



Planning Committee

Wednesday 17 January 2018 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

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

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

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

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

or

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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests		
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		1 - 10
PART 1- APPLICATIONS FOR DECISION		
3. 107 Brondesbury Park, Brondesbury, London, NW2 5JL (Ref. 17/2670)	Brondesbury Park	15 - 30
4. 79-83 ODDS, Kenton Road, Harrow, HA3 0AH (Ref. 17/3717)	Northwick Park	31 - 56
5. Garages rear of, Rayners Close, Wembley (Ref. 17/0502)	Sudbury	57 - 78
6. Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ (Ref. 17/4151)	Fryent	79 - 96
7. Oakington Manor Primary School, Oakington Manor Drive, Wembley, HA9 6NF (Ref. 17/3940)	Tokington	97 - 114
8. Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB v(Ref. 17/4508)	Fryent	115 - 132
9. 1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR (Ref. 17/2884)	Kilburn	133 - 142
10. WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR (Ref. 17/3673)	Willesden Green	143 - 158
11. Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA (Ref. 16/5066)	Kensal Green	159 - 168
12. Any Other Urgent Business		
Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Date of the next meeting: Wednesday 14 February 2018



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 December 2017 at 7.00 pm

PRESENT: Councillors Moher (Vice-Chair, in the Chair), S Choudhary, Colacicco, Daly, Kabir (substitute for Councillor Agha) and Maurice

Apologies for absence were received from Agha and Hylton.

1. Declarations of interests

None.

Approaches.

6. Parkwood House, Albion Way HA9 0LP (Ref. 17/2782)
All members received an email from the applicant's agent
7. Units 1-5 Cannon Trading Estate First Way HA9 0JD (Ref. 17/3797)
All members received an email from the applicant's agent introducing the scheme.

2. Minutes of the previous meeting

RESOLVED:-

that the minutes of the previous meeting held on 15 November 2017 be approved as an accurate record of the meeting.

3. 107 Brondesbury Park, Brondesbury, London, NW2 5JL (Ref. 17/2670)

PROPOSAL: Demolition of existing single storey rear extension, conversion of garage into a habitable room to include replacement of garage door with window and new entrance door, erection of a single storey side to rear extension, roof extension to also include a rear dormer window, insertion of seven rooflights and conversion of dwellinghouse into 6 self-contained flats (1x 3bed and 5x 2bed), provision for cycle parking spaces and bin stores and subdivision of rear garden space

RECOMMENDATION: That the Planning Committee resolve to grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the matters set out in the report

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 adjacent Willesden Green Conservation Area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

David Glover (Acting Development Management Manager) in reference to the supplementary report amended the recommendation to deferral to enable a further period of consultation

DECISION: Deferred for re-consultation.

4. 48 Brondesbury Park, Kilburn, London, NW6 7AT (Ref. 17/2807)

PROPOSAL: Conversion of the dwellinghouse into 7 self-contained flats (5 x studios, 1 x 1bed and 1 x 3bed) to include the insertion of rooflights to existing side extension, new door opening to the ground floor rear elevation, car and cycle parking spaces, bin stores, landscaping, amenity space and replacement of the hinged gates with new sliding gates to the front boundary elevation.

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.

Members agreed additional informatives on Party Wall Act 1996, repairs to damaged public realm, maximum standards of fire safety and that the Council encourages payment of London Living Wage to all employees.

DECISION: Granted planning permission as recommended with additional informatives as set out above.

(Voting for approval was unanimous: For 6: Against 0)

5. 634-640 Kingsbury Road, London, NW9 9HN (Ref. 17/2545)

PROPOSAL: Variation of condition 8 (gym opening hours) of application reference 98/0338 and condition 1 (car parking opening hours) of application reference

98/1106, to allow 24 hour operation of the first floor gym and associated car parking area.

RECOMMENDATION: That the Planning Committee resolve to grant planning permission subject to conditions as set out in the report.

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 or informatives) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

Victoria McDonagh (Area Planning Manager) outlined the proposal and set out the key issues. She clarified that allowing the operation of the first floor of the building and the car park would result in the conditions no longer serving a useful purpose (as they solely restricted those matters) and as such they have been removed from the draft decision notice. She continued that the condition relating to the use of the first floor (as a health and fitness centre) had been replicated and additional conditions have been attached regarding noise mitigation measures, amplified noise and plant noise as discussed within the report.

John Fairbairn (objector) raised concerns on behalf of his fellow residents on the following issues;

- (i) Disturbance to sleep.
- (ii) Noise nuisance from the car park and when weights were dropped.
- (iii) By allowing the use of the car park on 24 hour basis, residents' security would be compromised.
- (iv) Applicant's lack of consultation with the residents on the proposal.

In response to a member's question, the objector stated that residents had not in the past complained to the Council's Environmental Health because they were comfortable with the gym's operation up to 10:00pm, although the Police had been called about a fire incident.

Peter Tanner (applicant's agent) informed members that detailed noise and vibration assessment report was submitted with the application which was considered acceptable by the Council's Environmental Health Officer. He added that the extension of operating hours would promote on-going security and CCTV in the car park area, thus enhancing the quality of the environment.

In responding to the objector's concerns, the Area Planning Manager highlighted that no resident complaints had been made to the Council's Environmental Health Officer. Members agreed, however, to amend condition 4 to add reference to measures to reduce vibration in order to safeguard the amenities of residents

DECISION: Granted planning permission as recommended with amended condition 4 to include measures to minimise vibration.

(Voting on the recommendation for approval was: For 4; Against 1)

6. Parkwood House, Albion Way, Wembley, HA9 0LP (Ref. 17/2782)

PROPOSAL: Demolition of existing building including clearance of site, and erection of a part 13 and part 17 storey building comprising 113sqm of affordable workspace (Use Class B1) at ground floor level and 283 bedroom student accommodation (Use class Sui Generis) on the above floors with ancillary student reception area on the ground floor, cycle parking, bin stores, amenity space, landscaping, public realm works, installation of a rainwater attenuation tank and other associated works.

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

That the Head of Planning be granted delegated authority to negotiate the legal agreement to achieve the matters set out in the report.

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, 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.

Victoria McDonagh (Area Planning Manager) introduced the report and summarised the key issues as set out in the report. She added that 3 letters of objection were received from residents from Danes Court and Empire Court highlighting issues including anti-social behaviour of students.

Fatema Karim-Khaku (objector) stated that out of 350 flats in Danes Court and Empire Court, only a few residents received consultation letters, although letters were sent to all students in the nearby student accommodation. She continued that as the Wembley Area Action Plan (WAAP) policies did not make any mention

of student accommodation, she considered that the proposal constituted a breach of policies. In response to a member's question, the objector clarified that noise nuisance and drug dealing would be on an increase at night and therefore the proposal would be inappropriate within the area. She added the management plan referred to in the report would not be adequate to control the resulting harm.

Simon Marks (applicant's agent) stated that the proposal which would be managed by Fresh Living would be completed with 2 years of the grant of planning permission and would respond to the high demand for student accommodation in the Wembley area. He added that the proposal which complied with daylight and sunlight assessments would make significant contributions to the Community Infrastructure Levy (CIL), CPZ for the area as well as the local economy.

In response to members' queries, Simon Marks stated that as part of the engagement process, 2 public exhibitions were held and leaflets were sent to residents of Dane Court and Empire Court. He added that the management plan submitted with the application included a Student Liaison contact and the installation of CCTV. Members heard that the proposal would incorporate sprinkler systems throughout the building and although there would be no requirement a car park, a lay-by would be provided for drop off, pick up and to minimise any possible disturbance.

In the ensuing discussion, members sought clarification on the height of the building, the potential impact of the proposal on on-street parking, the potential impacts of students on surrounding areas and whether the 20% cap for student accommodation had been reached or breached by the proposal. Officers were also asked to explain the consultation process with the residents and clarify measures to resolve possible anti-social behaviour.

Victoria McDonagh clarified that while the building was in an area identified as "inappropriate for tall buildings", the stepped approach to height between the proposed building and the existing and approved buildings in the immediate vicinity meant that the height of the building fitted well with its context and that student accommodation was supported by the London Plan. In overall terms, the proposal which would not constitute a breach of the 20% cap on student accommodation in the area complied with the Site Specific Allocation for the site which did not exclude the provision of student accommodation. In respect of anti-social behaviour, she recommended an amendment to condition 25 for a Dedicated Community Liaison Contact to be specified within the management plan.

David Glover (Acting Development Management Manager) added that in accordance with legal advice sought the 20% cap under policy WEM 23 had not been reached. He added that the CPZ contribution was for a 5 year period to limit the impact of the proposal on parking in the immediate area.

DECISION: Granted planning permission as recommended with reference to a "Dedicated Community Liaison Contact" to be specified within the management plan – condition 25.

(Voting on the recommendation for approval was unanimous: For 5; Against 0)

7. Units 1-5 Inc, Cannon Trading Estate, First Way, Wembley, HA9 0JD (Ref. 17/3797)

PROPOSAL: Demolition of the existing buildings and erection of a part 7/9/10/11 storey building, comprising educational use (Use Class D1), office use (Use Class B1(a)) and student accommodation (Use Class Sui Generis), with ancillary external landscaping.

RECOMMENDATION: Resolve to grant planning permission subject to conditions and the completion of a satisfactory Section 106 or other legal agreement and to a Stage 2 referral to the Mayor.

That the Head of Planning be granted delegated authority to negotiate the legal agreement to achieve the matters set out in the report.

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, 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.

Victoria McDonagh (Area Planning Manager), introduced the application and outlined its key aspects. With reference to the supplementary report, she clarified nomination rights/affordable housing, the number of wheelchair accessible bed spaces proposed, the applicant's update on the financial contribution for CPZ contribution, amendments to several conditions and the heads of terms of the Section 106 legal agreement.

Owain Nedin (applicant's agent) in endorsing the recommendation for approval set out the key aspects of the proposed development including permanent facilities for UCFB, office workspace on flexible rental terms and realistic delivery times. He added that the height of the proposal would respond and respect similar buildings in the area; 2 metres lower than Kelaty House and the nearby Quintain building but below the previously approved height.

Victoria McDonagh in summing up stated that the height of the building was acceptable in policy terms. She reiterated the recommendation for approval subject to conditions as amended and a further amendment to condition 21 to refer to a “Dedicated Community Liaison Contact” to be specified within the management plan

DECISION: Granted planning permission as recommended subject to alterations to heads of terms and conditions as amended as follows: 8 (car free development), 11 (car parking spaces), 13 (materials), 14 (landscaping), 17 (external lighting), 22 (air quality assessment), 23 (noise impact assessment), 26 (waste management) as set out in the supplementary report and a reference to a “Dedicated Community Liaison Contact” to be specified within the management plan – condition 21.

(Voting on the recommendation was unanimous: For 6 : Against 0).

8. Land East of Wembley Stadium Plot E05, First Way, Wembley (Ref. 17/3213)

PROPOSAL: Full planning application for the construction of a building ranging between 3 to 22 storeys (and basement level) comprising of 458 residential units, 285sqm of commercial floorspace (Use Class A1, A2 or A3) and/or community use floorspace (Use Class D1) and/or leisure floorspace (Use Class D2), and/or Office floorspace (Use Class B1) 77 coach parking bays, 202 disabled car parking spaces, 141 standard car parking spaces, cycle storage, refuse provision, landscaping and servicing provision (and associated infrastructure).

RECOMMENDATION: That the committee resolve to GRANT planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Head of Legal Services.

That the Committee resolve to GRANT planning permission subject to any direction by the Mayor of London pursuant to the Mayor of London Order and any direction by the Secretary of State pursuant to the Consultation Direction.

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.

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.

Colin Leadbeatter (Principal Planning Officer) introduced the application and set out the key issues. He referenced the supplementary report which addressed the inaccuracies within the original report, clarified the quantum of affordable housing and drew members' attention to the amendment in condition 17.

As members had indicated they were minded to approve the recommendation to grant planning permission the applicant's agents advised they would withdraw their request to address the committee.

DECISION: Granted planning permission as recommended and amended condition 17 as set out in the supplementary report.
(Voting on the recommendation for approval was unanimous: For 6; Against 0)

9. Former VDC/Careys site, South Way, Wembley HA9 0HX (Ref. 17/3151)

PROPOSAL: Coach park to provide 290 coach parking spaces (or up to 1,015 car parking spaces) (Sui-Generis Use) over two levels (lower ground and upper ground floor levels) and car park to provide 734 car parking spaces (Sui-Generis Use) over five levels above (first to fifth floor levels) on the western portion of the application site along with associated hard and soft landscaping and access arrangements; vehicular access to the coach and car park would be from South Way and access to the tracks and maintenance shed would be retained for Network Rail.

RECOMMENDATION: Resolve to grant planning permission subject to conditions, the completion of a satisfactory Section 106 or other legal agreement and a Stage 2 referral to the Mayor of London.

That the Head of Planning be granted delegated authority to negotiate the Section 106 legal agreement to achieve the matters set out in the report.

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, 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.

Colin Leadbeatter (Principal Planning Officer) introduced the report and set out the key aspects including the principle of use and development, scale, layout and appearance, highways, light, noise and air quality. He referenced the supplementary report which addressed an inaccuracy within the report; an 8m high lighting column and not 12m as stated.

As members had indicated they were minded to approve the recommendation to grant planning permission the applicant's agents advised they would withdraw their request to address the committee.

DECISION: Granted planning permission as recommended.
(Voting on the recommendation for approval was unanimous: For 6; Against 0)

10. Any Other Urgent Business

None.

The meeting closed at 8.50 pm

R MOHER
Vice Chair (in the Chair)

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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.

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

17 January, 2018
08
17/2670

SITE INFORMATION

RECEIVED	15 June, 2017
WARD	Brondesbury Park
PLANNING AREA	Brent Connects Kilburn
LOCATION	107 Brondesbury Park, Brondesbury, London, NW2 5JL
PROPOSAL	Demolition of existing single storey rear extension, conversion of garage into a habitable room to include replacement of garage door with window and new entrance door, erection of a single storey side to rear extension, roof extension to also include a rear dormer window, insertion of seven rooflights and conversion of dwellinghouse into 6 self-contained flats (1x 3bed and 5x 2bed), provision for cycle parking spaces and bin stores and subdivision of rear garden space
APPLICANT	Mr Bhanji
CONTACT	Bonnystreet Planning Limited
PLAN NO'S	Please see condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_134850</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/2670" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Planning Committee resolve to grant planning permission and delegated authority to the Head of Planning to issue the planning permission and impose conditions and informatives to secure the 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. Permit free restriction on units 3 and 5
5. Restriction regarding the use of the flat roof as a terrace
6. Change to House of Multiple Occupation (HMO)
7. That the parking spaces can only be used for purposes ancillary to the development
8. Restriction on side facing windows in eastern elevation
9. Details of the front garden layout to be submitted and implemented
10. Noise insulation between flats

Any other conditions considered necessary by the Head of Planning

Informatives

1. Party Wall
2. Details of pavement to be taken and restored if damaged during construction
3. Maximum standards for fire safety
4. Payment of London Living Wage

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 adjacent Willesden Green Conservation Area as required by Section 72

SITE MAP



Planning Committee Map

Site address: 107 Brondesbury Park, Brondesbury, London, NW2 5JL

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This map is indicative only.

PROPOSAL IN DETAIL

This application seeks planning permission for a the demolition of the existing single storey rear extension, the conversion of garage into a habitable room to include replacement of garage door with window and new entrance door, erection of a single storey side to rear extension, roof extension to also include a rear dormer window, insertion of seven rooflights and conversion of dwellinghouse into 6 self-contained flats (1x 3bed and 5x 2bed). The scheme would also include the provision for cycle parking spaces and bin stores and the subdivision of the rear garden.

EXISTING

The site is a large semi-detached residential house. It has previously been extended and is not listed. It is also not within a conservation area but the start of the Willesden Green Conservation Area adjoins the rear boundary of the property.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Letters of objection have been received from 8 residents and one councillor regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

- **Principle of Development:** The proposed conversion complies with Council policy regarding the principle of development as the existing house exceeds the minimum floorspace threshold and a 3-bedroom dwelling is created of an appropriate standard.
- **Design and potential impact on character or neighbouring amenity:** The proposed extensions would be of an acceptable appearance and would not result in an unduly detrimental impact on the amenities of surrounding occupiers or the character of the locality.
- **Transportation:** The proposal would provide off-street parking and a parking permit restrictions would prevent the residents from being able to park additional cars on-street within the locality of the application site. Cycle Parking has been proposed and the development would not have an adverse impact on parking or highway safety.

RELEVANT SITE HISTORY

03/3408 – Granted permission – 15/01/2004 - Erection of part two-storey, part single-storey side extension, rear dormer window and 2 front roof-lights to dwellinghouse

02/1106 – Granted permission – 25/07/2002 - Erection of a part two-storey, part single storey side extension and installation of rear dormer to dwellinghouse

CONSULTATIONS

In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the application was publicised by consultation letters that were sent to the adjoining owners or occupiers on 27 June 2017, and a re-consultation on amended plans occurred on 29/09/2017. The consultation was repeated on the 22/12/2017 as a high proportion of neighbouring properties reported that they did not receive the letters from the September consultation.

Overall 8 letters of representation have been received. These raised the following material

planning considerations:

Comment	Response
The dwelling has connected to the electrical mains supply without consent	This is not covered through planning legislation and the person who made this comment has already been advised to contact the utilities company and possibly the police if it transpires that they have committed criminal damage.
Impact upon character and appearance of the area	Paragraph 1.3 and paragraph 1.16 onwards.
Parking and highway safety	Paragraph 1.18 onwards
Impact upon the living conditions of the adjacent occupiers.	Paragraph 1.7 onwards
Legal precedent and overall precedent	Legal matters are not material planning considerations. The Council is legally required to assess each application on its own merits.
Creation of noise	The application does not propose any plant and the proposal would continue to provide residential units within a residential area. Reasonable use of the proposed dwellings would not have an unduly detrimental impact on the neighbouring occupiers. Any excessive noise created by the existing or future residents would be controlled through Environmental Health legislation.
Size and scale of gardens	Paragraph 1.15
Impact upon amenity services	The proposal is not likely to have any significant impact on the capacity of amenity services.
Overcrowding	Paragraph 1.10 onwards
Building and construction work	These are not material planning consideration. The impacts of construction works are managed through Environmental Health Legislation.

Councillor Shaw – Objection and request for the application to be determined at committee and raised concern with the following:

Comment	Response
Overdevelopment and out of keeping	Paragraph 1.3 onwards
Impact upon living conditions of	Paragraph 1.7 onwards

adjacent properties	
Pollution and noise	See above discussion.
Parking	Paragraph 1.18 onwards
Applications to convert the surrounding properties could be submitted in the future.	This is not a material planning consideration and each application must be assessed on its merits.

Environmental Health – 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 specific policies applicable to this application are:

NPPF (2012)
 Mayors Housing SPG 2016
 National Technical housing standards 2015

London Plan 2016 key policies include
 3.5 Quality and Design of Housing Developments
 6.9 Cycling
 7.4 Local Character
 7.6 Architecture

Brent Core Strategy 2010
 CP17 The suburban character of Brent
 CP21 A balanced housing stock

Development Management policies 2016
 DMP1 Development Management General Policy
 DMP7 Brent's Heritage Assets
 DMP12 Parking
 DMP16 Resisting Housing Loss
 DMP17 Conversion of Family Sized Dwellings
 DMP18 Dwelling Size and Residential Outbuildings
 DMP19 Residential Amenity Space

DETAILED CONSIDERATIONS

1.1 The main issues for consideration are:

1. The proposed extensions and the impact that these would have upon the character and appearance of the site and surrounding area.
2. The impact upon the living conditions of the adjacent occupiers.
3. The principle of the conversion and the impact this would have.

Proposed extensions

Character and appearance

1.2 The existing property is a large semi-detached dwellinghouse that has been extended

previously. A number of extensions and alterations are proposed including extensions to the roof, the demolition of the existing single storey rear extension and construction of a new single storey rear extension and various other alterations to the building.

- 1.3 With regard to the roof extensions and alterations, the existing side extension has a gable front with a valley roof between the extension and the main house. The proposal includes the construction of a hipped roof over the side extension connecting the original roof with that of the existing extension. This results in a form that accords with SPG5 and SPD2 guidance and is in keeping with the character of the house. The proposed rear dormer also accords with guidance and does not appear overly dominant within the roof plane. A number of rooflights are proposed, which also do not appear overly dominant. It should be noted that SPD2 does not restrict the number of rooflights that may be installed. The proposed roof extensions and alterations therefore preserve the character and appearance of the building and surrounding area.
- 1.4 During the course of this application, the proposed design of the rear extensions was amended. These amendments included a reduction in the size of the single storey rear extension and the balconies/ terraces were removed. Given the size and scale of the building and the overall size of the plot, the rear extension would not be prominent or out of keeping and would not be considered harmful. The rear extensions would project 3 m beyond the rear wall of the attached adjoining property and has a height of 3 m above ground level, in accordance with SPG5 and draft SPD2. The depth of the rear extension then steps out to 3.5 m at distance of approximately 2.5 m from the boundary, mitigating the potential impact of the additional depth of extension in line with SPD2. The re-constructed single storey rear extension does not project beyond the rear wall of the existing extension adjacent to the boundary with the non-attached property, No.105, and the height of the proposed extension is lower than the existing. As such, the impact of the proposed extension is less than that of the existing extension.
- 1.5 The rear boundary of the site adjoins the Willesden Green Conservation Area. However, the site is not within the conservation area. The proposed extensions, both separately and cumulative, are in keeping with the character and appearance of the property and surrounding area and do not result in harm to the adjacent conservation area. The proposed alterations are therefore in compliance with policy DMP1 and DMP7.
- 1.6 A number of representations have made reference to the conversion altering the character and appearance of the surrounding area. They are concerned that the conversion would be out of keeping and would cause harm to the character and appearance of the surrounding area. As discussed above, the proposed extensions and alterations are considered to be in keeping with the character of the house and the area, and are not considered to be detrimental to the character of the conservation area.
- 1.7 Concern was also raised regarding the separation of the garden and this was amended with the recent change in design. The proposed fences that would separate each garden and from the communal area would step down so would not create an imposing area. The gardens along with the proposed conversion would therefore preserve the character and appearance of the site and surrounding area. It should be noted that fences up to a height of 2m can be erected in rear gardens without the need of planning permission.

Living conditions of surrounding occupiers

- 1.8 The proposed extensions and alterations to the roof are situated over the main house. As such, they are not considered to result in an unduly detrimental impact on the light or outlook from the adjoining properties, having regard to SPG5 and draft SPD2. There are rooflights within the side roof planes. However, these are not primary windows for habitable rooms and conditions are recommended requiring these to be obscure glazed and fixed closed (or high level opening only) to ensure that the privacy of surrounding occupiers is suitably maintained.
- 1.9 As referenced above, the rear elevation was amended during the course of the application and the height and depth of the single storey addition was altered. The proposed single storey extension accords with SPG5 and draft SPD2 in relation to the attached adjoining dwelling. The proposed single storey rear extension is the same depth but slightly lower

than the existing extension adjacent to the non-attached adjoining property (No. 105). The proposed extensions are a large distance from the rear boundary. As such, the proposed extensions and alterations accord with adopted guidance and are not considered to result in an unduly detrimental impact on the amenities of surrounding occupiers.

- 1.10 Objectors have specified concern regarding the impact of the converted units on the surrounding homes, in terms of the intensity of use (including noise and other disturbances, overcrowding). The proposed development would continue to result in residential dwellings within a residential area. It therefore does not introduce uses that are inappropriate to a residential area. It would increase the intensity of use of the property. However, planning policy and guidance seeks to optimise the use of properties and land providing uses are compatible with the surrounding area. The reasonable use of the flats would not have an unduly detrimental in terms of noise or other disturbances and excessive noise that may be created can be controlled through environmental health legislation.

Principle of the conversion

- 1.11 Planning Policy DMP17 states that a property with 3 bedrooms or more would be classed as a family home and places restrictions upon the size and scale of the existing unit as well as ensuring the re-provision of a family dwelling. For the conversion to be in compliance with this policy, the existing dwelling must have a footprint of above 130m². The proposed scheme must also include the re-provision of at least a 3 bedroom family property to current standards, with direct access to an adequately sized garden.
- 1.12 When the current scheme is assessed against Planning Policy DMP17, it appears to be in compliance. For instance the existing house has 7 bedrooms and has a footprint of approximately 444m² which is significantly above the 130m² as required by policy. The proposed scheme would also re-provide a 3 bedroom dwelling which would be sited on the ground and first floor with direct access to a private amenity space and access to the communal garden. The proposal complies with policy DMP17 and the principle of use is therefore considered to be acceptable.

Quality of accommodation within the proposed flats

- 1.13 The proposed conversion would create 6 new flats and these would mainly be 2 bedroom dwellings with a 3 bedroom property located on the ground and first floor. All the proposed units would just be in compliance with Gross Internal Floor Area (GIA) as required by the London Plan and Technical Housing Standards. Each unit would also have access to either a private garden or a communal amenity space that would be accessed via the side of the house.

Unit number	Number of bedrooms/ people	Required GIA	Provided GIA	In compliance?
Unit 1	3b5p	93m ²	113m ²	Yes
Unit 2	2b4p	70m ²	81m ²	Yes
Unit 3	2b3p	61m ²	70.7m ²	Yes
Unit 4	2b4p	70m ²	71m ²	Yes
Unit 5	2b3p	61m ²	61m ²	Yes
Unit 6	2b4p	70m ²	73m ²	Yes

- 1.14 The proposed layout for the flats is considered to result in a good standard of accommodation for future residents. Most habitable rooms face the front or rear and benefit from good outlook. There is a ground floor bedroom adjacent the main entrance which would have a shorter outlook. However, this is the second bedroom and there would not be a significant amount of footfall to the front door and the quality of outlook and privacy from this window is accordingly considered acceptable. The siting of this window is such that it would not result in an undue loss of privacy for adjoining occupiers.
- 1.15 All of habitable rooms to the dwellings would have access to natural light. The proposed bedrooms to the flat on the upper floor would only have rooflights but due to the sloping nature of the roof, these would be at a low level and it would be possible to look out of these

openings. They are therefore comparable to windows so would not cause significant harm to the living conditions of the future occupiers. In terms of the stacking of rooms between units, most are stacked in the optimal way. However, an element of the kitchen of first floor flat 5 is above a bedroom of flat 3 and one of the bathrooms of flat 6 is above a bedroom of flat 5. As such, details of noise insulation is recommended to be secured through condition.

- 1.16 With regards to head height, more than 75% of the GIA for the upper floor flat would have a floor to ceiling height of more than 2.3m. Drawing number PD002 C also shows that a large proportion of the bedrooms would have a floor to ceiling height of above 2.3m.
- 1.17 Planning Policy DMP19 states that each new unit should provide amenity space. Ground floor flats and family dwellings should have 50m² whilst the other units should have 20m². The proposed private gardens to the rear of the site would provide between 21m² – 30m² of amenity space per unit. These connect to a communal garden (to which the other flats would also have access) and the amount of amenity space that would be provided would be significantly above the levels required by Policy DMP19. If only the communal garden area is divided by the number of flats in the whole of the building, it would equate to 49.5m² of amenity space per unit, which is in addition to the privacy spaces proposed for the ground floor units (including the three bedroom unit).

The quality of accommodation for the proposed units is considered to be good.

Parking and highway safety

- 1.18 The site has moderate public transport accessibility (PTAL of 3). As the site does not have good access to public transport services, the higher residential car parking allowances set out in Appendix 1 of the adopted DMP would apply. The existing 7-bedroom house is therefore permitted two parking spaces and the existing provision of 3 spaces (1 garage & 2 driveway) would exceed this allowance.
- 1.19 The proposed extension and conversion of the building into 6 flats (5 x 2-bed & 1 x 3-bed) would increase the parking allowance to 6.5 spaces which is considered to be a significant increase. The proposal would retain 2 spaces within the site which is within the maximum allowance. There are two residents parking spaces directly in front of the site which can contribute towards the parking provision for the site as the street has not been identified as "heavily parked" within the Council's parking surveys.
- 1.20 To mitigate the potential for over-spill parking, the applicant proposes that two of the flats are designated as "parking permit restricted" (where future occupants are not eligible for on-street parking permits, applicable for flats 3 and 5) and the parking spaces are allocated to units 1 (the 3-bedroom unit) and 2. However, this could still result in unduly detrimental levels of on-street parking as four of the dwellings could benefit from on-street parking permits. It is accordingly recommended that four of the dwellings should be "parking permit restricted". Two of those units would be able to use the parking spaces within the frontage. On this basis, the parking provision would accord with standards and the likely level of operational need and the proposal would be considered unlikely to result in overspill parking at levels that would be detrimental to highway safety.
- 1.21 The London Plan requires each flat to have 2 secure bicycle parking spaces, giving a total requirement for 12 spaces. An area has been shown for bicycle storage but this appears small for 12 bicycles and further details have been requested via condition. It is noted that 3 of the ground floor flats have their own private amenity space to the rear which could be used to store bicycles. The overall provision is therefore acceptable.

Conclusions

- 1.22 A number of objections have been received to the proposal. However, the proposed extensions and alterations and conversion into flats accords with the Council's policies and guidance for the reasons set out above. It is accordingly recommended that planning permission is granted.

CIL DETAILS

This application is liable to pay **£18,058.26*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 521 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	521	460	61	£200.00	£35.15	£15,358.93	£2,699.33

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	
Total chargeable amount	£15,358.93	£2,699.33

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/2670

To: Mr Christen
Bonnystreet Planning Limited
1 Howitt Close
Belsize Park
London
NW3 4LX

I refer to your application dated **15/06/2017** proposing the following:

Demolition of existing single storey rear extension, conversion of garage into a habitable room to include replacement of garage door with window and new entrance door, erection of a single storey side to rear extension, roof extension to also include a rear dormer window, insertion of seven rooflights and conversion of dwellinghouse into 6 self-contained flats (1x 3bed and 5x 2bed), provision for cycle parking spaces and bin stores and subdivision of rear garden space

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

at **107 Brondesbury Park, Brondesbury, London, NW2 5JL**

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: 08/01/2018

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:-

NPPF 2012
London Plan 2016
Housing SPG 2016
Technical housing standards 2015
LDF Core Strategy
Development Management policies 2016

- 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 complies with guidance and no pre application discussions were entered into.

- 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 and thereafter retained in accordance with the following approved drawings and documents:

AED000 A – Location plan

AED001 A – Existing ground and first floor plans

AED002 A – Existing loft and roof plans

AED003 A – Existing section A and B

AED004 A – Existing front, rear and side elevation

PD010 C – Boundary treatment

PD100 F – Proposed ground and first floor plans

PD002 E – Proposed loft and roof plans

PD002 C – Proposed section A & B

PD004 D – Proposed front, rear and side elevation

PD100 E - Car free units

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

- 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 Occupiers of the units 1, 2, 3 and 5 (as shown on drawing number PD100 E), hereby approved, or of four alternative flats within the development providing details of those flats have been submitted to and approved in writing by the Local Planning Authority, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development.

On, or after, practical completion but prior to any occupation of the residential development hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of relevant flats, including the formal naming and number details of those flats.

The owner is required to inform any future occupant that they won't be entitled to a Residents Parking Permit or Visitors Parking Permit.

Any Parking Permit issued in error by the Council shall be surrendered should the Council request it.

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

- 5 The roof of the single storey rear extension hereby approved shall not at any time be used as a terrace or adapted so that it can be used or utilised as a terrace.

Reason: To preserve the living conditions of the adjacent properties.

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units.

- 7 The off-street parking spaces within the application site shall be constructed and made available prior to first occupation of the units hereby approved and shall thereafter not be used other than for purposes ancillary to the flats hereby approved.

Reason: In the interest of highway flow and safety.

- 8 The window(s) on the first floor of the eastern elevation of the building (that provide light and outlook to a bathroom and staircase) and the rooflights within the side facing roofplanes shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently returned and maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

Reason: To minimise interference with the privacy of the adjoining occupier(s).

- 9 Details of the front garden layout and details of the bicycle/ bin storage enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All detailed works shall be carried out as approved prior to the occupation of the premises.

Such details shall include:

- (i) planting of the front garden area with shrubs and/or trees;
- (ii) the retention of existing hedges and shrubs;
- (iii) provision of front garden wall or walls or other form of boundary treatment;
- (iv) car parking space for 2 cars, the defined points of access and the surfacing materials to be used;

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

Reason: To ensure a satisfactory appearance and in the interests of local amenity.

- 10 A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The scheme shall demonstrate how potential noise and disturbance associated with the stacking of rooms between units will be addressed, including the stacking of the the kitchen of flat 5 above the bedroom of flat 3 and the bathroom of flat 6 above the bedroom of flat 5. The development shall be completed in accordance with the approved details.

Reason: To obtain required sound insulation and prevent noise nuisance.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 3 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer and constructor are strongly encouraged to pay the London Living Wage to all employees associated with the approved works.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
03
17/3717

SITE INFORMATION

RECEIVED	25 August, 2017
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	79-83 ODDS, Kenton Road, Harrow, HA3 0AH
PROPOSAL	Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping
APPLICANT	Sunline Developments Ltd
CONTACT	Bell Cornwell LLP
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_135979</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/3717" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Section 106 Heads of Terms

1. Payment of legal and professional costs
2. Notification of material start 28 days prior to commencement
3. Securing 4 affordable housing units as intermediate units together with post implementation review.
4. Contribution towards a local carbon off-setting scheme to achieve the London Plan targets for carbon reduction, should those targets not be met through on-site measures.
5. Training and Employment
6. Any other planning obligation(s) considered necessary by the Head of Planning

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

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

Conditions

1. 3 year permission
2. Approved Plan
3. Provision of amenity space
4. 10% Disabled Parking
5. Air Quality Impact Assessment
6. Car Parking Layout
7. Television Aerial and Satellite System
8. Water Consumption
9. Considerate Contractors
10. Construction and Demolition Environmental Management / Logistics Plan
11. Air Quality Neutral Assessment
12. Lighting
13. Play Provision
14. Landscaping
15. Electric Vehicle Charging
16. Cycle Parking
17. Materials
18. Refuse Storage
19. Screens to Balconies
20. Security Gate
21. Tree Protection
22. Deliveries and Servicing Management Plan
23. Sedum Roof Details
24. Noise Insulation
25. PV Panels
26. Gradient of access ramp
27. Travel Plan
28. Details of noise in relation to air conditioning etc
29. SUDS
30. Crossover

Informatives:

1. CIL Liable approval
2. Party Wall
3. Asbestos
4. Crossover contact
5. Trees contact
6. Repair damage to highway
7. Fire safety


- 8. Living wage
- 9. Noisy works

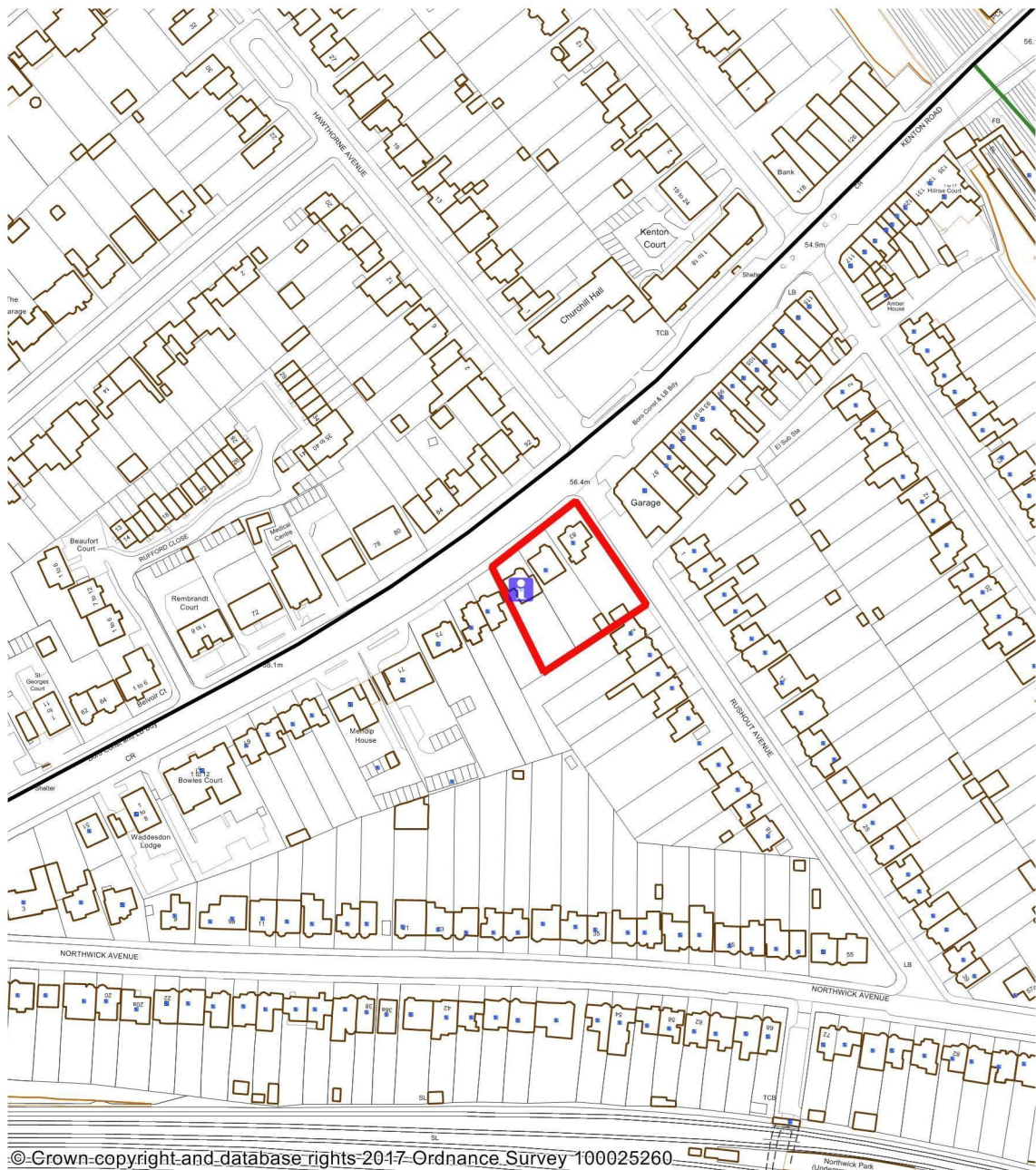
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

That, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 79-83 ODDS, Kenton Road, Harrow, HA3 0AH</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping.

EXISTING

The application site comprises of 3 two storey dwellings located along Kenton Road (known as 79 to 83 Kenton Road). The site also wraps around the corner with Rushout Avenue. The surrounding area is mixed, with commercial premises containing residential accommodation on the upper floors located to the east of the site. The majority of properties north, east and south of the site are predominantly residential in nature.

The opposite side of Kenton Road lies within the London Borough of Harrow.

AMENDMENTS SINCE SUBMISSION

The following amendments were made during the course of the application:

- Alterations were made in relation to the positioning of the entrance to the proposed basement parking. As a result of this additional amenity space was provided to the rear of the proposed development.
- Minor alterations to the balconies at the rear of the site.

SUMMARY OF KEY ISSUES

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

Principle of development: The site contains existing residential properties, and is located within a predominantly residential area. It proposes a redevelopment of the site that delivers a range of new private and affordable homes. As such the principle of development is considered acceptable.

Design and appearance: The new building utilises good architecture with quality detailing and materials in order to maximise the sites potential whilst respecting surrounding development. It is considered to be of an appropriate scale for its context.

Transport Impacts of the proposal: The site has very good access to public transport (PTAL of 5) and the 39 flats would have a maximum parking standard of 31 spaces. The provision of 30 spaces is only marginally below the maximum permissible and is considered sufficient to meet operational minimum levels to mitigate the risk of overspill parking. Access and refuse storage proposals are considered to be acceptable, and the proposal is not considered likely to materially impact the levels of congestion on the local highway network.

Quality of the proposed residential accommodation: The scheme provides a good standard of accommodation and sufficient external amenity space, meeting or exceeding relevant standards..

Impact on adjoining residents: The proposal is considered to be of an appropriate scale and sited in a manner that does not have an unduly detrimental impact on the amenity of neighbouring occupiers, according with the Council's guidance (SPG 17 and draft SPD1).

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)
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Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)				3						3
EXISTING (Flats û Market)										
PROPOSED (Houses)										
PROPOSED (Flats û Market)	27	8	4							39

RELEVANT SITE HISTORY

No relevant planning history

CONSULTATIONS

Consultation

Press Notice published on 21/09/2017

Site Notice displayed on 13/09/2017

The owner/occupier of 127 properties within the vicinity of the site were notified of the application 11/09/2017.

17 objections were received.

Summary of Objections: _

Grounds for objector	Response
Traffic concerns with regards to Rushout Avenue including ability for buses to travel down road	There are on street parking restrictions directly outside the site on Rushout Avenue. The application is supported by a Transport Statement that has considered the proposed predicted vehicular movements associated with the development. This has been reviewed by both Brent's Highways Team and the TFL, and no objections have been raised. This is discussed further within paragraphs 40 to 42 within the remarks section below.
Access to new development will affect safety along Rushout Avenue and the service road behind the shops on Kenton Road	The location of the new access is considered acceptable by Brent's Highways Team. This is discussed within paragraph 36 of the remarks section below.
Proposal not in keeping with the area	The principle of development, layout, design and scale has been considered within the remarks section below (paragraphs 1 and 2, and 8 to 15). The proposal is considered to be in keeping with the area.
Impact of overspill parking on Rushout Avenue	The proposal includes 30 car parking spaces within a basement car park, and therefore meets the Council's parking standards. Therefore there are no concerns regarding overspill parking that could lead to a detrimental impact on the local highway. Further details are set out within paragraph 35 of the remarks section below.
Result in overlooking	The impact on the proposal regarding overlooking to neighbouring properties has been considered within paragraphs 25 and 26 of the remarks section below.

Loss of trees to the rear	The Landscape Officer had no objections with the removal of the trees to the rear. The landscape condition will secure the replacement of trees within the communal garden. The street tree on Rushout Avenue will be protected during the construction works.
Loss of rear garden space to the rear of the site	Amendments were received during the course of the application to include additional garden space to the rear. The overall amount of external amenity space for the scheme is considered acceptable.
The proposed development would have a negative impact on the refuse collection service	The Collection Department had no objections and were satisfied with the location of the refuse area on Kenton Road.
Introduction of basement will impact foundations of surrounding properties	This is not a material planning consideration and is an issue resolved via the Party Wall Agreement
Construction traffic and work will cause disruption to neighbouring residents and will be unsafe for children coming to and from school	A construction management plan will be secured as a condition to any forthcoming consent.
Proposal not in line with Council's current planning policy in relation to housing/ loss of family housing	The scheme proposing 4 family sized units (three bedrooms or more), which is considered sufficient replacement to the loss of the three houses.
Lack of green space for children as garden space taken over by new development	Informal play facilities will be provided within the communal garden, in accordance with London Plan requirements.
Balconies appear to protrude over the public highway, and would be an eye sore to as a result of washing, Bicycles etc being stored on them	The whole development including the balconies will be sited within the application site. Details of the materials of the balconies will be secured as a condition.
Loss of sunlight to properties on Rushout Avenue	A daylight and sunlight assessment has been submitted to demonstrate that the proposal will not adversely impact on sunlight to the properties on Rushout Avenue. Likewise the development sits within 45 degree line when viewed from neighbouring gardens – see paragraphs 27 to 29 within the remarks section below.
Car headlights will cause glare into the neighbouring property opposite.	The access arrangements opposite a residential property together with the width of Rushout Avenue is a typical arrangement seen within the Borough. It is not considered that glare into the neighbouring living room is material harmful to their amenity.
Loss of view	This is not a material planning consideration
Need to restrict hours of noisy works	This matter is covered through environmental health legislation. An informative is recommended to remind the applicant of the restrictions.
No affordable housing proposed	The scheme proposes 4 shared ownership units. Further details are set out within paragraphs 4 to 7 within the remarks section below.
Lack of consultation	<p>The consultation has been carried out in accordance with statutory requirements. This includes a site notice and press notice. In addition the properties adjoining the application site, together with a number of other properties on Kenton Road, Rushout Avenue and Northwick Avenue were consulted by letter.</p> <p>The Council received 17 responses from a number of properties on Rushout Avenue and Kenton Road.</p>
Council refused other scheme at 10 Rushout Avenue, and objected to a scheme within Harrow (Churchill Hall site)	Each application is assessed on its individual merits having regard to the development plan and supplementary planning guidance in place. This scheme has been assessed in accordance with Brent's current development plan, and supplementary planning guidance. It is considered to comply with policy, for the

	reasons as set out below within the remarks section.
Inaccuracies with daylight/sunlight assessment	<p>The daylight and sunlight assessment has been updated to assess the impact on Nos. 77, 88, 90 and 85 Kenton Road, together with Nos 1 and 3 Rushout Avenue. No. 2 Rushout Avenue has been excluded from the assessment as it is located to the south of the application site and is therefore not considered to be affected by the proposal.</p> <p>It is noted that the original daylight and sunlight report made reference to the incorrect site, but as this is a supporting document to the planning application and that the scheme fully complies with SPG17 with regards to 45 degree line, it was not considered necessary to re-consult on this supporting document.</p>

Three objections were received from the Northwick Ward Councillors on the following grounds:

- Size of the development
- Problems with access from Rushout Avenue that already has issues with volume of buses travelling down the road.

Internal Consultees

Environmental Health Officer provided the following: _

No objections were outlined. The Officer recommended that conditions should be included associated with noise levels, sound, vibration, ventilation, working hours and noise from generators.

Principle Engineer:

The Principle Engineer was satisfied with the information provided within the Flood Risk Assessment and drainage details provided during the course of the application.

External Consultation

Harrow Council: _

Had no objections.

Transport for London

No in principle objections raised, but suggested that parking levels were reduced on site together with a restriction on parking permits. The cycle parking provision was considered acceptable. Conditions are recommended relating to electric vehicle charging points, Travel Plan, Delivery & Servicing Plan (DSP) and Construction Logistics Plan (CLP).

In response to the concerns regarding the overprovision of parking your officers can advise that the introduction of a restriction on parking permits cannot be applied as the site is not within a Controlled Parking Zone (CPZ) and therefore a 'permit free' agreement cannot be enforced. Additional pressure for on-street parking on these residential streets would not be supported and would be likely to result in obstructive and dangerous parking behaviour on the surrounding streets and on the main distributor road. The parking standard is within London Plan allowances and is already reduced to reflect the good access to public transport and therefore the proposed 30 spaces are considered appropriate to satisfy standards and ease concerns of overspill parking on the Highway.

POLICY CONSIDERATIONS

The following policies are considered to be relevant to the assessment of this application:

National Planning policy Framework 2012

Paragraph 60

London Plan 2016

- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.6 - Children and young people's play and informal recreation facilities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.13 - Sustainable drainage
- Policy 6.9 - Cycling
- Policy 6.10 - Walking

Brent's Core Strategy 2010

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 5 - Placemaking
- CP 6 - Design & Density in Place Shaping
- CP 17 - Protecting and Enhancing the Suburban Character of Brent
- CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP 21 - A Balanced Housing Stock

Brent's Development Management Policy 2016

- DMP1 Development Management General Policy
- DMP 11 Forming an Access on to a Road
- DMP12 Parking
- DMP15 Affordable Housing
- DMP 16 Resisting Housing Loss
- DMP18 Dwelling Size and Residential Outbuildings
- DMP 19 Residential Amenity Space

Supplementary Planning Guide and other guidance documents

SPG17 - Residential Design Standards

Emerging Supplementary Planning Document 1 - The drafted document has been through consultation and therefore significant weight should be given on the guidelines outlined within the document
Technical Housing Standards 2015

Mayors Housing SPG 2016

DETAILED CONSIDERATIONS

Principle

1. Policy CP2 in Brent's Core Strategy seeks the provision of at least 22,000 additional homes to be delivered within the Borough between 2007 and 2026. The application site is previously developed land in existing residential use. It is located within a primarily residential area, but is also close to the edge of Kenton Local Centre and located within an area of very good public transport accessibility (PTAL 5). Residential redevelopment of the site is supported by Policy CP2 of Brent's Core Strategy and by the London Plan Policy 3.3, which supports sensitive renewal of existing residential areas, and Policy 3.4 which seeks to optimise housing input within the relevant density range.

2. As the site is not located within a conservation area nor does it contain any listed buildings, the demolition of the existing dwellinghouses can be supported, subject to the replacement building being of good quality design, and a sufficient amount of family sized units (three bedrooms or more) being provided within the new development. As such, the principle of development of the site for residential purposes can be supported subject to the evaluation of the remainder of the material planning considerations.

Housing Mix

3. Core Strategy Policy CP21 seeks an appropriate mix of accommodation types and size, and policy CP2 specifies that at least 25% of new housing units should be family sized units having three or more bedrooms. The proposal will result in the demolition of three existing family sized units but the new development will include the provision of four three bedroom units, and thus will replace the loss of these units. However, the overall provision of family sized units within the new development is 10% which is significantly below the target of 25%. Nevertheless, the provision of family sized units would reduce scheme viability and result in a lower level of Affordable Housing and in this instance, on balance, the provision of additional units of affordable homes outweighs the under-provision of family sized homes in this particular instance.

	No. units	% total
1-bed	27	69.2
2-bed	8	20.5
3-bed	4	10.3

Affordable Housing

4. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. A reduction to affordable housing obligations is sought on economic viability grounds on major phased developments, and where the proportion of affordable housing agreed is significantly below 50%.
5. The proposal would fall below the target level of 50 % and as such, the application is supported by a Financial Viability Assessment (FVA). This assessment has been reviewed by Council officers and their consultants to establish the maximum level of affordable housing the scheme could deliver. This assessment was carried out on the basis of the proposed 39 residential unit scheme which comprises of a mix between 1, 2 and 3 bedrooms. It was initially proposed that no Affordable Housing would be provided within the scheme. However, following the assessment by the Council, this has been increased to 10 % (4 homes) to be provided as intermediate shared ownership accommodation. While this falls below the Borough wide strategic target of 50% of new homes, it has been demonstrated that this represents the maximum reasonable proportion of Affordable Housing.
6. All of the Affordable Housing would be provided as Intermediate Accommodation. Whilst this does not accord with the Council's target Affordable Mix (70:30 Affordable Rent to Intermediate), the provision of Affordable Rented homes would result in a lower total number of Affordable Homes and the resultant levels are unlikely to be considered to be attractive or viable to Registered Providers of Affordable Homes. It is also recommended that the Section 106 Agreement should also include a post-implementation review mechanism, to be captured through the Section 106 legal agreement.
7. The Affordable Housing proposals therefore represent the provision of the maximum reasonable proportion of Affordable Housing, with a tenure split that reflects the Council's adopted policies.

Design

8. Under the emerging SPD1 the site would be classified as 'Transitional'. This is applicable for sites in areas of higher public transport accessibility levels (PTAL) where higher density development than existing may be appropriate. It is also noted that this site is located next to Kenton Local Town Centre, and Kenton Road itself is a wide and busy road. Development is required to take appropriate cues from its surrounding area, for example materials. SPD1 also recognises that the scale and height needs to respect the relationship of adjoining areas of established character, in this case Rushout Avenue.

9. The areas to the south and west of the site contain elements of the typical (established) character outlined within SPD1. Good contemporary architecture will be welcomed however emphasis will be placed on established approaches in Brent to amenity standards, such as density, separation and overlooking, etc. These matters are discussed in detail below.

Scale, massing and bulk

10. The new build would contain an L-shape design fronting Kenton Road and Rushout Avenue. Along the Kenton Road frontage, the building has a maximum width of approximately 34m. Along the Rushout Avenue frontage, the building has a maximum width of 35m. It essentially fills the plot where the three existing semi detached houses are sited, but contains an increased set in from the boundary with No. 77 Kenton Road by 2.3m compared to the existing dwellinghouse at No. 79 Kenton Road, and an increased set back from the pavement on Rushout Avenue than the existing dwellinghouse at No. 83 Kenton Road. The proposed set back of the building from the pavement varies from 4.6m to 5.1m along Rushout Avenue (excluding the projecting balconies on the upper floors). This reflects the depth of the front gardens along Rushout Avenue.
11. The building is proposed with a flat roof. It is three storeys in height next to No. 77 Kenton Road (the height of the building at this point is the same height as the ridge of the existing dwellinghouse at No. 79 Kenton Road) and then steps up to four storeys to reflect the height of the ridge of the roof at 85 Kenton Road. Along the Rushout Avenue frontage, the building is four storeys close to the junction with Kenton Road and then has a stepped design at four storeys and then three storeys next to No. Rushout Avenue. This stepped building height reflects the levels changes across the site, and assists in breaking up the mass of the development when particularly viewed from the eastern flank elevation.
12. The development is located alongside a designated town centre where buildings have comparable heights and massing have long existed. As such on this occasion given design, the varied heights and established design characteristics of Kenton Road, the varied heights of the proposal are acceptable.
13. Main bulk included to the western portion and mirrors built form directly west of the site and along this part of Kenton Road. This is considered acceptable and the stepped design approach to the rear provides a variation to the scale and massing which maintains the varied character of the area. Massing of the development is broken up due to the staggered front building line. The introduction of recessed and projecting windows, details in the brick work and projecting balconies also assist in breaking up the bulk of the building and provide visual interest. Given the proposed building's placement within an area at the confluence of suburban Brent and a denser town centre environment, it is considered that the proposed development is of a scale and massing that can be comfortably accommodated within this location. The proposal is therefore considered to be in keeping with the character and appearance of the surrounding area.
14. The staggered front building line respect the established building lines east and west of the site. The front building line of the three storey element towards the western portion of the development is slightly set back from the north eastern element of the new build. This approach maintains the front building line of the neighbouring properties to the west. The staggered built form to the front elevation respects the transition between the building lines of the dwellings to the west and the commercial buildings to the east. The proposal also maintains the building line of the built form to the east and the south of the site.

Layout and Access

15. As discussed above the development would occur over three existing plots and is an L shaped building. Two entrances are provided to the development, both on Rushout Avenue. These will contain two central cores, which supports access to 10 units on the ground floor, 11 on the first floor, 11 on the second floor and 7 on the third floor. This ratio falls within the London Plan recommendation of 8 flats maximum per floor per core. The entrance closest to the corner with Kenton Road will contain a ramped access. There is also an entrance on Rushout Avenue to the basement car park, located alongside No. 2 Rushout Avenue. A rear communal garden is proposed within the rear of the site, and private front gardens for the ground floor flats are proposed along both the Kenton Road and Rushout Avenue frontages. A

Quality of proposed accommodation

16. The proposed residential units would comply with the London Plan and National Space Standards in relation to floorspace and therefore the size of the flats and associated rooms are considered to provide

an acceptable standard of accommodation for future residents.

Outlook and privacy

17. Almost all primary and sole habitable room windows provide a good level of outlook with no unobstructed outlook from their source. Units 6, 7, 8, 17, 18, 19, 28, 29, 30 and 37 will have single aspect units directed north. The London Plan seeks to avoid north facing units where possible, and where these are proposed to keep them to the minimum. The layout of the building within the site is dictated by its surrounding context, with the accommodation proposed within the building situated within the two road frontages. This results in a long east-west form along the Kenton Road frontage, which necessitates a higher proportion of north facing units. These units would have acceptable accessibility to daylight as there would be no built form directly in the vicinity of these flats. The flats meet floorspace standards and this occasion the north facing units are considered acceptable. The open plan nature of the development would provide living/dining/kitchen spaces which will maximise the available light across the flats.
18. The ground floor units facing Kenton Road and Rushout Avenue would have access to a private garden and these are separate to the communal space to the rear. An approximately 1.2m fence will be included to the front of these gardens and will maintain sufficient outlook and would prevent any potential enclosure with regards to these ground floor units.
19. The units have been designed to not directly overlook one another, so there are no concerns regarding loss of privacy between the units within the scheme. However, given the close relationship between the proposed balconies relative to the each other It is also recommended to add a condition to any consent ensuring that appropriate screening should be included sides of each of the balconies to prevent any harmful overlooking for future occupiers of the proposed flats.

Wheelchair accessible units

20. The London Plan sought a provision for 10% of accommodation to have disabled access. The entrance to the eastern portion of the development adjacent to Rushout Avenue has wheel chair access. The Design and Access Statement originally submitted with the application outlined that the disabled units would be included within the proposal. However no details are provided within the plans. Your officers therefore recommend that a condition will be included to any consent requiring details of location of the units within scheme and ensuring that a provision of 10% is included. It is also noted that numerous units provided would exceed the London Plan floorspace requirements and therefore there is scope for disabled units to be included within the development.

External Amenity Space

21. The proposal would provide an amenity area to the rear of the site and this would measure approximately 178sqm. The majority of units will have access to balconies. The ground floor units will have access to private amenity space to the front and the rear ground floor units would have access to small amenity areas measuring between 6sqm and 12sqm. A total of 713sqm of private amenity space will be provided via private gardens, balconies and a shared communal space to the rear. This equates to approx. 18sqm per unit.
22. The proposed balconies will contain depth of approximately 1.5m and it is considered that this space will provide efficient depth for usability. As highlighted above a condition will be added to ensure that details of appropriate screening/boundary treatment is provided between each of these amenity spaces and balconies. Each flat will have access to the rear communal space and 4 of the proposed units will not have access to a private balcony area.
23. Policy DMP19 seeks for new residential units to have 20sqm of private external amenity space per unit. 50sqm is required for family sized units (three bedrooms or more) located on the ground floor. There are two family sized units on the ground floor. One has access to a front garden that is around 90sqm, and the other has access to a balcony that is 10sqm but this also adjoins the communal garden. SPD1 outlines greater flexibility may be allowed in relation to the ratio of private amenity space to communal space, where a greater reliance on communal space is possible. Where the on-site amenity space is of particularly high quality, a reduction in provision may be possible. The overall amenity space provided would amount to approximately 713sqm with approximately 382sqm that would be provided as communal space to the rear of the development. The proposed amenity space provided is considered satisfactory for future occupiers.

24. The London Plan requires children play area for major schemes. In this case, 40sqm is proposed within the communal garden. The Design and Access Statement indicates that it will include a climbing frame, fixed seating/terraced gardens and a lawned area. Further details of the play area should be required via a condition for any future consent.

Impact on existing residential amenity

Privacy

25. To ensure that there is not a loss of privacy to neighbouring occupiers, SPG17 provides minimum distances between new development and the boundary with adjoining private gardens to ensure that there is not an undue loss of privacy to the existing occupants. SPG17 requires a distance of 10m to be maintained from rear habitable room windows to the boundary with adjoining private gardens. A similar approach is proposed within the emerging SPD1 which also requires a 10m separation distance. In this case, the new development is located over 20m away from the private gardens of No. 2 Rushout Avenue and 77 Kenton Road. As such, it is not considered that these properties will experience a detrimental impact to their amenity as a result of a loss of privacy.
26. Your officers also recommend that a condition is secured to provide a privacy screen to the side elevations of the balconies closest to No. 2 Rushout Avenue and No. 77 Kenton Road, to prevent a loss of privacy.

Overbearing appearance

27. SPG17 requires a new development to sit within the 45 degree line when measured from the edge of adjoining private gardens (measured at a height of 2m above garden level). This is to ensure that the development is not overbearing from these gardens. The three storey element of the development on Rushout Avenue frontage follows the rear building line of No. 2 Rushout Avenue. The wing of the building on Kenton Road does project beyond the rear building line of 2 Rushout Avenue, however, it sits within 45 degree line. As such, the development is not considered to be overbearing when viewed from No. 2 Rushout Avenue.
28. The three storey element on Kenton Road does project beyond the rear building line of No. 77 Kenton Road by approximately 2.2m. The emerging SPD1 makes reference to the 2:1 rule outlined within SPD2, when assessing this type of relationship. It states that the depth of a rear projection should not exceed half the distance between the middle of the rear habitable room window of the neighbouring occupier to the flank wall of the proposed extension. The depth of extension is restricted to half the distance between the side wall and the middle of the nearest neighbouring habitable room window. The projecting element next to No. 77 would be approximately 7.7m from the middle element of the first floor window positioned at the south eastern portion of the dwelling. This segment of the development would extend approximately 2.2m from the rear elevation of this window and therefore would comply with 1:2 rule. It was also noted from the site visit that No. 77 Kenton Road contained a flank wall window, but this did not appear to serve a single light source to a habitable room. The wing of the building on Rushout Avenue also projects beyond the rear building line of 2 Rushout Avenue. Once again it also sits within 45 degree line. As such, the development is not considered to be overbearing when viewed from No. 77 Kenton Road.

Daylight and Sunlight

29. Day and Sunlight Report was submitted with the application. The study has been carried out in accordance with established BRE guidance and the British Standard document BS8206 Pt2. The results of these tests have shown that, whilst there will be some reductions in daylight to individual windows, the amount of direct skylight received within each of the neighbouring habitable rooms will remain high and in excess of the BRE criteria. The assessment of sunlight to neighbouring windows has also shown full compliance with the BRE criteria.

Landscape Design and Trees

30. A number of trees will be lost within the site. It is recommended that replacement trees are reprovided within the communal garden. In addition, a Common Lime along the Rushout Avenue frontage will be retained. The Council's Tree Officer satisfied with the information submitted and recommended that a condition should be included with any consent ensuring a detailed methodology be submitted and approved in writing from the Local Authority. A tree protection plan is recommended to be conditioned.

Highways and Transportation Considerations

31. Kenton Road is a London Distributor Road and on street parking is restrictive due to the street being a London Distributor Road, with waiting restrictions along the site frontage. The street also carries 4 lanes of traffic.
32. Rushout Avenue has parking restrictions at the junction and adjacent to the site however the rest of the street has unrestrictive parking. Rushout Avenue is not defined as heavily parked overnight but does experience heavy commuter parking during the day.
33. Kenton Road and Rushout Avenue are both bus routes.
34. The site has very good access to public transport services (PTAL 5).

Car parking

35. Car parking allowances for residential use are set out in standard appendix 1 of the Development Management Policies and due to the high access to public transport, the parking standards are reduced. Therefore a parking allowance of 0.75 spaces is permitted for a 1-2 bed unit and 1.2 spaces permitted for a 3+ bed unit. This results in a total of 31 spaces for the proposed new 39 flats and this is a significant increase from the existing parking allowance of 3.6 spaces for the existing 3 dwellings. Your officers in Transportation have advised that the proposed 30 spaces do satisfy parking standards, and will ease concerns of overspill parking onto the highway.
36. During the course of the application amendments were received to include more soft landscaping to the rear of the proposed development. A new ramp system was introduced where the original access was positioned. The vehicular access will be from the south-eastern edge of the property boundary onto Rushout Avenue. This is preferred over a vehicular access onto Kenton Road, which is a distributor road. The access ramp width is an approx. 4.6m, which does achieve the 4.1m width plus 300mm margins either side. The gates appear to be set back 6m from the back of the footway, which is acceptable. The crossover will be 4.8m wide which will allow two vehicles to pass one another when accessing / egressing and the 6m hard standing will allow a vehicle to wait on the private demise. The gradient for the straight ramp will be 1:10 over 25m, which is acceptable however, further details are sought on where the ramp meets the Public Highway and that sufficient transition lengths are provided. Such details are recommended to be conditioned to any forthcoming consent.
37. Four of the parking spaces are to be designated for disabled parking, to comply with policy requirements.
38. The London Plan also requires 20% of spaces to be for electric vehicle charging points and a further 20% passive provision, to encourage the uptake of electric vehicles. Such details are recommended to be conditioned to any forthcoming consent.

Cycle parking

39. In line with the London Plan 51 cycle spaces should be provided, with the cycle spaces kept secure and covered. The scheme current proposes 40 cycle spaces within the communal garden and basement car park. Additional details of cycle spaces to achieve a total of 51 spaces is recommended to be secured via a condition.

Transport Statement

40. TRICS data was analysed and used to provide the proposed predicted vehicular movements, which totalled 2 arrivals/7 departures in the am peak hour and 4 arrivals/1 departures in the pm peak hour. Point 5.2 states that existing trip generation has not been provided but assumed that the proposal will result in an increase in trips during the am / pm peak. The sites used from the TRICS database to base these calculations have not been submitted with the appendix for our assessment.
41. Brent's accident statistics which show that a total of 5 accidents have occurred in the last three years ending in December 2016 and of these 5 accidents, 1 was serious. The serious incident occurred with a vehicle turning right onto Kenton Road and into the path of another vehicle, causing a collision. Three of the other accidents involved vehicles moving off from this junction of Rushout Avenue and colliding with vehicles on Kenton Road. Junction improvements / visibility improvements have not been considered

however, the development is less than 50 flats and therefore a full transport assessment is not required. The accident stats analysed are not considered significant and are expected for a London Distributor Road. Line marking should however be refreshed at this junction.

42. 5.14 and 5.15 of the statement states that the developer has not committed to a travel plan as it is not required. Transportation's pre-application comments had requested a Travel Plan to be provided and TfL's comments on this application also state that Travel Plan Statement should be provided to ensure sustainable modes of travel are encouraged. Therefore a condition to provide a Travel Plan Statement is recommended.
43. It is recommended that a Construction Traffic Management plan is conditioned and that this document is approved prior to the commencement of any demolition / construction work on site.
44. In light of the comments provided by the Transport Officer, there are no objections to the proposed development on highway grounds and the recommended conditions should be included to any consent.

Refuse

45. The location of the refuse area is considerable acceptable and would be situated 10m from the Kenton Road. The positioning of the refuse area is considered acceptable however further clarification will be required via condition regarding the management and operation of the bins during collection days. It is noted that the proposed location of the refuse area would be approximately 35m from the units located on the eastern flank elevation of the proposed development. This does not comply with the 30m guidance however on this occasion the excess of 5m is not reasonably reason to refuse the proposed development.

Environmental Health

The Environmental Health Officer raised no objections to the proposed development.

Noise

46. The Officer recommended that all residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice'.

Construction Noise and Dust

The development is located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between restricted hours.

Flooding and Drainage

47. A Flood Risk Assessment and drainage details have been provided during the course of the application and the Principle Engineer was satisfied with the details submitted.

Sustainability Assessment

48. 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).
49. The applicant has included an Energy Statement with the proposal. The statement outlines numerous sustainable design and construction methods. It is highlighted that the building would exceed Part L1A building regulations requirements. It is intended to incorporate natural mechanical ventilation system and water consumption will be reduced by using water efficiency measures. A combined heat and power system is proposed within the development and the report submitted illustrates that it is highly energy efficient and will achieve a 60% reduction in carbon emissions. Photovoltaic Panels are also proposed on

the roof of the development which enhances the reduction. These proposed panels will be directed south for more efficiency.

50. The report submitted indicates that the development will result in a 60% reduction in CO2 emission utilising Be Lean, Be Clean, Be Green measures. Taking this into consideration the proposal would fail to achieve zero carbon however policy 5.2 does state that this shortfall can be provided through a cash in lieu contribution and will be included as part of the s106 agreement to secure the delivery of carbon dioxide savings elsewhere.

Density

51. London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix (table 3.2) the application site, which is considered to be in an 'Urban' setting, with a PTAL of 5 would be appropriate for accommodating 200 - 700 hr/ha. Paragraph 17 of the NPPF sets out 'core planning principles', including that planning should "encourage the effective use of land by reusing land that has been developed previously, provided that it is not of high environmental value".
52. The proposal would result in 39 units and 94 habitable rooms across a site that measures a total in 1,783 sqm. This would result in a density of 527 hr/ha or 218 u/ha, which is in accordance within the density matrix.

Summary

53. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy. The proposal makes efficient use of previously developed land in a sustainable location and would make a positive contribution to the locality. This efficient use of the land will result in a substantial number of new homes, helping to meet housing targets, and secures the maximum reasonable proportion of affordable housing. It is considered that the form of development will have an acceptable impact on and relationship with the existing surrounding development and will not unduly harm surrounding amenity.
54. A well considered landscape strategy is proposed, which combined with the proposed standard of design and layout of buildings will ensure a high standard of development and a good quality residential environment for future occupiers. Officers recommend the application for approval subject to the conditions and S106 obligations set out in this report.

CIL DETAILS

This application is liable to pay **£953,539.55*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 587 sq. m.

Total amount of floorspace on completion (G): 3489 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	3489		2902	£200.00	£35.15	£811,005.36	£142,534.19

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)	313	
Total chargeable amount	£811,005.36	£142,534.19

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/3717

To: Mrs Alexander
Bell Cornwell LLP
Oakview House
Station Road
Hook
RG27 9TP

I refer to your application dated **25/08/2017** proposing the following:

Demolition of existing dwellinghouse and erection of a part three part four storey building comprising 39 self-contained flats (27 X 1bed, 8 x 2bed and 4 x 3bed) with associated basement car and cycle parking spaces accessed via new crossover off Rushout Avenue, bin stores, fencing and landscaping

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

at **79-83 ODDS, Kenton Road, Harrow, HA3 0AH**

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: 08/01/2018

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 the:-
National Planning Policy Framework
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016

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

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

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

A001 Rev 00, A002 Rev 01, A100 Rev 00, A110 Rev 00, A111 Rev 00, A112 Rev 00, A200 Rev 01, A201 Rev 01, A202 Rev 01, A203 Rev 01, A204 Rev 01, A205 Rev 01, A210 Rev 01, A211 Rev 01, A220 Rev 01, A221 Rev 01, A221 Rev 01, A223 Rev 01.

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

- 3 Prior to the occupation of the residential units hereby approved the communal and private external amenity spaces shown on the drawings hereby approved shall be provided in accordance with the approved details and made available. They shall be retained as such for the lifetime of the Development.

Reason: To ensure that the residential units are high quality and offer acceptable amenity standards for future residents.

- 4 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)), with the intermediate units provided as fully adapted units and the remainder shall meet easily accessible/adaptable standards (Building Regulations M4(2)).

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

- 5 The scheme shall be constructed in accordance with the mitigation measures described in the approved Air Quality Impact Assessment

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

- 6 The car parking spaces and accesses shall be laid out and made available prior to the occupation of any part of the development hereby approved and shall thereafter be retained as such for the lifetime of the Development. The car parking spaces shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: To ensure that the impact of the development on the highways network is appropriate.

- 7 A communal television aerial and satellite dish system shall be provided, linking to all residential units unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

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

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

- 9 No development shall be carried out until the person or organisation carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.

Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.

- 10 Prior to the commencement of the development (including any demolition works) a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Measures that will be taken to control dust, noise and other environmental impacts of the development.
- ii. Construction Logistics Management
- iii. Erection and maintenance of security hoarding
- iv. Wheel-washing facilities
- v. Parking of vehicles of site operatives and visitors
- vi. Arrangements for the loading and unloading of plant and materials
- vii. Storage of plant and materials used in constructing the development
- viii. Scheme for recycling/disposing of waste resulting from demolition and construction works

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

- 11 Prior to the commencement of development a scheme an Air Quality Neutral Assessment (including the CHP plant hereby approved) 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) and submitted to the Local Planning Authority for approval. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. The approved measures shall thereafter be implemented in full.

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

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

Reason: To protect the amenity of existing and future residents and in the interest of safety and ecology.

- 13 Within 3 months of commencement of development, a site wide children's play space plan shall

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

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

The approved equipment / measures shall be installed prior to the occupation of the residential units and retained for the lifetime of the Development.

Reason: To ensure there is sufficient provision of areas and equipment for children's play.

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

- (a) all planting and trees including location, species, size, density and number incorporating native species;
- (b) details of the layouts of the publicly accessible spaces;
- (c) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (d) the location of, details of materials and finishes of, all street furniture, drainage and external cycle stands;
- (e) proposed boundary treatments including walls, fencing, retaining walls, divisions between private amenity spaces, indicating materials and height;
- (f) details of defensible space in front of bedrooms serving unit 10 at ground floor level;
- (g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (h) details of all tree planting pits (including surfacing);
- (i) details of the pedestrian access ramp along Rushout Avenue (to include details of materials of surface of ramp, gradient and details of hand rails)

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

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

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

- 15 Within 3 months of commencement of development, full details of electric vehicle charging points (with 20% to facilitate charging and 20% capable of being upgraded in the future) shall be submitted to and approved in writing by the Local Planning Authority. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 16 Within 3 months of commencement of development, full details of the cycle spaces shall be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the approved drawings, these details shall show a minimum of 51 spaces across the site. The spaces shall be provided in accordance with these details prior to the occupation of any part of the development and retained for the lifetime of the Development.

Reason: To encourage sustainable forms of transportation.

- 17 Prior to commencement of the development (excluding demolition) details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

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

The works shall be carried out in accordance with the approved details.

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

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

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

- 19 Prior to the commencement of development (including demolition) the tree protection measures shown on drawings 'Arbtech TPP 01' and 'Arbtech AIA 01' shall be enacted and remain in place for the duration of the construction period, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that those trees considered worthy of retention are protected from damage.

- 20 Prior to the occupation of the residential units hereby approved a Deliveries and Servicing Management Plan setting out delivery arrangements shall be submitted to and approved by the Local Planning Authority. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of providing sufficient servicing facilities on site, and ensuring that the relationship with the highways network and neighbouring properties is acceptable.

- 21 All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

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

Prior to first occupation of the residential units hereby approved a test shall be carried out to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 22 The scheme shall be constructed in accordance with the Sustainable Drainage measures described in the approved Flood Risk Assessment, SuDs & Drainage Strategy Report prepared by Nimbus Engineering Consultants Ltd.

Reason: To reduce the flow of surface water into the drainage system.

- 23 The proposed crossover on Rushout Avenue and any redundant crossovers on Kenton Road and Rushout Avenue shall be carried out at the applicants expense, in compliance with a scheme to be submitted to and approved in writing by the Local Highway Authority, with the works carried out and completed in accordance with these approved prior to first occupation of the development hereby approved.

Reason: In the interests of highway conditions within the vicinity of the site.

- 24 Prior to the occupation of the units hereby approved, and notwithstanding the approved drawings, details of a scheme to prevent overlooking from the balconies hereby approved shall be submitted to and approved by the Local Planning Authority.

Reason: To prevent overlooking between the units hereby approved and to ensure a high quality residential environment.

- 25 Prior to the occupation of the units hereby approved, details of how the vehicle entrance gate to Rushout Avenue shall be controlled and how access will be managed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that suitable security arrangements are in place for future residents.

- 26 Prior to the occupation of the residential units hereby approved details of the sedum roof shall be submitted to and approved by the Local Planning Authority. This shall include details of species mix, depth and maintenance regime. The approved details shall be fully implemented upon first occupation of the non-residential units within the development, and maintained thereafter.

Reason: In the interests of maximising the sustainability (and in particular the ecological) benefits of the development.

- 27 Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

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

- 28 Prior to commencement of works on site (excluding demolition), further details of the gradient of the basement car park access ramp to demonstrate that the gradient is satisfactory when joining the public highway and that sufficient transition lengths are provided, shall be submitted to and approved in writing by the Local Planning Authority. The access ramp shall thereafter be constructed in full accordance with the approved details.

Reason: To ensure safe and adequate access facilities to the basement car park.

- 29 Within 3 months of first occupation of the development, a Residential Travel Plan shall be submitted to and approved in writing to the Local Planning Authority. This shall demonstrate the Travel Plan is of sufficient quality to score a PASS when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets. The approved Travel Plan shall be fully implemented for the lifetime of the Development, or as amended by

the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 30 Prior to first occupation of the units hereby approved, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be undertaken and submitted to the Local Planning Authority for approval. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 In relation to condition 30, the applicant is advised to contact the Council's Highways and Infrastructure Service on 020 8937 5121 to make arrangements for the crossover works to be carried out.
- 5 In relation to condition 21, the applicant is advised to contact the Council's Tree Officer, Lawrence Usherwood. The contact details are lawrence.usherwood@brent.gov.uk or on 020 8937 5247.
- 6 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the

Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

- 9 Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried only between the hours of:

Monday to Fridays 08:00 to 18:00
Saturday 08:00 to 13:00
At no time on Sundays or Bank Holidays

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018

17/0502

SITE INFORMATION

RECEIVED	3 February, 2017
WARD	Sudbury
PLANNING AREA	Brent Connects Wembley
LOCATION	Garages rear of, Rayners Close, Wembley
PROPOSAL	Demolition of 17 garages and erection of a three storey building comprising 4 x 2 bed flats and undercroft car parking, cycle parking and bin store with associated amenity space and parking provision for existing flats
APPLICANT	Haynes Residential Limited
CONTACT	DLA Town Planning Ltd
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_132477</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/0502" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Enter into S38/278 agreement to carry out appropriate highway works prior to occupation
4. Development to be carried out in accordance with mitigation measures specified in the noise report
5. Development to be carried out in accordance with mitigation measures specified in the ecology report
6. Development to be carried out in accordance with mitigation measures specified in the tree protection plan
7. Highway works and parking spaces, cycle, bin storage and amenity spaces to be laid out prior to occupation
8. Balcony screening to be in place prior to occupation
9. Details of materials to be submitted
10. Details of landscaping to be submitted
11. Details of green roof to be submitted
12. Revised details of cycle parking to be submitted
13. Car Park Management Plan to be submitted
14. Construction Method Statement to be submitted
15. Details of Boiler Emissions to be submitted
16. Details of Electromagnetic fields to be submitted
17. Revised details of bin store to be submitted


Informatives

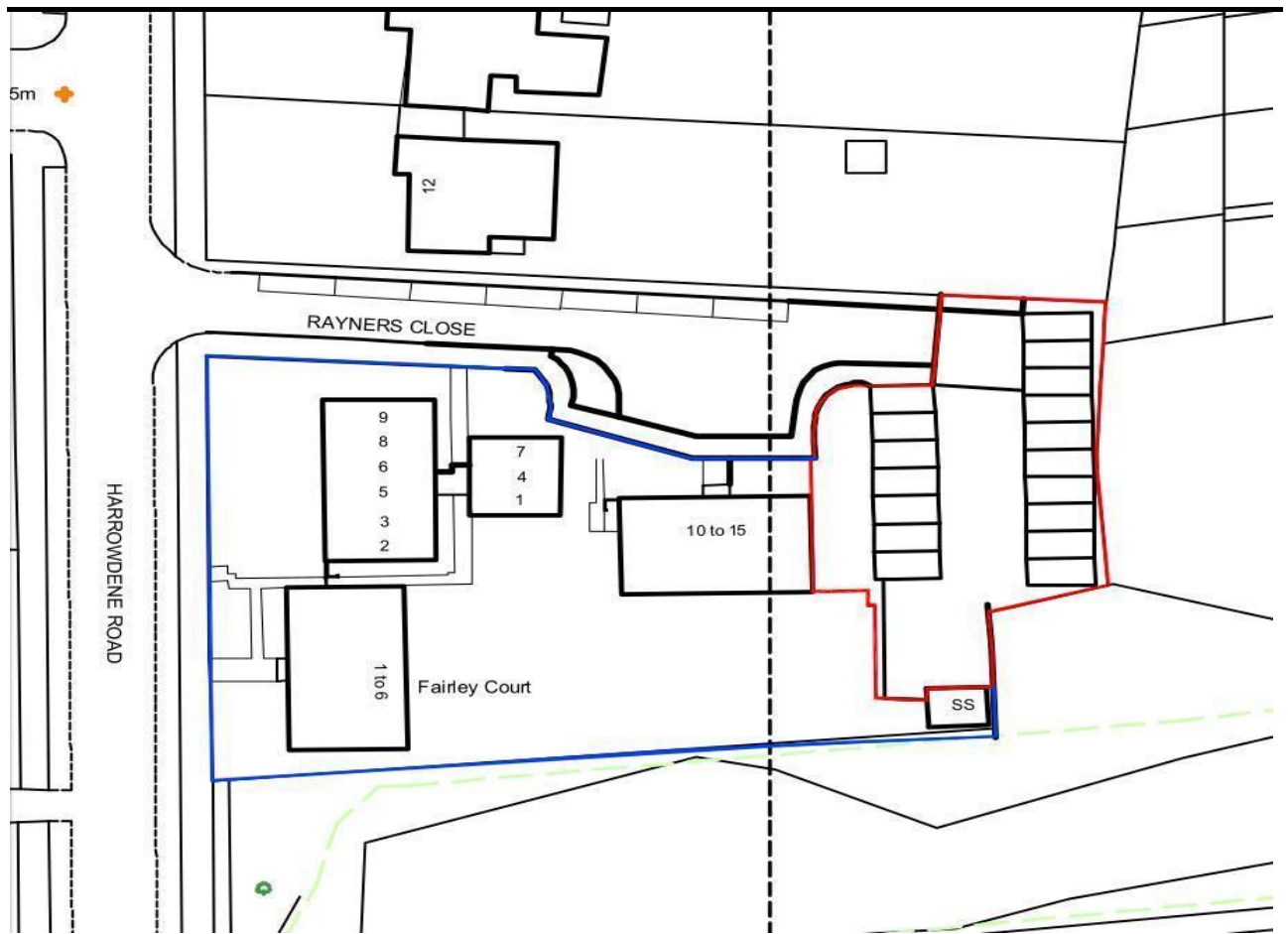
1. CIL liability
2. Party Wall
3. Building near boundary
4. Hours of noisy works
5. Network Rail Standing Advice
6. Soil information
7. Asbestos
8. Highway Works
9. Notify Highways
10. Notify Tree Officer
11. Fire safety
12. Living wage

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

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

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Garages rear of, Rayners Close, Wembley</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

EXISTING

The application site comprises of a garage block located at the end of Rayners Close, Wembley. It is not located within a conservation area nor is it a listed building. Rayners Close is an adopted highway. However, the garages are privately owned and are currently fenced off from Rayners Close.

AMENDMENTS SINCE SUBMISSION

The proposal has been amended in the following ways to become acceptable:

- Changes to the highway layout
- Relocation of flat 3 and 4 balconies from east elevation to south elevation and the addition of screening on these balconies' eastern edges

AMENDMENTS SINCE SUBMISSION

The proposal has been amended in the following ways to become acceptable:

- Changes to the highway layout
- Relocation of flat 3 and 4 balconies from east elevation to south elevation and the addition of screening on these balconies' eastern edges

SUMMARY OF KEY ISSUES

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

- **Principle of use:** The proposal represents the provision of new homes within a residential area. The proposed use is considered appropriate for the area and would result in the provision of new homes within the borough.
- **Design, layout, scale and massing:** The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.
- **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality and meets all relevant policy and guidance in respect of outlook, floorspace and amenity.
- **Neighbouring amenity:** The proposal accords with the amenity impact guidance as set out in the Council's guidance (Supplementary Planning Guidance 17 and draft Supplementary Planning Document 1) and would not result in an unduly detrimental loss of light or outlook to neighbouring properties.
- **Highways and transportation:** The proposal would result in the removal of 17 garages. However, those garages are privately owned and fenced off and thus not accessible for Fairley Court residents. 14 spaces are proposed within the application site, of which 4 are proposed for the residents of the proposed and the remainder for Fairley Court residents. Alterations to the layout of parking spaces on Rayners Close, which would be subject to Traffic Regulation Orders. This, together with the spaces provided with the application site would result in appropriate levels of parking and adequate turning space for refuse vehicles. The proposed arrangement also takes into account the approved access arrangements for the approved development of the adjoining site, 12 Harrowdene Road.
- **Trees, landscaping and ecology:** Some trees are proposed to be removed but they are not considered worthy of retention. The proposal has the potential to improve on the existing situation with the forecourt landscaping proposed. The development will have limited impact on neighbouring ecology..This will be assured through conditions.
- **Representations Received:** A total of 5 objections (plus 2 Councillor objections) have been received raising a variety of concerns set out later in this report. The objections have been considered and discussed within this report and it is considered that the proposal accords with relevant planning policies and guidance

RELEVANT SITE HISTORY

Relevant planning history

Document Imaged

DocRepF
Ref: 17/0502 Page 2 of 22

15/2496 – Demolition of 17 no. garages and erection of part single, part two and part three storey building comprising 3 x 1bed and 2 x 2bed apartments with associated access, car and cycle parking spaces, bin stores and landscaping. *Refused 07/12/2015*. This application was refused for the following reasons:

1. The proposed new building, by reason of its height and excessive depth beyond the rear wall of the adjacent block at 10-15 Rayners Close, would result in an unduly detrimental loss of outlook and an overbearing impact to the detriment of the amenities of occupiers of this building and to the detriment of the use and enjoyment of the adjoining communal garden. The proposal is therefore contrary to policy CP17 of Brent's Core Strategy 2010 policies BE2 and BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance 17.

2. The proposed residential block, by reason of its siting, design and bulk and its relationship to the southern and eastern site boundaries and the communal amenity space, is considered to be out of keeping with and detrimental to the suburban character of the area. This is contrary to policy CP17 of the Brent LDF Core Strategy 2010, Policy BE9 of Brent's UDP 2004 and the guidance as set out in SPG17 "Design Guide for New Development".

3. The proposed development results in the provision of substandard living accommodation for future occupants of the flats; by virtue of poor stacking arrangement between the units, with bedrooms to flats being situated above or below living rooms/kitchens of other units, and the provision poor outlook from some habitable room windows, including outlook to an existing electricity substation. The proposal is therefore contrary to policy BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17. 'Design Guide for New Development'.

4. The proposed reconfiguration of the existing highway (Rayners Close) fails to provide a safe means of access for pedestrians and the submitted drawings show the requirement to provide additional land as public highway to provide the turning head but fails to propose the dedication of that land for adoption to the Local Highway Authority or to detail appropriate adopted kerb margins adjacent to that turning head required to meet adoptable standards. The proposal is therefore detrimental to highway safety, contrary to Policies TRN3, TRN10 and TRN34 of Brent's UDP 2004.

5. The submission fails to demonstrate that internal levels of noise and vibration for the proposed units will be acceptable (having regard to the standards described in BS8233:2014 and BS6472:2008) and as such, does not demonstrate that the proposal can achieve a good standard of residential accommodation for future residents. The proposal is contrary with Policy EP2 of Brent's Unitary Development Plan 2004.

Related planning history for adjacent site (12 Harrowdene Road)

17/2511 - Variation of condition 2 (The development hereby permitted shall be carried out in accordance with the following approved drawings: PL-1, PL-2 Rev A, PL-3 Rev B, PL-4 Rev B, PL-5 Rev B, PL-7 Rev B For the avoidance of doubt and in the interests of proper planning.) of Full planning permission reference 16/4771 dated 2 November 2016 for Demolition of dwellinghouse and erection of a three storey building comprising 6 self-contained flats (2 x 1 bed & 4 x 2 bed) and 2 semi-detached dwellinghouses to the rear, installation of vehicular and pedestrian access onto Rayners Close, provision of car and cycle parking, refuse/recycling storage, communal gardens and alteration to boundary - *Granted, 01/08/2017*.

16/4771: Demolition of dwellinghouse and erection of a three storey building comprising 6 self-contained flats (2 x 1 bed & 4 x 2 bed) and 2 semi-detached dwellinghouses to the rear, installation of vehicular and pedestrian access onto Rayners Close, provision of car and cycle parking, refuse/recycling storage, communal gardens and alteration to boundary - *Granted, 03/02/2017*.

CONSULTATIONS

34 neighbouring properties were consulted on 09/03/2017. A revised proposal incorporating changes to the highway layout were submitted shortly thereafter and a second round of consultation was carried out on 13/04/2017. On these dates the three members for Sudbury were also consulted.

5 neighbour objections were received during these consultation periods as well as objections from 2 of the local Councillors.

The grounds of objection are summarised as follows:

Ground of Objection	Discussion / paragraph No.
The erection will overlook the garden at no. 48 Milford Gardens and remove privacy to bedrooms. This will also have the effect of blocking light to the garden and an already dark room.	The building complies with Council guidance for the protection of privacy and the loss of light - See paragraphs 20-30 (below)
Bins will attract rodents which is already a big problem in this area.	A bin storage has been provided within the development. The bins within the proposed development are no more likely to attract bins serving other homes and the proposed bin storage area is sufficient to meet current Council guidelines for storage capacity.
Rayners close is to provide access for upcoming development on 12 Harrowdene Road (16/4771), specifically where the new parking bays are proposed.	The two developments have been considered in aggregate by Brent's highways officers and it is considered that the two schemes would not contradict or interfere with one another. The 8 parking spaces serving the 12 Harrowdene Road scheme are to be provided within that site.
The developers have cut down trees on the north boundary of the existing property of Rayners Close. The trees may have had preservation orders. Robin Red Breast birds are a protected species and have been observed on these trees.	The felling of trees within the site is not prohibited as they are not subject to preservation orders.
The development will reduce the number of parking spaces available for existing residents of Rayners Close and residents of Fairley Court who also park in Rayners Close, whose right it is to park here.	The parking requirements of both developments have been taken into account and it is considered that the resulting development will achieve suitable parking capacity for both developments, based on Brent's DMP parking standards. This is subject to a condition requiring a car park management plan to be drawn up demonstrating arrangements to ensure that the 10 new parking spaces for Fairley Court residents will be provided and maintained.
The lease for Rayners Close states that the electricity board has to have direct road access to the electricity sub-station. There will be no direct access to the substation as the new development will block this.	This is not a material planning consideration. If the owner is legally obliged to retain access to the substation then they assume responsibility for this and can proceed with development at their will.
The new building appears to be too close to the existing building housing 10-15 Rayners Close.	The buildings are close but not in a way which would be of material detriment to existing or proposed living spaces in either building. This is discussed below (see paragraphs 20-30).
The owner has failed to maintain the existing buildings for the last 20 years. The existing building at Rayners Close are subsiding. There is no guarantee that the owner will maintain and keep any other building to a good standard.	This does not have a bearing on the acceptability of the proposal in planning terms.
This development, when combined with the development that has started next door at 12 Harrowdene Road (16/4771) would be an over-development of this site causing disruption to existing residents and affecting the parking adversely.	Both developments are considered to provide suitable capacity and amenity in terms of parking and other considerations. Both developments are in keeping with their surrounding buildings in terms of height and massing. It is therefore considered that the proposals do not

	represent overdevelopment.
There will be great disruption to existing residents with two building sites operating at once.	This is an inevitable situation with any proposal and is temporary. Noisy works can only be carried out at certain times. An informative will remind the applicant of this.
The area already feels crowded and more neighbours will increase discomfort.	The proposal accords with the Council's guidance relating to the potential impact of developments on the amenities enjoyed by surrounding residents. See paragraphs 20-30 below.
The garages should be refurbished and available for the residents of Rayners Close to rent again.	This is not a material planning consideration and the Council is legally required to consider the current proposal.
All the residents have not been told about the amendments to the application – it appears that the Council have only sent the second consultation to those that objected originally.	The Council sent the second round of consultation to all 34 residents who were originally consulted.
The original development of Rayners Close in 1970 required that the garages were maintained to a reasonable standard for the use of residents. Brent Council is therefore not enforcing its own planning conditions and have allowed the owner to let the property to become derelict.	The removal of these garages is proposed and as such, should permission be granted and the development implemented, any former conditions that may relate to the garages would no longer be applicable. The parking provision for the Fairley Court homes has also been considered when assessing this application (see paragraphs 31-39).
Parking requirements are not being met by this development, particularly in the context of the spaces already taken by the development across the road at 12 Harrowdene Road.	See paragraphs 31-39 (below). Additional parking spaces are proposed for Fairley Court residents and the development has been considered having regard to the approved development at No. 12 Harrowdene Road.
Harrowdene Road is extremely busy and congested. As traffic exits from Sylvester Road, there needs to be a full traffic survey as it seems likely that residents' cars will be displaced to other roads by this development.	The proposal, if approved, would only result in 4 additional homes. The likely impact on traffic congestion and junction capacity is accordingly considered to be negligible. Parking demand is discussed within paragraphs 31-39 (below).
There are disabled people amongst the existing residents of Rayners Close but there is no reference to providing disabled spaces on the site with a proposal to increase to thirty homes.	The proposal results in the loss of 17 garages which (aside from being inaccessible) were did not provide disabled parking. The proposal accordingly does not result in the loss of any disabled parking spaces. Planning policy does not require the inclusion of disabled parking spaces within minor developments, nonetheless it is noted that the applicant has included wheelchair access bays within their proposal.
There is a pressure on amenity space on the site	The amenity space provided meets Brent's standards for a good quality of accommodation in respect of this aspect. There is no loss of existing amenity space for current residents of Fairley Court.
Rayners Close consists of 24 mainly family sized flats with no balcony to rely on for amenity space. The space between blocks is therefore relied on for amenity space and it is not clear where or not it will be for the	The proposed amenity spaces are to be gated off for the private use of residents. Suitable amenity space is provided for the applicant at 12 Harrowdene Road and it is not considered likely that the amenity

use of applicant of 17/0502 as well as 16/4771.	space allocation between 12 Harrowdene Road, Fairley Court and the proposed development is ambiguous. Nonetheless, boundary fences could be erected, at the owners' will, to more clearly demarcate such areas.
There is no reference in the application about the relationship of 17/0502 and the planning granted in relation to 16/4771. The applicant acknowledges that utility vehicles can only enter Rayners Close and access 17/0502 if the road is clear, yet permission granted to 16/4771 seems to accept that the area will be recognised as parking for that application.	16/4771 was granted on the basis that the proposal would provide 8 off-street parking spaces and would not rely on street parking along Rayners Close. As such it is not considered that the two schemes would interfere with one another's parking arrangements.

Environmental Health comments: No objections subject to conditions – see further discussion below.

Network Rail comments: No objections – see further discussion below.

National Grid Plant Protection comments: No comments, as none of their assets are within the application site.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012
National Technical Housing Standards 2015
London Plan 2016
Mayor of London Housing SPG
Brent Core Strategy 2010
Brent Development Management Policies 2016
Brent SPG17 Design Guide for New Development (Brent)
Brent Draft SPD1 Design Guide for New Development (Brent)

DETAILED CONSIDERATIONS

Site and Surroundings

1. The application site comprises of a garage block located at the eastern end of Rayners Close, which is a cul-de-sac that serves 21 flats accessed from Harrowdene Road. The flats are also known as Fairley Court, and comprise of four blocks of flats built around 1970.
2. The site is located adjacent to the Network Rail railway tracks, to the south. This area immediately to the south is also within a designated Site of Importance for Nature Conservation (Grade I). Within the application site, adjacent to the southern boundary, is an electricity substation. There are several trees of varying maturity also located within and adjacent to the site.
3. To the east of the site is the rear garden of 48 Milford Gardens. To the north of the site, across Rayners Close, is 12 Harrowdene Road. A development is currently ongoing to erect a block of 6 flats and 2 semi-detached dwellinghouses on this plot of land (approved Feb 2017 under ref 16/4771). Access to the parking spaces for the houses is to be provided by a new crossover on the north side of Rayners Close.

Principle of Use

4. This application seeks to demolish the existing garage block that would have originally served the flats within the site, and the erection of a residential block of flats. There is not an objection in principle of the residential use of the site as it is residential at present. However, the scheme will be subject to a number of other material planning considerations which are discussed below.

Layout, scale, massing and design

5. The new block of flats will contain 4 x 2 bedroom flats with an undercroft parking area containing six parking spaces. The new building is to have a flat roof and would be a 3 storey building, it would include a green roof. Further details of the proposed green roof are to be requested by condition.
6. The existing adjacent blocks at Fairley Court have flat roofs, and therefore the flat roof design of the proposed new block would be in keeping with the area. There are also other flat roofed developments along Harrowdene Road.
7. The proposed block would see the majority of the ground floor forming an undercroft parking area, although small internal rooms to the south-west side of the building would accommodate refuse and cycle storage as well as the communal entrance to the building. The first and second floors contain a 2b3p and a 2b4p flat each for a total of 4 units within the development. Each flat is equipped with a 6-7sqm balcony. The block itself will occupy the central and western parts of the land parcel; additional uncovered parking spaces are to be contained along the eastern edge of the site, as well as a communal amenity space for residents. A larger and more sheltered communal amenity space is to be located at the southern edge of the block.
8. At present there is an inconsistent building line along the south side of Rayners Close, this is partly brought about by the varied position of the existing highway, with an existing layby altering the developable space. The proposed block would be about 0.8m from the boundary with the highway, which is closer than the existing blocks forming Fairley Court (the closest block at present is about 3m from the boundary with the highway). However, the location at the end of the cul-de-sac is noted and it is considered that the projection beyond the other blocks within the road is justified on the basis that there is no established building line and that the end of cul-de-sac location will prevent any undue visual detriment to the existing building line and streetscene.
9. The building would project about 9m beyond the front elevation of the neighbouring building at 10-15 Fairley Court and about 1.4m to its rear. Whilst this is substantially larger than the neighbouring building, the width of the proposed building is substantially less and only occupies a modest portion of the overall land parcel. For this reason it is considered that the proposal retains an acceptable suburban character and appropriate development density commensurate with its surroundings.
10. The building is to be located about 1.4m from the edge of the building containing 10-15 Fairley Court and directly bordering the communal amenity area of Fairley Court on the southern side. The building is to be 0.4m taller than its neighbour at 10-15 Fairley Court which is not considered a significant enough difference to make the two blocks appear materially different in height.
11. The space between the existing and proposed buildings as shown within the proposed site plan is similar to that between the two fronting Harrowdene Road and is considered to be acceptable.
12. The proposed fenestration to the new building is not of the same configurations of that on the existing adjacent residential blocks on Rayners Close. However, it is of a modest design common in modern residential developments. The external finish of the building is to be brick and render with some material variation achieved with shiplap boarding, tresspa and open metal grilles to the car park. This is considered acceptable for the proposed block taking into consideration the surrounding buildings, which are of a similar finish. Full details of materials could be conditioned as part of any consent.

Quality of proposed accommodation

13. The scheme proposes 4 x 2 bedroom flats. All units meet London Plan internal unit size standards. Two of the flats (on the northern side of the building) have triple aspect outlook (east, north and west) whilst the other flats have dual aspect outlook (south and north). This is considered to offer a good standard of accommodation. With all flats being located on upper floors, there is no concern that outlook to the boundaries will be limited, as significant range views will be achieved from all windows. The north facing windows serving the kitchens of flats 2 and 4 are designed so as to have their western outlook obscured to protect the privacy of the other flats in the block.

Noise disturbance from adjoining railway

14. The development is situated in close proximity to the railway line to the south, and would therefore be subject to noise disturbance and vibration from trains.
15. The applicant has provided a noise assessment with accompanying measures to mitigate noise and

vibration. These measures include glazing specification and the use of appropriate ventilation. The report has been reviewed by Brent's regulatory services and is considered to be acceptable. The recommendations of the report will be conditioned for assurance that they will be implemented.

Stacking

16. The rooms of similar uses within the flats stack directly atop one another and there is no need for further measures of sound insulation between floors to be submitted in this respect.

External amenity space

17. All four units have a private balcony, two of which measure 6sqm and two of which measure 7sqm. The 7sqm balconies serving plots 1 and 3 achieve 1.5m depths whilst the 6sqm balconies serving plots 2 and 4 achieve 1.35m depths. The 1.35m depth does not accord with the standards within the Mayor's housing SPG, however given the limitations of the site and the proximity of the balconies to the boundary of the site this reduced standard is acceptable. It is considered that the reduced depth should not warrant refusal of the application.
18. The proposal is to include two separate communal amenity spaces: a 28sqm tract of amenity space south of the parking spaces on the eastern side of the site and a 70sqm garden to the south of the block. The amenity spaces are to be surrounded by 1.8m fencing on most sides but are still considered to be substantial enough in size to provide a good quality space. The two amenity spaces are linked by a short but narrow footpath around the south-eastern edge of the building. The footpath is more than 1m wide at all points and is considered to offer a suitable means of access between the spaces.
19. The overall quantum of amenity space within the development is 124sqm, which exceeds the 80sqm which would be required in accordance with SPG17 guidance.

Amenity impact of development

North – 12 Harrowdene Road

20. The site adjoins 12 Harrowdene Road to the north, which is undergoing redevelopment at present in accordance with planning permission 16/4771. The private garden area of the semi-detached houses is located at the rear of the plot of 12 Harrowdene Road, directly bordering with this site. However, the two north facing windows serving the proposed development do not face directly across this garden space and are located at least 11.5m from the edge of this private garden space. This exceeds the 10m distance buffer sought for privacy within SPG17 guidance.
21. The windows would allow overlooking of this property at a distance of slightly less than 10m in places directly across from the windows (as referred to within SPG17), however at 9.5 m, it accords with the minimum distance set out within draft SPD1.
22. A car parking space will be located immediately alongside the rear garden boundary of a new semi-detached house at 12 Harrowdene Road. This replicates the existing situation whereby a garage has been located alongside the site for an established period of time. It is not considered that the replacement of the garage with a car parking space will result in a materially different use of the space, in respect of potential disturbance to residents of the semi-detached house at 12 Harrowdene Road.
23. In conclusion, the proposal is not considered to result in an unduly detrimental amenity impact at no. 12 Harrowdene Road.

South – Network Rail Land alongside Chiltern Railway

24. The land to the south is Network Rail owned land alongside the Chiltern Railway line. Network Rail have been consulted and do not have any direct objection to the proposal but have provided some standing advice for the applicant. This land will be overlooked by the south facing windows of the development at a close distance, nonetheless, the land is not residential in nature and is unlikely to come forward for residential redevelopment in the future given the importance of the rail infrastructure. It is therefore not considered that the proposal incurs an unduly detrimental effect on the visual amenity of the Network Rail land to the south of the site.
25. It will be important for the applicant to accord with Network Rail standing advice, and such information will

be communicated to the applicant by way of informative.

East – 47 and 48 Milford Gardens

26. To the east of the site is the rear of the residential gardens at 47 and 48 Milford Gardens. No. 47 will only be affected to a small extent as the proposed building itself will not project alongside its garden. However, the building will project alongside no. 48's garden. Specifically, the proposed building is to be 7m from the no. 48's rear garden boundary at its closest point. The submitted elevations confirm that, at this distance, the proposed building will sit under a 45 degree line that is drawn towards the development from the boundary fence at a height of 2m. The development therefore complies with SPG17 and draft SPD1 guidance in terms of protecting rear garden enclosure at no. 48 Milford Gardens. The development does not include any east facing windows or balcony spaces, looking towards the gardens, at a distance of 10m or less to the garden boundary or a distance of 18m or less to the rear facing windows of the house at 48 Milford Gardens. The south facing balconies serving flats 2 and 4 are to be equipped with screening to their eastern elevations to prevent overlooking of the gardens to the east. The screening is confirmed on the plans to be formed of obscure glazed panels at a height of approx. 2.25m. A condition will require the screening to be fitted in place and maintained prior to occupation of the building. Given the above, the development complies with SPG17 and draft SPD1 guidance in terms of protecting privacy at 48 Milford Gardens.
27. It is not considered that the development will incur an unduly detrimental impact on neighbouring amenity to the east.

West – 10 – 15 Fairley Court

28. To the west of the site is the building containing flats 10-15 Fairley Court. The proposed building projects significantly to the front and rear of this existing block and draft SPD2 would advise an assessment in accordance with 1:2 guidance. The front facing windows would not warrant the same protection as more private rear garden windows. Whilst the proposed building would reduce some light and outlook to the east as seen from the windows along the front elevation of 10-15 Fairley Court, it is noted that this elevation is north facing and the loss of light is unlikely to be substantial. The windows will retain unimpeded outlook to the north and west. It is also noted that these windows are highway facing and form the front elevation, not warranting the same protection from amenity impact as windows at the rear which look over the gardens.
29. The west facing windows servicing the kitchens of flat 1 and 3 in the new development are designed to restrict visibility to the south so as to protect the privacy of the existing front windows at 10-15 Fairley Court.
30. The proposed building extends approximately 2m to the south of the rear facing windows at 10-15 Fairley Court. This rear projection is displaced 5m from the nearest windows along this elevation and as such the projection of the proposed building comfortably complies with the 1:2 guidance set out in SPG17 and draft SPD1 and it is not considered that any impact experienced by occupiers at 10-15 Fairley Court will be unduly detrimental.

Transport considerations

31. Car parking allowances for residential use are given in appendix 1 of the Development Management Policies. The maximum parking allowance for a 1 - 2 bedroom flat is 1 space, giving an overall allowance of 4 spaces for the new flats. There are 17 existing garages on the site. However, these are fenced off and inaccessible, and appear to have been in this condition for several years.
32. The size mix of the 21 existing flats in Fairley Court is not known (i.e. the number of bedrooms within each flat), so for the purposes of this assessment they are assumed to comprise 18 x 2-bed & 3 x 1-bed units, judging by the number of windows for each flat. On this basis, up to 21 parking spaces would be permitted for the existing flats and the provision of 17 garages would accord with standards, with further parking space available along Rayners Close.
33. The submitted drawings suggest the provision of 5 parking spaces along the northern side of Rayners Close (within the adopted highway), 2 spaces within the layby (also within the adopted highway) and 8 spaces within the new development site. In addition, a further 6 parking spaces are proposed on the ground floor undercroft of the new development. The plans indicate that 10 of the spaces proposed to be

provided within the application site will be provided for the existing residents of Fairley Court. Your officers in Transportation have confirmed that these spaces combined with the provision of 7 on street parking bays would satisfy parking standards for the existing site. The remaining 4 parking spaces within the ground floor undercroft of the new development will be allocated to the 4 new units. Once again, this is supported by your highway officers.

34. A vehicle tracking plan for a 10m refuse vehicle also also been submitted with this application. The two bays along the north eastern side of Rayners Close, parallel to the highway, are shown removed and replaced with proposals for double yellow lines to allow the refuse vehicle to make the turn. Two new bays have been marked out along the southern boundary, at a 90 degree angle to highway. These were requested by Highways for improvements and in order to keep the turning circle free. The bays are acceptable in principle, although the refuse turning is slightly tight to the bay.
35. However, the alterations to achieve turning by refuse vehicles rely upon the Council being able to progress the Traffic Regulation Orders to remove parking from the street, which may be difficult if adequate replacement parking was not proposed. It is therefore essential to the acceptability of the proposal that the future use of the new parking spaces that are proposed to be provided for us by residents of Fairley Court is robustly secured to mitigate the risk that informal parking takes place which obstructs the area required for turning (despite the proposed introduction of yellow lines). If the development at 12 Harrowdene Road (16/4771) is fully implemented then the newly formed crossover on the north side of Rayners Close will provide a separate turning area to the benefit of this development. The crossover will remove a small amount of parking space on street but these spaces can acceptably be provided to the south instead, within the layby. A car park management plan will be required to be drawn up, submitted, approved and implemented for the lifetime of the development by condition in achieving either a) a guarantee that the future use of the new parking spaces by Fairley Court will not be obstructed or b) revised parking space locations (within the layby) if the crossover to the north is present.
36. These highway works will need to be carried out at the developer's expense through a joint Agreement under Sections 278 of the Highways Act 1980, which will be at the applicant's expense and include; (i) Removal of two on street parking bays to be replaced with double yellow lines, (ii) creation of 2 new on street parking bays within the layby, (iii) double yellow lining along section of Rayners Lane to prevent obstruction and ease of access for refuse vehicles and (iv) demarcation (a row of setts) to define the boundaries between the highway and private land. The costs will include the payment of the Council's legal and other professional costs in preparing and completing the agreement, approving detailed drawing, supervising the works and processing / amending the Traffic Regulation Order's.
37. Pedestrian access to the flats will be from Rayners Close footway, which is acceptable.
38. A cycle store is proposed at ground level adjacent to the undercroft parking. It will serve four bicycle parking spaces. These spaces do not comply with the London Plan, which permits 2 cycle spaces per 2+ bed units and therefore 8 cycle parking spaces should be provided for the new units. However, there is scope at ground level to provide a larger cycle store and such details are recommended to be secured as a condition to any forthcoming consent.
39. The refuse store for the new flats is also located at ground level. The refuse storage capacity requirements for the 4 flats includes 280l for residual waste, 480l for dry recycling and 92l for food waste. The bin store is of sufficient size to accommodate this requirement and is located within 20m of the highway, to allow collection from the waste operator. Full details will be conditioned to any forthcoming consent.

Environmental Health Considerations

Air Quality

40. The development is within an Air Quality Management Area and located very close to other residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A condition to secure a Construction Method Statement is therefore recommended to minimise the impact on local air quality and protect the amenity of neighbours during construction.

Land Contamination

41. The site is located on and adjacent to land that has had a former contaminative land use (garages, railway land). Contaminated land conditions are recommended to require that appropriate investigations and remediation (if necessary) are carried out prior to construction.

Asbestos

42. 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. An informative will remind the applicant.

Electromagnetic Fields

43. The development is within 10m of an electric substation and it is recommended that a condition is attached to require an assessment of electromagnetic fields and their potential impact on end users and to provide mitigation against high levels if necessary.

Tree Considerations

44. The applicant has submitted an arboricultural survey and impact assessment given the presence of trees on and near the site.
45. The arboricultural report notes that the site is largely free of trees and those that are present are generally on the site's eastern periphery and are of relatively low value, not forming a development constraint. However, trees outside of the site to the south within the railway land are noted to be of greater amenity value and should be retained and protected throughout the development. Overall, three dead or poor quality trees are proposed for felling and the high value trees to the south are to have their roots protected by protective fencing.
46. Brent's tree officer agrees with the methodology and the proposed tree protection plan and has requested a condition requiring that the tree protection plan is fully adhered to during the development phase, including a requirement for the erection of protective fencing to be observed by Brent's tree protection officer.

Ecology Considerations

47. The application site is located immediately adjacent to a Site of Importance for Nature Conservation (Grade I), and the applicants have submitted a Preliminary Ecological Assessment. The Tree Officer has considered the submitted details, and is satisfied with the recommendations made in the preliminary ecological assessment, which includes the provision of bat boxes. The report also suggests the use of native species which is also supported in this location. The details of this report can be conditioned.
48. If the application is to be supported, a relevant condition requiring a full landscaping scheme will be attached.

Comparisons between the previously refused application (15/2496) and the current application

49. The previous application for a similar development on this site was refused for five planning reasons. These reasons are listed below alongside a clear explanation of how the current application has addressed the previous concern.

Reason why previous application (15/2496) was refused	Reason why current application (17/0502) is a
The proposed new building, by reason of its height and excessive depth beyond the rear wall of the adjacent block at 10-15 Rayners Close, would result in an unduly detrimental loss of outlook and an overbearing impact to the detriment of the amenities of occupiers of this building and to the detriment of the use and enjoyment of the adjoining communal garden. The proposal is therefore contrary to policy CP17 of Brent's Core Strategy 2010 policies BE2 and BE9 of Brent's Unitary Development Plan 2004 and	The development extends approx. 1.3m to the rear of the adjacent block at 10-15 Rayners Close, compared to the previous application's excessive 4.5m projection of the previous application. The current projection is also 4.25m away from the side edge of the neighbouring building, overall results in non-overbearing relationship with neighbouring building and amenity space. The rear view to the rear is acceptable.

Supplementary Planning Guidance 17.	
The proposed residential block, by reason of its siting, design and bulk and its relationship to the southern and eastern site boundaries and the communal amenity space, is considered to be out of keeping with and detrimental to the suburban character of the area. This is contrary to policy CP17 of the Brent LDF Core Strategy 2010, Policy BE9 of Brent's UDP 2004 and the guidance as set out in SPG17 "Design Guide for New Development".	The development has been significantly adjusted to a greater distance from the southern (railway) and (Gardens) boundaries of the site resulting in a more open and less cramped appearance. The development complies with SPG17 amenity impact standards on the eastern residential premises.
The proposed development results in the provision of substandard living accommodation for future occupants of the flats; by virtue of poor stacking arrangement between the units, with bedrooms to flats being situated above or below living rooms/kitchens of other units, and the provision of poor outlook from some habitable room windows, including outlook to an existing electricity substation. The proposal is therefore contrary to policy BE9 of Brent's Unitary Development Plan 2004 and Supplementary Planning Guidance No. 17. 'Design Guide for New Development'.	The flats are appropriately stacked within the development. The flats are now located on upper floors and are of good quality, unobstructed outlook, unlike the previous ground floor flats which had limited views towards the electricity substation.
The proposed reconfiguration of the existing highway (Rayners Close) fails to provide a safe means of access for pedestrians and the submitted drawings show the requirement to provide additional land as public highway to provide the turning head but fails to propose the dedication of that land for adoption to the Local Highway Authority or to detail appropriate adopted kerb margins adjacent to that turning head required to meet adoptable standards. The proposal is therefore detrimental to highway safety, contrary to Policies TRN3, TRN10 and TRN34 of Brent's UDP 2004.	The changes to the highway within this development are acceptable compared to those proposed within the previous development. The development now relies on undercroft parking and a series of parking bays along Rayners Close. The development is acceptable.
The submission fails to demonstrate that internal levels of noise and vibration for the proposed units will be acceptable (having regard to the standards described in BS8233:2014 and BS6472:2008) and as such, does not demonstrate that the proposal can achieve a good standard of residential accommodation for future residents. The proposal is contrary with Policy EP2 of Brent's Unitary Development Plan 2004.	A noise report has been submitted and agreed with the Council's team as part of this application – the development is acceptable subject to a condition to secure the implementation of the measures within the report.

Conclusion

- 50.** For the above reasons the proposed development is considered to be acceptable, and is accordingly recommended for approval.

CIL DETAILS

This application is liable to pay **£161,004.27*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 490 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	490		490	£200.00	£35.15	£136,937.50	£24,066.77

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)	313	
Total chargeable amount	£136,937.50	£24,066.77

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/0502

To: Mrs Davies
DLA Town Planning Ltd
5 The Gavel Centre Porters Wood
St Albans
AL3 6PQ

I refer to your application dated **03/02/2017** proposing the following:

Demolition of 17 garages and erection of a three storey building comprising 4 x 2 bed flats and undercroft car parking, cycle parking and bin store with associated amenity space and parking provision for existing flats

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

at **Garages rear of, Rayners Close, Wembley**

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

Date: 08/01/2018

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 National Planning Policy Framework 2012
London Plan 2015
Brent Core Strategy 2010 – CP2 (Population and Growth), CP17 (Suburban Character), CP21 (Family Sized Dwellings)
Brent DMP 2016 – DMP1 (General Policy), DMP11 (Forming an access on to a road), DMP12 (Parking), DMP18 (Dwelling Size), DMP19 (Amenity Space)
National Technical Housing Standards 2015
SPG17 Design Guide for New Development (Brent)
Draft SPD1 Design Guide for New Development (Brent)

- 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):

Drawing No: 400
Drawing No: 401
Drawing No: 402 Rev P2
Drawing No: 403 Rev P1
Drawing No: 404 Rev P1
Drawing No: 405 Rev P1
Drawing No: 406

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

- 3 Prior to commencement of the development, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority to provide the following highway works:

(i) removal of two on street parking bays to be replaced with double yellow lines,
(ii) creation of 2 new on street parking bays within the layby,
(iii) double yellow lining along section of Rayners Lane to prevent obstruction and ease of access for refuse vehicles
(iv) demarcation (a row of setts) to define the boundaries between the highway and private land.

The development shall not be occupied (or other timescales to be agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority and have been certified in writing as being substantially complete by or on behalf of the local planning authority. The works shall be carried out at the applicant's expense.

Reason: In the interests of highway and pedestrian safety.

- 4 The development shall be carried out in full accordance with the mitigation measures as specified within the Noise Exposure Assessment (Ref: 11051-NEA-01), dated 29 April 2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a suitable internal noise environment for residents

- 5 The development shall be carried out in full accordance with the mitigation measures as specified within the preliminary Ecological Appraisal (Ref: 772747-REP-ENV-001), dated 29 April 2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect adjoining ecology

- 6 The development shall be carried out in full accordance with the measures as specified within the Preliminary Arboricultural Impact Assessment (prepared by A.T. Coombes Associates Ltd.), dated April 2015. Subsequent to the erection of protective fencing, but prior to commencement of works, Brent's tree officer shall observe the fencing that has been put in place.

Reason: To give due regard to the need to protect surrounding trees

- 7 The car parking 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 shall be ancillary to the use of the residential units only, and retained 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.

- 8 The screening to the balconies of flats 'plot 2' and 'plot 4', as identified and specified on drawing 403 Rev P1, shall be installed prior to first occupation of the development and thereafter permanently maintained.

Reason: In the interests of protecting the privacy of neighbouring occupiers.

- 9 Prior to the commencement of building works hereby approved, the applicant shall conduct an assessment of the potential exposure of site end users to the electromagnetic fields generated by the electric substations on/near the site. The applicant shall take all necessary measures to ensure the exposure level is within the 'International Commission on Non-ionizing Radiation Protection (ICNIRP)' guideline values for electromagnetic fields. The assessment shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 11 Prior to occupation of the development, details of the hard and soft landscaping of the areas identified within the drawings hereby approved, shall be submitted to and approved in writing by the Local Planning Authority.

The details shall specify species, densities and locations of plants and trees proposed together with hard landscaping materials and other landscaping features, and boundary treatments.

The landscaping (hard and soft) shall be provided within the first available planting season.

Any planting that is part of the approved scheme that within the lifetime of the development after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species

and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To preserve the amenities of nearby residents and to prevent privacy being compromised

- 12 Prior to occupation of the development, further details of the green roof shall be submitted to and approved in writing by the Local Planning Authority. The green roof (inclusive of its approved details) shall be provided within the first available planting season.

Reason: To ensure the development has an effective and appropriate green roof

- 13 Prior to occupation of the development hereby approved, revised details of the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The revised details shall indicate storage space for 8 bicycles in secure and covered location/s for the development and clarify the means of accessing the storage spaces, ideally demonstrating that the storage spaces do not require the use of stairs to be accessed.

The approved cycle storage shall be provided prior to occupation of the development.

Reason: To ensure that the development has a suitable number of parking spaces, in compliance with the London Plan.

- 14 Prior to occupation of the development hereby approved, a car park management plan shall be submitted to and approved by the Local Planning Authority. Such details shall include either

(a) identifying the allocation of ten of the new parking spaces within the development for the existing residents within Fairley Court.

(b) revised parking space locations (within the layby) if the crossover to the north is present.

The approved car park management plan shall thereafter be adhered to throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development appropriately provides a suitable number of accessible parking spaces to satisfy parking requirements within the DMP.

- 15 Prior to the commencement of the development (excluding demolition, site clearance and the laying of foundations), a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of the surrounding premises.

- 16 Prior to the installation of any heating plant, the applicant shall submit the details of the proposed boilers to the Local Planning Authority and demonstrate that the emissions of oxides of nitrogen (NOx) are as low as reasonably practicable for that class of boiler. The details shall be approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to occupation of the development.

Reason: To protect local air quality, in accordance with Brent Policy DMP1.

- 17 Prior to the commencement of building works (excluding demolition and site clearance), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the

principles of BS 10175:2011 + A1:2013. A report shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The report shall be approved in writing by the Local Planning Authority prior to commencement of the works on site.

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

- 18 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The remediation works shall be carried out in full prior to commencement of the building works (excluding demolition and site clearance).

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

- 19 Prior to occupation of the development hereby approved, revised details of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The revised details shall indicate capacity for storage space for 240l of residual waste, 480l for dry recycling and 92l for food waste.

The approved refuse store shall be provided prior to occupation of the development.

Reason: To ensure that the development has a suitable number of parking spaces, in compliance with the London Plan.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:

Mon-Fri 0800-1800

Sat 0800-1300

Audible works should not be carried out at any time on Sundays and Bank Holidays.

- 5 An Asset Protection Agreement (APA) will need to be entered into with Network Rail to facilitate the design and construction of development works to be undertaken within 10m of the operational railway. A risk assessment and method statement (RAMS) will need to be agreed with Network Rail prior to the commencement of those works.
- 6 In relation to the conditions relating to land contamination. The applicant is advised that the quality of imported soil must be verified by means of in-situ soil sampling and analysis. The Council does not accept soil quality certificates from the soil supplier as proof of soil quality.
- 7 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 8 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to be undertaken/enter into the legal agreement.
- 9 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 10 The applicant is advised to contact the Council's tree protection officer, Lawrence Usherwood, on 020 8937 5247 in respect of meeting the requirements for the condition relating to tree protections.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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

17 January, 2018
05
17/4151

SITE INFORMATION

RECEIVED	26 September, 2017
WARD	Fryent
PLANNING AREA	
LOCATION	Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ
PROPOSAL	Demolition of existing garages and erection of a three storey building to provide three self-contained flats (1x 1bed and 2x 2bed) with associated alterations including provision for car parking spaces, bicycle stores, bin stores, amenity space and soft and hard landscaping
APPLICANT	Brent Council
CONTACT	JLL
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_136456</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/4151" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Flats to be for affordable rent
4. Parking, bin storage and cycle parking to be provided prior to occupation
5. Tree protection plan to be adhered to throughout construction
6. Details of materials to be submitted
7. Defensible screening details to be submitted
8. Landscaping details (inclusive of revised tree species) to be submitted
9. Details of pedestrian access to be submitted
10. Internal Noise levels details to be submitted
11. Contaminated land desktop study to be submitted
12. Site investigation to be submitted if necessary
13. Remediation works to be carried out and submitted if necessary

Informatives

1. Asbestos
2. CIL Liable
3. Party Wall
4. Building near boundary
5. Tree Officer contact
6. Notify highways before works commence
7. Fire Safety
8. Living Wage

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

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

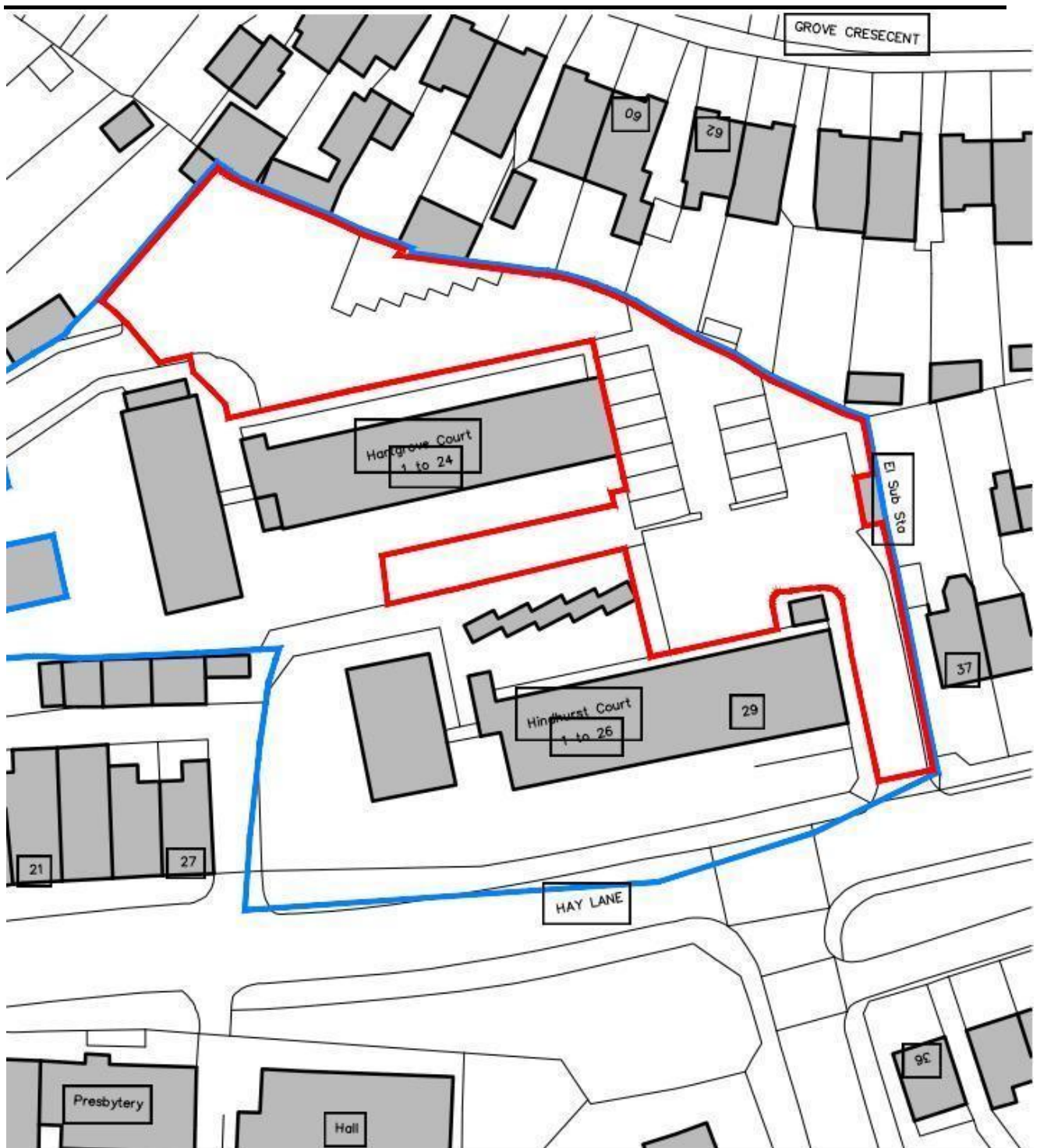
SITE MAP



Planning Committee Map

Site address: Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane ,
London NW9 0NJ

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This map is indicative only.

EXISTING

The site has an overall area of 0.2 hectares which includes 11 existing garages, associated hardstanding and a small tract of green space.

The site comprises two car parking areas, one to the north of Hindhurst Court and east of Hartgrove Court, accessed from Hay Lane and one to the north of Hartgrove Court, accessed from Elmwood Crescent. The former car parking area contains 11 garages immediately to the east of Hartgrove Court. The applicant's planning statement confirms that 7 of the existing garages are currently vacant and 4 are in use. The site borders with communal garden areas of Hindhurst and Hartgrove Courts to the west and the rear of residential suburban gardens along Elmwood Crescent, Grove Crescent and Hay Lane to the north and east.

The site itself is not within a conservation area nor does it contain a listed building. Surrounding uses are residential.

SUMMARY OF KEY ISSUES

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

Principle of use: Residential dwellings are proposed in a residential area. The proposed use is considered acceptable.

Design: The design of the building is considered to be acceptable and the height and massing is in keeping with the local context.

Quality of the resulting residential accommodation: The residential accommodation proposed is of sufficiently high quality and meets all relevant policy and guidance in respect of outlook, floorspace and amenity.

Neighbouring amenity: There would be no significant losses of light and outlook to neighbouring properties as the proposal complies with amenity impact guidance as laid out in SPG17 and draft SPD1.

Highways and transportation: The provision of parking and cycle storage and refuse storage are considered to be suitable. Conditions will require details of a dedicated pedestrian access to be provided.

Trees, landscaping and ecology: Some arboriculture is to be lost although new trees are to be planted to mitigate the loss. Landscaping improvements are proposed for the existing communal garden between Hindhurst and Hartgrove Courts

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0		0	242	242
Sui generis	64	0	64	0	-64

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

This site has no planning history.

CONSULTATIONS

80 nearby properties were consulted regarding the proposal for a minimum of 21 days on 10/10/2017 and again on 27/11/2017 following the restarting of the application as a revised location plan was submitted.

During the consultation periods, five representations were received, three objecting to the proposal, one supporting the proposal and one taking a neutral stance on the proposal. The comments raised are summarised as follows:

Grounds of Support	Discussion/Paragraph No.
Getting rid of the garages is a good idea as the space the garages take up is wasted and would be better used to house people, even if my household would lose some of its view.	Weighing up all material planning considerations, officers consider that the proposal accords with adopted policy and guidance.
Grounds of Objection	Discussion/Paragraph No.
Emergency services would lose one of two access points to Hartgrove Court, with access restricted to Elmwood Crescent only, which could obstruct access for fire engines if cars are parked on both sides of the road.	Both the car parks serving Hindhurst Court and Hartgrove Court will remain accessible to emergency service response vehicles – the applicants have provided vehicle movement tracking diagrams to confirm this.
Hartgrove Court residents will lose a frequently used pedestrian entry point to their block.	Permeability through the site around Hindhurst and Hartgrove Court will be lessened to a degree, however there are still alternative and convenient means of access between all entrances and car parks, such as around the western side of Hartgrove Court.
The proposed flats require relocation of the main refuse disposal facilities currently receiving heavy use by existing residents. The proposed new location for refuse is located un-hygienically close to the homes and front gardens of the existing tenants, and will bring the refuse facilities into view of all Hartgrove Court tenants. This will reduce hygiene and living standards for existing tenants.	The refuse storage is proposed within a secured internal part of the building. It is not considered that hygiene and living standards will be reduced for nearby residents.
The new building will restrict the view for existing residents at Hindhurst Court, Hartgrove Court and Grove Crescent.	This is discussed in paragraph 11 below.
The existing garages were designed originally to meet the needs of Hartgrove and Hindhurst Court tenants. Removing these facilities and the surrounding space will remove the possibility of any such harmonious living environment intended by its designers and could introduce further social problems associated with densely populated housing estates.	The applicant has acknowledged that 4 of the existing garages remain in use and this has been factored into proposals and transport considerations. The application has still been considered in terms of whether the existing and proposed parking provision meets the likely needs of tenants. Please see paragraphs 28-33 below for further information.
There has been no convincing argument put forward that describes how the proposed homes	The proposals include plans to enhance existing landscaping between Hartgrove and Hindhurst

will contribute towards a better living environment for those immediately affected, or how it could be an improvement for Brent as a whole.	Courts, this is to include the provision of new planting and seating. The proposed building itself will not materially detract from the existing living environment.
The Council did not have funding to replace the garage doors but do have money to build flats on the site.	This is not a material planning consideration.
Most residents of the existing flats own a car and parking is very tight – parking takes place in spaces between the garages.	The parking situation has been considered thoroughly by the applicant and Brent's highways officers, and has been informed by recent overnight parking surveys. Please see paragraphs 28-33.
The car park is used by those who are not resident at the existing blocks.	Up to date overnight parking surveys have been undertaken to consider the existing parking demand.
Overspill parking is resulting in anti-social behaviour and vandalism.	These are matters to be considered the Metropolitan Police.
The development will result in polluted air due to overcrowding.	The development has been considered in terms of its environmental health impacts and it is not concluded that any unduly detrimental impacts are to be incurred on existing tenants in terms of polluted air.
The proposal will result in a lot of building work.	This is an inevitability with any development proposal. The applicant will be reminded of their requirement to only undertake noisy building works during the appropriate hours.
The proposal will result in increased noise disturbance.	It is not considered that the development is likely to result in any unreasonable increase in noise disturbance.
The proposal will result in a loss of privacy.	The development complies with Council guidance for protecting privacy. Please see paragraphs 12 and 14 below for further information.

The Council's regulatory services, tree officer and highways officer were consulted regarding this proposal. None of these consultees objected to the proposal. The comments of each officer are incorporated into the report below.

The applicant confirms that a public exhibition to inform the public of this development was held on 28th June 2017. This was held at the Father O'Callaghan Centre next to St Sebastian and St Pancras RC Church in the local area on Kings Drive in Wembley. Neighbouring residents and local ward Councillors were invited with flyers. The applicant reports that 11 attendees visited the exhibition and that 6 of the residents filled out a questionnaire to give opinions on the scheme. It is stated that 5 of these 6 people gave positive feedback to the proposal. It is also confirmed that three aspects of the submission have been implemented as a result of feedback at the exhibition, this includes:

- Providing re-provision of refuse and recycling facilities for existing Hindhurst Court and Hartgrove Court residents
- Providing landscaping improvements to the wider site, for the benefit of existing and future residents
- Formalising the existing car parking arrangements

POLICY CONSIDERATIONS

National Planning Policy Framework/National Planning Practice Guidance

London Plan 2011/ Mayors Housing SPG 2012 - Key policies include

Policy 3.5

Policy 6.9

Brent Core Strategy 2010

CP2 Population and Growth

CP17 Suburban Character

CP21 A Balanced Housing Stock

London Borough of Brent Development Management Policies 2016

DMP1: General Development Management Policy

DMP12: Parking

DMP15: Affordable Housing

DMP18: Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance 17:- Design Guide for New Development

Draft Supplementary Planning Document 1:- Design Guide for New Development

DETAILED CONSIDERATIONS

Principle

1 A total of three new homes are proposed consisting of one 1 bedroom 2 person dwelling and two 2 bedroom 3 person dwellings. The block will include one unit per floor, with the smallest unit on the ground floor. The proposal to include all units as affordable housing is welcomed. The application site is located within an existing residential area and as such there is no objection in principle to the development of the site for additional residential accommodation subject to the relevant material planning considerations set out below.

2 The development would result in the loss of eleven garages. The applicant has carried out a survey to confirm that four of these garages are still used, one for parking and three for storage. Subject to appropriate replacement of the used garage parking space, the loss of the garages is considered to be appropriately accounted for (see paragraphs 23-37).

Design

3 The proposed building location is deep within the site and is not highly visible from surrounding public highways as it is buffered from view by the existing Hindhurst Court Building to the south and Hartgrove Court building to the west. The new building will sit within the setting of these existing buildings and will inevitably affect the setting of this enclosed area away from the highways.

4 The existing context sees two flat roofed buildings (one four storeys and one three storeys) in amongst areas of communal garden and parking areas comprised of hardstanding. The proposed building will be erected immediately adjacent to the three storey building (Hartgrove Court) and will also be built to a height of three storeys with a flat roof. The building will be comfortably separated from Hartgrove Court by a gap of 2m and will be 2m greater in height than Hartgrove Court as it will sit on slightly higher ground and have greater internal ceiling heights than the existing neighbouring building. Any visual incongruity incurred by this height difference is significantly offset by the narrowness of the building, appearing much smaller than its neighbour in terms of width (12m wide compared to 40m wide). Furthermore, the proposed building is to be buffered from street view by the larger, four storey Hindhurst Court which defines the frontage along this part of Hay Lane.

5 Overall, on the basis that the building will have a minimal impact on the visual amenity of the street scene and that the building is small in its proportions despite its height, it is considered that the scale, massing and setting of the building is acceptable in relation to its surroundings.

6 The development will have a relatively small footprint (100sqm) and will sit to the north of the main car parking area accessed from Hay Lane. The pedestrian entrance to the building will be along its western elevation adjacent to Hartgrove Court which residents can reach through a gated access from the car parking area. The entrance will provide immediate access to the building's single stair core as well as to the ground floor flat.

7 Refuse/recycling storage is also to be provided on the ground floor, although with a separate access from the south elevation onto the car parking area. The building has a stacked design (with the exception of the refuse/recycling stores) and one flat is situated on each of the two upper floors.

8 Each flat is provided with a 6sqm south facing balcony (looking over the car park to the south) with the exception of the ground floor which is provided with a 9sqm private patio. Furthermore, a communal rear garden of 135sqm is to be provided, accessed from the side entrance. A green roof (although not for residents' use) is to be provided also.

9 The architectural approach is modern and is closely in keeping with surrounding buildings insofar as the approach for an orthogonal building with a flat roof. The building will however utilise tall floor-ceiling windows and projecting balconies as distinct features that separate it from the neighbouring blocks. Furthermore, the building will be externally clad in red brick, punctuated by select sections of horizontal alternating patterned brickwork in the same colour for additional articulation. The use of dark grey features for the window and door frames, balcony balustrades, fascias and soffits as well as roof guard rails provide a soft contrast with the brick exterior and result in a simple but pleasing appearance for the building as a whole.

10 This materiality is considered to be more sympathetic than that of the neighbouring buildings which are comprised of red and cream colour panels and smaller sections of exposed yellow brick. The materials proposed are likely to result in a building that is visually appealing and samples of these materials should be seen by officers to ensure a high quality finish is likely. A planning condition will require this.

Impact on neighbouring amenity

11 The proposed building complies with the 30 and 45 degree lines guidance as per SPG17/SPD1 principles when measured from the closest properties to the south (1-26 Hindhurst Court). The guidance is mostly achieved with properties to the north (62 and 64 Grove Crescent), with the exception of a very small section on the western edge of the rear garden of no. 64. However, the part of the rear garden for which this guidance is breached is heavily vegetated and is occupied by a rear garden outbuilding which renders the part of the garden not complying with guidance unusable anyway.

12 There are only two windows which would overlook the rear garden spaces of 62 and 64 Grove Crescent (these being the kitchen windows of flats 2 and 3), however these windows have been designed to sit in an angled section of the rear wall which would see the windows prevented from providing outlook across the rear gardens.

13 The building will sit directly alongside the eastern face of Hartgrove Court at a distance of 2m. There are no habitable room windows on the eastern elevation of Hartgrove Court so this will not result in a detrimental loss of amenity for existing residents. The building will not project to the rear of the existing Hartgrove Court rear building line and as such will not detrimentally affect the outlook from the rear windows of flats at Hartgrove Court. The building will project a maximum of 4m forward of the existing front elevation of Hartgrove Court, having an impact on the outlook of the front facing windows at Hartgrove Court. Nonetheless, the projection is not so significant as to breach 1:2 guidance line drawn towards the development from the nearest window and as such is considered to comply with relevant guidance.

14 Overall it is considered that the proposal meets SPG17/SPD1 guidance and would not require further testing with a daylight and sunlight assessment. The amenity impact of the development is acceptable.

Quality of accommodation

15 Three flats are proposed, which include a one bedroom flat on the ground floor and 2 x two bedroom flats on the upper floors.

16 Quality of accommodation:-

Flat 1	1-bed/2 person	= 54sqm (bedroom size 12.6sqm)
Flat 2	2-bed/3 person	= 64sqm (bedroom sizes 12.6sqm and 9.8sqm)
Flat 3	2-bed/3 person	= 64sqm (bedroom sizes 12.6sqm and 9.8sqm)

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

18 With the exception of the single bedroom in flats 2 and 3, all habitable rooms within the flats are to be dual aspect rooms, which is welcomed. All habitable rooms will also achieve unobstructed outlook from at least one window of 10m or more, providing a good standard of living.

19 The flats stack appropriately, with no instances of living/kitchen rooms being located above bedroom spaces.

20 Amenity space is proposed in the form of private front balconies for flats 2 and 3 (6sqm with a depth of 1.5m). For flat 1, this is in the form of a private ground floor patio to the side (9sqm with a depth of 2m). It will be important for the rear facing ground floor window serving Flat 1's kitchen is provided with a private landscaping buffer to offer some defensible space that will provide for a more private relationship between the window and the communal garden over which it looks. The ground floor flat will also have windows that are located along the pedestrian entrance to the block and close to the car parking area to the south of the building. The plans indicate appropriate landscaping buffers (between 1m – 1.5m in depth) which will be effective in preserving privacy to these windows. Further details of all defensible planting will be required by condition.

21 In addition to the balconies, a communal garden is to be provided at the rear, providing a good sized and usable space of approx. 135sqm in size. The garden will be accessible to residents of all three flats and the plans confirm that a dedicated entrance to the garden is provided from the patio of flat 1 for additional ease of use for residents of flat 1. The overall quantum of amenity space is 156sqm, which is substantially greater than 60sqm which would be required in accordance with SPG17/SPD1 guidelines. All units have a substantial, London Plan compliant private amenity space as part of this and the overall amenity space provision is therefore accepted and welcomed.

22 The boundary treatments separating the gardens, buffer zone and public realm are not clearly defined within the application and a condition will require such details to be provided separately. It will be important to ensure that the boundary treatment between the buffer zone and the communal garden does not restrict the outlook of flat 1's windows. A lower height fence or sole reliance on defensible planting would therefore be expected in achieving this.

Parking & transport considerations

23 The parking and servicing standards for the existing unit are given in appendix 1 and 2 of the Development Management Plan.

24 The number of bedrooms of the existing flats at Hartgrove Court and Hindhurst Crescent have not been given however, it is assumed to be 1-2 bed units. Therefore a parking allowance of 24 spaces for Hartgrove Court and 26 spaces for Hindhurst Court are permitted. The existing parking courtyard for Hartgrove Court provides 30 spaces, which does exceed parking standards and the existing 22 spaces (including the garages) at Hindhurst Court, does satisfy 75% of the parking standard (i.e. the likely operational minimum required).

25 The proposed 3 self-contained flats will be affordable units and therefore a total parking allowance of 3 spaces is permitted for the units.

26 Drawing number 576017P03B proposes to formalise the parking for both courts, with 17 bays dedicated to Hindhurst Court and 21 spaces for Hartgrove Court, totalling 38 spaces. This is a significant reduction in off-street parking for both sites.

27 Policy DMP12 requires the impact of overspill parking to be considered whenever the full residential parking standard is not met within any site and to this end, the applicant has provided a parking survey.

Parking survey

28 A parking survey was carried out overnight on a weekday of the 8th and 9th March 2017.

29 Section 2.5 of the survey report states that 4 of the 11 garages are in use; 1 is used for a parking space

and the other 3 for storage.

30 The survey does not provide a plan showing the area that was surveyed. However, Appendix A shows a table of the data collected. The table shows that application site had an average of 38.5 vehicles parked in the 35 spaces, giving a parking stress of 110%. The parking survey found that on Wednesday 8th, 41 vehicles were observed parked within the application site and of these 41 spaces; 25 were parked in the Hartgrove Court and 16 spaces in Hindhurst Court.

31 The on-street pay and display along the frontage of the site on Hay Lane and along the neighbouring commercial units had an average of 6 vehicles parked out of 31 spaces and therefore had a low 19% parking stress. Elmwood Crescent had 20.5 vehicles parked overnight out of 24 spaces and therefore had a parking stress of 88%. Transportation defines any street with a parking stress of 80% or more as heavily defined and the survey results show that majority of the nearby streets are heavily parked, including the application site itself.

32 The pay and display parking along the site frontage can accommodate approx. 11-13 on-street spaces that could be counted towards the parking standard, although the use of these spaces that are partly marked on the footway along this distributor road and bus route is not particularly welcomed. Therefore sufficient on-street parking should be retained within the site to satisfy demand, if possible.

33 Drawing number 576/017/P03B proposes 17 formalised parking bays for Hindhurst Court 21 formalised parking bays for Hartgrove Court. The proposed parking spaces are welcomed and a further four spaces would also be available along the access drive to Hindhurst Court, taking the total provision to 42 spaces. This is sufficient to meet 75% of the maximum car parking standard and is therefore considered to be a suitable level of provision for the existing and new flats.

Refuse

34 The proposed bin storage for both Hindhurst and Hartgrove Courts is within 30m wheeling distance from the Public Highway. However, these will be large Eurobins and need therefore should be within 10m of a point that the refuse vehicle can access.

35 The applicants plans demonstrate that both emergency vehicles and refuse vehicles can access the car park area and as such, the proposed refuse storage arrangement can be accepted.

Pedestrian access

36 Safe pedestrian access to the new flats have not been provided, resulting in pedestrians forced to walk through the car park, to the detriment of their safety. The lack of adequate provisions for safe pedestrian access is a cause for concern. An additional plan will need to be submitted by condition to indicate an appropriate pedestrian access prior to occupation.

Cycle spaces

37 Drawing number 576/017/P03B proposes 5 cycle spaces for the new development only. The spaces are located to the rear of Hindhurst Court and are provided in a secure and covered location to protect against theft and weather.

Trees

39 The applicant has provided a comprehensive arboricultural impact assessment and tree protection plan. The proposal will necessitate the removal of a significant Category B mature poplar tree of 18m height. There are tree planting proposals to enhance the amenity value of the landscape which will also mitigate the loss of the poplar tree. The proposals are in the form of a London Plane tree, planted within the landscaping buffer between the communal garden and the Hindhurst Court car park to the south as well as a birch tree planted within the communal garden. In addition, tree protective measures have been proposed which will minimise effects on surrounding trees as a result of the development.

40 The tree protection plan indicates that tree protection fencing will be erected so as to contain the root protection areas of the trees along the north eastern boundary of the site (close to the boundary with Grove Crescent properties) and to the south east to protect tree root protection areas between Hartgrove Court and Hindhurst Court. There are also confirmed areas of 'no dig construction' to the north east of the car park to ensure that nearby trees' roots are not disturbed. The plan also confirms that the protective fencing will be of

welded mesh, heras type design which is accepted.

41 Brent's tree officer agrees with the methodology and the proposed tree protection plan and has requested a condition requiring that the tree protection plan is fully adhered to during the development phase, including a requirement for the erection of protective fencing to be observed and accepted by Brent's tree protection officer.

Environmental Health

Noise:

42 The development proposes the demolition of an existing set of garages and replacing this with a building that will consist of 3 residential apartments. A condition is recommended to ensure that the building is designed in accordance with the relevant British Standard for noise reduction/sound insulation.

Contaminated Land:

43 Given the non-residential history of the site it is considered necessary to require by condition that a desktop study of contaminated land is undertaken to provide some additional assurance on whether this is likely to be a matter of importance. Two related conditions will also be issued to require a full site investigation and remediation measures in the event that the desktop study concludes that contaminated land may be an issue of importance.

Asbestos

44 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. A relevant informative will be issued.

Conclusion

45 The proposal is acceptable for the reasons discussed above.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/4151

To: Miss Radford
JLL
30 Warwick Street
London
W1B 5NH

I refer to your application dated **26/09/2017** proposing the following:

Demolition of existing garages and erection of a three storey building to provide three self-contained flats (1x 1bed and 2x 2bed) with associated alterations including provision for car parking spaces, bicycle stores, bin stores, amenity space and soft and hard landscaping

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

at **Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ**

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: 08/01/2018

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 National Planning Policy Framework/National Planning Practice Guidance****London Plan 2011/ Mayors Housing SPG 2012**

Policy 3.5 (table 3.3)

Brent Core Strategy 2010

CP2 Population and Growth

CP17 Suburban Character

CP21 A Balanced Housing Stock

London Borough of Brent Development Management Policies 2016

DMP1: General Development Management Policy

DMP12: Parking

DMP15: Affordable Housing

DMP18: Dwelling Size and Residential Outbuildings

DMP19: Residential Amenity Space

Supplementary Planning Guidance 17:- Design Guide for New Development**Draft Supplementary Planning Document 1:- 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):

576 017 E01 Rev C

576 017 P01 Rev C

576 017 P02 Rev B

576 017 P03 Rev C

576 017 P04 Rev A

576 017 P05 Rev A

576 017 P06 Rev A

576 017 P07 Rev A

576 017 P08 Rev A

576 017 P09 Rev A

DFCP 3985 TSP Rev B

DFCP 3985 TPP Rev B

0001 Rev A01

0009 Rev A01

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

- 3 The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable rented housing (meaning subsidised housing at 80% of market rent including service charge, intended for households who cannot afford housing 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 details submitted, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

- 4 The development shall not be occupied until the car-parking, refuse and recycling storage facilities, and cycle parking shown on the approved plans have been constructed, surfaced and marked out to the satisfaction of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The car-parking, refuse and recycling storage facilities, and cycle parking cycle parking so provided shall be maintained as ancillary to the development and shall be used for no other purpose at any time.

Reason: In the interests of highway safety.

- 5 The tree protection proposals as contained within the Arboricultural Impact Assessment prepared by DF Clark Bionomique Ltd (dated 25st August 2017) shall be adhered to in full throughout for the full period of construction of the development hereby approved. Subsequent to the erection of tree protective fencing but prior to commencement of the development, a meeting shall be arranged between the site manager and Brent's tree protection officer to allow the fencing to be observed by Brent's tree protection officer before works are undertaken.

Reason: For assurance that trees are to be protected to minimise negative external impacts of the development.

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

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

- 7 Prior to occupation of the development, details of screening/boundary treatment (including height) between all windows of the ground floor flat and the communal garden space / communal parking space / communal pedestrian access shall be submitted to and approved in writing by the Local Planning Authority. The approved screening details shall be implemented in full prior to first occupation of the development and thereafter retained for the lifetime of the development.

Reason: To protect the privacy of residents.

- 8 Details of all ground-floor areas indicated for hard and soft landscape works on the approved plans shall be submitted in writing to the Local Planning Authority. The submitted plans shall indicate suitable landscaping with shrubs /plants and hard surfacing which shall be approved in writing by the Local Planning Authority. The planting shall be approved in writing by the local planning authority and carried out in full prior to occupation of the buildings and thereafter maintained in accordance with the approved scheme.

The scheme shall indicate:-

- soft landscaping including plant and tree sizes and species and densities of planting for plants and shrubs;
- revision to the plan to replace the proposed London Plane tree with a standard Hornbeam tree (not fastigate);
- hard surfacing for paths with the surfacing materials defined;
- details of boundary treatments including materials;
- landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

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

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

- 9 Prior to occupation of the development hereby approved, details of a pedestrian access (including location and materials), preventing the need for residents/visitors to walk across the car park to access the flats, shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be implemented in accordance with the approved details prior to occupation of the development.

Reason: To ensure the development provides a safe environment for pedestrians

- 10 Prior to occupation of the development hereby approved, sound insulation details shall be submitted and approved in writing by the local planning authority. The details shall demonstrate how the development will be built or has been built in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain indoor ambient noise levels suitable for internal bedrooms and living rooms.

Reason: To obtain required sound insulation and prevent noise nuisance

- 11 Prior to the commencement of the development (excluding demolition, site clearance) a desktop study shall be carried out by competent persons to determine whether land contamination is likely to be a relevant matter affecting this development. The findings of the desktop study shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding demolition, site clearance).

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

- 12 If the land contamination desktop study recommends a full site investigation is needed to determine the nature and extent of any soil contamination present, this shall be carried out in full prior to the commencement of the development (excluding demolition, site clearance). The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development (excluding demolition, site clearance), that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

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

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

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 In relation to condition 5, the applicant is advised to contact the Council's Tree Officer, Lawrence Usherwood. The contact details are lawrence.usherwood@brent.gov.uk or on 020 8937 5247.
- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
06
17/3940

SITE INFORMATION

RECEIVED	12 September, 2017
WARD	Tokyngham
PLANNING AREA	Brent Connects Wembley
LOCATION	Oakington Manor Primary School, Oakington Manor Drive, Wembley, HA9 6NF
PROPOSAL	Demolition of parts of the existing school buildings and erection of new part single storey, first and second floor extensions to school to be taken place across a phased five year construction programme
APPLICANT	ICA Projects Ltd c/o Facilities Manager Office
CONTACT	Ian Caudell Architect
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_136226</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/3940" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Develop in accordance with SuDS report – provide blue roof prior to occupation of extension
4. Plant to be installed to prevent transmission of noise and vibration into neighbouring premises
5. Details of materials to be submitted
6. Post-implementation BREEAM and carbon reduction assessment to be submitted
7. Construction Method Statement to be submitted detailing measures to limit dust/emissions during works
8. Details of external lighting to be submitted if any is proposed
9. Training and Employment plan to be submitted and adhered to
10. Details of pv panels on roof
11. Details of relocation of two disabled parking spaces within the existing car park

Informatives

1. Hours of Noisy Works
2. Notify highways before commencing works
3. Fire safety
4. Living Wage

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

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

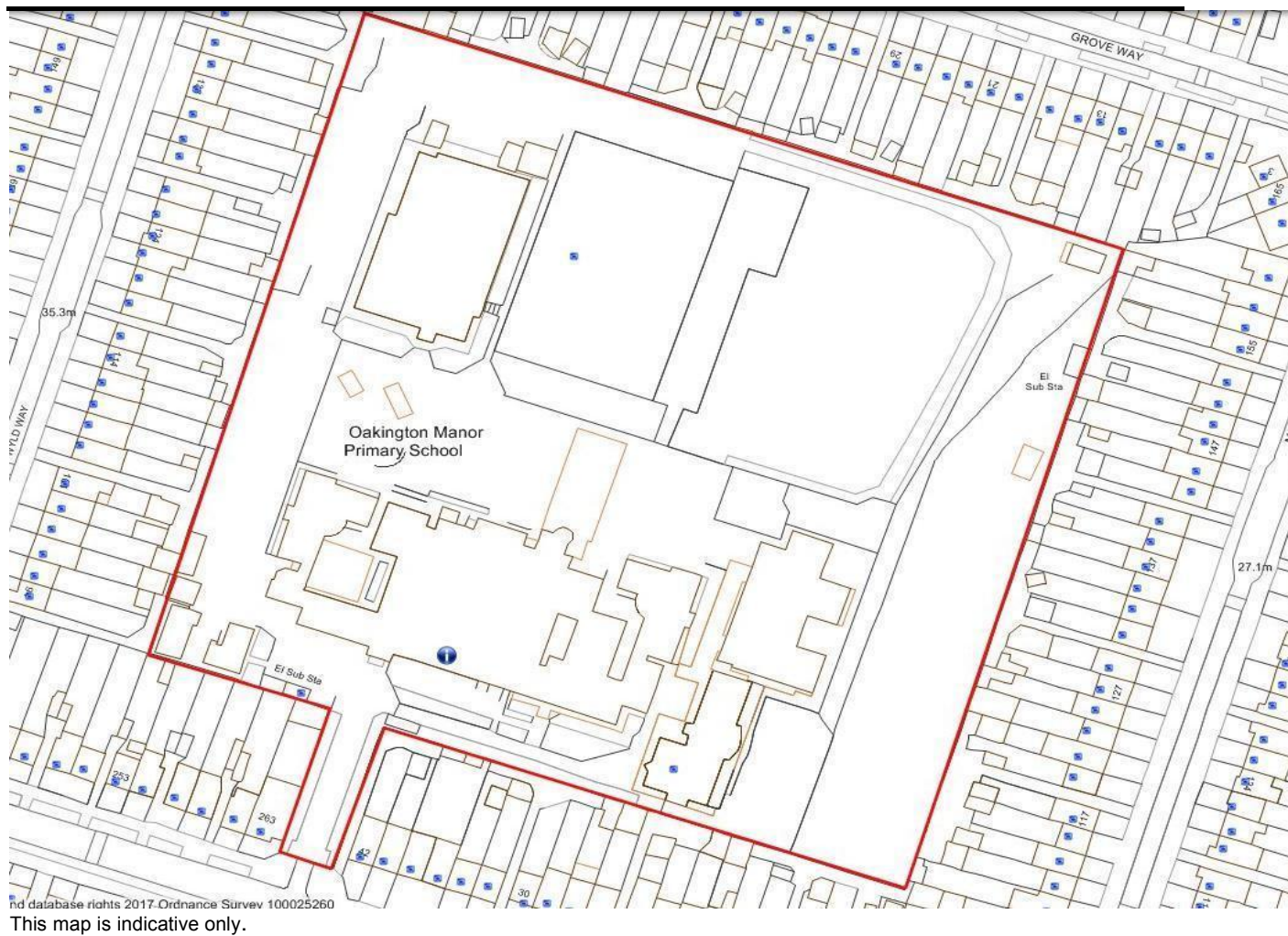
SITE MAP



Planning Committee Map

Site address: Oakington Manor Primary School, Oakington Manor Drive, Wembley, HA9 6NF

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EXISTING

Oakington Manor School is located on the north side of Oakington Manor Drive, at its junction with Chippenham Avenue and Chalfont Avenue. The property is not situated within the Conservation Area nor does it contain a Listed Building.

The school is a 3-form entry primary school (90-pupils/yearly intake) and has Academy trust status with 2 form entry Furness Primary School, Harlesden.

The current pupil roll is 750 children including a 35 place Nursery as part of the Foundation Early Years Stage and a unit for 30 children with special educational needs.

There is also a 60 place private Nursery recently completed, which is located at the east end of the site, off the main pedestrian route to KS1 stage classrooms and playground at the rear of the school.

There are total 145 staff members, including teachers, learning support, nursery, administration, site management, and kitchen and cleaning personnel. A core group of 75 full time staff are present (65 part time) during a typical school day, 41% of which travel to the school by car, and remaining staff by public transport, walk or cycle to work.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle of development: The principle of extending the school is accepted. Furthermore, it is noted that the extension will not facilitate an increase in staff or pupil numbers.

Design: The visual design of the extension is acceptable, appearing appropriately subservient to the original school building and appropriately integrating with the existing building character.

Amenity Impacts: The extension will not incur any unduly detrimental impacts on the neighbouring premises, being sufficiently far from neighbour boundaries to prevent detrimental impact on outlook or privacy.

Transport: The school will not see a change in its pupil/staff intake and there will be no implication on the transport requirements of the school, subject to continued travel plan updates.

Environmental Health: The development is acceptable in environmental health terms subject to conditions relating to plant noise, dust/emissions and external lighting.

Energy: The development is anticipated to achieve a BREEAM rating of 'Excellent' upon completion and occupation. This is welcomed and a condition will require that a post-occupation BREEAM assessment is submitted to the Council to confirm this.

Surface Drainage and Flooding: The development is providing significant attenuation to improve site drainage in the form of a blue roof and storage tanks to regulate water discharge.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Non-residential institutions	4741	4741	0	1460	6201

Monitoring Residential Breakdown

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

Variations extensions and alterations have been constructed to the school over a number of years. The planning history also includes a certificate of lawfulness for the use of part of the school for wedding receptions

97/0205 – Alterations and single storey extensions in phased development at rear and front of School to provide 9 no. new classroom. Approved.

01/1481 – Erection of new sports hall with ancillary accommodation and 3 new multi-sport all-weather play areas with fencing on part of existing school playing fields with associated landscaping and improved access into school site. Approved.

04/2060 - Erection of single-storey, pitched-roof classroom block comprising 3 reception classrooms with central play activity area, ancillary children's toilet facilities and new nursery unit, covered-walkway link to main school and timber play decks with extensions into wooded area in eastern side of school facing Monks Park. Approved.

10/1400 – Certificate of lawfulness for existing use as Class D2 (functions). Withdrawn.

07/3669 - Erection of a single-storey extension, providing a learning resource centre, ICT learning suite, children's library extension and a new courtyard area. Approved.

13/0244 – Erection of a two storey building extension incorporating classrooms of first floor and open multi-use games area on ground floor and demolition of nursery and music block and replacement with a single storey nursery and new canopy play area and storage enclosure. Approved.

13/0521 – Certificate of lawfulness for existing use of wedding reception (use class D2) within the main hall of school. Approved.

There is also recent planning enforcement history relating to event day parking

E/17/0171 - Without planning permission, the material change of use from a school to a mixed use as a school and a car park (i.e. parking that is not ancillary to the use as a school) – An enforcement Notice was served by the Council on 12 April 2017 requiring the following steps to be carried out:

1. Permanently cease the use of the land/premises as a public car park.
2. Do not use the premises for car parking, except for parking that is ancillary to the use as a school.
3. Remove all vehicles from the premises, except those which are associated with the school.
4. Remove all advertisements and signs associated with the public parking use.
5. Remove all other items associated with its use as a public car park.

The time period for compliance is 1 day.

The enforcement notice is currently being appealed.

CONSULTATIONS

Consultation letters were sent out to 64 properties on the 27/09/2017. The neighbouring properties consulted

are located along Monks Park, Chippenham Avenue and Wyld Way.

No representations have been received.

Tokington Ward Councillors – No comments received to date

Transportation - No transportation objections

Environmental Health – No objections but conditions recommended relating to acoustics, general control over works and noise/vibration emanating from industrial plant, extract ventilation and ducting.

Local Lead Flood Authority – No objections subject to condition to secure the SuDS attenuation measures.

Design – No comments received.

Thames Water – No comments received.

POLICY CONSIDERATIONS

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

National Planning Policy Framework (2012)

London Plan (March 2016)

Key policies include:

3.18 Education facilities

6.9 Cycling

Brent's Core Strategy (2010)

CP18 Protection and Enhancement of Open Space, Sports and Biodiversity

CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures

CP23 Protection of Community Facilities

Brent's Local Plan (2016)

DMP1 Development Management General Policy

DMP9 On site water management and surface water attenuation

DMP12 Parking

DMP13 Movement of goods and materials

Supplementary Planning Guidance

Brent Supplementary Planning Guidance 17

DETAILED CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

1. The proposal involves works to improve the standard of facilities at an existing school. No change of use is proposed. As such, the use of the site as a school is established and the improvement to the facilities is supported in principle, subject to the assessment of other material planning considerations.
2. The application is framed in the context of a 'phased' approach to the development, with a 5 year construction timetable and three separate building phases. Planning consents are only restricted in terms of time insofar as the imposition of a three year time limit within which to commence the development. As such, as long as Phase 1 of the construction begins within 3 years of the consent being granted, the ensuing 5 year implementation period would not contravene any planning requirements. A construction management plan will be required by condition to further confirm the applicant's detailed plan for the

phasing.

SCALE AND DESIGN

3. The school is a 1930s building and, with the exception of the school's central tower feature, is not easily visible from the streetscene as it is enclosed by residential dwellings on all sides.
4. **Phase 1** focusses on the south-western corner of the school building where the existing KS2 toilet block is located. As part of an upgrade to the toilet facilities within this part of the school, a development which comprises the demolition of the courtyard and toilet block and a new build two storey (with a setback third storey) addition in its place is proposed. The works would include the provision of a new access/escape stairway. The complete works are broken down as follows:
 - Demolition of existing single storey toilet block
 - Erection of 2 storey children's toilet block extension including new access/escape stairway
 - Remodelling and extension of the existing admin block, existing floor staffroom and upper 2nd floor specialist rooms
 - Remodelling of the main entrance and upper stair lobbies and installation of 8 person lift
 - New dining room extension in existing courtyard and access corridor to rear of main building
 - New upper floor 1st floor level seminar rooms above dining room extension, including new access corridor with glazed roof light
5. The applicant's design and access statement clarifies that these works will not affect the existing pupil intake or staff numbers or methods of transport to and from the school; however methods of access in and around the school building and site for able bodied and disabled users is to be improved. The extensions will also allow the school to be more fit for purpose, for example the increase in WC numbers is sought to address an existing imbalance of boys to girls WCs and to meet current guidance on toilet requirements for KS2 pupils.
6. The toilet block would not be incongruously tall and would not project forward of the building's principal tower feature. The existing school sees its front façade set about 2m behind the main tower feature and this proposal would bring the built form of the school forward so as to sit flush with this tower. This is considered to be a suitable approach which will suitably retain the character of the original school building.
7. The new 8 person hydraulic lift and enclosure structure to provide access to lower hall and upper floor levels and maintain/increase wheelchair access. The lift shaft would be slightly higher than some of the surrounding school buildings, however, given the lift is enclosed by buildings, hidden behind the tower and set within the school boundary, it would result in a very minor visual impact.
8. Adjacent to the proposed two storey toilet block, would be a two storey courtyard extension with upper corridor roof lights and a glazed bridge link. This extension would comprise a lower dining room and upper seminar rooms.
9. **Phase 2** would extend the building on the ground and first floor forward on the southern main elevation of the school, broadly so that it is flush with the tower, in line with the works proposed under phase 1. Brise Soleil louvered shading is proposed above the windows to provide some protection from the sun.
10. The extensions would not add any new rooms to the school but would see six existing classrooms (three on each floor) in this part of the school increased in size by approx. 12sqm to 15sqm depending on the room. This will allow for additional adaptability and usability.
11. The new paved terrace would be positioned in front of the classroom extension and surrounded by a retaining wall. The paved terrace area would be within the school site in a pedestrian area and would therefore not impact on highway safety.
12. **Phase 3** extends the school at its south-eastern corner. The existing ground floor year 1 classroom block and toilet block would be demolished and a new build two storey, flat roof classroom block erected with a

new toilet block and ancillary rooms across two storeys. As with the extensions under phase 1, the proposed building would wrap around the corner of the school and not extend beyond the proposed extensions on the southern elevation and no higher than the main height of the school.

13. It is considered the proposed extensions, by reason of their scale, size, height and distance from boundaries would be acceptable.

MATERIALS

14. The new extension's external materials will be formed of:

- Red brick to match that of the existing school's palette below the ground floor windows
- Rockpanel cladding of light pink colour above cil level at ground floor
- Rockpanel cladding of cream colour at first floor level
- Standing seam metal cladding panels with Colorcoat Prisma Finish (copprium colour) at second floor of phase 1, trim to first floor windows around the south-western corner of phase 1 extensions, panel cladding used as trim to first floor 1 windows around the south-western corner of phase 1
- White colour coated aluminium framed composite timber window frames
- White colour coated metal column panels to break up window pairs
- Opaque glass spandrel panels between the ground and first floor window rows, only above entrance doors

15. CGI images have been provided to indicate how these materials would look and work together on the extended school. It is considered that the materials generally look suitable and do not detract from the school's character. However, the copprium metal cladding within the top floor of Phase 1 extensions results in a striking appearance which is not necessarily considered to sit comfortably alongside the other features of the school extension. Nonetheless, the parts of the school where copprium metal cladding is to be used are not visible from the streetscene and it is not considered that the LPA can reasonably insist on design alterations where no demonstrated impact would be incurred to the public streetscene. The use of copprium metal cladding is understood in the context that much of the existing school makes use of a similar cladding on its roof elements, and that there is therefore a certain uniformity of building design achieved in making use of this material.

16. A condition will require that further details of the materials, including samples, are submitted to your officers so that they can be assured of a high quality finish. Your officers will consider the use of a different coloured material, if opted for by the applicant, as part of this process.

POTENTIAL IMPACT ON RESIDENTIAL AMENITY

17. The potential impact on the light, outlook and privacy of adjoining residents is considered with regard to the guidance set out within Supplementary Planning Guidance 17 and Draft Supplementary Planning Document 1. This sets out that development should normally be set under a 45 degree line taken at a 2 m height from the boundary with adjoining residential gardens and a 30 degree line take from a 2 m height above floor level from nearby habitable room windows. SPG17 also sets out that a minimum distance from windows of a proposed development and adjoining amenity spaces should be maintained to ensure that a development does not unduly impact the privacy of adjoining occupiers. A 20 m minimum distance between opposing windows (i.e. between the proposed development and those of the nearby houses) is also sought through SPG17.
18. The proposal maintains a distance of approximately 15 m between the windows of the extension and the site boundary, and the proposal therefore accords with this part of the guidance. In addition, plans clearly demonstrate that the school extensions will not breach the 30 degree or 45 degree lines as taken from

the nearest residential premises.

19. The extensions will not facilitate an increase in pupil numbers and there are therefore no concerns raised about noise disturbance to surrounding residential premises, beyond that which may already be present.
20. The proposal is acceptable in terms of amenity impact.

TRANSPORT

21. Car parking allowances for schools are set out in Appendix 1 of the adopted DMP 2016. As the site has poor access to public transport services, this allows up to one car parking space per five staff. A maximum of 29 car parking spaces are therefore allowed for the 145 existing staff and the existing provision of about 120 spaces considerably exceeds this allowance.
22. The proposal seeks to demolish parts of the school amounting to 517m² and to erect new extensions totalling 1474m² over three phases, giving a net increase in floor area of 957m². The internal layout of the school will consequently be amended and facilities improved, but it is not proposed to increase the school roll from the existing 3-form entry (750 pupils) and nursery (60 pupils). As such, the car parking allowance of the site remains unaltered.
23. There are no alterations to the site's parking arrangement, which is acceptable given that there will be no uplift in pupil or staff numbers. It is noted that two disabled bays next to the main entrance of the school will be lost as a result of the extensions but these can be accommodated within the existing car park by widening two spaces. Such details will be conditioned to any forthcoming consent.
24. The London Plan requires at least one bicycle parking space per 8 staff/students, plus a visitor space for every 100 students. This gives a total requirement of 128 spaces. An existing bicycle storage area has been indicated on the existing site plan, but this would only have capacity for about 26 bicycles. Nonetheless, there will be no increase in school/staff numbers and requiring the school's cycle parking standards to be upgraded would not therefore be reasonable.
25. Servicing is proposed to continue to take place from the front of the school building for the main offices and from the car park at the rear for the kitchens, as at present. To avoid conflict with children arriving and leaving the school, deliveries are scheduled to avoid opening, closing and lunch times, with the vehicular entrance gates kept locked at these times.
26. Access arrangements from Oakington Manor Drive remain largely unaltered. However, the pedestrian routes along the front of the building are proposed to be better defined, which is welcomed. Adequate width will be retained for two cars to pass each other with care along the route to the car park.
27. The school is already operating a Travel Plan and the last survey results from 2016 suggest that only 8% of pupils travel to the school by car, which is pleasing. Staff surveys were not undertaken though.
28. With no increase in pupil numbers, there are no concerns regarding wider transport impact, subject to continued operation of the Travel Plan.
29. In summary, there are no objections on transportation grounds to this proposal.

CONSIDERATION OF ENFORCEMENT ISSUES RELATING TO PARKING

30. The existing site sees a substantial overprovision of parking.
31. In the first instance, there does not appear to have been any explicit planning consent granted for the extensive car parking. Plans approved in 2001 (ref: 01/1481) showed only 39 spaces, but historic aerial photographs show that the car parking area was steadily increased in size over the following five years, so that an aerial photograph taken in 2006 (when construction works for a new sports hall were taking place) showed about 140 cars and vans parked within the site. Most of the temporary hardsurfacing provided for those construction works has been retained and has since been described as an 'overflow' car park.
32. The retention of this excessive area of off-street parking is of further concern as it is being used as a charged car park for Wembley Stadium visitors on Stadium event days and amounts to an unlawful

change of use of the site to both a school and a car park (where parking is not ancillary to the school). This is causing complaints from local residents regarding the additional traffic congestion being generated on the surrounding narrow streets and is also undermining Brent Council and Wembley Stadium's efforts to make the Stadium a public transport destination and to minimise the impact of traffic in the area on event days.

33. The Design & Access Statement claims that only 45 spaces are provided, so does not acknowledge the 'overspill' parking area. The existing site plan shows 33 marked spaces (incl. two disabled) and this is reduced to 31 marked spaces on the proposed site layout. However, the 'overspill' parking area is shown retained for vehicles access/parking.
34. A condition is recommended by Brent's highways authority seeking that all further unmarked hardstanding areas to the north of the marked staff car park are removed and replaced with soft landscaping/playing fields. A further condition prohibiting the use of the car park by visitors to Wembley Stadium is also sought.
35. On balance, your officers consider that the above matters, whilst relevant and significant in terms of their implications, do not fall within the remit of this application. This is because this application seeks extensions to the school that do not affect the school's existing parking arrangement or parking standards, since there will be no uplift in staff or pupil numbers or loss of physical parking spaces. It is also acknowledged that an existing enforcement investigation (E/17/0171) is active and seeking to rectify the breach of planning control and that it would therefore be logical for this issue to be addressed through enforcement rather than through this planning consent.

ENERGY

36. A sustainability and energy statement, compiled by EB7 has been submitted. The applicant's energy strategy proposes fabric and efficiency ("be lean") measures together with PV panels ("be green") to achieve a 24.1% carbon reduction improvement on 2013 Building Regulations TER. The improvement in carbon emissions is limited as it is not efficient for the school to implement a combined heat and power (CHP), this is because there is a limited year round heat demand since the school is only occupied throughout a small proportion of each day and experiences numerous periods of closure during school holidays. As such, the use of CHP is not viable for this site. The applicant has considered a number of options in terms of renewable energy features, opting for solar panels that will alone achieve a 21% reduction in the baseline carbon emissions. Other methods were considered but ultimately dismissed, including: wind turbines (too large and unsightly), solar water heating (insufficient hot water demand for this to be efficient), biomass (releases high levels of NO_x emissions to the detriment of the environment), ground source heat pump (minimal space on the ground for a borehole and pump unit and inability to incorporate under floor heating) and air source heat pump (high level of negative visual impact and noise nuisance).
37. The overall carbon savings are welcomed and it is noted that there is no target for carbon savings beyond that required by building regulations within Policy 5.2 of the London Plan. Whilst this proposal falls short of the carbon saving set out in the London Plan for commercial buildings (35% beyond Part L of 2013 Building Regulations) on balance your officers consider that as the proposal will provide improve facilities for the school, the shortfall in carbon reduction is not considered significant to warrant a reason for refusal. A condition will be secured to any forthcoming planning consent requiring the sustainability measures to be implemented.
38. A BREEAM pre-assessment has been submitted which indicates that the development can definitely achieve a BREEAM rating of 70.78 (within the 'excellent' range). This is in compliance with policy CP19 of Brent's Core Strategy. The pre-assessment further suggests that it may be possible for the development to score a maximum of 78.66. The proposed achievement of an 'excellent' score is welcomed and a condition will require that the post-implementation BREEAM assessment is submitted shortly following use of the extension to confirm the BREEAM score that has been achieved.

ENVIRONMENTAL HEALTH CONSIDERATIONS

39. The Council's regulatory services team have reviewed the application and have made comments as

follows:

40. Sound Insulation

Regulatory Services suggest that the school should be designed and constructed so as to meet relevant British Standards for indoor noise levels for schools. These requirements are replicated within approved document E of the building regulations and as such it is not considered necessary to attach a condition relating to this.

41. General Control Over Works

Regulatory Services consider that the works should be carried out in accordance with relevant British Standard Codes of practice and that construction/refurbishment and demolition works and ancillary operations should be limited to the appropriate hours. An informative will remind the applicant of this.

42. Noise/Vibration generation

Regulatory Services consider that any generators, extract ventilation fan shall be installed so as to prevent the transmission of noise and vibration into neighbouring premises. A condition will be applied to require plant noise to be limited to 10dB(A) or greater below the measured background noise level at the nearest noise sensitive premises.

43. Dust/Grit Control

Regulatory Services consider that dust/grit should be appropriately controlled to minimise detrimental impacts to neighbours. A condition can require a construction management plan to be submitted that details measures that will be used to limit the environmental impacts of the construction.

44. Lighting

Regulatory Services consider that any lights installed at the premises should not give rise to light pollution at nearby premises. A condition will require that details of external lighting, if proposed, are submitted and approved by the LPA prior to the use of external lighting.

SURFACE WATER AND FLOOD RISK

45. The planning application has been accompanied by an assessment of flood risk and SuDS, prepared by Nimbus Engineering Consultants. The applicant's energy statement (as referred to above) also includes information about the approach to SuDS. The information has been reviewed by Brent's Local Lead Flood Authority who notes the applicant's proposal is to provide a blue roof for surface water management and to provide storage tanks with a controlled discharge of 5 litres per second into the sewer system. Brent's Flood Authority considers that this approach will reduce flooding in the locality and accepts the approach. One condition has been recommended requiring the blue roof to be constructed in full prior to occupation of the extension.

46. The development is acceptable in terms of surface water discharge and flood risk.

IMPACT ON TREES

47. The application has been reviewed by Brent's tree officer and two clusters of trees have been identified as potentially being affected by this development.

48. It is noted that a very high value cluster of trees is located on the eastern side of the site but that the proposed works are not within close proximity of this cluster and that the proposed extensions and tree cluster are separated by the existing nursery building. As such, there are no concerns that the proposal would be of material detriment to the tree cluster.

49. A less valuable and smaller strip of trees is located along the southern edge of the site, approx. 15m from the southern edge of the proposed extensions. At this distance, there are no concerns that the proposal would be of material detriment to this strip of trees to the south.

50. In summary, there are no concerns about this development in respect of tree impacts.

TRAINING AND EMPLOYMENT

51. Major developments are required to fulfil obligations in respect of training and employment of local residents during construction. A condition will be attached requiring that an employment and training plan is submitted and adhered to during construction.

CONCLUSION

Subject to the conditions specified above officers recommend approval for the application.

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL). This is because the application relates to an education use (use class D1) and has zero charge (£0).

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/3940

To: Mr Caudell
Ian Caudell Architect
Oakington Manor Primary School
Oakington Manor Drive
Wembley
HA9 6NF

I refer to your application dated **12/09/2017** proposing the following:

Demolition of parts of the existing school buildings and erection of new part single storey, first and second floor extensions to school to be taken place across a phased five year construction programme

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

at **Oakington Manor Primary School, Oakington Manor Drive, Wembley, HA9 6NF**

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: 08/01/2018

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:-

The National Planning Policy Framework (NPPF) 2012

Brent Development Management Policies 2016

Brent Core Strategy 2010

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):

(10)00 Rev A

(10)100 Rev A

(10)101 Rev A

(10)102 Rev A

(10)103 Rev A

(10)104 Rev A

(20)00 Rev B

(20)100 Rev D

(20)101 Rev C

(20)102 Rev C

(20)103 Rev C

(20)104 Rev A

(20)105 Rev A

(20)106 Rev A

(20)200/A1 Rev A

(20)200/A2 Rev A

(20)200/A3 Rev D

(20)201/A1 Rev A

(20)201/A2 Rev A

(20)201/A3 Rev C

(20)202/A1 Rev A

(20)203/A1 Rev A

(20)204/A1 Rev A

(20)205/A1 Rev A

(20)206/A1 Rev A

(20)207/A1 Rev A

(20)208/A2 Rev A

(20)209/A3 Rev A

(20)210/A3 Rev A

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

- 3 The surface water runoff / SuDS attenuation measures, as proposed within the applicant's Sustainable Design and Energy Statement (prepared by eb7), dated August 2017), including the use of a blue roof, shall be implemented in full prior to the occupation of the extension hereby approved.

Reason: To ensure the development improves surface water runoff and reduces the likelihood of flooding on site to ensure the development is sustainable.

- 4 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Such details shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any plant equipment. and thereafter implemented in full accordance with the approved details.

Reason: To protect acceptable local noise levels.

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

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

- 6 (a) Prior to the commencement of development a Training & Employment Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include the following:

- (i) The local jobs and apprenticeship target for the construction phase (this requires one job/apprenticeship per 1,000 sq. m);
- (ii) Details of the Training & Employment Co-ordinator;
- (iii) Details of how the local employment target will be met including liaison with Brent Works;
- (iv) Submission of monthly monitoring figures;

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

- (b) Prior to occupation of the development a Training & Employment Verification Report shall be submitted to and approved in writing by the Council. The report shall set out how the measures approved pursuant to part (a) of this condition have been implemented and shall evidence the number of jobs and training opportunities held by Brent Residents during construction.

Reason: In the interest of providing local employment opportunities.

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

Reason: To safeguard the amenity of the surrounding premises.

- 8 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 9 Within 2 months of occupation of the new school building, a Energy Assessment Review (to be carried out by an approved independent body) shall be submitted to and approved in writing by the Local Planning Authority that demonstrates that the proposal meets minimum BREEAM 'Excellent' rating.

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

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

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

- 10 Prior to first occupation of the development hereby approved, details of two replacement disabled parking bays within the existing car park, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reason: In the interests of providing inclusive access.

- 11 Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved.

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

INFORMATIVES

- 1 The applicant is advised to review the Council's Code of Construction Practice. Noisy works are permitted:
- Mon-Fri 0800-1800
- Sat 0800-1300
- Audible works should not be carried out at any time on Sundays and Bank Holidays.
- 2 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 3 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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

17 January, 2018
07
17/4508

SITE INFORMATION

RECEIVED	20 October, 2017
WARD	Fryent
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB
PROPOSAL	Erection of a split level upper storey extension above the existing building to provide additional B1a Use Class units with external alterations to the existing building to include ground-floor extension to existing D1 unit, replacement windows, doors, canopies and roller shutters, the re-cladding of the building facade and the installation of boundary railings. (Amended description 07.12.17).
APPLICANT	Handover Ltd
CONTACT	Churchill Hui Ltd
PLAN NO'S	<p>5475-P301 Location plan 5475-P302 Existing site plan and adjacent uses 5475-P303 Existing basement plan 5475-P304 Existing ground floor plan 5475-P305 Existing first floor plan 5475-P306 Existing second floor plan 5475-P307 Existing third floor plan 5475-P308 Existing roof plan 5475 P309 Existing elevations 5475-P310 Existing cross sections 5475-P311 Proposed basement plan 5475-P312 Proposed ground floor plan 5475-P313 Proposed first floor plan 5475-P314 Proposed second floor plan 5475-P315 Proposed third floor plan 5475-P316 Proposed fourth floor plan 5475-P317 Proposed roof plan 5475-P318 Proposed elevations 5475-P319 Proposed cross sections</p> <p>Design and Access Statement</p>
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_136829</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/4508" (i.e. Case

Reference) into the search Box
3. Click on "View Documents" tab

RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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

Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Scheme for sound insulation
4. Details of Plant Noise and Vibration
5. Details of hard and soft landscaping
6. Details of cycle parking
7. Highway works
8. Considerate Construction Scheme

Informatives

1. Asbestos
2. CIL Liable
3. Party Wall
4. Building near boundary
5. Notify highways before commencing works
6. Fire safety
7. Living wage

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.

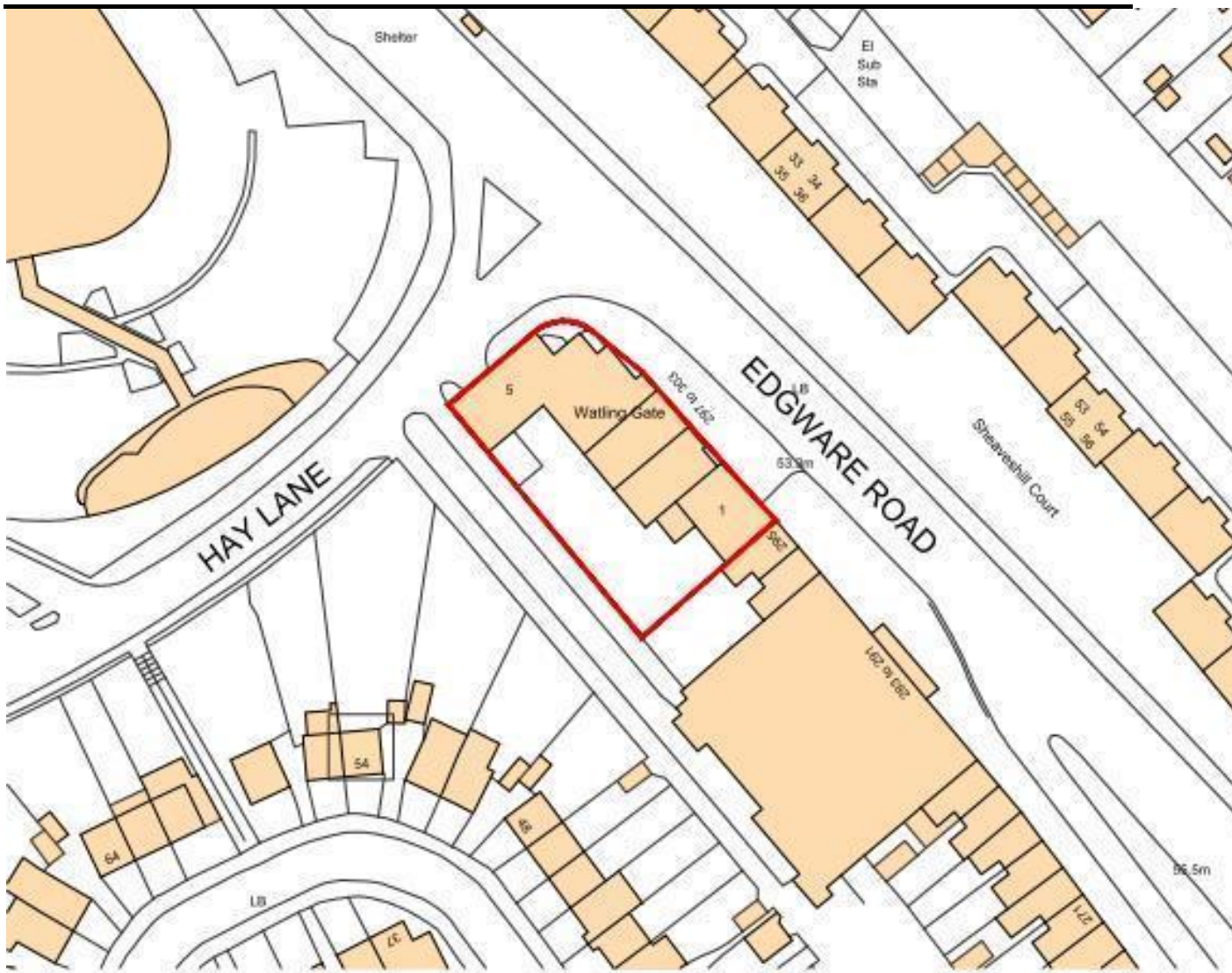
SITE MAP



Planning Committee Map

Site address: Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB

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This map is indicative only.

PROPOSAL IN DETAIL

Erection of a part third and fourth storey extension to the existing building to provide additional B1a Use Class units with external alterations to existing building including extension to D1 commercial unit, replacement windows, doors, canopies and roller shutters, re-cladding of building facade and installation of boundary railings. (Amended description 21.11.17)

The external physical works proposed are essentially the same as in the previous application 16/5409, in which the proposed floorspace was to provide six self-contained flats. This application was refused under delegated powers (see History section).

EXISTING

The application site comprises Kennedy House (also known as Watling Gate), a part three storey part four storey office building with a basement car park and additional parking to the rear, located on the corner of Edgware Road at its junction with Hay Lane.

The site is part of Colindale / The Hyde Town Centre and the surrounding area is characterised by a mix of town centre, commercial and residential uses located along a busy main road. Along the secondary shopping frontage are small shop units with some Art Deco styling. To the northwest across Hay Lane is a large car showroom of modern plate glass and set back behind a grassed frontage, and a large 1930s residential mansion block is to the northeast across Edgware Road. To the south are two-storey dwelling houses on a residential side street.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle of development: The proposal would provide additional office floorspace above ground floor level in an existing office building in a district centre location. It would not have any adverse impacts on the primary shopping frontage and would be acceptable in principle. The building has prior approval for conversion to residential use under permitted development rights and, whilst the proposed floorspace would not benefit from permitted development rights, there would be no policy objection to office floorspace being located above residential if the prior approval were implemented.

Design and impact on character of area: The proposal would add a floor of office accommodation to an existing building, with the additional height being largely offset due to the roof form being altered from a gable roof to a flat roof. The height of the building would be similar to other buildings in the surrounding area and would be appropriate to a major road in a town centre. The proposal would include external refurbishment works which would improve and update the appearance of the building and enhance the visual amenity of the surrounding area.

Relationship with neighbouring properties: The proposal would comply with the requirements of Supplementary Planning Guidance 17 and draft Supplementary Planning Document 1 with respect to its impact on neighbouring residential properties, and would not result in an unduly detrimental level of impact.

Environment and sustainability: The proposal is not for major development or a sensitive use, and so a Sustainability Statement is not required. Environmental Health have recommended conditions to ensure adequate sound insulation between floor and to limit noise emissions from any plant installed, but have raised no objections.

Transport considerations: The site provides adequate parking to meet the demands of the proposed increased floorspace, and access arrangements will remain as existing. Cycle storage and bin collection arrangements are considered to be satisfactory, subject to conditions.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and offices	1640	1640	0	608	2248
Non-residential institutions	349	349	0	20	369

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

16/4509: Erection of part third and fourth storey extension to create 6 self contained flats (2 x 3 bed, 3 x 2 bed, 1 x 1 bed) with roof garden, amalgamation of B1(a) units 2-3 with removal of entrances and external alterations to the existing building to include replacement of windows, doors, new canopies, roller shutters and re-cladding, installation of boundary railings and provision for refuse and cycle storage. Permission refused on 14/08/2017. Physical works similar to current application. Currently in appeal. The reason for refusal is as follows:

The proposal, by reason of its shared core with the commercial units, would result in a poor access arrangement for the proposed units and a substandard form of accommodation for the proposed residential units, contrary to Policy DMP1 of the Development Management Plan 2016.

An informative was added:

If a separate access (not shared by the commercial uses) were provided then the Council could in theory support the provision of additional floors. However, the prior approval would need to be completed first and have the use of those flats commence before work commenced on the additional floors.

16/4694: External alterations to the existing building to include replacement windows, doors, canopies and roller shutters, re-cladding and installation of boundary railings. Permission granted 28/12/2016.

16/2353: Prior approval for change of use of Units 2-5 inc from offices (Use class B1) into 27 residential units (Use class C3). Application determined on 28/07/2016 - prior approval required and approved, subject to conditions requiring (1) car and cycle parking to be provided prior to occupation (2) site investigation prior to commencement (3) remediation measures prior to occupation (4) details of sound insulation and noise reduction prior to commencement (4) details of bin collection prior to occupation.

15/1667: Prior approval for change of use from office (Use Class B1) to residential (Use Class C3) involving the creation of 14 residential units (7 x 2bed and 7 x 3bed) Prior Approval Required and Approved. This application relates to Units 3-5 only.

15/1666: Prior approval for change of use of Unit 2 from offices (Use Class B1) to residential (Use Class C3) involving the creation of 3 residential units (3 x 2bed). Prior Approval Required and Approved

CONSULTATIONS

66 neighbours were consulted on 26 October 2017 for 21 days and a site notice was displayed on 2 November 2017. No responses were received.

Internal and external consultees

Environmental health (noise control team): No objection subject to conditions

Conditions are required to secure adequate sound insulation between floors and to limit noise emitted from any plant installed.

LB Barnet: No objection

LB Barnet would ask the decision maker to have due regard to the implications of the proposed development on highways matters including additional traffic movement along the A5 (shared road between Barnet and Brent) to fully assess any potential highways implications including the freeflow of traffic as a result of the proposed development.

POLICY CONSIDERATIONS

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

The following are also relevant material considerations:

The National Planning Policy Framework 2012

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

SPG 17 Design Guide for New Development 2002

Mayor of London's Sustainable Design and Construction SPG 2014

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document would also carry some weight in the assessment of planning applications, according to its status at the time of the application.

DETAILED CONSIDERATIONS

Principle of development

1. London Plan Policy 4.2 encourages renewal and modernisation of the existing office stock and focuses new office development in viable locations, and Brent Policy CP16 directs proposals for major town centre uses including B1 office space towards the major town centres (Wembley and Kilburn) then to district centres. Policy DMP2 permits non-A1 or A2 uses in town centres subject to their impact on the frontage.
2. The proposal would provide increased office space in the district centre of Colindale / The Hyde which, although not a major proposal, would be consistent with the overall aims of Policy CP16. It would improve the visual appearance and functionality of the building, representing a renewal and modernisation of existing stock. It would not involve any alterations to the ground floor secondary shopping frontage other than by a modest rear extension to the existing D1 community space. The intensification of the office use would create additional pedestrian footfall, which could also benefit local shops and businesses, whilst extending the community space would be consistent with the aims of Policy CP23. The proposal is considered to be acceptable in principle and to accord with the relevant policies.
3. Prior approval has been given for the conversion of the existing office units to residential use (with the D1 community space being retained), subject to a condition that the conversion is completed within three years of the approval date (27/07/2019). (This condition is set out in paragraph O.2(2) of the General (Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class O, as amended). However permitted development rights would not apply to the proposed office floorspace as it would comprise a separate planning unit that would not comply with the requirement in paragraph O.1(b) that the building must be in office use on 29 May 2013 (or when last in use, if before that date). A further planning application would be required to convert the proposed office floorspace to residential use.
4. If the prior approval were implemented, the result would be office floorspace being located above residential units. However, there would be no policy objection to this, subject to adequate sound

insulation being secured by condition.

Design and impact on character of area

5. Policy CP17 aims to protect the suburban character of Brent from inappropriate development outside of main town centres and corner plots on main road frontages. The draft SPD1 takes forward this aim by distinguishing between typical, transitional and transformational areas of the borough. The proposal site has the characteristics of a transitional area, being a large site in a town centre where higher density development may be appropriate.
6. The existing building is partly three-storey and partly four-storey, of a combination of grey, red and orange brick, with fenestration and canopies in blue, and has a grey tiled gable roof. The taller component is located on the corner and along the Hay Lane elevation, where the visual impact of the additional height is offset by the fall in ground levels in both directions towards the corner of the site. The building is articulated by five bays providing entrances and access cores to the various units, with the larger and more imposing corner bay providing a focal point. The basement level is partly visible on the elevations, due to falling ground levels, and the ventilation grilles create an unattractive dead frontage. On the Hays Lane elevation there is a vehicular entrance with roller shutter door.
7. The proposal would provide an additional floor to both the lower and the higher parts of the building, providing five self-contained office units. The units would be served by the existing separate dedicated stair cores, with Units 4 and 5 also having lift access. The gable roof structure would be replaced with a flat roof, so that the increase in height compared to the ridgeline of the existing building would be only 0.8m - 1.4m. The building would be 2.5m taller than the adjacent building at No 289 Edgware Road but of a similar height as the next building, the snooker hall at No 285. The increased bulk of the flat roof compared to the existing gable roof would be minimal given the overall scale of the building, being mostly visible on the corner due to its open aspect, and would be appropriate to the town centre location and the character of the surrounding street scene.
8. The existing building has a tired and dated appearance and has been defaced by graffiti particularly across the basement level ventilation grilles, whilst the canopies appear heavy and over-dominant. The proposal would add a cladding system over the existing building fabric which, together with the flat roof design, would result in a contemporary and visually attractive building with a neutral colour palette throughout. The entrance bays would be accentuated in a stronger reddish brown colour, which would break up the bulk and mass of the building and create a more strongly defined vertical emphasis in keeping with the local context in which Art Deco influences can be seen.
9. The proposal would also include various refurbishment works to the building and site. The ground floor level D1 community space would be extended by 20sqm to the rear, infilling a small undercroft area within the rear car park currently used for cycle storage, however this would not be visible within the street scene and would not materially increase the overall bulk and mass of the building or alter its character. The replacement canopies would be slim and lightweight so as not to dominate the street scene unduly. The style and layout of window openings would be altered, but the overall arrangement would remain symmetrical and well arranged. The existing solid timber fence on the rear boundaries would be replaced by open railings in an ornate style. Part of the roof would be landscaped to provide an external roof terrace of 132sqm for the use of building occupants, with the remaining roof areas accessible for maintenance, and 0.5m high safeguarding railings would be installed to all sides. Prior submission and approval of materials and a landscaping scheme would be required by condition.
10. The external physical works proposed are almost identical to those put forward under reference 16/5409. No objections were raised on grounds of design and impact on the street scene in relation to the previous application.

Relationship with neighbouring properties

11. Policy DMP1 requires development not to adversely affect neighbouring residential amenities, and further guidance is given in Supplementary Planning Guidance 17 and draft Supplementary Planning Document 1 (the Brent Design Guide).
12. Notwithstanding the increase in height and bulk, the proposal would not bring any part of the building within a 30 degree line of ground floor windows of Sheaveshill Court which sits opposite the site on the eastern side of Edgware Road or of Nos 50-56 The Ridgeway which are located over 40m to the rear and on higher ground, or within 45 degrees of the rear garden boundary of the latter. Due to the distances

involved, there are no concerns regarding overlooking from proposed windows or the roof terrace onto neighbouring properties.

13. The proposal would comply with the guidance set out in SPG17 and draft SPD1.

Environment and sustainability

14. Policy CP19 expects all development to contribute to achieving sustainable development. Major commercial developments are required to achieve a BREEAM Excellent rating, although this is not required for minor developments. Although the site is located in an Air Quality Management Area, the proposal is not for a major development or a sensitive use and so a Sustainability Statement is not required. If a subsequent application were made to convert the floorspace to residential use, a Sustainability Statement would be required owing to the proposal being for a sensitive use.
15. The applicant has confirmed that the proposed design has incorporated a number of BREEAM criteria, including management (use of efficient life cycle costings, responsible construction practices by principle contractor, provision of a Building User Guide and suitable aftercare provision), health and wellbeing (achieving good practice daylighting levels, zoned lighting control, adaptable ventilation strategy, temperature control strategy, good acoustic provisions and safe access to and from the building), energy (reducing energy demand through design and system specification, low carbon design and energy efficient equipment), transport (sufficient car parking provision and cycle storage capacity), water (low consumption in proposed development and water efficient equipment installed) materials (responsible sourcing of sustainable materials, high thermal insulation and durable design), waste (waste management plan, diversion of waste from landfill and future functional adaptability), and reducing noise and light pollution. Whilst a BREEAM Excellent rating is not required, the proposal demonstrates that sufficient regard has been had to the principles of sustainable design and construction to comply with Policy CP19.
16. Prior to the construction of the existing building, the site was in use as a petrol station. If the prior approval for residential conversion of the existing building (ref 17/2353) is implemented, it would be subject to conditions requiring a contaminated land assessment and remediation measures. However, these are not considered necessary in relation to the current proposal, as it does not involve any surface level works or a residential use.
17. Environmental Health have been consulted and have recommended conditions, to ensure adequate sound insulation between floors and to limit noise emissions from any plant installed. The external roof terrace would be available for casual use by occupants of the offices and although some road noise would be experienced it would be of an acceptable level due to the causal nature of the use and the mitigating effect of the height from road level.

Transport considerations

18. The site is located on the southwestern corner of the priority junction of Edgware Road (a London distributor road) and Hay Lane (a local access road and bus route). The borough boundary runs along its centre line **of Edgware Road**. There are two service roads to the rear of the site - a private road leading to the rear of No. 259 and an adopted service road extending south to Wakemans Hill Avenue. The site has low accessibility to public transport (PTAL 2), with five bus services within 640m but no railway or underground station nearby.
19. The site has a car park located to the rear of the building and accessed via a 4.4m wide crossover with a roller shutter door set 3.4m from the highway boundary, behind which separate ramps lead up to the ground floor parking and down to the basement parking. The car park provides 46 parking spaces, including two disabled spaces, in addition to ten cycle parking spaces.
20. Car parking allowances for the existing and proposed uses are set out in appendix 1 of the Development Management Policies 2016. One space is permitted per 200sqm, allowing ten spaces for the existing building and a further two for the proposed extension. The existing 46 spaces significantly exceeds the parking standards. The site will also retain the existing D1 use, which is permitted one parking space per ten users.
21. The parking layout would be retained and therefore the levels of parking would meet likely operational requirement. Although the number of spaces exceeds maximum standards, highway officers do not object as this is an existing situation. It would be preferable if the roller shutter doors were set back a

minimum of 5m to allow vehicles to wait on the hardstanding whilst the door is being opened, so that they do not obstruct the footway and the carriageway, especially due to the close proximity of the junction. However, this is not the current practice on site and so the existing arrangement is considered acceptable.

22. Appendix 2 of the Development Management Policies 2016 requires the building to be serviced by 8m rigid vehicles, and this requirement also applies to the extended floor areas. No off-street servicing area is available at present, but this is an existing shortcoming of the site that is not significantly worsened by the proposal.
23. The plans indicate that bin storage will be located either side of the vehicular access. The vehicular access and the ramp are offset from one another, which does not allow two way vehicles to pass one another and also may cause conflict between those accessing or egressing from the basement and those parking at ground level. However, this is an existing situation in that the bins are already stored alongside the vehicular access. The bins would be moved to the private forecourt, on the junction of Hay Lane and Edgware Road, on collection day, where they would be stored within the private demise and not on the public highway. This section of the property is on a gradient and would need to be levelled to ensure bins do not roll onto the highway, and these works are shown on the plans.
24. The Waste and Recycling team have requested a dropped kerb on the Highway to help manoeuvre the bins onto the refuse truck. These works will need to be carried out by the Highway Authority and the applicant is asked to contact Highways & Infrastructure to implement the works.
25. The access is protected by double yellow lines on either side, so visibility splays are maintained when leaving the site. The access width is sufficient to provide reasonable pedestrian visibility splays.
26. Cycle storage is proposed to be relocated from the ground-level undercroft at the rear of the community unit to an unused storage room in the basement car park. This would provide a secure lockable and weatherproof location. To comply with the London Plan, one space should be provided per 150sqm floorspace, and therefore a total of 17 cycle parking spaces are required. Further details are required by condition to ensure that adequate parking is provided.

Conclusion

27. The proposal accords with adopted policy and guidance, and approval is recommended subject to the conditions as set out below.

CIL DETAILS

This application is liable to pay **£64,823.43*** 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): 2617 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
Businesses and offices	2248	1640	608	£40.00	£35.15	£33,982.86	£29,862.44
Non-residential institutions	369	349	20	£0.00	£35.00	£0.00	£978.13

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)	313	
Total chargeable amount	£33,982.86	£30,840.57

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/4508

To: Mr Reynolds
Churchill Hui Ltd
Grosvenor House
4-7 Station Road
Sunbury
TW16 6SB

I refer to your application dated **20/10/2017** proposing the following:

Erection of a split level upper storey extension above the existing building to provide additional B1a Use Class units with external alterations to the existing building to include ground-floor extension to existing D1 unit, replacement windows, doors, canopies and roller shutters, the re-cladding of the building facade and the installation of boundary railings. (Amended description 07.12.17).

and accompanied by plans or documents listed here:

5475-P301 Location plan
5475-P302 Existing site plan and adjacent uses
5475-P303 Existing basement plan
5475-P304 Existing ground floor plan
5475-P305 Existing first floor plan
5475-P306 Existing second floor plan
5475-P307 Existing third floor plan
5475-P308 Existing roof plan
5475 P309 Existing elevations
5475-P310 Existing cross sections
5475-P311 Proposed basement plan
5475-P312 Proposed ground floor plan
5475-P313 Proposed first floor plan
5475-P314 Proposed second floor plan
5475-P315 Proposed third floor plan
5475-P316 Proposed fourth floor plan
5475-P317 Proposed roof plan
5475-P318 Proposed elevations
5475-P319 Proposed cross sections
Design and Access Statement

at **Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB**

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: 08/01/2018

Signature:

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 Core Strategy 2010 (Policy CP16)
Brent Development Management Policies 2016 (Policies DMP1, DMP2, DMP4A, DMP12, DMP13 and Appendices 1 and 2).

- 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):

5475-P301 Location plan
5475-P302 Existing site plan and adjacent uses
5475-P303 Existing basement plan
5475-P304 Existing ground floor plan
5475-P305 Existing first floor plan
5475-P306 Existing second floor plan
5475-P307 Existing third floor plan
5475-P308 Existing roof plan
5475 P309 Existing elevations
5475-P310 Existing cross sections
5475-P311 Proposed basement plan
5475-P312 Proposed ground floor plan
5475-P313 Proposed first floor plan
5475-P314 Proposed second floor plan
5475-P315 Proposed third floor plan
5475-P316 Proposed fourth floor plan
5475-P317 Proposed roof plan
5475-P318 Proposed elevations
5475-P319 Proposed cross sections
Design and Access Statement

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

- 3 Details of materials for all external work, including samples which shall be made available for viewing on-site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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.

- 4 A scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation of the separating floors shall be designed to meet the standards of Building Regulations Approved Document E 'Resistance to the passage of sound'. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

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

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 6 Within six months after the commencement of development, details of the hard and soft landscaping of the roof terrace area hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- Plant species, size, density/number and location;
- Hard landscaping and any other landscape features;
- Means of enclosure / boundary treatments.

The approved landscaping proposals shall be implemented in full prior to first occupation of the development hereby approved and thereafter maintained and retained.

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

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

- 7 Within 6 months of commencement of the development, further details of on-site cycle parking provision to include a minimum of 17 secure spaces shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided prior to first occupation and shall be retained thereafter without any alterations unless first approved in writing by the Local Planning Authority.

Reason: To ensure that adequate cycle parking is provided in accordance with the London Plan Policy 6.9.

- 8 Prior to first occupation, the works shown on drawing No 5475-P312 and described as 'Kerbs dropped and internal areas levelled to ease bin access' shall be completed. The works shall include a 1m wide dropped kerb, to be carried out by the Highways & Infrastructure team at the applicants' expense. The internal areas shall be retained as levelled thereafter and shall be kept clear of obstructions on collection days.

Reason: To enable safe and convenient waste and recycling collections to be made.

- 9 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.

INFORMATIVES

- 1 Given the age of the building to be refurbished 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 carry out an asbestos survey and where necessary remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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 2233

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
09
17/2884

SITE INFORMATION

RECEIVED	28 June, 2017
WARD	Kilburn
PLANNING AREA	Kilburn Neighbourhood Forum
LOCATION	1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR
PROPOSAL	Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard
APPLICANT	1 & 2 Drakes Court Yard Ltd
CONTACT	Lichfields
PLAN NO'S	see condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_135075</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/2884" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions

1. Time limit (3 years)
2. Approved Plans
3. Materials to match the details on the approved plans

Informatives

1. Fire Safety
2. London Living Wage

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

SITE MAP



Planning Committee Map

Site address: 1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR

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This map is indicative only.

PROPOSAL IN DETAIL

Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard.

EXISTING

The subject property is a two-storey commercial building situated in a mews road to the rear of the south-west side of Kilburn High Road. The application site is not located within a conservation area nor does it contain any listed buildings.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. 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:** The proposal for alterations to the fenestration and doors at 1-2 Drakes Courtyard is considered to be acceptable.
- 2. Impact on character and appearance:** The proposal is not considered to cause material harm to the character of the host building or surrounding properties.
- 3. Impact on neighbouring amenity:** The proposed changes to fenestration and doors would not materially affect the amenity of any neighbouring occupiers.

RELEVANT SITE HISTORY

17/2348: Prior approval for change of use Units 1-2 Drakes Courtyard from office (Use Class B1) to residential (Use Class C3) involving the creation of 39 studio flats. Prior approval not required, 25/7/17.

17/4179: Prior approval for change of use Units 1-2 Drakes Courtyard from office (Use Class B1) to residential (Use Class C3) involving the creation of 39 studio flats. Prior approval required and approved, 22/12/17.

CONSULTATIONS

Consultation letters, dated 06/07/2017, were sent to adjoining neighbouring owners/occupiers. Four objections were received, representations on behalf of MP Moran, 293-301 Kilburn High Rd; No 34A Dunster Gardens; Wine Mart, No.305 Kilburn High Road; The Good Ship, 289 Kilburn High Road.

Details of the comments and where they are addressed in the assessment are in the table below.

Objection	Response or paragraph in report
Refuse handling and litter	<p>The application does not propose a change of use and therefore any impact associated with a change of use have not been assessed within this submission.</p> <p>The applicant is aware that a separate permission would be require to change the use of the building and has received Prior Approval under reference 17/4179.</p>

	The proposed replacement windows and doors would cause an increase in fly tipping and waste or litter.
Privacy and Noise Concerns	Reasonable use of the site would not result in any significant privacy or noise impacts.
Loading and unloading concerns	There would not be any impact on highway or pedestrian safety due to the replacement windows and doors
Dangerous entry and exit, security concerns	It is not considered that there would be any higher likelihood of individuals climbing into neighbouring gardens, or any other significant security impact, due to the replacement windows and doors.
Chemical contamination	The proposal would not result in any significant risk of chemical contamination.

POLICY CONSIDERATIONS

National Planning Policy Guidance

Chapter 7: Requiring Good Design

London Plan Policies

7.4: Local Character:

7.6: Architecture:

Brent Development Management Policies

DMP1: Development Management General Policy

Brent Planning Guidance:

Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)

Draft SPD1 – Brent Design Guide

The above policies seek to ensure that development does not significantly affect the amenities of neighbouring properties and is in keeping with the design, scale and character of the existing building and surroundings.

DETAILED CONSIDERATIONS

1.0 Principle of development

1.1 Alterations and extensions to buildings are generally considered acceptable provided that there is no detrimental impact on the amenity of neighbouring residents, and that they are in keeping with the character and appearance of the property and its surroundings.

1.2 The following considerations are material to the assessment:

- Impact on character and appearance
- Impact on neighbouring amenity

The proposal is for changes to fenestration and doors only. The conversion of the building to flats has been assessed under Prior Approval application 17/4179 and is not subject to assessment under this proposal.

2.0 Character & Appearance

2.1 The proposed development would involve replacement and modifying the existing windows at the ground floor level, bulkheads to first floor windows, changes to lintel at the ground floor. The proposed windows are timber with timber panel details. It is also noted that the modified (extended) timber windows at the ground floor, shown on east Elevation BB, would extend from the existing arrangement and therefore would not look out of character. Although the proposed windows do not replicate the design and detail of the existing windows, they would be sufficiently in keeping with the general vernacular of the building to not cause significant harm to the character of the host building or the surrounding area.

2.2 The proposal also includes four rooflights to the ground floor pitched roof and ten rooflights to the main roof. Although visible, the design and scale of the rooflights is considered to be suitably subservient so as not to cause significant harm to the character of the host building and surrounding properties.

2.3 Overall, the proposal is considered to sufficiently respect the character of the host building and surrounding area. The resultant building would not appear overly prominent or out of place and is therefore considered acceptable, in accordance with policy DMP1.

3.0 Impact on Neighbouring Amenity

3.1 It should be noted that the proposal seek the replacement of windows and doors only. The assessment of the amenity of neighbouring properties therefore primarily relates to any potential overlooking or loss of privacy.

3.2 In terms of assessment of the internal arrangements it is acknowledged that the studio flats approved under 17/4179. Whether this change of use complies with London Plan section 3.5 is not relevant to this application. The proposed alterations would not have a significantly greater impact on the neighbouring occupiers if the application building were to be used for another permitted use.

3.3 Although the proposed windows would be visible, it is not considered to affect the living conditions of any neighbours, as they would be a replacement and enlargement of windows in their existing positions, and no new viewpoints would be introduced to cause significant overlooking beyond existing levels. The proposed rooflights would mostly have an upward outlook and with a cill height of approximately 1.2m would not result in any significant further overlooking.

3.4 The proposal therefore would not have any adverse impact on the overall living conditions of the adjoining occupiers.

Conclusion

4.1 Overall the proposal is considered acceptable in terms of character and design, and would be unlikely to significantly harm the outlook, daylight or privacy of any neighbouring occupiers. The proposal would comply with the development plan including policy DMP1 and is considered to be acceptable.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/2884

To: Ms Walker
Lichfields
14 Regents Wharf
All Saints Street
London
N1 9RL

I refer to your application dated **28/06/2017** proposing the following:

Application for alterations to the fenestration and doors at 1-2 Drakes Courtyard

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

at **1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR**

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: 08/01/2018

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 as follows:

National Planning Policy Framework/National Planning Practice Guidance
London Plan 2018
Brent Core Strategy 2010
Brent Development Management Policy 2016
Supplementary Planning Guidance 17 'Design Guide for New Development' (2002)
Draft SPD1 – Brent Design Guide

- 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:

110 B
010 B
300 D
030 B

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

- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail of those noted on the plans hereby approved.

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

INFORMATIVES

- 1 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 2 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
10
17/3673

SITE INFORMATION

RECEIVED	22 August, 2017
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR
PROPOSAL	Demolition of the existing adjoining structures to the rear; erection of a part two and part three storey rear extension including basement level; internal alterations to create new mezzanine and upper floor levels to facilitate the creation of 7 residential units (1 x 1bed, 4 x 2bed & 2 x 3bed); 7No. dormer windows to the east and west roof slopes; new access gates to facilitate vehicle and pedestrian access from Huddlestone Road; alterations to fenestration including new front access door to residential units; removal of part of front boundary wall; and provision of secure storage for 14 cycles for the residential units and refuse facilities to serve both residential and church buildings
APPLICANT	Willesden Green Baptist Church
CONTACT	Ibbotson Architects
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_135933</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "17/3673" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

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. Permit free development
4. Conservation Area style rooflights
5. Submission of details of materials
6. Submission of details of stained/leaded glass windows
7. Record of interior of building taken
8. Submission of further details of cycle and refuse storage

Informatives:

1. Party Wall Act
2. Building near the boundary
3. Construction hours
4. Structural integrity
5. Licences
6. Highways permissions
7. Vibration
8. Air quality
9. Notify Brent Transportation on condition of pavement
10. Fire safety
11. Living wage

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: WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the internal remodelling of the Willesden Green Baptist Church to re-establish the worship space and gallery on the ground floor, with modernised reception, lift, stairs, new entrance and meeting rooms. Four new apartments would replace the existing first floor worship space and also occupy the second floor roof area. The structure to the rear on Faith Court would be demolished however the historic Huddlestone Street façade would be retained. The rear of the building would be partly rebuilt to include a basement, and a community hall and kitchens, with community facilities to the basement below. Three further apartments would be constructed above in the mezzanine and first floor level.

EXISTING

The application site accommodates the Willesden Green Baptist Church which is located on the corner of Willesden High Road and Huddlestone Road. The site does not contain any listed buildings but is located within the Willesden Conservation Area. The Church is a large red brick Edwardian building that shares a rear access with Faith Court which is located directly to the east of the site. To the rear of the site there is a carpark that is used by the residents of Faith Court. The northern part of the building is a later addition from the 1980s. The Church is located directly on Willesden High Road whilst the streets to the north, east and west of the site are residential in character, occupied by two storey terraced properties and Faith Court, which is a three storey building consisting of self-contained flats. The ground floor of the Church is currently occupied by a reception area, hall, meeting rooms and a kitchen. The first floor is currently used as the worship space within the building. The Church provides a place of worship and community services for people, such as a weekly hot meal for homeless people and a used clothes sorting and dispensing service.

SUMMARY OF KEY ISSUES

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

Principle: The proposal would improve the facilities for the Church and its role in the local area. The proposal would also provide seven residential units to the boroughs housing stock. There is no objection in principle to the proposal.

Representations received: Objections were received from six local residents raising concerns regarding parking and additional members of the Church, impact of basement construction works, noise and disturbance from the Community Centre/Kitchen and the Ministers access on Huddlestone Road.

Character and Appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings and would preserve the building and Willesden Conservation Area.

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

Impact on Neighbouring Amenity: The development has been assessed against loss of light, overlooking and disturbance on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable. In accordance with SPG17 and draft SPD1.

Parking & Access: It is considered the use of a 'permit free' agreement secured by condition would mitigate against on street parking concerns in the area for the proposed residential units. It is considered that the presence of a CPZ and good transport links would mitigate against any potential increase in numbers to the Church.

RELEVANT SITE HISTORY

16/5367 – Refused 06/04/2017

Application 16/5367 for the internal remodelling of the Willesden Green Baptist Church to re-establish the worship space and gallery on the ground floor, with modernised reception, lift, stairs, entrance and meeting rooms with 5 new apartments replacing the first floor worship space. The demolition of the rear structure to Faith Court retaining the historic Huddlestons Street facade. The rear part rebuilt to include a basement, and providing a new accessible linked community hall and kitchens, with community facilities to the basement below, with 3 further apartments above was refused due to the standard of accommodation that would be afforded to future residents and also for heritage reasons.

This application was refused for the following reasons:

- 1. The proposed development would not provide an adequate overall standard of accommodation for future occupiers, by virtue of the undersized nature of Apartments 1 and 3 combined with the inadequate headroom of those flats (plus apartment 2) and the poor levels of outlook and access to natural light of Apartments 6, 7 and 8, which would be contrary to Development Management Policy DMP1, Policy 3.5 of the London Plan (2011 as amended) and the Mayor's Housing SPG.*
- 2. The proposed dormer windows and rooflights, by reason of their excessive size, frequency and poor design, would dominate the original roof plane and represent incongruous and poorly designed features that harm the character of the original property, locality and Willesden Conservation Area, contrary to Development Management Policies (2016) DMP1 and DMP7, Core Strategy (2010) policy CP17 and the NPPF (2012).*

CONSULTATIONS

80 neighbouring properties were consulted on the 15th of September. Due to the receipt of a revised site location plan and amendments to the Huddlestons Road side of the building neighbours were re-consulted on the 3rd of November. Site notices were erected on the 15th of September and 6th of November. Press notices were issued on the 21st of September and 3rd of November. In the first round of consultation six representations were received. In the second round of consultation six further representations were received. The representations are summarised in the table below:

Objection	Response
Ministers' access door on Huddlestons Road and potential for door to be inserted at a later date.	<p>This has been removed from the proposed plans. No additional access from Huddlestons Road is now proposed.</p> <p>The insertion of a door at a later date would require planning permission and a formal application.</p>
Impact of basement from excavations and on conservation area	<p>The potential impact of basement development in terms of noise, disturbance and structural matters on neighbouring properties is covered under environmental legislation and building regulations and as such is not a planning consideration. Officers do however recommend that informatives are added concerning hours of work, structural integrity, licenses, highway works, vibration and air quality.</p> <p>The proposed basement would not be visible and therefore would not materially harm or alter the</p>

	buildings appearance.
Disturbance from public community kitchen – traffic, loading, unloading and extraction equipment	<p>The Church has confirmed that the kitchen would not be open to the public. The main function of the kitchen would be to provide hot food and drinks to the homeless on a specific day of the week or on special occasions to provide hot food and drinks to members of the Church. This is not considered to have a significant impact.</p> <p>Due to the parking restrictions in place any loading or unloading will have to avail of the existing CPZ spaces.</p> <p>Further details of the extraction equipment proposed will be secured by condition.</p>
Additional parking and increased numbers attending the Church	<p>A CPZ is currently in place on Huddlestone Road and the neighbouring streets that run parallel to the site. Parking is not permitted in front of the Church on the High Road due to the presence of the bus stop and double yellow lines. Therefore people wishing to drive to the Church must park in controlled areas.</p> <p>The area is well served by public transport and has a PTAL rating of 3/4. The Church has confirmed that the majority of people attending arrive by public transport or are dropped off/picked up by relatives or taxis. Therefore any increase in numbers is likely to be met by public transport/taxis/or drop offs as parking is restricted in the area.</p>

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 SPD1 – Brent Design Guide

Mayor's Housing SPG

Technical housing standards – Nationally described space standard

DETAILED CONSIDERATIONS

Background and Context

1. As discussed in the 'history' section of this report a previous, similar application was refused due to concerns with the standard of accommodation and impact on character and design. The applicant has sought to address these concerns by reducing the number of flats proposed, improving access to light and outlook

and also by improving the design.

Amendments since submission

2. The applicant has removed a proposed entrance on the Huddlestone Road side of the site due to concerns from residents. The red line boundary on the site location plan has been corrected to include the proposed gate to the rear of the site on Huddlestone Road and alterations to the front boundary wall on the High Road side of the site.

Principle

3. The application proposes a number of extensions to the existing church and the conversion of the upper floors to residential accommodation. This would then see the creation of a community hall and worship space at ground floor level. Core Strategy policy CP23 seeks to protect existing community and cultural facilities. The Church provides a place of worship within the area and also engages in community activities and provides services for local people. The proposal would also result in the creation of seven self-contained flats which would contribute to the boroughs housing stock. Two of the units would also be family sized units of which there is a recognised shortage of and need within the borough. Taking these factors into consideration the proposal is considered to be acceptable in principle subject to the material planning considerations set out in this report.

Standard of accommodation

4. The application proposes the creation of seven self-contained flats set out over the mezzanine, first, second and third floors. All units proposed comply with DMP18 and the minimum size standards contained in London Plan policy 3.5 Table 3.3.

5. DMP19 requires residential units to have private amenity space with 20 sqm per flat and 50 sqm per family sized unit the required target. In this case private amenity space has not been provided. However due to the fact that the property is a Church and within a conservation area it would not be practical to use balconies as it would detract from the character and appearance of the building. In this case the lack of amenity space is therefore considered to be acceptable on balance.

6. Outlook and access to natural light is more restricted due to the design of the building and also the proximity of Faith Court on the eastern side of the site. However the applicant has sought to overcome restrictions of light with the use of rooflights and has submitted a Daylight/Sunlight report in support of the application. The report has concluded that with regard to natural daylight all rooms would meet or exceed the minimum required threshold set out in the BRE guidelines. With regard to sunlight although some of the bedrooms would not achieve minimum sunlight standards the living areas that are the primary living area where residents would spend the majority of time within the units have been prioritised and meet BRE guidelines.

7. Although the proposal would not provide amenity space and the bedrooms of some of the bedrooms would not achieve minimum sunlight standards a more flexible approach can be taken due to design of the existing building. Therefore on balance it is considered that the proposal would result in a good standard of accommodation for prospective residents.

Parking and Access

8. The proposal is considered to be acceptable in terms of parking and access.

9. Under the parking standards set out in Appendix 1 of the adopted DMP 2016, car parking for the existing church is only permitted when justified by a Transport Assessment. The absence of any existing or proposed off-street parking for the church therefore complies with standards, with disabled staff and visitors able to use the on-street parking spaces along Huddlestone Road adjoining the building.

10. As the site has good access to public transport services, the lower residential car parking allowance of 0.75 spaces per 1-/2-bed flat and 1.2 spaces per 3-bed flat applies to the new accommodation. This gives an

allowance of up to 6.15 spaces, so with no off-street parking proposed, the maximum standard is complied with. However, Policy DMP12 encourages parking permit restricted developments in areas with good access to public transport services. This site meets those criteria and the applicant has therefore proposed that the flats are designated parking permit restricted. This is welcomed to ensure that parking associated with the flats does not have a negative impact on parking conditions in the area, a condition is recommended to secure is requirement.

11. Concerns have been raised by local residents about increased numbers of people attending the Church and the potential impact that this could have on parking in the area. Officers have considered the CPZ is currently in place on Huddlestone Road and the neighbouring streets that run parallel to the site. Parking is not permitted in front of the Church on the High Road due to the presence of the bus stop and double yellow lines. Therefore people wishing to drive to the Church must park in controlled areas. In addition to this the area is well served by public transport and has a PTAL rating of 3/4. The Church has specified that the majority of people attending arrive by public transport or are dropped off/picked up by relatives or taxis. Therefore any potential increase in numbers is likely to be met by public transport/taxis/or drop offs as parking is restricted in the area.

12. The London Plan requires the provision of a secure bicycle parking space per 1-bed flat, with two spaces required per 2/3-bed flat. A total of 13 spaces are therefore required. The Design & Access Statement suggests that 14 spaces are to be provided, but the ground floor plan for the storage at the rear shows only 9 spaces, unless a double-height rack is proposed. Therefore further details are sought as a condition of any approval.

13. Refuse storage is also indicated at the rear for five wheeled bins within 20m of Huddlestone Road, which meets wheeling distances for staff. However, 8 bins would be required for this number of flats and further details of refuse storage are therefore also sought by condition.

14. Pedestrian access is via a stairwell from the private access drive to the Faith Court car park, as well as directly from High Road via a lift. This provides good access from both frontages, with a kerbed 1.2m wide footway available alongside the rear of the building to provide a suitably safe means of pedestrian access.

15. The application proposes a new gate at the rear of the site to Faith Court. As this is relatively close to the highway there is the possibility that vehicles would have to queue on Huddlestone Road to enter the car park. Details of a remote controlled system are therefore recommended to be secured by condition.

Impact on character and design

16. The development would not result in material harm to the character of the building, conservation area or streetscene.

17. There is no objection to the elements of demolition at the rear of the building as these are later additions and of no special heritage interest. The proposed alterations to adapt the building for part residential use have been carefully designed to preserve its character and as a result the conservation area. On the Huddlestone Road side, three pairs of lancet windows would have their aprons removed and the windows lowered. The leaded and stained glass would be carefully adapted to retain the pattern but preserve the feature. Six lancet dormer windows would be installed to the roof. These have been designed and located to match the character of the building. Rooflights would be added to the east side but these would be largely unseen from Willesden High Road given the proximity of the adjoining property, Faith Court. At the front, new glass doors would be installed, however, the attractive timber doors would also remain. A new secondary entrance would be installed under a window at the front. This has purposely been designed as a subsidiary feature. The existing front wall would be removed and the forecourt landscaped with two trees. A new front wall would be constructed and a ramp behind installed for better access. These works would maintain the appearance of the building. At the rear a new extension is proposed. This is considered to be subservient in nature and would be constructed in brick to match the church.

18. Due to the sensitive nature of the building and its setting within the conservation area a number of

conditions are recommended including the submission of details of proposed materials including windows; further details of the entrance doors and forecourt layout; the rooflights to be conservation area style; and that a comprehensive record of the building shall be taken. Subject to these conditions it is considered that this scheme has been carefully considered and would preserve the character of the building and the appearance of the conservation area.

Impact on neighbouring amenity

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

20. Residential properties are located to the north and east of the site in the form of No.3 Huddleston Road and Faith Court which is a five storey block of flats. No.3 Huddleston Road consists of two self-contained flats. The ground floor flat has a number of habitable room windows that face south and directly overlook the rear of the application site. The proposal would see the building to the rear of the site extended. This would result in an increase from 6.5 to just over 9 metres which is a significant increase in height. However the majority of the extensions would be located adjacent to the main part of the neighbouring dwelling that does not contain habitable room windows rather than directly opposite the outrigger that contains habitable room windows in the side elevation. As such there would be no material harm.

21. Windows are located in the side elevation of Faith Court directly overlooking the site. Habitable room windows are proposed in the application site that would directly overlook these windows; however the existing windows appear to be secondary windows to rooms. As such there would be no material impact with regard to overlooking in this location.

22. Concerns have been raised by local residents regarding noise and disturbance from the community hall and also the proposed residential accommodation. The residential access and access to the Church is mostly contained at the front of the building on Willesden High Road that would reduce the number of people using the residential streets to the north and west of the site. Reasonable use of the proposed dwellings would not result in any significant noise and disturbance impacts to the neighbouring occupiers.

23. Concerns have been raised by local residents about disturbance from the proposed kitchen including increased numbers of people, loading/unloading and extraction equipment. The Church has confirmed that the kitchen would not be open to the public. The main function of the kitchen would be to provide hot food and drinks to the homeless on a specific day of the week or on special occasions to provide hot food and drinks to members of the Church. Due to the parking restrictions in place any loading or unloading would have to take place in the existing CPZ spaces or car park to the rear of the site. Due to the close proximity of residential properties and the proposal residential properties further details of the extraction equipment proposed would be secured by condition.

24. Concerns have also been raised about the proposed basement development. The potential impact of basement development in terms of noise, disturbance and structural matters on neighbouring properties is covered under environmental legislation and building regulations and as such is not a planning consideration. Officers do however recommend that informatives are added concerning hours of work, structural integrity, licenses, highway works, vibration and air quality. Concerns have also been raised about the impact the basement would have on the existing building and conservation area. Due to the subterranean nature of the basement it would not be visible from the street and therefore would not materially harm or alter the buildings appearance.

Conclusion

25. The proposal would provide an improved community space for residents and a place of worship in the area. In addition to this the development would provide additional residential units to the Borough's housing stock, two of which are family sized units which can be given significant weight. The alterations to the exterior of the Church are considered acceptable and would preserve the character and appearance of the building and Willesden Conservation Area. Taking these factors into consideration the application is recommended to

be granted.

CIL DETAILS

This application is liable to pay **£218,998.66*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 666.5 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	666.5		666.5	£200.00	£35.15	£186,262.95	£32,735.71

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)	313	
Total chargeable amount	£186,262.95	£32,735.71

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/3673

To: Mr Ibbotson
Ibbotson Architects
105c
Southgate Road
Islington
LONDON
N1 3JS

I refer to your application dated **22/08/2017** proposing the following:

Demolition of the existing adjoining structures to the rear; erection of a part two and part three storey rear extension including basement level; internal alterations to create new mezzanine and upper floor levels to facilitate the creation of 7 residential units (1 x 1bed, 4 x 2bed & 2 x 3bed); 7No. dormer windows to the east and west roof slopes; new access gates to facilitate vehicle and pedestrian access from Huddlestons Road; alterations to fenestration including new front access door to residential units; removal of part of front boundary wall; and provision of secure storage for 14 cycles for the residential units and refuse facilities to serve both residential and church buildings

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

at **WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR**

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: 08/01/2018

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:-

Development Management Policies (2016)

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

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

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

101 01A
101 02B
101 03C
101 04B
101 05B
101 06B
101 07B
101 08B
101 09
101 10
101 11
102 01
102 02
102 03B
102 04B
103 01
103 02
103 03
103 04
103 05B
103 06C
103 07B
103 08B
103 09B

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

- 3 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within any existing or future Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 4 The rooflights hereby approved shall be detailed to be a 'conservation flush-type' set flush with the roofplane, and shall be so maintained.

Reason: To protect the character of the building and the appearance of the conservation area.

- 5 No works shall be undertaken until full details of the materials (to include a specification and photograph illustrating the material sample and samples made available at the site) shall be submitted to and approved in writing by the local authority.

In addition to this details of the following at a scale of 1:10 and in sectioned drawings shall be submitted to and approved in writing by the local authority:

- The new residential door and framing to the front elevation.
- A front forecourt layout indicating materials and the new front wall and trees.
- The new front entrance doors and associated framing and fixing.
- The new rear gate.

The approved details shall be implemented in full prior to first occupation and maintained as such 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.

- 6 Precise details of the adapted stained/leaded glass windows including framing shall be submitted to and approved in writing by the local authority before the commencement of works. The approved details shall be implemented in full prior to first occupation and maintained as such for the lifetime of the development.

Reason: To protect the character of the building and the appearance of the conservation area.

- 7 A comprehensive record (to Historic England Level 2) shall be taken of the building to include the interior shall be submitted to and approved in writing by the local authority, with a copy to be provided to the Willesden Library before the commencement of works.

Reason: To safeguard the architectural character and appearance of the building and to provide an updated Historic Environment Record.

- 8 Prior to the occupation of the development hereby approved, further details of cycle storage detailing a minimum of 14 cycles and refuse storage for a minimum of eight bins for use by occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the development and thereafter retained and not used other than for purposes ancillary.

Reason: In the interest of promoting sustainable transport and proper refuse storage

- 9 Details of the extract ventilation system and odour control equipment for the kitchen, including all details of external ducting, shall be submitted to and approved by the Local Planning Authority. The approved equipment shall be installed prior to the commencement of the kitchen use and shall thereafter be operated at all times during the operating hours of the kitchen use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 The applicant is advised that 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.
- 4 **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.
- 5 **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, gantry, 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.
- 6 **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

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 standards.

9 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.

10 The Council recommends that the maximum standards for fire safety are achieved within the development.

11 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

17 January, 2018
11
16/5066

SITE INFORMATION

RECEIVED	23 November, 2016
WARD	Kensal Green
PLANNING AREA	Brent Connects Harlesden
LOCATION	Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA
PROPOSAL	Continued use of the building as a 49-bedroom (116-bed) hostel for the homeless (Sui Generis), for a temporary period of 3 years
APPLICANT	CALUMET PROPERTIES LIMITED
CONTACT	RKA
PLAN NO'S	RK/TP/1060/01 RK/TP/1060/02 RK/TP/1060/03 RK/TP/1060/04 RK/TP/1060/05 RK/TP/1060/06 RK/TP/1060/07
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_131343</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "16/5066" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS


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

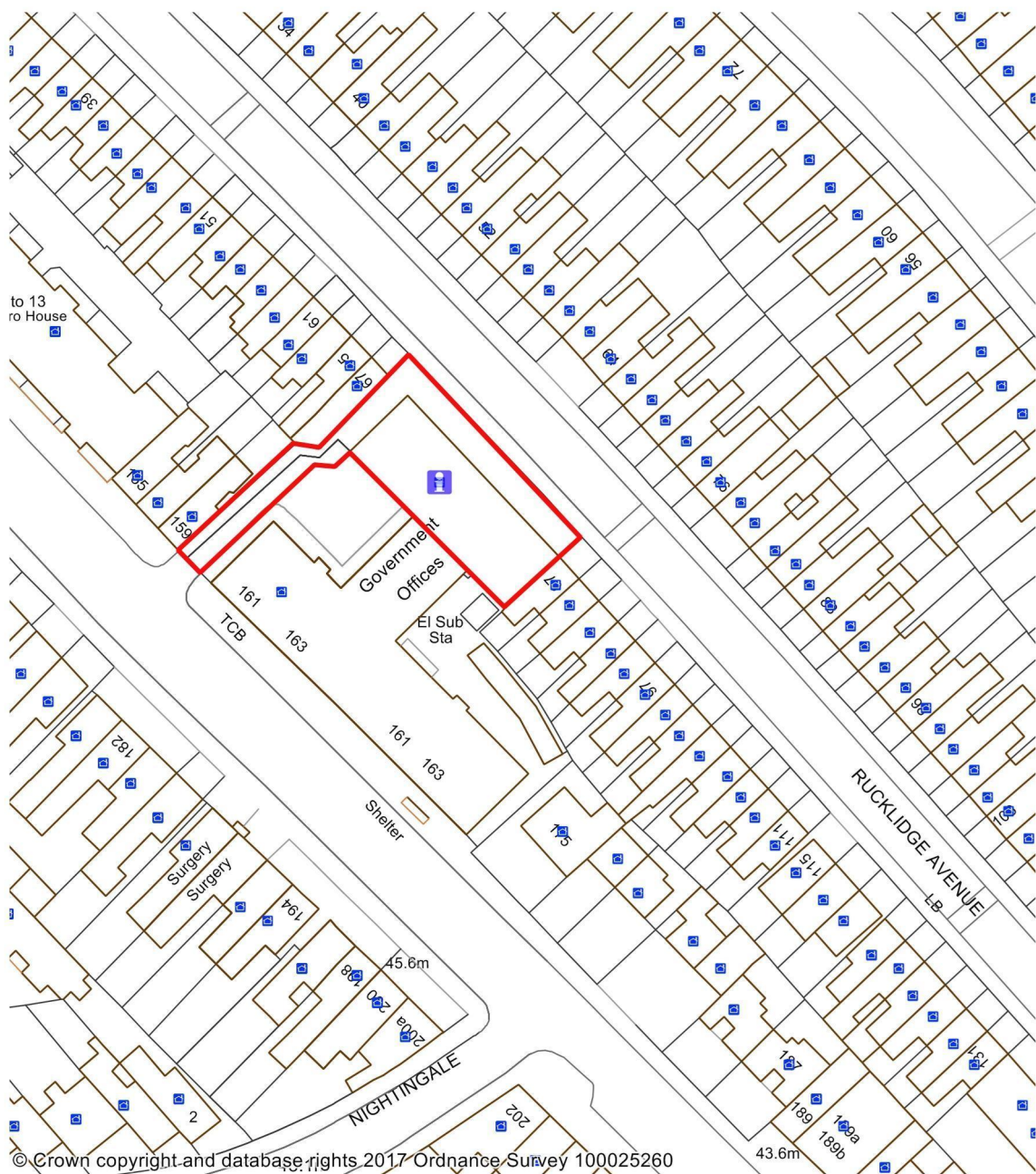
Conditions:

1. Temporary Consent
2. Condition restricting pedestrian access on the Rucklidge Avenue side of the site and the display of signage directing visitors to the High Road side of the site

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>Planning Committee Map</p> <p>Site address: Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA</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 continued use of the building as a 49 bedroom (116 bed) hostel for the homeless for a temporary period of three years. No external changes are proposed to the building and all existing accesses would remain.

EXISTING

Joy House is part of a former four storey office block with an H-shaped footprint, located between the south-western side of Rucklidge Avenue and the north-eastern side of High Street, Harlesden. Joy House is currently used as a hostel for the homeless and accommodates 49 bedrooms, capable of providing 116 beds. Joy House occupies the northern section of the block, fronting Rucklidge Avenue. The main access from Joy House to the High Street is provided by way of a pedestrian footpath running along the north-western side of the site. The rear access to the site on Rucklidge Avenue is kept closed except for when disabled people need access. Rucklidge Avenue is residential in character and consists of a variety of residential properties. The application site is not located within a conservation area and does not contain any listed buildings.

SUMMARY OF KEY ISSUES

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

Principle: There is no objection in principle to the proposal for a temporary period of three years. The proposal would provide a local and identified need in compliance with Core Strategy policy CP21 and would also comply with the requirements of DMP20 for self-contained accommodation of this type. However a temporary permission is recommended due to the uncertainty around the future need for this type of accommodation and to allow the situation to be reviewed in the future.

Representations received: Six objections were received from local residents that raised concerns with noise, access from Rucklidge Avenue and individuals loitering around the site.

Impact on Neighbouring Amenity: The development has been assessed against the amenity of neighbouring residents and has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable, subject to appropriate management of the site.

Transportation: The the application site is located within an accessible location where the occupiers would not require the use of a car and there would not be an increase in the parking requirements of the site. The proposal therefore would have an acceptable impact on the safety and free flow of the surrounding highway network.

RELEVANT SITE HISTORY

13/1888 – GTD

Renewal of planning permission reference 08/0593, dated 27/05/2008, for change of use from offices (Use Class B1) to 49-bedroom (116-bed) hostel for the homeless, including the erection of an entrance canopy, installation of front boundary railings, access door for disabled and construction of a bicycle store and subject to a Deed of Agreement dated 27th May 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

10/3148 – DIS

Change of use from offices (Use Class B1) to a 49-bedroom hostel for the homeless (sui generis) on a permanent basis

08/0593 – GTD

Renewal of planning permission reference 01/1877, dated 25/10/2002, for change of use from offices (Use Class B1) to 49-bedroom (116-bed) hostel for the homeless, including the erection of an entrance canopy, installation of front boundary railings, access door for disabled and construction of a bicycle store and subject to a Deed of Agreement dated 27th May 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

01/1877 – GTD

Change of use from Offices (Class B1) to 49-bedroom (116-bed) hostel for the homeless, including the erection of an entrance canopy, installation of front boundary railings, access door for disabled and construction of a bicycle store

CONSULTATIONS

Neighbour consultation letters were issued to 106 neighbouring properties on 19/12/2016. Two site notices were displayed on 06/12/2017. Press notice advertised on 30/11/2017

To date seven representations have been received (six against, one in favour), details of which are summarised in the table below:

Objection	Response
Collection of waste between 04:30 and 5:30	The time that waste is collected is not a planning consideration directly related to this proposal
Individuals loitering around Rucklidge Avenue	There is no evidence to suggest that these individuals are connected to the hostel. There is no pedestrian access to the site from Rucklidge Avenue
Disturbance and noise	There appear to have been some isolated incidents however this is not unusual in a busy high street area.
Access from Rucklidge Avenue should be prevented	A condition is recommended that the rear door is kept closed except when used by disabled persons.

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)

DETAILED CONSIDERATIONS

Background and Context

1. The conversion of the former office building to a hostel for the homeless was first permitted through the grant of temporary planning permission in 2002. In planning policy terms the principle of the change of use was justified as the hostel was required in order to help address an acute need at that time for accommodation for homeless families in the Borough. At that time the permission was subject to a block

booking arrangement with the Council, secured through a s106 agreement, which ensured that the hostel would be used principally to support homeless families within Brent.

2. In 2008 an application to extend the use for a further period was submitted to the Council. In assessing this further application the need for hostel accommodation to support homeless families was again reviewed and it was found that this need still existed. On this basis permission was granted, on similar terms to the previous application, for a 5 year extension to the use. This permission expired on 1st September 2013 and was subsequently renewed again in October 2013 again based on the fact that the building provided accommodation for a known local need within the borough for homeless people. This permission expired in September 2015 and the building has continued to operate as accommodation for homeless people to date without the benefit of planning permission. The current application seeks continued use of the building as a hostel for the homeless for a temporary period of three years.

Principle and Housing Need

3. The principle of hostel accommodation for the homeless has already been established in the site, albeit through two temporary permissions. Under normal circumstances when a temporary permission has been granted previously, it is unusual for another temporary permission to be granted. However in this case the property is fulfilling a specific Brent need that may be temporary in its nature and is considered to be in compliance with Core Strategy policy CP21, thus making the principle of another temporary permission acceptable. Brent Housing Needs have confirmed that the building is exclusively used by the Council to provide homeless households with accommodation until more permanent accommodation can be sourced. The property is also the only one in the Borough that has a functioning lift system and has four fully adapted disabled rooms which benefits a key client type and local need within the borough. The Brent Housing Need Team have also confirmed that there is continuous high demand for the facility and that its loss would negatively affect the existing housing situation and the Council's ability to fulfil its statutory housing duties.

4. 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 located in an area with very good transport links including regular bus services outside the site and London Overground and Underground located 330 metres to the south. The facility provides 7 self-contained rooms and others with shared communal facilities such as bathrooms and kitchens. Given the temporary nature of the accommodation it is considered that it offers an adequate standard of accommodation for residents. It should be noted that the use and this site in particular require careful management to protect the living conditions of the neighbouring occupiers. The facility has management in place and it has been demonstrated that there is a specific Brent need.

5. It has been noted that a number of temporary permissions have been granted on this site and this is not usually necessary where a proposal is deemed to be acceptable. However, the potential for disturbance has not been ignored and planning permission has recently been granted for a permanent facility which has a more appropriate site and context. Therefore although great weight has been given to the current need for the facility and the consequences of not having it are acknowledged, it is appropriate that the need is accommodated within a purpose built facility in the future. Therefore the principle of extending the temporary permission is considered acceptable.

Neighbouring amenity

6. The site is located on Harlesden High Street and Rucklidge Avenue however pedestrian access is restricted to the High Street side of the site. Harlesden High Street is a typical high street that is relatively busy in terms of pedestrians and vehicles. As such this is considered the most sensible access point to the building.

7. There have been a number of concerns raised from neighbouring residents regarding individuals congregating on the Rucklidge Avenue side of the site. During the site visit it was noted that the gate on the Rucklidge Avenue side of the site was closed and did not provide access to the building. A number of signs directing people to the High Road entrance on the opposite side of the site were also in place, a condition is

recommended to ensure that these remain in place. One of the objectors mentioned that they were unsure whether the individuals congregating around the Rucklidge Avenue side of the site were actually connected to the hostel. As there is no permanently open pedestrian access on this side of the site there is no evidence to suggest that these individuals were actually residing there. Another objector has also raised concerns with residents shouting. However this appears to be an isolated incident and is typical of activity that takes place in any busy high street or built up urban area.

8. In the appeal of application 10/3148 the Inspector recognised a potential for disturbance to neighbouring occupiers, but also noted that this would not be a sole reason for refusal of planning permission. Officers once again recommend a condition that the pedestrian access to the site is closed except for when a disabled person needs access. It is therefore considered that with this condition in place that the amenity of neighbours would not be materially harmed as access would be restricted to the busier high street side of the site.

Conclusion

9. The accommodation is providing a known local need within the Borough. Although residents have raised some concerns about the proposal these appear to be isolated incidents involving individuals on Rucklidge Avenue that are not necessarily connected to the site, the management of the site can minimise such issues and the temporary permission would ensure that any harm related to the site is limited. The condition to keep the rear access closed except for disabled access should ensure that individuals who are residing at the facility use the High Road access on the opposite side of the site. The application is therefore recommended to be granted on a temporary basis for 3 years.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 16/5066

To: Mr Randeree
RKA
116 Elms Lane
Wembley
HA0 2NP

I refer to your application dated **23/11/2016** proposing the following:

Continued use of the building as a 49-bedroom (116-bed) hostel for the homeless (Sui Generis), for a temporary period of 3 years

and accompanied by plans or documents listed here:

RK/TP/1060/01

RK/TP/1060/02

RK/TP/1060/03

RK/TP/1060/04

RK/TP/1060/05

RK/TP/1060/06

RK/TP/1060/07

at **Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA**

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: 08/01/2018

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:-

Development Management Policies (2016)
Core Strategy (2010)

- 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.

- 1 This permission shall be for a limited period of 3 years only, expiring on 19th January 2021 when (unless a further application has been submitted to and approved in writing by the Local Planning Authority) the use hereby approved shall be discontinued..

Reason: The proposed use is considered to be acceptable only on a temporary basis to accommodate an existing and exceptional need for accommodation of this type in accordance with Policy CP21 of the London Borough of Brent LDF Core Strategy 2011.

- 2 The pedestrian access gate on to Rucklidge Avenue shall not be used other than to provide access to the premises for disabled persons only and visitors to the site shall be informed of this restriction by way of a sign installed on the pedestrian gate clearly indicating this restriction. This sign shall be displayed until such time that the use of the premises, hereby approved, ceases.

Reason: In the interests of residential amenity.

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