to show that the development would be accessible by 7.5m box vans along a 4.2m wide shared surface, which would cater for the majority of ad-hoc deliveries.
61. Objections have been received on the basis of the restricted access and the effect this could have on highway safety. The tightness of the existing access means it cannot accommodate access and turning by larger delivery vehicles (e.g. refuse vehicles or fire appliances). However this is also the case for the existing workshop use, which would have more onerous servicing requirements and in this regard, the conversion of the building to residential use has a generally beneficial impact on servicing and should reduce the impact of loading from Manor Park Road. Therefore on the balance this is considered to be acceptable.
62. A Transport Statement has been submitted with the application, which has compared the proposed development to other similar developments in Inner London in order to estimate the numbers of trips likely to be generated to and from the site. This estimates that 5 arrivals/26 departures would be generated in the morning peak hour (8-9am) and 15 arrivals/9 departures in the evening peak hour (5-6pm). These totals are likely to be lower than the numbers generated by the existing employment use and with parking largely removed from the site, the impact of vehicular movements on the highway network would be negligible.
63. As the development is to be car-free, the vast majority (90%) of these trips would enter and leave the site by foot, with 5% by bicycle. Modal share information suggests that 85% of onwards trips would be by public transport, but with numerous bus and rail services passing close to the site each hour, less than one additional passenger would be generated on each service, which is not significant. Given the limited number of vehicular movements anticipated along this 4.2m wide access, it is acceptable for it to be a shared pedestrian and vehicle route.
64. The road accident history for the area has also been examined over the five year period March 2011-February 2016. This identified 36 accidents in this period between Park Parade and Tavistock Road. The high total is reflective of the main road status and the busy town centre location and there are no identified commonalities that would be likely to be exacerbated by this development.
65. To help manage travel arrangements to and from the site for new residents in the absence of any general car parking, a Travel Plan has been submitted. This sets out a number of measures (supply of transport information packs, personalised travel planning, promotion of Car Clubs including free initial membership, provision of a one month Travel card and £300 credit for public transport journeys etc.) to be implemented by a Travel Plan Co-ordinator over a five year period. The aim would be to keep car use below 7% of trips (although the car-free nature of the development should almost guarantee this), with success against this target measured by snapshot surveys every two years.
66. Detailed modal split targets have not been provided at this stage and it is not confirmed that the monitoring surveys would fully comply with full Travel Plan requirements. However, as a relatively modest development, a Travel Plan Statement would be sufficient and this meets the requirements for a Travel Plan Statement. A condition is recommended to secure implementation of the Travel Plan.
67. The Transport Statement also confirms that a Construction Traffic Management Plan would be produced for the development and the approval of a Construction Logistics Plan by the highway authority is essential, given the restrictions on access to the site. An informative is advised drawing the applicant's attention to their responsibilities in respect of the Highways Act 1980.

### *Refuse*

68. Bin storage is proposed within the basement, with a lift to bring bins up to ground floor. An area alongside the access drive close to Manor Park Drive has been identified for bins to be left by the management company on collection days, allowing easy access for refuse crews without the vehicle having to access the site. Adequate width would remain past the bins for vehicular and pedestrian access and this is considered to be acceptable.

### *Fire Safety*

69. Given the issue of access for service vehicles concerns have been raised in relation to fire safety. Whilst this is not a material planning consideration, as a response the applicant has appointed a fire consultant Hoare Lea Fire Engineering In order to assess the Fire strategy which includes a dry riser is proposed to be laid beneath the access road and a sprinkler system would be installed in the building. The Fire consultant has confirmed that the approach to the development is acceptable and the Fire strategy for the building would increase the minimum level of the required fire safety. In addition to this an informative is recommended which requires the implementation of the Fire Safety strategy.

#### **FLOOD RISK and DRAINAGE:**

70. The application has been supported by a Flood Risk Assessment (FRA), and this sets out that there are no existing watercourses near to the site and that the site is located in an area of the lowest risk (Zone 1) from fluvial or tidal flooding. The site has been assessed as being at very low risk from ground water, surface water and/or sewer flooding.

71. The application has been supported with a Flood Risk Assessment which demonstrates that the proposal would achieve reduce surface water run off through the use of SuDS achieved through the use of a green roof and cellular storage system in combination with an orifice plate control device.

72. This approach is considered to be acceptable subject to conditions which require the implementation of the SuDs.

#### **AIR QUALITY:**

73. The application is within a designated Air Quality Management Area (AQMA) along with the rest of the south part of the borough due to elevated levels of nitrogen dioxide and particulates as a result of road traffic emissions. Due to this designation the proposal is accompanied by an Air Quality Assessment which examines the potential impact of the development on air quality during construction and the impacts of existing air quality on future residential occupiers. The Assessment used dispersion modelling was to predict pollutant concentrations across the development.

74. Based on the assessment results, the site is considered suitable for the proposed end use subject to the inclusion of relevant mitigation measures and complies with the London Plan and relevant legislation. The assessment identifies the need for mitigation measures in the form of air tight windows, and mechanical ventilation for all units. Appropriate conditions are recommended to ensure the mitigation measures are implemented.

#### **SUSTAINABILITY:**

75. A Energy Statement supports the application, this seeks to demonstrate how the proposed scheme complies with London Plan policies which seek to reduce carbon emissions, in the form of an approach that accords with the Mayor's energy hierarchy to 'Be Lean' (use less energy), 'Be Clean' (supply energy efficiently) and 'Be Green' (use renewable energy), and Brent's adopted policies on climate change.

76. The scheme has been designed to achieve a level of carbon reduction that is over and above the 2013, Part L Building Regulations emissions reduction target of 35%. This reduction is to be achieved through passive energy efficiency measures and a combined Heat & Power system. This combined with a carbon offset payment mean the scheme would be able to achieve the zero carbon standard set out in the London Plan policy 5.2.

77. This is considered to be in compliance with the carbon reductions target and the delivery of the wider sustainability measures should be secured or by condition.

78. Water efficiency is to be achieved by a water leak detection system and is in line with national housing standards, and the London Plan. Compliance with this would be secured by condition.

#### **INFRASTRUCTURE**

79. Concerns have been raised in relation to the additional pressures the proposal would put on existing infrastructure such as demand for school places and doctors surgeries. However the proposal would be liable for Community Infrastructure levy contributions which is charged per square metre and therefore the proposal is not considered to warrant additional contributions to infrastructure

**SUMMARY:**

80. 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 continued regeneration of area. This efficient use of the land would result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing to be delivered off site. It is considered that the form of development would have an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and s106 obligations set out in this report.

**CIL DETAILS**

This application is liable to pay **£795,325.59\*** 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): 4151 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	4151	1502	2649	£200.00	£35.15	£676,441.07	£118,884.52

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	
<b>Total chargeable amount</b>	£676,441.07	£118,884.52

\*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: 17/2331

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

I refer to your application dated **25/05/2017** proposing the following:

Redevelopment of industrial site to residential to form a total of 45 units comprising: change of use of the existing building from industrial and storage (B1 and B8) to residential (C3), accommodating 24 units (2 x studios, 8 x 1bed, 10 x 2bed and 4 x 3bed maisonettes) and an extension above the existing building with alterations to form 7 storeys; and erection of an 8 storey residential building plus a basement level, accommodating 21 units (3x studios, 14 x 2bed and 1 x 2bed and 3 x 3 bed maisonettes) with associated car and cycle parking, refuse storage, landscaping and amenity space provision, including a roof terrace at each building (**amended plans, fire safety information and description updated 12/09/2017**)

and accompanied by plans or documents listed here:

2128-00DR-0002  
2128-00-DR-0001  
2128-00-DR-0050  
2128-00-DR-0010  
2128-00-DR-0011  
2128-00-DR-0012  
2128-00-DR-0013  
2128-00-DR-0015  
2128-00-DR-0016  
2128-00-DR-0017  
2128-00-DR-0018  
2128-00-DR-0020  
2128-00-DR-0051  
2128-00-DR-0052  
2128-00-DR-0108  
2128-00-DR-0109  
2128-00-DR-0110  
2128-00-DR-0111  
2128-00-DR-0112  
2128-00-DR-0113  
2128-00-DR-0114  
2128-00-DR-0115  
2128-00-DR-0116  
2128-00-DR-0117  
2128-00-DR-0401  
2128-00-DR-0402  
2128-00-DR-0403  
2128-00-DR-0604  
2128-00-DR-0602

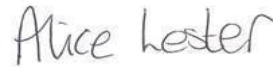
2128-00-DR-0001  
2128-00-DR-0603  
2128-00-DR-1400  
2128-00-DR-1401  
2128-00-DR-1402  
2128-00-DR-1403  
2128-00-SA-0016 p02  
2128-00DR-0601 rev D09  
212-00dr-0412-DO6  
212-00-DR-0117-D03  
2128-00-GR-00-D39

at **Manor Park Works, Manor Park Road, London, NW10 4JJ**

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: 04/10/2017

Signature:



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

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
National Planning Policy Framework 2012  
The London Plan Consolidated with alterations since 2011  
3.3 Increasing Housing Supply  
3.5 Quality and design of housing developments  
5.3 Sustainable Design and Construction  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture  
Mayor's Housing Supplementary Planning Guidance  
Brent Core Strategy – July 2010  
CP2 – Population and Housing Growth  
CP17 – Protecting & Enhancing the Suburban Character of Brent  
CP21 – A Balanced Housing Stock  
Brent DMP 2016  
DMP1 – General Development Management Policy  
DMP7- Archeological Priority Area  
DMP12 – Parking  
DMP18 – Dwelling Size and Residential Outbuildings  
Supplementary Planning Guides  
SPG17 – 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):  
2128-00DR-0002  
2128-00-DR-0001  
2128-00-DR-0050  
2128-00-DR-0010  
2128-00-DR-0011  
2128-00-DR-0012  
2128-00-DR-0013  
2128-00-DR-0015  
2128-00-DR-0016  
2128-00-DR-0017  
2128-00-DR-0018  
2128-00-DR-0020  
2128-00-DR-0051  
2128-00-DR-0052  
2128-00-DR-0108  
2128-00-DR-0109  
2128-00-DR-0110  
2128-00-DR-0111  
2128-00-DR-0112  
2128-00-DR-0113  
2128-00-DR-0114  
2128-00-DR-0115  
2128-00-DR-0116  
2128-00-DR-0117

2128-00-DR-0401  
2128-00-DR-0402  
2128-00-DR-0403  
2128-00-DR-0604  
2128-00-DR-0602  
2128-00-DR-0001  
2128-00-DR-0603  
2128-00-DR-1400  
2128-00-DR-1401  
2128-00-DR-1402  
2128-00-DR-1403  
2128-00-SA-0016 p02  
2128-00DR-0601 rev D09  
212-00dr-0412-DO6  
212-00-DR-0117-D03  
2128-00-GR-00-D39

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

### 3 WATER EFFICIENCY

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

Reason: In order to ensure a sustainable development

### 4 REQUIREMENT TO PROVIDE REFUSE AND RECYCLING, CYCLING AND DISABLED PARKING

The refuse and recycling storage, cycle storage and disabled parking bays as shown on the approved plans shall be provided prior to the occupation of the development and shall be retained for the lifetime of the development.

Reason: to ensure adequate provision is made for these matters in the interests of amenity, sustainable transportation and disabled parking requirements.

### 5 MEANS OF ENCLOSURE - FURTHER DETAILS

Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: in the interests of the visual amenity and character of the locality.

### 6 LANDSCAPE WORKS - FURTHER DETAILS

Notwithstanding any details of landscape works referred to on the approved plans, a detailed scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes, locations and planting densities and existing trees to be retained and/or replaced if removed) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the superstructure (not including any demolition, groundworks or formation of the basement). Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development, or in accordance with a programme agreed in writing with the Local Planning Authority.

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.

## 7 ACCESSIBILITY

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

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

## 8 LIGHTING - FURTHER DETAILS

Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the superstructure (not including demolition, groundworks and formation of the basement). The approved details shall be fully implemented prior to first occupation of any of the development and retained as such thereafter.

Reason: In the interests of safety, amenity and convenience.

## 9 MATERIALS - FURTHER DETAILS

Details of materials for all external work, including samples to be provided on site for inspection and/or manufacturer's literature, 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.

## 10 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.

## 11 AIR QUALITY - SUBMIT AIR QUALITY NEUTRAL ASSESSMENT

No development shall take place unless an Air Quality Neutral Assessment ("the Assessment") has been submitted to and approved in writing by the Local Planning Authority. The Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and shall include appropriate mitigation proposals should it be found that the development is not air quality neutral. The development shall be carried out in accordance with the Assessment and any approved mitigation measures shall be implemented prior to the occupation of the development and shall be retained for the lifetime of the development.



Reason: to protect local air quality in accordance with London Plan policy 7.14

## 12 CONTAMINATED LAND

(a) Prior to 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, 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 applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 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](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.
- 3 The applicant is advised to ensure that the submitted Fire Strategy is implemented in consultation with the London Fire Brigade
- 4 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

5 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

6 **AIR QUALITY**

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

7 **VIBRATION**

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

8 **HIGHWAYS**

The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

[www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations](http://www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations)

9 **LICENCES**

The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, ganty, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

10 NOISE

The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

11 STRUCTURAL INTEGRITY

The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
04  
16/4156

## SITE INFORMATION

RECEIVED	23 September, 2016
WARD	Tokyngton
PLANNING AREA	Brent Connects Wembley
LOCATION	Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA
PROPOSAL	Demolition of the existing office building (Heron House) and the construction of a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a), 40 self-contained flats (23 x 1bed, 7 x 2bed and 10 x 3bed) on the upper floors, a basement level for car and cycle parking, bin stores and associated landscaping and amenity space. (Amended description 21.09.17)
APPLICANT	Ardrea Estates Ltd on behalf of Plowden Ltd
CONTACT	Cunnane Town Planning LLP
PLAN NO'S	Please refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_130345">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_130345</a></p> <p><b><u>When viewing this as a Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "16/4156" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

**RECOMMENDATION** Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement.

### Section 106 Heads of Terms

1. Payment of legal and professional costs;
2. Notification of commencement;
3. Provision of Affordable Housing (three 3 bedroom units provided as be intermediate shared ownership);
4. A post implementation financial review mechanism, to reasonably capture any improvement in viability for deferred Affordable housing planning obligations;
5. Undertaking of highway works through an agreement under S38/S278 of the Highways Act 1980;
6. The approval of a revised Travel Plan that achieves a "pass" rating using TfL's ATTrBuTE programme and implementation of that plan, including reviews;
7. That the approved flats are parking permit restricted (and therefore not eligible for on-street parking permits);
8. Training and employment plan targetting Brent residents;
9. Contribution towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in condition 21, should those targets not be met through on-site measures.
10. 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. Time limit for commencement
2. Approved drawings/documents
3. Obscure glazing
4. Provision of parking spaces etc
5. Considerate constructors scheme
6. Noise impact assessment measures
7. Water efficiency measures
8. Approval of external materials
9. Contamination remediation measures
10. Contamination remediation measures – validation report
11. Plant Noise measures
12. Construction Method Statement
13. Demolition
14. Air Quality Neutral Assessment
15. Communal aerial and satellite dish system
16. Water efficiency measures
17. Details of materials
18. Contamination remediation measures
19. Contamination remediation measures – validation report

20. Assurance of accessible and adaptable dwellings
21. External lighting details
22. Planting and landscaping (including play)
23. Parking Allocation Management Plan
24. Plant equipment noise
25. Construction Method Statement
26. Air Quality Neutral Assessment
27. Any other planning condition(s) considered necessary by the Head of Planning

#### Informatives

1. Community Infrastructure Levy
  2. Contact Highways and provide a photographic survey prior to commencement
  3. Environmental Protection Measures
  4. Control of Asbestos
  5. Any [other] informative(s) considered necessary by the Head of Planning
1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.
  2. That, if after 3 months starting from the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
  3. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP

	<p><b>Planning Committee Map</b></p> <p>Site address: Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA</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 office building on site and erect a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a) and 40 self-contained flats on the upper floors (23 x 1bed, 7 x 2bed and 10 x 3bed units). The proposed development would retain the basic form established on the site with a taller element towards the crest of the hill and a lower linear building parallel to the street having a five storey rounded corner facing down to Wembley. The basement level would provide car and cycle parking, refuse stores and a plant area. Refuse stores would also be located on the lower ground floor adjacent to the lower building core. There would be 268sqm of communal landscaped garden and 190sqm of children's playspace at upper ground floor level. All flats would also have a private balcony or terrace.

Revised plans were received showing the service loading area into the site from Park Place, relocating the staircase and alterations to the terraces.

## EXISTING

Heron House is located on the corner of the southern side of Wembley Hill Road, located between the junctions with High Street and Park Place. The existing building has two elements, a lower two storey element and a higher four to six storey element (as a result of level changes within the site). The building is set back from the street frontage. It is in use as office accommodation.

The site abuts two storey residential properties to the west on High Street and Park Place. The properties on High Street are located within the Wembley High Street Conservation Area. To the east on the opposite side of Wembley Hill Road is St Josephs Social Club, a one to two storey building, with two storey residential properties to the north and two to four storey commercial and residential properties to the south.

The site currently has a 32 vehicular spaces accessed via a crossover from Park Place and another access from High Street, although many of these are laid out in tandem so do not allow independent access. The site has very good access to public transport services (PTAL 5), with Wembley Park (Metropolitan and Jubilee line) and Wembley Stadium (Chiltern line) stations within 960 metres and nine bus services within 640 metres.

The site is located within the Wembley Growth Area, which is designated in the Core Strategy as one of the areas in the Borough in which the majority of the planned growth is expected to occur, and in Wembley Town Centre. It also falls within the Wembley Park Corridor designated in the Wembley Area Action Plan, which is intended to provide a transition between the Stadium area and the surrounding suburban area. The building is not listed, however the site is adjacent to Wembley High Street conservation area. The site is also in an Air Quality Management Area.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received on some of these matters, and Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Principle of development.** The proposal results in a 35 % reduction in the amount of office space provided within the site. However, 829 sqm of office space will be re-provided and this, together with the benefits of the provision of new homes is considered to outweigh the loss of office space.
2. **The mix of residential units and the provision of Affordable Housing.** The proposal accords with the housing mix sought in Brent policy, with 25% of the residential units providing family sized accommodation. Three intermediate shared ownership affordable units are proposed, which represents 7.5 % of the units or 13.3 % Affordable Housing if calculated by Habitable Rooms. This represents the maximum reasonable proportion of Affordable Housing in this instance. The submitted financial viability assessment demonstrates that provision of affordable rented units or of a higher proportion of affordable housing overall would not be viable. However, a financial viability review is

recommended to be secured through the Section 106 agreement to revisit the viability of the scheme post-completion.

3. **Design.** The design of the building is considered to be of good quality. The proposal replaces an existing building, utilises good architecture with quality detailing and materials in order to optimise the development potential of the site whilst respecting surrounding development.
4. **Highways and transportation.** The proposal includes car parking slightly in excess of the maximum standards set out in the Development Management Policies but not to a level that is considered detrimental to highway flow and safety. An off-street servicing bay is proposed, accessed from Park Place. The proposal is considered to be acceptable on highways grounds.
5. **The quality of the proposed residential accommodation.** A good standard of accommodation will be provided in line with relevant standards. Levels of external amenity space fall slightly below Brent standards, but at approximately 18 sqm per unit are considered to be acceptable.
6. **Neighbouring amenity.** The existing building does not comply with the Council's guidance in relation to the separation distances for privacy or the 45 degree guidance set out in SPG17 and draft SPD1. The taller element of the building are to move further away from the rear boundary, thus resulting in an overall improvement in that relationship despite the increase in height. Part of the lower element of the proposed building does not comply with the 45 degree guidance in relation to a residential garden in Park Place. However, the element that fails to comply is the narrow end of the garden and on balance, this is considered to be acceptable.
7. **Environmental impact, sustainability and energy.** The measures outlined by the applicant achieve the improvement required within London Plan policy on carbon emissions. Conditions will require further consideration of carbon savings prior to implementation.

## RELEVANT SITE HISTORY

**06/2571** - Erection of first-floor extension and lower ground and two-storey extension to front of lower wing of office building, alterations to steps of existing entrance and erection of additional canopied front entrance, erection of South-side ground-floor and first-floor bay-window extension, alterations to rear lower ground-floor elevation, cladding over brickwork on remainder of building, extension to car-parking area on front corner and erection of boundary gates and railings and modification of landscaping (as accompanied by Design and Access Statement by Cunnane Town Planning and Daylight and Sunlight Report Option A dated 13 September 2006 by GIA) and subject to a Deed of Agreement dated 31<sup>st</sup> May 2007 under Section 106 of the Town and Country Planning Act 1990, as amended. **Granted permission on 12/06.2007. This permission was not implemented.**

**14/2268** - Prior approval for change of use from offices (Use Class B1) to 23 self-contained residential units (Use Class C3) involving 21 x 1bed and 2 x 2bed. **Prior approval required and approved on 28/08/2014. This permission was not implemented.**

## CONSULTATIONS

### Consultation with neighbours

A press notice advertising the proposal was published on 27 October 2016, and a site notice was displayed on 19 October 2016. In addition, letters were sent to 105 neighbouring properties on 19 October 2016. Councillors for Tokyngton Ward were also consulted.

Following this, 20 representations have been received. The prevailing issues raised within these representations are laid out and responded to below.

In addition, a petition objecting to the proposal has been received. It has been signed by 42 residents, on the grounds of:

Concern	See paragraph(s)
Smaller high rise developments are intrusive and are rapidly creeping into residential streets everywhere.	13-20
Not in keeping with the character of the street.	13-20
Overshadowing all the houses around the development with an increase in noise pollution.	21-29, 57-62
Not enough parking provided for the residential and commercial use.	38-51
Increase in traffic	38-51
Set an unwelcome precedent in a residential area.	64-67
The developer may purchase the land opposite Heron House with a view to building yet another higher rise block.	64-67
Impact on infrastructure.	64-67
The whole of Brent could become a concrete jungle.	13-20
Developers everywhere are undermining and exploiting planning authorities, with planning performance agreements and other inducements. They must be opposed and cannot continue to completely ignore the wishes of residents.	64
The proposed plans for Heron House are excessive, damaging and totally inappropriate for the area.	13-20, 64-67

Matters raised in objection letters:

<b>Ground of objection</b>	<b>Please see paragraph(s)</b>
Concerns regarding demolition, excavation and drilling of the building and the structural impact it would have on nearby residential properties  Dust and debris falling on nearby residential properties  Construction noise will be disruptive with no compensation proposed by developers for nearby residents.  Construction works should be restricted to weekdays and Saturday mornings.	57-62
The proposal does not include any social/affordable housing	6-12
The proposal does not provide enough parking, which will lead to on-street parking on nearby residential roads.	38-51
Increase in size of the existing building would create an even more intrusive and obstructive structure to the current building.	21-29
Out of character with the surrounding area.  The High Street is of great historical significance and should be protected without a large development spoiling the character of this quiet historic part of Wembley.  Overdevelopment of the site and should be scaled down.  Unsympathetic development to the existing Park Place terraces and subjectively makes the entrance to the road much narrower.  Overbearing and out of proportion development	13-20
The Daylight Report confirms that the size of the development would impact negatively on a number of nearby properties  Loss of light to Park Place properties	21-29
Rear of houses and gardens along Park Place would be overlooked from balconies.	21-29
The car park entrance would be large extending above the chimney stack of No.1 Park Place without any regard to the	13-20

roof profile.

Revised plans were received, showing the service loading area into the site from Park Place, relocating the staircase and alterations to the terraces. Neighbours were reconsulted on 18 July 2017 for 21 days.

<b>Ground of objection</b>	<b>Please see paragraphs</b>
Parking concerns and impact on nearby roads	38-51
Loss of light to the rear gardens of Park Place	21-29
Overlooking and loss of privacy	21-29
Noise pollution	57-62

### **Tokington Ward Councillors**

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

### **Environmental Health**

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

### **Statement of Community Involvement**

The applicant has summarised the pre-consultation that they carried out, as recommended by the Localism Act (2011). The consultation process was based around an open 'walk-in' exhibition held on 6 July 2016 in The Ascot Suite on Empire Way. Invitations to the event were issued by leaflet on 30 June 2016 and an advert was taken out in the Brent & Kilburn Times. Ward Councillors were also invited.

The event was staffed by representatives of the applicant's development company and the consultant design team. A series of exhibition boards showing the site, its context, scheme development and the draft proposals were displayed for discussion with attendees.

The applicant reports that some 15 people visited the exhibition.

## **POLICY CONSIDERATIONS**

The Development Plan in force comprises the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document, the 2015 Wembley Area Action Plan and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations in the determination of the current application:

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- National Technical Housing Standards
- Mayor's Housing Supplementary Planning Guidance 2016
- London Borough of Brent Wembley Area Action Plan 2013
- London Borough of Brent Supplementary Planning Guidance 17 Design Guide For New Development
- London Borough of Brent Supplementary Planning Document S106 Planning Obligations

In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document is afforded weight in the determination of planning applications as it has been subject to public consultation.

## DETAILED CONSIDERATIONS

### *Land Use Principle*

1. The subject property is within the boundary of Wembley Town Centre and suitable for town centre uses such as residential and office use, including mixed use development. It is also within the designated Wembley Growth Area, identified in the Core Strategy as one of the areas in the Borough in which significant growth is expected to occur, and within the Wembley Park Corridor set out within the Wembley Area Action Plan, which is envisaged as an area of transition between the dense urban development of the Stadium area and more traditional surrounding suburban areas. The Core Strategy states that the Wembley area is expected to provide 11,500 new homes and 10,000 new jobs to 2026, and the proposed development would contribute to both targets.
2. The site is not in a designated employment area but contains employment floorspace (defined as Use Classes B1, B2 and B8). Policy DMP14 provides for the release of such sites to non-employment uses where it would be unviable to continue solely in employment use or significant benefits consistent with the wider objectives of the Development Plan would be achieved. It specifies that where non-employment uses are proposed, the site shall incorporate the maximum amount of existing floorspace or managed affordable workspace as possible.
3. In terms of the London Plan, the site is located within an Opportunity and Intensification Area (Policy 2.13), a Regeneration Area (Policy 2.14), and a Town Centre (Policy 2.15). As such, regeneration and redevelopment schemes, particularly high quality mixed use schemes such as this, are promoted and considered to be appropriate. Opportunity Areas Policy 2.13 states that development proposals in these areas should: “seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses”. Town Centres Policy 2.15 expects development proposals in town centres to “accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations”.
4. The current use of the building is B1 office, with a total floorspace of approximately 1,273 sqm. The proposal would re-provide 829 sqm of office floorspace on the lower ground floor. The applicant has indicated that a company occupying the existing building would use the B1 office space. However, the use of the floorspace (if permission is granted) would not be limited to that company.
5. Wembley is the primary Growth Area of the Borough and suitable for an intensification of land uses including housing. Whilst the proposal would represent a loss of 35% of the existing office floorspace (444 sqm), a reasonable amount of new office floorspace would be re-provided together with new homes, which also meet objectives of the Development Plan. Your officers consider that the loss of office floorspace would be acceptable as it would be outweighed by the benefits of providing new floorspace in a high quality modern building, and of providing new private and affordable housing in a designated Growth Area.

### ***Proposed residential mix, including Affordable Housing***

#### *Housing mix*

6. Core Strategy Policy 21 (A Balanced Housing Stock) outlines the need to maintain and provide a balanced housing stock in Brent, featuring an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation (capable of providing three or more bedrooms). Policy CP2 sets out that at least 25% of new homes should be family sized, with three bedrooms or more.
7. The table below shows the proposed housing mix, which would be in accordance with the policy requirement for 25% of the total to be family sized units. As such, the proposed mix of units by size is considered to be acceptable.

Unit size	Number of units	Percentage of total
Studio / 1bed	23	57.5%
2bed	7	17.5%

3bed	10	25%
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### *Affordable housing*

8. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, having regard to a number of factors including development viability. Core Strategy Policy CP2 sets a strategic target that 50% of new homes delivered in the borough should be affordable. Policy DMP15 reinforces this target and specifies that 70% of new affordable housing across the Borough should be social/affordable rented housing and 30% intermediate housing. However, this tenure mix can be varied on individual developments where this is justified by the viability of the scheme and other site-specific characteristics. Objections have been received regarding the level and tenure mix of Affordable housing.
9. A total of three affordable homes are proposed, all 3bed Intermediate Shared Ownership units. This represents 7.5% of the development if calculated by unit or 13.3% by habitable room. The use of habitable rooms as a measure of affordable housing provision is typically considered to be appropriate as it gives weight to the provision of family sized affordable homes for which there is a significant identified need within the borough.
10. The applicant submitted a Financial Viability Assessment (FVA) to support the application. This has been assessed by consultants on behalf of the Council. The FVA demonstrates that the scheme would generate a land value £1.48m below the benchmark land value for the site. Sensitivity analysis was undertaken by the Council's consultants to assess the impact on viability of a scheme which also included Affordable Rented homes. This showed that including a 50/50 split between Affordable Rented and Intermediate housing units (as opposed to the current proposal including only intermediate housing) would generate an even greater deficit of £1.78m below benchmark land value. As such, the inclusion of Affordable Rented units is not considered to be viable in this instance, and consequently the proposal for only Intermediate Shared Ownership is acceptable within the terms of Policy DMP15. Given the existing use value of the site and high construction costs associated with the basement construction and ground level changes, the proposed scheme cannot support more than the proposed level of Affordable housing.
11. As development viability may change significantly between the grant of planning permission and the completion of the development, it is recommended that a post-implementation review mechanism is secured through the Section 106 legal agreement, to secure contributions towards Affordable housing within Brent if the development surplus is higher than that projected. Policy DMP15 supports such an approach on major schemes where affordable housing provision is well below the 50% target.
12. Officers take the view that the proposed provision of affordable housing should be supported. Whilst falling significantly short of the 50% target, the Council is satisfied, as demonstrated by a thorough appraisal of the Financial Viability Assessment, that the maximum reasonable provision of Affordable housing has been achieved in the proposal. The proposal therefore satisfies the requirements of Policies CP2, DMP15 and London Plan Policy 3.12 in respect of its Affordable housing offer.

### ***Design, layout and appearance, including relationship with Wembley High Street Conservation Area***

13. Wembley Hill Road has a traditional residential character for much of its length to the north of the site, with large semi-detached and detached houses predominant. However as it becomes part of Wembley Town Centre, its character evolves into a more urban form with a number of larger buildings of a non-domestic appearance of which the existing building on the site is one. Park Place and High Street are more compact residential side streets that make a limited contribution to the overall street scene on Wembley Hill Road. Objections have been received regarding the design, scale and nature of the proposed development, including its impact on the character of the street and the area, including the Conservation Area. Concern has been raised that Wembley is becoming a "concrete jungle".
14. The proposed building would retain the spatial layout and building form established by the existing building on the site, with a taller element situated towards the crest of the hill (adjacent to the junction with High Street) and a lower level linear element parallel to the street. The linear element would end with a curved entrance section sweeping around the corner with Park Place, whilst the taller element would be orientated at an angle to the street to address the High Street junction. Compared to the existing building, the proposed building would be set closer to the footways on Wembley Hill Road and Park Place and further from the boundary with most of the adjoining residential properties. It would be of a greater depth

and height than the existing building, with the taller element being approximately 6m higher and the linear block approximately 6m-10m higher.

15. The form of the proposed building would respect existing building lines along Wembley Hill Road, to create a coherent street scape that responds to the topography and curvature of the street. The bulk of the building would front the footway along Wembley Hill Road more closely than the existing building, although the visual impact would be softened by the upper floors of the linear block being set back and the bulk of the curved section being broken up by a series of inset loggias. The existing blank walls on the boundary with the footway would be replaced by active frontages. These features would help to improve the relationship of the built form to the street while successfully modulating the bulk and mass of the proposal.
16. The scheme proposes a contemporary approach to architectural detailing and materials, which is considered to be of high quality and to complement the form of the building. The windows would be generally formed as full height, fixed glazing elements, to optimise natural daylight and views. A combination of projecting balconies and inset loggias would animate the facade and create a sense of rhythm and proportion. Projecting balconies would be provided along the buildings north-eastern elevation facing Wembley Hill Road, and inset balconies in the more exposed locations of the building facing south, east and west. A simple material palette is proposed, including two different bricks together with glass balcony balustrading.
17. The lower level element would have regard to the existing context of the site on the Wembley Hill Road, being approximately 1.5 stories (or 6m – 10m) higher than the existing building but broadly similar in height and bulk to the three-storey building across the junction with Park Place. The taller element would be located in essentially the same position as the taller element of the existing building, but would be two stories (or 6m) higher (although only one storey higher than the existing lift over-run). The combination of linear and taller elements would create a visual landmark feature at this prominent junction within the street scene. Your officers consider that the height and bulk of the proposed building are appropriate in design terms, given the scale of the existing building and the transitional character of the area.
18. The site adjoins the Wembley High Street Conservation Area and a very small part of the communal garden is within the conservation area boundary. However, the existing building obscures views of the conservation area from the surrounding area and whilst the proposed building would be larger than the existing, the proposal is not considered to materially harm views of the conservation area. The works proposed to create an area of communal garden within the conservation area boundary are not considered to harm the character or appearance of the conservation area. The Conservation Area Appraisal suggests that the conjunction of this historic area with large modern buildings in the surrounding area is one of its distinctive features and that this should be encouraged. As such, the proposal is not considered to result in harm to the character and appearance of the conservation area.
19. The overall design, materials and detailing of the building are considered to be of high quality which helps to soften the overall visual impact and represents an improvement (in terms of design and appearance) in comparison to the existing building. The soft landscaping within the proposal is limited. The frontages have limited levels of soft landscaping, with the building focused towards the frontages and away from the homes that adjoin the rear boundary of the site. However, the existing site only have very limited significant soft landscaping within it. Planting has been incorporated into the communal garden at the rear of the site. The Wembley Hill Road frontage of the site is urban in its nature (which contrasts with the suburban setting to the north of the site) and the prevalence of hard landscaping within the frontage is considered to be acceptable in this instance. Objectors are concerned that the Brent is becoming a "concrete jungle". Whilst many of the higher footfall areas are hard surfaced due to the nature and intensity of their use, the number of trees in the area has increased and is increasing significantly above previous levels.
20. As such, the scale and architectural approach of the proposed development is generally supported. The distinct elements and strong identity of each aspect of the architecture help to break up the built form, improving articulation between different elements and minimising the visual bulk and mass of the building. The detailing and build quality will however be critical to achieving a high standard of development and the Council will secure key details of external materials by condition to ensure this is achieved and built through.

## ***Neighbouring amenity***

21. The impact on neighbours is also a material consideration, and policy DMP1 seeks to ensure that this is acceptable. The buildings to the north, west and south are residential in nature and as such the impact of this development upon them needs to be considered. Objectors have raised concern regarding the impact of the proposed building in terms of a loss of light, outlook, privacy and overshadowing. These matters are discussed below.

### *Light and outlook*

22. SPG 17 specifies that new developments should normally be set under a 45 degree line taken from a 2m height above garden level from adjoining residential gardens and below a 30 degree line taken from a 2m height above floor level from rear habitable room windows of residential dwellings. However, the emerging draft Brent Design Guide SPD1 allows for more flexible standards in transitional areas, accepting development within a 45 degree line from rear habitable room windows, subject to the impact on daylight and sunlight being acceptable.
23. Additional drawings have been submitted to clarify the relationship between the proposed building and residential properties to the rear. These demonstrate that, although the taller element would breach the 45 degree line from the rear windows of 14/15 High Street, the greater height would be compensated for by the proposed building being set further from the rear boundary and at a more oblique distance. This results in a lower level of impact associated with the taller element of the proposed building in many instances because of the increased separation, despite being taller than the existing building. The lower element of the proposed building would largely comply with the 45 guidance. However, a part of this element of the building projects above the 45 degree line. However, this breach would be minimal and would affect only the far rear portion of the rear garden, which narrows significantly at this point to a width of 1m-2m and is therefore considered to be of limited amenity value given the narrow nature of the rear of the garden.
24. A daylight / sunlight report has been submitted, assessing the impact of the proposal upon daylight / sunlight conditions for surrounding residential properties and their gardens, and its compliance with the BRE Guide 'Site layout planning for daylight and sunlight: A guide to good practice', which is the recognised standard and considered a robust method of assessment.
25. Daylight criteria within the BRE Guide have been used as a basis for assessing the potential impacts on 30 surrounding properties, the relevant tests being Vertical Sky Component (VSC) and No Skyline (NSL). The study concluded that four of these properties would experience some impact on daylight outside of the BRE recommendations in terms of the reduction in Vertical Sky Component. This includes three habitable room windows at 1 Park Place would experience reductions in VSC of 23.7% to 42.6% (compared to a target of 20 %). However, the report shows that these rooms comply with BRE guidance in relation to the "No Sky Line" test, and thus, the report concludes that the level of daylight received by these windows will not be materially different from the existing situation. One window of 4 Park Place will also fall below target levels of reduction for VSC. However, this will experience a reduction of 20.4%, against a target value of 20% to achieve compliance with the BRE standards, and thus would only represent a marginal exceedance. This window would also meet target levels for "No Sky Line". In addition, a side elevation window at 1 Manor Drive would experience a 22.26% loss in visible sky area under the NSL test, however this window is believed to serve a stairwell given its positioning rather than a habitable space and complies with the BRE standard regarding VSC. Overall, it is considered that these are mostly marginal transgressions and that poor results in one test are generally balanced out by good results in the other.

### *Privacy and overlooking*

26. The Council's standards for the preservation of appropriate levels of privacy are set out in SPG17, including a 20m separation distance between directly opposing rear habitable room windows and a 10m distance between a habitable room window and neighbouring private residential amenity space. In the emerging draft Brent Design Guide SPD1, these distances are reduced to 18m and 9m respectively for transitional areas.
27. The existing building does not comply with the recommended separation standards, with the taller element being approximately 6.7m to 9m from the boundary with residential properties and the linear element being 4.6m to 9m from the boundary. However, the existing office building also breaches these



standards and contains windows facing onto the residential properties and their gardens which cause direct overlooking. The building has prior approval for conversion to residential use under permitted development rights, and consequently could give rise to overlooking from new residential properties onto those existing.

28. In comparison, the proposed building would not contain any habitable room windows that would cause overlooking on the rear elevation facing onto the existing residential properties to the rear. The windows of bedroom 1 of Apartments 8 (upper ground floor) and 15 (first floor) would be 9m from the boundary with the adjoining residential garden and 16.5m from the rear wall of the property. However, these windows would not be above the height of the fence of that property and consequently undue overlooking would not occur. The windows of bedroom 1 of apartment 14 (first floor) and bedroom 3 of apartment 24 (second floor) would be 9m from the boundary with the adjoining residential garden, but this represents an improvement when compared to the distance between the existing office building and the garden. Furthermore, the draft Brent Design Guide SPD1 specifies a minimum distance of 9m to gardens and 18m between habitable rooms and the scheme accords with this standard.
29. In respect of other windows in the proposed building, design solutions have been used to ensure that no overlooking would occur. First floor windows in the linear element would be obscured below 1.7m above finished floor level, and this is considered to be acceptable as they would serve dual aspect rooms with windows on the front elevation. The second floor would feature obscure glazing to a shared corridor on the rear elevation. The taller element has been designed in such a way that all habitable room windows would face away from neighbouring residential properties, and translucent privacy screens would be added to the southern edge of west facing balconies.

### **Quality of residential accommodation**

#### *Internal floorspace and accessibility*

30. London Plan Policy 3.5 and the Mayor's Housing SPG set out minimum internal floor space requirements for new housing. All units would meet, or exceed, these minimum standards, and private storage areas would also be provided at lower ground floor level, to supplement built in storage within the units. The proposal would include DDA compliant lifts to each core, and the units would be designed to accessible and adaptable standards in compliance with Part M4(2) of the Building Regulations and Lifetime Homes criteria.
31. Many of the proposed units could also be designed to comply with Part M4(3) to be fully wheelchair accessible. London Plan Policy 3.8 requires 10% of new housing to meet this standard. To ensure that the proposed development complies with this policy, a condition will require further details of the design of four wheelchair accessible units.

#### *Layout and access*

32. Each of the two cores would serve two to six units on each floor (the entrance to the taller building being on the upper ground floor and that of the lower building on the lower ground floor), whilst five duplex units would have individual direct entrances from an 'access terrace' on the Wembley Hill Road frontage. The entrances would help to provide active frontages at ground level, improving natural surveillance and providing visual animation to the street frontage. The entrance to the office floorspace would also be at lower ground floor level, and the basement parking area would be accessible from both cores.

#### *Light and outlook*

33. The design makes use of the site contours to provide dual or triple aspects for 30 of the units, while ten units would be single aspect facing either south, west or east. All would have living rooms with large amounts of glazing in addition to private terraces or balconies, and the level of light and outlook is considered to be acceptable.

### **External amenity space and play space**

34. The proposal would provide a landscaped communal garden of 276sqm including a children's playspace of 190sqm to the rear, which would be enclosed by the building and thus secluded from the street on all sides. Each unit would also have private balcony or terrace areas, all but one of which would exceed the 5sqm minimum standard set out in the Mayor's Housing SPG, and the total amount of amenity space

provided would be 708sqm, equating to an average of approximately 18 sqm per unit. The communal garden and playspace would be overlooked by a number of the flats, further ensuring that these are safe and amenable recreational areas, and would receive sufficient levels of sunlight due to being south facing.

35. Policy DMP19 requires 20sqm amenity space per 1bed or 2bed flat and 50sqm per family-sized dwelling, which for a development of this size equates to 1,100sqm. Although the proposed level of amenity space falls short of this standard, the provision of both private and communal space is welcome and it is considered that access to the King Edward VII Park nearby would compensate for the shortfall. Therefore in this instance, the deficit in external amenity space is not considered to warrant the refusal of a development delivering 40 new homes including three Affordable homes.
36. There are no trees subject to a Tree Preservation Order which would be affected by the proposal. The plans indicate some trees and shrubs proposed as part of the landscaping of the external amenity space.
37. Conditions will require that details pursuant to the provision of the amenity space are approved, to ensure that the development is of high quality and accords with the London Plan Policy 7.21, and to ensure the provision of these amenities within a reasonable timescale.

### **Highways and transportation**

#### *Parking provision*

38. The site is within the Wembley Area Action Plan area and therefore reduced parking allowances are applicable for the residential units. Wembley Hill Road from Empire Way to Harrow Road is a London distributor road, whilst its length between the Empire Way roundabout and Wembley Park Drive is a local distributor road. However, with the recent remodelling of this junction, a slip road is located south of the site, with a lay-by for three cars (pay and display or residents permit holder only). The site otherwise lies within Wembley Control Parking Zone W, operational daily between 8am and 9pm (midnight on Wembley Stadium event days). Park Place and High Street are both public highways. The site has excellent access to public transport services (PTAL level 5), with Wembley Park (Metropolitan and Jubilee line) and Wembley Stadium (Chiltern line) stations within 960 metres and nine bus services within 640 metres.
39. Objections have raised concern regarding the level of parking provision and whether this is sufficient for the proposed residential units and office use.
40. Up to one parking space per 400sqm is allowed for B1 office floorspace, giving an existing allowance of up to three spaces. The proposed development would re-provide an office unit of 829 sqm, which would have a parking allowance of 2.1 spaces and would also require servicing by 8m rigid vehicles. Residential parking standards in the Wembley Area Action Plan 2015 allow up to 0.4 parking spaces for 1-2bedroom flats and 0.6 spaces for 3bedroom flats. The proposed residential use therefore has a maximum allowance of 18 spaces.
41. A total of 26 parking spaces are proposed within the basement (including five disabled spaces), together with 59 cycle spaces for the residential use and eight cycle spaces for the offices, which overall slightly exceeds the requirements set out in DMP12 and the London Plan 2016. However, this level is exceedance is not considered likely to result in a material impact on the local highway network. A condition is recommended regarding parking allocation to prevent the sale of office parking bays to residents and vice versa, and to ensure that disabled parking spaces are made available for the accessible homes.
42. Parking restrictions apply on Wembley Hill Road and Park Place, which are in a CPZ and the Wembley Event Day zone. Park Place adjacent to the site also has double yellow lines. High Street is a narrow street which does not have a dedicated footway and cannot therefore accommodate on-street parking. To ensure that overspill parking does not cause on-street parking pressures in the area, a 'permit-free' agreement is recommended, so that future residents would not be eligible for parking permits to park in adjoining streets during CPZ hours. The Transport Assessment states that the developer agrees to enter into a 'car-free' agreement, if required to, and this agreement can be enforced by Brent Council.

#### *Vehicular Access, Servicing and Refuse*

43. The proposal would provide vehicular access into the basement from an existing crossover on Park Place, and an adjacent 8m x 3m loading bay with a height of 4.1m, which satisfies servicing standards. In order to provide both the access and the loading bay, the existing crossover would need to be widened, resulting in a wider crossover than would normally be permitted. However, on-street parking on this section of the street is not allowed and therefore widening of the crossover would not result in the loss of any on-street parking. Use of the loading bay would not conflict with the vehicular access into the basement.
44. The proposal would be subject to the removal of the disabled bays on Park Place, in order for service vehicles to be able to manoeuvre in and out of the site. There is no objection to the removal of these bays as they cater for the residents of Forum House, 200m away, and therefore should be relocated within its basement car park, which can accommodate 125 parking spaces including disabled spaces.
45. With the bays removed, it is proposed that refuse vehicles would wait on Park Place and collect directly from the bin storage area. Refuse vehicles would face eastbound (downhill) during collections. The bin storage area should line up directly with the rear of the refuse vehicle where it is intended to stop, to ensure a short distance between the bin store and the refuse truck thus reducing any concerns regarding the gradient and ensuring that heavy bins do not have to be pushed up a hill. The Waste Management officer has no objections to the proposal.

#### *Transport Assessment*

46. Objectors have raised concern regarding the traffic associated with the development. The submitted Transport Assessment shows the predicted trip generation for the proposed development, based on the national TRICS database. Vehicular trips in the morning peak hour are expected to total 14 arrivals and three departures, with a corresponding afternoon peak of three arrivals and 14 departures. Compared with the existing office use, the trip generation rates predicted for the proposal are lower, with a corresponding increase in the use of public transport and other sustainable modes. In addition, service vehicle trip generation of 1.2 vehicles in and out of the site across the course of a day is predicted, based on the TRAVL database.

#### *Travel Plan*

47. A Framework Travel Plan has been submitted for approval, which proposes measures such as a welcome pack to introduce the travel plan, a dedicated webpage and a notice board, and states that a baseline survey will be carried out upon occupation. However, to comply with the ATTrBuTE assessment criteria used by Transport for London, the survey should be carried out within 3-6 months of occupation with further reviews in 12 months and subsequently in years 3 and 5. Incentives should be provided to increase use of sustainable modes and promote the use of local Car Clubs amongst residents, including subsidised membership for at least two years. Finally, travel plan coordinators should be assigned for the residential units and for the offices.
48. The Framework Travel Plan does not therefore pass the ATTrBuTE assessment and a final Travel Plan would need to be submitted and to be approved as complying with these criteria prior to occupation. The submission of a final Travel Plan, together with its implementation and regular review, would be secured as part of the s106 Agreement.

#### *Highway Works and Contributions*

49. The following Highway Works would be required under a Section 278 Agreement of the Highways Act 1980, to be entered into prior to any construction works commencing on site:
  50. alterations to the existing crossover on Park Place, including the widening of the crossover,
    - i. reinstatement of the redundant existing crossover on High Street,
    - ii. removal of the two disabled bays to be replaced with double yellow lines,
    - iii. all associated changes to line marking and associated TRO costs; and
    - iv. the costs of any changes to statutory undertakers' equipment.
  - v. A condition would be required to ensure that the development is not occupied until all associated Highway works have been completed to the satisfaction of the Local Highway Authority. A construction logistics

plan would also be required by condition and any temporary traffic management measures required would need to be agreed with the Highway Authority before construction begins.

51. A permit free restriction agreement to remove the right of all future occupants to parking permits in the controlled parking zone operating in the area and a Travel Plan should be secured through the s106 Agreement.

#### ***Environmental impact, sustainability and energy***

52. The application was supported by an Energy Statement and Sustainability Statement. At the time the application was submitted London Plan Policy 5.2 required a reduction in carbon dioxide emissions of 40% based on 2010 Building Regulations (equivalent to 35% based on the 2013 Regulations) for both residential and non-residential developments. Off-site or financial contributions can be made where these targets cannot be achieved within the development, the latter being based on a notional price of £60 per tonne of carbon per year, over a 30 year period.
53. The Energy Statement demonstrates that, whilst the scale of the development is too small to make CHP or community heating economical, the scheme will make use of energy efficiency measures, advanced fabric and PV panels, resulting in a 15.5% saving in regulated CO2 emissions for the residential part of the scheme. It has been determined that this is the maximum reduction in CO2 emissions that can feasibly be achieved from on-site measures. The remaining 19.5% in CO2 reductions required to achieve the 35% minimum target as required by the London Plan would be provided through a carbon offsetting contribution of £17,280 for the residential element and £3,600 for the commercial element, to be secured through the s106 Agreement.
54. Core Strategy policy CP19 also requires non-residential development to achieve BREEAM Excellent standard. The proposal achieves a BREEAM 2014 fully fitted rating of Excellent where possible, which is acceptable to the Council.
55. London Plan Policy 5.15 requires residential developments to be designed to meet the target of 105 litres or less of water usage per head per day. The Sustainability Statement outlines the measures proposed to deliver the predicted water usage of 102.1 litres per head per day, and this is acceptable to the Council.

#### ***Assessment of Flood Risk and Drainage***

56. The site is located within Flood Zone 1 and is therefore considered to be at low risk from flooding. The site is less than half a hectare in size, the existing area is impermeable and there are no historical records of flooding. However London Plan Policy 5.13 and Policy DMP9B require development to utilise sustainable urban drainage measures, and a condition would require further details of the sustainable drainage measures proposed to achieve a 5 l/s discharge rate for surface water to be submitted and approved.

#### ***Noise, Air Quality and Land Contamination***

57. The application is accompanied by a Noise Impact Assessment which examines the local noise environment and proposes mitigation measures to ensure an acceptable standard of accommodation. The findings of the report have been reviewed and are considered to be acceptable. A condition has been recommended to ensure that the mitigation measures are implemented. Objections have been received citing an increase in noise pollution associated with the development.
58. The proposed layout of the building would feature commercial floorspace and car parking below flats. This mix of uses could result in noise disturbance to residents in first floor flats if the sound insulation between the floors is not adequate. Environmental Health Officers have recommended a condition to ensure that Building Regulations Approved Document E 'Resistance to the passage of sound' is implemented in full. However, this would duplicate a control within the Building Regulations and it is therefore not necessary to include this in a planning condition.
59. The proposed demolition and construction would be carried out within close proximity to existing residential premises. Therefore without appropriate controls noise and dust emissions could cause disturbance to local residents and dust emissions could adversely impact on local air quality. A condition would require submission and approval of a Construction Method Statement (CMS), outlining measures

to be taken to limit dust, noise and other environmental impacts of the development, prior to commencement. The ongoing use of the development (i.e. post completion) as residential dwellings and office space are not likely to result in unduly detrimental levels of noise and disturbance due to the nature of those uses, providing noise levels of for any plant equipment is not excessive.

60. The application is also supported by an air quality impact assessment. The assessment has been reviewed and is considered to be sound in relation to the potential transport emissions and building emissions relating to the residential element of the scheme. However the assessment does not consider the potential building emissions relating to the office use. Consequently a condition is recommended requiring an Air Quality Neutral Assessment to protect local air quality.
61. The site investigation report submitted with the application has been reviewed. The reports methodology and conclusions are acceptable to the Council. Conditions are recommended to require the submission, approval and implementation of a remediation strategy.
62. No specific information has been provided on lighting at this stage, a potential environmental impact that must be considered in terms of vertical illuminance causing disturbance to nearby residential premises. Therefore in order to prevent undue levels of disturbance, a condition is recommended to require prior submission and approval of details of the height, type, position, angle and spread of any external lighting installed.

### ***Archaeological Impact***

63. The site is not within a site of archaeological importance. Overall, the conclusion is that the proposal is unlikely to impact on any archaeological features (whether statutory or non-statutory).

### ***Other matters raised by objectors***

64. The majority of issues raised by objectors have been discussed above. Those that have not been are discussed in this section of the report. Objectors have cited concern that an unwelcome precedent will be set. Concern is also raised that the developer may purchase the land opposite Heron House and redevelop that. Every proposal must be considered on its merits and the proposed development is considered to be acceptable for the reasons set out above. Should an application be submitted for the development of the land opposite Heron House, the merit of that proposal would be considered.
65. Objectors have raised concerns that the proposal represents the overdevelopment of the site and that they are inappropriate for the area. The "over-development" of a site is typically represented by a development which fails to accord with Council policy on a number of grounds, which typically includes the form and massing of a development, the impact of the development on the surrounding properties, the quality of the proposed accommodation and the transportation impacts. The proposal is considered to accord with policy for the reasons set out above and is considered to be appropriate for the site.
66. Objectors are concerned regarding the impact on infrastructure. The development will make significant contributions towards infrastructure through the Community Infrastructure Levy. Within Wembley, projected infrastructure needs are identified through the Wembley Area Action Plan and are being factored into the regeneration of the area.
67. Objectors are also concerned that developers are undermining the planning process through Planning Performance Agreements and other "inducements". There is no Planning Performance Agreement for this site. However, the use of such agreements is supported by Central Government. They are used to plan out the timescales associated with large development proposals, and to secure funding for the human resources associated with the consideration of development proposals to reduce the burden on the Council Tax payer. They do not guarantee an outcome and every proposal is still considered on its merit. It is not clear what inducements are being referred to by objectors. However, the Community Infrastructure Levy (CIL) is applicable to all development that increases the number of units within a scheme, or the floorspace (where more than 100 sqm additional floorspace is proposed). This is applicable across the Country. Again, proposals are considered on their merit and not on the level of CIL that is associated with a scheme.

### ***Density***

68. The site has a public transport accessibility level (PTAL) of 5, a site area of 1,570sqm and the characteristics of an urban setting. The London Plan density matrix (Table 3.2) suggests a residential

density of between 70 and 260 units per hectare and between 200-700 habitable rooms per hectare for this area. The density of the proposed development is 255 units per hectare or 669 habitable rooms per hectare, which falls within the acceptable density range identified in the London Plan.

**Conclusion**

69. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

**CIL DETAILS**

This application is liable to pay **£417,537.68\*** 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): 1273 sq. m.

Total amount of floorspace on completion (G): 3440 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	2578	0	1623.99011 627907	£200.00	£35.15	£414,697.48	£72,883.08
Businesses and offices	862	1273	-729.99011 627907	£40.00	£35.15	-£37,281.64	-£32,761.24

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	
<b>Total chargeable amount</b>	<b>£377,415.84</b>	<b>£40,121.84</b>

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

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

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



**Brent**

**DECISION NOTICE – APPROVAL**

Application No: 16/4156

To: Mr McArthur  
Cunnane Town Planning LLP  
Churchward House  
4 Foundry Court  
Gogmore Lane  
Chertsey  
KT16 9AP

I refer to your application dated **23/09/2016** proposing the following:

Demolition of the existing office building (Heron House) and the construction of a new four to seven storey mixed use building comprising 829sqm of commercial office space on the ground floor (Use class B1a), 40 self-contained flats (23 x 1bed, 7 x 2bed and 10 x 3bed) on the upper floors, a basement level for car and cycle parking, bin stores and associated landscaping and amenity space. (Amended description 21.09.17)

and accompanied by plans or documents listed here:  
Please refer to condition 2.

at **Heron House, 109-115 Wembley Hill Road, Wembley, HA9 8DA**

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: 05/10/2017

Signature:

A handwritten signature in black ink that reads 'Alice Lester'.

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

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012  
London Plan 2015  
Brent Core Strategy 2010  
Brent Development Management Policies 2016  
Council's Supplementary Planning Guidance 5 2002  
Council's Supplementary Planning Guidance 17 2001

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

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

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

E13-042/PRA003 Proposed schedule of Accommodation  
E13-042/PRA003 Proposed schedule of Amenity Space  
E13-042/EXP100 Rev.D Existing Landscape Plan  
E13-042/EXP200 Rev.D Existing Site Plan  
E13-042/PRP100 Rev.G Proposed Landscape Plan  
E13-042/PRP200 Rev.G Proposed Site Plan  
E13-042/PRS008 Rev.A Proposed Section 008  
E13-042/PRS009 Proposed Section  
E13-042/PRS010 Proposed Section  
E13-042/EXS008 Existing Section  
E13-042/ EXS009 Existing Section  
E13-042/ EXS010 Existing Section  
E13-042/PRE001 Rev.G Proposed North-West Elevation  
E13-042/PRE002 Rev.H Proposed South-East Elevation  
E13-042/PRE003 Rev.K Proposed North-East Elevation  
E13-042/PRE004 Rev.F Proposed South-West Elevation  
E13-042/PRE005 Rev.G Proposed South-West Elevation  
E13-042/PRE006 Rev.G Proposed Long Sections  
E13-042/PRE007 Rev.E Proposed Elevations with Line of Ex Bldg shown  
E13-042/PRP0B2 Rev.L Proposed Basement Plan  
E13-042/PRP0B1 Rev.L Proposed Lower Ground Floor Plan  
E13-042/PRP000 Rev.K Proposed Upper Ground Floor Plan  
E13-042/PRP001 Rev.J Proposed 1st Floor Plan  
E13-042/PRP002 Rev.H Proposed 2nd Floor Plan  
E13-042/PRP003 Rev.H Proposed 3rd Floor Plan  
E13-042/PRV001 Rev.D Proposed 3D View Down Hill  
E13-042/PRV002 Rev.E Proposed 3D View Up Hill  
E13-042/EXP001 Existing Lower & Upper Ground Floor Plans  
E13-042/EXP002 Existing 2<sup>nd</sup>-4<sup>th</sup> Floor Plans  
E13-042/EXE001 Existing North-West & South-East Elevations  
E13-042/EXE002 Existing North-East Elevation  
E13-042/EXE003 Existing South-West Elevation  
16108-00-019 Rev.B On Site Loading Bay  
16108-00-018 Rev.C Refuse Collection Strategy

Supporting reports:



Technical Note TN02  
Framework Travel Plan Statement Report No. 16-081-001 May 2016  
Transport Assessment Report No. 16-081-001 May 2016  
Acoustic Report September 2016  
Addendum to Acoustic Report  
Daylight and Sunlight 4<sup>th</sup> April 2016  
Design Statement September 2016  
Energy Statement  
Sustainability Statement  
Statement of Community Involvement  
Ground Contamination Risk Assessment Report  
Planning Statement

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

- 3 The windows on the approved plans identified with the annotation stating 'obscure glass' shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To protect the privacy of neighbours in accordance with Policy DMP1.

- 4 The car parking spaces, refuse storage, cycle storage, private and communal amenity spaces identified on the approved plans shall be laid out and made available prior to the occupation of any part of the development hereby approved. The spaces / storage shall be retained as such for the lifetime of the Development.

Reason: To ensure that the impact of the development on the highways network is appropriate and that the development is fit for purpose.

- 5 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme. Details of the membership and contact details as required through the scheme shall be clearly displayed on the site throughout the duration of construction.

Reason: To limit the impact of construction upon the levels of amenity of neighbouring occupiers.

- 6 Prior to the first occupation of the development, the mitigation measures described in the approved Noise Impact Assessment (Hodkinson Noise Impact Assessment report dated September 2016 and the Noise Report addendum dated January 2017) shall be implemented in full and thereafter retained and maintained.

Reason: To ensure acceptable local noise levels for future residents.

- 7 The building shall be designed and constructed 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.

- 8 Details of materials for all external work, including samples which shall be made available for viewing on site or in another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced (excluding demolition, site clearance and the laying of foundations). The work shall be carried out in accordance with the approved details.

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

- 9 No development shall take place until a detailed remediation scheme to bring the site to a

condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

- 10 Any soil contamination remediation measures required by the Local Planning Authority pursuant to condition 9 shall be carried out in full. A verification report shall be submitted to and approved in writing by 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.

- 11 Prior to commencement of the development (excluding demolition, site clearance and the laying of foundations), further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8.

- 12 Details of the siting, height, type, position, angle and spread of any external lighting (including luminance levels) shall be submitted to and approved in writing by the Local planning authority prior to the installation of any such lighting. External lighting shall not erected other than in accordance with the approved details.

Reason: to protect the amenity of nearby residents.

- 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. Sub-surface treatments;
  5. Hard landscaping, including materials and any proposed furniture;
  6. Play space and equipment;
  7. 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.

14

- 15 Any externally audible plant within the development shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to the installation of any such equipment, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and the findings of the assessment together with any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such plant. Thereafter the plant shall not be installed other than in accordance with the approved details.

Reason: To ensure acceptable local noise levels for future and surrounding residents.

- 16 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, including construction traffic. 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.

- 17 Prior to the commencement of development a scheme (excluding demolition, site clearance and the laying of foundations) 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.

## 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](http://www.brent.gov.uk/CIL).
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries.
- 3 During demolition and construction on site:
  - The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
  - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
  - Vehicular access to adjoining and opposite premises shall not be impeded;
  - All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;

- A barrier shall be constructed around the site, to be erected prior to demolition;
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

4 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

Any person wishing to inspect the above papers should contact June Taylor, 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

18 October, 2017  
05  
17/1577

## SITE INFORMATION

RECEIVED	6 April, 2017
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Roe Green Hall, Princes Avenue, London, NW9 9JL
PROPOSAL	Single storey front extension and associated landscaping to provide a community cafe with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1)
APPLICANT	Kings Church
CONTACT	Church Growth Trust
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_133643">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_133643</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b> .</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "17/1577" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## 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. With the exception of rendered walls, all materials to match those of the existing building
4. The café to be solely ancillary in connection with the use of the building as a church.
5. Enter into a Section 247 agreement to stop up area behind the iron railings
6. Submission and approval of proposed frontage landscaping
7. Submission and approval of details showing loading bay and cycle storage
8. Submission and approval of Travel Plan to minimise car borne visitors and manage parking
9. No additional openings between Cafe and Welcome Area and Main Hall

### Informatives

1. Party Wall
2. Building near site boundary
3. Contact highways to agree a detailed survey plan showing stop up areas in the interests of expediting Section 247 agreement
4. Consult statutory undertakers regarding stopping up in the interests of expediting Section 247 agreement
5. -- CIL Liable

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.

## SITE MAP



### Planning Committee Map

Site address: Roe Green Hall, Princes Avenue, London, NW9 9JL

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This map is indicative only.

## EXISTING

The subject property is a church building situated on the south side of Princes Road, at the junction with Bacon Lane. The property is situated in a residential area. The property is not situated within a conservation area, although is located immediately across the road from the boundary of the Roe Green Village Conservation Area (RGVCA). The building is not listed.

The applicant confirms that the church accommodates about 100 people and that the church's current congregation use the church at capacity, as the church is attended on Sundays by approximately 100 people.

## AMENDMENTS SINCE SUBMISSION

- The roof design of the extension has been altered from its original canted design to form a hipped roof that subserviently integrates with the main roof of the church. To avoid a crowned roof, a flat roof section has been retained over the western part of the extension, however this part of the extension is not visible from the conservation area.
- The north facing windows of the eastern part of the extension have been changed to appear more similar to the church's existing windows, to ensure that the building has a consistent vernacular.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received on these matters/some of these matters, and Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. The principle of development and appropriateness of the café use in this location
2. The visual appearance of the development and its effect on the nearby conservation area
3. The amenity impact of the development
4. The impact of the development on the surrounding highway network, in terms of parking capacity and ease of traffic movement
5. Whether any environmental health concerns are present and need to be addressed

## 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	353		100	121	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

## **Monitoring Residential Breakdown**

<b>Description</b>	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses û Intermediate )		1								1
PROPOSED ( Houses û Intermediate )										

## **RELEVANT SITE HISTORY**

### **\*11/2827. Full Planning. Granted. 23/12/2011.**

Single storey front extension and alteration to car park layout to provide one accessible parking bay with associated hard and soft landscaping.

### **\*12/0655. Details pursuant to condition. Granted. 10/05/2012.**

Details pursuant to condition 3 (materials), 4 (cycle parking) and 5 (arboricultural method statement) of full planning application reference 11/2827 dated 23/12/2011 for single storey front extension and alteration to car park layout to provide one accessible parking bay with associated hard and soft landscaping.

*\*The development has not been implemented and consent has lapsed.*

## **CONSULTATIONS**

### **Neighbour Consultations**

30 nearby properties along Princes Avenue and Bacon Lane were given prior notification of this proposal for a minimum of 21 days on 24<sup>th</sup> May 2017.

The Queensbury Ward Councillors and Roe Green Village Residents' Association (RGVRA) were also consulted on this date.

A second round of consultation was sent to the same consultees on 10<sup>th</sup> August 2017 following a material change to the proposal.

Four objections to the proposal were received, although one of the objections states that they are representing 4 additional properties. Objections were made on the following grounds:

<b>Ground of Objection</b>	<b>Officer Response</b>
The proposal will result in more traffic (on a road with a bus route) in the area – there is already insufficient parking capacity with blocking of drives and vehicles using their horns.	The proposal has been considered by Brent's highways team, please see paragraphs 12-19 below
More cars parked along Princes Avenue will further limit the ease of movement for traffic, particularly in view of the school traffic next to the community hall. This is a traffic hazard.	As above
The double yellow lines at the corners of the junction of Princes Avenue and Bacon Lane have worn away meaning people visiting the Hall are parking illegally. Residents and their visitors will not be able to park in front of their own houses.	The highways team are aware of all instances of double yellow line restrictions within the borough. Taking this into account, highways have considered the acceptability of the proposal, please see paragraphs 12-19 below
The café will bring noise and disturbance to	The café element is to be wholly ancillary to the church use, it is not considered likely that the

residents	noise from the church building would materially increase
It is not clear if the café will be open to the general public, if it is public then there are concerns of increased noise and antisocial behaviour, including school children after school.	There is no change of use proposed and the café is proposed merely as an ancillary addition to the existing use as a place of worship (D1 use class)
The road needs repairing, which is likely to be exacerbated by the increased demand for cars with this development	This is a matter to be considered by the highways department and would not be a planning consideration
There is no need for a café since there is a high street moments away with a number of existing business already serving this purpose	If the café were proposed as a standalone commercial operation then Brent Council would agree, however as an ancillary element to the existing church, it is considered that the café use would serve a different purpose to more general A3 café uses in nearby high streets
The area should remain residential	The addition of an ancillary café element to the existing church would not represent a material change of use from the current building's purpose
There is insufficient parking on site and the space should be used to increase parking availability rather than as an extension	As an ancillary addition, the café is unlikely to notably change demand for parking – the current parking availability has been considered by our highways team for acceptability, please see paragraphs 12-19 below
The development could lead to additional vandalism, accumulation of rubbish and could act as a fire hazard	Any such increases in these aspects would not directly result from the planning process. They would be matters for consideration by Brent's environmental health team, if and when they occur
Vehicles drive too fast over the speed bumps, with no speed limit signs present	The effectiveness of traffic calming would need to be considered by Brent's highways department

### Internal Consultations

The Council's Highways and Environmental Health teams were consulted regarding this application on 24<sup>th</sup> May 2017. The Council's Heritage Preservation Officer was also consulted, given the proximity to the Roe Green Village Conservation Area (RGVCA).

Highways did not object, subject to conditions. Please see discussion below.

Environmental Health did not object, subject to a condition. Please see discussion below.

## **POLICY CONSIDERATIONS**

London Plan consolidated with alterations since 2011 (March 2016)

### Core Strategy

CP 1 – Spatial Development Strategy

Development Management Policies

DMP 1 – General Development Management Policy  
DMP 7 – Brent’s Heritage Assets  
DMP 12 – Parking

Supplementary Planning Guide

SPG5 “Altering and Extending Your Home”

## **DETAILED CONSIDERATIONS**

### **Site Visit**

1. The site was visited on 04/07/2017 to observe the site and confirm the plans submitted.

### **The principle of a front extension and a café use**

2. A front extension has been approved previously in 2011, although was not implemented and has now expired.
3. The current proposal seeks a front extension of 7.8m in depth which would contain a new larger vestibule/welcome area, which would also have a use as a café, with tables and chairs and a servery, with a small kitchen (5sqm) attached. A toddler play area would also be part of this extended area.
4. The extension would occupy 116sqm of a total building floor space of approx. 460sqm. Whilst this is a substantial size outside of a town centre, it is noted that the extension serves as a multipurpose space, including as a welcome area/atrium to the church, as well as a toddler play space. The cafe would only form part of it.
5. The plans clearly show that the cafe is to form an intrinsic part of the church, with sets of double doors linking the extended area to the church’s main hall and to the office and meeting rooms serving the rear of the church. The café would not therefore serve as a standalone commercial operation separate from the church and a condition will be applied to ensure that the café is only used in an ancillary capacity in connection with the use of the building as a church.
6. The applicant has confirmed that there is no intention for the cafe to facilitate an increase in the maximum number of people using the building. The community cafe is hoped to increase the diversity of users by opening the building more often and during the daytime, especially for parents dropping children at the adjacent school who would be able to walk to the cafe. The applicant states that the current arrangement of interconnected rooms results in an inflexible layout which makes the building difficult to use outside the system of traditional Sunday morning meetings. It is expected that passers-by and other community groups would be able to use the cafe for a variety of meetings and activities in connection with the church. As such, peak visitor numbers (on Sundays) are not expected to increase but intermittent visitor numbers (throughout the rest of the week) are expected to increase. The mid-week increases in visitors are not expected to reach the numbers achieved during the Sunday peak.
7. The plans reasonably reflect this intention, with the floor plans showing that the cafe area will be connected to the main church hall by a modest set of double doors close to the entrance. This would accord with the intention for the cafe to not facilitate a total increase in the number of visitors. The single double door connection will functionally prevent the cafe from providing an expansion of the overall church hall space, and a condition would restrict any further openings being introduced.

### **The design and visual appearance of the extension**

8. The extension is substantial in size with a depth of 7.8m and a width of 18m. The depth does reduce on the western side of the extension however. Nonetheless, the church has a generously sized forecourt and the site plan confirms that the extension would be set back from the front boundary of

the property by more than 7m on the eastern side, as seen from within the conservation area. The church's front boundary tapers inwards, and the extension is therefore only 5m from the front boundary of the property on the western side. The reduction in depth in the western part of the extension helps to keep the relationship with the street acceptable and a reasonable buffer of open space between the building and the street is to be retained. The front building line would more closely reflect the residential properties opposite and to the east, albeit that it is a different design and use of building. Overall, it is considered that a significant sense of openness would be retained with the extension in place, particularly on the eastern side as seen from the conservation area, where this relationship would be most sensitive. Given the loss of green space incurred by this development, it will be necessary for a programme of landscaping to be proposed to mitigate this loss and to improve the visual appearance of the remaining forecourt area. This will be required by condition.

9. Outdoor seating is proposed in the western part of the forecourt, which would be visible from the streetscene. This is to be contained within the application site and would not be considered to materially affect the appearance of the building within the streetscene. The seating would also not be visible from within the conservation area as it is contained behind the eastern flank wall of the extension.
10. The Council's heritage officer was concerned that the extension's original roof design (canted with a flat roof) jarred with the simple proportions and the hipped roofs of the existing property. It was noted that as the site is a key entrance to the Roe Green Village, it should be reconsidered in terms of streetscape. Following communication with the agent, the plans were revised to establish a hipped roof that subserviently integrates with the building's existing roof. To avoid forming a crowned roof, a flat roof section has been retained over the western part of the extension, however this part of the extension is not visible from the conservation area and is considered to be acceptable.
11. The extension makes use of newer, more contemporary window design. With large floor-ceiling glazing through bi fold doors in the north elevation of the flat roof part of the extension and the new double entrance doors to the church in the east and west elevations of the extension. The heritage officer requested that the church's original window design should be implemented in the main north facing part of the extension (with a hipped roof) so as to ensure that the building remains connected with its original character and has a consistent vernacular, and this was agreed by the applicant. This is considered to respond to the concerns of the RGVRA.
12. The extension is to be constructed from brick that matches the existing, and the part of the extension with a flat roof and a more contemporary appearance is to be finished with a grey coloured painted render. This is considered acceptable as it articulates the contemporary elements more clearly whilst ensuring the original character is retained within the more prominent part of the building.

#### **The amenity impact of the extension**

13. The front elevation of the church faces the public highway. There are residential properties opposite but the proposal would not be in close enough proximity of any private garden spaces to warrant protection from light losses and enclosure by structures. The immediate neighbour to the west is a school whilst the building's corner plot means that it does not share a boundary with a neighbour to the east. To the south the residential units would not be materially affected as the extension would be on the northern side of the building. The amenity impact of the extension on private spaces for residential enjoyment is therefore minimal. It has been considered whether or not the outdoor seating is likely to cause nuisance. Given the distance to residential properties, and that the seating would face on to Princes Avenue it is not considered that there would be an impact. Traffic noise is likely to have a greater impact in this location, and the use of the cafe in connection with the rest of the hall rather than independently would further reduce its impact.

#### **The principle of the change of use of the rear part of the building from living accommodation (C3) to place of worship (D1)**

14. The flat roofed part of the building was originally built as living accommodation for the minister of the church. It is confirmed by the applicant to have not been used for this purpose for many years and that the rooms are now used for youth work on Sundays and as meeting rooms at other times during the week. As such, it is not likely that this part of the building can be considered to represent a C3

use at present. Nonetheless, the applicant seeks to formally regularise the use of the whole building as a place of worship (D1) and it is considered that this is reasonable and should be supported.

### Highways considerations

15. Princes Avenue is a local access road. On street parking in the vicinity of the site is restricted due to the bus stop and double yellows wrapped around the junction. During school hours, Princess Avenue and Bacon Lane do suffer from extensive parking and traffic congestion as parents are using on street parking for dropping off and picking up their children. The site has a fairly low access to public transport services (PTAL 1b), with access to one different bus route, but no rail or tube stations within reasonable walking distance.
16. The existing Church D1 use is permitted 1 car parking space per 10 visitors / users in line with Brent's DMP standards. The applicant has advised that the number of visitors would be approximately 100, resulting in a requirement for 10 car parking spaces, which also reflects the existing congregation numbers. Six off-street parking spaces are already proposed within the application which does not meet the standard for 10 spaces as set out in the DMP, however it is noted that further capacity exists beyond this. Furthermore, it is not likely that a cafe, if used in an ancillary context, would notably increase visitor numbers beyond the current number of building users and it has been confirmed by the applicant that the cafe is not intended to increase the overall capacity of the church.
17. As mentioned above, the café is considered to be acceptable if used solely in an ancillary capacity to the existing church and this will be required by condition. However, given the practicalities of operating a café, it is considered appropriate to consider the servicing requirements in the interests of ensuring highways impacts are minimised. The proposed café, is required to provide a loading bay for servicing and therefore a 'transit' sized bay should be provided, to satisfy servicing standards.
18. Drawing number S256-004A proposes 3 off street parking spaces accessed from Bacon Lane and a bay for a transit van. In addition, there are also 2 disabled bays and 2 off street spaces accessed from Princess Avenue. This is a total of 6 spaces plus a 2 disabled bays and this is welcomed in principle. However, it is considered that the transit sized loading bay would be better provided with access from Princess Avenue, and a condition is proposed seeking an amended plan to demonstrate this.
19. The extension is proposed on adopted highway land. However, the land is currently not being actively used as highway and is subject to a long-standing maintenance agreement between the Highway Authority and applicant allowing the church hall to use it as soft landscaping, enclosed by fences and hedges. As such, the land would need to be formally 'stopped up' as highway to enable the proposed extension to be constructed. Stopped up highway reverts to the frontage.
20. The manager of the Church, Giles Arnold, has been in contact with the Highway Authority regarding this matter and it has been agreed that in principle, the Highway Authority would have no objections to this land being stopped up as highway. However, the statutory processes must still be satisfied before a Highway is confirmed for stopping up and this does include a full consultation with other interested parties. Provided there are no objections, the proposed land can be 'stopped up'. It is therefore essential that the proper stopping-up procedure is followed through Section 247 of the Town and Country Planning Act 1990 and that this process is fully completed before any extension works are started on site (a Grampian condition is therefore sought).

21. In conclusion, the proposal does result in an increase in parking / servicing standards but not general parking standards since the number of regular building users is not intended to increase. The existing car park can accommodate 6 off street spaces, including one disabled bay space and a further 'transit' sized loading bay, which would satisfy standards. The loading bay could also be dovetailed between the café during the day and the Church congregation in the evening. In addition to this, the intention of the café is that it is to be used by the community and will serve as the main entrance into the Church building and therefore is not expected to attract a higher number of vehicular traffic than the existing site. However, the sensitivity of the local roads to increases in parking is noted and proposals for Travel Plan measures should be provided to help mitigate any impact that may arise and encourage sustainable modes of travel.
22. Cycle Parking standards are given in the London Plan and a minimum of 4 cycle spaces should be provided within a secure and covered location to protect against theft and weather. The drawings now show this.

### Environmental Health considerations

23. Church services at this premises have included amplification of music and speech, which have resulted in complaints of noise. The extension would provide some buffering between the main hall and the properties opposite, and the extension would also need to be constructed to modern standards in terms of sound insulation. It is not considered that a condition could be justified requiring details of sound insulation to the existing building given that the cafe itself is not expected to generate excessive noise.

### Conclusion

24. The proposed extension is considered to be appropriate and in keeping with the character of the building and designed sympathetically to minimise impact on the neighbouring conservation area. The extension is also not considered to have an adverse impact on the amenities of neighbouring properties and the surrounding streetscene. The café use can acceptably operate as an ancillary part of the existing church use and a condition will ensure that it is only used on this basis, without being used as a separate commercial operation. It is also considered that the extension will not unacceptably worsen local parking and traffic conditions, subject to the submission of a detailed travel plan.

Approval is accordingly recommended.

## CIL DETAILS

The proposal is liable to pay CIL as set out below as it provides more than 100sqm of new floorspace, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£5,183.75\*** 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): 468 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
Non-residential	468	352	116	£35.00	£0.00	£5,183.75	£0.00
<p><i>Document Imaged</i></p> <p><b>Page 76</b></p> <p style="text-align: right;"><i>DocRepF</i> Ref: 17/1577 Page 4 of 16</p>							



institutions							
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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	
<b>Total chargeable amount</b>	£5,183.75	£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.**



**DECISION NOTICE – APPROVAL**

Application No: 17/1577

To: Pedler  
Church Growth Trust  
The Hope Centre  
8 Princewood Road  
Corby  
NN174AP

I refer to your application dated **06/04/2017** proposing the following:

Single storey front extension and associated landscaping to provide a community cafe with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1)

and accompanied by plans or documents listed here:  
Refer to condition 2.

at **Roe Green Hall, Princes Avenue, London, NW9 9JL**

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: 05/10/2017

Signature:

A handwritten signature in black ink that reads "Alice Lester".

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

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-  
  
Brent Development Management Policies 2016  
Brent Council's Supplementary Planning Guidance 5 2002
  
- 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):  
  
S256 – 001  
S256 – 002  
S256 – 003B  
S256 – 004A  
S256 – 006  
S256 – 007B  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 With the exception of areas of rendered walls, as shown in the approved proposed drawings, all new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 4 The café use hereby approved shall be ancillary to the existing use of the building as a church.  
  
Reason: To ensure the café use is appropriate for the setting and does not give rise to unduly detrimental external impacts.
  
- 5 The development shall not commence unless the applicant has completed the process of stopping up the highway adjacent to the site, by entering into a legal agreement with Brent's Highways Authority under Section 247 of the Town and Country Planning Act 1990.  
  
Reason: To ensure appropriate land ownership.
  
- 6 Prior to occupation of the extension hereby approved, a schedule of soft landscaping within the forecourt of the church, indicating proposed plant/tree species, placement and densities of such species shall be submitted to and approved in writing by the Local Planning Authority.  
  
The approved landscaping shall be implemented no later than the first planting season following occupation of the church extension.  
  
Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any

variation.

Reason: To ensure that visual amenity losses arising from the increased built form of the church and reduction in size of the building forecourt can be mitigated through improved soft landscaping within the streetscene.

- 7 Prior to occupation of the extension hereby approved, a revised site plan shall be submitted to and approved in writing by the Local Planning Authority. The revised plan shall indicate the following:
- A 'transit' sized loading bay accessed from Princes Avenue with accompanying tracking to demonstrate entry and exit.
  - Four cycle parking spaces in compliance with London Plan requirements

The development shall be implemented in accordance with the approved details prior to first occupation of the extension and maintained as such thereafter.

Reason: To ensure that the development meets relevant parking standards.

- 8 Prior to occupation of the extension hereby approved, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall explain measures to be implemented which will minimise the numbers of car borne visitors and help to manage any car parking that does take place around the site. Following approval of the travel plan, the church shall thereafter operate in accordance with the approved details.

Reason: To ensure that the development minimises any detrimental highways impacts its use may incur.

- 9 No additional openings shall be created between the 'Cafe and Welcome Area' and the 'Main Hall' other than the double doors shown on drawing S256-003B.

Reason: To ensure that the size of the space used for worship remains consistent with now, so ensuring that the impact on the highway network is acceptable.

## INFORMATIVES

- 1 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.
- 2 The applicant is advised to contact Brent's Highways Team at the earliest opportunity to agree a detailed 1:200 survey plan, showing the areas of highway that are to be stopped up and to request that this process is pursued by the Council on the applicant's behalf.
- 3 The applicant is advised to contact all statutory undertakers in the area regarding the stopping-up proposal at the earliest opportunity.
- 4 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 5 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).



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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
06  
16/5144

## SITE INFORMATION

RECEIVED	29 November, 2016
WARD	Tokyngton
PLANNING AREA	Brent Connects Wembley
LOCATION	29 Stadium Business Centre, North End Road, Wembley, HA9 0AT
PROPOSAL	Change of use from storage and distribution (Use class B8) to car servicing with MOT testing (Use class Sui Generis)
APPLICANT	Len Shires Motors
CONTACT	Mr Blythin
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_131425">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_131425</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "16/5144" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## 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. Submission and approval of details showing cycle storage

### Informatives

1. The applicant is encouraged to work with the freeholder/business centre management to implement its parking and servicing plan and to work to minimise parking capacity issues.

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.

## SITE MAP

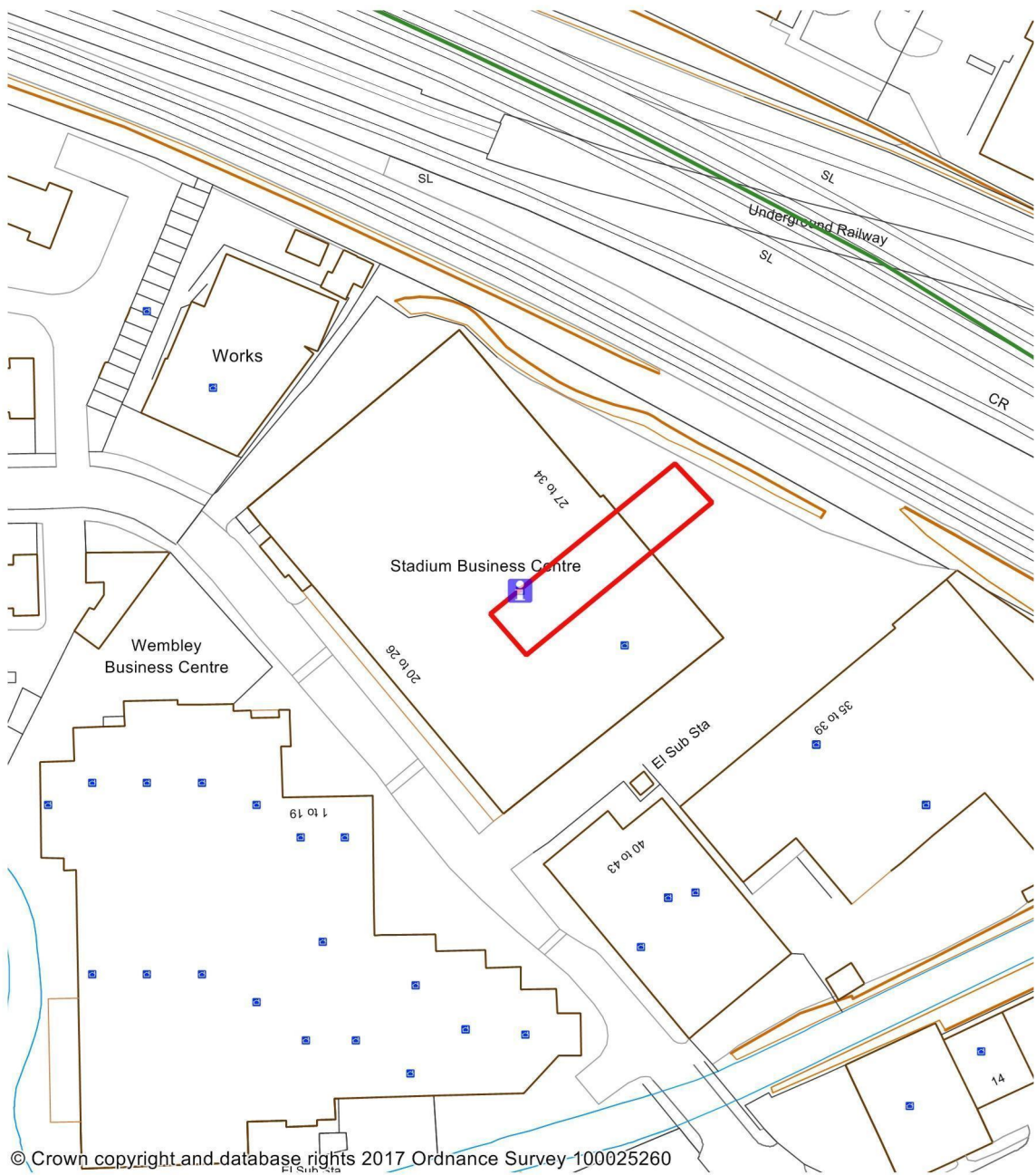


### Planning Committee Map

Site address: 29 Stadium Business Centre, North End Road, Wembley, HA9 0AT

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This map is indicative only.

## EXISTING

The subject property is a commercial unit within a warehouse, forming part of the Stadium Business Centre within Wembley Industrial Estate. The property is currently within the B8 (storage and distribution) use class. The property is situated in a commercial/industrial area and is located within a Strategic Industrial Location, reserved strictly for B1, B2, B8 and associated Sui Generis uses. The property is not situated within a conservation area, nor is it within a listed building, and is near to the Wembley Growth Area

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received on these matters/some of these matters, and Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

- **Objections received:** Six local businesses have objected to the proposal, mainly citing concerns of parking capacity stress. This has been considered closely by officers during assessment.
- **Principle of use:** Whether an MOT garage use is acceptable in principle given local policy designations.
- **Impacts on public highways:** Whether the change of use is likely to have an unduly detrimental impact on the highway and parking capacity of nearby public highways.
- **Impacts on environmental health:** Whether the change of use is likely to give rise to unduly detrimental environmental health problems.

## RELEVANT SITE HISTORY

This property has no relevant planning application history.

## CONSULTATIONS

### Neighbour Consultations

29 nearby properties along North End Road and within the Stadium Business Centre were given prior notification of this proposal for a minimum of 21 days on 12/05/2017. Consultation letters described the development as *“Change of use from storage and distribution (Use class B8) to car servicing and ancillary MOT (Use class B2)”*.

The same properties were consulted again, for a minimum of 21 days on 04/07/2017. Consultation letters now described the development as *“Change of use from storage and distribution (Use class B8) to car servicing with MOT testing (Use class Sui Generis)”*.

Objections to the proposal have been received from 6 separate addresses throughout both consultation periods. Objections were made on the following grounds:

Ground of objection	Officer response
There is parking stress within the business centre, with private parking enforcement in place in an attempt to resolve problems.	The Council's highways officers are responsible for managing the flow of traffic and parking stress on roads within public ownership. The Stadium Business Centre is privately owned land and is positioned more than 100m from North End Road (which is a public highway). As such, there is unlikely to be overspill parking stress on Brent's public highways resulting from

	<p>changes to the unit's parking requirements will result in .</p> <p>Nonetheless, in light of objections received, the Council has asked the applicants to confirm their projected intake of cars and demonstrate that suitable car parking capacity is available to meet this projected intake.</p> <p>The private parking enforcement referred to has the potential to offer the best solution to parking stress on land where the Council has no ownership or control, such as here.</p>
There are already about 5 garages in the estate of which about 3 do MOT testing, as such there is no need for another MOT testing garage. Suggestion that a further application for a similar change is due.	The number of MOT garages is not restricted within policy and there would therefore be no planning grounds upon which to restrict this particular use, although the individual impacts do need to be assessed on a case by case basis as they come forward.
A garage or any similar business requires at least 20 parking spaces as an absolute minimum	Car parking and servicing standards are set out within the appendices of Brent's DMP 2016. Far fewer than 20 spaces would be necessary at a garage of the size proposed.
Another garage will contribute to parking stress	See first officer response above.
This unit has very few outdoor spaces with only 4 or 5 spaces associated with it, unlike some other units in the area	The applicant has clarified the spaces which they have a right to use as parking – since these spaces are under private ownership and control it would be the responsibility of the owner/private enforcement organisation to organise and enforce this.
Whether the MOT is considered ancillary or not will result in the same practical use of the garage – who is going to enforce a breach?	Given the size of the unit, the Council was not convinced that the unit could genuinely operate with the MOT component being ancillary to main operations – it was therefore suggested to the applicant that they apply for the MOT use class on a non-ancillary basis, which explains the change of description and subsequent re-consultation. The application now considers the acceptability of an MOT use being a key aspect of the unit's operations.
Permissions for garages and religious centres within the business centre over the years have impacted business holders heavily from a parking availability perspective.	The applicant has clarified the spaces which they have a right to use as parking – since these spaces are under private ownership and control it would be the responsibility of the owner/private enforcement organisation to organise and enforce this.

	Whilst the Council's control is limited, the Council has asked the applicants to address parking concerns by confirming their projected intake of cars and demonstrating which spaces they have a right to access to meet this projected intake.
There is no point in the Council saying that parking is not their problem as the impact the Council has had on the estate is the Council's problem.	Without Council ownership, it is the responsibility of private land owners to manage the demand for parking.  The implementation of planning permission is still legally subject to consent from the land owner before implementation.
The drains have recently been blocked on account of oil being dumped in the drains.	This is not a material planning consideration.
There is illegal parking occurring and no more space available.	This is a matter for planning enforcement – there is an active enforcement investigation into illegal parking at present (E/16/0475).
The proximity of garages is causing a pollution problem, and the proposal would exacerbate this in terms of exhaust and paint spraying.	The specific impacts are assessed below.

### Internal Consultations

The Council's highways and environmental health officers were consulted regarding the application.

Neither of the consulted officers objected to the application, please see the relevant discussions below.

## **POLICY CONSIDERATIONS**

### Core Strategy

CP 1 – Spatial Development Strategy  
 CP 3 – Commercial Regeneration  
 CP 7 – Wembley Growth Area  
 CP 20 – Strategic Industrial Locations

### Development Management Policies

DMP 1 – General Development Management Policy  
 DMP 11 – Forming an Access on to a Road  
 DMP 12 – Parking  
 DMP 13 – Movement of Goods and Materials  
 DMP 14 – Employment Sites

## **DETAILED CONSIDERATIONS**

### **Principle of change of use**

1. The Stadium Business Centre is within a Strategic Industrial Location, which is protected under policy

CP20 for commercial and industrial uses falling under use classes B1, B2, B8 and associated Sui Generis uses. The vehicle repair garage use (B2) and the MOT use (Sui Generis) fall into the definition of this, and would be appropriate for this location where noisy commercial premises would likely be inappropriate outside industrial areas of the borough.

2. Given that the use class will remain within the accepted local uses class (B2 and associated Sui Generis use), there is no objection to the change of use in principle. The specific details relating to the operation of the use are relevant and are considered below, especially in response to the impact on the highway and parking.

### **Highways considerations**

3. North End Road is a local access road which serves commercial centres and also residential blocks of flats. On-street parking in the road is generally unrestricted, other than on Wembley Stadium event days when residents' permits are required to park between 10am and midnight.
4. Given the site's location within the Stadium Business Centre, it does not have direct access for the public. Public transport access to the site is very good (PTAL 5).
5. Car parking and servicing allowances are set out in Appendix 1 and 2 of the DMP 2016. The existing warehouse should provide a servicing bay for an 8m rigid service vehicle. The site is accessed by a private road, which serves an industrial estate and therefore servicing can be accommodated within the site.
6. The proposed Car repair and MOT will have the same servicing requirements however, parking or servicing layout for the unit has not been submitted.
7. The proposal does not involve any extension to the building and the impact on traffic flow and parking for the unit is unlikely to be significant, such that there would be a knock-on impact on the public highway. With the workshop located within a private industrial estate containing general shared parking / loading being positioned over a 100m or from North End Road, there is little risk that parking or servicing associated with the unit, even by cars awaiting repair or collection, would impact on the public highway.
8. A minimum of one cycle parking space should be provided to comply with the London Plan. This will be required by condition.
9. It is noted that the highways considerations purely come from a perspective of protecting Brent's adopted highways and that the parking concerns to which objectors refer are not addressed. Given considerable local objection, officers have raised the neighbour's issues with the Council highways officers. The Highways team reiterated that the excessive parking within the estate is not a matter for the Highway Authority and that this should be addressed by the applicant and the owner of the private estate road.
10. Recent online aerial imagery as well as what has been viewed on site indicates that some of the bays marked out in the private estate state that private enforcement is being carried out to this private road, which should be addressing their issues raised by objectors. Brent's highways team advise that the applicant should be addressing these issues by possibly providing a car park / servicing parking layout and a car park management plan. As it is not within Brent's remit to manage parking on private land, this cannot be enforced and can only be suggested. An informative will remind the applicant. Brent's highways team also advise that information such as where vehicles waiting for an MOT/repair would park and wait should ease concerns from the neighbouring objections.

### **Consideration of the applicant's parking strategy**

11. Whilst the Council has limited control in this instance (see above), given significant local objection, officers have asked the applicant for further information on a parking strategy which would increase accountability for the garage's impact on the local parking arrangement.
12. The applicant has declared that within the ownership of the unit, there is sufficient space for the parking of four cars in the front of the unit and that up until recently it was yellow lined accordingly. It has also been declared that Stadium Management Limited have agreed with the freeholders to use some of the land that they own, with the land in front of the unit relined to give 3 spaces for large vans, 3 additional spaces were allocated and yellow lined opposite. The applicant therefore declares Unit 29 to have 6 large parking spaces instead of 4 smaller ones allocated for their specific use.
13. The applicant also states that Stadium Centre Management Limited have engaged SCM Limited to control the parking. A parking permit has been issued for each parking space and appropriate signage has been installed regarding fines for unauthorised parking.
14. The applicant proposes for the garage operations to revert back to 4 car parking spaces to better reflect their needs in terms of types of vehicle. Two of the spaces will be allocated for the MOT use. The applicant states that the garage will operate a collect and delivery service for their vehicles (both at their existing premises and proposed at the application site), meaning that very rarely do customers drive to the site. This is intended to allow movements to be carefully managed by the company and based on this, the available number of spaces and their projected need for parking. It is considered by the applicant that the application site will offer ample provision of parking. In any event the controlled nature of parking on the site will further ensure that any inappropriate parking does not occur.
15. The applicant has provided plans to support the above information. The plan shows the 6 larger spaces allocated to the site outlined in their strategy. The applicant confirms that the spaces are not presently in use as the unit is not occupied.
16. The applicant has provided details on existing and proposed projected number of vehicles arriving at the unit. It has been confirmed that some MOT testing is already undertaken, which provides further assurance that these projections are likely to be accurate. It is confirmed that, prior to the unit being unoccupied, the occupiers were parking 2 staff cars and had a daily collection by a courier and approximately 15 calls/collections a day Monday to Friday by customers, with around 3 deliveries a week. The proposed MOT use is proposed to rely heavily on the collection and drop-off service for customers, meaning that for collection, staff either cycle (using a fold-up bike) or use public transport. There are two members of staff, neither of whom drive to work. It is forecast that the business will service/test/repair on average 5 cars a day, the majority of which would be within the premises for the majority of the day.
17. To strengthen the projected vehicle numbers, the applicant has provided a log of all work and jobs undertaken in the week commencing 11<sup>th</sup> September 2017. The sample week is considered to be representative of normal trading, being outside of the main holiday seasons with normal working hours and full staffing levels throughout the week. The business undertook work during the week as follows:
  - *Monday: One car picked up and kept on site all week awaiting parts. One car dropped in by customer (Total – 2 cars)*
  - *Tuesday: Collected one car for service, 2nd car dropped in by customer (Total – 2 cars)*
  - *Wednesday: Collected one car in the morning, One after lunch (Total – 2 cars)*
  - *Thursday: Two cars dropped in by customers (Total – 2 cars)*
  - *Friday: Once car collected, another dropped in by customer (Total – 2 cars)*

18. The applicant states that the current operations result in a consistent level of daily business, standing at 2 cars per day being worked on. The applicant's initial forecast (as above) was for 5 cars a day, which the applicant states was used as so to err on the side of caution to ensure that the number of cars worked on is not underestimated. It is also confirmed that the range of services offered and staff numbers are not proposed to alter from the existing situation.
19. Whilst the level of trade might be considered low, the applicant states that this is evidenced and commensurate with the size of the company, its drop-off and collection service and the number of staff.
20. The applicant has also provided information in relation to the private parking enforcement, managed by UKPC. Information from UKPC provided to the applicant confirms that the private parking enforcement commenced on 31<sup>st</sup> March 2017 and operates on the basis of all vehicles parked within the business centre needing to display a valid parking permit in their vehicles, between the hours of 8am and 6pm, to avoid being fined. The fines are stated to be £100, or £60 if settled within 14 days. It is also confirmed that parking permits are specific to individual bays within the centre which allows a high degree of enforcement control specific to the individual businesses. The applicant confirms that two of the bays within the centre are visitor's parking bays (no's 49 and 50) and are available to any business within the Centre; parking is permitted here for one hour, with no return within 12 hours. The applicant confirms that UKPC operate a callout service to allow short notice alerts of unauthorised parking to be enforced against. Exceptions are made for delivery vehicles who will park up at the centre on a temporary basis, as long as the driver is present with the delivery vehicle. Finally, the parking enforcement regulations are clearly signposted across the business centre and these were observed by the case officer during a visit to the site.
21. To reiterate, the Council cannot enforce the above arrangement, however officers have asked for such details to be provided in the interests of easing neighbour concerns and ensuring that a strategy is in place. An informative will be applied to the decision notice to encourage the applicant to work with the freeholder to implement their proposed parking and servicing strategy, given the significant local objection to the MOT garage on grounds of parking capacity.

### **Environmental Health**

22. The Council's environmental health officer has considered the application has not identified any concerns or recommended any conditions. An application refers to pollution being caused by the proposal. The proposal would generate vehicle movements, as noted above, and there would be some associated noise and exhaust fumes associated with it. The equipment used to carry out MOTs would also potentially create noise, and an objection cites fumes from paint as being an issue. Painting of cars is not primarily a part of an MOT, but it is possible that some painting would occur, although it is expected to take place inside. An objection notes that there has been oil spilled in the area recently (although it is not suggested that this has been caused by the applicant). There is always the potential for accidents to happen, and any future operators of the site would have a duty to manage their operations responsibly. However, this is an area where such uses are logically found. Therefore, there is no objection to the proposal from an environmental health perspective.

### **Conclusion**

23. As the proposed change of use is acceptable in terms of its principle use in policy terms and in terms of its impact on the public highways, a grant of planning permission is recommended. The applicant will be encouraged to help minimise private parking stress by working with the freeholder to implement and uphold its parking and servicing strategy once the new use has commenced. Approval is accordingly recommended.



**Brent**

**DECISION NOTICE – APPROVAL**

Application No: 16/5144

To: Mr Blythin  
Eclipse House  
Maidstone  
ME14 3EN

I refer to your application dated **29/11/2016** proposing the following:

Change of use from storage and distribution (Use class B8) to car servicing with MOT testing (Use class Sui Generis)

and accompanied by plans or documents listed here:  
Refer to condition 2.

at **29 Stadium Business Centre, North End Road, Wembley, HA9 0AT**

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: 05/10/2017

Signature:

A handwritten signature in black ink that reads "Alice Lester".

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

**Notes**

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

DnStdG



**SUMMARY OF REASONS FOR APPROVAL**

- 1 The proposed development is in general accordance with policies contained in the:-  
  
Brent Development Management Policies 2016  
Brent Core Strategy 2010
  
- 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):  
  
DHA/11948/01  
DSD1296 Rev C  
2012R4 Rev A  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Prior to the commencement of the use, a drawing shall be submitted to the Local Planning Authority and approved in writing showing a minimum of one cycle parking space, in a secure and covered location to protect against theft and weather. Following approval, and prior to commencement of use, the cycle parking shall be implemented in accordance with the approved details, made available and maintained as such thereafter.  
  
Reason: To ensure the site has sufficient cycle parking and makes provisions for sustainable forms of transport.

**INFORMATIVES**

- 1 The applicant is encouraged to work with the freeholder/business centre management to implement their submitted parking and servicing plan and to work to minimise parking capacity issues within the Stadium Business Centre given the significant local concerns raised regarding the MOT garage use on grounds of parking capacity. .

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
07  
17/2516

## SITE INFORMATION

<b>RECEIVED</b>	<b>7 June, 2017</b>
<b>WARD</b>	<b>Kensal Green</b>
<b>PLANNING AREA</b>	<b>Harlesden Neighbourhood Forum</b>
<b>LOCATION</b>	<b>Knowles House and Ananci Hostel, 51 &amp; 53 Longstone Avenue, London, NW10 3UN</b>
<b>PROPOSAL</b>	Demolition of existing buildings on site and redevelopment of the site to provide a six storey block providing 92 self-contained units (69 x 2bed and 23 x 3bed) providing temporary accommodation (Use class Sui Generis) to include a community use (Use class D1) on the ground floor, and a 4 storey block with basement level to provide 57 units (57 x 1bed) providing new accommodation for independent living (Use class C2) with associated communal facilities and staff accommodation within both the blocks and provision for car, cycle, scooter parking, bin stores, landscaping and amenity space
<b>APPLICANT</b>	<b>Brent Council</b>
<b>CONTACT</b>	<b>Pollard Thomas Edwards</b>
<b>PLAN NO'S</b>	See condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p><b>Please click on the link below to view <b>ALL</b> document associated to case</b>  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134678">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134678</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "17/2516" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS


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

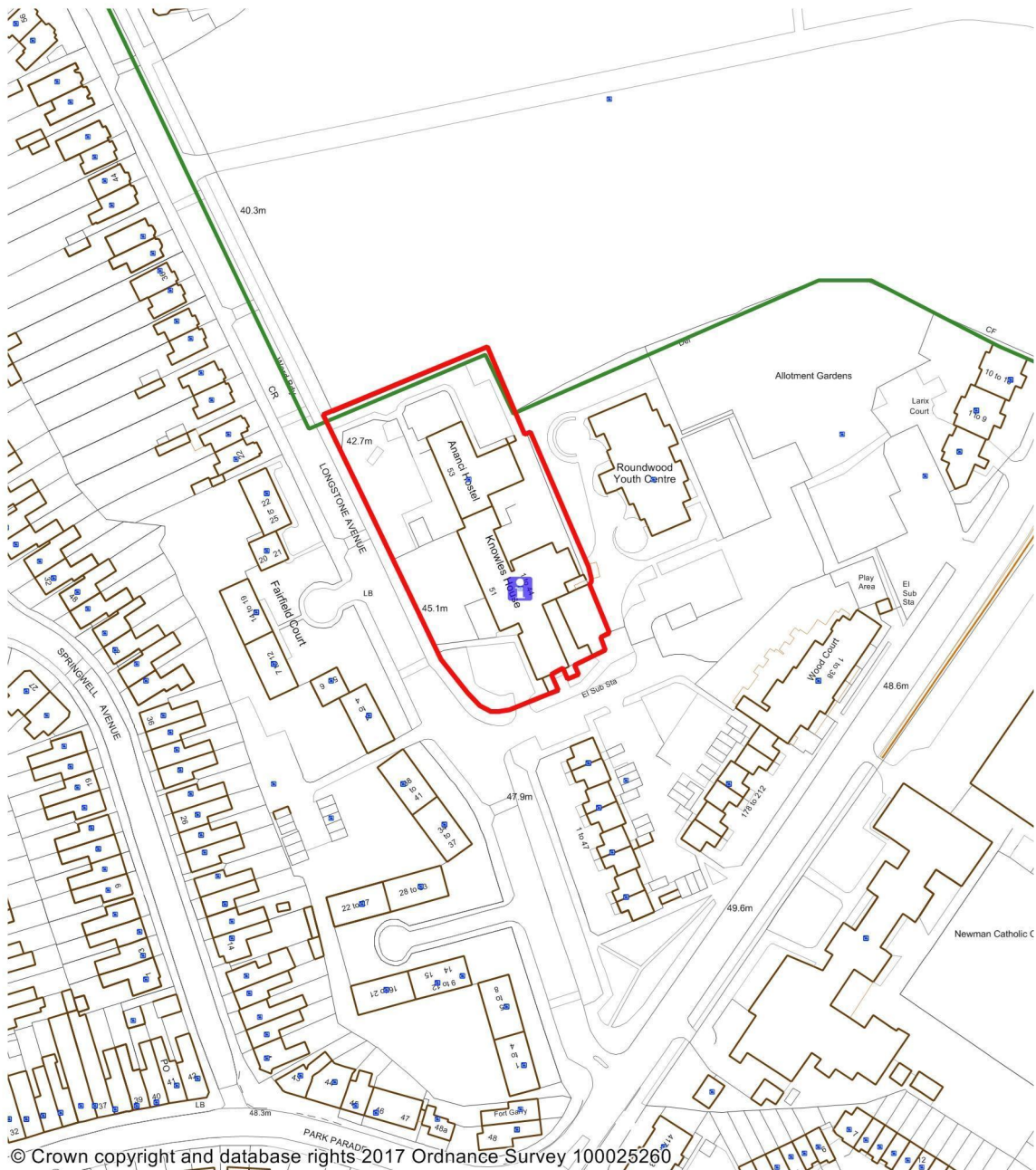
Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Restriction on C2 use
4. Plant
5. Water consumption
6. Nominations Agreement
7. 100% affordable
8. Car parking/cycle spaces
9. Hours of use for D1 use
10. Landscaping
11. Energy Assessment Review
12. Accessibility
13. Sustainable urban drainage system
14. Temporary Accommodation – length of stay
15. Priority use of D1
16. Redundant vehicular crossovers and parking bays
17. Tree protection
18. Materials
19. Air quality
20. Site investigation and Remediation

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.

## SITE MAP

	<p><b>Planning Committee Map</b></p> <p>Site address: Knowles House and Ananci Hostel, 51 &amp; 53 Longstone Avenue, London, NW10 3UN</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 the demolition of the existing buildings and their replacement with a two new buildings. One will consist of a six storey building of 92 self-contained units consisting of 69 x 2bed and 23 x 3 bed units that would provide temporary accommodation. This building would also contain a community use (Use Class D1) on the ground floor. The other building would consist of a four storey building with basement to provide 57 one bed units. The units would provide New Accommodation for Independent Living (Use classC2). Both buildings would also provide communal facilities and staff accommodation as well as the provision for car, cycle, scooter parking, bin stores, landscaping and amenity space.

## EXISTING

The application site concerns two separate buildings located adjacent to each other on the eastern side of Longstone Avenue. The first building is known as Knowles House and consists of a three storey building which was constructed as a purpose built nursing home in the 1970s. The second building was previously known as Anansi Day Nursery and more recently as College Green School and Services/Furness Day Nursery. Both buildings currently have temporary permissions in place for hostels providing bed and breakfast.

Roundwood Park is located to the north of the site and the Roundwood Youth Centre is located to the east. The area is largely residential in character with a variety of residential properties including two storey semi-detached properties and two storey flats are located to the west of the site on the opposite side of Longstone Avenue. Four storey flats are located to the south of the site on Longstone Avenue. The site is not located within a conservation area and does not contain any listed buildings.

## SUMMARY OF KEY ISSUES

**Principle:** There is no objection in principle to the demolition of the existing buildings and their replacement with two purpose built buildings for Temporary Accommodation and NAIL. The TA and NAIL accommodation would meet known local needs and improve facilities for residents. The proposal would be 100% affordable with nomination rights secured by LB Brent. An existing D1 use would be re-provided as part of the development. The principle of development is therefore considered to be acceptable.

**Representations received:** No objections were received from local residents or Ward Councillors.

**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.

**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:** The amount of off street parking and cycle parking proposed accords with standards. Any overspill parking could be safely accommodated on Longstone Avenue however due to the client groups of both facilities this is unlikely to result in unacceptable levels. Access for servicing and pedestrians is considered to be acceptable.

**Environment:** The principles and methodology outlined in the environmental reports regarding air quality and contamination are considered acceptable. Further details in terms of mitigation will be secured by condition.

## RELEVANT SITE HISTORY

15/5219      Granted 05/02/2016

Temporary consent for change of use from children's nursery (Use class D1) to a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years

15/3702 Granted 15/01/2016

Continued use of the building as a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years and 6 months

13/1344 Granted on 11/10/2013

Change of use from care home (Use Class C2) to a hostel providing bed and breakfast accommodation (Use Class Sui Generis) for a temporary period of 2 years.

93/1692 Granted 01/01/1994

Full planning permission sought for the erection of single storey rear extension to Knowles House to provide senior citizens day centre.

LP56264866 Granted 08/11/1968.

Outline application for erection of neighbourhood centre comprising old peoples home, day nursery, flats and maisonettes, old peoples flat lets, social centre with central kitchen and ambulance station.

## CONSULTATIONS

Neighbour consultation letters were issued to 260 properties on the 05/07/2017. Five site notices were displayed on 06/07/2017. Press notice advertised on 13/07/2017

Ward Councillors were notified and have not provided comments.

To date no objections have been received.

### Public Consultation

In addition to the Council's statutory consultation the applicant conducted public consultation and discussions with local ward Councillors prior to the submission of the application. The public consultation involved the distribution of flyers to local residents and the holding of a public event on the 18<sup>th</sup> April at Knowles House.

### Internal consultation

Environmental Health

Transport & Highways

## 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)

Draft Brent Design Guide Supplementary Planning Document (SPD1)

Mayor's Housing SPG

## DETAILED CONSIDERATIONS

### Background and Context

1. 51 Longstone Avenue consists of a series of three buildings with mainly single bedrooms with communal

shower rooms and WCs, a Ground Floor lounge/dining area, activity room, kitchen/dining room and staff office. 53 Longstone Avenue was previously used as the Anansi Day Nursery (previously referred to as Furness Day Nursery) and also following this as the bulge class provision trading as the College Green Nursery.

2. 51-53 Longstone Avenue are currently used to provide temporary accommodation to persons in housing need. Planning permission was granted in 2013 for the change of use of 51 Longstone Avenue from a care home (use class C2) to a hostel providing bed and breakfast accommodation (use class Sui Generis), for a temporary period. This permission was subsequently renewed in 2016 and will expire in July 2018. The building is currently let to and managed by Altwood Properties Ltd and consists of 48 non-self-contained bedrooms with shared facilities and three self-contained flats. 53 Longstone Avenue also currently has a temporary permission for use as temporary accommodation that is due to expire in February 2018.

3. The current application is based on the need to replace outdated buildings and improve services to Brent Residents by providing a significant number of good quality housing for vulnerable households. The proposal is part of Brent's Strategic Property Plan 2015-2018, Brent's Corporate Plan 2015/16, and Brent's Temporary Accommodation Reform Plan as Brent has a significant number of people housed in Temporary Accommodation.

## **Principle**

### Temporary Accommodation and New Accommodation for Independent Living

4. The principle of temporary accommodation has already been established in the site, albeit through two separate temporary permissions. The proposal to include Temporary Accommodation (TA) is based on Brent Council's need to provide accommodation for people who may be homeless. NAIL stands for New Accommodation for Independent Living and is central to Brent's Adult care provision. The NAIL accommodation is designed to house people in more suitable accommodation than the care homes they currently reside in and is important due to the aging population within the borough. As such both forms of accommodation are considered to comply with CP21 which seeks to provide accommodation that meets a known need within the Borough and also provide care and support accommodation to enable people to live independently.

5. In addition to this, policy DMP20 states that self-contained residential accommodation with shared facilities or on-site support/care to assist residents will be supported provided it is located in an area with good access to public transport and other amenities; is of an acceptable quality in terms of the standard of accommodation and external amenity; includes management arrangements; and demonstrates that there is a specific Brent Need. The site is not located in an area with particularly good transport links. However given the temporary nature of the TA and the client group that would use the NAIL it is considered that access to public transport is not an important consideration in this case. Further commentary on the standard of accommodation and amenity space can be found in 'Standard of Accommodation' section of this report; however officers consider it to be of a high quality. Both facilities would be managed 24 hours a day and further details of a management plan for both facilities are recommended to be secured by condition. The applicant has demonstrated that there would be a local need for both forms of accommodation.

### Community/D1 use

6. Westbrook Day Centre, to the south-east of the site, formerly operated as a community centre for the elderly with dementia and has an area of approximately 150 sqm. Following closure, the Westbrook Day Centre was let to the Young Graduate Day Nursery in 2014. The lease was terminated in early 2017 and the building is currently vacant. As part of the current application a community centre or D1 facility would be re-provided on the ground floor of the TA building.

7. The applicant has not provided details at this stage in terms of a specific group that would occupy the premises, the proposed hours of use or details of management. However the applicant has stated that they would advertise the premises ahead of its completion date with the intention of securing a suitable user who would move in on completion. Officers recommended that the hours of use are secured by condition in order



to ensure that the amenity of residents in the TA and NAIL buildings as well as residents on Longstone Avenue are maintained to appropriate levels.

8. The facility would have an area of 144 sqm and would be accessed separately from the TA building on the northern side of the site close to the boundary with Roundwood Park. An indicative layout has been submitted which shows that the facility would have a reception area, office, kitchen and two large rooms with storage that could be used as classrooms or for holding activities. The layout is considered to be of a good quality and would re-provide a community or D1 use, therefore complying with CP23. Officers recommend that priority use for local people to use the facility for 20 hours per week is secured by condition. Officers therefore consider that this element of the proposal is acceptable.

9. Overall officers consider that the principle of development is acceptable subject to the other relevant material planning considerations set out in this report.

### **Affordable Housing**

10. London Plan Policy 3.12 requires boroughs seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. 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. The Mayoral Affordable Housing and Viability SPG states that the Mayor will consider applications that meet or exceed 35% affordable housing provision on a nil grant basis without viability information, subject to certain conditions.

11. The scheme positively proposes 100% affordable housing in excess of the Local Plan affordable housing target and includes both TA and NAIL accommodation. The proposal is a Housing-led initiative that is located on Council owned land. The TA accommodation would help the Council meet its statutory housing duties and provide people with somewhere to live temporarily while more permanent accommodation can be found. With regard to the NAIL accommodation generally the client group targeted would be vulnerable people over the age of 55, with a variety of care needs, currently living in care homes, but who have a degree of independence that would allow them to live a more independent way. The client group would have a variety of different needs. Generally they would have poor physical health and may have physical or sensory impairments, cognitive impairments, social and cultural isolation, vulnerability to and fear of crime, increased sensitivity and risk from high and low temperatures.

12. Officers recommend that conditions securing the accommodation as 100% affordable, rents at no more than 80% market rents (inclusive of service charge) and capped at Local Housing Allowance levels and that 100% nomination rights to the Council are secured by Nominations Agreement.

### **Phasing**

13. The buildings are proposed to be completed in two phases: Phase 1 would include the demolition of the building to the north of the site, No.51, and the retention of the majority of Knowles House or No.53. The applicant has confirmed that only a small number of residents are housed in No. 53 Longstone Avenue, with the majority housed in No. 51. When the first building is demolished it is proposed, closer to the date of demolition, that these units would not be re-let, so the building would be empty and there would be no requirement to rehouse people. Phase 2 would then see the demolition of No.53 with any existing residents decanting to the new TA building to allow for the construction of the NAIL building.

### **Design and Impact on character**

14. In terms of bulk, massing, architectural approach and proposed materials, the building is considered to be acceptable.

### **Impact on Roundwood Park**

15. Roundwood Park is a Grade II registered park that has historic and amenity value. Therefore

consideration has been given to its layout and character and the potential impact that the proposed development could have on it. The TA building would be constructed relatively close to the boundary of the park and there would be an increase in height and mass in comparison to the existing buildings. However, the modern building is considered to be an improvement on the existing buildings in terms of their overall design and views into and out of the park would still be maintained to acceptable levels. Therefore the proposal would be an enhancement to the appearance of some vantage points.

#### Scale, massing and layout

16. The TA building would consist of a six storey 'L' shaped building located on the northern part of the site adjacent to the boundary with Roundwood Park. The NAIL building would consist of a four storey square building set around an internal courtyard located on the southern side of the site.

17. With regard to the overall scale and massing of both buildings, there would be an increase in height from the existing three storey buildings to a four and six storey building respectively. However the topography of Longstone Avenue, which slopes upwards to the south of the site away from Roundwood Park, would help to ensure that the buildings would not appear over dominant in the streetscene and maintain a suitable scale. In addition to this the height proposed would offer a satisfactory transition between the existing rows of four storey buildings to the south of the site.

18. With regard to the layout of the buildings, the TA building would consist of the self-contained community space or D1 facility at ground floor level as well as accommodation, storage and a reception area. The upper floors would then consist of more accommodation and storage. The NAIL building would consist of office space and storage at lower ground floor level, residential accommodation, a kitchen, a communal club room and courtyard at ground floor level; and more residential accommodation and shared spaces in the upper floors. The residential units would be dual aspect and offer views over the central courtyard and Longstone Avenue/Roundwood Park depending on the particular part of the building. The layout of both buildings is considered to be acceptable and would make good use of the site whilst offering residents good levels of amenity in terms of private/communal space and views to the surrounding areas.

#### Appearance

19. The overall design approach has sought to utilise a grid with horizontal proportions and partitions to the vertical divisions. Both buildings would have certain similarities in terms of the form and materials chosen however they would have their own individual character. The design would result in two modern buildings however the approach to their overall appearance would ensure that they fit in well with the existing character of the area.

#### Materials

20. The materials chosen are brick with a contrast between the TA and NAIL buildings. This is based on the applicants desire to soften the transition between the buildings and surrounding area. It is considered reasonable that further details of the materials of all external materials are secured by condition to ensure that the development complements the surrounding area.

21. Overall the design of both buildings is considered to be acceptable.

#### **Standard of accommodation**

22. The TA would contain 92 units in total, consisting of 62 x 2B3P, 7 x 2B4P and 23 x 3B5P units. The proposed units would have internal areas of 40sqm, 61sqm and 62sqm respectively. These sizes are below the minimum sizes required by DMP18 which requires residential developments to be consistent with London Plan policy 3.5 Table 3.3. However consideration has been given to the fact that the units would be used on a temporary basis for approximately 3 months. A number of units on the eastern side of the ground floor would have limited levels of outlook with distances of only 2 metres to the boundary. However consideration has again been given to the temporary nature of the accommodation and in this case it is considered to be acceptable. Residents would have access to communal facilities including laundry facilities,

lounges/kitchenettes and storage and the garden at the front of the site that would have an area of approximately 180sqm that also contains play space. Although no private amenity space is proposed the accommodation is considered to be acceptable based on the quality of the communal areas and the temporary nature of the accommodation. Furthermore the adjacent park would allow access to a shared amenity space.

23. The NAIL accommodation would contain 57 units in total, consisting of 44 x studio or 1B flats and 8 x 1B2P units. The studio flats would have internal areas of 37 sqm which comply within minimum size standards however the 1B2P flats would be 3sqm under the required amount of 50sqm. However in this case residents would also have access to communal facilities such as a laundry room, kitchen, dining area, lounge and seating areas as well as a central courtyard with an area of 277 sqm that would act as outdoor amenity space. Based on the quality and quantity of the communal areas the shortfall of 3 sqm in the eight 1B2P units is considered acceptable on balance. Outlook to some of the ground floor units to the east of the site would be slightly limited at distances of 3/4 metres. However the units would be dual aspect and offer views over the central courtyard.

24. Based on the points discussed above the standard of accommodation is considered to be acceptable for the TA and NAIL units.

### **Impact on neighbouring amenity**

25. Residential properties are located to the west of the site on Longstone Avenue comprising a mix of two and three storey flats and semi-detached properties. To the south of the site there are four storey buildings consisting of self-contained flats. Separate four and six storey buildings are proposed. Generally a separation distance of 20 metres between habitable room windows is required between buildings. In this case the proposed buildings would be set back from the site boundary on Longstone Avenue by 5 metres and would maintain a distance of 29 metres at their closest point from the properties to the west. The applicant has submitted sectioned drawings which have included 30 degree lines as per SPG 17 and draft SPD1 taken from the ground floor habitable room windows. These drawings show a very slight failure of the 30 degree line guidance. However due to the separation distance of 29 metres it is considered that they would not be materially harmful to the residents on the western side of Longstone Avenue.

26. Consideration has also been given to the residential buildings to the south of the site. Windows are contained in the upper floors of the side elevation of the building closest to the site boundary. However these are secondary windows and are located just under 20 metres away. The primary views of these properties are also in an east to west direction. Therefore it is considered that the proposal would not materially harm the amenity of the residents to the south of the site.

27. Due to the separation distances and orientation of the neighbouring buildings it is not anticipated that the proposal would result in any material harm from overlooking, loss of sunlight/daylight or sense of enclosure.

28. Whilst it is acknowledged that the proposal would result in increased and more permanent activity in Longstone Avenue compared to the temporary arrangement that is currently in operation, the activity would largely be confined to the interior of the buildings. With regard to management the TA and NAIL accommodation would be managed by Brent or subcontracted to a management agent. This would be done on a 24 hour basis and further details of a management plan are recommended to be secured by condition.

29. Officers are therefore confident that the proposal would not materially harm the amenity of neighbouring residents.

### **Parking and Access**

30. Car parking allowances for the existing and proposed uses of the site are set out in Appendix 1 of the adopted DMP 2016. For both hostels and care homes, a parking standard of one space per 10 bedrooms applies. The NAIL facility would have staff based on site 24-hours a day, so is considered under the same standards as a care home.

31. Based upon the total number of bedrooms proposed between the TA and NAIL accommodation up to 26 off-street car parking spaces would be allowed. The proposed provision of 12 spaces therefore accords with standards. Policy DMP12 also requires that where a development may generate overspill parking that this can be safely accommodated on-street in the area. Although neither homeless persons nor the NAIL client group are particularly likely to own cars, there is nevertheless on-street parking space for up to 15 cars along the lightly-parked Longstone Avenue frontage of the site, within a mixture of pay and display and residents' permit bays. Officers are therefore confident that there is sufficient space to safely accommodate any overspill parking that could potentially occur on-street.

32. Two of the proposed parking spaces are shown as wide bays for use by disabled Blue Badge holders, which are welcomed. Four spaces would also be provided with electric vehicle charging points (two active & two passive). The London Plan requires the provision of at least 14 short-term bicycle parking spaces, plus a further allowance for staff, giving an estimated total of about 20 spaces. 12 'Sheffield' stands have been indicated alongside the car park to meet this requirement.

33. The car park design is proposed to accommodate access and turning by refuse vehicles to a shared bin store between the two buildings. Additional tracking diagrams have been provided which shows that the turning circle could accommodate a Brent sized refuse collection vehicle. As well as this the canopy area has been increased in height again to accommodate refuse vehicles. Fire appliances would also be able to use the car park access to gain good access to the two buildings. The main pedestrian access to the buildings is proposed along the car park access road, which is to be surfaced in concrete blocks as a shared surface. For the amount of development proposed, including the potentially vulnerable NAIL client group, it is not considered appropriate to mix reversing vehicles and pedestrians and a segregated footway should also be provided into the site alongside the car park to maintain pedestrian safety which will be secured by condition. A separate pedestrian access is proposed to the community space, which is welcomed.

34. The location of the proposed car park in the centre of the site would require a new vehicular crossover from Longstone Avenue. The design of the access has not been detailed, but given the need to accommodate access by refuse and emergency vehicles, it is recommended that 4m radius kerbs be provided. Again it is recommended that this information is secured by condition as part of the site layout. The existing access for Anansi House at the northern end of the site would also become redundant and must therefore be reinstated to footway with full-height kerbs. The arrangement of the parking bays along Longstone Avenue will also need to be amended to suit these revised access arrangements. All works to crossovers and parking bays will need to be funded by the applicant and undertaken by the Highways & Infrastructure prior to occupation of the development. There is also an existing access to the Knowles House car park that would become redundant which would also require reinstating to footway.

## **Energy and Sustainability**

35. 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)

36. 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, ventilation, insulation, thermal mass and low energy lighting. Be Clean measures proposed include reducing CO2 emission through the use of CHP plant and back up by gas boilers and Low Energy Heating. A number of options including a district-heating scheme were explored however for various practical reasons these were not deemed feasible for this development. Be Green measures proposed include the use of Photovoltaics on the roof of the NAIL building. Again other options were explored but were not deemed feasible in this case.

37. The strategy will achieve a 20% 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 secured by condition to secure the delivery of carbon dioxide savings elsewhere.

38. The applicant has not submitted a BREEAM pre-assessment. A rating of Excellent is normally sought for non-residential development however due to the relatively small non-residential element (D1 use 144 sqm) that is proposed it is not considered that the pre-assessment would be necessary in this case.

## **Environment**

### Air Quality

39. The site is within a designated Air Quality Management Area (AQIA), therefore an Air Quality Assessment prepared by Peter Deer and Associates has been submitted considering the potential air quality impacts associated with the proposed construction and future operation of the site. This report has been assessed by the Council's Environmental Health Department.

40. The applicant has submitted a Construction Dust Method Statement that has assessed the potential dust impacts based on an assumption of vehicle access routes and construction works. The report has concluded that assuming that good practice dust control measures are implemented the residual significance of potential air quality impacts from dust generated by earthworks, construction and track-out activities would be negligible. However as this assessment has largely been based in assumptions further details of a Construction Management Plan are recommended to be secured by condition to ensure that local residents are not overly exposed to dust.

41. Predicted impacts on NO<sub>2</sub> concentrations as a result of operational phase exhaust emissions and emissions from the on-site CHP and boiler units were predicted to be negligible at seventeen sensitive receptor locations, slight at seventeen receptor locations and moderate at five receptor locations within the vicinity of the site. However air quality conditions for prospective occupiers have been assessed and pollutant concentrations are predicted to be above the combined benchmark level. Therefore the report recommends that further action is required to tackle the excess NO<sub>2</sub> and Pm<sub>10</sub> emissions. Mitigation measures including the use of mechanical ventilation, the implementation of Green Travel Plans and/or electric charging points as well as increasing the height of the CHP and boiler stacks and/or incorporation of NO<sub>2</sub> abatement technologies to the flues are suggested. However in order to be fully satisfied with these mitigation measures the Council's Environmental Health officer recommends that conditions are secured in relation to the submission of a report describing the mitigation measures in more detail and these will be implemented.

### Flooding

42. 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 Statement does support the application. This confirms the site is at low risk of tidal or fluvial flooding, and that flood risk from all other sources is deemed to be low.

43. 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. This meets Brent and national requirement standards. The proposed development will provide storage tanks and a SUDS scheme which would reduce the flow and flood risk in the area.

### Contamination

44. The requirement to deal with contaminated land is set out in London Plan policy 5.21 and reinforced by the NPPF. The applicant has submitted a contamination report that The Council's Environmental Health department have reviewed. The report includes a desk study, preliminary risk assessment, details of an intrusive investigation, geotechnical assessment and a contamination risk assessment.

45. The Council's Environmental Health officer has recommended that conditions be secured requiring further site investigation works post demolition to determine the nature and extent of any soil contamination present, and proposed remediation measures if necessary and secondly a verification report to demonstrate any remedial works have been carried out fully in accordance with the agreed strategy.

### Trees and Landscaping

46. 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. Tree protection measures and access facilitation pruning are set out within the Phase II Arboricultural Impact Assessment (Ref. 1071) by Russell Ball of Arbol EuroConsulting the content of which will be conditioned. In addition to this a specific methodology within the report regarding proposed works to demolish the electrical substation adjacent to an oak tree are recommended to be conditioned as well as a 'watching brief', photographic evidence of best practice and a pre-commencement meeting with the site manager and project arboriculturalist and a second site visit to review and inspect tree protection measures prior to demolition.

47. The applicant has submitted a detailed landscaping plan for the communal garden area, boundary areas and internal courtyard of the NAIL building. The landscaping plan contains information on boundary treatment, materials, species, planting, furniture and lighting. These are considered to be acceptable and the content of the report will be conditioned accordingly.

### **Conclusion**

48. The proposal would provide accommodation that meets a known local need and would be 100% affordable. The proposal would also re-provide a D1 or community use. The proposal would make good use of a site that has previously been developed and provide a contemporary design that respects that character of the area. The proposal would not materially harm the amenity of neighbouring residents. Based on this and the points raised within this report officers recommend the application for approval subject to conditions.

## **CIL DETAILS**

This application is liable to pay **£2,227,036.18\*** 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): 2247.6 sq. m.

Total amount of floorspace on completion (G): 9865 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
Non-residential institutions	144		111.191647 237709	£0.00	£35.15	£0.00	£4,920.38
Residential institutions	3243		2504.12855 549924	£200.00	£35.15	£630,503.80	£110,811.04
Sui generis	6478		5002.07979 726305	£200.00	£35.15	£1,259,452.23	£221,348.73

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)	282	
<b>Total chargeable amount</b>	<b>£1,889,956.03</b>	<b>£337,080.15</b>

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

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

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



**DECISION NOTICE – APPROVAL**

Application No: 17/2516

To: Mr Reynolds  
Pollard Thomas Edwards  
Diespeker Wharf  
38 Graham Street  
London  
N1 8JX

I refer to your application dated **07/06/2017** proposing the following:

Demolition of existing buildings on site and redevelopment of the site to provide a six storey block providing 92 self-contained units (69 x 2bed and 23 x 3bed) providing temporary accommodation (Use class Sui Generis) to include a community use (Use class D1) on the ground floor, and a 4 storey block with basement level to provide 57 units (57 x 1bed) providing new accommodation for independent living (Use class C2) with associated communal facilities and staff accommodation within both the blocks and provision for car, cycle, scooter parking, bin stores, landscaping and amenity space

and accompanied by plans or documents listed here:  
See condition 2

at **Knowles House and Ananci Hostel, 51 & 53 Longstone Avenue, London, NW10 3UN**

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: 05/10/2017

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 proposal complies with the Development Plan, having regard to relevant material considerations.
  
- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

061\_PL\_001  
061\_PL\_002  
061\_PL\_003 B  
061\_PL\_004 B  
061\_PL\_005  
PL\_010 D  
PL\_011 C  
PL\_012 C  
PL\_013 C  
PL\_014 C  
PL\_015 C  
PL\_016 B  
PL\_020 C  
PL\_021 C  
PL\_022 B  
PL\_023 B  
PL\_024 B  
PL\_025B  
PL\_030 C  
PL\_031 b  
PL\_040 A  
PL\_041 A

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

- 3 Notwithstanding the provisions of the Town & Country Planning (Use Classes Order) 1987, as amended, the extra care facilities hereby permitted shall only be used for the provision of residential accommodation and care to people in need of care or as a hospital or nursing home and for no other purposes within Class C2 of the schedule to the Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that the use remains appropriate for the site location and to ensure that the standards applied to the consideration of the approved development are maintained in connection with the completed development so approved.

- 4 Any plant together with any associated ancillary equipment shall be installed, so as to prevent the transmission of noise and vibration into neighbouring premises. A test shall be carried out prior to the discharge of this condition to demonstrate that the sound levels submitted with the planning application have been met. The results shall be submitted to the Local Planning

Authority for approval.

Reason: To prevent increment of local area noise levels

- 5 Prior to first occupation of 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.

- 6 Prior to the occupation of the development a Nominations Agreement to define nominations criteria and arrangements shall be entered into with the Council, and submitted to and approved in writing by the Local Planning Authority. The Nominations Agreement will set out the policies and procedures for the nomination by the Council of prospective tenants to the development and shall be implemented on occupation and shall remain in effect for the lifetime of the development.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to this scheme being 100% affordable when reaching a decision, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 7 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (at rents up to 80% of the market rents inclusive of service charge, intended for households who cannot afford housing at market rates) and LB Brent will have the right to nominate people to be housed in the whole of the affordable housing development, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the development is implemented in accordance with the approved details submitted having regard to Local Plan affordable housing policy, the weight that was given to this scheme being 100% affordable when reaching a decision and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 8 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

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 The use of the ground floor community space (within Use Class D1) within the Temporary Accommodation building hereby approved shall only be permitted between:-

Mon-Fri: 0800 - 2200 hours

Saturday: 09:00-2100 hours

Sundays and bank holidays: 1000-1800

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

- 10 The landscaping works shall be carried out fully in accordance with the landscaping report Ref: L0462DS01F and dated 13<sup>th</sup> April 2017. The approved details shall be fully implemented prior to the occupation of the building(s).

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.

- 11 No occupation of the development shall occur unless an Energy Assessment Review has been submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site

If the review specifies that the development has failed to meet the above levels, appropriate compensatory measures as described in the Energy & Sustainability Statement (dated June 2017) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

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

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

- 12 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.

- 13 The sustainable urban drainage system (SUDS) works shall be carried out fully in accordance with Flood Risk Assessment report dated February 2017. 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.

- 14 Residents shall not reside in the Temporary Accommodation building for a period of more than

one year.

Reason: due to the size of the units and standard of accommodation that would be afforded to residents.

- 15 When the D1 floorspace is brought into use, priority for booking and using this D1 facility located on the ground floor of the Temporary Accommodation building shall be given to community/voluntary groups for a minimum of 20 hours per week.

Reason: To provide the community with an appropriate provision of community space within the Borough.

- 16 No occupation of the buildings hereby granted shall commence until, the existing vehicular crossovers and parking bays along Longstone Avenue that will become disused or need to be altered shall be reinstated to a footway or altered accordingly shall be done so at the applicant's expense to the Council's satisfaction.

Reason: To ensure that the redundant crossover does not prejudice conditions of safety for pedestrians on the public highway.

- 17 Tree protection measures and access facilitation pruning as set out within the Phase II Arboricultural Impact Assessment (Ref. 1071) by Russell Ball of Arbol EuroConsulting must be adhered to throughout construction and demolition works.

The methodology found in section 7.4.1.2 the Phase II Arboricultural Impact Assessment (Ref. 1071) by Russell Ball of Arbol EuroConsulting including supervision from an arboriculturalist, a watching brief and the submission of photographic evidence of best practice must be provided to the LPA.

Furthermore, all trees within the Phase II Arboricultural Impact Assessment (Ref. 1071) by Russell Ball of Arbol Euro Consulting that are identified for retention as part of this development that fall into irreversible decline and/or die as a result of non-adherence to the approved documents within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed with the Local Authority.

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.

- 18 Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. 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.

- 19 Prior to the commencement of the development, the applicant shall submit a report, describing mitigation measures that will be implemented to ensure the development does not have an adverse effect on the local air quality, and ensure the protection of future occupiers from poor air quality. The report shall be approved by the Local Planning Authority. All approved measures shall be implemented in full by the developer.

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.

- 20 (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](http://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](http://www.brent.gov.uk/CIL).
- 3 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.
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and

may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."

- 5 Thames Water 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.
- 6 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.
- 7 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at [Mark.O'Brien@brent.gov.uk](mailto:Mark.O'Brien@brent.gov.uk), and include photographs showing the condition of highway along the site boundaries.
- 8 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
- 9 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof.

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
08  
17/2540

## SITE INFORMATION

<b>RECEIVED</b>	<b>7 June, 2017</b>
<b>WARD</b>	<b>Queens Park</b>
<b>PLANNING AREA</b>	<b>Kilburn Neighbourhood Forum</b>
<b>LOCATION</b>	<b>97-101 Willesden Lane, Kilburn, London, NW6 7SD</b>
<b>PROPOSAL</b>	Change of use of the function room within the public house (Use Class A4) to a kitchen and chip shop takeaway (Use Class A5), internal alterations and refurbishment works, new kitchen ventilation/extraction system, alterations to the existing decking area to the front of the building and formation of a new door opening to the rear of the building (description amended 30/06/2017)
<b>APPLICANT</b>	<b>Star Pubs and Bars</b>
<b>CONTACT</b>	<b>Concept IDL</b>
<b>PLAN NO'S</b>	Please see condition 2
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p><b>Please click on the link below to view <b>ALL</b> document associated to case</b>  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134704">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_134704</a></p> <p><b><u><a href="#">When viewing this as a Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "17/2540" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

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
2. Carry out the development in accordance with the approved plans
3. Proposed materials to match the existing property
4. Details of the front door and associated hand rail
5. Noise

Any other conditions considered necessary by the Head of Planning

### Informatives

1. Party Wall
2. Retention of internal features

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 it has paid special attention to the desirability of preserving or enhancing the character and appearance of the Queen's Park Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## SITE MAP

	<p><b>Planning Committee Map</b></p> <p>Site address: 97-101 Willesden Lane, Kilburn, London, NW6 7SD</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

This application seeks planning permission to convert the existing function room into a takeaway. The proposal has made reference to serving fish and chips but this application has to consider the change of use to any takeaway, not just fish and chips. It also seeks to make minor changes to the rear courtyard. The initial description of development sought to make changes to the terrace to the front but this has since been withdrawn from the proposal.

## EXISTING

The site is a public house and it is locally listed. It is also adjacent the cemetery which is Grade II listed. In addition, the site is also within the Paddington Cemetery Conservation Area.

## SUMMARY OF KEY ISSUES

The main issues for consideration would be:

### 1: The principle and impact of the change of use

The existing function room is underutilised and has not been used for its original purpose for a number of years. The proposed takeaway would regenerate this space and with the internal door, would also be of benefit to the pub.

With conditions imposed on both opening hours and limiting the impact of the new plant, the change of use would be considered acceptable. Any issue with customers creating noise or anti-social behaviour would be classed as a statutory nuisance and would be covered through separate legislation.

### 2: The impact upon the character and appearance

The proposed changes would not be readily visible and would preserve the character and appearance of the site and surrounding area.

## RELEVANT SITE HISTORY

17/0999 – Withdrawn – 19/05/2017 - Proposed change of use to part of the pub (Use Class A4) to provide a kitchen for the pub and a fish and chip take-away (Use Class A5), including the installation of extraction and ventilation to flat roof extension, alterations to external pub decking area to front of building and a newly formed access opening from pub into enclosed rear yard area

17/0951 – Granted advert consent – 27/04/2017 - Installation of 4 x illuminated fascia signs, 1 x illuminated hanging sign, 4 x lanterns and 3 x non-illuminated hoardings to the exterior of the P.H. premises.

86/1117 – Granted permission – 05/05/1987 – Installation of illuminated signs

## CONSULTATIONS

### Neighbour publicity

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by serving the notice on the adjoining owners or occupiers on 07 July 2017

Overall 1 letter of support and 3 letters of objection have been received. These raised the following material planning considerations:

Comment	Response
Use of the terrace to the front	Paragraph 1.1
Consumption of fish and chips outside of the site, noise, litter and general nuisance from the proposed use and that created by the pub.  Noise from the new plant, vibrations and other general impact	Paragraph 3.7 onwards
Character and appearance and impact upon the adjacent cemetery	Paragraph 4.1 onwards
Parking and highway safety	Paragraph 3.5

#### **Other notifications**

The following were notified regarding this application on 13 July 2017:

Environmental Health – raise no objection subject to condition

Transportation officer - raise no objection to the takeaway. Raised concern with the terrace

Historic England – Do not need to be notified of the application

#### **Site Notice**

A notice advertising the proposal was displayed outside the property from 07 July 2017 for a period of not less than 21 days.

#### **Press Notice**

A notice advertising the proposal was placed in the local press on 13 July 2017

## **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 specific policies applicable to this application are:

National Planning Policy Framework 2012

London Plan 2011

Core Strategy 2010

CP16 Town Centres and the Sequential Approach to Development

Development Management Policy

DMP1 Development Management General Policy

DMP2 Supporting Strong Centres

DMP3 Non Retail Uses

DMP7 Heritage assets

DMP12 Parking

## DETAILED CONSIDERATIONS

- 1.1 For the avoidance of any doubt, this application does not include the decking area to the front of the pub. This was initially referenced in the description of development but it has since transpired that the terrace is located on an area of land that is not controlled by the Public House. The area of land is a public highway and the applicant has been made aware that they need to serve notice and discuss the scheme with the Council's Highway Department. For expediency, this element has been withdrawn from consideration and does not form part of the scheme. This has been referenced in an appropriately worded planning condition.
- 1.2 Therefore the main issues for consideration are:
  1. The loss of the function room and the impact upon the pub.
  2. The principle of the change of use to a takeaway and the impact this would have on the living conditions of the adjacent properties
  3. The impact the proposed alterations would have upon the character and appearance of the site and surrounding area.

### **Loss of the function room**

- 2.1 DMP Policy DMP21 makes specific reference to the loss of pubs and how this is generally resisted as they provide a valuable service to the community. What is being proposed would not result in the loss of the pub but rather the loss of the function room that is located to the side of the pub. According to the supporting information, the function room does not comply with Health and Safety regulations and has not been in use for a number of years. The accuracy of this statement cannot be confirmed but at the time of the site visit, this area was being used as storage space and it appeared that the tables and chairs and other items had not been recently moved. It is therefore likely that this area had not been utilised as a function room for a prolonged period. Its loss would therefore not cause material harm to the running of the public house so an alternate use in this area could be accepted.

### **Change to a takeaway**

#### Principle of the change

- 3.1 The proposed conversion to a takeaway would need to be assessed against Planning Policy DMP3 and this places restrictions upon elements such as the proximity to secondary schools and further education buildings. It also makes reference to the number of takeaways in the area and how this could affect the shopping frontage.
- 3.2 The existing pub is not within a town centre and although is in close proximity to a school, this is not a secondary school or associated with further education, it is a primary school. As Planning Policy DMP3 only makes reference to secondary schools and higher education facilities, the scheme would be in compliance with this part of the policy.
- 3.3 The existing pub is not within a parade of shops. It is also not within a town centre and there would not be an excessive concentration of restaurants (A3) or takeaways (A5) in the vicinity.
- 3.4 In addition to the above, there would be access to the takeaway from inside the pub which would allow customers the chance to purchase food. The proposed change of use could therefore be of benefit to the running and functioning nature of the pub.

#### Parking and highway safety

- 3.5 There are no specific car parking standards for food and drink uses and neither the existing public house nor the proposed take-away have any particular car parking requirements or allowances. Planning Policy DMP12 does state that if any developments are likely to generate on-street parking, that this needs to be safely accommodated on-street. The proposed take-away could generate short term stopping by customers waiting to collect orders but there is kerbside space adjacent to the premises in both the adjoining cemetery entrance area and on the service road that customers could use. There are

also pay and display parking bays opposite the site. The proposed alteration would therefore not cause harm with regard customer parking.

- 3.6 Servicing for the takeaway would occur by transit sized vans and the rear yard of the site would provide sufficient off-street servicing space for this to occur. This would therefore also have an acceptable impact.

#### The flue, noise and odour and the impact upon living conditions

- 3.7 The submitted plans have shown that the flue would be sited behind a parapet and this would not cause a significant sense loss of light or a harmful sense of enclosure. There would also not be a harmful increase in overlooking from the proposed change of use.
- 3.8 A 'Noise Management' document and a 'Litter and Cleanliness Management' document were submitted as part of the application and this has been considered by the Council's Environmental Health Department.
- 3.9 Environmental Health officers are satisfied with the means of extraction but have asked that a condition concerning the noise levels of the plant be imposed on any permission. With this condition in place, the proposed means of extraction would not cause significant harm either in terms of noise or odour.
- 3.10 The submitted litter cleanliness document has advised that the site would not produce large amounts of litter but that items could be dropped by their customers. It advises that there would be bins within the site and it also draws attention to the location of bins outside of the premises. It also states that the staff would ensure that these are emptied on a regular basis but this cannot be controlled through planning condition. The dropping of litter by inconsiderate customers would be an anomaly and if it does occur, this course of action would be covered through separate legislation. For instance other Council Departments could issue a Fixed Penalty Notice if deemed appropriate. This would therefore not sustain a reason for refusal.
- 3.11 There are currently no restrictions upon opening hours for both the public house or the function room but because of the siting and as to limit the impact upon the nearby residential properties, the hours of operation have been controlled through an appropriately worded condition. With this condition in place, the proposed change of use would not cause harm in terms of noise and disturbance.
- 3.14 Adjacent properties have raised concern that a change of use to a takeaway could lead to antisocial behaviour but this would not be a normal occurrence. Any excessive noise would also be a statutory nuisance which is controlled through separate legislation. Appropriate management of the existing public house and the proposal would ensure that there is not an excessive impact on the living conditions of the adjoining occupiers.

#### **Character and appearance**

- 4.1 The existing building is an attractively detailed public house that is locally listed and falls within the Paddington Cemetery Conservation Area. It is a three storey red brick building with an imposing frontage and lavish stone dressings located at the entrance to Paddington Cemetery. The adjacent cemetery is also statutory Grade II listed.
- 4.2 The part of the pub that is to be converted into the takeaway is a later addition and of later construction. It is of less architectural interest but in spite of this, the proposed alterations are minor in nature and would preserve the character of the building and the appearance of the conservation area.
- 4.3 With regards the impact, the proposed cooker extract flue would be mostly internal and the air supply and outlets for the extracts would not be readily visible. The extract within the courtyard would be enclosed and the inlets would be below the parapet level. The other works proposed to the rear are also minor in nature and the visibility would again be limited as they are sited within the rear courtyard. The works as a whole are therefore considered acceptable and would preserve the character and appearance of the conservation area. Therefore setting of the application site and the adjacent heritage assets be preserved.

#### **Summary**

- 5.1 This application does not seek to alter or change the use of the whole of the public house, it seeks to

convert a function room into a takeaway and to make minor changes to the rear. The function room is located to the side of the pub and is currently underutilised. It has not apparently been used for a number of years and at the time of the site visit, was storage space.

- 5.2 The site is in close proximity to a primary school but this is not referenced in DMP Policy. The site is also not located within a town centre and there is not an over concentration of takeaways in this area. The principle of the change can therefore be accepted.
- 5.3 The proposed change of use would not cause harm in terms of parking and highway safety and with appropriately worded conditions to restrict the opening hours and to limit the noise from the plant, the scheme would not cause harm to the living conditions of the adjacent occupiers.
- 5.4 As the proposed external alterations would be well screened, the external alterations would preserve the character and appearance of the site and conservation area. It would also not materially impact upon the setting of the adjacent listed cemetery.
- 5.5 The proposed change of use would therefore have an acceptable impact and would be in compliance with DMP Policies such as DMP1, DMP2, DMP3, DMP7 and DMP12.





Application No: 17/2540

To: Miss Arnold  
Concept IDL  
Suite I  
Sheffield Business Park  
Sheffield Business Centre  
Europa Link, Sheffield  
S9 1XZ

I refer to your application dated **07/06/2017** proposing the following:

Change of use of the function room within the public house (Use Class A4) to a kitchen and chip shop takeaway (Use Class A5), internal alterations and refurbishment works, new kitchen ventilation/extraction system, alterations to the existing decking area to the front of the building and formation of a new door opening to the rear of the building (description amended 30/06/2017)

and accompanied by plans or documents listed here:  
Please see condition 2

at **97-101 Willesden Lane, Kilburn, London, NW6 7SD**

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: 05/10/2017

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  
London Plan (March 2016)  
Brent LDF Core Strategy 2010  
Brent Local Plan Development Management Policies 2016  
Council's Supplementary Planning Guidance 17 - Design Guide for New Development

- 1 To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The scheme does comply with guidance and no pre application discussions were entered into. The local planning authority delivered the decision in a timely manner.

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:

2093-01 – Existing ground floor layout

2093-04 – Existing front elevation,

2093-05 B – Proposed front elevation,

2093-06 – Existing side elevation,

2093-07 B – Proposed side elevation,

2093-08 A – Existing rear elevation,

2093-09 A – Proposed rear elevation,

2093-10 A – Block plan,

2093-100 C – General arrangement,

OS Map A – Block plan,

MHQ764(2) – Ground floor plan,

MHQ764(3) – Roof plan and section BB

MHQ764(4) – Section AA and View A

Reason: For the avoidance of doubt and in the interests of proper planning. Also for confirmation, the height of the eaves of the new building should be no higher than the adjacent property.

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.

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

- 4 No works shall be undertaken until full details of the proposed front door and associated hand rails for the takeaway have been submitted to and approved in writing by the LPA.

Reason: To preserve the character and appearance of this locally listed building

- 5 Any extract ventilation fan shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any extraction plant together with any associated ducting, shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to the Local Planning Authority in writing for approval. The extraction system shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours from the transmission of noise

#### INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 2 The internal fixtures and fittings of the public house are of historic importance and should not be removed or destroyed.

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

18 October, 2017  
09  
17/3480

## SITE INFORMATION

RECEIVED	9 August, 2017
WARD	Kensal Green
PLANNING AREA	Harlesden Neighbourhood Forum
LOCATION	Garage next to 21, Spezia Road, London
PROPOSAL	Demolition of an existing garage and construction of a two-storey semi detached dwellinghouse and basement with associated lightwell, 2No.rooflights to the front, waste storage and boundary wall
APPLICANT	Andrea Clerk
CONTACT	
PLAN NO'S	Please see condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_135722">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_135722</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "17/3480" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

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
2. Carry out the development in accordance with the approved plans
3. Proposed materials to be submitted and approved by the council
4. Condition regarding the parking on the road
5. Window details to be agreed
6. Bin storage to be implemented in accordance with the approved plans
7. Any other conditions considered necessary by the Head of Planning

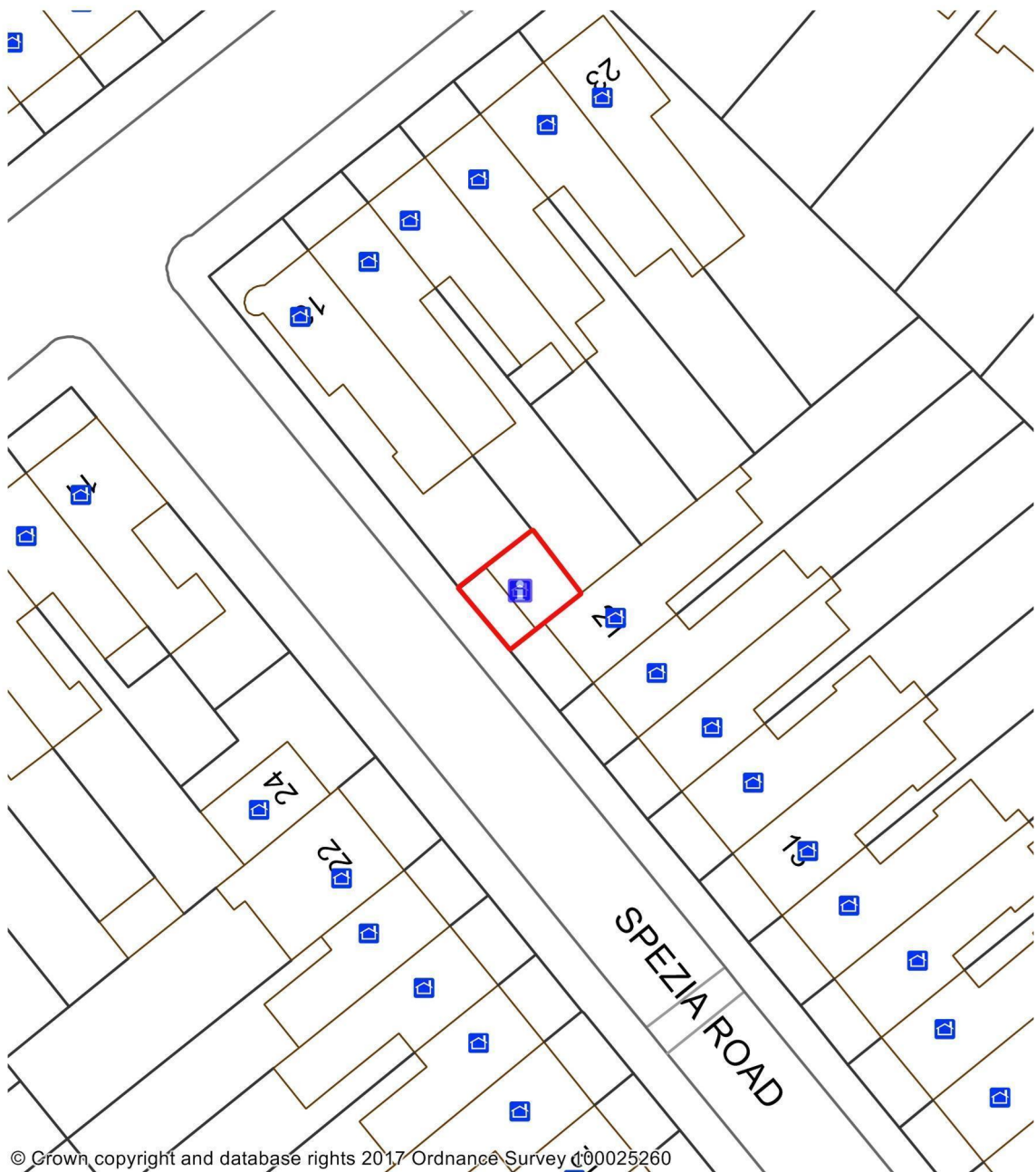
### Informatives

1. Party Wall
  2. Draw the Applicant's attention to the CIL liability
  3. Reference to elements that are covered through separate legislation.
  4. Reference to elements that are covered through separate legislation.
  5. Reference to elements that are covered through separate legislation.
  6. Reference to elements that are covered through separate legislation.
  7. Reference to elements that are covered through separate legislation.
  8. Reference to elements that are covered through separate legislation.
- Any other informatives considered necessary by the Head of Planning

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.

## SITE MAP

	<b>Planning Committee Map</b>
	Site address: Garage next to 21, Spezia Road, London
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes to redevelop the site, demolish the garage and erect a single storey dwellinghouse with a basement and mezzanine level, front lightwell, bin stores and front boundary wall. The dwelling would be finished in brickwork. Railings and front gate would also form part of the proposal.

## EXISTING

The application site is located on Spezia Road, which is a residential area in Willesden, characterised by two storey Victorian terraces. The proposed development relates to single storey garage building, which is positioned on a small parcel of land between and the north-eastern elevation of number 21 Spezia Road (at the front) and the rear boundary wall of number 19 Ancona Road. The building is not listed nor sited within a conservation area.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received on these and other matters, and Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

There is a recent appeal on the site (16/2837) that was determined on 02 March 2017. This sought consent to demolish the existing garages and replace it with a dwelling of a similar size and scale as what is being proposed. It was of a different design as what is currently under consideration and the appeal was dismissed due to the impact it would have upon the site and surrounding area. Therefore the key issue for this application are the impact the proposed dwelling would have upon the character and appearance of the site and surrounding area.

The overall design has been significantly altered and the whole building is now more traditional in appearance. It has drawn reference from the surrounding properties and the proposed roof now pitches away from all of the boundaries. This would reduce the bulk and massing and would be in keeping with the surrounding properties. It would therefore preserve the character and appearance of the surrounding area.

## RELEVANT SITE HISTORY

17/3862 – Pending consideration

Prior approval for change of use of storage unit (Use class B8) located next to No 21 Spezia Road, into a residential unit (Use class C3)

16/2837 – Appeal dismissed on 02 March 2017

Demolition of double garage and erection of a single storey dwellinghouse with a basement and mezzanine level, front lightwell, bin stores and front boundary wall with associated brickwork, railings and gate.

14/1883 – Appeal dismissed – 11 February 2015

Demolition of existing garage and construction of 2-storey one bedroom dwellinghouse with associated landscaping and provision for bin stores to the front.

13/0210 – Withdrawn 12/04/2013

Demolition of double garage and erection of a single storey dwellinghouse with a lower ground



floor and front lightwell, provision of bin store and construction of front boundary wall with associated brickwork, railings and gate.

05/2121 - Appeal Dismissed on 24/01/2006

Full planning permission sought for the demolition of the existing garage and erection of two-storey one bedroom dwellinghouse.

04/1061 - Appeal Dismissed 02/02/2005

Full planning permission sought for two-storey building containing artist's studio, car parking provision and front garden.

03/3653 - Refused 02/03/2004

Full planning permission sought for the erection of two-storey building containing artist's studio, car parking provision and front garden.

97/1147 – Refused 16/09/1997

Erection of 2 storey building to form office suite with integral garage.

94/0948 – Refused 14/12/1994 - Appeal Allowed 05/10/1995

Re-building of two garages for domestic use.

91/2111 – Refused 01/02/1992

Retention of single storey building for storage use (as amplified by letter dated 06/02/92).

85/1995 – Granted 12/03/1986

Demolition of existing garages and erection of 2 garages.

E/03/0071. Enforcement investigation in relation to the erection and installation of replacement roof and doors to garage.

## CONSULTATIONS

### Neighbour publicity

23 letters were sent out to neighbouring properties on 31/08/2017.

4 letters of representation have been received and these raised the following considerations:

### Representation

Out of keeping, would cause harm to the character and appearance of the surrounding area. Issues with the design	Paragraph 3.1 onwards
Does not give permission for the new dwelling to be constructed. Issues with the construction of the proposed dwelling. Not able to attach to utilities.	These are not material planning considerations. They are covered through separate legislation such as Building Control legislation and Environmental Health legislation. A number of informatives have been added to draw the applicant's attention to their responsibilities under other legislation.
Would cause harmful loss of privacy and	Paragraph 4.1 onwards

cause harm to living conditions of adjacent properties	
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### Other notifications

The following were notified regarding this application on 31/08/2017:  
Transportation officer - raise no objection subject to condition

## POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

1. s72 of the Planning (Listed Building and Conservation Areas) Act 1990
2. The National Planning Policy Framework (2012)
3. Housing SPG 2016
4. SPG17: Design guide for new developments
5. Basements SPD

The following policies of the DMP DPD are of particular relevance:

DMP1 Development Management General Policy  
DMP7 Historic Environment  
DMP12 Parking  
DMP17 Conversion of Family Sized Dwellings  
DMP18 Dwelling Size and Residential Outbuildings  
DMP19 Residential Amenity Space

## DETAILED CONSIDERATIONS

### 1 Introduction

1.1 The planning history of the site should be given appropriate weight when determining the current application. Like the current scheme, previous applications sought to replace the existing garages with a house and basement. These schemes were of a different design as to what is being proposed and the latest application (16/2837) was refused by Brent for the following reasons:

1. *The proposed development by reasons of its deficient internal floor area, insufficient setback from the street, resulting in privacy issues and insufficient private amenity space would fail to provide an acceptable quality of living accommodation. This is contrary to Policy 3.5 of London Plan 2016, Policy BE9 of Brent's UDP 2004, SPG 17 - Design Guide for New Development and the emergent guidance set out in Brent's DMP18 – Dwelling Size and Residential Outbuildings and DMP19 - Residential Amenity Space.*
2. *The proposed building, due to design that is out of keeping with the character of the area, in-filling an important space between buildings, failure to supply landscape contribution to frontage and disregarding existing development pattern and urban grain, is contrary to policies BE2, BE9, BE7, BE6 and BE3 of Brent's UDP 2004.*

1.2 The decision was appealed and dismissed on 02 March 2017 primarily for the following reason:

1. *The impact it would have upon the character and appearance of the site and conservation area*

1.3 The current application is of a similar size, scale and footprint as what was dismissed at appeal and differs in terms of the external design in that it is now more traditional in

appearance. The materials are also different and the proposed roof now pitches away from all of the boundaries instead of being curved.

- 1.4 Although the appeal was dismissed, paragraph 8 through to paragraph 17 of the Inspector's report accepted the principle of a new dwelling in this location. It also accepted the impact upon the living conditions of the future occupiers and the impact on the surrounding dwellings.
- 1.5 The most recent appeal did not make reference to the impact upon parking and highway safety but this was considered as part of the planing application. Therefore, subject to a condition (see paragraph 5.1 onwards where), the scheme would not have caused harm in terms of parking or highway safety.

## **2 Principle**

- 2.1 The redevelopment of the site for residential use is supported by the Development Plan and is acceptable in principle. Furthermore, the recent appeal decision noted above did not raise any objection to a new dwelling on this site.

## **3 Character and appearance**

- 3.1 The previous appeal was deemed to have little relevance to the rhythm of the street scene and there were issue with the basement to the front and the impact this would have. The main issue was however the proposed design and the curved nature of the roof in that this along with the proposed materials would be out of keeping.
- 3.2 Although there were issues with the basement and lightwell, it would be enclosed by a wall and would not be readily noticeable. The lightwell could further be enclosed by a grill which would provide additional screening. Since the previous appeal, a new basement SPD has been adopted and this places restrictions upon elements such as the depth of the lightwell and what is being proposed would technically be contrary to this but in this instance, it would not cause harm. The depth of the lightwell would be approximately 0.9m and the guidance states that this should be 0.8m. As this area would be well screened, the proposed basement and lightwell would have an acceptable impact and would preserve the character and appearance of the site and surrounding area.
- 3.3 The design of the proposed dwelling has been significantly amended since the appeals and it is now more traditional in appearance. The alteration to the style of roof and the introduction of details such as the canopy above the front door are more in keeping and the scheme can be seen to have drawn reference from the surrounding dwellings. The size and scale of the proposed windows would also be in keeping but the visual appearance is slightly different to the adjacent properties. Any harm can however be mitigated through an appropriately worded condition. This condition would ensure that details of the openings are submitted to and approved by the Council prior to development which would ensure that the proposed openings are in keeping with the style in the adjacent properties.
- 3.4 The new dwelling would not appear as bulky as what was previously proposed and it would now preserve the character and appearance of the site and surrounding area.

## **4 Impact upon living conditions**

- 4.1 The Inspector for the most recent appeal concluded that the proposed dwelling was of an acceptable size and scale and that it would not cause harm to the living conditions of the adjacent occupiers. The footprint for the previous scheme with storage space in the mezzanine floor provided a GIA of 60.2m<sup>2</sup>. This was deemed to be in compliance with the criteria as set out in the Technical Housing Standards.
- 4.2 The ground floor and basement area for the proposed scheme is of a similar width and depth as what was dismissed at appeal but there is a discrepancy with the submitted plans concerning the proposed storage area/ mezzanine. The submitted plans for this application show that the GIA is smaller than what has been stated in the Design and Access Statement. The GIA when taken from the plans would not be in compliance with what is required by the

Technical Housing Standards but in this instance, it is not considered harmful. The floor area for the ground floor and basement has not altered in size from the previous appeal. Therefore the quality of the living accommodation in this space would remain as it was. There would also be some level of storage space in the loft so the fact that this may be 2.66m<sup>2</sup> instead of 4.8m<sup>2</sup> would not cause material harm to the overall living conditions and the quality of the accommodation that is being proposed. The size and scale of the dwelling is therefore accepted.

- 4.3 Like the previous scheme, the new dwelling would have single aspect openings and there would be a lack of amenity space. Paragraph 12 and 13 of the Inspectors Report stated that the front façade of the proposed dwelling would have a similar relationship to the rear of the pavement as other properties on this side of Spezia Road. It also made reference to there not being a demonstrable loss of privacy. With regards the amenity space, paragraph 19 stated that the nearby Roundwood Park and King Edward VII Sports Ground provided public open space and that the lack of dedicated external amenity space should not weigh against the proposal. The scheme would therefore provide appropriate living conditions of the future occupiers.
- 4.4 The impact upon the living conditions of the adjacent properties was not referenced in the latest appeal but the roof of the new dwelling would slope away from the boundaries. It is also significantly set away from the rear of the adjacent properties. The scheme would therefore not create a harmful loss of light. It would also not create a harmful sense of enclosure and due to the siting of the windows, there would also not be a harmful increase in overlooking or loss of privacy.
- 4.5 The scheme therefore would not materially harm the living conditions of either the future occupiers or the adjacent occupiers.

## **5 Parking and servicing**

- 5.1 The car parking allowance for the proposed new 1-bedroom dwelling would be 0.75 spaces and with no off-street parking space indicated within the site, standards would be complied with. There are however concerns with regards the possible increase in on-street parking.
- 5.2 The proposed removal of the vehicular access to the site would allow the existing 4.8m wide crossover and associated 7.3m long yellow line to be removed. This in turn would allow the on-street parking bays on either side of the site to be extended along the property frontage to provide an additional on-street parking space, thus increasing the parking capacity of the street to 37 spaces.
- 5.3 The increased demand for on-street parking arising from the loss of the garages and from the new house can therefore be safely accommodated within existing and new bays in Spezia Road and this has been addressed through recommended condition 4.
- 5.4 A storage area for refuse bins has been indicated to the front of the site, allowing appropriately convenient collection. There is no provision for a bike store but given the limited space within the site, this in itself would not be considered significantly harmful when balanced against the benefits of the proposal.
- 5.5 Therefore subject to a conditions there would be no material harm on transportation grounds arising from this scheme.

## **6 Summary**

- 6.1 The planning history and appeal decision on the site is a material planning consideration and as these decisions needs to be given significant weight. What was submitted under these applications differs significantly to what is currently under consideration and to address the reasons for refusal, the design has been sufficiently amended. The scheme is now more traditional in appearance and has drawn reference to the character and appearance of the site

and surrounding area.

- 6.2 The scheme has therefore overcome the previous objections and would now be in compliance with DMP Policies such as DMP Policies DMP1, DMP12, DMP16, DMP17 and DMP19. It is also in compliance with the criteria as set out in the London Plan.

## CIL DETAILS

This application is liable to pay **£11,107.31\*** 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): 63.78 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	63.78	26.26	37.52	£200.00	£35.15	£9,447.00	£1,660.31

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)	282	
<b>Total chargeable amount</b>	<b>£9,447.00</b>	<b>£1,660.31</b>

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

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

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



Application No: 17/3480

To: Andrea Clerk  
10 Nant Road  
London  
NW2 2AJ

I refer to your application dated **08/08/2017** proposing the following:

Demolition of an existing garage and construction of a two-storey semi detached dwellinghouse and basement with associated lightwell, 2No.rooflights to the front, waste storage and boundary wall

and accompanied by plans or documents listed here:  
Please see condition 2

at **Garage next to 21, Spezia Road, 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: 05/10/2017

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  
Council's Supplementary Planning Guidance 17 - Design Guide for New Development  
Council's Supplementary Planning Document - Basements
  
- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.  
  
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings:  
  
Location plan  
GSR(11) A – Existing and proposed floor plans and elevations (street scene)  
GSR(10) A – Existing and proposed floor plans  
  
Reason: For the avoidance of doubt and in the interests of proper planning. Also for confirmation, the height of the eaves of the new building should be no higher than the adjacent property.
  
- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the adjacent attached building.  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 4 The development shall not be occupied unless the following highways works have first been carried out at the developers expense;
  - (i) the reinstatement of the existing crossover back to footway and the provision of new on street car parking bays as per drawing GSR(11) A – Existing and proposed floor plans and elevations (street scene) and GSR(10) A – Existing and proposed floor plans
  - (ii) with all associated changes to line marking and associated Traffic Regulation Order costs.  
The development shall not be occupied until all associated highway works have been completed to the satisfaction of the Local Highway Authority.  
  
Reason: To ensure the safety and free flow of the surrounding highway network.
  
- 5 The bin store shown on drawing GSR(10) A (Existing and proposed floor plans) shall be implemented prior to the occupation of the development and shall be retained for the lifetime of the development.  
  
Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.
  
- 6 No development shall commence until full details of the proposed windows have been submitted to (reviewed on site) and approved in writing by the local authority. The works shall

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

Reason: To ensure a high quality design and to protect the character of the building and the visual amenity of the area.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://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](http://www.brent.gov.uk/CIL).
- 3 **STRUCTURAL INTEGRITY**  
The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

- 4 **LICENCES**  
The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before: (i) erecting any scaffolding, hoardings, ganty, temporary crossing or fence on the highway; (ii) depositing a skip; or (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment. The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.
- 5 **HIGHWAYS**  
The applicant is advised that the Highways Act 1980 (particularlry Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:  
[www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations](http://www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations)



6 NOISE

The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

7 VIBRATION

The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage: (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.

8 AIR QUALITY

The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should: (i) take all necessary measures to avoid creating a dust nuisance during both demolition and construction works including excavations; (ii) not burn any materials on the site; (iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel; (iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standard

9 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. This should include the provision of photographs showing the condition of highway along the site boundaries.

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