



Planning Committee

Wednesday 14 February 2018 at 7.00 pm

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

Membership:

Members

Councillors:

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

Substitute Members

Councillors:

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

Councillors

Davidson, Shaw

For further information contact: Joe Kwateng, Governance Officer
020 8937 1354 ; joe.kwateng@brent.gov.uk

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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 or 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 - 12
PART 1- APPLICATIONS FOR DECISION		
3. 17/2884 1-2 Drakes Courtyard, Kilburn High Road, London, NW6 JR	Kilburn	17 - 28
4. 17/0837 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ	Queensbury	29 - 70
5. 17/4747 Land rear of 12-14 St Andrews Avenue, St Andrews Avenue, Wembley	Northwick Park	71 - 90
6. 17/4857 St Margaret Clitherow RC Primary School, Quainton Street, London, NW10 0BG	Welsh Harp	91 - 112
7. 17/4877 Land to the South West of Olympic Way/Fulton Road Junction, Olympic Way, Wembley, HA9	Tokington	113 - 148
8. 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 March 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 17 January 2018 at 7.00 pm

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

ALSO PRESENT: Councillors Chohan, Jones, Mahmood and McLennan.

Apologies for absence were received from Agha.

1. **Declarations of interests**

79-83 ODDS, Kenton Road, Harrow, HA3 0AH (Ref. 17/3717)
Garages rear of, Rayners Close, Wembley (Ref. 17/0502)

Councillor Daly declared that as she had in the past expressed objections to both schemes she would reiterate her objections and withdraw from the meeting room during discussions and voting on both applications.

Approaches

All members had received emails from an objector to the application for Drakes Courtyard.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 13 December 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 and any other conditions considered necessary by the Head of Planning

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.

Damian Manhertz (Area Planning Team Leader) introduced the report and outlined the key issues of the application. He advised Members that the proposed conversion complied with Council policy regarding the principle of development as the existing house exceeded the minimum floor space threshold. He continued that 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. In respect of transportation, he advised that the proposal would provide off-street parking and a parking permit restriction would mitigate the potential impact of over-spill parking in the locality of the application site. Additionally and with cycle parking proposed, the development would not have an adverse impact on parking or highway safety.

Mr Briefel (objector) raised concerns that the proposal would be out of scale with the character of neighbouring properties. He added that the proposed development would cause loss of light to the rear garden of his adjoining property.

Mr Glen Christen (applicant's agent) stated that the property with the proposed extensions was adequately large for the conversion into 7 dwelling units. He added that the proposal exceeded the minimum threshold for conversion, the London Plan and space standards. Mr Christen continued that the relatively minor extensions to the property complied with SPG on rear extensions and would have minimal impact on neighbouring amenity.

In response to members' questions on insulation, stacking and potential noise from the nearby temple, Mr Christen advised that further details would be submitted on stacking and that adequate conditions had been recommended in addition to building regulations to address insulation and that noise from the temple would not be an issue to the residents.

DECISION: Granted planning permission as recommended.
(Voting for approval was carried as follows: For 5, Against 1 and Abstain 2).

4. 79-83 ODDS, Kenton Road, Harrow, HA3 0AH (Ref. 17/3717)

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

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 of London.

That the Head of Planning be granted delegated authority to negotiate the legal agreement indicated in the Heads of Terms 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, 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 Team Manager) introduced the scheme and answered members' questions. With reference to the supplementary report, she drew members' attention to the summary of additional comments on the proposal and officers' responses. She then clarified the details submitted by the applicant on the units for disabled use, amended third floor plan and amended conditions 2 and 4.

Mr Alan Dean (objector) stated that although he accepted the principle of the development, he considered that the proposal constituted an overdevelopment of the site, causing overbearing and overlooking to his property. He added that Rushout Avenue, a 4 bus route with queuing traffic and a number of school children was an accident hot spot and therefore there was every need to review the highways assessment with a view to reducing traffic.

Mr Syed Rizvi (objector) speaking in a similar vein echoed the views expressed by the previous speaker, highlighting how dangerous the access to the development would be. He expressed a view that the impact of the junction and the obstruction of views by the fence had not been thoroughly assessed and questioned as to whether a transport statement had been submitted for the application.

In accordance with the planning Code of Practice, Councillor McLennan (speaking as a ward member) declared that she had been approached by residents who lived nearby. Councillor McLennan stated that although she was not averse to the development, she was concerned about the size, overdevelopment and the transport issues in and around Rushout Avenue with four bus routes. She continued that the development could give rise to on-street parking which with the double decker buses would worsen the transport problem in the area. She specified that a CPZ should be implemented in the area if approved. She noted that TfL were in the process of reducing the number of buses on the route and Churchill Avenue was to be made a cycling quietway to discourage vehicles, however, the proposal would not help in reducing traffic and suggested that consideration be given to changing access to Kenton Road so as to reduce the footprint.

In accordance with the planning Code of Practice, Councillor Daly (speaking as a ward member) declared that she had been approached by residents and that she had in the past consistently objected to the proposed development. Councillor Daly stated that whilst she accepted the principle of development on the site, she felt that there were issues regarding stacking and density that needed to be addressed. In addition, the proposal would give rise to transport problems particularly during the rush hour traffic with a backlog of cars trying to access the underground car park. Councillor Daly continued that the Council's highways officers had not produced any evidence about the risks of using Rushout Avenue as the access point to the car park. She questioned whether alternative access arrangements had been considered.

Liz Alexander (applicant's agent) and Nick Wilson (applicant's architect) addressed the committee. Members heard that the proposal for 39 mixed residential units in a sustainable location use was policy compliant, with revisions made to ensure 6m set back as requested by Highways officers. They added that the proposed development would optimise the potential of the site and would deliver 4 shared ownership units, the maximum viable for the development. In response to members' questions, the agent and the architect stated that any attempt to deliver more shared units that stated would affect the viability of the scheme and that the delivery of the scheme could be jeopardised at lower densities.

In the ensuing discussion, members raised concerns about the parking situation, separation distances, density and amenity provisions of the development and questioned the scheme's ability to achieve a 25% family units. Particular concern was also raised about the absence of Highways officers at the meeting to directly

respond to issues of transportation significance including the possibility of a “car free development”.

Officers responded that the scheme was acceptable in density terms, maintaining appropriate relationship and daylighting. They clarified that the scheme did not exceed the maximum parking standards and had been evaluated by Highways officers to be acceptable. They set out that it could not be a “parking permit restricted development as it is not within a Controlled Parking Zone.

A motion was put forward to defer the application to the next meeting to enable highways officers to re-assess the scheme and clarify the transportation concerns raised by Members. This was put to the vote and declared lost. The substantive recommendation was then voted upon and declared carried on the chair’s casting vote.

DECISION: Granted planning permission as recommended subject to amended condition 2 and 4 as set out in the supplementary report.

(Voting for approval was carried on the casting vote of the Chair with the initial votes cast as follows: For 3, Against 3 and Abstain 1).

Note: Councillor Daly having declared an interest withdrew from the meeting room and did not take part in the voting.

5. Garages rear of, Rayners Close, Wembley (Ref. 17/0502)

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

RECOMMENDATION: That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

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

That the Committee confirms that 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 Team Leader) introduced the scheme and answered members’ questions. Members heard that the proposed use was considered appropriate for the area and would result in the provision of new homes within the borough with acceptable design and height and massing in

keeping with the local context. It would also accord 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. In Highways terms, 4 of the garages proposed would be for use by the residents of the proposed development and the remainder (14) would be for use by residents of Fairley Court. She advised that the trees that were proposed to be removed were not considered worthy of retention.

In accordance with the Provisions of the Planning Code of Practice, Councillor Daly (ward member) stated that she had been approached by local residents. Councillor Daly raised concerns about noise, vibration and loss of parking which she added would result in displacement parking in the neighbouring streets.

Victoria McDonagh clarified that there would be an overall increase in parking spaces with additional 6 spaces for residents of Fairley Court. The allocation of spaces for residents of existing and proposed flats could be conditioned as part of car parking management plan. In response to members' questions she clarified the amenity provisions and in respect of vibration, she recommended an amendment to condition 4 to include vibration assessment by Environmental Health officers.

DECISION: Granted planning permission as recommended and subject to additional details on vibration assessment.

(Voting for approval was carried as follows: For 6, Against 0 and Abstain 1)

Note: Councillor Daly having declared an interest withdrew from the meeting room and did not take part in the voting.

6. Land adjacent to Hindhurst Court and Hartgrove Court, Hay Lane , London NW9 0NJ (Ref. 17/4151)

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.

RECOMMENDATION: That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out in the report.

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

That the Committee confirms that 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 Team Leader) introduced the report and answered members' questions. With reference to the supplementary report, she advised members that the applicant had submitted revised plans showing;

- a) the replacement of the proposed London Plane tree with Hornbeam tree;
- b) the means of pedestrian access to prevent residents from having to walk across the car park to access the flats.

These amended conditions 2 and 8 and removed condition 9. She then clarified some inaccuracies within the main report and added that additional conditions for the submission of a Construction Management Statement and details of boilers

DECISION: Granted planning permission as recommended and subject to amended conditions 2 and 8, removal of condition 9, requirement for the submission of a Construction Management Statement, details of boilers and clarifications as set out in the supplementary report.

(Voting for approval was unanimous as follows: For 8, Against 0 and Abstain 0)

7. Oakington Manor Primary School, Oakington Manor Drive, Wembley, HA9 6NF (Ref. 17/3940)

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.

RECOMMENDATION: Grant planning permission subject to conditions.

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 within 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.

DECISION: Granted planning permission as recommended.

(Voting for approval was unanimous as follows: For 8, Against 0 and Abstain 0)

8. Watling Gate, Edgware Road, Kingsbury, London, NW9 6NB v(Ref. 17/4508)

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).

RECOMMENDATION: Grant planning permission subject to conditions.

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 within 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.

DECISION: Granted planning permission as recommended.
(Voting for approval was unanimous as follows: For 8, Against 0 and Abstain 0)

9. 1 & 2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR (Ref. 17/2884)

PROPOSAL: Alterations to the fenestration and doors at 1-2 Drakes Courtyard

RECOMMENDATION: GRANT planning permission and that the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within 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.

David Glover (Acting Development Management Manager) advised the Committee that a further objection had been received from an objector and recommended that the application be deferred to the next Planning Committee meeting so that a written summary, evaluation and response could be provided.

DECISION: Deferred to the next meeting to enable officers to assess new issues raised by an objector.

10. WILLESDEN GREEN BAPTIST CHURCH, High Road, London, NW10 2PR (Ref. 17/3673)

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.

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 within 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.

Damian Manhertz (Area Planning Team Leader) introduced the scheme and answered members' questions.

Matthew Bright raised concerns about the application in respect of increased noise, congestion and anti-social behaviour (ASB) particularly from the youth club within the street outside the church. In response to members' questions, Mr Bright stated that although the situation had improved further to Police intervention and that it had not occurred recently, he was fearful of the prospect from increased activities in the Church with associated increase in numbers of people in the street and thus encouraging more ASB. In response to members' questions Mr Bright stated that his concern was not against the principle of the development but rather the ASB which may return with the increased use of the Church hall for youth activities on Fridays.

Patrick Hannon (objector) speaking in a similar vein added that the proposed development which would involve excavation, would be cause vibration to the detriment of the residents of Huddlestone Road, potentially causing damage to their homes. He also raised concerns about highways issues.

In accordance with the provisions of the Planning Code of Practice, Councillor Jones (ward member) stated that she had been approached by residents. Councillor Jones stated that the construction of the basement would cause destruction and that the proposal would cause overlooking to the neighbouring properties in particular Faith Court. She suggested that the “Pay and Display” should be changed to “Residents Parking Only” in order to minimise parking impact of the development and that officials of the church and the residents should liaise to iron out any differences they may have about the proposal.

Reverend Paul Akinola and Steve Ibbotson (applicant’s architect) addressed the Committee. Reverend Akinola explained that the proposed expansion of the Church was to upgrade it to comply with modern requirements and to meet the increasing demands for a growing congregation. He added that the proposed dwelling units would be sympathetic to the character of the area. The architect added that the proposed use of the basement would be integral to the church’s activities, providing in addition, shower facilities and a storage area for clothes donated to the church. He continued that the church had agreed with the residents of Faith Court to install gates to the rear of the Church. He explained that the anti-social behaviour was associated with a group who were no longer using the premises, and that those issues had not occurred since 2010.

During discussion, a member suggested the addition of a construction management plan, further details of the gates to the rear (either set further back from the footway or management procedures in place for times when they are faulty) and an informative to ensure that damage to public realm was repaired.

In summing up, Damian Manhertz the principle of the development had been established and that informatives had been added to best manage any potential problems that may result.

DECISION: Granted planning permission as recommended subject to considerate construction, construction management plan and further details for gates to the rear of the church
(Voting for approval was unanimous as follows: For 8, Against 0 and Abstain 0)

11. Joy House, 69-85 Rucklidge Avenue, London, NW10 4QA (Ref. 16/5066)

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.

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 within 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.

Damian Manhertz (Area Planning Team Leader) introduced the report. He drew members' attention to the supplementary report that set out officers' responses to issues raised by the Residents' Association and a ward member. He however recommended additional conditions to take account of the comments made by the Residents' Association as set out in the decision column below.

DECISION: Granted planning permission as recommended and subject to a revised condition relating to the gated entry on Rucklidge Avenue being restricted for Disabled residents of the Hostel and for emergency use only, with details of management arrangements to be approved by the Council and implemented within 4 months of the date of the decision relating to the use of the gate.
(Voting on the recommendation for approval was unanimous as follows; For 8, Against 0, Abstain 0).

12. Any Other Urgent Business

None.

The meeting closed at 9.40 pm

COUNCILLOR 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

14 February, 2018
03
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. The 'new' door on the east elevation is an existing entrance as evidenced by site visit photographs and existing ground floor plan.
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.

Additional objection material including a supplementary noise statement was submitted by MP Moran on 17th January 2018. The additional comments were as follows:

- Additional doors and windows would increase the potential; noise impact from MP Moran, unless the window specification is increased and doors include acoustic seals and are of an appropriate specification;
- The location of the entrance door would be hazardous to pedestrians as they would be stepping out onto a shared area down which vehicles including MP Moran's forklift trucks are required to drive.
- The location of the entrance door would be hazardous to pedestrians as it would be in an area where MP Moran carry out various activities such as cutting metal and wood, and loading and unloading.
- It is suggested that borough Highways officers were not consulted on the location of the entrance.

These additional objections are considered below.

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:

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. Notwithstanding this, some of the elements of the proposal involve a cumulative impact and therefore the pertinent objections will be addressed.

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.

4.0 Objections and other material considerations

4.1 It is acknowledged that objections have been received regarding the possible impact of noise complaints against the nearby builders' merchants. These objections primarily relate to a residential change of use being implemented at the site and have been addressed within the report 17/4179, which has submission conditions in place regarding noise mitigation and mechanical ventilation. Further comments received require consideration.

4.2 Although this proposal is for changes to fenestration and doors only, the proposal under case 17/4179, a Prior Approval for change from Office to Residential is a material consideration. It is posited that Highways officers were not consulted for the proposal to have the entrance to the flats approved under 17/4179 on Drakes Courtyard. In fact Highways Officers were consulted on this issue, the position of the entrance and access to the proposed development, case 17/4179, which showed the proposed entrance in the same place.

It is accepted council practice to use a relevant consultation response where the information is already available under another recently assessed case. Highways feedback was as follows:

"The proposed conversion of the building into 39 studio flats will increase the parking allowance to 29.25 spaces, which is a significant increase. Again, no parking is proposed within the application site boundary. The applicants' Transport Statement states that they are willing to enter into a 'car-free' condition to designate the development as 'permit-free'. At the time of the Transport Officer's site visit, it was notable that no parking was taking place along the access road, with several signs in place warning of penalty charge notices for unauthorised parking. This helps to maintain sufficient width for vehicles and pedestrians to pass in safety. Other delivery vehicles would be able to bring their vehicle into Drakes Courtyard and turn within the car parking entrance area. This is considered to be acceptable.

The Applicant has submitted a Transport Statement which has given consideration to the likely number of trips the 39 studio flats would generate, although comparison is only available via the TRICS site for flats of 2.16 bedrooms. This concludes that the flats would generate 4 arrivals/22 departures in the am peak hour (8-9am) and 11 arrivals/6 departures in the pm peak hour (5-6pm). However taking into account the fact that the development is to be studio flats, not 2-bedroom flats,

A second visit by a Borough Transport Officer and examination of the TRICS data resulted in the finding that the original transport survey had assumed that each dwelling created would have 2.16 bedrooms. This not being the case with the development proposed, that being 39 studio flats it is calculated that the number of trips generated by the development is likely to be approximately 60% of that generated by the offices, and therefore would be likely to generate a significant fall in pedestrian movements to and from the building. Furthermore it is likely that a residential use would require less servicing and delivery trips than the existing office use. This is likely to represent a significant fall in pedestrian movements to and from the building, and also it is likely that less servicing and delivery trips would be required."

4.3 It should therefore be noted that an access point exists on this elevation, which could be used at any time without the need of planning permission. Furthermore, the prior approval under reference 17/4179 could be implemented at any time and use this access point. In summary, the proposal would not result in any significant further harm in terms of pedestrian safety.

4.4 The door to the east elevation may be intended to be a new door, however this would be to improve security and acoustic insulation. It is an existing entrance to the building.

4.5 With regard to the increase in the number of windows, the proposal would involve the addition of and the enlargement of openings at ground level. It would be possible to implement the proposal without the change

of use referred to in Prior Approval 17/4179. This would result in an improvement in the acoustic insulation of the existing office building, which are not of a modern specification.

4.6 If the prior approval were to be implemented after the windows have been changed, the condition requiring a noise assessment would ensure that the future flats are constructed to mitigate external noise to an acceptable level.

4.7 It would be possible to implement the Prior Approval 17/4179, without carrying out the changes applied for within this proposal being assessed 17/2884. If the proposed changes to windows and doors were to then be implemented, the modern higher specifications of the proposed windows would ensure that the sound insulation to the dwellings is likely to be better than the existing windows with secondary glazing.

4.8 The replacement door in the existing entranceway would be of a higher standard of acoustic insulation than the existing door.

4.9 In summary, whichever way round the proposals were implemented, the development application site is likely to have better acoustic insulation than the existing building.

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: 02/02/2018

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

14 February, 2018
04
17/0837

SITE INFORMATION

RECEIVED	24 February, 2017
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ
PROPOSAL	Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.
APPLICANT	Neat Developments and Royal London Asset Management
CONTACT	Rolfe Judd Planning
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_132851</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 "17/0837" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

1. That the Committee resolve to GRANT planning permission subject to:

- A. Any direction by the London Mayor pursuant to the Mayor of London Order
- B. Any direction by the Secretary of State pursuant to the Consultation Direction

2. That the Head of Planning is delegated authority to issue the planning permission subject to a Section 106 Agreement, in order to secure the following obligations:

- 1. Payment of legal fees and other professional costs
- 2. Affordable housing (minimum 30% by habitable room) with appropriate post implementation review mechanisms
- 3. Sustainability implementation strategy, including carbon reduction
- 4. BREEAM Excellent
- 5. Sustainability mitigation if above measures not met
- 6. Revised Travel Plan
- 7. S38 and S278 works
- 8. Financial contribution of £200,000 towards CPZ
- 9. Parking permit restricted development agreement
- 10. Financial contribution towards bus improvements - amount to be agreed with TfL
- 11. Employment and training initiative

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

Conditions

- 1. Time limit (3 years)
- 2. In accordance with approved plans and documents
- 3. Non-residential deliveries
- 4. Wheelchair accessible units
- 5. Plant noise
- 6. Reinstatement of redundant crossovers
- 7. Electric Vehicle Charging Points
- 8. Provision of parking and accesses
- 9. Future connection to District Wide Heat Network
- 10. Approval of Materials
- 11. Approval of Landscape
- 12. Approval of Sound insulation
- 13. Approval of External lighting
- 14. Approval of Play areas
- 15. Approval of Delivery and servicing plan
- 16. Approval of Bicycle stores
- 17. Approval of Construction Management Plan and Construction Logistics Plan
- 18. Considerate constructors scheme
- 19. Approval of Piling method statement
- 20. Approval of site investigation
- 21. Approval of remediation
- 22. Approval of details of CHP
- 23. Approval of CHP air quality impact assessment
- 24. Approval of Tree protection measures
- 25. Approval of CCTV details
- 26. Approval of drainage strategy
- 27. Approval of parking management plan
- 28. Approval of car park headroom

And any further condition(s) considered necessary by the Head of Planning

Informatives

1. Controlled Discharge Rate for water run-off
2. Ground water risk management
3. Property protection measures
4. Surface water drainage
5. Maximum standards for fire safety
6. Notification of Highways Infrastructure Service
7. Construction vehicle cleaning
8. Advertisement consent
9. Community Infrastructure Levy
10. Asbestos regulations
11. Brent Supports the London Living Wage

Any further informative(s) considered necessary by the Head of Planning

4. 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.
5. 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.
6. That the Head of Planning is delegated authority to refuse planning permission should the Legal Agreement not be completed within 3 months of the date of the committee resolution.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

As set out above, the application seeks planning permission for the demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

The proposed layout on the main site consists of five linear north-south orientated residential blocks, with business uses at ground and mezzanine levels (block C & D only) fronting onto Capitol Way to the south, and a residential mews running along the northern edge of the site.

Creation of both private amenity spaces in the form of private gardens and communal courtyard space at ground level; and balconies and terraces on upper levels. Four courtyards are proposed and will be enclosed by the residential blocks and linked via internal pathways. Additional shared amenity space will run north to south along the eastern boundary.

Provision of a basement level car park with spaces for 254 car parking spaces and 26 spaces at street level (including visitor and commercial spaces). The ratio for residential parking spaces to units is 0.6. The provision of 660 secure cycle parking spaces.

Provision of an onsite low carbon energy centre and photovoltaics incorporated with the scheme delivering a fully integrated and sustainable development.

EXISTING

The site is surrounded to the north, east and south by other industrial and warehouses uses. These buildings are one to two storeys high. To the west on the opposite side of Stag Lane are two storey residential properties. To the south east of the application site is TNQ which is a recently constructed redevelopment to provide a residential led mixed use development (LPA Ref: 08/2823). The approved buildings are four to six storeys high above a podium plus a frontage block at 17 storeys high above a podium.

The site comprises of two rectangular plots, positioned on either side of Capitol Way and bound to the west by Stag Lane. The main plot is orientated east-west along Capitol Way, and is approximately 1.7 hectares in area. The smaller plot to the south is approximately 0.18 hectares in area. Both plots form part of the Capitol Way industrial estate, on the western side of Edgware Road. The main plot contains a large vacant warehouse building formerly used for Class B8 storage and distribution. The smaller plot comprises a car park and green verge behind a car showroom.

The Capitol Way industrial estate forms part of the Colindale Locally Significant Industrial Site (LSIS) as designated within Brent Council's Core Strategy, but is not a Strategic Industrial Location (SIL) as defined in the London Plan. The site is within the Colindale/Burnt Oak Opportunity Area.

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:

Representations Received: 26 objections have been received from nearby residents in response to the consultation raising concern over the: economic impact of development; wind and turbulence; density too high; area overdeveloped; visual impact; impact on character of area; impact on conservation area; outlook and windows; privacy and security; daylight and sunlight; floodrisk; sewerage system; affordable housing; sustainability; noise; quality of life; air quality; anti-social behaviour and crime; health of residents; loss of green spaces; biodiversity; construction work; lack of garden space; question of need for additional housing; alternative uses for land preferred; inadequate street lighting; impact on pedestrians; public services and amenities; parking; inadequate transport assessments; changes to road layout and bus stops; traffic and

traffic management; inadequate consultation by developers and local authority. These concerns have been considered and discussed in this report.

Principle of development: The principle of a mixed use residential-led development retaining higher density employment uses is supported.

Housing mix and Affordable housing: Following review and negotiations between Brent officers and the applicants over several months, the applicants have increased their offer to provide 107 units, equating to 30% on a habitable room basis. It is proposed that 53 units are shared ownership and 54 units are affordable rented. A late stage viability review will be included in the S106 agreement, this would re-appraise scheme viability at a point closer to practical completion of the scheme, when actual rather than estimated costs and values, including actual market rents, can be assessed.

Scale, Layout and Appearance: The height and massing of the development is appropriate and the scheme is well designed. It is considered that the layout will enable the site to function successfully whilst also tying in with the existing and emerging surrounding development. The overall finished appearance of the development is considered to be high quality and is acceptable in design terms. The proposal will incorporate appropriate sound insulation and air quality mitigation to preserve residential quality and in turn protect the future of surrounding industrial uses.

Quality of accommodation: The units will meet the relevant standards for residential accommodation and the living conditions of future occupiers of the development would be acceptable.

Sustainability and energy: There is a shortfall in carbon savings, however, this would be off-set through a financial contribution and the potential for further savings should be further investigated.

Highways: The car parking, access and servicing arrangements are considered to be acceptable. Subject to a legal agreement to include a financial contribution towards a CPZ, car free development agreement, S38/278 works, approval of amended Travel Plans, Car Park Management Plan, Delivery and servicing plan and construction logistics plan and conditions relating to the basement car park, additions and amendments to the cycle parking, there are no objections on transportation grounds to the proposal.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	9100		9100	-9100	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Houses)										
EXISTING (Flats û Market)										
EXISTING (Flats û Social Rented)										
EXISTING (Flats û Intermediate)										
PROPOSED (Houses)			8							8
PROPOSED (Flats û Market)	151	104	60							315
PROPOSED (Flats û Social Rented)	2	15	21							38
PROPOSED (Flats û Intermediate)	15	25	13							53

RELEVANT SITE HISTORY

There are no relevant planning applications relating to the redevelopment of the site.

CONSULTATIONS

Site Notice displayed 31/03/2017

The owner/occupier of 650 nearby and surrounding properties were notified of the development 03/04/2017

A further consultation was carried out with an additional 278 owner/occupiers notified 25/04/2017

At the time of writing this report the following representations have been received.

- 3 in favour
- 29 against

Due to an administrative error, the press notice was not displayed in the local press at the time that the initial consultation was undertaken. The consultation period for the press notice is due to expire on 21 February 2018, which is after the date of this committee meeting. Should further objections be received which cite material planning considerations which have not been discussed in this report and, in the opinion of the Head of Planning, could reasonably have led to a different decision having been reached by the Committee then the application will be re-reported to the next available planning committee meeting for further consideration.

The objections received to date cite the following issues:

Grounds for Objection	Response
Inadequate consultation by developers Inadequate consultation carried out. Did not receive details of any of previous consultations undertaken. Not enough residents have been involved in consultation process. Feel that the applicant has not engaged with the community as it claims and it has failed to capture the opinions and views of residents who will be directly impacted by this development.	The consultation undertaken by the applicant is discussed below.
Inadequate consultation by local planning authority More properties to the south of the development site should have been consulted. These neighbours have been put at a distinct disadvantage. Local residents should have been consulted much earlier during this process and alternative ideas could have been brought forward.	The LPA have carried out extensive consultation on the proposals beyond the statutory requirements to increase awareness of the application
Traffic Additional strain will be added to traffic levels – it is already highly dangerous for drivers, pedestrians and residents. Will result in serious congestion and prevent free and safe flow of traffic. Area around the roundabout becomes especially congested and there is poor visibility there. Stag Lane has long queues of traffic during the day and in the evenings. Capital way is already a busy through road, with noisy, queuing traffic all times of the day causing pollution. Access could not be via Capitol Way - this would bring the road to a standstill. It is already busy and at times a dangerous road for a residential area due to the huge Asda and it being a through road to Kingsbury. Need to consider cumulative impact of traffic build up. Have Brent and Barnet undertaken a comprehensive and factual traffic study and what was the genuine conclusion reached?	Please see Transport Assessment section, paragraph 133
Traffic management issues Traffic management needs improving in area including one way traffic system, speed breakers, new cycle way and new roundabout where Asda petrol bunk exit meets Capitol Way. Area already suffers from a narrow access road leading to the ASDA and Morrison's supermarket and other Industrial businesses within this locality. Officers in transportation have advised that an extra lane is	Please see Transport Assessment section, paragraph 133

required on the northern approach to the mini round about on Stag Lane if this development goes ahead. If a new lane is required, as transport officers advise, then how will this affect the area? If incorporated into the application site, then surely the number of residential units will be affected? Greater clarity is needed on this.

Vehicle access to the proposed site should only be via the Edgware Road.

Changes to bus stop provision

Applicant is proposing to introduce a new bus stop along Capitol Way. There are already 2 bus stops along Capitol Way near ASDA. The addition of another bus stop seems pointless and would cause further congestion along a very narrow road. There is also mention of relocating the bus stop on Stag Lane and moving it further south. This is very concerning as many people in the community, particularly the elderly, require a bus stop that is as close as possible to their homes especially if carrying shopping bags. Would this also reduce the PTAL which is already low in this area?

Please see Highways and transportation section of the report below, paragraph 104

Suggested alterations to the junction of Stag Lane and Capitol Way

These will add confusion and risk pedestrian pavements. The location is a hazard as it is, with recorded accidents already on file.

Please see Highways and transportation section of the report below, paragraph 104

Parking

Inadequate parking proposed for development. Parking problems in area will worsen. Additional cars will be parked in surrounding area to the detriment of free and safe flow of traffic and pedestrians. Area already suffers from inconsiderate parking by residents who have moved into the new dwellings who cannot or have not purchased reserved parking slots in the basement parking. Parking on single and double yellow lines clogs up the narrow road access already preventing free-flow in addition to the 2 bus length stops just opposite the entrance to the ASDA car park.

Residents from new developments nearby are already parking on neighbouring streets resulting in traffic build ups, accidents, pollution, damage to cars and an increase in disharmony.

Applicant openly admits to a total of 261 parking spaces for 415 residential units, meaning only 0.6 spaces per residential unit.

The applicant's attempt to justify this by stating a similar space per residential unit at the TNQ development is both disingenuous and dangerous.

Parking provided at new development should be adequate for the volume of units being constructed, existing parking arrangements on the surrounding streets should be safeguarded from overcrowding and excessive parking, the parking facilities on the new complexes should be safeguarded to ensure residents of the complex do not migrate vehicles onto the residential streets and the developers should not impose in-affordable or exorbitant rents/charges on the parking facilities, thereby forcing the residents of the new complexes onto the residential and surrounding streets.

Please see paragraphs 105 - 118

Impact on pedestrians

Proposed inadequate alteration to the busy roundabout would also introduce conflicting traffic flow at this narrow location resulting in confusion for pedestrian. This junction is difficult to cross. This alteration will also incur the loss of vital street pavements.

Please see Highways and transportation section of the report below, paragraph 104

Inadequacy of Transport Assessment

Transport assessment is flawed and uses out-of-date data. Knock-on impact on wider area not considered. Impact of

Please see paragraph 133 onwards, an addendum to the transport assessment was

<p>additional traffic grossly underestimated. Transport Assessment is based on information and apparent measurements captured in July 2016 and can no longer be relied upon. This information predates the arrival of the Stag Lane Clinic and residential developments opposite the Kingsbury High School Stag Lane entrance both of which have had a detrimental impact on traffic flow and resulting congestions and air quality due to emissions. Neither the Transport Assessment nor the Air Quality Assessment have taken this on board and are thus invalid.</p> <p>Transport Assessment is based on apparent measurements captured within days of the 2016 summer school holidays when school traffic to and from local schools tends to be lower than during a typical term time. The measurements captured and conclusions derived from the same are therefore not realistic. Neither the Transport Assessment nor the Air Quality Assessment have taken into account major new developments adjacent to the proposed site which have not yet been completed, rendering their assumptions and predictions invalid.</p> <p>Copy of transport assessment needs to be sent to local residents so they can fully assess the findings and see if any further issues need to be discussed.</p>	submitted and reviewed
<p>Inadequate street lighting Inadequate street lighting in Capitol Way area to ensure safety of pedestrians.</p>	Please see Highways and transportation section of the report below, paragraph 104
<p>Impact on public services and amenities Impact on public services and amenities caused by new residents and commercial occupants must be considered, e.g. roads, transport, schools, health care, community centres. Infrastructure cannot support so many residents. Recycling and rubbish collection will be severely impacted.</p>	Through the Community Infrastructure Levy and S106 obligations, the development will contribute to the cost of the infrastructure it will rely upon.
<p>Question need for additional housing in area Not clear whether additional housing is necessary in area. Already completely swamped by new flats. There are already new developments around Capital Way which are not fully occupied. Already there are three new developments in the nearby area - some of these have yet to even reach full occupancy years after opening and many flats are still on the market with exorbitant fees.</p>	There is an identified need for new housing not only in the borough but across London and the South East as a whole. This is acknowledged in Brent's Core Strategy and the London Plan
<p>Alternative uses for land preferable Area would be better used for commercial use. This part of Brent is in desperate need for sports and similar facilities and the site should be used for that. Support redevelopment which caters for the community with more function/social halls and recreation centres. Want regeneration of the community and surrounding areas in a positive direction and people living in harmony, not more high rise flats/town houses. Recent developments have seen an exodus of businesses and it is these businesses which the area needs more than housing. A better use for areas such as this would be for recreational centres, nurseries, post offices or community centres. Brent council should instead lower business rates and local businesses could use the industrial warehouses on the existing site (Businesses such as Wickes and Homebase have both closed down leaving the local area without close DIY merchants.)</p>	Please see paragraphs 1 to 13 in relation to the land uses at the site
<p>Area is being overdeveloped Area is now overcrowded. Area already crammed with tiny, poor-quality units, now yet more are proposed. Quality of life had been adversely affected. Increase in robberies and rubbish. Recent redevelopments have blighted area. Has led to more road congestion and more polluted air. There has been more than enough development in this small area of Kingsbury. You have</p>	Quality of accommodation is assessed in paragraphs 41 to 55. Density levels are

turned a nice community into a high rise concrete jungle.

Visual impact

Visual impact on the area is quite alarming. Proposed blocks too tightly packed together. Not set in enough from pavement boundaries. Unsympathetic scale and incongruous proposal is overly dominant, having a significantly detrimental impact on the open character and pattern of the street scene. Mass, bulk, height and proximity to neighbouring properties would result in an overbearing unbalanced structure not in keeping with the design and character of properties along Stag Lane. Development would be overbearing, does not blend into the area and draws attention to itself. Will ruin the aesthetics of the area. Development will change the character of the area. Design needs to respect long established buildings in area. Buildings fronting Stag Lane should be no higher than those demolished or would dwarf existing buildings

The proposed development has been discussed with both the GLA and CABE Design Review Panels who have found the scale and height of the proposal to be acceptable. This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

Density too high

Due to the high density and small size of the apartments plus the lack of external space this development will create cramped conditions which will lead to unhealthy and unhappy inhabitants. We feel that less density would lead to harmonious living and reduced risk of antisocial behaviour.

This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

Impact on character of area

The effect on the character of the area will be severely compromised due to the developments. Development would result in losing the feel of the area as a community based neighbourhood.

This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

Impact on Conservation Area

The height of the proposed development means that this will be visible as far as Roe Green Village and it will detrimentally change the setting and the views from the Roe Green Village Conservation Area.

Brent's Heritage Officer was consulted and concluded that the proposal will not result in a loss of heritage significance

Impact on outlook and views

Development would affect outlook of residents. Proposed blocks will dwarf houses in area and impede their current views.

Please refer to layout, scale and appearance section at paragraph 14

Impact on privacy and security

Privacy and personal life will be affected. Overlooking from proposed development will breach my private life. Privacy and security will be affected with all the properties that will overview my garden and house.

Please refer to Quality of accommodation section and Paragraph 54

Impact on daylight and sunlight

The amount of light being blocked by these 8 and 9 storey buildings is very evident and would give a claustrophobic affect to the surroundings. Buildings will obstruct daylight and sunlight levels to existing residents.

Please see paragraphs 56 to 65

Flood Risk

Increase in flood risk. This section of Stag lane suffers greatly from flash floods as was seen last year. Homes were ruined with flood water and sewage. Asda Supermarket car park was flooded recently and so were residential properties on "The Green Way". Believe this is caused by the new developments where the ground levels have been increased with little consideration of the outcome, thus leading to surface water running off to the lower laying areas. The volume of new buildings will exacerbate these problems. New developments are being built without adequate drainage and the ground cannot absorb the water. A full and independent appraisal of the drainage systems must be carried out and findings fully adhered to.

Please see paragraphs 161 to 168 of the report

Impact on sewerage system

Thames Water have confirmed that the sewerage system in Brent North will take two years to manage due to issues caused by the

Thames Waters comments and recommended conditions/informatives have

present sewerage increase of new builds within North Brent.	been incorporated in the decision
Housing should be affordable The housing should be for people to rent/purchase at an affordable cost and not sold on to overseas buyers or investment bodies as an investment only.	This is discussed in paragraphs 33 – 40 of the report
Sustainability Project could have aspired to greater sustainability.	Please see paragraphs 88 and 89 of the report
Noise Noise level will increase. Will be problem of noise both during construction and also when finished because of the amount of flats built. Working hours should be clearly defined and not exceed Monday to Friday 08.00--17.30 hrs. and Saturday 08.00--12.00 hrs. and absolutely no working on Sundays	Council's Environment and Regulatory officers were consulted. They recommend that subject to appropriate conditions the proposal is considered acceptable in these terms.
Impact on crime and antisocial behaviour Crime rates will go up around the area. There are already problems including burglaries and people hanging around conducting anti-social behaviour throughout the day and night.	There is no justification that the proposals will result in anti-social behaviour, any such instances should be reported to the Police
Quality of life Quality of life of current residents would be affected.	Appropriate measures and management plans during the construction phases will be secured via condition and through a legal agreement to minimise the impact on current residents. The proposal is considered to have been designed to relate acceptably to the surrounding context and existing residents.
Air Quality Development would have an adverse effect on the air quality. No doubt deliveries will need to access this construction and add to traffic problems and pollution. Air Quality information predates the arrival of the Stag Lane Clinic and residential developments opposite the Kingsbury High School Stag Lane entrance both of which have had a detrimental impact on traffic flow and resulting congestions and air quality due to emissions. Neither the Transport Assessment nor the Air Quality Assessment have taken this on board and are thus invalid. Neither the Transport Assessment nor the Air Quality Assessment have taken into account major new developments adjacent to the proposed site which have not yet been completed, rendering their assumptions and predictions invalid. Recent increase in traffic has led to an increase in pollution in the surrounding area. This is a huge concern for asthma sufferers, children and the elderly and I do not think this has been taken into account by the developers. The fact that a large number of trees have been cut down and removed in the last few years has surely exacerbated the pollution problem. Everyone is talking of increased air pollution from vehicular emissions, affecting the vulnerable and those suffering from respiratory health issues. London Mayor is constantly threatening increased emission charges, so taking all this into consideration, how will this issue be squared up, by adding even more vehicles to this toxic mix? Hope Brent will take the responsible approach and avoid putting more vehicles onto the roads generated by these proposed high density developments.	An air quality neutral assessment for both transport and building emissions has been carried out for the Proposed Development. Based on the results presented in this report, the Proposed Development is considered to be air quality neutral for both transport emissions and building emissions.
Impact on health of residents Constant building work in area over last 5 years has severely affected my asthma.	Construction management plans will be secured via a legal agreement to minimise

<p>This development will be in direct view of my home and will therefore have a significant impact on the light reaching my home. As some people on the street suffer from Vitamin D deficiencies or from Seasonal Affective Disorders, this could have life changing consequences.</p>	<p>and manage any dust and air pollution during construction. Please see daylight and sunlight section at paragraph 56</p>
<p>Loss of green space and trees The building proposed on Stag Lane is not in keeping with the residential street and will lose the greenery that currently exists. Current number of trees are vital and need to be preserved. The development of the adjacent satellite site on Capitol Way Block F requires trees with a preservation order to be cut down. Despite a few new trees being planted the loss of these trees under any circumstance is unforgiving. It is also important we keep some greenery in the area, as it is a quiet suburban area and does not need to be turned into an identikit urban high-rise area in the name of 'affordable housing' or 'regeneration'.</p>	<p>Please see paragraph 66 of the report below</p>
<p>Lack of garden and green space Lack of garden area is sadly lacking and for the families living in these buildings must reflect badly on their health and outlook. The proposal has pitiful greenery for public benefit. Residential courtyards have zero benefit to the wider communities. Lack of green space in area concerning. The ecological survey made appears to have centred on Fryent Country Park but in fact an even nearer habitat would be Roe Green and Jubilee Parks.</p>	<p>Please see paragraph 71 of the report</p>
<p>Biodiversity There are still hedgehogs in Roe Green Village which is less than 250 metres from the development. We would like the developers to assure that hedgehogs habitat space will be added to the design. As there are two species of bats located nearby we would propose lowering the height of the tallest buildings and using only smart downward facing lighting as part of the design.</p>	<p>The Ecological survey submitted with the application demonstrates in accordance with the NPPF and the London Plan that no net loss of biodiversity and the provision for ecological protection, enhancements and creation are provided for within the landscape design of the Proposed Development.</p>
<p>Impact of building work Over the past 5 years there has been explosion of developments in this small area. Residents have had constant building work and inconvenience. Works involved in demolition and rebuilding of the current site will place additional strain and disruption to the road network - specifically Capitol Way and Stag Lane - which is a busy road as is and heavy lorries will ruin the surface which has only recently been relaid after falling into ruin over the past few years and further destroyed by the current TNQ development. During the demolition and the development stage, there will be a lot of excess noise and vibrations caused during the day affecting houses nearby. As a shift worker working nights, if the development goes, the noise levels and heavy traffic flow noises will impact on my rest period which will impact on my job.</p>	<p>Construction method statements and logistic plans are sought though the consent in order to ensure construction is carried appropriately with minimal disturbance. An inevitable consequence of regeneration is the construction phase.</p>
<p>Unacceptable gusting and turbulence in the public domain Recent high density residential complexes have led to unacceptable gusting and turbulence in the public domain which are affecting the established community. Since the implementation of the Colindale Regeneration Plan, it is quite noticeable there is heightened and unacceptable gusting and turbulence caused by the various developments, particularly the new developments along the Edgware Road. This unacceptable phenomenon we feel, is caused by the combined development in both boroughs, mainly at all the primary</p>	<p>These issues are assessed in paragraph 94-103 and are found to be acceptable.</p>

junctions/intersections, A) Capitol Way, B) Colindale Avenue, C) Colindeep Lane and D) Kingsbury Road. The new developments have not only aggressively encroached onto the public domain, but also by "lack of considerate design" created continuous and unbroken facades, thus forming the ideal conditions for gusting and turbulence from this tunneling of streets. Have Brent undertaken an impact assessment on this issue and did they do a combined/joint assessment with Barnet?	
Economic impact of development I have concerns developments such as this will create a class disparity with existing residents and cause local costs to rise to levels which many will find difficult to meet.	The site is located within the study area of Brent's Placemaking Plan for Burnt Oak, Colindale & the Hyde (2014), targeted for substantial regeneration, to deliver new homes, retain & create jobs & support economic & social well-being of the area

Reasons for support	
We support the development but traffic management and lighting needs improvement.	
The area is unsafe and desolate. It is a great idea to expand the community into the area and keep building up Colindale.	
Good plan to use the unused buildings for new homes.	

North Brent Residents Association and Roe Green Village Residents Association, object to the proposal on the following grounds:

Comments:

- 52 people attended the consultation over 3 days.
- Traffic increase on Stag Lane and effect on air quality.
- Visual impact – can be seen from the village. Blocking light and materially changing the view.
- Flooding occurs on Stag Lane – The volume of new buildings will add to the flooding.
- The sewerage system in Brent North, which Thames Water have confirmed will take two years to manage due to issues caused by the present sewerage increase of new builds within North Brent. We have a Thames Water Map of the issues uncovered so far.
- Lack of infrastructure – more pressure on the schools, doctors' surgeries, transport. No added infrastructure is being planned with the development.

If the application proceeds we would suggest that:

- the site needs to be reduced across the whole site by 2 storeys
- increase the parking to a 1:1 ratio for the amount of units from 0.6
- reduce the amount of bicycle spaces – perhaps reverse the car to bike spaces.
- To improve Grove Park with a better children's play area, a gym in the park and possible uses such as tennis courts with better lighting.

These matters are discussed in detail within the detailed considerations section of the report.

Statement of community involvement

As part of the process of bringing forward a planning application for the redevelopment of 1 – 8 Capitol Way, Colindale, the applicants implemented a programme of community engagement to seek feedback from local residents, community groups and councillors on the proposals for the site.

As part of the engagement process, a programme of pre-application community engagement took place over the course of 6 months between June and November 2016. This included a three-day public exhibition, stakeholder meetings and a presentation to Brent Council's Planning Committee.

The public exhibition took place in September 2016. 2,610 invitation letters were sent out to local residents and businesses within a 1/3rd mile radius of the site. Approximately 100 additional invitations were hand delivered to immediate neighbours inviting them to a preview session of the public exhibition. Invitations were also circulated to all Brent councillors and neighbouring Barnet ward councillors.

During the consultation process, immediately preceding the public exhibition, the 1 – 8 Capitol Way site was temporarily occupied by members of the travelling community. The three-day public exhibition was held in the TNQ Marketing Suite on the corner of Capitol Way and Edgware Road. This venue was chosen due to its immediate proximity to the site, and after the originally intended venue on site was rendered unusable due to occupation by members of the travelling community. The aforementioned invitation circulation was subsequently repeated in light of the changed venue.

The public exhibition was split into a preview session for immediate neighbours and further sessions for the general public, to allow all members of the local community to voice their opinions and directly interact with the project team. 52 members of the public attended the exhibition over three days. 9 people completed comment forms. All three Queensbury ward councillors also attended the public exhibition and discussed the proposals with the project team.

Running in conjunction with the formal consultation event, the project team engaged in a number of stakeholder meetings, presentations and meetings with Brent councillors.

The public consultation programme ran alongside the formal process of pre-application discussions between the project team and statutory consultees. This has, to date, included pre-application meetings with the GLA and TFL, as well as 3 pre-application meetings with planning officers at Brent Council.

External / Statutory consultees

Thames Water

No objections. Conditions and informatives are recommended.

Greater London Authority Stage 1 response

Principle of development: The principle of a mixed use residential-led development retaining higher density employment uses is supported, but it must be ensured that the residential development does not compromise the viability of the wider LSIS. The provision of affordable workspace should be secured.

Housing: The proposals include 26% affordable housing by habitable room. The proposed level of affordable housing is unacceptable. Considering the low quality of the existing site, the benchmark land value should reflect the ability to provide a greater amount of affordable housing. The applicant's viability assessment will be robustly interrogated and all options explored to increase affordable housing provision. Early and late review mechanisms in accordance with the Mayor's draft Affordable Housing and Viability SPG will be secured.

Urban design: The height and massing of the development is appropriate and the scheme is well designed. The design must incorporate appropriate sound insulation and air quality mitigation to preserve residential quality and in turn protect the future of surrounding industrial uses. Areas of inactive frontage to the northern part of the site should be addressed.

Climate change: The shortfall in carbon savings should be off-set and the potential for further savings should be further investigated.

Transport: Further work is required on the pedestrian and cycling environment audits and assessment of junction capacity, with mitigation measures secured as required. Improvements to walking and cycling infrastructure are required to support active travel. Conditions and s106 obligations are required including contributions to the new bus route.

It should be noted that the affordable housing offer has increased from 26% to 30% on a habitable room basis. Review mechanisms will be included in the S106 legal agreement to ensure the maximum affordable housing is delivered on this site.

Further discussions have taken place between the applicants, TfL and Brent highway officers to improve the pedestrian and cycling environments. As well as more detailed assessment of junction capacity and mitigation measures. An obligation is included in the S106 relating to contributions to the new bus route. It is considered that the issues raised by the Greater London Authority have been addressed.

POLICY CONSIDERATIONS

National

National Planning Policy Framework 2012

Regional

The London Plan consolidated with alterations since 2011

Local

Brent Local Plan Development Management Policies 2016

Brent Local Development Framework Core Strategy 2010

Brent Supplementary Planning Guidance

SPG17 Design Guide for New Development

Emerging SPD 1 - Brent Design Guide

DETAILED CONSIDERATIONS

1. Principle of development and proposed uses

2. The site is not designated as a strategic industrial or office location in the London Plan, however it is identified as a locally significant industrial site (LSIS) by Brent Council.
3. London Plan Policy 4.4 'Managing industrial land and premises' seeks to ensure there is a sufficient stock of land and premises to meet the future needs of different types of industrial uses across London and it supports the managed release of surplus industrial land where it is compatible with strategic and local planning objectives, especially the provision of additional housing. The '
4. London Plan identifies Brent as having a limited amount of industrial land to transfer to other uses.
5. Brent Council's Local Plan Policy DMP14 states that land within LSIS will only be released where it is a low quality employment site identified as suitable for release; and where the redevelopment will provide at least 50% affordable housing and incorporates employment uses on approximately 20% of the site area.
6. The proposed development seeks a residential-led, mixed use development on the main site, which is currently occupied by a vacant warehouse (providing approximately 900 sq.m, of floorspace). The applicant has demonstrated that the warehouse has been vacant for over five years and has provided marketing information. The applicant has also submitted an Employment Land Report in support of the application, which has found that despite active marketing, the site has remained unoccupied and vacant. This is considered to result from the constraints of the building and its servicing arrangements which were specific to the requirements of the previous occupier but are inadequate for mainstream distribution purposes.
7. The proposed development would incorporate a "work hub" on the main site, providing approximately 2,200 sq.m, of flexible employment space (comprising 1,617 sq.m, of Class B1a uses, and smaller elements of mixed B class studios (373sq.m.) and a cafe and gym (219sqm)). On the separate site to the south, 1,852 sq.m, of Class B1c light industrial floorspace would be provided with an associated service yard. Together, these employment uses amount to approximately 24% of the total site area of the two sites.
8. The "work hub" is envisaged to provide accommodation for small and medium sized companies. Due to their nature, the proposed employment uses have the potential to provide a significantly greater number of jobs than the existing use, even if the existing site was fully occupied. Based on established employment densities, the total number of full time employment (FTE) jobs on the site would be approximately 217, compared to the existing site which has provided no jobs in the past few years (and would be expected to provide a maximum of 100 jobs if used fully as a storage and distribution centre).
9. The increased employment generation on the site is welcomed, however it is noted that the majority of the employment floorspace provided would be occupied by Class B1 uses and not Class B2/B8 uses that would be traditionally associated with the LSIS. Brent Council's Core Strategy policies indicate that there is some scope for flexibility in land uses, stating that whilst occupancy within LSIS is generally similar to that within Strategic Industrial Land, it can also be more varied and may include quasi office or trade uses.
10. Given the evidence on marketing and vacancy, the fact that the proposals include a significant amount of floorspace for light industrial purposes and the fact that the proposals will bring about a greatly increased employment capacity, officers are satisfied that the proposals comply with policy. However, it is crucial that the proposed uses will sit comfortably alongside the existing light industrial uses on the surrounding sites and do not compromise the operation of the wider LSIS.

11. The employment floorspace proposed will provide workspace suitable for small and medium sized enterprises (SMEs). Appropriate conditions will be required in order to secure and ensure its delivery.
12. In order to further demonstrate the sites shortcomings for retention as part of the LSIS the applicant submitted an Employment Land Report during the course of the pre-application discussions. This comprised a site specific analysis and marketing exercise for the application site. The report found that despite continual and active marketing in combination with an identified strong market, it was considered that the site's failings, by way of servicing, site density and the configuration of the building were simply too great for a potential occupier to compromise on. The report concluded that there is potential return for the unit if it is partly demolished and reconfigured to allow for a larger yard and circulation. This was considered together with the subdivision of the existing building but the cost associated with the proposed works far outweighs the returns, thus making any redevelopment unviable.
13. Given the points above, the proposed mixed use redevelopment of the site is considered to be acceptable in principle.

14. Layout, scale and appearance

15. The redevelopment of brownfield land should provide a contemporary architectural response to a site whilst having regard to the pattern and grain of development in the wider area. Development should be of a proportion, composition, scale and orientation that enhances the local area.

16. Layout

17. The site layout proposes a series of L-shaped blocks enclosing courtyards, with commercial space at ground and mezzanine floor levels to the south of each block. A long row of mews houses is proposed to the north, which will be single-aspect units facing south. The smaller site (to the south-west) would accommodate a 3-4 storey block with business use at ground floor level and residential units above. The development would establish a new building line on this part of Stag Lane, which aligns with the housing further to the north.
18. The proposed employment uses all front onto Capitol Way Trading Estate reinforcing the activity and character of this part of the estate as a location for predominately local and small businesses. The eastern boundary of the site is designated as further residential amenity space and includes the flexibility to be used as a potential future green link, whilst acting as a buffer between the proposed residential and existing employment uses. An underground car park entrance is located to the south east corner of the site and is accessed from Capitol Way. The satellite site is accessed via the junction of Capitol Way and Stag Lane.
19. The proposed development would be similar in layout and appearance to the newly-built TNQ development to the east of the site. For instance, the positioning of the majority of car parking underground, allowing the creation of landscaped amenity spaces at ground level, is strongly welcomed. The proposed development also replicates the interface between private and communal amenity spaces at ground floor level which has been successful at the TNQ development, ensuring that ground level apartments have good privacy levels to their private courtyards.
20. The pedestrian focus of this space is complemented by a series of elements and informal features that can be added to help define a defensible space immediately outside the properties. This takes the form of slightly elevated planters, low benches or shelves and changes in paving materials to de-mark the space.
21. In general the routes through the development have been designed alongside ground floor active frontages to maximise passive surveillance, making the routes safe and attractive. This has been achieved by positioning the parking, bin and bike stores for the apartments at basement level.
22. The proposals have safeguarded land for a potential north-south connecting route to the east of the site should adjacent sites be developed in the future, and this is welcomed.

23. Scale

24. The existing height of the warehouse is between 2 and 3 storeys. The height of the proposed blocks is 3 storeys rising to 9 storeys.

25. In terms of the overall building heights and massing, the proposed buildings would sit comfortably in local townscape views and would not cause harm to heritage assets. The lower height and massing alongside Stag Lane and the continuation of the building line is supported, and the development would make an appropriate transition to the lower rise residential development to the west. The development would rise incrementally to the east to align with the scale of the lower elements of the nearby TNQ scheme. Comments received suggest that the height should be restricted to two-storeys. However, the scale and massing of the scheme is considered to be appropriate, with the character of this site differing from that of the suburban housing nearby.

26. The scale and massing of the proposed building has been designed to integrate with the existing context and is appropriate for its setting in accordance with SPG17, and provides a contemporary design response in accordance with Policy 7.6B of the London Plan.

27. Appearance

28. There is a great diversity of materials across the local area, but brick is predominant, particularly to the East. No particular brick type characterises new local residential developments and a variety is proposed within this scheme to reflect that.

29. As the buildings drop down in scale towards Stag Lane, the brick colour deepens to a red buff that reflects the local palette. Overall a mixed palette of dark and light materials is proposed. This includes light grey and dark grey facing brick for the external facing brick with bands of pale brick to create an interesting and modern architecture which is well proportioned. The use of horizontal banding in lighter coloured brick will link the blocks together at key levels and these tones are also matched at the upper floor levels to 'crown' each of the blocks. The proposed balconies would be a dark bronze effect metal which would complement the proposed brick colours.

30. The elevational design treatment is considered acceptable, however, the success of the appearance and visual richness of the scheme will depend on the use of high quality building materials which will be assessed on the submission of condition details.

31. The overall finished appearance of the development is considered to be high quality and is acceptable in design terms, and thus accords with policy DMP1 of the Brent Local Plan Development Management Policies 2016.

32. Residential Accommodation

33. Housing mix and Affordable housing

34. 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. The new London Plan proposes a new approach on affordable housing, including a 35% affordable housing threshold approach on most sites.

35. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phase housing developments, and where the proportion of affordable housing agreed is significantly below 50%, appropriate provisions to re-appraise scheme viability will be sought and secured by S106 agreement. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output. It should be noted that the London Plan tenure policy is for a 60:40 split and Brent's policy is for a 70:30 split.

36. The applicant initially proposed to provide 91 affordable units (22% of the total units), equating to 26% on a habitable room basis. It was proposed that 53 units were shared ownership and 38 units were affordable rented (a split of 58:42 in favour of intermediate accommodation on a unit basis). The housing mix that was initially proposed is shown in the table below:

Mix initially proposed:

	Studio	1 Bed	2 Bed	3 Bed	T
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Private	44	107	104	68	32
Intermediate	0	15	25	13	53
Affordable Rent	0	2	15	21	38
Total	44 (10%)	124 (30%)	144 (35%)	102 (25%)	414

37. As the proposed level of affordable housing is less than Brent Council's minimum target of 50% (and less than the 35% "threshold approach" within the Mayor's draft Affordable Housing and Viability SPG), the applicant has submitted a financial viability appraisal (FVA) in order to demonstrate that the level of affordable housing provision is the maximum reasonable.

38. The Council appointed consultants to independently assess this FVA. Following review and negotiations between the parties over several months, the applicants have increased the proposed level of Affordable Housing to provide 107 units, equating to 30% on a habitable room basis and 26% by unit. Consequently an additional 16 affordable rented units were secured through these negotiations, increasing the offer and better aligning the tenure split to planning policy. It is proposed that 53 units are shared ownership and 54 units are affordable rented, approximately a 50:50 ratio of Affordable Rent to Intermediate accommodation.

39. The revised Affordable Housing proposal has the proposed housing mix shown in the table below. This is considered to represent the maximum reasonable proportion of Affordable Housing. The ratio of Affordable Rented Accommodation to Intermediate accommodation does not accord with the ratio set out in Brent policy (70:30) or London Plan policy (60:40), but on balance is considered to be acceptable having regard to the total level of Affordable Housing, which would be lower had a higher proportion of Affordable Rented accommodation been provided.

Revised and final housing mix:

	Studio	1 Bed	2 Bed	3 Bed	Total
Private	44	103	100	60	307
Intermediate	0	15	25	13	53
Affordable Rent	0	6	19	29	54
Total	44 (10%)	124 (30%)	144 (35%)	102 (25%)	414

40. It is recommended that a late stage viability review is included in the S106 agreement and this is supported by DMP 15 which also requires that appropriate provisions to re-appraise viability be sought on major sites where the proportion of affordable housing agreed is significantly below the Council's targets. Officers have therefore agreed in principle a post implementation S106 review mechanism with the applicant, to be secured by a planning obligation within a S106 legal agreement. This would re-appraise scheme viability at a date agreed by the LPA at a point closer to practical completion of the scheme, when actual rather than estimated costs and values, including actual market rents, can be assessed.

41. Policy CP21 of the Brent Core Strategy aims for developments to "provide a balanced housing stock with an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation on suitable sites providing 10 or more homes". The Policy and Strategic Objective 7 aims for at least 25% of new homes across the borough to be family size.

42. As set out above, the application scheme provides the following unit mix: 44 x Studio (10%); 124 x 1-bed units (30%); 144 x 2-bed units (35%); 102 x 3-bed units (25%). The scheme provides a varied range of unit sizes (including 25% family sized accommodation) and is therefore in accordance with Policy CP21.

43. London Plan Policy 3.8 requires different sizes and types of dwellings to meet different needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing. As set out above, the proposals would provide 414 homes, of which 102 (25%) would be 3 bedroom units. The high proportion of family-sized units is welcomed within this development, which, also provides a range of smaller dwelling sizes to increase housing choice. Nearly half of the family units provided would be in an affordable housing tenure. The high proportion of affordable family accommodation is welcomed in accordance with London Plan Policy 3.11.

44. **Quality of accommodation and impact on amenities of surrounding occupiers**

45. London Plan Policy 3.8 (Housing Choice) states that 90% of new housing should meet Building Regulation requirements M4 (2) 'accessible and adaptable dwellings' and 10% of new housing should meet Building Regulation requirements M4 (3) 'wheelchair user dwellings' (i.e. is designed to be

wheelchair accessible or easily adaptable for residents who are wheelchair users). The scheme comprises 44 (10.6%) wheelchair adaptable units in accordance with Part M4(3) of the Building Regulations.

46. London Plan Policy 3.5 (Quality and Design of Housing Developments) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The policy adds that the design of new dwellings should take account of factors relating to 'arrival' at the building and the 'home as a place of retreat', have adequately sized rooms and convenient and efficient room layouts. The proposed unit sizes all comply with or exceed the minimum space standards identified in Table 3.3 of the London Plan and also the National Technical Housing Standards 2015.
47. Generally, there would be five to seven units per core which complies with the standards within the Mayors Housing SPG, although in Block A, 14 units would be accessed from a single core at first floor level. This is an isolated example and it is not considered to detrimentally effect the overall layout of the scheme.
48. The Mayor's Housing SPG seeks to avoid single aspect north facing units wherever possible or single aspect units that are at risk of being exposed to detrimental noise levels. Three bedroom units should also be designed to be dual aspect.
49. Dual-aspect units make up 115 of the 414 units. While this proportion is relatively low, there are no single aspect north facing units proposed within the scheme. Units have been designed to maximise daylight, with many of the units being shallow to ensure good levels of daylight penetration into the rooms and the homes meet daylight standards. All the units have been orientated in such a way that they do not unduly affect the privacy of each other or neighbouring properties. The residential units facing onto the mews which run along the site's northern boundary each have been designed as single aspect from 1st floor upwards in order to turn away from the commercial units on Carlisle Road and to avoid conflict between the residential and commercial uses. Therefore balconies are proposed on their southern elevations; each balcony has been carefully designed so that they are angled away from the flank walls of the perpendicular blocks towards the courtyards. This is necessary because the flank walls of the main blocks each have windows intended to animate these facades
50. The separation distances between the proposed blocks is a minimum of 20m, between Block A and B to the West of the site, increasing to 32m as the blocks increase in height to the East. Additionally, there is a 33m between the satellite site to the south of Capitol Way and the residential properties opposite on Stag Lane. A distance of 26m is proposed between Block A and the residential dwellings on the opposite side of Stag Lane. It should be noted that the Stag Lane public highway and footpaths also separate the proposed development and existing dwellings and the proposal is well clear of the 30 degree angle as set out in SPG17.
51. As mentioned above, a section of land kept for a potential green gateway to the East of the site. The proposed building is set back from the light industrial units to the east of the site by 20m. These units have blank façades and have no windows. Landscape planting and trees have been provided to create private amenity for the apartments in this area.
52. Along the northern boundary of the development the proposals replicate the condition that the existing warehouses to the north have with the shared boundary. As both façades are blank there will be no impact on either use and future development will not be prejudiced. On the upper levels of the mews block, glazing specification with increased sound insulation could be provided to mitigate any effects from the commercial uses on Carlisle road.
53. The Capitol Way public highway and footpaths to the south of the site act as a separation between the proposed development and other existing industrial uses, this results in a separation in excess of 30m which is considered to be acceptable and is in excess of SPG17 standards.
54. All of the above separation distances allow for good quality outlook from the proposed residential properties as well ensuring an appropriate relationship with and no overlooking of existing surrounding uses/occupants in accordance with SPG17 and draft SPD1 standards.
55. The proposal will deliver a good standard of residential accommodation and will have a good relationship with surrounding sensitive properties with regard to their outlook and privacy, which is acceptably in accordance with London Plan Policy 3.5, the Mayor's Housing SPG, Brent Local Plan Development

56. Daylight and sunlight

- 57.** An Internal Daylight, Sunlight and Overshadowing Report to assess the light received by the proposed rooms within the development has been submitted with the application. All habitable rooms have been assessed for Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC).
58. The results of this demonstrate that the vast majority of the schemes habitable rooms will be fully compliant with the BRE Guidelines, and that any shortfalls are due to the spacious internal open plan layouts which reflect the modern ways of living, and which fall within the built in flexibility intended within the BRE guidelines. All living/kitchen/diners will also have access to a balcony, terrace or garden. In relation to sunlight, all main living spaces will either be fully compliant with the BRE Guidelines or have access to a balcony/terrace/garden which receives good levels of sunlight and are therefore acceptable.
59. In regards to overshadowing, the proposed amenity spaces will be fully compliant with the BRE Guidelines and over 1,640sqm of amenity space will receive good levels of direct sunlight. Overall, the proposed development has been designed to maximise the daylight and sunlight potential whilst providing open plan living spaces within an urban location.
- 60.** A Daylight, Sunlight and Overshadowing Report has also been submitted which assessed the development's potential impacts on the surrounding residential properties when compared to the existing site conditions. The assessment has been undertaken in accordance with the British Research Establishments (BRE) Report 2009, Site Layout Planning for Daylight and Sunlight: A guide to good practice (Second Edition, 2011). Referred to in the report as the "BRE Guidelines".
61. The results of the assessment for 148-150, 244 -248 (even) and 256 - 276 (even) Stag Lane demonstrate full compliance with the BRE Guidelines.
62. The results of the daylight assessment for 153 Stag Lane demonstrate full compliance with the BRE Guidelines. The single secondary window that deviates from the Annual Probable Sunlight Hours (APSH) guidance will retain good levels of annual sunlight following construction of the proposed development. Furthermore, this window serves a room with multiple windows and therefore any alteration to the existing condition is unlikely to be considered noticeable.
63. In relation to 250, 252 and 254 Stag Lane, the daylight assessment results demonstrate isolated impacts and all windows and rooms will retain good levels of daylight following construction of the proposed development. There are no windows facing within 90° of due south and therefore a sunlight assessment is not required.
64. The sun hours on ground results demonstrate that 151 Stag Lane will be fully compliant with the BRE Guidelines following construction of the proposed development. For 153 Stag Lane, the rear garden area will suffer some loss of sunlight on March 21st. However, the rear garden will likely retain very good sunlight levels in the summer months, and the overshadowing is caused by the 2/3 storey proposed mews houses to the north west corner of the scheme, the height of which are compatible with the local adjacent townscape and building heights and are therefore considered characteristic of the area and to result in an acceptable situation.
65. In summary, the assessment demonstrates neighbouring units will mostly receive good levels of daylight and sunlight. The resulting overshadowing is considered to be within appropriate limits also. As referred to above there will be some instances where the BRE daylight guidelines will not be achieved, in relation to neighbouring properties. However, it is accepted that this is a normal outcome of a large scale development in a built up urban area.

66. Landscape and amenity and children's playspace

- 67.** The landscaping strategy comprising the provision of extensive landscaping within the amenity areas between the blocks, with street trees proposed within all of the frontages. Three principle types of street trees have been proposed within the scheme in discussion with Brent's tree officer. For the easternmost gardens flanking the largest of the residential blocks it is proposed to plant Red Cypress (Taxodium

distichum) a deciduous conifer which can reach heights of over 20m if warm summers prevail. These trees are aligned north south and replicate the planting on Edgware road. The location is proposed as a potential future pedestrian cut through so will offer an informal cue to orientation.

68. For the Stage Lane frontage the medium sized Small Leaved Lime (*Tilia cordata* 'Greenspire') has been selected, this cultivar survives better under difficult conditions. Along Capitol Way another native medium sized tree, Field Maple (*Acer campestre*), has been selected. It has good ecological qualities making it useful to wildlife. This is a field maple that has been bred with a neat, narrow, upright egg shaped canopy, which makes it appropriate for planting on roadsides.

69. Running along the northern edge of each of the courtyards is a predominantly hard landscape Mews Street, with planting pockets to green north facing facades and allow residents to establish planting around their front doors. This street is designed as a pedestrianized space to facilitate refuse and fire access only, with limited residential access by arrangement only.

70. A selection of small and medium sized trees are proposed for the courtyards which largely occur above the car park podium slab. These species have been chosen for their seasonal interest, providing both blossom and fruiting berries to promote bird and nectar feeding species in the gardens. A number of these trees are specified as multistemms to provide a variety of forms, with some Pines to help maintain some evergreen canopies during the winter months.

71. Amenity space

72. Standard 26 of the Mayor's Housing SPG (March 2016) states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The use of roof areas for additional amenity or garden space is encouraged (including green roofs). As part of this proposal each unit's private amenity space not only meets, but in many cases exceeds the Housing SPG's requirements.

73. In addition to this Section 5.1(b) of the Council's SPG17 and Policy DMP19 (Residential Amenity Space) looks to exceed the London Plan's minimum standard and seeks a total of 20sqm of external open space (including private and communal space) per flat. The guidance allows any under provision to be off-set through measures such as increased unit floor sizes, more generous balconies or roof terraces, higher quality landscape design, or s106 payments towards public realm improvements.

74. Four large communal courtyards have been created to serve all new units as well as further green space along the site's eastern boundary.

75. Each courtyard has been provided with high quality design features, landscaping and materials which have been incorporated into the plan to provide amenity space and child play space which is of a high quality. Each courtyard is predominantly grass, with the exception of footpaths which provide links and permeability through the scheme.

76. The scheme proposes a total of 9,188sqm of amenity space across the whole development, of which the proposed communal courtyards and amenity areas total 4,612sqm. The external amenity provision averages 22 sqm per home.

77. Private amenity space to the ground floor units is slightly raised to offer a sense of separation whilst maintaining lower balustrades and views from the terraces into the garden.

78. Children's Play Space

79. The London Plan's SPG - Shaping Neighbourhoods: Play and Informal Recreation (2012) provides guidance for Children's playspace.

80. The SPG states that 10m² of play space should be provided for each child on a new development. Based on child yield calculations the scheme would be expected to contain approximately 139 children of which 73 would be 0-4, equating to a requirement for 730 sqm of on-site 0-4 years play space.

81. The strategy within the proposed development seeks to provide a variety of spaces shared between the courtyards to enable children to inhabit different areas as other residents also enjoy the spaces. The layout of the courtyard spaces offers various opportunities for play with the landscape including a series

of specific play features. These are primarily located around the social housing provision where child numbers are expected to be higher and therefore a greater demand for 'Doorstep' play exists.

82. This will also enable the provision of quiet, secure and overlooked play areas which are directly accessible, and all 'doorstep play' will be located within 100sqm of the residential units they serve in accordance with the London Plan's SPG.
83. Courtyard A is designed to offer informal play amongst large boulders and stepping stones, with 3 small play huts located within a stand of trees, a wide 1.5m high slide which is graded into the grass banks, two toddler swings and a spinning disc. All provided with erosion control matting through which the grass will be established to maintain the appearance of a courtyard garden.
84. Courtyard B, which is more accessible to the whole development, is to provide some on site play for older children in the form of a twin rope pyramid and two large climbing boulders. The sculptural form of these pieces contributes to the composition whilst offering more adventurous play opportunities.
85. Courtyard C has a series of informal stepping stones and balancing beams to extend the 'Doorstep' play across the scheme along with larger informal lawns for younger children to play ball. More active ball games are discouraged by the form of the lawns to promote use of the nearby Grove Park where larger grass fields, a MUGA and equipped play area are easily accessed.
86. Additionally Grove Park is located within the 400m zone. Older children, of which the development generates an estimated 19, are to be provided for within 800m. The space provided by Grove Park provides the most easily and safely accessible site for any new facility/equipment. Montrose Playing fields, Silk Stream Park, Eaton Grove and Roe Green Park also lie within 800m of the development. Access to these areas require the crossing of Edgware Road (A5150) or Stag Lane.
87. The proposal includes 790 sqm of playspace, meeting the requirement for 0-4 year olds together with the requirement for 5-11 year olds. The proximity of near-site play space at Grove Park accords with the distances for such space within the Mayor's SPG. The proposal accords with the Mayor's policies and guidance in relation to childrens and young persons play and recreation space.

88. Energy and sustainability

89. The energy assessment submitted with the application demonstrates that the proposals will achieve a 40% reduction in carbon emissions for the residential element, compared to a 2013 Building Regulations compliant development, and a 30.4% reduction for the non-residential element. The development does not therefore meet the London Plan's carbon reduction target for either element (zero carbon for the residential elements and 35% for the commercial elements), and the remaining regulated carbon dioxide emissions, should be met through a contribution to the borough's offset fund. The applicant has provided a commitment to ensuring that the development is designed to allow future connection to a district heating network and this should be conditioned.
90. A BREEAM pre-assessment has been carried out to identify credits and incorporate them into the design. A BREEAM rating of 'Excellent' is expected in accordance with CP19. There are also measures in the S106 to ensure this. .
91. Residential units will meet a target of 105 litres per person per day or less in line with London Plan standards. Potential strategies to meet the target requirements include the use of low water use sanitary fittings within each residential unit, such as low water use WCs, showers, taps, baths and (where installed) white goods.
- 92.
93. The proposal accords with London Plan and Brent policies with regard to Sustainability and Energy.

Environmental issues

94. Wind microclimate

95. A wind assessment has been submitted with the application. Within the submission the report outlines the overall methodology and the use of the Lawson Comfort Criteria to describe the expected on-site wind conditions. The assessment is based upon analysis of meteorological conditions for

London, adjusted to the site, and a review of the scheme drawings in the context of the meteorological data.

96. The meteorological data for the site indicates prevailing winds from the south-west throughout the year, with colder north-easterly winds in spring months.
97. For the existing site the wind microclimate at ground level is expected to be acceptable for the required use during the windiest season.
98. The ground level wind microclimate for the Proposed Development is expected to range from acceptable for sitting use through to leisure walking use, which is the required condition for comfortable pedestrian use.
99. All entrances are expected to experience the desired standing or calmer wind conditions during the windiest season and will not require further mitigation.
100. Occurrences of strong winds in excess of Beaufort Force 6 (B6) are expected at the corners of blocks D and E which are expected to observe leisure walking conditions; however, as these areas are thoroughfares, these winds are not expected to create a nuisance for the pedestrians.
101. Courtyard spaces between the blocks in the development are expected to experience conditions suitable for use as ground level amenity space during the summer season, and are expected to experience wind conditions classified as acceptable for the required sitting use.
102. Terraces and balconies are expected to observe conditions ranging from sitting to standing/entrance use during the summer season. These conditions are considered acceptable for the intended use of these areas.
103. Overall it is concluded that the wind microclimate in and around the Proposed Development will be acceptable for its intended use.

104. Highways and transportation

105. For a development of this scale, up to 465 residential and 20 commercial parking spaces would be allowed, so the proposed provision of 266 parking spaces in total would fall within the maximum standards allowed by Policy. A Car Parking Management Plan was previously requested to set out how spaces would be allocated and the transport consultant has confirmed this will be provided. A condition will be included to this end to ensure appropriate management of this for the lifetime of the development.
106. Adequate disabled parking is proposed, but such spaces need to have adequate headroom - not just for the spaces themselves, but for the full length of the route to the spaces. Further details have been provided showing suitable 3.3m headroom at all disabled spaces, but only 2.4m above other spaces. From the sections that have been provided, it is unclear what headroom is proposed above the aisles and for clarity, at least 2.6m is required along all access routes to disabled parking spaces. A condition is recommended to this effect.
107. It has again been confirmed that electric vehicle charging points will be provided in accordance with London Plan standards (20% active and 20% passive).
108. An amended design for the 12-space surface level office car park has been submitted, showing a wide space for disabled parking and five electric vehicle charging points, in line with standards.
109. Concerns were previously expressed regarding the impact of overspill parking from the development though, with estimates based on Census data for the area suggesting average car ownership of 0.8 cars/flat for the area, resulting in about 80 residents of the development being likely to park cars on-street in the locality.
110. The applicant initially countered this by pointing out that only 144 on-site parking spaces had been sold to the first 242 flats in the nearby TNQ development on Capitol Way, suggesting a lower car ownership rate of about 0.6 cars/flat (in line with the proposed parking ratio for this development). However, the raw data was not provided to support this and the figure provided did not take into account residents that chose to park on-street rather than on-site. A comparison between Brent's overnight car parking data

from 2013 and the applicant's own surveys from 2015 identified about 46 additional cars parking overnight in Capitol Way, which is almost certainly the result of overspill parking from the residents of the TNQ development. Adding these to the 144 reserved spaces on-site gives an estimated total car ownership of 190 cars for the 242 flats, thereby increasing the parking ratio to 0.79. This again points to an overspill of about 80 cars.

111. A further survey of on-street parking has subsequently been undertaken by the applicant's consultant, but again the raw data is scant. In this case, the survey counted cars that park on-street in the area that arrive and leave between 5am and 10am and are likely to be driven by people entering and leaving the TNQ development. However, it does not provide a full count of on-street parking overnight in the area and again cannot therefore give a clear indication of how much overspill parking is being generated by the TNQ development. It is therefore again considered to be unreliable as a means of firmly identifying precise car ownership rates for that development.
112. As before, it is recommended that a full TRICS standard multi-modal survey is undertaken in order to provide reliable data, if it is proposed to base estimates of future trip rates and car ownership on the TNQ development.
113. In the meantime, Brent's officers previous concerns regarding the inability of the surrounding area to safely accommodate overspill parking remain, given the absence of a Controlled Parking Zone to help to regulate overspill parking on surrounding roads.
114. To address this, the Transport Assessment Addendum now proposes that the development will provide a contribution towards the cost of implementing a CPZ in the area, to be pooled with other developer contributions, so that Brent Council would have the means to control parking if necessary.
115. However, aside from the TNQ development (which provides funding of up to £200,000 depending upon car ownership rates), there are no other major developments proposed in this area. This development would therefore need to bear the vast majority of the costs of a potential CPZ for the nearby streets, including a sum towards subsidising existing residents in the area for the cost of future parking permits for a suitable period.
116. A Zone covering Holmstall Avenue, Stag Lane and the residential streets surrounded by Beverley Drive, North Way and Princes Avenue could be expected to cost in the region of £250-300,000 (allowing a permit for an average sized car for each household for five years) and a sum of at least £200,000 is therefore sought from this development to mitigate the impact of overspill parking.
117. A restriction will also need to be placed on the development to prevent future residents from obtaining on-street parking permits in the event that a CPZ is introduced in the area in the future.
118. **Cycle Parking**
119. At least 660 secure bicycle parking spaces are required for the flats. It has now been clarified that in addition to the basement storage for 470 bicycles on double-height racks, a further 198 bicycles are proposed in three stores at mezzanine level over the bin stores. This brings the total capacity in line with requirements.
120. However, access to the mezzanine stores is proposed via steps with wheel channels to a 40% gradient with a 90 degree turn, which is not considered acceptable. Lifts should therefore be installed if bicycle storage is to be provided at mezzanine level and this is recommended to be secured through condition.
121. A commercial bicycle store for 26 bikes for the offices is also proposed at the eastern end of the site, although this is remote from the main office building so would be better relocated to the western end of the site, which is recommended to be secured through condition.
122. A total of seven 'Sheffield' stands (14 spaces) are proposed in easily accessible areas close to Capitol Way for visitors, but at least ten stands are required to meet short-term parking requirements, so three further stands should be accommodated, again recommended to be secured through condition.
123. With regard to servicing, concerns were previously expressed regarding the dimensions of the on-street loading bays (6 no. 12m long bays are now indicated along Capitol Way). The bays have thus been widened to 3m, with clear 2m footways shown behind to maintain pedestrian access when the bays are in use.

124. The westernmost loading bay has now been removed to allow the existing width restriction in Capitol Way to remain and this amendment is welcomed. This leaves no bay directly outside Unit A, so goods would need to be trolleyed 30(+)m from the bay outside Unit B, which is not ideal. This arrangement needs to be clearly set out in a Delivery & Servicing Plan for the unit (to be secure through the S106 agreement), to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout junction of Capitol Way and Stag Lane.
125. The large office unit at Block F also requires loading facilities, given the absence of any provision within the car park to the rear. A further 3m wide, 10m long footway loading bay has therefore been added along the Stag Lane frontage, with a 2.5m wide footway to be adopted to the rear. This is generally welcomed, but it is noted that TfL propose a future bus stop in the location shown for the bay and the future highway layout will need to take both servicing and bus stop requirements into account. These works will be secured through the S278 agreement unless the works are carried out by TfL and the developer beforehand.
126. As previously noted, the loading bays along Capitol Way will reduce on-street parking capacity in the street, which is likely to add to parking pressure in other nearby roads unless a CPZ is introduced. The applicant's transport consultant has noted that suitable loading restrictions (20-30 minute duration) will need to be applied to the proposed bays.
127. The existing width restriction in Capitol Way is now proposed to be retained and amended to operate as a CCTV enforced bus-gate. This is welcomed, particularly as it will meet TfL's objective of extending bus services along Capitol Way and into Stag Lane.
128. The amended loading bay arrangements along Capitol Way no longer retain any space for a bus stop/bus stand outside the development though, as shown in the original application. New bus stops are instead proposed in Stag Lane to the south of Capitol Way, which is fine, although as noted above these will need to sit clear of the newly proposed loading bay.
129. Otherwise, the internal access road for the residential development will again meet emergency and servicing vehicle access requirements, subject to the moving of bins up from the basement on collection days by the management company.
130. It has been confirmed that the gradient of the basement car park access ramp will be designed to accord with Institute of Structural Engineers' guidance and that the kerb radii at the junction with Capitol Way will also be reduced to 2m. The applicant has also noted the need to remove all existing redundant crossovers to the site and return them to footway, whilst the new access to Stag Lane will entail repositioning of the existing bus stop slightly further southwards.
131. The amendments to the roundabout and width restriction design on Capitol Way have addressed previous concerns regarding the access to the office car park.

132. **Transport Assessment**

133. Concern was previously raised regarding the over-reliance on surveys of traffic movements into and out of the nearby TNQ development in producing estimated vehicular trip rates, particularly given the absence of raw survey data for that site and the likelihood that the TNQ development generates significant amounts of on-street parking that would not have been picked up by the original surveys. It was therefore previously recommended that a full multi-modal survey of the TNQ site be undertaken (i.e. based on the TRICS Standardised Assessment Methodology).
134. A further survey has therefore been undertaken in October 2017 which aimed to identify all journeys by car to and from the site (including by drivers parking on-street). However, as noted above, this still does not follow the TRICS methodology and as before, the raw survey data has again not been supplied. Furthermore, the survey appears to have only been undertaken during a weekday morning and does not therefore include data for the evening peak hour or a Saturday. As such, very limited weight can again be placed on this survey.
135. Nevertheless, the results do show considerably more vehicular traffic to and from the TNQ development than was identified previously and a comparison between the average trip rates derived from these updated surveys and those derived from the TRICS database for blocks of flats in London suggests that they are robust. As such, the revised residential trip rates proposed for this development are now

considered acceptable.

136. Commercial trips for the workspace and café were again estimated using TRICS data from sites in London and the southeast. This is also considered to produce robust results for vehicular trips, due to the inclusion of non-London sites.
137. Estimated trips were then added to baseline traffic flows and estimated future flows from committed development sites in the area (i.e. the remainder of the TNQ and Oriental City developments, which are currently partially built and occupied). Distribution of traffic has been based upon analysis of journey to work destination data for the flats and traffic turning counts for the commercial uses.
138. Increases in traffic flows through the Edgware Road/Capitol Way and Stag Lane/Capitol Way junctions as a result of the development have then been calculated, with overall increases of less than 2%.
139. The consultant has then undertaken detailed models of the existing and future operation of these junctions using industry standard software.
140. For the Capitol Way/Edgware Road signalised junction, capacity problems were identified following the completion of this and other committed development in the area, but these could largely be addressed through optimisation of the signal timings. The only time period still operating beyond its practical capacity following adjustments to the timings would be the Saturday mid-afternoon peak hour (12.15-13.15), with a practical reserve capacity of -4.3%. This is not considered to be a significant issue and the modelling results have been accepted by Transport for London.
141. For the Capitol Way/Stag Lane junction, the previous assessment identified serious existing and future capacity problems. The layout of the junction has therefore been amended, with the existing width restriction in Capitol Way retained along with a new pedestrian island and the flared approaches on the Stag Lane (north) and Capitol Way arms being eased, partly to assist manoeuvring by buses.
142. The results of the modelling show the amended junction operating within its maximum capacity at all times when all predicted development traffic is added, but above the recommended maximum ratio of flow to capacity of 0.85 during the evening peak hour (0.907) and the Saturday mid-afternoon peak hour (0.851).
143. Although not ideal, these results provide a substantial improvement on the assessed operation of the existing junction, which operates well above its calculated capacity during all three modelled peak periods.
144. It should also be noted that alterations to the committed development at TNQ in terms of the likely future occupier of the large anchor retail store (previously proposed to be occupied by Wickes) to a less car/van dominated occupier means that some of the predicted future traffic through this junction may not in actual fact materialise.
145. On this basis, the improvements to the junction are welcomed, although the pedestrian refuge in Capitol Way should be at least 5.1m in length. Works to widen the junction should be secured through the S38/S278 Agreement for the development.
146. For other modes, previous estimates of trips have been amended to reflect the increase in the estimated proportion of car trips, again based on 2011 Census data.
147. For rail and Underground services, a total of 116 trips are estimated in the morning peak hour (8-9am), 83 trips in the evening peak hour (5-6pm) and 108 trips in the Saturday peak hour (12-1pm). The site lies midway between Colindale (Northern line) and Queensbury (Jubilee line) Underground stations and rail trips could expect to be fairly evenly divided between these two stations (with the nearest mainline railway station at Mill Hill Broadway being a bus ride away). On this basis, the development would add about two extra passengers to each train.
148. For buses, the development is predicted to add 45 passengers in the morning peak hour, 32 in the evening peak hour and 41 in the Saturday peak hour. This amounts to about one additional passenger per bus service passing close to the site.
149. Transport for London have raised no concerns with regard to the capacity of the bus and Underground services and are satisfied that the improvements to bring extra bus services (303/305) through the width

restriction to serve the site will be sufficient to mitigate impact.

150. With regard to walking and cycling, an additional 20-30 purely pedestrian trips and 17-21 cyclist trips are estimated to be generated in each peak hour. Audits that were previously undertaken have recommended a number of improvements, largely around providing tactile paving at junctions and crossing points and these should be borne in mind when considering priorities for use of any funding from the development.

151. There are no existing road accident issues in the area that would be likely to be exacerbated by this development proposal.

152. Travel Plans

153. Residential or Workplace Travel Plans have been received. but amendments to these are required in order to meet the required standards. It is accordingly recommended that the S106 Agreement includes clauses requiring amended Travel Plans to take these observations into account to be submitted and approved prior to occupation of the development.

154. Construction Management

155. A Framework Construction Management Plan has been submitted, but will need to be developed further into a detailed Construction Logistics Plan prior to any works commencing on site and thereafter kept under review. This is recommended to be secured through condition.

156. Highways Recommendations

157. The proposal is considered to be acceptable on highways grounds subject to the following being secured through condition or the legal agreement:

- A financial contribution of £200,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site (including the offering of subsidised permits to existing residents in the area);
- Designation of the development as 'parking permit restricted' to withdraw the right of future residents of the development to on-street parking permits in the event that a CPZ is introduced in the future;
- A S38/S278 Agreement under the Highways Act 1980 to include: (i) widening of the highway along the Capitol Way and Stag Lane site boundaries; (ii) construction of "in-footway" loading bays along Capitol Way and Stag Lane with footways to the rear; (iii) widening of the Capitol Way and Stag Lane (North) approaches to the mini-roundabout junction of the two roads; (iv) provision of a pedestrian island on the Capitol Way arm of the mini-roundabout junction with Stag Lane; (v) construction of new crossovers to Capitol Way and Stag Lane; (vi) repositioning of the existing bus stop and bus shelter on Stag Lane fronting the site approximately 12m southwards; (vii) removal of redundant crossovers to the site; and (viii) resurfacing of the footways along the site frontages in modular paving with tree planting; together with all ancillary and accommodation works in general compliance with drawing no. NEA001-DCR-GF-PL-A-0001/A;
- Submission and approval of amended Residential and Workplace Travel Plans;
- Submission and approval of a Car Park Management Plan;
- Submission and approval of a Delivery & Servicing Plan;
- Submission and approval of a Construction Logistics Plan,
- The submission and approval of further details of the basement car park to include ramp design, gradients and headroom;
- The provision of improved access to mezzanine floor bicycle parking and repositioning of some of the commercial bicycle parking to the western end of the development; and
- The provision of three additional publicly accessible bicycle stands.

158. Flood risk and drainage

159. The Environment Agency flood map shows the Proposed Development to be located within Flood Zone 1, and as the site is larger than 1 hectare in area, a Flood Risk Assessment is required to demonstrate that the Proposed Development is safe and that it will not increase flood risk in the surrounding area. The NPPF considers the vulnerability of different forms of development to flooding; in this case, the Proposed Development is classified as 'More Vulnerable'. Being in Flood Zone 1; under NPPF guidelines the Proposed Development is considered appropriate.

160. The Flood Risk Assessment submitted with the application makes the following conclusions:

161. The site is located in Flood Zone 1 and can therefore be considered to be at low risk of fluvial and tidal flooding.
162. In accordance with the NPPF, residential development is classified as “more vulnerable” development, and is suitable within Flood Zone 1.
163. The site is located at higher level compared to the adjacent Stag Lane and at low risk from surface water and sewer flooding. The site will provide betterment by adopting Sustainable Urban Drainage System (SuDS) measures and a minimum of 50% reduction of the existing peak runoff rate. Surface levels will be set to fall away from the buildings and basement entrances to prevent flooding from overland flow.
164. The Proposed Development is not at risk from groundwater flooding as it is underlain by ‘unproductive strata’. However, engineering techniques will be applied to eliminate potential flood risk from perched groundwater to the basement. The groundwater flood risk to and from the Proposed Development will therefore be low.
165. The proposed development is at low risk from surface, sewer and groundwater flooding. It will also not increase the risk of flooding to the site or surrounding areas as it will result in a reduction in the level of surface water runoff from the site. It is therefore acceptable on these grounds.
166. **Conclusion**
167. Overall, the proposed development is considered to create a high quality, mixed use development that responds to its context and setting and follows the aspirations and key principles of the Local and Regional Planning Policies. The scheme materially accords with the relevant planning policies and guidance and it is recommended that the proposal is approved.

S106 DETAILS

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

1. Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
2. Affordable Housing –
 - a. To provide a minimum of 30% affordable housing (by habitable room) within the development.
 - b. Disposal of affordable housing to a Registered Provider on a minimum 125 year leasehold;
 - c. Precise tenure and unit size mix;
 - d. 100% LBB nominations on the affordable rented units;
 - e. Appropriate post implementation s106 review mechanisms
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to material start of the development hereby approved. This shall demonstrate:
 - a. How the development will achieve BREEAM excellent in relation to commercial floorspace;
 - b. How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) plus an additional carbon off set contribution to achieve zero carbon. This shall include a requirement to achieve 20% reduction through renewable energy where feasible;
 - c. The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.
4. On completion, independent evidence (through a BRE Post-Construction Review and completion certificates) shall be submitted on the scheme as built, to verify the achievement of BREEAM excellent and the approved Sustainability Implementation Strategy.
5. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
 - a. The submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
 - b. The submission and approval in writing by the Local Planning Authority of acceptable compensatory

Use	Floorspace on completion	Eligible* retained floorspace	Net area chargeable at rate R	Rate R: Brent multiplier	Rate R: Mayoral multiplier	Brent sub-total	Mayoral sub-total
Page 57							

	(Gr)	(Kr)	(A)	used	used		
Dwelling houses	39243		39243	£200.00	£35.15	£10,967,016.96	£1,927,453.23
Shops	4051		4051	£40.00	£35.15	£226,421.96	£198,968.30

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£11,193,438.92	£2,126,421.53

*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: 17/0837

To: Planning
Rolfe Judd Planning
Old Church Court
Claylands Road
Oval
London
SW8 1NZ

I refer to your application dated **24/02/2017** proposing the following:

Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

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

at **1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ**

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

Date: 05/02/2018

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

Document Imaged

DocRepF
Ref: 17/0837 Page 11 of 41

SUMMARY OF REASONS FOR APPROVAL

- 1 REASON FOR GRANT: The proposed development is in general accordance with policies contained in:

The National Planning Policy Framework (2012)
 London Plan (2016)
 Brent's Core Strategy (2010)
 Brent's Development Management Policies (2016)
 Design Guide for New Developments (SPG 17)

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

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

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

SITE

NEA001-DCR-EX-LP-A-0001 Existing Site Location Plan A3 1/1250
 NEA001-DCR-SP-A-0001 Proposed Location Plan - Roof Level A3 1/1250
 NEA001-DCR-EX-SP-A-0002 Existing Site Survey A0 1/250

EXISTING ELEVATIONS & SECTIONS

NEA001-DCR-EX-E-A-0001 Existing Building Elevations & Sections A0 1/250

PROPOSED PLANS

NEA001-DCR-BF-PL-A-9001 Basement Floor Plan A1 1/200 A
 NEA001-DCR-GF-PL-A-0001 Ground Floor Plan A1 1/200 A
 NEA001-DCR-01-PL-A-0002 First Floor Plan A1 1/200 A
 NEA001-DCR-02-PL-A-0003 Second Floor Plan A1 1/200 A
 NEA001-DCR-03-PL-A-0004 Third Floor Plan A1 1/200 A
 NEA001-DCR-04-PL-A-0005 Fourth Floor Plan A1 1/200
 NEA001-DCR-05-PL-A-0006 Fifth Floor Plan A1 1/200
 NEA001-DCR-06-PL-A-0007 Sixth Floor Plan A1 1/200
 NEA001-DCR-07-PL-A-0008 Seventh Floor Plan A1 1/200
 NEA001-DCR-08-PL-A-0009 Eighth Floor Plan A1 1/200
 NEA001-DCR-09-PL-A-0010 Roof Plan A1 1/200 A
 NEA001-DCR-GF-PL-A-0100 Ground Floor Plan - Block A A1 1/100 A
 NEA001-DCR-GF-PL-A-0101 Ground Floor Plan - Block B A1 1/100
 NEA001-DCR-GF-PL-A-0102 Ground Floor Plan - Block C A1 1/100
 NEA001-DCR-GF-PL-A-0103 Ground Floor Plan - Block D A1 1/100
 NEA001-DCR-GF-PL-A-0104 Ground Floor Plan - Block E A1 1/100
 NEA001-DCR-GF-PL-A-0105 Ground Floor Plan - Block G A1 1/100
 NEA001-DCR-01-PL-A-0200 First Floor Plan - Block A A1 1/100 A
 NEA001-DCR-01-PL-A-0201 First - Third Floor Plan - Block B A1 1/100
 NEA001-DCR-01-PL-A-0202 First - Fourth Floor Plan - Block C A1 1/100
 NEA001-DCR-01-PL-A-0203 First - Fifth Floor Plan - Block D A1 1/100
 NEA001-DCR-01-PL-A-0204 First - Sixth Floor Plan - Block E A1 1/100
 NEA001-DCR-01-PL-A-0205 First Floor Plan - Block G A1 1/100
 NEA001-DCR-02-PL-A-0300 Second Floor Plan - Block A A1 1/100 A
 NEA001-DCR-02-PL-A-0305 Second Floor Plan - Block G A1 1/100
 NEA001-DCR-03-PL-A-0400 Third Floor Plan - Block A A1 1/100 A
 NEA001-DCR-03-PL-A-0405 Third Floor Plan - Block G A1 1/100

NEA001-DCR-04-PL-A-0501 Fourth Floor Plan - Block B A1 1/100
 NEA001-DCR-04-PL-A-0505 Fourth Floor Plan - Block G A1 1/100
 NEA001-DCR-05-PL-A-0601 Fifth Floor Plan - Block B A1 1/100
 NEA001-DCR-05-PL-C-0602 Fifth Floor Plan - Block C A1 1/100
 NEA001-DCR-05-PL-A-0605 Fifth Floor Plan - Block G A1 1/100
 NEA001-DCR-06-PL-A-0702 Sixth Floor Plan - Block C A1 1/100
 NEA001-DCR-06-PL-A-0703 Sixth Floor Plan - Block D A1 1/100
 NEA001-DCR-06-PL-A-0705 Sixth Floor Plan - Block G A1 1/100
 NEA001-DCR-07-PL-A-0803 Seventh Floor Plan - Block D A1 1/100
 NEA001-DCR-07-PL-A-0804 Seventh Floor Plan - Block E A1 1/100
 NEA001-DCR-08-PL-A-0904 Eighth Floor Plan - Block E A1 1/100

PROPOSED ELEVATIONS & SECTIONS

NEA001-DCR-ZZ-EL-A-0001 Site elevations A0 1/200
 NEA001-DCR-ZZ-EL-A-0002 Site sections A0 1/200 A A
 NEA001-DCR-ZZ-EL-A-0003 Site sections A1 1/200
 NEA001-DCR-ZZ-EL-A-0004 Site sections A1 1/200
 NEA001-DCR-ZZ-EL-A-0005 Site sections A1 1/200
 NEA001-DCR-ZZ-EL-A-0006 Site sections A1 1/200
 NEA001-DCR-ZZ-EL-A-0007 Site elevations A1 1/200

DETAILS

NEA001-DCR-DE-A-401 Bay Study A A1 1/50
 NEA001-DCR-DE-A-402 Bay Study B A1 1/50
 NEA001-DCR-DE-A-403 Bay Study C A1 1/50
 NEA001-DCR-DE-A-404 Bay Study D A1 1/50
 NEA001-DCR-DE-A-405 Bay Study E A1 1/50 A A
 NEA001-DCR-DE-A-406 Bay Study F A1 1/50
 NEA001-DCR-DE-A-407 Bay Study G A1 1/50
 NEA001-DCR-DE-A-408 Bay Study H A1 1/50
 NEA001-DCR-DE-A-409 Bay Study J A1 1/50
 NEA001-DCR-DE-A-410 Bay Study K A1 1/50
 NEA001-DCR-DE-A-411 Bay Study L A1 1/50
 NEA001_DCR-CO-PL-A-310 Basement Floor Bike Store
 NEA001_DCR-CO-PL-A-311 Basement Floor Bike Stores
 NEA001_DCR-CO-PL-A-312 Ground Floor Commercial Bike Storage
 NEA001_DCR-CO-PL-A-314 Mezzanine Floor Bike Stores

DOCUMENTS

NEA001_D&A Design & Access Statement A3 NTS
 NEA001_SCH_001 Accommodation Schedule A3 N/A A

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

- 3 Non-residential deliveries, including unloading and loading, shall not be undertaken other than between the hours of 0800 and 2100 Monday to Friday and between 0800 and 1300 on Saturday, and they shall not be undertaken at any time outside of these times or on Sunday or Bank Holidays; unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the detrimental effects of noise and disturbance from vehicles on the premises on adjoining residential occupiers.

- 4 10% of the proposed units shall be completed as Wheelchair accessible (in the case of Affordable Rented homes) or easily adaptable (in the case of Private and Intermediate homes) in accordance with Building Regulations requirement M4(3) as set out on the approved drawings listed in Condition 2 and the remaining homes within the development shall be completed in accordance with Building Regulation requirement M4(2) unless otherwise agreed in writing by the Local Planning Authority.

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

- 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 10 dB (A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to the installation of plant, an assessment of the expected noise levels of any plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment should be carried in material compliance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound' and shall include any mitigation measures necessary to achieve the above required noise levels. The plant shall thereafter be installed and maintained in material compliance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect acceptable local noise levels.

- 6 All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Head of Highways and Infrastructure prior to first occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- 7 Electric vehicle charging points shall be provided in accordance with the revised site layout plan (20% active and 20% passive) prior to the commencement of use and occupation of the development.

Reason: To ensure appropriate provision of ECVP to meet the current standards and future demand.

- 8 All parking spaces, turning areas, loading bays, access roads and footways shall be constructed and permanently marked out prior to first occupation of the relevant part of the development and thereafter shall not be used other than for purposes ancillary to the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

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

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

- 10 Notwithstanding the submitted drawings, details of materials for all external work (including samples which shall be made available for viewing on site or in another location as agreed) shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on that phase. The development shall be completed in accordance with the approved details.

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

- 11 Prior to the construction of the superstructure a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. Such landscaping work shall be completed prior to first use or occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) The planting scheme for the site, which shall include species, size and density of plants,

sub-surface treatments;

b) Details of any trees to be trans-located, replaced, and retained;

c) Any walls, fencing and any other means of enclosure, including materials, designs and heights;

d) The treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;

e) details of levels and contours within the site and adjoining the site;

f) a landscaping maintenance strategy, including details of management responsibilities.

Any trees and shrubs planted, trans-located in accordance with the landscaping scheme and any shrubs which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted as soon as practicable as those trees or shrubs have been affected.

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

- 12 Details of a scheme of sound insulation between the commercial and residential unit(s) hereby approved shall be submitted to and approved by the Local Planning Authority prior to first occupation of the residential unit(s). The sound insulation measures approved shall be installed prior to first occupation of the residential unit(s) and maintained as such in perpetuity.

Reason: To protect the amenity of future residents.

- 13 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 through the site and luminance levels at sensitive receptors 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.

- 14 Details of external childrens play areas, any associated equipment and appropriate access arrangements shall be submitted to and approved in writing by the Local Planning Authority and the play areas shall be completed in accordance with the approved details prior to first occupation of the relevant phase of the residential accommodation.

Reason: In order to ensure satisfactory provision of the playground and its equipment

- 15 A Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby approved and the approved plan shall thereafter be implemented from first occupation of the development. The Delivery and Servicing Plans shall have regard to the TfL guidance regarding Delivery and Servicing Plans.

The Delivery and Servicing Plan shall include details of how Unit A would be serviced in order to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout at the junction of Capitol Way and Stag Lane.

The Delivery and Servicing Plan will include a restriction on the use of the loading bays along Capitol Way to 30 minutes maximum.

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

- 16 Notwithstanding the approved plans, further details of the bin stores and cycle storage shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to first occupation of the relevant part of the development, being the part of the development that the bin or cycle storage serves. Such details shall include:
- 660 secure weatherproof bicycle storage spaces and, if the mezzanine level is proposed to house a portion of these cycle spaces, details of a suitable bicycle lift (or suitable alternative arrangement) to ensure access to this level;
 - Revised details for the 26 cycle storage spaces for office use which shall be within close proximity to the use to which they will serve;
 - A total of 10 'Sheffield' bicycle stands shall be delivered within close proximity to Capitol Way for visitor use.

Reason: In the interests of highway flow and safety, and sustainable transport.

- 17 Prior to the commencement of works an updated Construction Management Plan and Construction Logistics Plan shall be submitted to and approved in writing by the LPA. Thereafter the approved Construction Logistics Plan shall be implemented in full for the duration of construction unless otherwise agreed in writing by the Local Planning Authority.

The CMP shall confirm that:

- Best practical means available in accordance with British Standard Code of Practice BS5228 1:2009 shall be employed at all times to minimise the emission of noise from the site;
- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- A barrier shall be constructed around the site, to be erected prior to demolition; to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- Sheet off lorry loads during haulage and employ particulate traps on HGVs wherever possible
- Use demolition equipment that minimises the creation of dust.
- Dust/debris is prevented from being carried onto the road by vehicles exiting the site by installing and operating a wheel washing facility.
- Re-suspension of any dust from the works that may build-up on the adjoining roads is minimised, by sweeping the roads when necessary.
- Damping down materials during demolition and construction, particularly in dry weather conditions;
- Drop height of materials are minimised by means such as the use of chutes to discharge material and damping down the skips/ spoil tips as material is discharged;
- Ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation; Utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in

the area;

The Construction Logistics Plan shall out how deliveries to the land during the construction of the Development will be managed so as to optimise traffic operations and minimise disruption as also minimise the environmental impact of freight activity, shall be submitted to and approved in writing prior to the commencement of the development and the approved plan shall thereafter be implemented.

Reason: In the interests of pedestrian and highway safety, air quality and the amenities of surrounding occupiers.

- 18 Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works on the site and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction of the development except that this shall not prevent and shall specifically exclude demolition, works of site clearance, ground investigation and site survey works, erection of temporary boundary fencing or hoarding and works of decontamination and remediation (hereafter 'preparatory works') and shall be carried out only as approved. The developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for the development.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 20 Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to 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 written report is subject to the approval in writing of the Local Planning Authority.

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

- 21 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full prior to first occupation of the relevant part of the development. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation confirming 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

- 22 The Communal Heat and Power system (CHP) hereby approved shall be installed prior to practical completion, and shall be maintained and operated in accordance with the manufacturers specifications for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the carbon savings as outlined in the approved energy statement are met.

- 23 Prior to the installation of the CHP unit, an Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed CHP unit shall have no more than an imperceptible impact on neighbouring residents. The development shall be implemented in accordance with the approved details.

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

- 24 Details of tree protection measures shall be submitted to and approved in writing prior to the commencement of works and the approved measures shall be implemented throughout the construction of the building. Such details shall include:

- Detailed drawings showing all existing trees which are not directly affected by the building(s) and works hereby approved. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted without the prior written approval of the Local Planning Authority.
- A detailed Tree Protection Plan including detailed drawings of all underground works and additional precautions to prevent damage to tree roots, if any. Such details shall include the location, extent and depth of all excavations for drainage and other services, in relation to the trees to be retained on site.
- An arboricultural impact statement (AIS) and method statement (AMS) in accordance with British Standard BS 5837: 2012 –Trees in Relation to Demolition, Design and Construction and outlining the safe retention of TPO trees. These details shall include a scheme for the protection of the retained tree(s), the appropriate working methods within the trees root protection area (RPA) and be in accordance with the works outlined in the construction method statement.

Any such tree(s) which subsequently die, becomes seriously damaged or diseased, or have to be removed as a result of carrying out this development, shall be replaced with a tree of a species and size and in such position, as the Local Planning Authority may require, in conjunction with the general landscaping required herein.

Reason: To ensure that the trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained and kept in good condition.

- 25 Prior to the installation of CCTV equipment, details of any CCTV equipment shall be submitted to and approved in writing by the Local Planning Authority. The CCTV equipment shall thereafter be installed in accordance with the approved details prior to first occupation of the relevant part of the approved development.

Reason: In the interests of safety and security.

- 26 Prior to the commencement of works on the superstructure a drainage strategy detailing any on

and/or off-site drainage works, shall be submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: In order to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 27 A Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to first occupation of the development hereby approved and the plan shall thereafter be implemented in full for the life of the development. The Plan shall include (unless otherwise agreed by the Local Planning Authority):

- Details of the Car Parking Spaces, comprising the location of spaces and the maximum number of car parking spaces within each area;
- The means by which parking spaces are allocated/sold and monitored;
- The location of blue badge parking spaces, the number of spaces within each area and the route between the parking spaces and the uses they serve, including any management measures to assist disabled visitors.

Reason: In the interest of highway flow and safety, disabled access, access and egress and sustainability.

- 28 Further details (including a cross-section) shall be submitted to and approved in writing by the Local Planning Authority, prior to the construction of the basement, demonstrating the headroom that will be achieved above the aisles within the basement car park, which shall be at least 2.6m is required along all access routes to disabled parking spaces unless otherwise approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In the interest of vehicular flow and safety, disabled access, access and egress and sustainability.

INFORMATIVES

- 1 The applicant is reminded that controlled discharge rate as part of the flood risk strategy should not exceed 5 l/s.
- 2 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
- 3 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface

water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 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 Attention is drawn to the provisions of s151 of the Highways Act 1980, which requires that all construction vehicles leaving the site must be cleansed as necessary to avoid depositing mud and other material onto neighbouring roads.
- 8 Advertisement consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 9 The 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.
- 10 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Brent Council Regulatory Services should be contacted.
- 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 Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 February, 2018
05
17/4747

SITE INFORMATION

RECEIVED	6 November, 2017
WARD	Northwick Park
PLANNING AREA	Brent Connects Wembley
LOCATION	Land rear of 12-14 St Andrews Avenue, St Andrews Avenue, Wembley
PROPOSAL	Erection of 3 two storey detached dwellinghouses to rear of 12 and 14 St Andrews Avenue, with provision for 4 car parking spaces, cycle and bin storage, installation of new service road between 12 and 14 onto St Andrews Avenue and associated landscaping
APPLICANT	UK Property Acquisitions LTD
CONTACT	Mr Power
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_137087</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 "17/4747" (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. Parking spaces provided prior to occupation
4. Removal of permitted development rights for the new houses
5. Obscured glazed windows on side elevations
6. Construction Method Statement to be submitted
7. Trees Protection Plan and Arboricultural Method Statement be submitted
8. Details of Sustainable Drainage measures to be submitted
9. Details of materials to be submitted.
10. Details of soft landscaping to be submitted
11. Details of acoustic fencing to be submitted
12. Details of hard landscaping to be submitted
13. Details of refuse storage facilities to be submitted
14. Details of external lighting to be submitted
15. Details of cycle store to be submitted


Informatives

1. CIL Liable
2. Highways informative regarding crossovers
2. Party Wall Act
3. Nesting Birds
4. Bats
5. Notify highways before works commence
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.

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: Land rear of 12-14 St Andrews Avenue, St Andrews Avenue, Wembley</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the demolition of two garages and the construction of an access road between the two houses and three x 3-bedroom houses in the rear gardens of the existing houses, with associated four parking spaces, cycle and bin storage. The frontage of Nos 12-14 would be relandscaped with one parking space provided for each dwelling. No alterations are proposed to these existing houses, which would remain in residential use as single dwellings.

EXISTING

The site consists of two 1930s link semi-detached houses with adjoining garages and their residential curtilages. The rear gardens adjoin properties on Lothian Close (a more recent cul-de-sac development) to the west, car parking belonging to Elmwood Court to the north and a flatted development (Georgian House) on Elm Road to the northeast.

The site is located on the northern side of St Andrews Avenue within an established residential area. It is not within a conservation area and does not include a listed building.

AMENDMENTS SINCE SUBMISSION

A tree report, arboricultural impact assessment and tree protection plan were submitted on 16/1/18.

A topographical survey, revised section drawings and a revised site plan were submitted on 22/1/18 (the original section drawings were inaccurate as they were not based on an accurate survey of ground levels across the site). The revised site plan shows pedestrian visibility splays, a front boundary wall and bin storage for the existing houses located on the frontages, as requested by transportation, and low level planting on the boundary with the highway on Lothian Close.

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:

1. **The principle of development.** The proposal involves the construction of three houses on an area of land previously part of the rear gardens of the two host dwellings. The proposal would provide residential units within a residential area and the use is generally appropriate. The houses would be within the rear gardens of existing houses. However, the patterns of development in the locality include existing housing in the vicinity (to the rear of the St Andrews Avenue main building line) and the development would not be out of keeping with the suburban setting. The proposal is therefore considered to be acceptable in principle subject to the remainder of the material planning considerations.
2. **The design, scale and appearance of the proposal.** The three houses would continue the pattern of development established by Lothian Close, and the plot sizes for both existing and proposed houses would be in keeping with the area. The houses would be of similar height, scale and bulk as those existing and would be positioned to reflect the existing topography. The architectural style is acceptable in the surrounding context and the proposal would include new soft landscaping.
3. **The relationship with neighbouring properties.** This would comply with Council guidelines (SPG17 and draft SPD1), and the proposal would not have an unduly detrimental impact on the amenities of neighbouring residents.
4. **Residential living standards.** The proposed houses would be of a good size in comparison to minimum floorspace standards and would have a generous amount of private amenity space each, with the existing houses also retaining large rear gardens.
5. **Trees and ecology.** The loss of a small number of trees, mainly of low quality, is considered acceptable subject to replacement planting. The site is not considered to have any existing ecological value although biodiversity enhancement will be required by condition.
6. **Flood risk and drainage.** The site is not in a Flood Zone and there is no historic evidence of flooding on

the site. The proposal would retain large areas of garden and soft landscaping, and hard surfaces would be of permeable materials. A drainage condition is recommended to ensure surface water can be drained on site.

7. **Transportation considerations.** The proposal includes demolition of the existing garages serving the two existing houses, and provision of a private driveway between them to serve the proposed houses. The proposed access arrangements are considered to be safe and appropriate and parking and bin storage is proposed for both existing and new houses.

RELEVANT SITE HISTORY

11/2791: Erection of four 3-storey terraced dwelling houses on land at rear of 12-14 St. Andrews Avenue. Application refused 29/03/12 for the following reasons:

"1 The proposed backland development would introduce a level of additional activity and visual disturbance that, particularly at night, would have a detrimental impact on the amenities of surrounding neighbouring residents and would result in an intensity of development out of character with this rear garden location, contrary to policies BE2, BE3, BE6 and BE7 of the adopted Brent Unitary Development Plan and CP17 of the Local Development Framework Core Strategy.

2 The proposed development by reason of its design and scale would have an unattractive, unsympathetic and incongruous appearance and is considered an inappropriate and non-subsidary form of development in this distinctive suburban back garden location to the detriment of local visual amenities and contrary to policy CP17 of Brent's Core Strategy 2010 and policy BE 9 and H15 of Brent's UDP 2004.

3 In the absence of a legal agreement to control the matter, the proposed development would result in:

- additional pressure on transport infrastructure, without any contribution to sustainable transport improvements in the area;
- increased pressure for the use of existing open space, without contributions to enhance open space or make other contributions to improve the environment; and
- increased pressure on education infrastructure, without any contribution to education improvements.

As a result, the proposal is contrary to policies TRN3, TRN4, TRN11, OS7 and CF6 of the adopted Brent Unitary Development Plan 2004."

A subsequent appeal (ref APP/T5150/A/12/2177425) was dismissed on 19/10/12. The Inspector concluded in relation to the reasons for refusal above:

"1. The glazed front facades of the proposed dwellings would create a significant wall of light when internal lights are on in the evenings. ... The proposed access via Lothian Close would increase the traffic using this cul-de-sac and the parking area for six cars would be provided very close to the rear of the host dwellings. ... the proposal would have an adverse effect on the living conditions of occupiers of nearby properties with particular reference to noise, disturbance and visual impact.

2. It is proposed to alter the ground levels to enable all four proposed dwellings to have the same roof height with associated ground level adjustments to raise the garden areas. ... due to the bulk and height of the proposed dwellings, I consider that they would unacceptably dominate this rear garden environment to the detriment of the character and appearance of the area. They would not be subsidiary to the host dwellings or respect the setting of those in Lothian Close. Thus, they would have an adverse effect on the character and appearance of the surrounding area.

3. the Unilateral Undertaking would satisfy contributions towards infrastructure."

13/0471: Erection of three two-storey terraced dwelling houses on land at the rear of 12-14 St. Andrews Avenue. - application withdrawn 28/10/15.

This application proposed three terraced houses accessed from Lothian Close. Following a visit by Planning Committee members on 15/06/13, it transpired that part of the road surface at the end of Lothian Close is owned by the owners of 19 Lothian Close and is in fact the parking space for this property. The application was deferred to allow the correct notices to be served, and was subsequently withdrawn by the Council due to the lack of recent activity.

CONSULTATIONS

A total of 71 neighbouring properties were consulted for more than 21 days on 10 November 2017. 13 objections were received and a petition including 14 signatures, and are summarised as follows:

Comment	Officer response
Overlooking and loss of privacy to neighbours;	See paragraph 16
Overshadowing and loss of daylight to neighbouring houses and gardens;	See paragraph 13
Over-development and overcrowding of already dense cul-de-sac;	See paragraph 7
Proximity to boundaries in Georgian House;	See paragraph 14
Proposal out of character with immediate area, over bearing and out of scale re design, location, position, building height and ground levels;	See paragraphs 3, 6, 7 and 8
Adverse visual impact on landscape, trees, wildlife, green space;	See paragraphs 23-25
Detrimental effect on character of local area;	The principle of development within the rear garden setting is discussed within paragraphs 1 -5, and the design, scale and appearance of the new dwellings is discussed within paragraphs 6 - 10.
Access road is incongruous with existing character and appearance of the street	See paragraph 3
Access directly from St Andrews Avenue ruled out in previous planning history;	The previous two applications both proposed access from Lothian Close. Access from St Andrews Avenue has not been proposed previously and there is no reason in principle why this access would not be satisfactory.
Access is on difficult and congested blind bend;	See paragraph 30
Access for emergency services and utility vehicles inadequate;	See paragraphs 36 and 37
Increased traffic leading to increased danger of vehicle and pedestrian accidents, pollution and noise, distress to residents of nearby residential care home and patients with mental health disorders;	See paragraph 30
Increased parking will be required due to extended families occupying single dwellings;	The parking provision takes into account the number of bedrooms and likely occupancy levels for the houses. See paragraphs 31 and 32
Four parking spaces not enough for three houses, compounded by loss of two existing parking spaces for Nos 12-14, and will add to	See paragraphs 31 and 32

on-street parking demand;	
Four parking spaces to rear of Nos 12-14 could already have been legally assigned to those properties;	There is no evidence that this has occurred or would occur. Planning permission would be granted on the basis of the plans submitted and a condition requiring parking to be available for the new properties, and any disputes over land ownership within the site would be a civil matter.
Disruption and danger of accidents from construction vehicle access and construction process;	See paragraph 18
Pollution, noise, vibration, dust emission, nuisance and disturbance to neighbours, including from construction period;	See paragraph 18
Lothian Close too narrow for additional traffic;	There is no access proposed from Lothian Close.
Problems caused by existing traffic and parking generated by existing residents including extended families, nearby school and church.	This is not a planning consideration in relation to this application. The proposal is not likely to result in levels of additional traffic and parking that would be detrimental to highway flow or safety.
Proposal will lead to introduction of on-street parking restrictions	There are no plans to introduce on-street parking restrictions in this location.
Proposal will increase surface water run-off onto St Andrews Avenue, with insufficient space for SUDS or soakaway.	The site is not in a Flood Zone and there is no historical evidence of flooding on or near the site. The proposal would retain large areas of garden and soft landscaping, and hard surfaced areas would be of permeable materials.
Owner of site does not live on the street and is developing for profit, Nos 12-14 are rented out and left in poor condition.	This is not a material planning consideration. However the proposal includes new hard and soft landscaping on the existing frontage, which will enhance the visual amenity of the site.
The three new houses would also be neglected.	This is not a material planning consideration and there is no evidence that it would happen.
Proposal would be designing in social isolation as houses are set apart from the street and of lower quality.	There is no evidence to suggest that this form of development leads to social isolation or that the houses would be of poor quality.
Extent of neighbour consultation.	Neighbour consultation has been undertaken went beyond legislative requirements.
Development would set precedent for other back garden developments in the area, leading to loss of amenity for existing residents.	Precedent is not a material consideration. Other applications would be decided on their own merits.
Consultation period is too short.	Consultation requirements are set out in

Internal consultees

Councillor McLennan: Objection

- Refuse storage and collection inappropriate even though within 20m of road. 5 x 3 bins may be left permanently on pavement outside Nos 12-14.
- Car parking provided too small and no parking available on St Andrews Ave, which is now heavily parked.
- Access is inappropriate for five properties of three or more bedrooms sharing one driveway.
- Loss of two front gardens to hardstanding, and damage to street scene as a result.
- Nos 12-14 both highly occupied rental properties and may be HMOs.

Councillor Murray: No comment

Councillor Perrin: Objection

- Refuse storage and collection inappropriate even though within 20m of road. 5 x 3 bins may be left permanently on pavement outside Nos 12-14.
- Car parking provided too small and no parking available on St Andrews Ave, which is now heavily parked.
- Access is inappropriate for five properties of three or more bedrooms sharing one driveway.
- Loss of two front gardens to hardstanding, and damage to street scene as a result.
- Nos 12-14 both highly occupied rental properties and may be HMOs.

These matters have been discussed the remarks section of the report. Please see paragraphs:

- Refuse storage: paragraph 35
- Car parking: paragraph 28-33
- Access: paragraph paragraph 30
- Front gardens: paragraph 33
- Use of the existing properties: paragraph 4

Waste services: No objection

Lead Local Flood Authority: No objection

There are no reports of flooding in this area. The road slopes away towards Elm Lane. There are reports of flooding on Elm Lane but not near St Andrews Avenue. Further details of surface water drainage including SUDS should be required by condition.

Environmental health: No objection

Subject to condition regarding construction management.

External consultees

London Fire Brigade: No objection

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 (Policies CP1, CP2, CP5, CP6, CP8, CP18, CP19, CP21), the 2016 Brent Development Management Policies Document (Policies DMP1, DMP9B, DMP12, DMP14, DMP15 and DMP19) and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

The National Planning Policy Framework 2012
SPG17 Design Guide for New Development 2002
Brent Waste Planning Guide 2013
Mayor of London's Housing SPG 2016
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 is now given significant weight in the assessment of

planning applications. The Draft New London Plan is open for consultation until 2 March 2018 and is given some weight in the determination of this application.

DETAILED CONSIDERATIONS

Principle of development

1. Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation, and the proposal would contribute three family-sized houses towards this target within an established residential area.
2. The NPPF defines residential gardens in urban areas as greenfield sites, and encourages local planning authorities to set policies resisting inappropriate development on these sites. Policy CP17 prevents the development of garden space with out-of-scale buildings that do not respect the settings of the existing dwellings, and proposals for garden land development are only acceptable in principle if they comply with the requirements of this policy.
3. However, there are other, older, developments in a similar location set back from the main parts of St Andrews Avenue. The proposal will be adjacent to the terraces of houses that front Lothian Close. Access to the proposed houses would be provided from St Andrews Avenue. However, the presence of and relationship with these existing dwellings means that the siting of the proposed houses, to the rear of the frontage houses, is not alien to the area. In previous planning applications 11/2791 and 13/0471 the principle of developing the site was considered to be acceptable. The proposed layout and scale are discussed in more detail in the following section on Design, Scale and Appearance. However in principle the proposal is considered to comply with the requirements of Policies CP2 and CP17, and to be an appropriate and acceptable means of developing the site.
4. Objections have been received on the basis that the two existing houses are highly occupied and could be in use as HMOs. However, no evidence has been provided to support this view and conversion to a small HMO could in any case be carried out under permitted development rights. The use of the property as a large-scale HMO (by more than 6 people) has not been applied for and would require planning permission.
5. Further objections relate to the neglected condition of the existing houses and the applicant has suggested a condition requiring their external decoration. However, the condition of the houses is not a material planning consideration and therefore this condition would not be reasonably related to planning.

Design, Scale and Appearance

6. The proposed three houses would continue the general pattern of development established by Lothian Close, which sits behind the houses on St Andrews Avenue and in itself represents a form of backland development, albeit long established and on a larger scale than the proposal. Although the access would not be provided from Lothian Close, it is considered that the visual relationship established would be that of extending the existing row of houses, intensifying the existing staggered building line to create some visual closure to the cul-de-sac.
7. In terms of plot sizes, the three houses would be on slightly smaller plots than Nos 12-14, but similar to those of other existing dwellings on St Andrews Avenue and slightly larger than the dwellings on Lothian Close, which is significantly more densely developed. Given that existing dwellings along St Andrews Avenue are in close proximity to the development at Lothian Close, it is considered that the proposed three houses would be appropriate to the setting. Although concerns have been raised about overdevelopment of the site, it is considered that the size of the development would be appropriate to the site and less dense than the existing houses on Lothian Close.
8. The houses would be of a similar height, scale and bulk to the existing dwellings and those on Lothian Close, and would not appear out-of-scale. The ridge height of 8.6m would be lower than that of the dwellings on Lothian Close (9m) and of the proposed dwellings refused under 11/2791 (9.2m). The extent of built form would be greatly reduced compared to 11/2791, with the number of dwellings proposed reduced from four to three, allowing a more spacious layout within the site. Furthermore, the topographical survey and amended section drawings demonstrate that the proposal would not involve artificially raising ground levels to provide a flat site which would appear over-dominant in relation to St Andrews Avenue. Rather, the houses would be situated along the east-west slope of the existing site,

with ground levels falling in line with the existing topography in order to minimise the visual impact from St Andrews Avenue and to appear in keeping with the surrounding area. The application is considered to have addressed the concerns of the appeal Inspector in relation to bulk and height.

9. The houses would be of a contemporary style with gable end roofs echoing the small gable end features on houses in Lothian Close. The surrounding area contains a mix of housing styles including both hipped and gable roofs, with the more recent dwellings on Lothian Close representing a departure from the prevailing style on St Andrews Avenue. The proposed houses would be of a different style but would not be obtrusive or incongruous and would contribute to a varied street scene. The plans indicate the materials as being roofing in standing seam grey zinc, windows in dark grey aluminium, and elevations in white render and timber cladding, and these are considered to be acceptable within the context of the surrounding area, given that white rendered elevations are commonly seen along St Andrews Avenue. However it is recommended that further details of materials are required by condition.
10. The four parking spaces would be located to the front of the proposed houses, with soft landscaped front gardens in the intervening space. Changes in ground levels would be managed through the hard and soft landscaping scheme to include retaining walls and paved pathways to the entrances of the houses, and the boundary with the highway on Lothian Close would consist of low level planting in order to provide a visual connection between the three houses and the line of adjoining houses along Lothian Close. Trees and hedging are proposed as part of the boundary treatment around the parking areas and would provide adequate screening of these areas from neighbouring properties. The landscaping scheme would also include proposals to introduce soft landscaping on the existing frontages of Nos 12-14, which are currently entirely hard surfaced, and this would enhance the visual amenity of the St Andrews Avenue street scene. Further details of the landscaping scheme would be required by condition.

Relationship with neighbouring properties

11. Developments should maintain adequate levels of privacy and amenity for existing residential properties, in line with the 30 degree and 45 degree guidance set out in SPG17 and draft SPD1, and the 1:2 guidance set out in draft SPD1, retaining a 9 m distance to the rear boundary and 18 m between opposing rear-facing habitable room windows.
12. The amended section drawings show that the proposed houses would be well within a 30 degree line of the rear windows of Nos 10, 12 and 14 St Andrews Avenue, and also well within a 45 degree line of their rear garden boundaries, of the rear side garden boundary of No 10, and of the boundary with Elmwood Court to the north. The proposal would not appear overbearing to these properties or have any adverse impact upon their light and outlook. The latter boundary is in any case adjacent to parking areas and frontage landscaping at Elmwood Court rather than private rear gardens, and so the 45 degree guidance is of less relevance.
13. The proposal would comply with the 1:2 guidance with respect to the front building line of the adjacent house at No 19 Lothian Close, and the rear building line would be set back from that of No 19, and so the proposal would not cause any loss of light or outlook from that property or overshadowing to its garden. Some overshadowing to the far rear gardens of the adjacent properties on St Andrews Avenue and Georgian House on Elm Lane would occur in the late afternoon, but this would be of a very minimal extent. Each proposed house would enjoy a good standard of outlook from both front and rear elevations.
14. The proposal would retain a distance of 9 m or more from the rear boundary of Nos 12-14, and 18 m or more from their rear windows. Properties on Elmwood Court facing onto the shared boundary are situated 40m-50m from the boundary, which is more than adequate to prevent any concerns relating to overlooking and loss of privacy. The two parking spaces on the west of the site would face onto Nos 20-21 Lothian Close, but would be screened by 2m high boundary fencing and hedging. There would be no direct overlooking relationship onto No 10 St Andrews Avenue or properties in Georgian House, which are located to the side of the proposed development.
15. Each house would have ground floor and first floor side elevation windows serving the stairwells, utility rooms and bathrooms respectively. The utility room and bathroom windows are marked as obscure glazed and for the avoidance of doubt a condition is recommended to ensure they are retained as obscured and non-opening, to prevent overlooking and loss of privacy. The stairwell windows would face onto blank sections of the flank elevations of one of the other proposed houses, and it is not considered necessary for these to be obscured and non-opening. Each house would also have a first floor balcony

to the rear. These would be recessed to prevent overlooking between the houses and onto the adjacent house at No 19 Lothian Close, and would look out onto the parking court and garages of Elmwood Court.

16. Objections have been received regarding overlooking and loss of privacy. However, the proposal would fully comply with the Council's guidelines in this respect and your officers consider that no unduly harmful overlooking or loss of privacy to neighbouring residents would occur.
17. The proposed landscaping would provide a buffer zone including acoustic fencing and planting along the boundary between the parking spaces and Nos 20-21 Lothian Close, in order to provide screening and reduce noise and air pollution from vehicles accessing the spaces.
18. Environmental Health have been consulted and have no objection subject to a condition placing restrictions on construction activity in order to minimise disruption to neighbouring residents and the highway. Acoustic fencing and mixed hedging are proposed on the boundaries between existing rear gardens and the parking areas serving the proposed three houses, to ensure that neighbouring residents would not be unduly impacted by noise and air pollution due to the parking of cars. It is proposed that details of the acoustic fencing including its exact height and extent would be required by condition.

Residential living standards

19. All development is required to comply with minimum internal floorspace standards set out in the Mayor's Housing SPG and with the residential amenity space requirements set out in Brent Policy DMP19 (including a requirement of 50sqm rear amenity space for 3bed dwellings).
20. Each house would have an internal floor area of 107sqm, which exceeds the 102sqm minimum required for two-storey 3 bedroom 6 person dwellings.
21. The rear balconies would comply with London Plan standards, being 1.5m deep and over 5sqm in area. The rear garden space proposed (94sqm, 94sqm and 145sqm respectively) would substantially exceed 50sqm for each house, and the front gardens would provide additional amenity space (75sqm, 50sqm and 31sqm respectively) in a secluded and semi-private setting. The overall amount and quality of amenity space proposed is considered to be a positive aspect of the scheme.
22. The two existing dwellings at Nos 12-14 would also retain rear gardens of 116sqm and 103sqm respectively following the development, far in excess of the 50sqm required under DMP19.

Trees and ecology

23. A number of trees on site would be affected by the development, and the applicant has provided a tree survey, arboricultural impact assessment and tree protection plan. This identifies that eleven Category C (low value) trees would need to be removed to facilitate the development. It is also proposed to remove a Category B (moderate value) Ash tree (T14) on the rear boundary of the site, as the rear gardens would require terracing to provide usable amenity space given the steep rise in ground levels.
24. The tree officer has been consulted and has raised no objections. The Ash tree would over-dominate the location and would require periodic pruning as it has been cut back substantially, whilst its removal could be supported subject to replacement planting of a Wild Cherry which would also enhance biodiversity, and this would be required by condition. A detailed tree protection plan and arboricultural method statement would be required by condition to ensure adequate protection of retained trees. The loss of the trees is acceptable in this case given their low value but would need to be mitigated by replacement planting of seven small to medium ornamental trees within the proposed front gardens and the rear gardens of the existing houses, as part of a landscaping scheme.
25. The ecological value of the existing site is considered to be negligible due to its neglected condition and previous use as residential gardens. The ground has been covered by plastic sheeting to restrict vegetation growth and the site is adjoined by hard boundaries, the hardsurfaced parking area of Elmwood Court and other residential gardens, reducing the potential for wildlife corridors to be established. However, it is considered that the landscape scheme should include proposals to enhance biodiversity and replacement tree planting. Informatives are recommended regarding the applicant's legal duties with respect to bats and nesting birds.

Flood risk and drainage

26. Policy DMP9B requires new development to make provision for the control and reduction of surface water run-off and encourages the use of sustainable drainage measures wherever feasible.
27. Objections have been raised regarding the impact of the development on flooding in the area, as the proposed houses would be on higher ground than those on St Andrews Avenue and Elms Lane. However, the site is not in a Flood Zone 2 or 3 or a Critical Drainage Area and consequently there is no policy requirement for a flood risk assessment. The Council's drainage engineer has confirmed that there is no historical evidence of flooding on or near the site and that there is evidence of flooding on Elms Lane but not within the vicinity of the site. The proposal would retain large areas of garden and soft landscaping, and hard surfaced areas would be of permeable materials, and these would aid natural drainage of the site. However, further details of surface water drainage will be required by condition to ensure that these are adequate to prevent run-off onto neighbouring properties or the highway.

Transportation considerations

28. Development is required to comply with Policies DMP11 and DMP12, car parking allowances for residential use set out in appendix 1 of the Development Management Policies 2016 and the Brent Waste Planning Guide.
29. St Andrews Avenue is a local residential access road and on-street parking is generally unrestricted although there are double yellow lines opposite the site due to the bend in the road. It is too narrow for parking on both sides, but nevertheless is not defined as heavily parked. The PTAL rating is 2.
30. The proposal would extend the existing 3m wide crossover shared by the two existing dwellings, and would create a private driveway between them, leading to four parking spaces at the rear to serve the new dwellings. The driveway would be 3.5m wide, which is not sufficient to accommodate two vehicles passing one another. However, as the driveway would only serve three dwellings, Transportation consider that a single width access can be accepted as traffic movements would be low. The driveway would be provided as a shared surface to allow pedestrian access to the proposed dwellings.
31. The proposed dwellings are allowed a maximum of 1.5 spaces each, giving a total maximum of 4.5 spaces, and the proposed four spaces would comply with the parking standards. An acceptable vehicular swept path analysis has been demonstrated for the four spaces, with a 6m aisle between to allow manoeuvrability.
32. The existing dwellings are assumed to be 3bed and are therefore permitted 1.5 off-street parking spaces each. The existing provision of garages and further off-street parking on the frontages exceeds parking standards. The proposal would provide one parking space for each dwelling on the frontages. The spaces are shown parallel to the highway, which is not generally permitted under the crossover policy. However, the swept path analysis demonstrates that the proposed shared driveway would be available for turning, and that all manoeuvres into and out of the parking spaces would be undertaken within the private demise. Therefore the spaces are not considered detrimental to pedestrian safety on the public highway.
33. The six parking spaces would all be of standard dimensions (2.4m by 4.8m). Sufficient space would be retained on the frontages of the existing dwellings to provide 50% soft landscaping in compliance with Policy DMP12. This would represent an improvement on the existing site, of which the frontage is entirely hard surfaced, and would contribute positively to the visual amenity of the area. The site slopes towards the highway, so a drainage grill connected to the soak away is required at the highway threshold to prevent surface water run off on to the highway. A front boundary wall to the edge of the crossover is also required to prevent illegal crossing of the footway by vehicles. Visibility at the access for pedestrian safety must be demonstrated, which requires no obstruction over the height of 0.85m above road level. Soft landscaping is indicated on the plans, and further details of this and the additional requirements identified above would be required as part of the landscaping condition.
34. A cycle store providing six cycle parking spaces would be provided alongside the parking spaces, and this would comply with London Plan standards for cycle parking. Further details of the cycle store, including elevational drawings and materials to ensure that they are sufficiently secure and weatherproof, would be required by condition.
35. Bin stores are proposed on either side of the access road, towards the rear of the two existing houses. The size and number of bins proposed meets the Council's requirements of 1 x 140L and 1 x 240L per dwelling. These would be within 20m carrying distance of the highway and within 30m of the proposed

houses, and the Council's waste services department has no objections on the basis that they comply with the Council's guidance in this respect. Objections have been received on the basis that the distance from the highway is too great. However, it meets the Council's waste planning guidance and confirmation has been received from the waste services department as discussed above.

36. Collections could be made from St Andrews Avenue and, although concerns have been raised regarding the refuse collection point and the need for refuse vehicles to stand on the bend for a period of time, transportation consider that the double yellow lines at the bend would ensure that refuse vehicles are not obstructed during collections and that clearance would be maintained for other vehicles to pass. Following comments from Transportation, the plans have been amended so that bin storage for the existing dwellings would be provided on the existing frontages as at present. Further details of the bin stores, including elevational details and materials, would be required by condition.
37. It has been suggested that Veolia will only collect bins from within 10m of the highway notwithstanding the Council's guidance. This point has been discussed with Waste Services and Veolia, and they have confirmed that the proposed bin storage arrangements are acceptable.

Density

38. Development is expected to be in accordance with the London Plan density matrix, which recommends 150-250hr/ha for suburban sites with medium PTAL ratings. The proposal would increase the density of the site from 67hr/ha to 168hr/ha, which is towards the lower end of the recommended density range. The proposal is considered to be of an appropriate density for the site.

Emergency access

39. Consideration of matter regarding fire safety are dealt with through the Building Regulations. However, whether or not the scheme is likely to be found acceptable in terms of fire safety has been evaluated as this could influence the layout of the scheme. The proposed houses are more than 45 m from the point at which a fire appliance would stop during an emergency. However, the applicant has proposed the use of a sprinkler system to British Standards to address this. The London Fire Brigade have commented that while their comments do not represent a formal Building Control consultation response (which would be undertaken at the time of building control approval), in principle the Fire Brigade do allow a suppression system to be installed as a compensatory measure where 45m access cannot be achieved. Their response included additional information regarding the specification of the sprinkler systems and water mist systems in such a situation. As such, while the consideration of fire safety matters sits within the Building Regulations, based on the submitted information is no reason to believe that such approval cannot be achieved and this will be subject to the consideration of the technical details within the Building Regulations application.

CIL DETAILS

This application is liable to pay **£105,474.23*** 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): 321 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	321	0	321	£200.00	£35.15	£89,708.04	£15,766.19

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	£89,708.04	£15,766.19

*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: 17/4747

To: Mr Power
1 Lynes Cottage
Taynton
Gloucester
GL19 3AP

I refer to your application dated **06/11/2017** proposing the following:

Erection of 3 two storey detached dwellinghouses to rear of 12 and 14 St Andrews Avenue, with provision for 4 car parking spaces, cycle and bin storage, installation of new service road between 12 and 14 onto St Andrews Avenue and associated landscaping

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

at **Land rear of 12-14 St Andrews Avenue, St Andrews Avenue, 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: 02/02/2018

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:-

Brent Core Strategy 2010 (Policy CP2, CP17)
Brent Development Management Policies 2016 (Policies DMP1, DMP11, DMP12, DMP19 and Appendix 1).

- 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):

2651-T-001 - Topographical survey

1 - Location plan

2 - Existing block plan

3 - Proposed block plan

1A - Proposed site plan Revision 1

6 - Proposed ground floor plan

7 - Proposed first floor plan

8 - Proposed roof plan

14 - Proposed south front elevation

15 - Proposed west side elevation

16 - Proposed east side elevation

17 - Proposed north rear elevation

2a - Proposed site section A-A Revision 1

3a - Proposed site section B-B and material precedent Revision 1

4a - Proposed site section C-C Revision 1

5a - Proposed site section D-D Revision 1

BS5837 Arboricultural Report, Tree Constraints Plan & Arboricultural Impact Assessment
(Crawshaw Arborcare Ltd, December 2017)

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

- 3 The parking spaces and accesses shown on the approved plans shall be completed in full prior to first occupation of the development and permanently retained and not used other than for purposes ancillary to the dwellings hereby approved.

Reason: To ensure that the approved standards of parking are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouse(s) subject of this application, notwithstanding the provisions of Class(es) A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason(s): In view of the restricted nature and layout of the site for the proposed development, no further enlargement or increase in living accommodation beyond the limits set by this consent should be allowed without the matter being first considered by the Local Planning Authority.

- 5 The side elevation windows serving bathrooms and utility rooms shall be obscured and fixed shut below a height of 1.8m above finished floor level and shall be maintained as such unless prior written consent is granted by the Local Planning Authority.

Reason: In order to maintain the privacy of residents and prevent overlooking between dwellings.

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

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

- 7 Prior to development commencing a tree protection plan and arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure adequate protection for retained trees on site.

- 8 Prior to development commencing, a surface water drainage scheme to include sustainable drainage measures shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure the site can be adequately drained and to prevent surface water run off onto the highway or neighbouring properties.

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

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

- 10 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:
1. Planting, including a planting plan detailing plant species, size, location and number/density;
 2. Walls / fences / means of enclosure;
 3. Any levels or contouring within the site;
 4. Proposed biodiversity enhancement measures to include bird boxes;
 5. Boundary hedging to parking areas;
 6. Low level planting to the boundary with Lothian Close;
 7. Replacement tree planting comprising eight small to medium ornamental trees with a minimum stem diameter of 12-14cm and including species such as *Prunus avium*, Birch and *Amelanchier*.

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

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

- 11 Prior to first occupation of the development, details of acoustic fencing to be provided around the boundaries of the car parking area shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fencing shall be erected in accordance with the approved details prior to first occupation of the dwellings hereby permitted and thereafter retained and maintained.

Reason: To prevent noise nuisance to neighbouring properties.

- 12 Details of a scheme showing those areas to be treated by means of hard landscape works, including retaining walls and a front boundary wall on the boundary with St Andrews Avenue which shall extend to the edges of the crossover and shall be no more than 0.85m in height, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such details shall include detailed drawing(s) of those areas to be so treated, a schedule of materials and samples if appropriate. The approved scheme shall be implemented in full prior to first occupation of the development.

Reason: To ensure a satisfactory standard of development in the interests of local visual amenity.

- 13 Details of the waste storage area for both the existing dwellinghouses (to be provided within the front garden areas) and the new dwellinghouses, including any screening, shall be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to first occupation of the development hereby approved.

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

- 14 Details of any external lighting, which shall be designed to limit light spill, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such lighting, and thereafter the lighting shall not be installed other than in full accordance with the approved details.

Reason: In the interests of safety and amenity.

- 15 Details of adequate arrangements for the secure weatherproof storage of six cycles shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The cycle storage shall be provided in accordance with the approved details prior to first occupation of the approved dwellings and thereafter retained and not used other than for purposes ancillary to the use of the dwellinghouses hereby approved.

Reason: To ensure adequate provision for cycle storage in accordance with London Plan standards.

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 If the development is carried out it may be necessary for the crossing over the public highway

to be altered by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Tel 020 8937 5050. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

- 3 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
- 4 Birds and their nests are protected under the Wildlife & Countryside Act 1981. To prevent harm to nesting birds, site clearance and construction should not be undertaken other than outside of the bird breeding season (March to September inclusive) unless it takes place immediately after a nesting bird check has been undertaken by a suitably qualified ecologist.
- 5 Bats have protected status under European legislation. Site clearance and development must stop if any evidence of bats or their roosts is found on site and a suitably qualified ecologist must be consulted prior to work recommencing.
- 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.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 February, 2018
06
17/4857

SITE INFORMATION

RECEIVED	13 November, 2017
WARD	Welsh Harp
PLANNING AREA	Brent Connects Willesden
LOCATION	St Margaret Clitherow RC Primary School, Quanton Street, London, NW10 0BG
PROPOSAL	Phased demolition of existing single storey brick and timber school building and construction of new two-storey brick building to contain school hall, kitchen, classrooms and ancillary support spaces
APPLICANT	For and on behalf of the Secretary of State
CONTACT	HKS Architects
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_137205</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 "17/4857" (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

- Time Limit for commencement
- Approved drawings/documents
- Develop in accordance with flood risk & SuDS report
- Develop in accordance with tree report and ecology report
- Plant noise to be restricted to suitable levels
- Details of materials to be submitted
- Training and Employment plan to be submitted and adhered to
- Construction Method Statement to be secured OR resubmitted if considered insufficient
- Noise assessment report to be secured OR resubmitted if considered insufficient
- Post-implementation BREEAM assessment to be submitted
- Details of refuse collection/servicing to be submitted, demonstrating separation from school playground areas/activities
- Details of further tree protection for group of Conifer trees to the north of the site to be submitted and adhered to
- Details of bat roosting boxes and/or bird nesting boxes to be submitted and adhered to
- Site investigation for land contamination to be submitted
- Remediation works and verification of remediation of contaminated land to be submitted if necessary
- Landscaping


Informatives

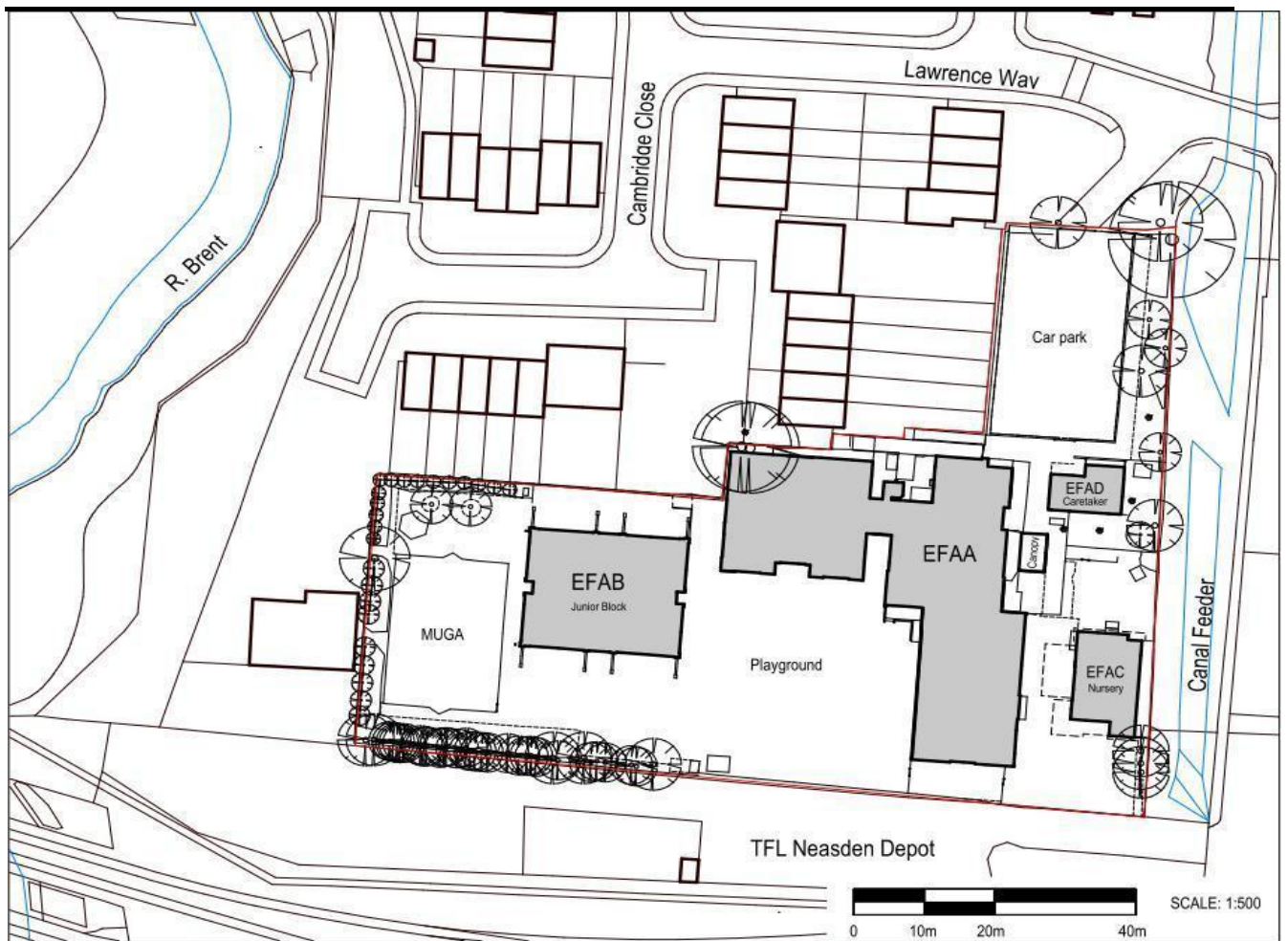
- Hours of Noisy Works
- Notify highways before commencing works
- Details on soil quality in respect of land contamination conditions
- Guidance notes from Environment Agency
- Guidance notes from The Canal and River Trust
- Fire safety
- Living Wage
- Nesting birds
- Bats

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: St Margaret Clitherow RC Primary School, Quanton Street, London, NW10 0BG</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the demolition and redevelopment of parts of the school. An existing Junior Block on the western side of the site is to be retained, along with a smaller existing nursery school block on the eastern side of the site. The existing single storey school building in between these two smaller blocks is to be demolished and rebuilt within a two storey building, accommodating the school's main hall, teaching classrooms for infant year groups (Reception to Year 2), staff quarters, kitchen and refectory facilities, WC facilities as well as other ancillary functions within the school.

The existing block is currently about 1010sqm. The replacement school building will occupy a notably smaller footprint but with a slightly larger overall gross internal area (GIA) of 1030sqm.

EXISTING

The site is located at the end of Quanton Street in Neasden, and is currently occupied by a one-form entry primary school. It accommodates 228 pupils and a nursery with 25 pupils.

The site is bound by the Metropolitan and Jubilee Line railway to the south, a residential flatted development, the River Brent, and a sports ground to the west, residential properties on Lawrence Way to the north, and a canal feeder and industrial area forming part of London Underground's Neasden Depot to the east. The main site access is off Quanton Street, near its junction with Lawrence Way, with an additional emergency vehicle access on Lawrence Way. The site is not within a Conservation Area, although is within close proximity of the Neasden Village Conservation Area. The site does not contain any listed buildings.

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 redeveloping part of the school is in accordance with planning policy. The site would continue to be used as a school and the proposal results in an improvement in school facilities. Furthermore, it is noted that the new school building will not facilitate an increase in staff or pupil numbers.

Design: The visual design of the extension is acceptable and represents an improvement in appearance over that of the existing school building.

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

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 and clarification of refuse servicing by condition.

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

Energy: The development is anticipated to achieve a BREEAM rating of 'Very Good' upon completion. While below the target level of "Excellent" set out within Council policy, the building is likely to be significantly more efficient than the existing building and would provide improved educational facilities and on balance, this is considered to be acceptable. This is supported 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 and to mitigate all reasonable flood risks

Trees: The development is not likely to impact the surrounding trees and is considered acceptable subject to further studies and protection measures for a group of Conifer trees to the north of the site recommended to be secured through condition.

Ecology: The development will preserve the existing ecological value of its surroundings by adhering to recommendations within the submitted ecology study. Conditions will require measures to enhance existing ecology and biodiversity to be considered for implementation by the applicant.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	1502		1018.8	16.2	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

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.

- Planning permission was granted in 1975 to erect temporary classrooms for a period of 5 years, under reference LE89939975.
- Permission was then granted in 1976, for the erection of extensions to complete the one-form entry primary school, under reference H1658 1144.
- Planning permission was granted in 1990 for erection of a single-storey building to provide a nursery unit, under reference 89/1288.
- Planning permission was granted in 2009 for demolition of existing school and erection of new single-storey school building with 12 parking spaces, refuse storage and habitat area/vegetable garden to front, hardsurfaced playground to side, seating and play areas to rear and associated landscaping, under reference 09/2222.
- Planning permission was granted in 2014 for replacement of existing vehicle and pedestrian access gate with new automated vehicle gate and access controlled pedestrian gates to school's main entrance, under reference 14/1283.

CONSULTATIONS

Consultation letters were sent out to 64 properties on the 27/11/2017. The neighbouring properties consulted are located along Lawrence Way and Cambridge Close.

One representation has been received raising the following concerns:

Ground of objection	Officer's response
The school's proposed bin store is adjacent to the shared boundary with the objector and may result in the spreading of flies, maggots and odours as well as attracting mice and rats which would harm neighbouring amenity. There is a health and property damage implication for the location of the bin store, the bin storage is therefore strongly objected to.	Whilst the bins are to be located close to the boundary with the neighbouring property, subject to appropriate storage and containment of the refuse, the refuse bins should not result in a significant loss of amenity for neighbours. If any issues do occur, the matter will need to be investigated by the Council's Environmental Health department.

In addition to direct neighbour consultation, a press notice was printed on 07/12/2017 and a site notice was erected outside the school on 18/01/2018. The 21 day consultation for the site notice expires on 08/02/2018. Any additional comments received up until this date will be reported to committee within a supplementary report.

A number of internal, external and statutory consultees were notified of this proposal as below:

Environmental Health – No response received as of yet.

Local Lead Flood Authority – No objections.

Thames Water – No response.

Natural England – No objections.

London Underground – No response.

Canal and River Trust – No objections subject to informatives to applicant.

The Environment Agency – No objections.

Neasden Residents' Association – No response.

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)

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

DETAILED CONSIDERATIONS

1. PRINCIPLE OF DEVELOPMENT

2. The proposal involves works to improve the standard of facilities at an existing school. No change of use is proposed, nor is it proposed to increase pupil numbers. 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.

3. SCALE AND DESIGN

4. Setting

5. The school's main building (that which is proposed to be replaced within this application) is a single storey 1970s building of brick construction. The school is accessible from the end of a cul-de-sac spur road which provides access to the eastern edge of the school site. The school site is significantly screened by heavy vegetation on its eastern and western boundaries. As such, much of the school is not clearly visible from the public realm. The proposed school building will be located in the central part of the school site which is not easily visible from the public highway along Lawrence Way and Quainton Street.
6. The proximity of Neasden Village Conservation Area is a material planning consideration, however it is observed that the school site is heavily screened by mature trees on its eastern side and that the school site is not materially visible from within the conservation area boundaries. The proposed two storey massing in what has been a site of mostly single storey buildings does have the potential to affect the local character. However, the new massing is to be concentrated within the central/western parts of the school site and will not likely be visible at all from the closest part of the conservation area (the junction of Quainton Street and Chesham Street).

7. Design and Materials

8. The proposal will result in the loss of the existing main school building, which is broadly L-shaped, which is proposed to be replaced with a building that has a more conventional, broadly rectangular footprint. The replacement building will have a smaller footprint but will be a part 2 storey building and as a result will have slightly more internal floor space than the existing building.
9. With the exception of its two storey massing, the proposed building will be similar to the existing building in design terms. Shared design elements include the use of flat roofs and the predominant use of brick as the main form of external cladding. The proposed building is considered to be a significant improvement on the existing as it proposes facades with greater interest and which utilise more individual design elements. This includes the use of different heights to break up the massing, the use of 3 complementary shades of brick which articulate different elements of the building as well as the use of blue tinted glazing within some of the smaller window lights to provide a strong rhythm to each elevation and to offset the building's predominant light colour palette. A ventilation louvre is to be integrated within each set of window lights which also helps to establish a further variation within the visual design.
10. 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. The specific materials used will be required to be approved through a condition.

11. Layout and use

12. Internally, the school building will accommodate the following uses:

Ground floor

School's main hall

Infant classrooms (reception, years 1 and 2)

Therapy and resource rooms for pupils with Special Educational Needs (SEN)

Administrative offices

Kitchen

WCs

First floor -

Staffroom

Additional administration/staff areas

Prayer room

Specialist teaching room

School library

Small group work room

Additional WCs

Server room

Roof access

13. This new school building will therefore cater for much of the school's needs, although this is to be supplemented by the school's retained Junior classroom block and nursery block.

14. The design and access statement clarifies that these works will not affect the existing pupil intake; 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 and the plans demonstrate that all spaces are designed for use by wheelchair users.

15. External space

16. The placement of the school building centrally, away from the school's main access corridor on its eastern side allows for a larger 'meet and greet' space at the entrance to the school and a maximised external play space for pupils immediately to the south of this. The new building will occupy and result in the loss of existing hardstanding play space to the south-east of the junior block, however a more functional play space will be opened up and made available to the east of the proposed building by virtue of the lessened building footprint and it is considered that the overall impact on external play space is positive and makes for a more coherent school layout.

17. For clarity, all outdoor space proposed to be lost around the school site is currently formed of hardstanding and the proposal will therefore not result in the loss of any school playing fields. Sport England have been consulted but have not responded to your officers. Nonetheless, given that no playing fields will be affected by this proposal, it is not considered necessary for Sport England to provide a view on the proposal to confirm its acceptability. They are not a statutory consultee for this application.

18. POTENTIAL IMPACT ON RESIDENTIAL AMENITY

19. 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.

20. The existing buildings are single-storey, and are positioned toward the centre and east of the site. The most sensitive boundaries are to the north and the west, which adjoin residential properties. The eastern and southern boundaries are shared with an industrial area and the railway. The existing buildings are in close proximity to the flank wall and rear garden of neighbouring dwellinghouse at 15 Cambridge Close to

the north.

21. 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. Elevation plans clearly demonstrate that the proposed building will not breach the 45 degree lines as measured from the nearest residential premises (15 Cambridge Close to the north and 16-21 Cambridge Close to the west). It can also be ascertained from the plans that the building will not fall within the 30 degree line as measured from the nearest rear facing windows at 15 Cambridge Close and 16-21 Cambridge Close. These standards are met for both the single storey building elements close to the boundaries with these neighbouring properties and the two storey building elements located further away from these properties.
22. The north facing elevation of the proposed building (that which faces towards 15 Cambridge Close) is not to be provided with any windows so there is no concern that the rear garden privacy of 15 Cambridge Close will be compromised by this development. Whilst there would be west facing windows on the ground and first floor of the building (facing the rear garden of 16-21 Cambridge Close), the windows are significantly far south of the garden space at a distance of around 20m to the closest part of the garden. The development therefore complies with SPG17 guidance in terms of protecting privacy.
23. There are no residential premises to the east and south of the site and as such the amenity impact of the extensions does not need to be considered along these boundaries.
24. The new school building 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.
25. The proposal is acceptable in terms of amenity impact.
26. **TRANSPORT**
27. Car parking allowances for schools are set out in Appendix 1 of the adopted DMP 2016. As the site has low access to public transport services, this allows up to one car parking space per five staff. A maximum of 10 car parking spaces are therefore allowed for the 50 existing staff and the existing provision of 24 standard width spaces exceeds this allowance.
28. The proposal seeks to demolish parts of the school amounting to 1,019m² and to erect new extensions totalling 1,035m², giving a net increase in floor area of 16m². The new buildings will improve the school's facilities, but it is not proposed to increase the school roll from the existing 1-form entry (228 pupils) and nursery (25 pupils). As such, the car parking allowance of the site remains unaltered.
29. With no alterations proposed to car parking, the existing overprovision of parking within the site would remain, but as this is an existing situation, this can be accepted, whilst the disabled parking space meets requirements for Blue Badge holders.
30. 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 41 spaces. No details of future bicycle parking provision have been submitted but given that there is no proposed uplift in school users and thus no change in the school's parking standards it is not considered reasonable to require that cycle parking provision is increased.
31. Arrangements for future servicing of the building are also vague. The Google Streetview image suggests that bins are currently left along the access drive to the site for collection from Lawrence Way. Officers in Transportation have advised that this is not a good solution. The proposed site layout does more easily lend itself to delivery vehicles entering the playground area and delivering from there, in close proximity to the proposed bin store. This would be dependent upon a gate being provided from the car park into the playground and access times being strictly controlled to avoid times when the playground is in use. Further details of future servicing arrangements are therefore sought by condition.
32. Otherwise, access arrangements from Lawrence Way will remain unaltered and are fine, with a segregated pedestrian route into the site retained alongside the car park and sufficient width for two cars

to pass one another.

33. The school is already operating a Travel Plan, which was awarded a Bronze award under TfL's STARS accreditation scheme in 2016. The last survey results from 2016 suggest that 29% of pupils currently travel to the school by car. Staff surveys were not undertaken though.
34. With no increase in pupil numbers, there are no concerns regarding wider transport impact, subject to continued operation of the Travel Plan.
35. Lighting proposals for the site confirm that it will be designed in accordance with British and European standards and this is supported to preserve safety within the site. As the site is set back from Lawrence Way, there are no concerns regarding light spillage over the public highway.
36. Finally, in terms of construction, it is confirmed that delivery vehicles will access the site from the rear via the adjoining London Underground railway depot at Neasden and unload within the construction site compound. School access and pedestrian access to the construction site will continue via the existing access from Lawrence Way. Your officers in Transportation have advised that this is supported in highway safety terms, ensuring delivery vehicles and pedestrians are segregated.
37. In summary, there are no objections on transportation grounds to this proposal subject to the submission and approval of further details of servicing arrangements for the future school buildings.

38. **ENERGY**

39. A sustainability and energy statement has been submitted. The applicant's energy strategy will achieve a 1.7% improvement on the minimum requirements of Part L of the building regulations 2013 in terms of limiting carbon emissions. This proposes fabric and efficiency ("be lean") measures in the form of:
 - A high performance glazing specification to reduce solar gains to all facades. The applicant's accompanying overheating report (also compiled by Hoare Lea) confirms that the relevant thermal comfort and fresh air requirements will be met with the glazing in place.
 - The use of best practice fabric performance standards within the walls, windows, doors and roof of the building. This will increase air tightness and thus improve the energy efficiency of the building.
 - The use of daylight sensors within several perimeter spaces and occupancy sensors extensively within the teaching areas, office spaces and main hall to ensure lighting is only used where necessary.
40. The school building will make use of gas boilers and will not incorporate any renewable energy technologies which does explain why the carbon savings beyond the minimum building regulations requirements remains relatively low. Nonetheless, 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, so no offsetting payment is to be sought.
41. A BREEAM pre-assessment has been submitted which indicates an anticipated baseline score of 55.42% which is equivalent to a 'Very Good' rating. A number of potential credits have been identified as part of the assessment which could result in the building achieving a potential score of 64.50%, which is within 5.5% of an 'Excellent' rating. Brent Core Strategy Policy CP19 requires major non-residential developments to achieve a BREEAM rating of 'Excellent' (at least 70.0%).
42. The applicants acknowledge that their proposal falls short of policy requirements in this regard, although have noted that the Education and Skills Funding Authority (ESFA) do not consider BREEAM 'Excellent' for schools to provide an acceptable value over the life of the school, in accordance with whole life costings. It is further clarified that current funding envelopes are predicated on BREEAM 'Very Good' as the standard for schools.
43. On balance, whilst the scheme fails to comply with policy CP19, this harm is outweighed by the benefits of providing a school expansion with modern facilities and additional pupil places in the area. Policy 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and requires Local Planning Authorities to take a

proactive, positive and collaborative approach to meeting this requirement.

44. It is recommended that a condition is secured that will require that a post-implementation BREEAM assessment is submitted shortly following use of the building to confirm the minimum BREEAM 'very good' has been achieved.

45. ENVIRONMENTAL HEALTH CONSIDERATIONS

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

47. Sound Insulation

A noise impact assessment considering the internal sound environment within the school has been submitted. The report confirms that basic openable windows will be sufficient to achieve an appropriate sound environment within the school.

The report has been sent to Brent's regulatory services team to be reviewed more closely. Comments have not yet been received with regard to this and depending on the view of Brent's regulatory services officers, a condition will be added either securing these details or requiring that further details are submitted and approved.

48. 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.

49. 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.

Lighting

An external lighting assessment has been submitted.

50. The report concludes that the potential impact from skyglow is considered to be minor adverse and that there will be a slight increase in the visibility of the site resulting in a minor adverse impact of the lighting on the site. This is unavoidable as the buildings need to be illuminated for safety of access. It is confirmed that the external lighting schedule, which incorporates wall mounted lights with an output of 1000 lumens, will meet all relevant British Standards and lighting guidelines and will maximise safety and security.

51. The report also confirms that lights will be linked via a timeclock and photocell to ensure illumination is only used when necessary.

52. The report has been sent to Brent's regulatory services team to be reviewed more closely. Comments have not yet been received with regard to this. It is recommended that further details are secured as part of the landscape condition.

53. Land Contamination

Historically the school site housed a power station serving the adjacent Neasden railway depot. Given the industrial land use, land contamination is likely to be a matter of importance. Conditions requiring the submission of a site investigation for contamination and remediation will therefore be imposed.

54. SURFACE WATER AND FLOOD RISK

55. The site is mostly within the Environment Agency's flood zone 2 (medium risk) and is close to an area within flood zone 3 (high risk) to the west along the banks of the River Brent.

56. The planning application has been accompanied by an assessment of flood risk and SuDS, prepared by PEP Civil & Structures Ltd. The information has been reviewed by Brent's Local Lead Flood Authority who notes the applicant's various SuDS techniques, along with the implementation of the various flood risk management measures as follows:
- Setting the floor level of the building at an appropriate elevation to ensure it is located outside predicted flood catchment.
 - Changes to external works levels to mitigate flood risk.
 - Floor levels to be raised in relation to adjacent hardstanding, or manipulation of levels to form flood flow lines away from the proposed accesses.
 - A drainage system designed to convey and retain the high intensity rainfall experienced during the 100 year return period and which includes a 40% increase in peak rainfall intensities to combat future climatic change.
 - Retained drainage systems within the site are to be jetted clear and CCTV surveyed to determine any remedial works required to ensure the existing drainage network is in optimum working condition post development.
57. Brent's Local Lead Flood Authority considers that the drainage and flood risk strategy is in line with requirements and that it should be supported. A condition will secure the details of the surface water and flood risk plan.
58. The Environment Agency have also reviewed the application's details and has no objection to the proposal.
59. In addition, the Canal and River Trust (CRT), who own and manage the Brent Feeder, the watercourse immediately to the east of the application site, have been consulted. The CRT do not object to the drainage details but do advise the applicant that if they intend to change the discharge point to the Brent Feeder that they are advised that written consent will be required from the trust's utilities team. The CRT are also keen to stress that the access point to the Brent Feeder, outside the existing school gates, should not be obstructed and must remain available for maintenance purposes. An informative will advise the applicant of the above.
60. It is considered that the application is acceptable from a perspective of flood risk and surface water mitigation.
61. **IMPACT ON TREES**
62. The applicant has submitted an arboricultural development report to identify local trees and the potential risks to them from the proposed development. There are no trees subject to a protection order on or near the site, although the areas around the edge of the site are very heavily treed. It is concluded that the scheme will not result in the direct loss of trees and to assure this there are some tree protections and precautionary measures referred to although this is not especially detailed. Brent's tree officer considers that the tree information is acceptable although raises concern about a group of conifers (identified as 'G1' on the applicant's tree survey) close to the development. The tree officer requests more detail should be submitted in the form of an arboricultural method statement and tree protection plan relating directly to G1. A condition is to be attached to secure this.
63. In summary, there are no concerns about this development in respect of tree impacts subject to the above measures.
64. **IMPACT ON ECOLOGY**
65. The site borders with a Grade I Site in Nature Conservation (SINC) to the east (alongside the canal feeder) and is close to another Grade I SINC on its western boundary (alongside the River Brent). Given

the potential implications of the development on the bio-diversity and ecological value of these areas, the applicant has submitted an ecology report to consider these matters.

66. The report overall rates impacts on biodiversity as very low but does recommend changes:

67. In terms of preserving existing biodiversity, the following recommendations are made:

- Tree/shrub removal or management work associated with construction of the new building should be programmed to be completed outside the bird nesting season unless a nesting bird survey of the area(s) to be affected by the works is undertaken by a suitably qualified ecologist within a week prior to the commencement of works. Buffer zones should be set up around any active bird nests and works within the buffer delayed until all eggs have hatched and the young have fledged and vacated the nest site.
- Tests (endoscope or activity survey) should be carried out to ascertain whether bats roost within a potential bat roosting site identified on the southern elevation of the southern limb of the building. Any of the three trees deemed to have low/moderate bat roost suitability should not be felled or pruned unless a suitably licensed ecologist has confirmed bats not to be present.
- Any exterior lighting utilised overnight during the construction and operation of the proposed new building and the demolition of the current building, where not overridden by safety and/or security concerns, should be sympathetic to potential foraging/commuting bats around the site boundaries. Such exterior lighting should be positioned or angled to ensure that they create no additional illumination to that already present on the site boundaries.

68. In terms of enhancing biodiversity on site, the following opportunities are identified:

- Planting native tree, shrub, climber and herbaceous species that bear berries and seeds for birds and nectar to attract nocturnal invertebrates for bats around the peripheries of the proposed building.
- Installing artificial bat roosts within the fabric of the proposed new building and erecting bird nest boxes on the trunks of existing boundary trees.
- Creating a nature garden or wild area within the site boundaries that pupils could utilise as an education resource. Specific features such as a bird table, pond, log pile and/or wildflower meadow could be included within its design to further benefit local wildlife.

69. The Canal and River Trust (CRT) has reviewed the ecology report and identifies records of great crested newts approximately 1km south of the site and common newts approximately 600m to the north, on the Brent feeder. Therefore, there is the potential for Great Crested Newts to be present on the feeder channel banks directly adjacent to the application site. A focused amphibian survey should therefore be considered. As the works do not appear to affect the physical habitat within the Trust's owned feeder channel and banks, they do not consider the proposed works are likely to have a significantly adverse impact on the potential newt population. However, enhancement within the site, such as a wildlife pond could be beneficial for the local newt populations.

70. Natural England has reviewed the ecology report and is satisfied that the development will not damage any statutory ecological interest features. Natural England encourage biodiversity enhancements such as bat roosting areas or bird nest boxes and advises the LPA to secure enhancement measures as a condition of approval.

71. Brent's tree officer has reviewed the ecology report and agrees its details. The tree officer strongly encourages the pursuit of the opportunities listed above.

72. Given that the development does not incorporate internal landscaping proposals, the imposition of requirements to plant trees within the site or provide a nature garden are considered unreasonable although would be encouraged. However, the LPA considers it reasonable for the applicants to consider installing artificial bat roosts and/or bird nest boxes on the trunks of existing boundary trees and a condition will be attached to this effect. Informatives will also be secured to remind the applicant of their

obligations in relation to nesting birds and bats.

73. IMPACT ON SPORT PROVISION

The proposed development will occupy an area of existing hard paved playground, however the removal of the existing school building will open up a new area of hard paved playground close to the school entrance that will result in a more open and usable play space to the east of the proposed building. The proposal will not result in the loss of any playing fields and as such the proposal does not amount to a significant loss of sports and recreational provision. The proposal is therefore considered to be consistent with paragraph 74 of the NPPF and no further consideration of sports provision needs to be made.

74. TRAINING AND EMPLOYMENT

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.

75. CONCLUSION

76. 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: 17/4857

To: Grayson
HKS Architects
82 Dean Street
London
W1D 3SP

I refer to your application dated **13/11/2017** proposing the following:

Phased demolition of existing single storey brick and timber school building and construction of new two-storey brick building to contain school hall, kitchen, classrooms and ancillary support spaces

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

at **St Margaret Clitherow RC Primary School, Quainton Street, London, NW10 0BG**

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: 02/02/2018

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):

101548-HKS-91-XX-DR-A-4000 Revision 3 Site Location Plan
 101548-HKS-91-XX-DR-A-4001 Revision 3 Existing Site Block Plan
 101548-HKS-91-XX-DR-A-4002 Revision 3 Proposed Site Block Plan
 101548-HKS-20-XX-DR-A-2001 Revision 8 Proposed GA Elevations
 101548-HKS-20-XX-DR-A-3000 Revision 6 Proposed GA Sections
 101548-HKS-20-00-DR-A-1000 Revision 4 Proposed General Arrangement Plan, Primary Elements, Level Ground
 101548-HKS-20-01-DR-A-1000 Revision 4 Proposed General Arrangement Plan, Primary Elements, Level First
 101548-HKS-20-RF-DR-A-1000 Revision 4 Proposed General Arrangement Plan, Primary Elements, Level Roof
 101548-HKS-XX-XX-DR-A-9001 Revision 3 3D Views - Sheet 01
 101548-HKS-XX-XX-DR-A-9002 Revision 3 3D Views - Sheet 02
 101548-HKS-XX-XX-DR-A-9003 Revision 3 3D Views - Sheet 03

tf1071 treefabrik Arboricultural Development Report -
 CABJ-M3932-14(ER05) Preliminary Ecological Appraisal Survey -
 101548-FAB-XX-00-XX-L-1100 Revision D Landscape Colour Masterplan
 101548-FAB-XX-00-XX-L-1110 Revision D Hard Landscape General Arrangement
 101548-FAB-XX-00-XX-L-1111 Revision A Indicative Levels and Drainage Plan
 101548-FAB-XX-00-XX-L-1500 Revision D Landscape Access Circulation and Boundaries Plan
 101548-FAB-XX-00-XX-L-1510 Revision D BB103 Area Comparison Plan- Proposed
 101548-FAB-XX-00-XX-L-1511 Revision D BB103 Area Comparison Plan- Existing
 101548-FAB-XX-00-XX-L-3400 Revision B Landscape Sections

REP-2601189-08-NW-171103 Revision 0 External Lighting Assessment
 CALC-2601189-08-MV-20171002 Revision 0 Predicted Operational Energy Report
 REP-2601189-08-MV-20171108 Revision 3 Part L Compliance Report
 REP_2601189_08_TC_20171110 Revision 1 Preliminary BREEAM Assessment
 REP-2601189-08-MV-20171109 Revision 2 Overheating Analysis report

101548-PEP-00-XX-RP-C-6200 Revision 1 Flood Risk Assessment
 464717-PEP-00-XX-DR-C-1200 Revision 3 Phase 1 Drainage Layout
 464717-PEP-00-XX-DR-C-1201 Revision 3 Phase 2 Drainage Layout

101548-HKS-00-XX-RP-A-0001 Revision 2 Design and Access Statement

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

- 3 The flood risk mitigation measures and SuDS techniques as detailed for inclusion within the applicant's Flood Risk Assessment (prepared by PEP civil & structures Ltd, dated October 2017) shall be implemented in full prior to the occupation of the development 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 The tree protection measures recommended within the Arboricultural Development Report (prepared by tree : fabrik, dated November 2017) and recommendations to preserve existing and surrounding site ecology within the Preliminary Ecological Appraisal Survey (prepared by Opus, dated April 2017) shall be implemented in full throughout the construction of the development hereby approved.

Reason: To ensure the development appropriately protects trees and bio-diversity within the site and its surroundings.

- 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. 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.

- 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 (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 liason 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.

- 8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors;
 - (ii) Construction traffic routes to the development site;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) Details of how vehicular access to adjoining and opposite premises are not impeded;
 - (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (vii) wheel washing facilities and schedule of highway cleaning;
 - (viii) measures to control the emission of dust and dirt during construction;
 - (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - (x) School access during the construction phase (including servicing and delivery arrangements);
 - (xi) Staff car parking facilities; and
 - (xii) Adhere to the Considerate Contractors Scheme.

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 9 The development hereby approved shall be carried out in full accordance with the details stipulated in the Environmental Noise Assessment as compiled by Mach Acoustics and dated September 2017, unless alternative details have been submitted to and approved in writing by the Local Planning Authority and the development is carried out in full accordance with those approved details.

OR

Prior to occupation of the development, details of any internal noise environment mitigation measures needed to meet relevant British Standards shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. The development shall be carried out in full accordance with the approved details.

Reason: In the interests of achieving a comfortable noise environment within the school.

- 10 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 the proposal meets minimum BREEAM 'Very Good' 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.

- 11 Prior to first occupation of the development hereby approved, details of proposed servicing arrangements for refuse collection shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans. The details shall demonstrate how refuse collection operations will be kept isolated from school activities within the playground.

Reason: In the interests of providing inclusive access.

- 12 Notwithstanding the details already submitted, an arboricultural method statement and tree protection plan relating directly to the protection of conifer trees identified as 'G1' on the applicant's submitted tree survey shall be submitted to and approved in writing by the Local Planning Authority prior to works being carried out within the root protection area of the tree/s. All works thereafter shall be carried out in accordance with the approved details.

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

- 13 Notwithstanding the details already submitted, additional details that propose the addition of artificial bat roosting boxes within the fabric of the building and/or the provision of bird nesting boxes on the trunks of existing boundary trees shall be submitted to and approved in writing by the Local Planning Authority, unless an alternative arrangement is first agreed in writing by the Local Planning Authority. All works thereafter shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained.

Reason: To ensure the development considers opportunities to enhance the ecological and biodiversity value of the site and its surroundings.

- 14 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

- 15 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 first occupation of the development hereby approved.

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

- 16 Further details of hard landscaping within the scheme shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of development. The approved details shall be completed in strict accordance with the approved details prior to the occupation of the new school building or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

- (a) areas of hard landscape works including details of materials and finishes.
- (b) the location of, details of materials and finishes of, any street furniture and play equipment.
- (c) existing and proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height
- (d) details of external lighting (including proposed sitting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows)

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

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 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.
- 4 The applicant is advised of the following guidance note from The Environment Agency:
 - *Please be aware there is an Observation Borehole part of the network the Environment Agency uses to monitor the groundwater in London, adjacent to the West of the site. As long as the development is confined to the indicated site, the Environment Agency does not expect the intended works to affect this.*
- 5 The applicant is advised of the following guidance notes from the Canal and River Trust:
 - *Should the applicant/developer be minded to discharge drainage from the site into the adjacent Brent Feeder, an agreement from the Canal & River Trust must be sought. Please contact Liz Murdoch at liz.murdoch@canalrivertrust.org.uk.*
 - *The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).*
 - *The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young*

- 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.
- 8 Birds and their nests are protected under the Wildlife & Countryside Act 1981. To prevent harm to nesting birds, site clearance and construction should not be undertaken other than outside of the bird breeding season (March to September inclusive) unless it takes place immediately after a nesting bird check has been undertaken by a suitably qualified ecologist.
- 9 Bats have protected status under European legislation. Site clearance and development must stop if any evidence of bats or their roosts is found on site and a suitably qualified ecologist must be consulted prior to work recommencing.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 February, 2018
07
17/4877

SITE INFORMATION

RECEIVED	14 November, 2017
WARD	Tokynghon
PLANNING AREA	Brent Connects Wembley
LOCATION	Land to the South West of Olympic Way/Fulton Road Junction, Olympic Way, Wembley
PROPOSAL	Erection of a food and beverage and retail mall to provide restaurant/café, drinking establishment and shop units (use classes A1/A3/A4), an event space (use class D2), external food units (use class A5), ancillary management and storage units, associated servicing areas, provision of cycle parking and placement of signage for a temporary period of 10 years
APPLICANT	BPQW Ltd
CONTACT	WYG
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_137228</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 "17/4877" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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. Permission for limited period of ten years
4. Foul and surface water discharge strategy and SuDS attenuation measures
5. Restriction on construction vehicles within four hours of Wembley Stadium Major Event
6. Reinstatement of redundant footway crossover
7. Visitor cycle parking spaces
8. Sustainability Statement measures to be carried out
9. Opening hours - 07.00 and 23.00
10. Closure of external kiosks before end of Wembley Stadium Major Event
11. No outside seating on day of any football-related Wembley Stadium Major Event
12. Removal of outside seating four hours before start of any non-football related Wembley Stadium Major Event
13. Restriction on display of moving images in specified areas at specified times
14. Procedures relating to search of premises
15. Procedures relating to dealing with suspicious items
16. Details of materials to be approved
17. Travel Plan
18. Delivery and Servicing Plan
19. Staff cycle parking spaces
20. Site contamination remediation and verification report
21. Mechanical plant and ventilation and extraction equipment installation
22. Operation of premises in accordance with approved noise levels
23. Details of external lighting
24. Screens/Wrap Operational Strategy and its review
25. Construction Logistics Plan
26. Construction Method Statement
27. Details of counter-terrorism measures
28. Local employment opportunities

Informatives

1. Prior consent may be required for signage
2. Definition of Major Event at Wembley Stadium
3. Thames Water advice concerning installation of fat trap and collection of waste oil
4. Thames Water advice concerning construction near public sewers
5. Thames Water require details of connection points onto the public sewer system
6. Thames Water advice concerning Groundwater Risk Management Permit
7. Applicant is to notify the Council's Highways and Infrastructure Service prior to commencement and provide a photographic survey of the highway
8. Maximum standards for fire safety
9. Brent Council encourage the payment of the London Living Wage
10. Replacement of any trees damaged as a result of the development

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.

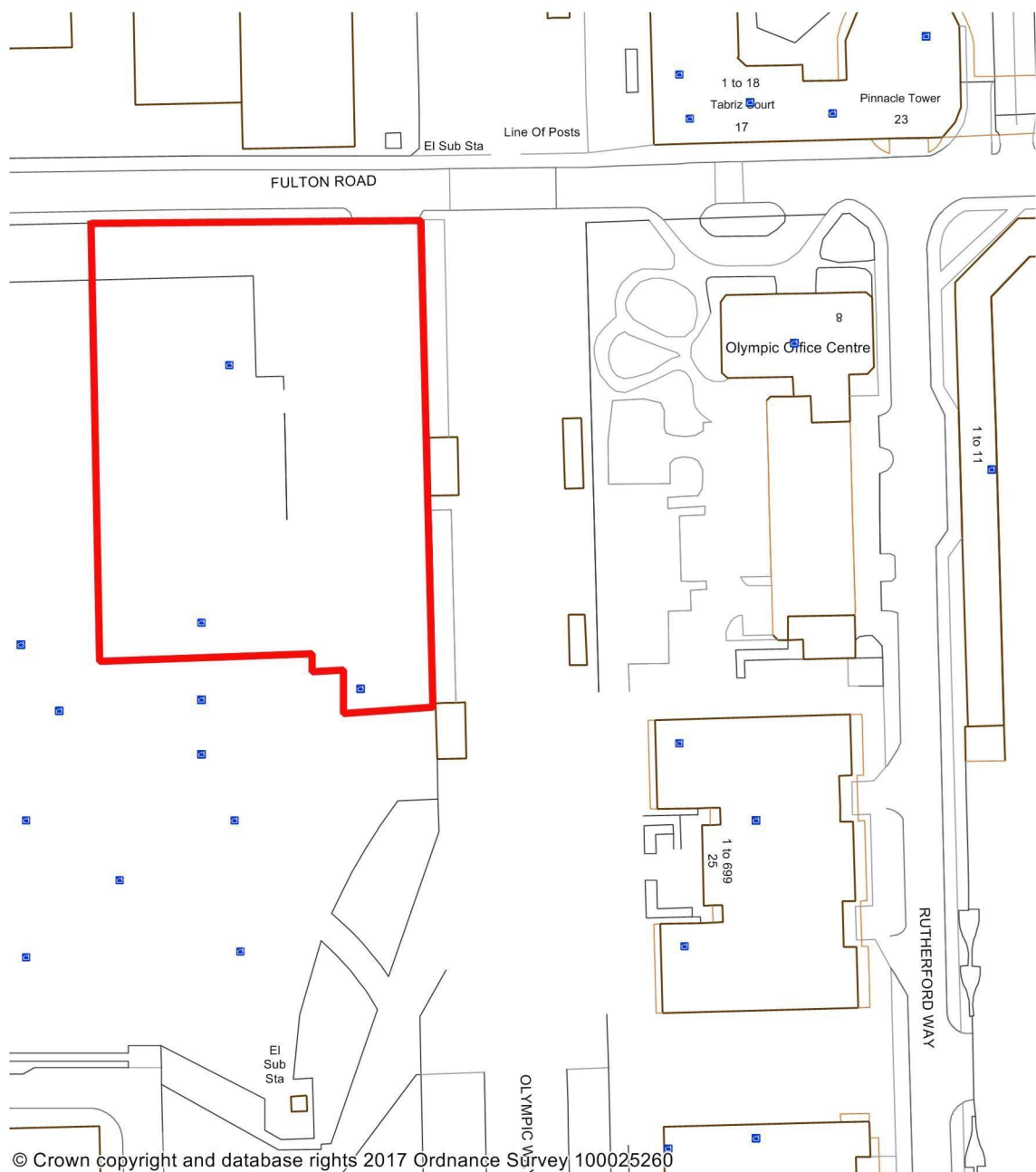
SITE MAP



Planning Committee Map

Site address: Land to the South West of Olympic Way/Fulton Road Junction, Olympic Way, Wembley

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is for the erection of a food and beverage and retail mall to provide restaurant/café, drinking establishment and shop units (use classes A1/A3/A4), an event space (use class D2), external food units (use class A5), ancillary management and storage units, associated servicing areas, the provision of cycle parking and the placement of signage for a temporary period of 10 years.

Permission is sought for a period of 10 years before the redevelopment of plots NW10 and NW11. The temporary nature of the proposal is so that a 'meantime' use can be brought forward to make effective use of the land and make a positive contribution to the area whilst the wider phased regeneration is delivered.

Boxpark

The mall would be operated by Boxpark and would be the third Boxpark scheme in the London area. The Boxpark proposals aim to create flexible retail space to be occupied by independent retailers, positioned around a central event space. Boxpark state that they select individual retailers with a view to ensuring diversity and encouraging creativity. They would target 'innovative, entrepreneurial and vibrant operators' in line with the established brand principles and ethos of Boxpark.

The original Boxpark in Shoreditch which opened in 2011 comprises retail and food and drink outlets operating from individual shipping containers. The second Boxpark was opened in Croydon in 2016. The scheme proposed for Wembley would comprise over forty food and drink vendors across two storeys, set around a central dining area at ground floor level.

The use of the building

There would be a total retail floorspace area of 2,129sqm, used flexibly within the retail use classes A1 (albeit a restriction of up to 500sqm), A3, A4 and A5. The development would comprise 21 box units, with dimensions similar to those of a shipping container, at ground floor (measuring 47sqm each) which would be rented as individual 'Box Shops'. Ancillary management areas and storage units would also be located at ground floor.

The units at first floor would be larger (ranging from 92sqm – 163sqm) allowing for associated seating areas. Additional general seating areas would also be provided on this floor. Four external food units, measuring 14sqm each, are proposed along the eastern façade fronting onto Olympic Way which would help activate the frontage of the proposed development.

The proposed central event space at ground floor (measuring 864 sqm) has been designed to be used flexibly for a variety of uses including day-to-day dining, pop-up market space and craft fairs, art and fashion shows, workshops and talks, exhibitions and music and performing arts events. Boxpark state that they are keen to engage with other stakeholders to promote the flexible event space to local businesses and groups and they are currently liaising with the Wembley Town Centre Manager to facilitate this. Boxpark also intend to hold amplified live music or dance events up to 12 times a year which would have a 1,999 capacity.

WC and ancillary accommodation would be provided at the northern part of the development and would be accessible from the central event space. Located to the southern end of the building would be the Boxpark management, security/ welfare facilities.

The building entrance would front Olympic Way, with level access to ensure accessibility for wheelchair users. A servicing area, located to the south of the site, off Repton Lane, would provide access for delivery vehicles and waste collection.

Massing and Design

The proposal comprises a two-storey development with a total floorspace of 5,422sqm. The proposed detailed design of the external elevations is architecturally generally simple, but it is considered that it would represent an interesting and contemporary piece of architecture to this prominent site.

The building would be between 10 metres and 11.4 metres above ground level (owing to the fact that the site slopes downwards from south to north) which would be considerably lower than many of the new large scale

residential buildings recently built or currently under construction in the surrounding area. These new buildings are mostly over 14 storeys high however, those built along Olympic Way are either set back from the edge of the pedestrian route or have a lower plinth-type element built along the edge of it. This is to retain the sight lines to the Stadium from Wembley Park Station to the north. The Boxpark building would extend very close to Olympic Way, just to the west of the western line of trees, which will form part of an avenue of trees along Olympic Way in the near future. However, in view of its relatively modest height, it is not considered that it would unduly affect sight lines towards the Stadium from the north.

The building would be around 67 metres long from north to south (adjacent to Olympic Way) and around 48 metres wide from east to west (adjacent to Fulton Road to the north and Repton Lane to the south). These dimensions would be comparable to those of other developments in the vicinity and, given its low height in relation to neighbouring developments, it is not considered that the development would appear unduly bulky or incongruous in views from the surrounding area.

The building would have a steel portal frame construction and would be a fully enclosed temporary building. The central event space could be heated or cooled accordingly, ensuring its usability throughout the year. The architectural language is similar to that of Boxpark Croydon and it uses 'raw', industrial, 'low-tech' materials such as steel, glass, concrete and corrugated metal consistent with the black painted shipping container aesthetic language which is associated with the Boxpark brand.

The site location means that the proposed development would be viewed from the public along all four elevations. The ductwork would be contained in vertical risers that would distribute the services vertically and expel them at roof level. The ductwork would be screened by the proposed 'wrap' which would extend to 3m above the height of the roof eaves so that it would not be visible from the street.

The upper sections of the outward facing elevations are intended to be developed as large banner bays providing a space for changing displays of branding, digital motion / street art, and advertising. This would allow illuminated static and moving images to be displayed. Whilst the specific location of these proposed banner bays encompasses part of this application submission, the adverts would be the subject of a separate application for advertising consent.

The main entrance is formed by a centrally located double height opening from Olympic Way incorporating a fully accessible 14m wide glazed door entrance.

Hard and Soft Landscaping

The built form of the building occupies almost the entirety of the development plot and therefore no soft landscaping is proposed around the edges of the site. However, new trees would be planted both along Olympic Way to the east of the site and Repton Lane to the south of the site which would help soften the visual impact of the building on the streetscene.

EXISTING

The site area is 0.30 hectares and it is currently brownfield land, used for storage/compound purposes whilst surrounding development sites are constructed. The land was previously used for the temporary Yellow car park. The nearest listed building is the Grade II Wembley Arena (formerly the Empire Pool) which is located 500 metres to the south west of the application site. The site is not located within a conservation area. The topography varies across the site. There is a fall from the south end to the north involving a level change of approximately 1.5m.

The application site relates to land to the north east of the Brent Civic Centre. It occupies a prominent location at the corner of Fulton Road and Olympic Way. The application site is within an area that benefits from outline planning consent for comprehensive mixed use redevelopment (see history section below). The site is known as plot NW11 of the North West Lands development area.

Currently to the north of the site is the Stadium Retail Park containing Currys, Maplin, JD Sports and Lidl and a McDonalds drive through restaurant. However, this site is part of Quintain's masterplan development for the area and a planning application for a mixed use development was submitted in July 2017 and is currently under consideration by the local planning authority (ref 17/3059). Fulton Road runs east to west along the northern boundary of the site. On the other side of Fulton Road, to the north west of the site, is the Novotel Hotel.

Immediately to the east of the site is the pedestrian route of Olympic Way. This is a major thoroughfare for

pedestrians travelling between Wembley Park Station and Wembley Stadium, particularly on event days but also for residents, visitors and workers on a daily basis. On the other side of Olympic Way is an office building.

Directly to the south of the site will be Repton Lane once its construction is completed (by around January 2019). Repton Lane would serve as a service route to the site as well as allowing an escape route in the event of a fire. Repton Lane sits between the site and the new large scale residential developments further to the south, known as NW07 and NW08.

To the west of the site is another site which benefits from outline planning permission for new mixed use development, which forms part of the Wembley Park Masterplan for the regeneration of the area. This site is known as plot NW09/10.

The site is well served by public transport. London underground, London overground and National Rail services are available from three stations, Wembley Park, Wembley Stadium and Wembley Central, which are located approximately 300m, 900m and 1.8km from the site respectively. Frequent bus services are available from nearby stops on Fulton Road, Empire Way and Wembley Park Drive. The site's good public transport accessibility is reflected by the Public Transport Access Level ('PTAL') rating of 5 (very good).

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 use of vacant land for a meantime use is supported by Policy DMP2 of Brent's Development Management Policies and WEM28 of the Wembley Area Action Plan which encourage the use of vacant sites for temporary uses that will benefit Wembley's overall retail, leisure, tourism and creative offer. Furthermore, planning permission was granted in March 2015 for the erection of a theatre for a temporary period of ten years on the same site which has established the principle of a temporary use in this location. The development proposal would facilitate the delivery of the wider aims and objectives of the Wembley Area Action Plan 2015 (WAAP) and the delivery of the London Plan OAPF Wembley policy target for 11,000 jobs and a minimum 11,500 new homes across the Opportunity Area.

Proposed Uses: The site is within a designated town centre. As such, the proposed uses are in appropriate for this location, with those uses comprising restaurant/café, drinking establishment and shop units (use classes A1/A3/A4), an event space (use class D2), external food units (use class A5) and ancillary management and storage units within a food and beverage and retail mall, along with associated servicing areas and the provision of cycle parking.

Scale, Layout and Appearance: The scale and layout of the proposed scheme is considered to be acceptable within the context of the surrounding area which comprises relatively tall buildings in a dense urban context. The building is designed to provide food, drink, retail and leisure facilities, accommodating individual traders within one building. It is considered that the layout of the building and the site would enable this successfully. The overall finished appearance of the development is considered to be acceptable in design terms and in keeping with the urban nature of the surrounding area.

Noise and disturbance: Both the use and the plant equipment have the potential to generate noise. Sufficient information has been provided to demonstrate that a good environment can be maintained for nearby residents.

Highways: The visitor movement patterns, servicing arrangements, cycle parking facilities and associated highways related matters are considered to be acceptable, subject to a number of planning conditions

Representations Received: No representations were received from the owners/occupiers of neighbouring properties in response to the consultation.

MONITORING

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

Floorspace Breakdown

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

Monitoring Residential Breakdown

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

Outline planning consent was granted for the comprehensive re-development of the land surrounding the Brent Civic Centre in 2010 (original planning reference 10/3032). In relation to the subject site this was superseded by the 2015 Quintain Masterplan consent (reference 15/5550). This plot relates to the part of the site that will eventually contain Plot NW10 and NW11.

Details of the key consents and applications are as follows:

10/3032 – ORIGINAL OUTLINE APPLICATION – Granted 24 November 2011

Outline application, accompanied by an Environmental Impact Assessment, for the demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m² of floorspace (GEA, excluding infrastructure) comprising:

- a) Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m² to 30,000m²
 - b) Business (Use Class B1): up to 25,000m²;
 - c) Hotel (Use Class C1): 5,000m² to 20,000m²;
 - d) Residential dwellings (Use Class C3): 65,000m² to 100,000m² (815 to 1,300 units);
 - e) Community (Use Class D1): 1,500m² to 3,000m²;
 - f) Leisure and Entertainment (Use Class D2): up to 5,000m²;
 - g) Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m² to 25,000m²;
- and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24 November 2011 under Section 106 of the Town and Country Planning Act 1990, as amended

13/1323 – VARIATION APPLICATION – Granted 18 September 2013

Variation of condition 4 of Outline Planning Consent reference 10/3032 to allow minor material amendments to the parameter plans in relation to Plot NW01, situated in the south-western corner of the application site at the junction of Empire Way and Engineers Way.

13/2799 – RESERVED MATTERS FOR NW01 – Granted 16 December 2013

Erection of a series of 5- to 16 storey buildings within Plot NW01 situated on the corner of Engineers Way and Empire Way comprising 475 residential units and 1,061 square metres of commercial floorspace (Use Class B1 (Business), D1 (non-residential institution), D2 (leisure and assembly), A1 (retail), A2 (professional and financial services) or A3 (restaurant and café)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, cycle storage and refuse provision.

14/3054 – VARIATION APPLICATION – Granted 31 October 2014

Variation of condition 4 of outline planning permission reference 13/1323 to allow minor material

amendments to the parameter plans in relation to plots NW06, NW07 and the proposed open space, namely: the siting, size and layout of plots NW06 and NW07, the heights of elements of the building within Plot N06, the siting of the open space, change to the vehicular access point for plot NW06.

14/4541 – PARK AND ACCESS ROADS – Granted 16 February 2015

Proposed construction of park (publicly accessible open space), a "pocket park", access roads and other associated hard and soft landscaping works and infrastructure and alteration to existing access roads, and access to Fulton Road.

14/4555 – ACCESS ROAD TO WEST OF NW06 – Granted 16 February 2015

Proposed hard and soft landscaping works involving the construction of a new access road adjacent to the rear boundary of the Quality Hotel and Dexion House including footway and loading bays, substations and other associated hard and soft landscaping works.

14/4330 - LAND ADJACENT TO DEXION HOUSE & QUALITY HOUSE, YELLOW CAR PARK - Granted 16 February 2015

Proposed erection of 1- to 20-storey building comprising 370 residential units, 693 sqm of non-residential floorspace (use class A1 (retail), A2 (financial and professional), A3 (cafe/restaurant), B1(Business), D1 (community) or D2 (assembly and leisure)) and associated residential parking spaces, private communal landscaped garden, ancillary spaces, and associated plant, landscaping, cycle storage and refuse provision. This is a Reserved Matters application pursuant to the original outline consent 10/3032.

14/4687 - TEMPORARY MARKET USE ON OLYMPIC WAY & YELLOW CAR PARK (part of) – Granted 5 March 2015

Use of land comprising the "Yellow car park" and Olympic Way between Fulton Road and Engineers Way from time to time for temporary markets and as temporary event space. No permanent structures are proposed.

14/4573 ERECTION OF A THEATRE FOR A TEMPORARY PERIOD OF 10 YEARS ON YELLOW CAR PARK – Granted 31 March 2015

Proposed erection of theatre (Use Class Sui Generis) on corner of Fulton Road and Olympic Way incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years.

15/5550 WEMBLEY MASTERPLAN – Granted 23 December 2016

Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including:-

Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.

And

Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;
- Commercial (Use Class B1) up to 82,000 sqm;
- Hotel (Use Class C1): up to 25,000 sqm;
- Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;
- Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;
- Assembly and leisure (Use Class D2): 23,000 sqm;
- Student accommodation (Sui Generis): Up to 90,000 sqm.

And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.

Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended

CONSULTATIONS

Site Notice: 17/11/2017

Press Notice: 25/01/2018 (period for submission of comments ends 14/02/2018. Any comments received after the publication of this report will be reported separately to the Planning Committee).

The owners/occupiers of 24 nearby and neighbouring properties were notified of the proposed development on 20/11/2017. No representations were received from these owners/occupiers in response to the consultation.

Internal Consultees:

Transportation

Recommended a range of conditions. Comments are presented and discussed within the Detailed Considerations section of this report.

Environmental Health

Reviewed the material submitted and recommended a range of conditions relating to noise and odour impacts. Comments are presented and discussed within the Detailed Considerations section of this report.

Public Safety Manager

Recommendations made regarding conditions to be attached, including arrangements on Wembley Stadium Major Event days.

Lead Local Flood Authority

The developers are proposing to provide on-site storage tank and surface water discharge will be restricted to 5 l/s. This area falls within the Flood Zone 1 and the risk of flooding is very low. Satisfied with the drainage proposals.

External Consultees:

Wembley National Stadium Limited

No comments received.

Thames Water

Further information requested regarding the connection points onto the public sewer system. Range of advice provided which could be covered by informatives (further details within Flood Risk and Drainage section of the report).

Metropolitan Police

Recommended various measures relating to public safety and crime reduction which have been incorporated into the proposed conditions.

POLICY CONSIDERATIONS

The Development Plan in force comprises:
Brent LDF Core Strategy 2010
Brent Development Management Policies Document 2016
Wembley Area Action Plan 2015
London Plan (Consolidated with Alterations since 2011) March 2016

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

National Planning Policy Framework 2012 (NPPF)
Technical Guidance to the National Planning Policy Framework

In addition, the emerging Draft Brent Design Guide SPD1 (July 2017) has been subject to public consultation and once adopted will supersede SPG17. This document is afforded weight in the determination of planning applications as it has been subject to public consultation.

DETAILED CONSIDERATIONS

1. Context

2. The application site is situated within the heart of the Wembley regeneration area. The site, formerly occupied by the Palace of Arts and Palace of Industry and later referred to as the yellow car park was granted outline planning permission in 2011 (LPA ref: 10/3032) for mixed use development for land to the west of Olympic Way and the north of Engineers Way, referred to as the North West Lands. This outline permission comprises retail, business, hotel, leisure and entertainment uses, open space student accommodation and a significant proportion of residential use. Some early plots of the outline consent have been built out.
3. In December 2016, outline planning permission was granted for the 'Wembley Masterplan' (LPA ref: 15/5550) comprising around 5,000 homes, commercial and community floorspace, a school and new open space including a public park. Given the scale of development that has been approved, the completion of this regeneration is phased to take place over a number of years. The outline consent approved building NW11 on the application site, a mixed use building with residential units.

4. Land Use

5. In advance of the full build out, and until individual development plots come forward, some additional 'meantime' uses are envisaged to come forward in the regeneration area. The application site previously operated as a temporary car park under planning permission 12/3361. Planning permission was granted on 31 March 2015 (LPA ref: 14/4573) for the erection of a theatre (Use Class Sui Generis) on the current application site, incorporating a restaurant, foyer, bar area, back of house facilities, and associated landscaping, bicycle parking and ancillary works for a temporary period of 10 years. This planning permission was never implemented.
6. The current proposals are for the erection of a food and beverage and retail mall to provide restaurant/café, drinking establishment and shop units, an event space, external food units, ancillary management and storage units, associated servicing areas, provision of cycle parking and placement of signage for a temporary period of 10 years. It is anticipated that the redevelopment of the site for a permanent scheme, as part of the wider Wembley Park regeneration project, will proceed after this period.
7. Wembley Town Centre is an appropriate location for the proposed temporary additional retail floorspace given its designation as a Major Town Centre (Brent Core Strategy policy CP16). The Core Strategy's recognition of Wembley as the principal centre within the borough and the preferred destination for major new retail, leisure and other town centre developments further cements Wembley's position as the focus for retail growth. It is anticipated that due to the limited unit sizes and function, the proposed development would attract principally small, independent businesses thereby adding diversity to the town centre retail offer and making a positive contribution to the vitality and viability of Wembley as a retail destination.
8. The current proposal would contribute towards the delivery of the wider aims and objectives of the Wembley AAP (the area OAPF) and the delivery of the London Plan OAPF Wembley policy target for 11,000 jobs and a minimum 11,500 new homes across the Opportunity Area.
9. The site is very well served by public transport. It benefits from a range of public transport options including the bus, rail and the underground tube networks. The site is located approximately 0.1 miles south of Wembley Park Underground Station, which is served by both the Jubilee and Metropolitan Lines, connecting to central London from the north. The site is served well by multiple bus routes with a bus stop on Fulton Road opposite the north end of the site. Wembley Stadium train station is 0.5

miles south of the site and offers another connection to central London via Marylebone Station.

10. Policy Considerations

11. The National Planning Policy Framework (2012) has a presumption in favour of sustainable development. Planning applications that accord with the adopted plan should be approved without delay, unless material considerations indicate otherwise. The NPPF promotes mixed use developments, high quality design and good standards of amenity and encourages local planning authorities to 'promote competitive town centres that provide customer choice and a diverse retail offer which reflects the individuality of town centres' (paragraph 23).
12. In the London Plan (2015) Wembley is designated as an Opportunity Area. In such areas intensification and regeneration will be supported as these areas have been identified as having sufficient capacity to accommodate new housing, commercial and other developments. Typically these are already built-up areas with good existing public transport links which can support redevelopment at higher densities. They have significant capacity for new jobs.
13. Policy 4.7 of the London Plan encourages the development of retail, commercial, cultural and leisure facilities in Town Centres and states that they should be focused on sites within town centres that are well integrated with the existing centre and public transport. Policy 4.8 cites that a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need, and the broader objectives of town centres, should be supported.
14. The Mayor's Town Centres Supplementary Planning Guidance (SPG) (2014) states at paragraph 1.1.14 that, 'To be competitive, promote choice and add vitality and a distinctive offer, town centres should support a good balance of different types of multiple and independent retailers providing access to a range of local services.' Section 5.2 of the SPG states that 'redeveloping and bringing vacant and under-used sites and properties back into use can help stimulate vitality and economic viability, and kick-start local growth' and it encourages the use of temporary permissions to allow for meanwhile uses.
15. The Mayor's Culture and Night Time Economy Supplementary Planning Guidance (SPG) (2017) states at section 6.5, 'The evening and night-time economy can make a major contribution to the vitality and viability of these town centres. It generates jobs and improves incomes from leisure and tourism activities. This adds both to the vitality of the town centre and makes it safer by increasing activity and providing 'passive-surveillance'.
16. Brent's adopted LDF Core Strategy (2010) sets out the spatial structure of the borough, and seeks to support and deliver the overall vision and objectives for the borough. This focuses future development in Brent into five Growth Areas, each is key to achieving borough regeneration objectives. To reflect its status in the London Plan as an opportunity area Wembley is designated as a growth area in the Core Strategy. It recognises that Wembley has the capacity to deliver the majority of the borough's development and employment growth. The vision is that Wembley will become a cultural focal point as the borough's main area for tourism, also being the location for large scale visitor attractions, reflecting its London Plan designation as a strategic cultural area for London. This is set out in policy CP7 of the Core Strategy.
17. Policy DMP2 of Brent's Development Management Policies (November 2016) is concerned with supporting strong town centres and seeks to ensure Brent's town centres provide customer choice and a diverse retail offer as required by the NPPF and London Plan. The policy states 'the use of vacant sites or buildings for occupation by temporary uses that will benefit a town centre's viability and vitality will be permitted.'
18. The Council vision for the development of Wembley is set out in the Wembley Area Action Plan (AAP) (adopted Jan 2015). This sets out a strategy for growth and regeneration and a framework for delivering this vision over the next 15 years. The plan builds on the Council's vision to develop Wembley as a destination which will help drive the economic regeneration of Brent, and further promote its cultural and leisure offer attracting visitors throughout the day and evening. The plan aims to guide appropriate development to bring forward the delivery of new homes, jobs, shopping and leisure facilities. Policy WEM 28 states that, 'The use of vacant sites or buildings will be promoted for occupation by temporary uses, especially creative industries that will benefit Wembley's retail, leisure, tourism and creative offer.'

19. The proposed development would add to the retail and leisure facilities on offer for Brent's residents and visitors, and would in turn be of benefit to the local economy. The use is in keeping with the vision for how development in the Wembley regeneration area is to take place, and the development would introduce activity and vitality that responds appropriately to the vision for Olympic Way and wider area.
20. Having regard to national, regional and local planning policy, it is considered that the proposed development is appropriate in land use terms and that it would make a positive contribution towards the regeneration plans for Wembley.

21. Layout, Landscaping and Trees, Scale and Appearance

22. Layout of the building

23. Ground Floor

24. The ground floor features the 16m x 49m wide central event space. This space is designed to be flexible and offer a variety of uses including day-to-day dining, pop-up market space, music events, cinema showings, and art and fashion shows.
25. The central space would be surrounded by individual retail units, the majority of which would be 47m² in area and which would resemble shipping containers. There would be a total of 20 small individual units within the main body of the building which would face inwards towards the central space. These single units would be 3.5m wide and 14m long and they would be used wholly as kitchen / food preparation areas with a servery unit at the front of them. All seating and dining areas that serve these units would be in the communal central space. In addition to the standard units there would be one larger 8m by 14m unit which would also open out onto the central space, but this unit would have additional customer capacity.
26. The main entrance to Boxpark would be centrally located within the row of units at the east elevation off Olympic Way. Customers would enter a double height space containing the stairs and the lift to access the first floor.
27. Opposite the main entrance on the western side of the event space would be positioned the 'BOXbar' which would be around four times the size of the standard sized retail units.
28. The northern section of the building (on Fulton Road) would accommodate a secondary entrance, toilets and stairs to the first floor. The southern section of the building would accommodate storage areas, bin stores and associated services and facilities. All deliveries would arrive via Repton Lane to the south of the building and would be brought directly into the storage area. The location of the bin stores within this southern area would also facilitate waste removal, using vehicles arriving along Repton Lane.
29. Four separate retail units would be installed externally, along the eastern elevation on Olympic Way, two on either side of the main entrance. These would serve food and drink and would provide an active frontage to the main pedestrian route. Any seating provided in association with them would be subject to conditions restricting their use on Wembley Stadium Major Event days, to ensure the safe flow of pedestrians through the area.
30. *First Floor*
31. The six units at first floor level would be larger than the units on the ground floor and would be leased out to larger operators. There would be four 12m x 14m units and two 12m x 8.95m units that would all open out onto dining terraces overlooking the central space. These units, unlike the ground floor ones, would have additional customer capacity within them. The units would be 4m to the roof eaves – 1m taller than the ground floor units which would have a 3m floor to floor height. These units would have fully glazed ends made up of double doors and fixed glazed panels.
32. To the east and west facades there would be large sliding doors which would allow the internal terraces to open to balcony areas. The balcony to the east would overlook Olympic Way and provide a visual connection with the activity inside Boxpark to people walking past at street level.
33. There would be one public staircase, located centrally at the east entrance, which leads from ground to first floor. Two further staircases are located at the north and south ends of the building but these would be used for exit only in the event of a fire.

34. The first floor would also accommodate additional toilet and office facilities.
 35. *Roof*
 36. The design is completed by a solid roof with transparent polycarbonate roof lights set into it. The roof is pitched at 6 degrees and would be supported on structural steelwork. The design of the roof would reflect (and be visually consistent with) the aesthetic language of the rest of Boxpark Wembley. The roof would feature 24 rectangular polycarbonate rooflights set within a composite panelled roof.
- 37. Landscaping and Trees**
38. The proposed building is closely bordered by highways to its north, east and south. The area to the west is used for purposes associated with the construction of adjacent plots. Therefore there would be very little opportunity for landscaping around the proposed scheme. However, a number of trees are proposed along Olympic Way to the east and are planned for Repton Lane to the south, once the construction of this road is completed. In addition, the development site is only around 45 metres from Elvin Square Gardens, the public open space positioned between buildings NW06 and NW07/08, largely residential schemes on land to the south of the development. In these circumstances, the lack of landscaping proposed is considered acceptable.
 39. Improvements to the public realm for the stretch of Olympic Way adjacent to the development site have been approved in outline under the Wembley Masterplan (15/5550) and further details have been approved under the Reserved Matters application for Olympic Way Zone A which relates to the stretch of Olympic Way between the end of the Pedway and Fulton Road (LPA ref. 17/0019). Under these plans, an avenue of trees is proposed along the length of Olympic Way. Five of these proposed trees would be very close to the proposed building and to the associated external food units on the eastern façade. The applicants have confirmed that their arboriculturalist has reviewed the plans and they are aware that if any trees suffer damage or die as a result of the development, either during the construction or end use phase, they would need to be replaced in accordance with the landscaping conditions attached to previously approved consents for the adjoining areas of land. However, an informative is recommended to remind the applicants of this obligation, for the avoidance of doubt.
 40. **Scale**
 41. The site slopes downwards from the south to the north and the building would be around 10 metres above ground level at its southern, Repton Lane elevation and around 11.4 metres at its northern, Fulton Road elevation. The building would be considerably lower than many of the new large scale residential buildings recently built or currently under construction in the surrounding area. These new buildings are mostly over 14 storeys high however, those built along Olympic Way are either set back from the edge of the pedestrian route or have a lower plinth-type element built along the edge of it. This is to retain the sight lines to the Stadium from Wembley Park Station to the north. The Boxpark building would extend very close to Olympic Way, just to the west of the western line of trees, which will form part of an avenue of trees along Olympic Way in the near future. However, in view of its relatively modest height, it is not considered that it would unduly affect sight lines towards the Stadium from the north.
 42. **Appearance**
 43. The proposed development would use contemporary, industrial style materials including steel, glass, concrete and corrugated metal, consistent with the aesthetic language of the black-painted shipping containers, which form the basis of the existing Boxpark developments in Shoreditch and Croydon.
 44. The lower sections of the facades would be corrugated metal with a black finish, whilst the upper sections would be used to accommodate advertising, artwork and branding on a regularly changing basis. These would be on a proposed 'wrap' some sections of which would be capable of full motion or static graphic displays (please see Advertising Strategy below for fuller details).
 45. On the east and west elevations, the external area positioned between the building and the 'wrap' would be dedicated to plant and service space. This would allow the ductwork and plant to rise up directly out of the units and be expelled at roof level without it being visible from the street. The wrap would extend 3m above the height of the roof's eaves which would also allow it to effectively screen the roof mounted ventilation cowls associated with the central event space.

46. The roof would feature 24 rectangular polycarbonate rooflights set within a composite panelled roof, the exterior of which would have a matt black finish.
47. The proposed external food units would help achieve an active frontage to Olympic Way and would add interest to the proposals at ground floor thereby drawing people into the site. The incorporation of active ground floor uses is in accordance with Policy WEM7: 'Character of Olympic Way' of the Wembley Area Action Plan (2015).
48. The height and length of the building would be comparable to that of other developments in the vicinity, so it is not considered that the development would appear unduly bulky or incongruous in views from the surrounding area. The development would be constructed just to the west of five of the trees which would form part of the new avenue of trees soon to be planted along Olympic Way. These trees would be only a little shorter than the top of the building and would help soften the impact of the development on the streetscene. The four external units proposed along the eastern elevation would also provide additional interest and articulation to this facade and help to ensure that the building would not appear overly bulky or dominant within the streetscene. New trees are also due to be planted adjacent to the Repton Lane facade and these too would provide some visual relief and help soften the impact of the development on the streetscene.
49. **Use of the building**
50. On a daily basis, the central area would be used for a wide variety of uses throughout the day. In addition, special events would be held.
51. In addition to the regular, small scale events which would take place across the year, Boxpark also intend to hold amplified live music or dance events up to 12 times a year which would have a 1,999 capacity. The terms of the required Licenses would be designed to ensure that these events would not have an unacceptable impact in terms of public safety and the amenities of neighbouring residential occupiers. In addition, noise related planning conditions are recommended to ensure that these larger events would not have an unacceptable impact on the amenities of neighbouring residents.
52. **Advertising Strategy**
53. The current application includes the proposed location of advertisements/graphic displays, and the principles by which they would be progressed and their operational strategy. However, a separate advertisement consent would also be required prior to their display.
54. The external wrap to Boxpark Wembley would be capable of hosting large format digital display boards and/or illuminated spirit flex vinyl wraps on the north, south and east facades enabled to deliver full motion or static graphic displays. The advertising panel system would be capable of displaying artwork and advertising campaigns, designed to add vitality and vibrancy to the street scene and to present a distinctive and active facade to the key pedestrian thoroughfares.
55. Boxpark Wembley would partner with creative advertising partners to produce an annual calendar of activations to these facades. Boxpark Wembley would retain full creative approval of any artwork/campaigns to be displayed and they state that they would adopt the following core principles:
- Campaigns would be selected from a small panel of high quality collaborators renowned for producing high value campaigns
 - The artwork would be outstanding and would positively contribute to the quality of the development and add vibrancy to the street scene
 - The artwork would not promote any ideas or contain any text or images which are homophobic, racist, sexist or would bring the development/estate into disrepute
56. Boxpark would work closely with Quintain, and the FA, to co-ordinate and collaborate on estate wide campaigns and ensure all visual displays are in keeping with and positively contribute to the wider Wembley Park estate and London Borough of Brent.
57. The application proposes that the upper sections of each elevation would be used for the display of images as follows:

58. The northern elevation, fronting Fulton Road - the upper section of this elevation, apart from a glazed area towards the centre, would be covered with a vinyl wrap with applied graphics or alternatively backlit/full LED displays which could be used to display static or full motion images.
59. The eastern elevation, fronting Olympic Way – the upper sections to the north and south of the predominantly glazed entrance area would be used for advertising. These areas would be covered with a vinyl wrap with applied graphics or alternatively backlit/full LED displays which could be used to display static or full motion images.
60. The southern elevation, fronting Repton Lane - the upper section of this elevation, apart from a glazed area towards the centre, would be covered with a vinyl wrap with applied graphics or alternatively backlit/full LED displays which could be used to display static or full motion images.
61. The western elevation, facing development plots NW09/10 – the upper section of this elevation, apart from a glazed area towards the centre, would be covered with a vinyl wrap with applied graphics, which may be used for future advertising/branding content. However, no intention has been indicated to convert this area to backlit/full LED displays in the future.
62. The 'wrap' would be used approximately 50% of the time for Boxpark creativity/artwork which would include Boxpark branding, digital / street art and community initiatives and 50% of the time for advertising.
63. Boxpark and Quintain have indicated that they also intend to develop options to install a system that would enable branding to be delivered on the roof. However, this would involve graphic designs with no illuminated elements and would also be subject to separate advertisement consent.
64. At this stage an 'in principle' approval is sought for this strategy. The specific detail would come forward under a separate advertisement consent application, if planning permission is granted.
65. *Design considerations*
66. The screens proposed on the upper sections of the north, east and west elevations of the building are intended to be used to accommodate LED screens capable of displaying static and moving images during the times when the premises are open (between 7am and 11pm, seven days a week). During these times of illumination, this would result in a building, designed to be visually stimulating, which would have a prominent presence in the streetscene.
67. With regard to the display of advertising material on the external facades, promotional displays are closely associated with the brand identity of Boxpark. The existing Boxparks at Croydon and Shoreditch are similarly used to display promotional material over wide expanses of their facades. Although this would not result in a typical, traditional form of development, it is considered that the displays would give the building a dynamic and contemporary feel which would not be out of keeping with the character of the surrounding area, given the new urban landscape currently emerging.
68. Olympic Way has long been associated with the display of advertising material. At present, at the northern end of Olympic Way near Wembley Park station, large expanses of wall and the sides of Bobby Moore bridge are covered in advertising and promotional material. Hoardings, such as those around the vacant toilet block just to the south of Bobby Moore bridge also used for the display of images. Planning permission has also been granted for large lighting columns along the length of Olympic Way. These would be capable of supporting large banners which would be used for advertising and promotional material and would be externally illuminated.
69. With regard to buildings in the vicinity, Wembley Stadium has three large screens which are used to display moving images on its prominent north facing elevation. Wembley Arena also has permission for moving images to be displayed on its front elevation.
70. It has therefore been established that the display of prominent advertising and promotional material may be suitable in this area. Although during the times the adverts are illuminated, with either static or moving images, the building would be visually prominent in its immediately surrounding area, it is not considered that this would make it appear unduly incongruous in views from the surrounding area. It would be viewed within the context of a busy, commercial area and with the backdrop of large scale developments, completed or under construction, on adjacent plots. It is considered that the illuminated adverts would add vibrancy and visual interest to the area, as features on a contemporary

building design within an emerging landscape of new, large scale developments.

71. *Highway safety*

72. The Council's Transportation Officers have expressed concern about the highway safety implications of displaying moving images readily visible to drivers using adjacent roads. In response to their concerns, a condition is recommended to ensure that moving images are not displayed on the Fulton Road façade and the northern section of the Olympic Way façade of the building at times when Fulton Road is open to vehicular traffic, unless otherwise agreed in writing by the Local Planning Authority. This condition would allow moving images to be displayed on these facades on Wembley Stadium Major Event days when Fulton Road is closed to vehicular traffic. The applicants intend to commission a further study of the highway safety implications of displaying moving images on the Fulton Road façade and on the northern section of the Olympic Way façade.

73. *Luminance levels*

74. The applicants state in their Screens/Wrap Operational Strategy that the brightness of the proposed screens would be set at, or below, the industry levels set out within the Institute of Lighting Professionals' Technical Report No.5 – Brightness of Illuminance Advertisements. They propose that during the day, the luminance would not exceed 4,800 cd/sqm, and from dusk onwards, the luminance would not exceed 300 cd/sqm. They assert that due to ambient light levels in the sky, a screen operating at this level would not appear unduly bright or out of context.

75. It would be possible to adjust the timing and lighting of the screen at any time to be sensitive to the local environment. The system would allow for remote monitoring of the brightness level at any time, as well as manual adjustment. Adjustments to brightness could be made depending on the time of day, as well as times of sunrise and sunset. Any changes to brightness would be made across a 90 minute period and in 10% increments, ensuring that the screen would not cause visual distraction through significant adjustments to screen brightness at any one time.

76. **Opening hours**

77. The applicant proposes that the premises would trade over 7 days a week from 07.00am to 23.00. The core hours of operation would be 11.30am to 18.30pm, but businesses would then operate either side of those times depending on the nature of the specific operator. These proposed trading hours would allow a greater natural surveillance within the area later into the evening. These trading hours are considered acceptable within this town centre context, provided a condition is attached to secure this. The recommended condition would allow a 45 minute period after the 23.00 closing time for remaining customers to leave the premises and for all ancillary activity to be completed.

78. **Licensing**

79. The applicants state that they are committed to engaging in discussions with the Council's Licensing Team to ensure that arrangements would satisfactorily cover the uses of the building both in terms of its day to day operation and the less frequent higher capacity events.

80. **Engagement with local businesses and groups**

81. Boxpark and Quintain (the landowners) have had ongoing dialogue with Brent's Wembley Town Centre Manager and the Wembley Business Associations (which include Wembley and Ealing Road Town Centre and Wembley & Ealing Road Traders Association) and arranged a series of meetings where proposals for the scheme were presented and the traders associations were actively encouraged to invite their members and other local businesses to consider taking space in Boxpark Wembley.
82. Boxpark state that they actively encourage local operators to consider applying for a unit at Boxpark Wembley and Quintain, with their broader existing relationships, have nominated themselves to act as facilitators between Wembley Town Centre retailers and Boxpark operators with regards to leasing opportunities. All Local Business Associations have been sent the lease distribution pack which explains how they can apply to occupy a unit.
83. Boxpark intend to hold over 200 events a year and would support the use of the flexible event space by the local community, promoters, entertainment business and groups and this would be available through their events team. In addition Boxpark and Quintain state that they will continue to promote engagement with local business and groups as well as through Brent's Wembley Town Centre

Manager to positively react to any comments received and progress other opportunities as they emerge.

84. Impact on residential amenity

85. Noise

86. A noise assessment has been submitted with the application. It assesses the background noise levels around the proposed development to provide benchmarks in relation to which potential noise impact may be assessed. It was found that the measured ambient noise and background noise data correlates with previous data survey reported in the Environmental Noise Assessments that had been prepared for the various residential developments within the Wembley Area.

87. The Noise Assessment assesses entertainment noise from the proposed development. The proposed criteria for frequent events is reflective of the criteria adopted for everyday entertainment noise limits under the previous theatre planning consent.

88. Criteria proposed for less regular events containing entertainment noise, such as music concerts being held within the event space, is based on the guideline criteria offered in the 'Code of Practice on Environmental Noise Control at Concerts'. The applicants note that this is an industry recognised document for specifying entertainment noise limits for developments holding infrequent entertainment noise events.

89. The report sets out proposed mitigation measures to reduce entertainment noise break out. These comprise the following:

- Appropriate minimum sound insulation performance requirements assigned to building envelope elements, such as walls, glazing, doors, roof panels and roof lights and to internal building elements within the BOXbar e.g. walls, doors and structural elements.

- Adopting a ventilation strategy which does not rely on doors, windows or rooflights to be open for ventilation purposes. Appropriate minimum sound insulation performance requirements assigned to ventilation elements e.g. attenuators to ventilation openings within the building envelope.

- Consideration of the sound system speaker layouts and internal finishes to allow noise levels at the extremities of the internal areas of the development to be lower than the main audience areas.

- The operational management policy (OMP) for the development to include a strategy to ensure all external doors and internal doors to BOXbar remain closed other than for access (e.g through the use of door supervisors and / or automatic door closers).

90. The applicants also state that mechanical and electrical plant which has the potential to have an external impact will be designed to achieve a noise rating level of 10dB below representative noise background level. This reflects the criteria provided in the Wembley Masterplan (LPA ref: 15/5550). They state that, based on the proposed plant noise, the cumulative noise resulting from all tenant and landlord plant associated with the development should not exceed the external noise emission limits of 42db during the daytime and 36db during the night time hours.

91. The applicants state that cleaning and deliveries related to the proposed development will not take place between 23.00 and 07.00 hours. However, they confirm that, in the unlikely event they do, the LBB criterion of 33dB LAeq, 15minutes will be applied. Other measures designed to minimise noise disturbance to surrounding residential properties include the location of the bin store within the building envelope. Furthermore, doors to the terraces and entrance doors would be kept closed during events in order to avoid noise spillage.

92. The Council's Environmental Health Department highlight that a key concern are the noise impacts of general activities from the units such as plant noise and, in particular, airborne noise from entertainment, and patrons using external areas, emanating from the site. Environmental Health have engaged in discussions with the applicants' acoustics advisor regarding a wide range of issues relating to the noise impact of the development. They have recommended the restriction of the playing of loud amplified music in the external areas of the site and stress that all units, especially the Boxbar, should be suitably sound insulated to prevent excessive noise breakout. They state that they agree with the mitigation measures proposed in section 4.2 of the Environmental Noise Assessment

Report but have stressed the need to consider the matters set out in the paragraphs below.

93. Environmental Health stress that specific and robust plans should be in place regarding the exact locations of speaker systems, the specification of the system to be implemented and local controls such as the use of noise limiters or similar. Environmental Health would seek to ensure that the sound system can be used without detriment to local amenity. They would also expect the applicant to provide details of noise levels intended for use as background and that the levels specified in Tables 3 and 4 can be achieved without detriment to local residents.
94. In addition to the inclusion of a strategy within the OMP for control of noise from entertainment they would expect a specific noise management plan to be in place for the Event Space. This should provide detail about all elements of noise control for the prevention of nuisance, detail the type and frequency of noise monitoring for day-to-day operations and other events (on site and at the site boundary at agreed monitoring points), specify who will undertake the monitoring regime and list corrective action to be taken in the event of non-compliance with the agreed protocol.
95. Environmental Health welcome the inclusion of the acoustic performance requirement within documents provided to tenants and the specification that entertainment noise breakouts should be undertaken by a suitably qualified acoustic consultant.
96. Environmental Health stress the need for vigilance regarding the control of noise for less frequent events as outlined in Table 5 (events taking place up to 30 days a year, but not more than once in a single week), particularly with respect to the specific monitoring regime which shall be implemented, clarity regarding who will undertake monitoring, how this will be reported to the Local Authority and corrective action to be undertaken in the event agreed noise levels are exceeded.
97. Environmental Health welcome the provision of a noise monitoring programme to be conducted in accordance with the "*Site wide construction management scheme, code of practice & complaints handling system*". Section 4.1.10 specifies a continuous noise monitoring location at the junction of Engineers Way/ Empire Way. This will require review prior to the commencement of this development and consideration given to a more appropriate location for monitoring construction noise arising from this development. Details of this should be submitted in writing and agreed by Environmental Health prior to implementation.
98. Measures to mitigate noise during construction could be agreed through a Construction Method Statement, and a condition is recommended requiring the submission and approval of a Construction Method Statement.
99. The Environmental Health team have been involved in drafting a range of conditions which they recommend are attached to any grant of planning permission and these have been incorporated within the Draft Decision Notice at the end of this report.
100. **Ventilation and Odour**
101. A Ventilation and Extract Statement has been submitted which contains details of the extract ventilation system and odour control equipment for the commercial kitchen, including details of external ducting. The individual unit kitchen system would consist of an extract fan located in the store of each individual unit along with an individual duct route to the roof. The Statement cites that within each of the box units the individual tenants would install a supply duct complete with makeup air fan, attenuator and suitably selected filter if required penetrating through the rear of the box unit drawing air front via the external service zone. The Statement also sets out the requirements that tenants will need to meet, depending on which cooking methods they utilise.
102. A condition is recommended to require that Mechanical plant and ventilation and extraction equipment is installed in accordance with the levels and limits specified within the submitted Environmental Noise Assessment Report and Ventilation and Extract Planning Statement and is maintained thereafter in accordance with the criteria and limits within those documents, and in accordance with the manufacturer's instructions.
103. The recommended condition also specifies that if occupiers intend to burn solid fuels (such as for charcoaling or wood burning ovens) details of additional ventilation and extraction arrangements would need to be submitted to and agreed in writing by the Local Planning Authority. and the arrangements should be implemented in accordance with the agreed details.

104. Provided appropriate conditions are attached to any grant of planning permission regarding measures to mitigate against nuisance caused by noise or odour, it is not considered that the development would have an unduly detrimental effect on the amenities enjoyed by neighbouring residents or those in the vicinity.

105. Accessibility

106. Boxpark has been designed to provide full inclusive access for all and the design team have adopted the requirements of Approved Document M of the Building Regulations "Access To And Use Of Buildings". The main entrance accommodates the sloping site levels along Olympic Way and so is accessed via a 1:21 ramp, designed in accordance with the above regulations.
107. Access for the public to all the internal retail units at first floor level would be provided through double doors to ensure adequate clear widths are provided to all spaces. All back of house areas would have a minimum door width of 800mm to ensure any staff wheelchair users can access all areas. The ground floor central space and where corridors or terrace spaces are provided, the standard circulation width would be at least 1800mm which would provide space for two wheelchairs to pass.
108. A lift to provide access between the ground and first floors would be located close to the main entrance on the eastern side of the building. Finishes throughout the building have been selected in order to provide an adequate level of visual contrast, for example between horizontal and vertical surfaces. Where possible, floor finishes would contrast in colour and / or texture to indicate a change of function within a space. Toilets suitable for wheelchair users and a shower suitable for staff members who are wheelchair users are also proposed.
109. A drop off location would be provided to cater for visitors with reduced mobility. It would be located within the Stadium Retail Park located to the north of the application site, around 50m from the main pedestrian access on Olympic Way and a new access gate would be installed from that site onto Olympic Way to minimise the walking distance. The applicant has confirmed that a closer disabled drop-off location in Repton Lane was considered but it was concluded that this would compromise servicing arrangements and was not therefore considered suitable. In these circumstances, these drop off arrangements are considered acceptable.

110. Highways and Transportation

111. A Transport Statement (TS), Travel Plan (TP) and Delivery and Servicing Plan (DSP) were submitted with the planning application.

112. Car Parking

113. The Proposed Development is planned as car free without parking provision. The principle of a car free development is supported by the high accessibility of the site and the forecasted nature of the visits which is anticipated to be drawn mainly from the local area and land uses in the area. The Council's Transportation officers confirm that they have no concerns regarding the absence of car parking within the site, given the very good access to public transport that is available, the extensive on-street parking restrictions close to the building and the availability of public off-street parking in the wider area.
114. As noted above, a drop off location would be provided to cater for visitors with reduced mobility within the Stadium Retail Park around 50m from the main pedestrian access on Olympic Way.

115. Cycle Parking

116. The proposed development includes 44 cycle parking spaces. Short Stay (i.e. visitors) cycle parking provision has been based on the anticipated demand on a peak day. The assessment suggests that up to 28 cyclists would be on site at any given time. The proposed development would provide a total of 32 visitor cycle parking spaces along Repton Lane, which equates to a provision above the anticipated peak cycle parking demand. This would ensure a 10% additional provision on the busiest day and ample provision during days of average visitor footfall.
117. Long stay (i.e. staff) cycle parking provision has been based on the anticipated demand related to staff. Proposals comprise 12 long stay cycle parking spaces, to be provided within a storage/ delivery room in the southeastern corner of the building, for employees of the proposed development. The

Council's Transportation officers recommend a condition to require the submission of further details of the exact nature of the provision, to ensure that these arrangements would be satisfactory.

118. Officers are satisfied that the amount of long- and short-stay bicycle parking proposed meets requirements.

119. Deliveries, Servicing and Refuse Collection

120. The applicants predict that the development would generate 24 daily trips on a peak day and 23 on a neutral weekday (i.e. Tuesday, Wednesday and Thursday). Primary deliveries would be undertaken from 7am to 12am and from 2pm to 6pm (8 hours in total) and would be managed through a pre booking regime to ensure that excessive numbers of vehicles do not arrive at the site simultaneously. The proposed development would share the servicing bay facility secured as part of the consented NW07/08 scheme (ref 15/5394), located immediately to the south of the service area of the building, on Repton Lane.

121. The long term servicing arrangements set out within the submitted draft Delivery and Servicing Plan have been discussed with the Council's Transportation officers and the applicant has confirmed that a revised and updated Delivery and Servicing Plan that includes further details regarding the co-ordination of delivery schedules will be submitted and agreed prior to occupation of the development. A condition is recommended to this effect. It is also recommended that a condition is attached to restrict the times at which servicing could take place on event days in accordance with other permissions for premises in the vicinity of the Stadium.

122. For the limited time period prior to Repton Lane being completed by around January 2019 and after Boxpark construction has been completed, an interim servicing arrangement is proposed. During this period, servicing would take place from Fountain Studios car park. The car park would be accessed via Fulton Road and goods would then be manually wheeled to the site via the Olympic Way pedestrian crossing facility and Weavers Walk. It is recognised that, although these arrangements would not be ideal, alternative locations such as Repton Lane and Exhibition Way were investigated, but whilst Repton Lane (east) and Weaver Walk remain under construction, the trolleying distance to the building would be further than from the Fountain Studios site. In these circumstances, the proposed arrangements may be acceptable, but further details would need to be submitted and approved through the Delivery and Servicing Plan prior to the occupation of the development.

123. With regard to refuse collection, the refuse area would be located to the south of the site and contained within the building envelope. The waste bins would be wheeled out by collection personnel at the time of collection. Once Repton Lane is completed, the service bay to the immediate south of the building would be used for refuse collection vehicles. During the period prior to Repton Lane being completed but after Boxpark has been completed, interim arrangements would be implemented whereby refuse would be collected by vehicles parked in Fountain Studios car park. Whilst this is not ideal, it is considered acceptable for a relatively short period of time.

124. Other Highway and Transportation matters

125. The applicants consider that the proposed development would draw the majority of its business from residents, employees, students and visitors to the Wembley Park area, Stadium and Arena. They also conclude that the proposed development would have a negligible effect on the local pedestrian network. The Council's Transportation officers recommend a condition requiring the submission and approval of a full Travel Plan prior to the occupation of the building.

126. The Council's Transportation officers have reviewed the information submitted. Some of their comments are incorporated within other sections of this report, but their additional comments are presented below:

127. The redundant crossover in the northeastern corner of the site will need to be reinstated to footway with full height kerbs at the developer's expense as a condition of any approval.

128. In terms of future trip generation, the applicant has acknowledged that information from the operator's existing site in Croydon (through their Travel Plan) would provide a more accurate representation of future trips. However, detailed trip information from that site is not readily available at the current time and the undertaking of surveys over the recent Christmas/New Year period would not have been representative.

129. As such, in the absence of data from a directly comparable site, Brent's officers have agreed that data from public houses/restaurants would provide the closest comparable results, despite the shortcomings in terms of not taking into account retail and event space.
130. It is predicted that the site will attract 4,000 daily visitors on a Friday and Saturday, falling to 3,000 on a Sunday and 1,500 in the early part of the week. The applicant has clarified that the type of retail uses proposed would be unlikely to generate a significant proportion of these trips.
131. Arrival and departure profiles across the course of a weekday for a public house were previously applied and suggested that the peak hour for trips on a Friday would be 6pm-7pm, with 599 arrivals and 588 departures.
132. A similar exercise has now been undertaken for Saturday trips, which suggests that the peak hour over the weekend would be 1pm-2pm, with 582 arrivals and 398 departures. As such, a Friday evening is confirmed as generally having the highest hourly arrival/departures period.
133. However, queries were previously raised regarding how the staging of events within the building would affect arrival and departure profiles, given the lack of information on how such events would be managed. Further information has now been provided on this matter, based upon the sister operation in Croydon.
134. On this basis, up to 12 major events are anticipated (presumably annually, although this is not specified), at which up to 2,000 guests are allowed. A number of intermediate events for up to 1,200 guests are also anticipated. All of these will be ticketed events and are normally held at weekends. Other events are held of a more minor nature, with attendance falling within the overall prediction of 4,000 guests over the day.
135. A debriefing note for one of the major events over a weekend in Croydon has also been provided, which had a maximum attendance of 1984 people. The note confirms that most guests arrived over a four hour period between 2pm-6pm, although detailed information on hourly arrivals and departures is missing. Nevertheless, the note confirms that queues at the Croydon site were not extensive and were generally contained in the podium area, without tailing back to the adjoining station.
136. Given the ability to queue guests on the wide Olympic Way, it is not therefore anticipated that entry to major events would be likely to be a problem, as long as events are co-ordinated with those at Wembley Stadium and Arena. To address this, it has been confirmed that events will not coincide with events at the Stadium of Arena, unless the venue is being used in a complementary capacity as part of the overall co-ordinated hospitality for the main Stadium or Arena event. This is welcomed.
137. The applicant has also now confirmed that major events would be stewarded so that guests only enter and leave the building via the Olympic Way entrance, with the Fulton Road entrance used only as an emergency exit. This also allays previous concerns regarding crowds in Fulton Road, with the previous Transport Statement demonstrating that Fulton Road can otherwise cater for day-to-day pedestrian movements to and from the building. Nevertheless, a Major Event Management Plan should be submitted setting out clearly how safe entry and exit for ticketed events with more than 1,000 people will be managed.
138. The draft Travel Plan was also previously considered to have shortcomings. The applicant has therefore also agreed that a revised full Travel Plan will need to be agreed prior to occupation of the development and a condition is again recommended to this end.
139. Finally, highway safety concerns were previously raised over the display of moving images on parts of the building that are visible to drivers on Fulton Road. Although accident data for Engineers Way in the vicinity of Wembley Arena has been submitted to demonstrate that moving images can be safely displayed close to the highway, the size, position and prominence of the images at the front of Wembley Arena are not considered to be comparable with the proposals for this site. Nevertheless, the applicant now proposes to only display moving images on the Fulton Road frontage when the road is closed to vehicular traffic before and after events at Wembley Stadium.
140. This is fine in principle, as long as the restriction also applies to the northern third of the Olympic Way (eastern) façade. A condition should prohibit the display of moving images at any time that Fulton Road is open to vehicular traffic, which would allow moving images to be displayed across the whole

building for approximately 90 minutes before and after Stadium events.

141. There are no objections on transportation grounds to this proposal, subject to conditions requiring:-

- (i) the submission and approval of a full Travel Plan prior to occupation of the building;
- (ii) the submission and approval of a Delivery & Servicing Plan prior to occupation of the building;
- (iii) the submission and approval of a Major Event Management Plan;
- (iv) reinstatement of the redundant footway crossover on Fulton Road in the northeastern corner of the site to footway with full height kerbs at the developer's expense prior to occupation of the building;

(v) the approval of further details of long-term bicycle parking;

(vi) a restriction preventing on the display of moving images on the Fulton Road and Olympic Way (north) facades of the building at times when Fulton Road is open to vehicular traffic;

Conditions are recommended relating to points (i), (ii), (iv), (v) and (vi) above. With regard to (iii), following further discussions it has been agreed that arrangements relating to satisfactorily managing Major Events being held at the proposed development would be adequately covered by licensing agreements and therefore a separate planning condition would not be necessary.

142. The Council's Environmental Health team have confirmed that they have reviewed the submitted Deliveries and Servicing Plan and are satisfied with the provisions outlined therein for addressing potential environmental impacts from deliveries servicing the site.

143. Safety and security considerations

144. The outline masterplan application (15/5550) sought to ensure that active street frontages would be maximised wherever possible through the use of a number of measures, such as the incorporation of commercial and community units at ground floor level. The four individual units proposed to be located along the Olympic Way frontage would both ensure that active street frontages are provided and would encourage natural surveillance of the surrounding area. It is also noted that the proposed cycle spaces, the entrance to Boxpark and the proposed external food units would benefit from being overlooked and monitored by the CCTV cameras approved by under application 17/3045 relating to the CCTV scheme for this stretch of Olympic Way. The Boxpark premises would also have its own CCTV system installed.

145. The Boxpark site itself would have a private 24 hour manned security team. For larger events, additional security would be provided to reflect the type and scale of the event being held.

146. The applicants have engaged in ongoing dialogue with the Metropolitan Police regarding safety and security matters in relation to the proposed development. A variety of conditions are recommended based on liaison with the police, designed to protect both customers of the premises and those in the surrounding area. These include conditions to ensure that any tables, chairs or other items associated with outside seating are not present at any time on the day of any football-related Major Event at Wembley Stadium, or are removed from outside the premises at least four hours before the scheduled start of any non-football related Major Event, in the interests of public safety. Furthermore, a condition is proposed to require that the external kiosks on the Olympic Way elevation of the premises are closed at least 15 minutes before the scheduled end of any Major Event at Wembley Stadium, to ensure that there is no hindrance to the safe flow of pedestrians during the egress period after a Major Event.

147. Sustainability issues

148. The NPPF encourages local planning authorities to adopt proactive strategies to mitigate and adapt to climate change. Policy CP19 of the Core Strategy seeks to ensure that all developments promote sustainability with a view towards climate change mitigation and adaptation. Policy CP19 requires the Sustainability Statement to demonstrate a BREEAM rating of "Excellent" for non- residential developments.

149. The applicants state that the development proposals are temporary in nature and that the relatively short lifespan of the building means that a number of renewable energy options are not feasible as they would typically require a longer building lifetime. It is noted the London Borough of Brent understood the difficulty of achieving a score of BREEAM excellent in the case of temporary buildings when determining the previous theatre application on this site. In these circumstances, a package of

sustainable measures based on sustainable design, construction and low energy fittings were proposed and this was considered acceptable by London Borough of Brent.

150. A number of elements are therefore proposed to make the development sustainable including:
- Energy efficient design making temporary use of a brownfield site during the construction of a strategic regeneration project;
 - The development will comply with the minimum U values required under Part L2A for temporary buildings;
 - The lighting strategy seeks to reduce lux levels so as to avoid the energy inefficiencies of over lighting, whilst ensuring that best practice for visual performance and occupancy comfort. All individual units, toilets and back of house spaces will have presence/absence detectors to reduce energy demand when the units are not in use.
 - Waste will be appropriately segregated as per the common retail waste streams (paper, cardboard, mixed plastics, glass) prior to collection by specialist waste contractor for recycling offsite. Collection of wastes from a centralised area will reduce the environmental impact of multiple waste collections from individual units.
 - Materials for key building elements will be sourced from suppliers who hold environmental management system certification such as ISO 14001 or BES 6001. This demonstrates a commitment to both sustainable and responsible sourcing.
 - In order to demonstrate spatial fit, an exercise has been undertaken to plan the tenant heating and cooling distribution and plant installation in principle. The spatial fit exercise proposes heating/cooling provision within tenanted units via individual DX Split systems which achieve minimum efficiencies of (COP) 3.4, thereby significantly improving on performance against the requirements of the Non-domestic Building Services Compliance Guide.

151. Officers acknowledge that the relatively short lifespan of the current building means that a number of renewable energy options are not feasible as these would typically require investment that requires a longer building lifetime. On balance, the strategy proposed is considered to be appropriate for a temporary building of this nature. It is therefore recommended that a condition be attached to require the development to be carried out in accordance with the measures set out in the Sustainability Statement. If it is not possible or feasible to incorporate any of the measures that as approved in the Statement, then details of alternative measures or alternative means by which the impacts of the failure to implement the measures will be mitigated would need to be submitted to and approved in writing by the Local Planning Authority.

152. Lighting

153. A Lighting Strategy has been submitted with the application. The Strategy states that the proposed lighting has been designed to provide an adequate and safe level of lighting for site tasks, amenity and security, whilst maintaining a minimal impact on the site surroundings, environment and neighbouring properties. External illumination levels would be based on CIBSE and CIE guidance and in accordance with the Ecology requirements to maximise safety for both visitors and staff on the site, whilst maintaining a minimal impact on the surrounding area. The illumination levels for various areas and times are detailed in the Strategy. The scheme also aims to take into consideration the need to reduce energy consumption, whilst maintaining a high quality of illumination for the site.
154. Facade lighting would be provided via LED linear luminaires mounted at a high level to highlight architectural elements and/or advertising. All façade lighting would be independently programmed to switch off no later than the 23:00 curfew.
155. As noted in the Advertising Strategy section above, static and full motion illuminated images are proposed on three of the facades, with moving images only permitted on certain sections at times when Fulton Road is closed to vehicular traffic. Further details of how this would operate, including times of operation and luminance levels, are included within the Boxpark Screens/Wrap Operational Strategy, which is recommended to be an approved document. A recommended condition would also require a review of the Screens/Wrap Operational Strategy in relation to the southern elevation, with particular regard to luminance levels and operational arrangements, to be submitted for approval by the Local Planning Authority within 6 months of the first residential occupation of development NW07/08. This is intended to ensure that there is an opportunity to review the suitability of the Screens/Wrap Operational Strategy, in the light of any feedback received from neighbouring residential occupiers, and to ensure the protection of nearby residential amenity.

156. In addition, it is recommended that if planning permission is granted, a condition be attached to require full details of lighting to be submitted for approval, including luminance levels and details of measures to control light pollution, to ensure that an acceptable lighting scheme is achieved.
- 157. Archaeology**
158. A desk based archaeological assessment was included in the Environmental Statement for the Wembley Masterplan outline consent (15/5550). The report highlights that the site is not within a designated Archaeological Priority Area or a Conservation Area, and that there are no Scheduled Ancient Monuments within the search area. The information from the baseline assessment showed that a range of archaeological works had produced negative archaeological results and it is specified that the construction of the Empire Exhibition site resulted in the complete truncation of all deposits pre-dating the early 20th Century. It was therefore cited that there has been no recorded evidence of survival of archaeological remains or features associated with the Wembley Park Pleasure Gardens.
159. In view of the above, no archaeological mitigation was proposed for the construction or operational phases of the previously approved development and officers consider this approach to be equally appropriate in relation to the current planning application to be acceptable.
160. Notwithstanding the above, the units would be situated on the existing ground surface, and no below grounds works would be taking place, therefore it would be very unlikely that any archaeological remains present on site would be disturbed.
- 161. Flood Risk and Drainage**
162. The application site is in Flood Risk 1 and so it is at low risk of flooding. The application site is less than 1 hectare as such a Flood Risk Assessment (FRA) is not required. The outline application 15/5550 was accompanied by an acceptable FRA and details of these are submitted with this application. The applicant has considered the conclusions of the Flood Risk Assessment chapter and proposed measures accordingly. Due to the underlying geology, poor infiltration rate and high water table it is unlikely that infiltration SuDS will be suitable and, as such, below ground attenuation tanks have been proposed to store surface water, and a hydrobrake to limit the discharge to greenfield rates.
163. The Council's Lead Local Flood Officer has confirmed that as the developer is proposing to provide an on-site storage tank and surface water discharge will be restricted to 5 l/s, the drainage proposals are acceptable.
164. The FRA chapter also outlines the proposed plans for the management of foul water from the proposed development, including details of the existing foul water network and the drainage proposals associated with this application.
165. The statutory undertaker, Thames Water, has requested further information regarding the connection points onto the public sewer system and it is recommended that an informative is attached to confirm this. Thames Water has also provided a range of advice which could be covered by informatives. These cover the installation of a properly maintained fat trap on all catering establishments and appropriate procedures for the collection of oil waste, the need to gain Thames Water's approval to build close to a public sewer and the need to gain a Groundwater Risk Management Permit to discharge groundwater into a public sewer.
- 166. Contamination**
167. A Ground Conditions Assessment was undertaken for application reference 15/5550. As this covered land relevant to the application site, details of this have been submitted in support of this application. The chapter examined the ground conditions of the site and considered geology, hydrology, hydrogeology and geo environmental conditions, including soil gas and vapours and chemical concentrations in soils and ground water.
168. It is noted that the Local Planning Authority has previously approved a planning application for the same site, relating to details pursuant to a site investigation and remediation strategy condition (LPA Ref. 15/2125). A condition is therefore recommended to ensure that, in the event that any unexpected contaminant is found during site clearance and/or construction, a remediation and verification report is submitted to and approved in writing by the Local Planning Authority prior to first

occupation of the development, demonstrating that the site is safe for the end use.

169. Employment

170. If the proposed development takes place, job opportunities would be created across a range of skill-levels. The applicants estimate that around 200 full-time equivalent jobs would be generated. These jobs would make a significant contribution to the employment role envisaged by the site's designation within a growth area (WAAP Policy CP7) which promotes such areas as being the focus for a generation of new jobs across a range of sectors.
171. The applicants assert that Boxpark would work proactively with the London Borough of Brent to source as many employees as possible locally. Brent Works aim to work with residents by providing them with training, work experience and pathways into employment to help them reach their career aspirations. The applicants consider that Brent Works would be the best forum and conduit of opportunities and training packages. Furthermore, Boxpark are keen to encourage stakeholders to promote the flexible event space to local businesses and groups.
172. A condition is recommended to ensure that, should permission be granted, access to employment opportunities is maximised for local people during the construction phase of the development, through liaison with Brent Works.

173. Construction Logistics

174. A condition is recommended requiring the submission and approval of a Construction Logistics Plan (CLP) prior to the commencement of development, in the interest of highway and pedestrian flow and safety.

175. Conclusion

- 176.** The proposed use would provide a beneficial 'meantime' use for this site whilst the North West Lands area is redeveloped over a phased period. In land use terms this temporary use is considered to be consistent with national, regional and local policy. It would add to the retail and leisure facilities on offer for Brent's residents and visitors, and would in turn be of benefit to the local economy. The use is in keeping with the vision for how development in the Wembley regeneration area is to take place, and would introduce activity and vitality that responds appropriately to the vision for Olympic Way and wider area. The building design would deliver an interesting and contemporary scheme to this prominent site. The facility would be accessible for all members of the local community in a location with very good public transport accessibility. The submitted scheme accords with the relevant planning policies and guidance and it is therefore recommended that planning permission is granted, subject to conditions.

CIL DETAILS

This application is not liable to pay the Community Infrastructure Levy (CIL). The proposal relates to a temporary use, and the permission is for a time limited period of ten years only, and it is therefore not eligible for CIL.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/4877

To: Miss Carney
WYG
11th Floor
1 Angel Court
London
EC2R 7HJ

I refer to your application dated **14/11/2017** proposing the following:

Erection of a food and beverage and retail mall to provide restaurant/café, drinking establishment and shop units (use classes A1/A3/A4), an event space (use class D2), external food units (use class A5), ancillary management and storage units, associated servicing areas, provision of cycle parking and placement of signage for a temporary period of 10 years

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

at **Land to the South West of Olympic Way/Fulton Road Junction, Olympic Way, Wembley**

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

Date: 02/02/2018

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 2012
London Plan consolidated with alterations since 2011 (March 2016)
Brent Local Plan 2016
Wembley Area Action Plan 2015
Brent Local Development Framework Core Strategy 2010

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of this permission.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawing(s) and/or document(s):
Site Location Plan (drawing no BPW-BDP-(0) AP001 P03) prepared by BDP
Existing Site (drawing no BPW-BDP-(0) AP002 P04) prepared by BDP
Existing Site including proposed neighbouring developments (drawing no BPW-BDP-(0) AP003 P04) prepared by BDP
Existing Site Levels (drawing no BPW-BDP-(0) AP004 P03) prepared by BDP
Proposed Site Plan Ground Level (drawing no BPW-BDP-(0) AP005 P04) prepared by BDP
Proposed Site Plan Roof Level (drawing no BPW-BDP-(0) AP006 P04) prepared by BDP
Proposed Ground Floor Plan (drawing no BPW-BDP-(0) AP010 P05) prepared by BDP
Proposed First Floor Plan (drawing no BPW-BDP-(0) AP011 P05) prepared by BDP
Proposed Roof Plan (drawing no BPW-BDP-(0) AP012 P03) prepared by BDP
South and East Elevations (drawing no BPW-BDP-(0) AE001 P03) prepared by BDP
North and West Elevations (drawing no BPW-BDP-(0) AE002 P03) prepared by BDP
Cross Sections (drawing no BPW-BDP-(0) AS001 P03) prepared by BDP
Exploded Axo - Uses (drawing no BPW-BDP-(0) AX001 P03) prepared by BDP
Exploded Axo - Make (drawing no BPW-BDP-(0) AX002 P03) prepared by BDP
Planning Statement prepared by WYG
Design and Access Statement parts 1-9, prepared by BDP
Transport Statement Rev.3 prepared by WSP
Travel Plan Rev.3 prepared by WSP
Deliveries & Servicing Plan (Rev.3) prepared by WSP
Sustainability Statement prepared by BDP
Environmental Noise Assessment Report Rev.P02 prepared by BDP Acoustics
Drainage Strategy Rev.B prepared by BDP
Lighting Strategy Report Rev.03 by BDP
Ventilation and Extract Planning Statement Rev.P05 by BDP
Draft Operational Management Plan prepared by BPQW Ltd
Ground condition, soils and contamination (resubmitted from the ES chapter for app ref 15/5550)
Flood Risk Assessment (resubmitted from the ES chapter for app ref 15/5550)
Archaeology Assessment (resubmitted from the ES chapter for app ref 15/5550)
Definition of Zones for Moving Image Content, drawing no. A00_MIC_01 P2007903
Boxpark Screens/Wrap Operational Strategy
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 This permission shall be for a limited period of ten years only from the date of this consent 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 and the building shall be

removed from the site and the site left in a safe and satisfactory condition in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

Reason: The land is situated within an area to be redeveloped and is acceptable on a temporary basis in the interests of the regeneration plans for Wembley.

- 4 The strategy for the discharge of foul and surface water and SuDS attenuation measures, as detailed within the applicant's Drainage Strategy (prepared by BDP and dated November 2017), shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To ensure that sufficient capacity is made available to cope with the new development, to reduce the likelihood of flooding on the site and to ensure the development is sustainable.

- 5 For the duration of the construction period, no construction vehicles are permitted to access or egress the site from four hours before the start time of a Major Event at Wembley National Stadium to four hours after the end of that event, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety.

- 6 The redundant footway crossover on Fulton Road in the north-eastern corner of the site shall be reinstated to footway with full height kerbs at the developer's expense prior to first occupation of the development.

Reason: In the interests of pedestrian and highway safety.

- 7 The cycle parking spaces shown on proposed Ground Floor Plan (drawing no BPW-BDP-(0) AP010 P05) shall be laid out in accordance with the details as approved and shall thereafter be retained for the duration of the consent.

Reason: To ensure satisfactory facilities for cyclists.

- 8 The development shall be carried out in accordance with the measures set out in the Sustainability Statement hereby approved. If it is not possible or feasible to incorporate any of the measures as approved in the Statement, then details of alternative measures or alternative means by which the impacts of the failure to implement the measures will be mitigated shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full prior to first occupation of the development or in accordance with a programme of works approved by the Local Planning Authority.

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

- 9 The premises shall not be used for the preparation or sale of food and drink or for events other than between the hours of 07.00 and 23.00 and shall be cleared, with all ancillary activity completed, within 45 minutes of closing time. No deliveries to, or collections from, the premises shall take place before 07.00 am.

Reason: To protect the amenities of nearby residential occupiers.

- 10 The external kiosks on the Olympic Way elevation of the premises shall be closed at least 15 minutes before the scheduled end of any Major Event at Wembley National Stadium. The kiosks shall not reopen until the stewards deployed to marshal the event have left Olympic Way.

Reason: In the interests of public safety.

- 11 No tables, chairs or any other items associated with outside seating areas associated with this development shall be present outside the premises at any time on the day of any football-related Major Event at Wembley National Stadium. They shall be stored securely within the premises when not in use.

Reason: In the interests of public safety.

- 12 Any tables, chairs or other items associated with outside seating shall be removed from outside the premises at least four hours before the scheduled start of any non-football related Major Event at Wembley National Stadium and shall not be reinstated outside until the stewards deployed to marshal the event have left Olympic Way. They shall be stored securely within the premises when not in use.

Reason: In the interests of public safety.

- 13 Moving images shall not be displayed on the Fulton Road façade and the northern section of the Olympic Way façade of the building (within the area marked as 'Zone A' on drawing no. A00_MIC_01 P2007903) at times when Fulton Road is open to vehicular traffic, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway and pedestrian flow and safety.

- 14 Procedures shall exist to ensure that a full search of the premises, including the external kiosks, and the immediate environment outside is conducted, to look for any suspicious item(s), before each time the premises closes. Details of such procedures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of trading at the premises the the approved procedures shall be implemented from the commencement of trading for the duration of the consent.

Reason: In the interests of the safety and security of users of the premises and those in the vicinity.

- 15 Procedures shall exist to deal with any suspicious item(s) identified. All staff shall have appropriate training to enable them to identify suspicious item(s) and actions to take if suspicious item(s) are found. Details of such procedures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of trading at the premises and the approved procedures shall be implemented from the commencement of trading for the duration of the consent.

Reason: In the interests of the safety and security of users of the premises and those in the vicinity.

- 16 Prior to the commencement of above ground works on the development hereby approved, details of external materials (with samples where appropriate to be made available for viewing on site or at another location as agreed) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details, unless alternative materials are agreed in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with those details.

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

- 17 Prior to the occupation of the building hereby approved, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented in full from first occupation/use of the development, unless otherwise agreed in

writing by the Local Planning Authority.

The Travel Plan shall be reviewed at years 1, 3 and 5 from first occupation, and the reviews shall be approved in writing by the Local Planning Authority as follows:

- a) A review of the Travel Plan measures over the first 12 months from first occupation shall be submitted to the Local Planning Authority within 15 months of the commencement of the use and the review shall be approved in writing within 18 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;
- b) A review of the Travel Plan measures over the first 3 years from first occupation shall be submitted to the Local Planning Authority within 39 months of the commencement of the use and the review shall be approved in writing within 42 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;
- c) A review of the Travel Plan measures over the first 5 years of operation shall be submitted to the Local Planning Authority within 63 months of the commencement of the use and the review shall be approved in writing within 66 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to promote sustainable transport measures and in the interest of the free and safe flow of traffic on the local road network.

- 18 Prior to the occupation of the building hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. Amongst other matters, this plan shall specify that during the period commencing with the first occupation of the development and ending once the delivery bay within Repton Lane is completed, delivery vehicles servicing the premises shall park in the car park of the current Fountain Studios and all goods and materials to be delivered shall be transported by trolley from the Fountain Studios car park to the premises. The approved Delivery and Servicing Plan shall be implemented in full from first occupation/use of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles servicing the premises are parked in suitable parking areas in the interest of pedestrian and highway safety and to protect the amenities of neighbouring residential occupiers.

- 19 Further details of long-term staff cycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to the commence of the approved use and approved cycle parking shall be provided in accordance with the details as approved prior to the commencement of the use and shall thereafter be retained for the duration of the consent.

Reason: To ensure satisfactory facilities for cyclists.

- 20 The development hereby approved shall be carried out in accordance with the details relating to site contamination previously approved under permission reference 15/2125 (Details pursuant to Condition 13 [Site Investigation] of planning permission reference 14/4573). However, in the event that any unexpected contaminant is found during site clearance and/or construction a remediation and verification report, written by a suitably qualified person, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, demonstrating that remediation has been carried out in accordance with the details previously approved and confirming to the Council's satisfaction that the site is safe for the end use.

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

- 21 Mechanical plant and ventilation and extraction equipment shall be installed in accordance with the submitted documents 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics, and 'Ventilation and Extract Planning Statement Rev.P05' (dated 13/11/2017) prepared by BDP and shall be maintained as such thereafter in accordance with the criteria and limits referred to as proposals, or set out, within those documents, and in

accordance with the manufacturer's instructions. No solid fuels shall be burnt at the site until details of additional ventilation and extraction arrangements have been submitted to and approved in writing by the Local Planning Authority and the solid fuel arrangements shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the amenities of neighbouring residential occupiers and those in the surrounding area.

- 22 The premises shall be operated so that the level of noise does not exceed the levels referred to as proposals, or set out, within the submitted 'Environmental Noise Assessment Report Rev.P02' (dated November 2017) prepared by BDP Acoustics. Prior to the commencement of the use, or within a timetable as agreed with the Local Planning Authority, tests shall be carried out to verify compliance with these levels and the results of these tests shall be submitted to and approved in writing by the Local Planning Authority. If the specified levels have been exceeded, details of the measures which will be taken to remedy this breach will be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to the commencement of use of the development.

Reason: In the interests of the amenities of neighbouring residential occupiers and those in the surrounding area.

- 23 Notwithstanding the Lighting Strategy hereby approved, full details of any external lighting, including the external lighting fixtures and a light contour plan for the land surrounding the building, shall be submitted to and approved in writing by the Local Planning Authority, prior to its installation. This shall include details of the luminance levels, details of any automatic timers or sensors and details of measures to control light pollution. The approved details shall be implemented in full prior to the commencement of the use hereby approved and the lights shall not be installed or operated other than in accordance with the approved details.

Reason: In the interests of safety, sustainability and the amenities of neighbouring residential occupiers.

- 24 The screens/wrap on the exterior of the building shall be operated in accordance with the Boxpark Screens/Wrap Operational Strategy hereby approved. A review of the Screens/Wrap Operational Strategy in relation to the southern elevation, with particular regard to luminance levels and operational arrangements, shall be submitted to the Local Planning Authority within 6 months of the first residential occupation of development NW07/08, and approved by the Local Planning Authority within 9 months. Any mitigation recommendations within the approved review shall be completed within 3 months of the date of the approval of those measures, or in accordance with a programme approved by the Local Planning Authority.

Reason: To ensure that there is an opportunity to review the suitability of the Screens/Wrap Operational Strategy, in the light of any feedback received from neighbouring residential occupiers, and/or to ensure the protection of nearby residential amenity.

- 25 Prior to the commencement of development, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority and the approved CLP shall be implemented for the duration of demolition and construction.

Reason: In the interest of highway and pedestrian flow and safety.

- 26 Prior to the commencement of the development, a Construction Method Statement (CMS) 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 CMS shall include details of a dust monitoring plan, to be implemented during demolition and construction works. The approved plan, or a revised plan as subsequently approved pursuant to this condition, shall be fully implemented throughout the demolition and construction phases of the proposed development.

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

- 27 Details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police prior to the commencement of above ground works and the approved details shall be implemented in full prior to completion of the development hereby approved.

Reason: To ensure that the development accords with Policy 7.13 of the London Plan consolidated with alterations since 2011 (March 2016)

- 28 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of:
- (i) Employment opportunities during the construction phase of the development;
 - (ii) The Training & Employment Co-ordinator;
 - (iii) How local employment opportunities will be maximised through liaison with Brent Works.
- The approved details shall be implemented in full throughout the construction of the development.

Reason: In the interest of providing local employment opportunities.

INFORMATIVES

- 1 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 2 A Major Event at Wembley National Stadium (as defined within the Definitions section of the Section 106 Agreement relating to The National Stadium, Wembley dated 23rd August 2002) is an event at the Stadium for which more than 10,000 seats were available either by sale of tickets to members of the public or by debenture or by corporate entertainment.
- 3 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. They further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
- 4 Thames Water advise that there are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover
- 5 Thames Water request that details of connection points onto the public sewer system are submitted to them for approval.
- 6 Thames Water advise that a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures

they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

- 7 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.
- 8 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 9 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 the development.
- 10 If any trees along Olympic Way or Repton Lane suffer damage as a result of the development hereby approved, they would need to be replaced in accordance with the conditions attached to previously approved planning consents relating to the adjoining areas of land.

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

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