



Planning Committee

Wednesday 14 March 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 and 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 of trade union).

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

or

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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting		1 - 10
APPLICATIONS FOR DECISION		
3. 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ	Queensbury	15 - 58
4. All Units, 253A Ealing Road, Wembley, HA0 1ET	Alpertown	59 - 86
5. 1 Nash Way, Harrow, HA3 0JA	Kenton	87 - 98
6. 1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT	Willesden Green	99 - 126

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 60.

Date of the next meeting: Wednesday 11 April 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 14 February 2018 at 7.00 pm

PRESENT: Councillor Marquis (Chair) and Councillors Moher, S Choudhary, Colacicco, Daly, Hylton, Maurice and W Mitchell Murray.

Apologies for absence were received from Agha.

1. **Declarations of interests**

7. 17/4877 Land to the South West of Olympic Way/Fulton Road Junction
Councillor Marquis declared a sensitive interest and gave notice to withdraw from the meeting room during consideration of the application.

Approaches.

3. 17/2884 1-2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR
All members declared that they had received an email from Mr Bart Murphy (objector).
4. 17/0837 1-8 Capitol Industrial Park, Capitol Way, NW9 0EQ
All members declared that they had received a briefing paper from the applicant's agent.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 17 January 2018 be approved as an accurate record of the meeting.

3. **17/2884 1-2 Drakes Courtyard, Kilburn High Road, London, NW6 7JR**

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

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

Mr. Damian Manhertz (Area Planning Team Leader) introduced the report, setting out the description of the site and the proposal and emphasising that the application was for alterations to the fenestration of the windows and doors. He reminded the Committee that prior approval had been granted for change of use of the office building to residential use for 39 flats. He referenced an email from Councillor Duffy that raised health and safety concerns of the application in particular the operation of fork lifts in an area close to the proposed entrance. In response, Mr Manhertz stated that there was an existing arrangement where a door can be used without any planning control. He continued that with the prior approval which would allow a change of use to residential, the alterations could take place without this planning application and that the existing door to the courtyard could still be used. The change of use was likely to result in a decrease in footfall to and from the building and would not result in any further harm to pedestrian safety.

Mr Bart Murphy (objector) raised concerns about health and safety, access and lack of highways assessment of the application. He explained that the proposed move of the door from its current entrance would conflict with the operations of MP Moran (local builders' merchants) which occupied the land directly opposite the application site. The resulting access problems (as there would be no footpath) would mean that pedestrians and vehicles would share the road to the detriment of pedestrian and vehicular safety. Mr Murphy continued that the Council's Highways and Transportation had not been consulted on the application. In response to a members' question, Mr Murphy stated that although there had been no accidents on site, the proposed move of the entrance to the courtyard would make it likely that accidents would occur.

Mr Owain Nedin (applicant's agent) stated that the issues raised by the objector had been addressed in the officers' report adding that the applicant did not require planning permission to move the doorway. He clarified that the proposed entrance would align with the change of use for which prior approval had been granted and with a more accessible layout to the cycle store, optimise the use of the building. Mr Nedin continued that the health and safety implications of the application had been considered but as movement along the courtyard isn't normally focused on the area shown in the image delivery vehicles could be accommodated on site without detriment. Mr Nedin highlighted that a right of way existed for the occupants of the building.

Mr John Fletcher (Highways and Transportation) confirmed that the department was formally consulted on the change of use and not on the door. He said that the use of the other existing door would be better in highways terms, but that this did not take into account what could and could not be controlled within the planning application, noting that the existing door would be in a similar location. Mr Manhertz then outlined the key considerations of the application including health

and safety aspects and in reiterating the recommendation for planning permission to be granted added that the building could be accessed via either of the doors without planning permission. Maria Henry (Senior Planning Lawyer) advised that issues about right of way were a civil matter and outside the remit of the Committee.

DECISION: Granted planning permission as recommended.
(Voting for approval was carried as follows: For 7, Against 1).

4. 17/0837 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.

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

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

That the Head of Planning be granted delegated authority to issue the planning permission subject to a Section 106 Agreement, in order to secure the planning obligations set out within 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 within the report and any other conditions and informatives considered necessary.

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

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

That the Head of Planning be granted delegated authority to refuse planning permission should the Legal Agreement not be completed within 3 months of the date of the Committee resolution.

Mr. David Glover (Development Management Manger) drew members' attention to the supplementary report which set out the circumstances and reasons for altering the recommendation to deferral. He therefore recommended that the application be deferred until the following planning committee meeting to allow the conclusion of the press notice consultation period

DECISION: Deferred to the next meeting to allow the conclusion of the press notice consultation.

(Voting for deferral was carried as follows: Unanimous)

5. 17/4747 Land rear of 12-14 St Andrews Avenue, St Andrews Avenue, Wembley

PROPOSAL: Erection of 3 two storey detached dwelling houses 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

RECOMMENDATION: To 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.

Victoria McDonagh (Area Planning Team Leader) introduced the application setting out the description. With reference to the supplementary report, she addressed the issues raised at the site visit by Members. Members heard that the access was 3.5m wide throughout and 28m in length from the boundary with the

public footway to the rear boundaries of the existing houses Nos 12 and 14. Space for bin storage would be provided to the side of the existing houses without encroaching onto the access. As access for emergency ambulances was possible but not for fire engines the London Fire Brigade had confirmed in principle their acceptance of the use of sprinkler systems.

In respect of arrangements for external lighting and security, she reported that the applicant had confirmed that low level hooded lighting would be provided to BS 5489:2013 standards to limit light spillage and also to ensure safe access. She therefore recommended amendment to condition 14, as set out in the supplementary report, to require prior submission and approval of any lighting to be installed.

Ms McDonagh clarified the boundary treatments around the parking court and the side boundary with No 10. She added that access for construction vehicles could be controlled through the Construction Method Statement, (required in Condition 6) and recommended an amendment to specifically refer to construction access, storage of materials, contractor parking and wheel washing as set out in the supplementary report.

She continued that bin storage and collection had been discussed with Waste Services and Veolia, and that the arrangement had been confirmed as acceptable. Ms McDonagh reported that the tree officer had accepted the loss of trees, subject to replacement tree planting, details of which were specified in Condition 10. She advised that amenity space provision was well in excess of standards and that the quality of accommodation exceeded national minimum.

Although the access was not considered wide enough for two cars to pass, Transportation considered it acceptable in this particular case, as the occasions when two cars would meet would be very rare. As St. Andrews Avenue was a quiet local residential access road, occasional reversing out into the road or waiting on the road would not cause highway concerns. Furthermore, there was adequate turning space within the parking court if cars need to reverse and hence, it would not be necessary to reverse onto or wait in St Andrews Avenue.

Mr Sebastian Power (applicant's agent) stated that density, scale and principle of development were all found to be acceptable. He continued that the driveway access and parking arrangements were acceptable by Highways Officers and that the Fire Brigade considered the use of sprinklers acceptable. He then responded to members' questions on access, bins and front garden green spaces. Mr Power stated that the width of the road was wide enough for ambulance vehicles to access the site and clarified the arrangements for the bins including enclosed area, sizes and frequency of collection. He added that the front garden spaces were about 10% below the Council's soft landscaping target however, they were designed in this way to maximise road safety and found to be acceptable.

In response to members' enquiry Ms. McDonagh outlined the differences between the current and the previous application that was refused on appeal. She explained that the previous application was for 4 dwelling units whereas the

current application was for 3 dwelling units with lower heights and density within London Plan. The separation distance would accord with SPG17 and in addition, the use of hooded lighting would minimise any light spillage.

Mr John Fletcher (Highways and Transportation) in advising on highways issues stated that with only 3 houses, the expected that traffic generation would not be significant (between 8 and 10 trips throughout the day) and that visibility was considered to be good. He added that the bend would assist in slowing down traffic resulting in fewer instances for reversing out. He advised against the suggestion for the removal of 2 car parking spaces as it would result in parking displacement.

In the subsequent discussions, members agreed an additional condition restricting the ability to change the use of the properties to Use Class C4 under permitted development and an additional condition requiring details of a revised frontage layout to include an increase in the width of the vehicular access adjacent to the footway to allow two cars to pass each other in this location.

DECISION: Granted planning permission as recommended subject to amendments to conditions 2, 6, 10 and 14 as recommended in the supplementary report, an additional condition restricting the ability to change the use of the properties to Use Class C4 under permitted development and an additional condition requiring details of a revised frontage layout which would include an increase in the width of the vehicular access adjacent to the footway to allow two cars to pass each other in this location.

(Voting for approval as amended was carried as follows: For 5, Against 2, Abstention 1).

6. 17/4857 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.

RECOMMENDATION: To 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.

Ms. Victoria McDonagh (Area Planning Team Leader) introduced the application and in describing the proposal explained that it was to improve the existing accommodation for the school without increasing the numbers on the roll. With reference to the supplementary report she reported on the additional information submitted by the applicant on refuse arrangements. The updated site plan showed that the location of the proposed bins in relation to the existing bin store, and that they were proposed to be within an enclosed store and that the collections would not interfere with school activities. The bin stores which would be enclosed would alleviate concerns about amenity impact to 15 Cambridge Gardens and other neighbours. In light of the above additional information on the bin store arrangements, she recommended amendments to condition 2 and the removal of condition 11 which required the submission of details of servicing for refuse. Members were informed that comments were yet to be received on Environmental Health Consultation and as such the decision on the application would not be formally given until the appropriate consultation had been received from Regulatory Services and the conditions updated accordingly.

Members queried whether any potential site contamination could be dealt with and queried the highways impact of the application. In response, officers stated that they were not aware of any unusual levels of site contamination. Mr Fletcher (Highways) added that as the school roll would not change as a result of the application, there would be no resulting highways impact of the scheme.

DECISION: Granted planning permission as recommended subject to amendments to condition 2, removal of condition 11 and consultation responses from Environmental Health which may require updates to conditions 8 and 9 as set out in the supplementary report.

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

7. 17/4877 Land to the South West of Olympic Way/Fulton Road Junction, Olympic Way, Wembley, HA9

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.

RECOMMENDATION: To 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.

Ms. Victoria McDonagh (Area Planning Team Leader) introduced the report and answered members' questions. She explained that the permission being sought was for a period of 10 years before the redevelopment of plots NW10 and NW11. She continued that as a temporary 'meantime' use, the scheme would make effective use of the land and a positive contribution to the area whilst the wider phased regeneration was being delivered. Members heard that the built form of the building would occupy almost the entirety of the development plot and therefore no soft landscaping was proposed around the edges of the site, however, new trees would be planted which would help soften the visual impact of the building on the streetscene.

With reference to the supplementary report Ms McDonagh informed members that following publication of the committee report, the applicant had provided a plan showing the location of staff cycle parking spaces which complied with the requirements of the Council's Transportation team. The updated plan, as part of the approved drawings list, meant that condition 19 was no longer required. She continued that following discussion with the applicants, amended wording of condition 24 had been proposed as set out in the supplementary report.

Messrs Matthew Elliot and Gavin Elliot (applicant and architect) addressed the Committee and answered members' questions. They gave an overview of the operations of Boxpark adding that it would deliver major regenerative benefits and bring communities together. They added that as a meanwhile use, the scheme was not required to meet BREEAM standards, although the steel frame building would be insulated, ventilated and concreted. In respect of parking and any anti-social behaviour, members heard that the scheme which would make use of existing parking capacity within the Quintain, would cater for the parking needs. They drew members' attention to conditions recommended by officers to address noise levels and management of the situation to ensure that anti-social behaviour would not result.

In responding to issues raised about light spillage, Ms McDonagh added that the amended condition 24, requiring a review of the luminance levels and 'moving graphics' to be submitted to the Local Planning Authority within 6 months of first occupation of development NW07/08, would address such issues. Any mitigation recommendations within the approved review shall also be completed within 3

months of the date of the approval of those measures, or in accordance with a programme approved. In terms of hours of use and delivery times, she drew members' attention to condition 9. Mr Fletcher (Highways) added that the transport statement would address the management of local roads when events finished.

DECISION: Granted planning permission as recommended subject to an amendment to condition 24 and the removal of condition 19 as set out in the supplementary report.

(Voting for approval as amended was carried as follows: For 6, Against 1)

Note: Councillor Marquis having declared sensitive interest, left the meeting room and took no part in the discussion or voting on the application.

8. Any Other Urgent Business

None.

The meeting closed at 9.35 pm

COUNCILLOR S MARQUIS
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 March, 2018
03
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

INTRODUCTION

The application was deferred from the previous planning committee meeting to allow the conclusion of the press notice consultation period. This has now passed and no further representations were received in relation to the application.

Members visited the site on 10 February 2018. Members have sought clarification on issues relating to the design, highways and transportation, infrastructure, quality of accommodation, impact on neighbours and carbon savings.

Design:

The frontage of the proposed housing onto Stag Lane follows the line established by the existing housing to the north. It is therefore set back with entrances to individual flats through front gardens onto the street. This helps to create a suburban street typology which is appropriate in its immediate context.

The corner of the new workspace building on the other side of Capitol Way is also aligned with this to form a symmetrical entrance to Capitol Way and the pavement is substantially widened on both sides to improve access and safety for pedestrians.

The workspace building then steps back so that it is set back to allow for a screen of planting onto Stag Lane and for several of the existing trees to be retained. This will improve the setting of the offices for both people within the building and the existing residents along Stag Lane.

This land is not a public open space but is in private ownership and currently consists of an overgrown area of trees and scrub planting to the front of a hard standing area of parking. The trees form a visual screen between the commercial properties and the housing along Stag Lane, and it is proposed to retain the majority of these trees to maintain this screening effect and further landscaping is proposed to improve the general appearance of this part of the site. Some planting will need to be removed particularly to the areas immediately adjacent to the mini roundabout to improve the public realm for pedestrians and to improve highway visibility at the junction.

Highways and transportation:

The basement car park will provide 254 residential car parking spaces, representing a ratio provision of 0.6 spaces per residential unit.

Car parking will be allocated with a proportion allocated to the affordable housing units - these spaces will be taken on by the Registered Provider. A further proportion will be made available on a first come first serve basis to those residents wishing to take up a car parking space.

It will be possible for residents to sell the spaces, but only to other residents within the development.

As mentioned in paras. 109-110 of the Committee Report, without measures to control over-spill parking (i.e. the implementation of the CPZ), the development is estimated to generate about 80 more cars than could be accommodated on site. In terms of impact, previously available space in Capitol Way appears to now be occupied by overspill parking from the TNQ development. Many of the nearest residential streets to the west are already heavily parked (Fairway Avenue, Tennyson Avenue, Byron Avenue, Milton Avenue, Park Gardens, Tewkesbury Gardens and Tintern Avenue), so do not offer any scope to accommodate overspill parking. The nearest streets with some overnight capacity are Stag Lane (although we would not wish to see parking on both sides of this street), Carlisle Road, Holmstall Avenue and Beverley Drive. A CPZ would help to mitigate overspill parking, particularly as a 'parking permit restriction' clause is proposed in the event that a CPZ is introduced.

The revised junction of Capitol Way and Stag Lane has been modelled and results are summarised at para. 142 of the Committee Report.

The width restriction to the entrance of Capitol Way is to remain in place, but with amendments to allow access by buses, enforced with cameras.

The Stag Lane/Capitol Way junction is to remain as a mini-roundabout, but with widening on two of the arms to improve traffic flow/capacity.

The location of the access to the basement car park at the bend in the road is considered acceptable – it is on the outside of the bend, so visibility is good.

Updated accident records for the latest available three year period (April 2014 – March 2017), shows two accidents at the Capitol Way/Stag Lane junction and seven further accidents along Capitol Way (none along the site frontage). The accident rate at the Capitol Way/Stag Lane junction is consistent with the expected rate for an urban mini-roundabout. The number of accidents along Capitol Way is quite high given the nature of the road. However, there is no apparent common factor that would be exacerbated by this proposal. It is not considered that the proposal will materially affect accident rates.

Below shows the incident severity and number.

Incident severity	Number
Slight	8
Serious	2

Both ‘serious’ incidents occurred in the same location at the Capitol Way Junction with Plaza Walk.

With regard to the proposed bus stop locations, this has been reviewed by TfL and their buses team, and they are in agreement in principle but the details will be secured in the s.278.

Infrastructure:

Brent’s CIL Regulation List confirms that Brent CIL contributions will fund the following types of 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

This scheme will contribute several millions of pounds to the Local CIL, which can in turn provide the necessary local infrastructure.

Notwithstanding this, it should be noted that there are nurseries in the area, and that Kingsbury Health and Wellbeing Centre, a GP practise is located to the south of the site on Stag Lane.

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. This is set out within paragraphs 44 - 55 of the report.

Impact on neighbours:

The mews buildings proposed to the north western corner of the site are the only parts of the scheme which sit directly adjacent to existing residential buildings. It should be noted that these are 2-3 storey’s in height, as such they are considered to result in an appropriate relationship to the existing local context and townscape.

In addition to this, the new building to the west of the site which sits onto Stag Lane is considered to contribute to the street frontage and creates a suburban street context with front gardens to match the properties adjacent and opposite on Stag Lane.

Carbon savings:

The proposed development meets the minimum 35% carbon reduction off set compared to 2013 Building Regulations. The proposal is in general compliance with the London Plan and the remainder of the reduction, to zero carbon emissions, will be secured as an off-set contribution. Additionally, the applicants are investigating the use of pv panels on the roofs of the development.

Additional points:

Following publication of the committee report on the previous agenda, the applicant has identified some inaccuracies within the report. These are addressed below:

- The commercial uses table on page 6 didn't show any of the proposed commercial uses and simply showed a loss of 9100sqm of commercial floorspace. This has been updated to include a breakdown of all the proposed uses given under para 7 of the report.
- The residential table also set out on page 6 is not accurate and does not correspond with the correct figures set out on page 18, which is as follows-

	Studio	1 Bed	2 Bed	3 Bed	Td
Private	44	103	100	60	30
Intermediate	0	15	25	13	53
Affordable Rent	0	6	19	29	54
Total	44 (10%)	124 (30%)	144 (35%)	102 (25%)	41

- Paragraph 6 in main body of report refers to 900sqm of existing floorspace instead of 9100sqm.
- Paragraph 7 states that 1,852sqm on the satellite site will be B1c. This should read as flexible B1c/B8.
- Para 47 references units per core. Whilst there are 14 units which are accessed from one core, the central corridor is split with access restricted to 6 units on one side of the lift lobby and 8 on the other side.
- Para 49 should state that 155 units are dual aspect not 115.
- Under the CIL charge table the B1 floorspace was previously shown as 'Shops' which is £40 per sqm. However, the 4,051sqm should be under B1 or B8 and as such there is a 'zero' local CIL charge. this has been updated in the CIL calculator.

Recommendation:

Remains approval, subject to the conditions set out in the draft decision notice, the completion of a legal agreement and the Stage 2 referral to the Mayor of London.

The report that formed a part of the agenda for the 14 February Planning Committee meeting is as follows:

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

	Planning Committee Map
Site address: 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ	
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



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	109.5	109.5
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	1852	1852
Businesses and offices	0		0	2200	2200
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	109.5	
Shops	0		0	0	
Storage and distribution	9100		9100	0	-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
<p>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.</p>	<p>The consultation undertaken by the applicant is discussed below.</p>
<p>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.</p>	<p>The LPA have carried out extensive consultation on the proposals beyond the statutory requirements to increase awareness of the application</p>
<p>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?</p>	<p>Please see Transport Assessment section, paragraph 133</p>
<p>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</p>	<p>Please see Transport Assessment section, paragraph 133</p>

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

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.

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.

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.

submitted and reviewed

Inadequate street lighting

Inadequate street lighting in Capitol Way area to ensure safety of pedestrians.

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

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.

Through the Community Infrastructure Levy and S106 obligations, the development will contribute to the cost of the infrastructure it will rely upon.

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.

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

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.)

Please see paragraphs 1 to 13 in relation to the land uses at the site

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

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

<p>present sewerage increase of new builds within North Brent.</p>	<p>been incorporated in the decision</p>
<p>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.</p>	<p>This is discussed in paragraphs 33 – 40 of the report</p>
<p>Sustainability Project could have aspired to greater sustainability.</p>	<p>Please see paragraphs 88 and 89 of the report</p>
<p>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</p>	<p>Council's Environment and Regulatory officers were consulted. They recommend that subject to appropriate conditions the proposal is considered acceptable in these terms.</p>
<p>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.</p>	<p>There is no justification that the proposals will result in anti-social behaviour, any such instances should be reported to the Police</p>
<p>Quality of life Quality of life of current residents would be affected.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>Impact on health of residents Constant building work in area over last 5 years has severely affected my asthma.</p>	<p>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.

and manage any dust and air pollution during construction. Please see daylight and sunlight section at paragraph 56

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'.

Please see paragraph 66 of the report below

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.

Please see paragraph 71 of the report

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.

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.

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.

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.

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

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?</p>	
<p>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.</p>	<p>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</p>

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

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

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

Management Policies DMP1, DMP18 and DMP19, SPG17, draft SPD1 as well as the National Technical Housing Standards.

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

measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.

6. To submit (6 months before first occupation) a revised Travel Plan and implement the revised Travel Plan from first occupation of the development. The submission for the Councils approval refined overall targets for the Travel Plan to encourage travel by residents, occupiers and visitors by means other than private car and promote walking and cycling to and from the site. Commercial units occupied by less than 20 staff in total will not be required to submit a Travel Plan These organisations should simply provide employees with the information contained in a typical Travel Pack at induction.

7. Any highway works to be undertaken at the developer’s expense under S 38 and 278, including: (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.

8. 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),

9. Designation of the development as ‘car-free’ 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;

10. Contribution towards bus improvements – amount to be agreed with TfL

11. Employment and Training

- a. To prepare and gain approval of an Employment Enterprise and Training Plan prior to commencement and to implement the Plan
- b. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
- c. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
- d. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
- e. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

CIL DETAILS

This application is liable to pay **£13,092,589.41*** 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): 43294 sq. m.

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
<p><i>Document Imaged</i></p> <p>Page 45</p> <p style="text-align: right;"><i>DocRepF</i> Ref: 17/0837 Page 11 of 43</p>							

	(Gr)	(Kr)	(A)	used	used		
Dwelling houses	39243		39243	£200.00	£35.15	£10,967,016.96	£1,927,453.23
Either B1, B2 and / or B8	4051		4051	£0.00	£35.00	£0.00	£198,119.22

BCIS figure for year in which the charging schedule took effect (lc)	224	224
BCIS figure for year in which the planning permission was granted (lp)	313	
Total chargeable amount	£10,967,016.96	£2,125,572.45

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

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

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



DECISION NOTICE – APPROVAL

Application No: 17/0837

To: 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: 02/03/2018

Signature:

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

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 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 March, 2018
04
17/1104

SITE INFORMATION

RECEIVED	10 March, 2017
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	All Units, 253A Ealing Road, Wembley, HA0 1ET
PROPOSAL	Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access. (Revised description 19.10.17)
APPLICANT	Barnett
CONTACT	Savills
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_133135</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 "17/1104" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission subject to conditions and 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.

Section 106 Heads of Terms

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Notification of material start 28 days prior to commencement
- Affordable Housing (3 x two bedroom units will be for social rent and 1 x two bedroom unit for intermediate shared ownership);
- Contribution of £62,500 towards affordable workspaces;
- Highway works under section 278 of the Highways Act to comprise removal of the existing vehicular crossover to Ealing Road and repaving of the footway fronting the site
- Contribution of £10,000 towards introduction of Controlled Parking Zone on adjoining roads;
- Establishment of public rights of way through the site from Carlyon Close to 243 Ealing Road / Hatton Road for pedestrians, cyclists and emergency vehicles;
- Training and employment plan targeting Brent residents;
- Contribution of £33,139 towards a local carbon off-setting scheme to achieve the targets for carbon reduction set out in the Energy Strategy by Metropolis Green (February 2017, ref 5430, as amended)
- Any other planning obligation(s) considered necessary by the Head of Planning

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

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

1. Time limit for commencement
2. Approved drawings/documents
3. Membership of Considerate Constructors Scheme
4. Withdrawal of permitted development rights
5. That the homes are "parking permit restricted"
6. Obscure non-opening side elevation windows
7. Internal noise levels
8. Retention of parking spaces and cycle storage
9. Site investigation, remediation and verification
10. Details of external materials
11. Landscaping scheme
12. Constuction Method Statement
13. Details of photovoltaic panels
14. Details of electric vehicle charging point
15. Details of sustainable drainage scheme
16. Details of compliance with Building Regulations M4(2) and M4(3)
17. Details of waste storage and collection
18. Parking Management and Allocation Plan

Informatives

1. Waste transfer facility in vicinity
2. CIL liability informative
3. Control of Asbestos Regulations
4. Contact Highways for crossover works
5. Notify highways before commencing works
6. Fire Safety
7. Living Wage
8. Advice from the Fire Brigade


That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior

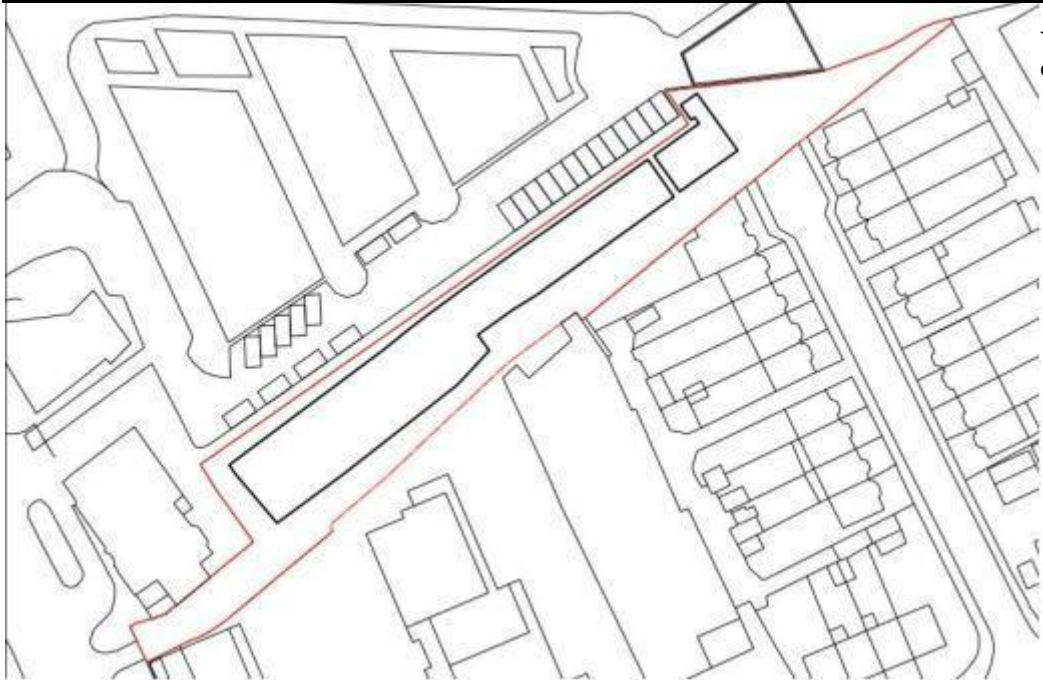
to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been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

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	Planning Committee Map
Site address: All Units, 253A Ealing Road, Wembley, HA0 1ET	
© Crown copyright and database rights 2011 Ordnance Survey 100025260	



This map is indicative only.

PROPOSAL IN DETAIL

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four two-storey terraced houses (four x 2bed houses) and two four-storey residential blocks providing 16 flats (eight x 2bed and eight x 3bed units), together with five associated car parking spaces, cycle storage, landscaping and access.

The proposal was originally for 24 units including four x 2bed houses, ten x 2bed and ten x 3bed flats, and was revised in October 2017, following discussions with officers, to omit four of the units.

EXISTING

The site consists of a narrow strip of land on which are a group of single-storey general industrial units occupied by vehicle repair businesses, together with a private spine road providing vehicular access from Ealing Road to the southwest and Carlyon Close to the northeast, and a small area of hardstanding used for additional parking.

The site is not in a conservation area or within the curtilage of a listed building. It is in Alperton Growth Area and part of the site allocation A3 (Former B&Q and Marvellairs House). As such it is bounded to the north by a recent residential development at 243 Ealing Road (granted planning permission under reference 09/2116), to the west by 253 Ealing Road, a development site comprising a vacant public house with a resolution to grant permission under reference 16/3606, to the south by development sites under construction at 255 Ealing Road (reference 14/2276) and at 1c Carlyon Road (reference 15/3950) (all part of the same site allocation) and to the southeast by traditional two-storey residential dwellings on Carlyon Close.

AMENDMENTS SINCE SUBMISSION

16/10/17: A full set of revised plans were received, reducing the overall number of units from 24 to 20, in order to address concerns regarding relationships with neighbours, site layout and amenity space provision. Further consultation undertaken.

06/11/17: Drawings D7100, D7300 and D7301 were revised to alter the proposed ground floor internal layouts (other than for wheelchair accessible units) from separate rooms to open plan layout, in order to improve levels of daylighting within proposed units. This is considered a minor change not requiring reconsultation.

18/12/17: Drawings D7201 and D7104 were revised, to clarify that first floor angled windows in units CG1 and CG2 would face due south to prevent overlooking onto 17 Carlyon Close (previous sets of plans contained anomalies in this respect). This is considered a minor change not requiring reconsultation.

31/01/18: Drawings D7102 and D7103 were revised to clarify that side elevation windows are proposed. Drawing D7702 was revised to be consistent with Drawings 7210 and D7104. Drawing D7100 was revised to include a dry riser for fire safety purposes, to relocate the cycle store to prevent it blocking the side elevation kitchen window in one of the units, to amend the size of bin stores in accordance with the Council's storage requirements, and to relocate the bin store in the parking court area to allow space to provide a cycleway into the adjoining development at 243 Ealing Road. A Fire Safety Report was submitted. These are considered minor changes not requiring reconsultation other than with Transportation and London Fire Brigade.

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 of development.** The site is part of the allocated Site A3 Site Specific Allocation (SSA) within Alperton Growth Area. Residential redevelopment of the site is therefore supported by policy and acceptable in principle. The proposal accords with the housing mix sought in policy, with 40% of the residential units providing family sized accommodation. To compensate for the loss of employment floorspace, and accord with the allocation, the proposal includes a financial contribution of £62,500 towards affordable workspace.

2. Affordable housing provision. Four Affordable units are proposed, which represents 20% of the units (or 18% by habitable room). The proposal has been supported by a Financial Viability Appraisal and is considered to be the maximum reasonable proportion of Affordable Housing in this instance. The proposal therefore complies with policy. The tenure mix would be three social rented homes and one shared ownership home. It is not considered reasonable to request a post-implementation review on a scheme of this size.

3. Design. The proposal is considered to be of a good standard of design, providing a legible and accessible layout, and creating an identity and sense of place. The combination of four-storey mansion blocks and two-storey houses would appear in keeping with both the high density new development and traditional two-storey housing in the surrounding area, and would help to draw together these different forms of development.

4. Relationship with neighbouring properties. The relationship with houses on Carlyon Close complies with standards set out in SPG17 and draft SPD1. Although the development would be close to the boundaries with recent and forthcoming neighbouring schemes, the application has demonstrated that acceptable levels of light, outlook and privacy would be retained for neighbouring residents.

5. Residential living standards. The development would provide a good standard of accommodation for future residents. All units would comfortably exceed minimum floorspace standards with two units (10%) designed to wheelchair accessible standards, and a combination of private and communal amenity space would be provided in excess of the required standard. All rooms would received the recommended levels of daylight except ground floor kitchens, which would benefit from the revised layout incorporating open plan living spaces.

6. Sustainability and environment. The application has demonstrated that regulated carbon emissions would be reduced by 35.4% compared to the 2013 Building Regulations baseline, including 15.9% by the use of PV panels. A carbon offset payment of £33,139 is proposed to compensate for the shortfall against the London Plan zero carbon target. Measures to mitigate and adapt to climate change are proposed, including limiting water use to 105 litres per person per day, and sustainable drainage measures. Noise, air quality and contaminated land impacts have been assessed and can be controlled through conditions.

7. Transportation considerations. Local objections are centred around the transport impacts on Carlyon Close. However, traffic generation and pressure on on-street parking are expected to reduce compared to the existing use. The existing vehicular access from Ealing Road would be removed, improving highway safety, and there would be no through route into Carlyon Close. A turning head would be provided to allow service and delivery vehicles to drive out of Carlyon Close in forward gear. Pedestrian and cycle rights of way would be provided from the site and Carlyon Close into the adjoining site at 253 Ealing Road, to enhance permeability and provide pedestrian and cycle links to the Grand Union Canal. The development would be parking permit restricted, with future residents not eligible for on-street parking permits, and a financial contribution of £10,000 is proposed which would help subsidise the cost to existing residents of the eventual introduction of a Controlled Parking Zone in surrounding streets. Overall, the development is considered to improve the existing transport situation.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses	0	0	0	2211	2211
General industrial	832		832	0	-832

Monitoring Residential Breakdown

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

EXISTING (Flats û Market)										
PROPOSED (Houses)		4								4
PROPOSED (Flats û Market)		8	8							16

RELEVANT SITE HISTORY

There is no relevant planning history on the site.

CONSULTATIONS

231 neighbours were consulted on 6 April 2017 and again on 19 October 2017 following receipt of revised plans.

A site notice was posted on 16 February 2018 and a press notice placed on 22 February 2018.

Six responses were received including four individual objections, one objection listing 20 separate respondents and one petition including 17 signatures (there is a high degree of overlap between these categories, with some individual objectors also signing the petition and/or the group objection). The large majority of objectors were from addresses in Carlyon Close. The petition was resubmitted in the second consultation.

The following issues were raised:

Comment	Officer response
Object to use of Carlyon Close as access for service and delivery vehicles for new development.	<p>Carlyon Close is already used to access the vehicle repair workshops and there are no existing restrictions on the type or number of vehicles accessing the site.</p> <p>Servicing and delivery traffic associated with the new development would be of a small scale domestic nature and is unlikely to cause undue nuisance to neighbouring residents. Servicing and delivery traffic already serves existing residents of Carlyon Close.</p>
Lack of consultation on proposed access arrangements.	Access arrangements are clearly indicated on the plans that were subject to public consultation with neighbouring residents
Existing noise, pollution and traffic nuisance will get worse.	The existing use generates a high level of traffic and associated noise as it involves a number of small businesses who test and repair vehicles. The proposed development is expected to lead to reduced vehicle traffic compared to the existing use, as parking will be restricted to five spaces and residents will not be eligible for on-street residents parking permits.
Carlyon Close should remain a closed road.	<p>The access from Carlyon Close into the site is an existing access. The existing workshops also have a vehicular access onto Ealing Road and a service road connecting the two accesses and providing a through route from Ealing Road to Carlyon Close.</p> <p>The proposal would remove the vehicular access from Ealing Road entirely, and so would achieve the aims of this objection. Vehicular access would only be provided to the five parking spaces at the head of Carlyon Close, and this would provide a turning circle that could also be used by existing residents and other traffic.</p>

Height of two-storey blocks should not exceed that of houses in Carlyon Close.	The two-storey houses would have flat roofs at a height of 6m, compared to the 7.7m ridge height of the existing houses. The stairwell housing providing access to the roof terrace would extend to a height of 9.2m but would be set back from the front elevation by 1.5m and from the side elevation by 4m, and the visual impact of the greater height would be offset by its limited bulk.
Visual and smell impact of bins in proximity to child's play area at No 243.	Further details of bin stores would be required by condition and to ensure these are well designed so as to minimise any visual impacts and odours.
Site visit required to Carlyon Close.	Site visits were conducted by officers.

External Consultees

Environment Agency: No objection

Informative recommended regarding proximity to (currently non-operational) industrial waste processing facility within 50m of the site.

London Fire Brigade: No objection

The Fire Brigade do not object to the proposal and they make particular reference to Fire Bridge Access Note 29 which relates to water mains and Hydrants, and the need for the proposal to conform with Building Regulations Approved Document Part B and submission of plans to Building Control or Approved Inspector (approval under the Building Regulations).

Internal consultees

Lead local flood authority: No objection subject to conditions

The site falls within Flood Zone 1 and is less than a hectare in size, so a detailed Flood Risk Assessment is not required. Measures proposed to reduce flood risk and surface water discharge are appropriate. Further details of flood mitigation measures and proposed discharge rates (the latter to be reduced by 50%), together with maintenance arrangements (process and frequency) are required by condition.

Environmental Health: No objection subject to conditions

Conditions required to control construction works, restrict external lighting and secure adequate levels of internal noise.

POLICY CONSIDERATIONS

Regional policy guidance

2016 London Plan (Consolidated with Alterations since 2011).

The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London. London boroughs' local plans need to be in general conformity with the London Plan, and its policies guide decisions on planning applications. The following policies are relevant:

Chapter 3 - London's People

- Policy 3.3: Increasing Housing Supply
- Policy 3.4: Optimising Housing Potential
- Policy 3.5: Quality and Design of Housing Development
- Policy 3.6: Children and Young People's Play and Informal Recreation Facilities
- Policy 3.8: Housing Choice
- Policy 3.9: Mixed and Balanced Communities
- Policy 3.10: Definition of Affordable Housing
- Policy 3.11: Affordable Housing Targets

Policy 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Chapter 5 - London's Response to Climate Change

Policy 5.2: Minimising Carbon Dioxide Emissions
Policy 5.3: Sustainable Design and Construction
Policy 5.6: Decentralised Energy in Development Proposals
Policy 5.7: Renewable Energy
Policy 5.9: Overheating and Cooling
Policy 5.12: Flood Risk Management
Policy 5.13: Sustainable Drainage

Chapter 6 - London's Transport

Policy 6.5: Funding Crossrail and other strategically important transport infrastructure
Policy 6.9: Cycling
Policy 6.13: Parking

Chapter 7 - London's Living Places and Spaces

Policy 7.2: An Inclusive Environment
Policy 7.3: Designing Out Crime
Policy 7.4: Local Character
Policy 7.5: Public Realm
Policy 7.6: Architecture
Policy 7.14: Improving Air Quality
Policy 7.15: Reducing Noise and Enhancing Soundscapes

Chapter 8 - Implementation, Monitoring and Review

Policy 8.3: Community Infrastructure Levy

Local policy guidance

Brent's Core Strategy 2010

The Council's Core Strategy was adopted by the Council on 12th July 2010. As such the policies within the Core Strategy hold considerable weight. The relevant policies for this application include:

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP8: Alperton Growth Area
CP19: Brent Strategic Climate Change Mitigation and Adaption Measures
CP21: A Balanced Housing Stock

Brent Development Management Policies Document 2016

DMP1: Development Management General Policy
DMP9B: On site Water Management and Surface Water Attenuation
DMP12: Parking
DMP14: Employment Sites
DMP15: Affordable Housing

Brent's Site Specific Allocations DPD adopted July 2011

The above document forms part of Brent's Local Plan and sets out the planning policies and guidance for the future development of over 70 key opportunity sites around the borough. One of these sites is known as A.3 (B&Q and Marvellairs House).

Supplementary Planning Guidance and Design Guides

Government's Technical Housing Standards (March 2015)

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.

DETAILED CONSIDERATIONS

Principle of development

1. Core Strategy Policy CP1 focuses new housing development in five growth areas including Alperton, while 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. Policy CP8 seeks to provide at least 1,600 new homes in Alperton Growth Area to 2026, and the Site Specific Allocations DPD sets out requirements for the residential-led mixed use redevelopment of Site A3. The Alperton Masterplan SPD provides detailed guidance on the forms of development supported in the Growth Area, including high density flatted development.
2. The site is within the Alperton Growth Area and part of the allocated Site A3. The allocation also includes the four adjoining sites which already benefit from planning permission or resolution to grant permission. Residential redevelopment of the site is supported by the above policies and would be consistent with the ongoing residential-led redevelopment of the surrounding sites. The proposed housing mix includes eight 3bed units out of 20 units, which represents 40% of the total and exceeds the target of 25% family-sized dwellings set out in Policy CP2.
3. The proposal does not include any B1 or A3 uses or public amenity space, which are amongst the priorities highlighted in the Site Specific Allocation. However, the site is a small and constrained part of the allocated Site A3, with no significant road frontage, and consequently is considered less suitable for mixed use development than the other parts of Site A3. The existing vehicle repair workshops represent a small scale employment use, and it is proposed that their loss is compensated for by a financial contribution towards affordable workspace of £62,500. The applicant has agreed to this contribution and it would be secured through the s106 Agreement.

Affordable housing provision

4. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, having regard to a number of factors including development viability. Core Strategy Policy CP2 sets a strategic target that 50% of new homes delivered in the borough should be affordable. Policy DMP15 reinforces this target and specifies that 70% of new affordable housing across the Borough should be social/affordable rented housing and 30% intermediate housing. However, this tenure mix can be varied on individual developments where this is justified by the viability of the scheme and other site-specific characteristics.
5. The application has been supported by a Financial Viability Appraisal (FVA) which has been reviewed on the council's behalf by independent consultants. The FVA concluded that three affordable units could be provided out of the total of 20 units, without compromising the viability of the scheme. The council's consultants argued that the existing use value and construction costs had been over-estimated in the FVA, and that five affordable units could be provided. The applicant then provided further evidence in the form of existing lease and tenancy information, and further discussions were held regarding construction

costs. It was agreed that the provision of four affordable units would represent the maximum reasonable provision.

6. Four affordable units are proposed, representing 20% of the total, with three units being for social rent and one for shared ownership, reflecting a 75:25 tenure split which is considered to be in accordance with Policy DMP15 for this size of development. Although less than the 50% target for affordable housing provision set out in Policies CP2 and DMP15, your officers consider that this is the maximum amount that could reasonably be provided on this site, given that a Financial Viability Appraisal has been submitted and an agreed position reached between the two parties as to the viability of the development.
7. Affordable housing provision would be secured by the s106 Agreement, however your officers consider that it would not be reasonable to seek a post-implementation viability review on a scheme of this size.

Design, scale and appearance of proposal

8. The proposed development would be in three groups of buildings of a square plan form located towards the northern boundary of the site. The four mansion blocks would be grouped in two sections to break up the massing, Block 1 on the western boundary adjoining 253 Ealing Road and the centrally located Block 2. Each would be four stories high with flat roofs, with each unit being a duplex occupying two stories. Central projecting entrance cores would provide access to the upper units, flanked by separate entrance doors to ground floor units. The blocks would appear modest in height and bulk in comparison to the significantly larger and taller schemes to the north, south and west, and the 'mansion block' form would be an appropriate form of development in this context. Block 3, located towards the east of the site, would be a terrace of four houses, two stories high with a flat roof. It would be read within the context of the similar height, domestic scale and form of the established housing on Carlyon Close, and would appear in keeping with this area. Each block would have roof terraces incorporating stairwell housing, 2m high privacy screens and raised planters.
9. A communal amenity space and cycle store would be located between Blocks B and C, and a parking court with bin storage at the northeastern end of the site, accessed from the existing access on Carlyon Close. Pedestrian access to the buildings would be via a footpath running along the existing spine road from the Ealing Road entrance to the parking court, with the remainder of this space providing additional bin storage and landscaping. Each block would be set back progressively by 0.5m, to break up the overall bulk of the building line, create an attractive vista along the footpath and provide defensible space in front of the ground floor accommodation.
10. The architectural style is contemporary, with the facing materials being mainly light grey brickwork to respond to the character of the surrounding area but also including sections of light brown textured brick and white precast concrete horizontal banding to provide articulation and visual interest. Doors and window frames would be finished in metallic bronze, which would provide an effective contrast to the brickwork, and their shape and alignment would provide a strong vertical emphasis to the buildings.
11. One concern raised by neighbours relates to the height of the two-storey blocks. These would have the stairwell housing leading up onto the roof terrace, which appears as a part third-storey but would be of limited bulk and footprint compared to the overall bulk of the buildings and less bulky than the pitched roofs on neighbouring two-storey properties. Privacy screens would also be provided on the roof terraces, but would be of limited bulk and height compared to the bulk of pitched roofs.
12. Overall the design is considered to be of a good standard that provides a legible and accessible layout and a sense of arrival at individual properties. It would successfully create an identity and sense of place to draw together the two forms of development across the site, whilst complementing the character of both the high density new developments surrounding the site and the traditional housing to the east.

Further details of materials, a landscaping scheme including details of roof terrace planting and hard landscaping, boundary treatments, and the design of cycle storage and bin storage would need to be secured by condition.

Relationship with neighbouring properties

13. The impact on neighbours is also a material consideration, and Policy DMP1 seeks to ensure that this is acceptable, with further guidance set out in SPG17 and draft SPD1. The surrounding buildings, including those consented and under construction, are residential in nature and as such the impact of this development upon them needs to be considered.
14. SPG17 requires new development not to breach a 30 degree line at 2m height from the nearest habitable room windows on existing properties and a 45 degree line at 2m height from rear boundaries of private amenity space, in order to protect their light and outlook. Draft SPD1 proposes a more flexible 45 degree standard in relation to windows in transitional and transformational areas. To maintain adequate standards of privacy, SPG17 requires new development to maintain a 10m distance from proposed rear habitable rooms to the rear boundary and 20m to the nearest existing rear habitable rooms, whilst draft SPD1 allows reduced distances in transitional and transformational areas where proposals are of high quality design and incorporate measures to reduce the perception of overlooking or loss of privacy.
15. In respect of this site, the surrounding development across the allocated Site A3 is all high-density flatted development and Site A3 as a whole represents a transformational area of the type described in draft SPD1 and within which the more relaxed standards could apply, whereas the housing on Carlyon Close represents a typical area in which the 30 degree standard should continue to apply.
16. The application is supported by a Daylight & Sunlight Report, which provides a detailed assessment of the potential impacts of the development on the light received by windows of neighbouring properties. The methodology used is based on the BRE's 'Site Layout Planning for Daylight and Sunlight: A guide to good practice', which is the accepted national standard method for assessments of this type. It calculates daylight using three methods: the Vertical Sky Component (VSC), the No-Sky Line Contour (NSC) and the Average Daylight Factor (ADF), and sunlight using the Annual Probable Sunlight Hours (APSH).
17. Compliance with the relevant standards and any other concerns regarding the relationship to each of the nearest neighbouring properties is assessed in the following paragraphs.
18. The proposed two storey houses would be within a 30 degree line of the side boundary of the rear garden of 17 Carlyon Close at the eastern end of the site and at a distance of 11m from the flank elevation of this house, in accordance with SPG17. There are no side-facing windows in this house and the side boundary is screened by wooden fencing. The first-floor front elevation windows in the proposed houses would be angled to prevent overlooking and loss of privacy, with those on Plots CG1 and CG2 facing southwards onto the far rear garden of 17 Carlyon Close and those on Plots CG3 and CG4 facing eastwards towards its flank elevation and frontage. Properties on Carlyon Close have not been assessed for overshadowing, being to the south of the proposed development.
19. The four-storey Block B would breach a 45 degree line from the side garden boundary of the nearest unit within the approved (but not constructed) development at 1c Carlyon Close, and from a side-facing secondary habitable room window in that unit. However this garden comfortably exceeds minimum standards, having an L-shaped area of 90sqm of which the majority would not be affected by the proposed development, whilst the side-facing window in the unit affected is very small in size and secondary to the larger rear-facing window in the same room. Furthermore, that garden does not exist at present and is to be constructed as a part of a high density development. Consequently the resultant

loss of light and outlook would not have an undue adverse impact. This site is also to the south of the proposed development and so would not be affected by overshadowing. Although there are some upper floor habitable room windows on this northern elevation of the 1c Carlyon Close development, these are high level obscured secondary windows and so overlooking from the proposed development would not be a concern.

20. The four-storey blocks would be 12m distant from the flank elevation of the development under construction at 255 Ealing Road to the south. However, there are no windows in this flank elevation and consequently no concerns about loss of light and look. This distance is considered to be adequate to maintain levels of privacy. The proposed blocks would retain a distance of over 10m to the communal amenity space at 255 Ealing Road and would not breach a 45 degree line at a 2m height from the boundary of that space. Although the 45 degree standard is not applied in relation to communal gardens, the lack of a breach provides further support for the view that the overall scale and height of the proposed development is appropriate to the site. The site at 255 Ealing Road has not been assessed for overshadowing, being to the south of the proposed development.
21. The rear elevation of the adjoining development at 245-249 & 253 Ealing Road (Block B) would be only 2m distant from the side elevation of the nearest of the proposed four-storey mansion blocks, with both developments being built up close to the boundaries. However, that scheme was designed to achieve an appropriate relationship with the proposed development. At ground floor, the adjoining development contains car parking spaces and refuse storage and the window/terraces on the upper floors have been designed to avoid any direct overlooking between the sites.
22. From the ground floor south-facing windows of the nearest block at 243 Ealing Road to the north (Block C), the proposed four-storey mansion blocks would breach the 30 degree line only by virtue of the additional staircase housing, which would be of limited bulk, and would not cause any breach of the 45 degree line which is applicable in transformational areas (as set out in draft SPD1). They would be 17m distant from those windows which, given the high density context of the area and the constraints of the site, is considered to provide an acceptable degree of privacy for existing and future occupants, in accordance with draft SPD1.
23. Block C at 243 Ealing Road and the adjoining communal amenity space are considered in the Daylight & Sunlight Report to be most sensitive in terms of the daylight and sunlight impacts of the proposed development, due to their orientation due north of the site. The Report concludes that the majority of these windows (including all at second floor level and above) would retain VSC levels in excess of 0.8 times their former value. Some ground and first floor windows (8 windows) would have VSC levels reduced to 0.7 times their former value but these would be primarily bedroom windows, with living spaces retaining good overall daylight. Furthermore, the design of 243 Ealing Road incorporates 'wrap around' balconies on the southern elevations which overhang windows below and so limit sky visibility, and further analysis undertaken in the Report concludes that the reduced daylighting is primarily due to the impact of the overhanging balconies rather than the proposed development to the south. There would also be no noticeable change in NSC levels, all windows would retain good levels of sunlight in accordance with the BRE guidelines, and there would be no adverse impact resulting from overshadowing onto the communal amenity space.
24. The proposal includes roof terraces for the upper floor flats and the houses, and the design has addressed the potential for overlooking or perceived overlooking onto existing properties from these. On the northern elevation near to the boundary with 243 Ealing Road, 2m high privacy screens would be installed and on the southern elevation raised planters would be provided. Each block would include narrow side elevation windows on each floor, which provide further visual interest and vertical articulation on these elevations. As the windows serve bathrooms or are secondary windows to habitable rooms, it is considered acceptable for these to be obscured and fixed shut at first floor level and above, and this would be secured by a condition. Further details of privacy screens and landscaping (including a maintenance schedule) would be required by condition.

25. Overall, the proposal is considered to have an acceptable relationship with neighbouring properties including consented schemes and developments under construction, given the surrounding context of high density development. However, a condition is recommended to withdraw permitted development rights in order to control any future impacts on neighbouring properties.

Residential living standards

26. Policy DMP18 requires new housing development to comply with standards set out in the Mayor's Housing SPG, including minimum internal space standards. Policy DMP19 requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for family housing including ground floor and 3bed or 4bed flats. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

Internal floorspace

27. All of the proposed units would be dual-aspect including south-facing rooms, and would significantly exceed the minimum floorspace requirements, as set out in the table below. The proposal includes two wheelchair-accessible 2bed units designed to Building Regulations Part M4(3) standard and all other units are designed to be adaptable and accessible to Part M4(2) standard.

	Floorspace proposed	Minimum floorspace required
2B4P duplexes	92sqm	79sqm
2B3P wheelchair accessible duplexes	100sqm	70sqm
3B5P duplexes	98sqm	93sqm
2B4P houses	86sqm	79sqm

External amenity space

28. Three types of amenity space would be provided across the site. Each of the twelve units with access to the ground floor would have private rear garden space. Although these would become progressively shallower, they would range in size from 20sqm (complying with the standard for 2bed units) to 10sqm, with the smaller gardens belonging to the four houses which would also have private roof terraces of 17sqm with an additional 6sqm of raised planters. The upper floor duplexes would have no private garden space but would have private roof terraces of 30sqm with an additional 6sqm of raised planters. The private spaces would be supplemented by a communal amenity space provided between the mansion blocks and the houses. The overall amenity space provision is summarised in the table below:

	Amenity space proposed
Rear gardens	168sqm
Roof terraces including planters	380sqm
Communal amenity space	126sqm

Total amenity space 684sqm

29. The amenity space required to fully comply with Policy DMP19 would be 640sqm (twelve x 20sqm for 2bed units and eight x 50sqm for 3bed units). The proposal would exceed this requirement, which is particularly welcomed on such a constrained site, and would provide a mixture of private space and accessible communal space.

Daylight and sunlight

30. The Daylight & Sunlight Report assesses the internal light levels of the proposed units, in terms of the BRE guidance. It should be noted, however, that this guidance is most relevant to traditional suburban environments and that an element of deviation from the targets can occur in more densely developed urban areas.
31. The Report finds that all rooms meet the recommended levels of daylight except ground floor kitchens, which achieve an Average Daylight Factor of 1.6% compared to the recommended 2.0%. This concern has been partly addressed by revising the layout of the mansion blocks to provide open plan living spaces rather than separate kitchens, and it is considered that minor localised deviations are acceptable as the main living spaces would receive the recommended levels of daylight.

Sustainability and environment

32. The application has been supported by a Sustainability Statement and an Energy Strategy in accordance with Core Strategy Policy CP19 and London Plan Policies 5.2, 5.3 and 7.4. Major residential developments are expected to achieve zero carbon standards, with any shortfall compensated for by a financial contribution to the Council's Carbon Offsetting Fund, and to make use of on-site renewable energy where feasible. The supporting text to London Plan Policy 5.7 presumes that major developments will achieve at least 20% reduction through on-site renewable energy, but this is not a policy requirement.
33. The Sustainability Statement demonstrates how the design seeks to mitigate and adapt to climate change over the lifetime of the development, such as by incorporating passive design measures to maximise daylight and sunlight, specifying low flow water fittings and fixtures to limit water use to 105 litres per person per day, sourcing materials responsibly and using recycled materials where possible, managing construction waste, and providing rooftop planting and other landscaping.

Energy and carbon emissions

34. The Energy Strategy applies the London Plan energy hierarchy in order to minimise carbon emissions from the development. Passive design measures including high performance building materials are proposed, together with heating, ventilation and internal lighting, to reduce regulated emissions by 19.5% compared to the 2013 Building Regulations baseline. Opportunities to connect to existing decentralised heat networks, to provide one on a site-wide basis or to use Combined Heat and Power, have been considered and shown to be impractical in this case. Various renewable energy technologies are appraised, and the use of PV panels is proposed on the roofs of the stairwell cores, reducing emissions by a further 15.9% and resulting in a total on-site reduction of 35.4%. The PV panel coverage appears to have been reasonably maximised, given that the roofs also provide amenity space. Further details of the PV panels would be required by condition.

35. The Energy Strategy identifies a carbon offset payment of £39,780 to compensate for the shortfall against the zero carbon standard. However this relates to the original proposal for a 24-unit scheme. The carbon emissions calculations and offset payment have been recalculated following the reduction in the number of units to 20, with the percentage reductions remaining the same but the amount of carbon reduced on a pro-rata basis and consequently the carbon offset payment has been reduced to £33,139. This would be secured through the s106 agreement.

Flood risk and drainage

36. Brent Policy DMP9B requires sustainable drainage measures on major residential developments. A Flood Risk Assessment and Sustainable Drainage Strategy has been submitted, and proposes attenuation within permeable paving and storage within tanks and oversized pipes. The lead local flood authority have no objection in principle, and a detailed Flood Risk Assessment is not required given that the site is in Flood Zone 1 and under a hectare in size. A condition is recommended to require detailed design of drainage measures, together with further details of maintenance arrangements.

Land contamination

37. Land contamination is anticipated due to the existing use of the site for vehicle repairs. A Phase 1 Desk Study has been submitted and concludes that the site poses a medium risk to future site users and environmental receptors, primarily due to the potential for contamination derived from the site use for vehicle repair and servicing, and the possible presence of asbestos containing materials within the existing building fabric. It recommends further action to assess the risks associated with contamination and outline specific remedial measures for the site, if required. Conditions are recommended to ensure further investigations and an appropriate remediation strategy are carried out, in order to ensure the site is suitable for its proposed residential use.

Air quality and noise

38. An Air Quality Assessment has been submitted and proposes measures to mitigate dust from the demolition and construction process. Environmental Health have raised no objections and a condition is proposed requiring these measures to be set out in a Construction Method Statement, together with frequency and routing of construction traffic, restrictions on hours of construction work and means of compliance with BS5228: Code of practice for noise and vibration control on construction and open sites. A Noise Assessment has been submitted and concludes that acceptable internal noise levels can be achieved through design, and Environmental Health have recommended a condition to secure these.

Transportation considerations

39. Parking standards are set out in Appendix 1 to the Development Management Policies 2016, and Policy DMP12 requires that any overspill parking generated by a development can be safely accommodated on-street. Cycle parking standards are set out in the London Plan, with two spaces required per 2bed or larger unit. Bin storage requirements are set out in the Brent Waste Planning Guide.

Parking provision

40. The existing workshops would be allowed four spaces for the site as a whole although if the 16 businesses were considered separately then up to 16 spaces could be allowed, in addition to servicing by 8m rigid vehicles. Ealing Road is a major London distributor road and bus route with only a narrow

frontage to the site, whilst Carlyon Close is a narrow road and already noted as being heavily parked at night. The site is poorly laid out for servicing, due to its long narrow spine road, restricted turning space and narrow access, and the current use is not considered conducive to highway safety as there is a risk that vehicles may have to reverse onto Ealing Road.

41. The redevelopment of the site for non-commercial use is welcomed in principle on transport grounds. As the site has good access to public transport services, lower parking standards apply (0.75 spaces per 2bed unit and 1.2 spaces per 3bed unit), with a total allowance of 18.6 spaces for the proposed development. The proposed provision of five spaces accords with these maximum standards. Of the parking spaces proposed, three are to be wide bays marked for disabled Blue Badge holders, thus ensuring that 10% of the units could be allocated a disabled space. However, neither Ealing Road nor Carlyon Close would be able to safely accommodate any overspill parking. In general, it is estimated that developments will generate car ownership at 75% of the maximum allowance and on this basis the proposed 20 units are estimated to generate demand for 14 spaces, giving a predicted overspill of up to nine cars from the site.
42. The site currently lies outside of any Controlled Parking Zone (CPZ) and residents who own cars would therefore be likely to overspill onto streets further afield, including Carlyon Close and Carlyon Road, which are not covered by CPZs. Given the amount of development approved and proposed in future in this Growth Area (most of which has low levels of parking), extensions to CPZs are increasingly likely to be required to address overspill parking issues. However, consultation recently undertaken with local residents on a new CPZ in residential streets around Carlyon Road and Burns Road showed the majority of residents not to be in favour of the scheme at present.
43. Any CPZ extension to address overspill parking from this and other nearby developments should therefore include funding to subsidise the cost to existing residents of parking permits, as the reason for the CPZ would be to address a parking problem that has been imposed upon them. A sum of £500 per proposed new unit (totalling £10,000) is therefore required towards this, which in combination with other development funding could be used to subsidise parking permits for existing local residents. The applicant has agreed to this contribution, which would be secured through the S106 agreement. The development would also be subject to a condition designating it as 'parking permit free', with the right of future residents to on-street parking permits withdrawn within any future CPZ that is introduced.
44. London Plan Policy 6.13 parking standards require 20% of parking spaces to provide electric vehicle charging points, with an additional 20% passive provision for future use by electric vehicles. For the proposed development, this equates to one charging point and one space with passive provision made (including the necessary underlying infrastructure and cabling to parking spaces) to enable installation and activation of a charging point at a future date. These details would be secured by condition.

Access arrangements

45. Vehicular access to the car parking spaces is proposed from Carlyon Close at the rear of the site, with the existing gated access widened to 9.1m to match the carriageway width. The footways of the Close would be extended into the site, continuing through the rear car park to provide a pedestrian link connecting Carlyon Close to the existing new development at 243 Ealing Road to the north. The western side of the parking area would be open to allow a cycle link to the estate road within the 243 Ealing Road site.
46. The S106 Agreement for the development at 243 Ealing Road (ref: 09/2116) requires the owner of that site to agree a right of way for emergency vehicles, pedestrians and cyclists, as long as it does not affect parking, which would ensure use of this proposed access. This pedestrian and cycle links are welcomed as they would improve permeability in the area by linking the eastern end of the site and Carlyon Close more directly with the Grand Union Canal towpath and cycle route, and their use as a public rights of way

(other than for up to one day per year) would be secured permanently through the s106 agreement. The cycle link would also allow for emergency vehicle access to the 243 Ealing Road site, and the installation of a retractable bollard to prevent use by other vehicular traffic will be required by condition.

47. The existing crossover onto Ealing Road would be removed and reinstated to footway, with access from Ealing Road retained for pedestrian and cyclist use only. This is welcomed on road safety grounds, given the difficulties vehicles would experience in safely turning right across two lanes of traffic to enter and leave the site on this busy four-lane road. The cost of removing the crossover and repaving the site frontage would be met by the developer, with the works secured through the s106 agreement. The London Plan standards require 40 cycle spaces, and a secure store for 46 cycles on a two-tier rack system is proposed to meet this requirement.
48. Concerns have been raised by objectors regarding the use of Carlyon Close as an access for the proposed development. However, this is an existing access and the proposal is expected to reduce the volume of traffic generated by the site, compared to the existing use. The noise, air pollution, visual disamenity and instances of nuisance parking associated with vehicle repair workshops would no longer occur. The proposal would also allow for vehicles, including refuse and delivery vehicles, to turn at the end of Carlyon Close. Furthermore, whilst the site currently provides a through route from Ealing Road to Carlyon Close along the spine road, the proposal would result in vehicular access being restricted to the parking area, therefore reinstating the Close as a closed road.

Servicing and fire access

49. Two bin stores accommodating six Eurobins and two 240L bins in total are proposed alongside the footpath through the site, with a larger bin store for the same number of bins shown within the car parking area. Based on the Council's required storage provision of 60L per bedroom for both mixed recyclables and residual waste and 23L per household for organic food waste, a total of six Eurobins and two 240L bins would be sufficient, and this would be provided by the bin stores situated alongside the footpath to allow residents to access their bins from within a 30m carrying distance. The management company would be responsible for transferring bins to the bin store in the parking area for collection days, and for returning them following collection, and details of this arrangement would be secured by condition. The bin store in the parking area would be within 10m of the highway, which is acceptable for larger bins,
50. Refuse vehicles would be able to enter the rear of the site from Carlyon Close and turn within the car park aisle. Tracking diagrams have been provided showing a five-point manoeuvre by a refuse vehicle. The ability to turn at the end of Carlyon Close, albeit with difficulty, does not exist at present and the proposal would represent an improvement for existing residents in this respect. Other delivery vehicles would also be able to make use of this area.
51. Blocks A and B would be beyond the maximum 45m reach of a fire hose from either end of the development. Compliance with fire safety requirements is addressed in the Building Regulations and is not normally considered in the determination of planning applications. However, the new Draft London Plan is a material consideration (albeit with relatively limited weight at this point in time), of which Policy D11 Fire Safety requires development proposals to achieve the highest standards of fire safety. In order to address the requirements of this policy, the applicant has submitted a Fire Safety Report, which specifies a number of construction features including provision for smoke ventilation, specification of materials and an automatic sprinkler system, and proposes the installation of a dry riser system from the Ealing Road entrance. Amended plans have been submitted showing the installation of the dry riser system as part of the site layout. It is noted that the scheme is relatively small in scale and has two exit points from the site.
52. London Fire Brigade have been consulted. They do not object and have advised that the applicant must ensure that the plans conform with Part B of the Approved Document of the Building Regulations, and

that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. They also recommend that the applicant pays particular attention to paragraph 16 ('Water Mains and Hydrants') of their Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. An informative is recommended to remind the applicant of these matters. As with all proposals, formal and final approval is sought through the building regulations.

Trip generation

53. The Transport Statement submitted with the application has considered likely trip generation from the proposed residential units, based on comparisons with three other residential developments in London. This concludes that the development is likely to lead to reduced traffic, compared to the existing use, which reflects the low level of parking proposed.
54. Although the development falls well below TfL's threshold for Travel Plans, a Travel Plan has been submitted for the site. This proposes to appoint a Travel Plan Co-ordinator to manage the implementation of the Travel Plan to provide promotional information on walking, cycling and public transport through a Welcome Pack for residents. The primary aim would be to reduce car use by residents by from 35% of trips to 21% of trips within five years of first occupation, with monitoring surveys to be undertaken in years 1, 3 and 5 to assess progress.
55. As the development is below TfL's threshold and as on-site car parking is limited, a Travel Plan Statement would generally be more than sufficient, with no requirement for on-going monitoring. As such, the implementation of the Travel Plan would be welcomed, but is not required to be secured by condition.

Density of development

56. Development of the site is expected to conform to the density range set out in the London Plan of 200-700 hr/ha for urban sites (or 55-255 units/ha) with a PTAL score of 4, unless a higher density can be justified as a result of a scheme being acceptable in planning terms. The proposed density of approx. 322 hr/ha or 91 units/ha sits comfortably within the London Plan density range for urban sites with good access to public transport and is considered to be appropriate for the site.

Conclusion

The proposed development accords with relevant policies and guidance. Approval is recommended.

CIL DETAILS

This application is liable to pay **£453,112.00*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 832 sq. m.

Total amount of floorspace on completion (G): 2211 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
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Dwelling houses	2211	0	1379	£200.00	£35.15	£385,381.25	£67,730.75
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BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	313	
Total chargeable amount	£385,381.25	£67,730.75

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

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

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



Application No: 17/1104

To: Bruce
Savills
33 Margaret Street
London
W1G 0JD

I refer to your application dated **10/03/2017** proposing the following:

Demolition of the existing buildings on the site and the erection of 20 residential units comprising four 2 storey terraced houses (4 x 2bed houses) and two 4 storey residential blocks providing 16 flats (8 x 2bed and 8 x 3bed units), together with 5 associated car parking spaces, cycle storage, landscaping and access. (Revised description 19.10.17)

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

at **All Units, 253A Ealing Road, Wembley, HA0 1ET**

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: 02/03/2018

Signature:

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

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Brent Core Strategy 2010 (Policies CP1, CP2, CP5, CP6, CP8, CP19, CP21)
Brent Site Specific Allocations DPD 2011 (Site A3)
Brent Development Management Policies 2016 (Policies DMP1, DMP9b, DMP12, DMP14, DMP15, 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):

6487 D1100 Rev 00
6487 D7100 Rev 09
6487 D7101 Rev 06
6487 D7102 Rev 06
6487 D7103 Rev 06
6487 D7104 Rev 06
6487 D7201 Rev 07
6487 D7300 Rev 03
6487 D7301 Rev 02
6487 D7500 Rev 01
6487 D7501 Rev 01
6487 D7700 Rev 01
6487 D7701 Rev 01
6487 D7702 Rev 01

Air quality assessment (Mayer Brown, March 2017)

Daylight and sunlight report (eb7, February 2017)

Design and Access Statement (Formation Architects, March 2017)

Energy Strategy (Metropolis Green, 5430, February 2017, as amended by agent email of 06/11/17)

Flood risk assessment and surface water drainage strategy (Odyssey Markides, 16-373-03C, March 2017)

Noise assessment (Mayer Brown, March 2017)

Phase 1 desk study report (GB Card & Partners, GB/378, March 2017)

Planning Statement (Savills, March 2017)

Statement of Community Engagement (Iceni, March 2017)

Sustainability Statement (Metropolis Green, ref 5430, February 2017)

Transport Statement (Odyssey Markides, 16-373, March 2017)

Travel Plan (Odyssey Markides, 16-373, March 2017)

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

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

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

- 4 No further extensions or buildings shall be constructed within the curtilage of the dwellinghouses 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) (England) 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: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 5 Occupiers of the residential development hereby approved shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

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

- 6 Side elevation windows above ground floor level shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.8m above floor level) and shall be permanently maintained in that condition thereafter unless the prior written consent of the Local Planning Authority is obtained.

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

- 7 All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels:

Criterion	Typical situations	Design range LAeq, T
Reasonable resting conditions	Living rooms	30 – 40 dB (day: T =16 hours 07:00 – 23:00)
Reasonable sleeping conditions	Bedrooms	30 – 35 dB (night: T = 8 hours 23:00 – 07:00) LAm _{ax} 45 dB (night 23:00 – 07:00)

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

- 8 The parking spaces, cycle storage and accesses shown on the approved plans shall be provided prior to first occupation and shall be permanently retained and not used other than for purposes ancillary to the dwellings hereby approved.

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

- 9 (a) Following the demolition of the existing buildings and prior to commencement of building works, a site investigation shall be submitted to and approved in writing by the Local Planning Authority. The site investigation shall be carried out in accordance with BS 10175:2011 by competent persons to determine the nature and extent of any soil contamination present. The site investigation shall include 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.

(b) Any soil contamination remediation measures identified above shall be carried out in full accordance with the approved details. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation stating that remediation has been carried out in accordance with the approved remediation scheme and the site is permitted 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

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

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

- 11 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development shall be submitted to and approved in writing by the Local Planning Authority within 6 months of commencement of development. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) all planting including location, species, size, density and number incorporating native species of local provenance, and to include screen planting on roof terraces and defensive planting to the front of buildings

(b) areas of hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users

(c) the location of, details of materials and finishes of, all street furniture and signage

(d) proposed boundary treatments including gates, walls, fencing and retaining walls, indicating materials and height

(e) 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

(f) details of cycle and bin storage areas, indicating materials and heights

(g) a detailed (minimum 5-year) landscape-management plan showing requirements for the ongoing maintenance of hard and soft landscaping.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted unless otherwise agreed in writing with the Local Planning Authority. All footways, parking spaces, vehicle turning area, cycle storage, bin storage and screen planting on roof terraces shall be maintained as approved thereafter.

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

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

shall include details of:

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

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

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

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

- 14 Prior to development commencing, further details of an electric vehicle charging point to serve one parking space and passive provision to enable installation of a charging point in future to serve one additional parking space shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details, which shall be installed and operational prior to first occupation of the development.

Reason: To ensure provision of electric vehicle charging points in accordance with London Plan Policy 6.13.

- 15 No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To help reduce surface water run-off and the potential for flooding.

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

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

- 17 Details of adequate arrangements for the storage and disposal of refuse, food waste, paper and cardboard waste and recyclable material (including litter bins inside and outside the premises) shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved. The details shall include a management

plan to ensure that all waste and recycling containers are transferred to the collection point on collection days.

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

- 18 A parking management and allocation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and the parking spaces shall be allocated to occupants of the development in accordance with the approved scheme. The approved scheme shall be implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway flow and safety, having regard to the levels of parking proposed within the development.

INFORMATIVES

- 1 The Environment Agency regulates an industrial facility within 50 metres of the proposed development. In this instance, the regulated Environmental Permit (EPR/AB3301LD) is for a waste transfer station for the treatment of waste to produce soil, soil substitutes and aggregates.

Currently the waste activity is non-operational however the permit is still in place and therefore the waste treatment activity could be undertaken at any time until such time as the permit is surrendered by the operator.

All industrial facilities operations may generate noise, dust and odour and affect the surrounding areas. The Environmental Permits issued prevent or where that is not possible minimise these impacts by requiring operators to use certain techniques or install specific infrastructure, however some amenity impacts such as noise, dust and odour should be expected from this type of land use.

The applicant should be aware that it is not possible to guarantee that these potential amenity impacts will have no impact on this development proposal.

Please note, the Environment Agency's regulation of the site does not extend beyond the Environmental Permit boundary and does not take account of issues arising from traffic movements associated with the operation of the facility.

- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 3 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 4 The applicant is advised to contact the Council's Head of Highways & Infrastructure to arrange for the crossover works to be undertaken, via <https://www.brent.gov.uk/services-for-residents/transport-and-streets/vehicle-crossings-and-dropped-kerbs/>, tel 020 8937 5600 or transportation@brent.gov.uk. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at

the expense of the developer.

- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 8 The applicant is reminded that the plans must conform with Part B of the Approved Document of the Building Regulations, and that plans must be submitted to Building Control or an Approved Inspector, who may be required to consult the Fire Authority. The applicant is advised to pay particular attention to paragraph 16 ('Water Mains and Hydrants') of the London Fire Brigade Guidance note 29 on Fire Brigade Access, which provides similar guidance to the Building Regulations B5. The Fire Authority Water Section can be contacted as follows:

Water Office
London Fire Brigade Headquarters
169 Union Street
London SE1 0LL
Telephone No. 0208 555 1200 ask for Water Office

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 March, 2018
05
17/4878

SITE INFORMATION

RECEIVED	14 November, 2017
WARD	Kenton
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	1 Nash Way, Harrow, HA3 0JA
PROPOSAL	Change of use of ten A1 supermarket parking spaces to car wash and valeting operation (sui generis) including erection of a canopy and cabin (Amended description 3.1.18)
APPLICANT	Waves Consultancy
CONTACT	
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_137229</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 "17/4878" (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 Drawings and Documents
3. Hours of operation of the car wash
4. Approval of a site specific noise survey
5. Details of lighting

Informatives

1. Requirement for a trade effluent consent
2. Hours of operation
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

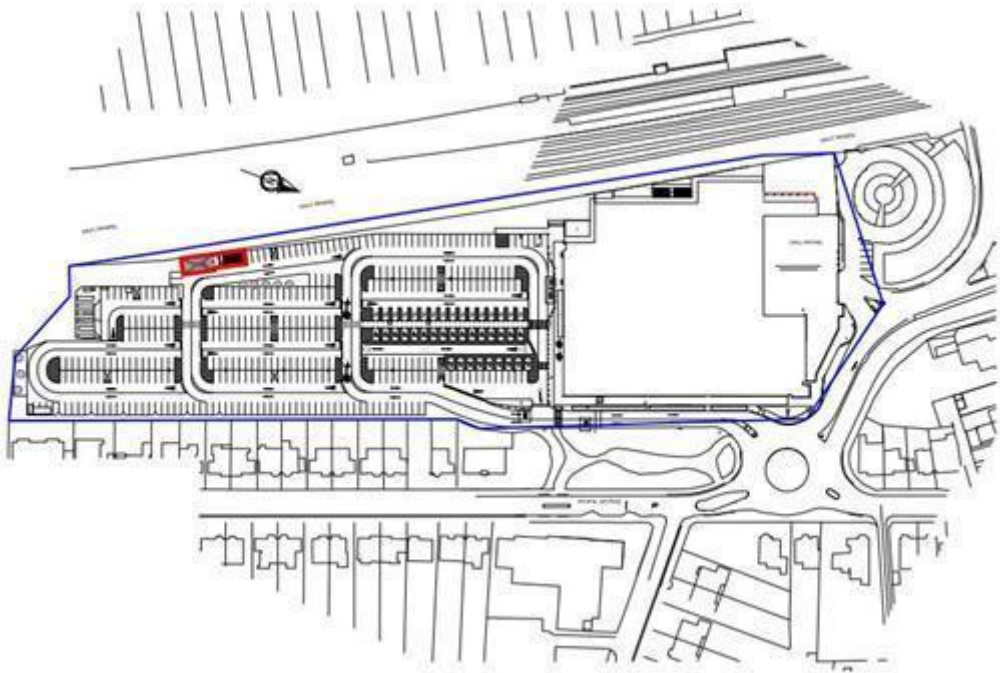


Planning Committee Map

Site address: 1 Nash Way, Harrow, HA3 0JA

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This map is indicative only.



PROPOSAL IN DETAIL

The proposal is to change the use of the nine parking spaces to a hand car wash and valeting operation, including the installation of a cabin and erection of a canopy. A number of advertisements and signs are proposed, and a separate application has been made in respect of these for advertisement consent.

EXISTING

The site consists of a row of nine car parking spaces within the car park serving the Sainsburys supermarket at 1 Nash Way, which is located to the south of Kenton Road. The Sainsburys supermarket and its car park are within the designated Kenton Town Centre.

The car park consists of a strip of land to the south of the supermarket building, bounded to the west by a railway line, and to the east and south by the rear gardens of residential properties on Draycott Avenue. The car park includes a system of internal access roads serving a total of 363 parking spaces, together with trolley bays dispersed throughout the car park and a number of large recycling containers located on its western boundary. The site is located on the western boundary of the car park, against the railway line.

AMENDMENTS SINCE SUBMISSION

25/01/18: An ecology survey, lighting impact assessment and light mitigation plans and elevations were submitted. Environmental Health and Ecology officers were consulted.

09/02/18: A site-specific noise assessment was submitted. Environmental Health officers were consulted.

SUMMARY OF KEY ISSUES

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

Principle of development: The proposal would provide a new car wash and valeting service within a supermarket car park. It would contribute to economic growth and support the role of Kenton Town Centre, and is acceptable in principle.

Design, scale and appearance: Objections have been received from neighbours regarding the visual impact. However, the physical works proposed would be of a modest scale and height, at a substantial distance from neighbouring properties, and would be in keeping with the utilitarian character of the car park and adjoining railway line.

Local environmental impacts: Objections have been received from neighbours regarding noise impacts. However, the development is not considered to have a significantly greater impact than existing activity in the car park. A site-specific noise survey, lighting scheme and restrictions on operating hours are recommended by condition to ensure that any adverse impacts are minimised.

Ecological impacts: The proposal would be of a limited scale and would not have any significant effects on wildlife in the adjacent Wildlife Corridor.

Flood risk and drainage: Waste water will be drained to a centralised drain, silt trap and interceptor connected to the foul sewer. There are no objections on this basis.

Transportation: The proposal is considered to be acceptable with regards to parking and access. The car park currently provides parking above the maximum standard and the development will not obstruct access and egress into the site.

RELEVANT SITE HISTORY

There is no planning history that is relevant to this application.

CONSULTATIONS

60 neighbouring properties were consulted by letter on 28 November 2017 and a site notice was posted on 29 November 2017.

A total of four objections were received.

A petition having 17 signatories was also received. The 17 signatories were from 9 different addresses. Separate objection letters had also been received from 3 of the 9 addresses. The petition cited an objection on the basis that the proposal would result in significant increases in levels of noise and disturbance from residents. Please see paragraph 7 to 10 (below) for a discussion of this matter.

One neutral comment was received asking to be informed of applications relating to the car park but not expressing a view on the proposal.

The matters raised in the letters of objection are summarised as follows:

Comment	Response
Impact associated with noise from car engines, loud music from cars, noise from people working there. Noise impact from jet washes and valeting machines. Previous jet car wash equipment made continuous loud noise. There are also queries regarding the noise assessment process	Please see paragraphs 7 to 10 of the Detailed Considerations section of this report.
Air pollution from airborne spray containing cleaning chemicals will have adverse impact on health of customers and neighbouring residents, and will leave deposits on neighbouring garden furniture and windows.	Please see paragraph 12
Security concerns / antisocial behaviour / crime	Not considered likely to be materially greater than existing car park use
Unpleasant view of canopy and cabin	The proposal is not considered to result in an unduly detrimental impact on the outlook of surrounding occupants given the nature of the use (a car park) and the distance from the surrounding properties. See paragraph 3-6
Impact of additional water flow on existing surface water and foul water drain	Please see paragraph 15
Additional traffic generated. and impact on the number of parking spaces available at Sainsburys	Please see paragraph 17-18
Impact on property values	Impacts on the values of surrounding properties, whether positive or negative, cannot be considered within a planning application.
Additional vermin & rodent problem	No material evidence of this being likely to arise from a car wash use

Internal consultees:

Local Lead Flood Authority: No objection

Environmental Health: No objection subject to conditions

- site specific noise survey required and any necessary mitigation measures [note: a noise survey has now been submitted and has been provided to Environmental Health for their consideration. If they find this to be acceptable then this condition will not be required]
- lighting scheme required to prevent light nuisance to neighbours
- operating hours to be restricted in line with supermarket opening hours.

Environmental Health have no objection to the lighting impact assessment and light mitigation proposals submitted on 25 January 2018, but have not withdrawn the request for a lighting scheme to be submitted by condition. No further comments have been received on the site-specific noise assessment submitted on 9 February 2018.

POLICY CONSIDERATIONS

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

The following are also relevant material considerations:

The National Planning Policy Framework 2012

SPG 17 Design Guide for New Development 2002

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

DETAILED CONSIDERATIONS

Principle of development

1. The National Planning Policy Framework expects the planning system to support sustainable economic development and respond positively to wider opportunities for growth, while Policies CP16 and DMP2 support development in town centres.
2. The proposal would provide a new car wash and valeting service within an existing car park that is within a designated town centre. It would serve customers of the Sainsburys supermarket but would also be available to other customers independently, and would provide employment whilst supporting the role of the town centre. The proposal is acceptable in principle, subject to the remainder of the material planning considerations.

Design, scale and appearance

3. The existing car park is of a utilitarian nature characterised by street furniture such as canopied trolley bays, sign posts and lighting columns, with open wire railings on the western boundary providing views onto the railway track and its supporting infrastructure such as steel gantries.
4. The physical works proposed comprise installing a concrete washpad draining to a centralised drain and silt pad to provide a wet wash area, screens on the western and southern sides of the wet wash area, a cabin to provide shelter and facilities for employees, and a canopy to provide shelter over a valeting area.
5. The washpad would be installed to be flush with the existing car park surface, and would not be readily visible from the wider car park area, whilst the screens would be 2m high with galvanised steel frames and clear perspex / dibond inserts printed predominantly in a black colour. The cabin would be of a modest bulk and height, occupying approx one parking space and approx 2.6m in height, and would be of an oyster white colour with black PVC flat roof. The canopy would consist of a cantilevered black PVC roof with a maximum height of approx 3m supported by two 3m high poles against the western boundary.
6. It is noted that objections have been received regarding the visual impact of the canopy and the cabin. However, it is considered that these would have a modest impact in terms of overall bulk and height, would be of neutral colours and would be in keeping with the utilitarian appearance of the car park and adjoining railway line. The site would be approximately 60m distant from the rear garden boundaries of properties in Draycott Avenue and 70m distant from their rear elevations, and it is considered that the impact on the visual amenities of these residents would be minimal given the context of the existing car park.

Local environmental impacts

7. Policy DMP1 supports development that does not unacceptably increase exposure to noise, light and other forms of pollution and general disturbance.

8. Objections have been received from neighbouring residents regarding the noise of car washing and valeting machines, the general noise and disturbance associated with cars queueing for the service (for example from car engines and sound systems) and noise assessment procedures. In terms of general noise and disturbance, it is considered that this would already occur as a result of the supermarket use and the existing activity within the car park associated with it, and that the proximity to the railway line would also generate an element of background noise and disturbance. Use of the car wash and valeting service is likely to take place primarily through linked trips by supermarket customers. Nevertheless, additional noise may be generated associated with the car wash equipment and a noise survey was submitted.
9. The proposal was initially supported by an acoustics report which includes information regarding typical noise generation associated with car wash facilities of this type, including noise monitoring results from other facilities (i.e. elsewhere). This concluded that maximum noise levels are likely to be between 77.1 and 80.1 dB(A) when measured 1 m from the source of the noise. Environmental Health considered the submitted information and did not object to the proposal. However, they have requested a site-specific noise survey to determine the baseline noise condition of the area, proposed noise levels and, if necessary, any proposed mitigation measures. It should be noted that noise levels typically reduce by 6 dB for each doubling of the distance. The car wash facilities are a minimum of 56 m from the nearest residential garden and 65 m from the nearest residential dwelling. Based on this standard assumption, a noise level of 80 dB at 1 m would reduce to 50 dB at 32 m from the proposed car wash (still within the car park) and 44 dB at 64 m from the car wash (approximate location of the rear wall of the nearest houses). As such, there is no reason to believe that satisfactory noise levels cannot be achieved.
10. In response to the recommendation for a condition, the applicant undertook a site specific noise survey and this was submitted to the Council. This included baseline noise survey information and included testing of the noise associated with the proposed use, including the use of 3 vacuum cleaners, 3 compressors and 2 pressure washers. Noise levels were modelled and detailed information has been provided on projected noise levels within the car park. This shows projected noise levels to be at 46.1 dB at the facade of the nearest residential dwellings, reducing to 43 dB with the facade correction required by British Standard BS4142. The noise contour shows levels of 39-42 dB range within the nearest gardens. Having regard to the above British Standard, the report concludes that the car wash is not expected to be likely to cause adverse impact with regard to noise. The further noise report has been forwarded to Environmental Health for their assessment and their comments will be provided via the Supplementary Report if received prior to committee. However, Environmental Health requested this survey as a pre-commencement condition and it is not necessary for it to be submitted and approved prior to determination of the application. The initial noise report demonstrated that satisfactory noise levels are achievable whilst the recommended condition looked to secure more detail in relation to the site specific noise levels and details of mitigation if the noise levels projected within the initial assessment were not achieved. Environmental Health have requested a condition limiting operating hours of the car wash, also to limit the potential noise and disturbance. Operating hours are to be limited to 8:30 am to 6 pm, with shorter operating hours on days where the opening hours are shorter than this (Sunday).
11. The proposal would include a number of floodlights providing light to the wet wash and valeting areas. Given the distances and the proposed height of the lighting, this can be installed in such a way as to ensure that undue disturbance does not arise. However, Environmental Health have recommended that a lighting scheme is secured through condition to protect neighbouring residential properties from light nuisance prior to the commencement of operations, which may include angling or hood-fitting of floodlights to keep glare within the operational area. A light impact assessment and plans showing fencing to the rear to prevent light pollution from affecting properties across the railway track have been submitted. However, Environmental Health consider that further information is required to fully demonstrate that undue levels of light pollution will not occur to properties adjacent to the car park, and consequently a lighting scheme would still be required by condition.
12. Objections have also been raised regarding airborne pollution from cleaning chemicals in the jetwash spray. However, the spray would use only biodegradable detergents similar to domestic washing up liquid. Staff are not required to use protective equipment with regards to inhalation of vapours and there would be no impact on customers' health. Due to the distance from the site to neighbouring properties, and the nature of the site, it is considered that the operation of the jetwash would have a negligible impact on localised air quality.

Ecological impacts

13. The adjoining railway embankment is a designated wildlife corridor and Policy DMP8 prevents development that compromises its biodiversity function.
14. An ecological report and light impact assessment have been submitted to assess the potential impact of light spill from the proposed floodlighting on nearby wildlife habitats. This notes that the site is an area of existing hard standing with low ecological value, that light spill onto the railway embankment would be similar to the light levels generated by the existing car park lighting, and that the floodlighting would only be used as necessary during the operating hours of the car wash, with no impact on light levels during the night. The submitted information has been considered and the proposal is unlikely to cause any significant effects on wildlife in the surrounding area.

Flood risk and drainage

15. Although the site is in Flood Zone 1, the adjoining railway line and some areas of the car park are susceptible to surface water flooding. A Flood Risk Assessment has been submitted, outlining the proposal to install a centralised drain, silt trap and interceptor to connect to the existing Sainsbury's foul sewer. This would ensure that water is drained within the site. The Council's drainage engineer has no objections but has advised of the need for the applicant to apply for a Trade Effluent Consent from Thames Water. The applicant will be reminded of this within an Informative.

Transportation

16. Parking and servicing standards for the existing supermarket are given in Appendices 1 and 2 of the Development Management Policies 2016.
17. The supermarket has a total gross floor area of 6,663sqm (including 495sqm first floor offices), with a retail floor area of 3,457sqm. Therefore the maximum parking standards would allow up to (approx.) 222 parking spaces. The car park provides over 300 spaces, accessed from the roundabout at Nash Way / Draycott Avenue, which exceeds the maximum parking standards. This is an existing supermarket and there is no policy requirement to reduce the level of car parking to the maximum standards. However, the proposed car wash would result in the loss of ten parking spaces, which would be acceptable given that there is significant surplus parking above the maximum standard. The car wash would be situated on the southwestern edge of the car park and therefore would not obstruct access/egress into the car park. It is expected that many of the users of the car wash travel to the supermarket to undertake their shopping and would therefore already be using the car park. However, given the scale and nature of the proposed use and the scale and nature of the existing supermarket and its car park, additional traffic would not be considered to materially impact the local highway (in terms of congestion etc) even if users of the car park were not shopping at the supermarket.
18. The drainage arrangements would ensure that silt water is not discharged into the main sewer connection and onto the car park carriageway, as discussed in the drainage section above.

Conclusion

19. The proposal is considered to comply with policies and guidance and it is recommended that planning permission is granted subject to conditions.



Brent

DECISION NOTICE – APPROVAL

Application No: 17/4878

To: Mr Bonnett
Waves Consultancy
4 College Mews
London
SW18 2SJ

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

Change of use of ten A1 supermarket parking spaces to car wash and valeting operation (sui generis) including erection of a canopy and cabin (Amended description 3.1.18)

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

at **1 Nash Way, Harrow, HA3 0JA**

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: 02/03/2018

Signature:

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

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

1

- 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):

SYHA30JA-PL-001 Existing site plan
SYHA30JA-PL-002 Proposed site plan
SYHA30JA-PL-003 - Proposed block plan
SYHA30JA-PL-004 - Proposed layout plan
SYHA30JA-PL-005 Rev B - Hand car wash layout elevations
SYHA30JA-PL-006 - Hand car wash cabin
SYHA30JA-PL-010 - Hand car wash canopy
SYHA30JA-PL-011 Rev A - Hand car wash section
SYHA30JA-PL-012 - Wash screen section
SYHA30JA-PL-008 - Cabin signs
SYHA30JA-PL-009 - Wash screens
SYHA03JA-PL-013 - Hand car wash layout light mitigation
SYHA03JA-PL-014 - Proposed layout plan light mitigation
Design and access statement
Acoustics report on the typical noise generation of a Waves car wash facility
Ecological Scoping Survey
Lighting Impact Assessment

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

- 3 The use of the site as a car wash shall not take place other than (whichever is the shorter period on the relevant day):
- Between the hours of 08:30 and 18:00; and
 - Within the opening hours of the main retail premises/supermarket within the area outlined blue within drawing SYHA30JA-PL-002

Reason: To protect the amenity of the neighbouring residential premises.

- 4 Prior to development commencing, a site specific noise survey shall be carried out to determine the baseline noise condition of the area and the survey method, results and any proposed mitigation measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development.

The report shall include a comparison of the background noise data with the proposed noise levels (individual and cumulative) of all noise emitting equipment to be in operation at the facility. Where operational noise levels are found to exceed background noise levels, noise from operational equipment, when calculated or measured as an LAeq, 5min with Fast weighting at the façade of a noise sensitive receptor, shall not exceed the LA90, 1 hour, measured at the façade of a noise sensitive receptor by more than 3dB(A). The rating level shall also include the 5dB acoustic feature correction to account for the characteristics of the noise. If noise levels do not comply with these requirements, the submission shall include necessary mitigation measures or procedures.

The development and operation of the facility shall be carried out in accordance with the approved details.

Reason: To ensure noise levels do not unduly impact nearby residents, in accordance with Policy DMP1 of the Development Management Policies 2016.

- 5 Prior to installation of external lighting, a lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall demonstrate that neighbouring residential properties will not be unduly affected by light nuisance and shall include measures such as angling or hood-fitting of floodlights where necessary to achieve this. The lighting shall not be installed or operated other than in accordance with the approved details.

Reason: To ensure that the development does not result in undue levels of light nuisance to neighbouring residential properties, in accordance with Policy DMP1 of the Development Management Policies 2016.

INFORMATIVES

- 1 The applicant is reminded that a Trade Effluent Consent will be required to operate the development as proposed, and that this will need to be obtained from Thames Water prior to the use commencing.
- 2 For the avoidance of doubt, the hours of operation as controlled by condition 3 are restricted to the shorter of either the opening hours of the supermarket or the hours of 08:30 to 18:00.
- 3 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 March, 2018
06
17/0322

SITE INFORMATION

RECEIVED	20 January, 2017
WARD	Willesden Green
PLANNING AREA	Brent Connects Willesden
LOCATION	1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT
PROPOSAL	Demolition of existing retail units and erection of part-six, part-seven, part-eight storey building, comprising 117 student residential accommodation units (Use class Sui Generis) on the upper floors, ground floor retail floorspace of 298sqm providing 5 commercial units (Use class A1) and entrance lobby for the student accommodation, and use of basement level to provide retail warehouse floorspace of 243sqm (ancillary to A1) along with cycle parking, bin stores, laundry and plant room ancillary to the student accommodation, with associated enhancements to the public realm at street level
APPLICANT	HTA Design and Tide Construction
CONTACT	HTA Design LLP
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_132271</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 "17/0322" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

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

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Viability Review - In the event a Higher Education Institution or Student Accommodation Provider acting for and on behalf of a Higher Education Institution does not take up the operation and management of the development then the owner shall prior to occupation submit to the Local Planning Authority a Viability Review in order to secure the maximum quantum of affordable student accommodation possible within the development.
4. That the development is "parking permit restricted" - future occupants will not be eligible for on-street parking permits.
5. S278 Agreement to undertake highway works within the footway along the site frontage to resurface the footway
6. To pay to the Council upon commencement of development the sum of Fifty-one Thousand Pounds (£51,000), indexed, to be utilised by the Council towards public realm improvements for trees and street furniture in the vicinity of the development
7. Training and Employment - Prior to a material start (excluding demolition and piling) to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase of the Development and in relation to the operational phase of the Development
8. Considerate Constructors Scheme

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

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

Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Travel Plan
4. Occupation by students
5. Provision of servicing access
6. Approval of materials
7. Noise assessment
8. Restriction on satellite dishes
9. Water usage
10. Construction Environmental Management Plan (CEMP)
11. Air Quality
12. Delivery and Servicing Plan
13. Site Investigation and Remediation
14. Sustainable Urban Drainage
15. Details of cycle storage

Informatives

1. Party Wall Act


2. CIL liability
3. Ground water risk management
4. Thames water pressure
5. Asbestos
6. Notify highways of commencement of works and provide photographic survey of footway
7. Advertisement consent requirements
8. Best practice for control of pollution
9. Noise and vibration
10. Structural integrity
11. Licences
12. Highways Act
13. Vibration
14. Air Quality
15. Maximum standards for fire safety
16. Brent supports the payment of the London Living Wage

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

That, if the legal agreement has not been completed by the statutory determination date for this application (including determination dates set through agreement), the Head of Planning is delegated authority to refuse planning permission.

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

SITE MAP

	<p>Planning Committee Map</p>
	<p>Site address: 1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT</p>
	<p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>



PROPOSAL IN DETAIL

It is proposed to demolish the existing parade of shops and replace them with a part six, part seven and part eight storey building over a basement.

The ground floor would consist of five commercial units (use class A1) with a total floor space of 298 sqm. The upper floors would consist of 117 student residential accommodation units (Sui Generis use). The student accommodation would be accessed via a ground floor entrance on the corner of the site.

The basement would consist of 236 sqm of floorspace that would provide a retail warehouse to be used by the five commercial units, as well as cycle and bin storage; laundry facilities and plant room for the student accommodation.

As part of the application the applicant also proposes enhancements to the public realm at street level which include additional trees, street furniture and paving.

EXISTING

The application site is located on the corner of Walm Lane and Willesden Lane and currently consists of a single storey parade of shops known as Queens Parade with a gross internal area of around 580 sqm. The parade consists of twelve individual units that are mainly used for 'meantime' uses such as small businesses that are starting out. The site is located within primary shopping frontage of Willesden Town Centre and the Willesden Conservation Area but does not contain any listed buildings.

Electric House, which is a part 4/6/7 storey mixed use residential/commercial building, is located directly adjacent to the site. Rutland Park Mansions, an older four storey residential building, is located to the east of the site. There is a variety of building types and sizes found on the opposite side of Walm Lane and Willesden Lane leading to Willesden High Road. Willesden Green underground station is located approximately 240 metres to the north-east of the site and the site has a PTAL of 5. The site forms part of site allocation 28, which includes this site and Electric House. The site is also within an Air Quality Management 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:

Principle of use: There is no objection in principle to the redevelopment of the site to provide student accommodation and five retail units. The site is considered to accord with Council policy in relation to the provision of student accommodation due to its location within a town centre and good transport links. The submission demonstrates a need for the student accommodation in line with Brent and London Plan policy. The retail units would contribute to the viability and vitality of the Willesden Town Centre. The principle of development is therefore considered to be acceptable.

Representations received: Objections were received from 20 local residents and one Councillor raising concerns regarding the loss of the retail units; harm to the high street; suitability of student accommodation at the site; parking/servicing, overdevelopment; impact on conservation the area and impact on neighbouring amenity. In addition to this 50 letters of support were received from local residents who stated that the existing buildings do not make best use of the site; the proposal will boost the local economy; the new units will improve the town centre; and the height is considered to be suitable.

Demolition of existing building: There is no objection in principle to the demolition of the existing retail units. While they are in a Conservation Area, the existing buildings do not share the distinctive characteristics which define the Willesden Green Conservation Area. The Site Specific Allocation encourages redevelopment of the site with a more intensive and better use of land. The loss of these buildings is considered to accord with policy provided the replacement building is of an acceptable design.

Character and Appearance: The proposal is considered to have a high quality design that has regard to the character of its surroundings including the conservation area and to not inappropriately challenge or dominate surrounding development.

Impact on Neighbouring Amenity: The development has been assessed against loss of light and sense of enclosure on all neighbouring properties. It has been found that the relationship between the proposed development and all surrounding properties is considered to be acceptable, according with relevant Brent standards and BRE guidance.

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

RELEVANT SITE HISTORY

A planning application was submitted in 2013 for the redevelopment of the site, but was subsequently withdrawn.

13/1122 – Withdrawn

Full planning permission withdrawn for the demolition of the existing buildings at 1-12 Queens Parade and erection of a part 4-/part 6-/part 7-/part 8-storey mixed use building containing 345sqm of commercial floor space on ground floor and 34 residential units (9 x 1-bed, 23 x 2-bed, 2 x 3-bed) with balconies and communal roof terraces

13/1123 – Withdrawn

Conservation Area Consent sought for the demolition of all existing buildings

Planning permission was granted in 1995 for the demolition of the shops and construction of a three-storey building. This was not implemented and the permission lapsed.

95/1656 – Granted

Demolition of existing buildings and redevelopment to provide 5 No. shop units comprising A1 and A2 uses and a cafe/restaurant (A3) and 14 No. flats on first and second floors (as revised by plans received 23/09/96 and 05/11/96).

95/1657 – Granted

Conservation Area Consent for demolition of all buildings on Queens Parade

Planning history for adjoining site - Electric House

Permission was granted in January 2014 for the redevelopment of the adjoining property, Electric House, in January 2014. This 4 to 7-storey building containing 25 flats was completed in late 2015.

13/1428 – Granted

Demolition of existing office building and erection of a seven storey building comprising 25 residential apartments (11 x 1-bed, 13 x 2-bed and 1 x 3-bed) and 383sqm of retail floorspace on the ground floor with associated cycle parking, first floor rear communal roof terrace and associated landscaping and subject to a Deed of Agreement dated 02 December 2013 under Section 106 of the Town and Country Planning Act 1990, as amended

CONSULTATIONS

Neighbour consultation letters were sent to 385 properties on the 01/02/2017.

Two site notices were displayed on 22/03/2017.

Press notice advertised on 30/03/2017.

Due to changes to the proposal (details of which are discussed in the main body of the report) neighbours were re-consulted on the 04/12/2017.

Two site notices were displayed on the 06/12/2017.
A press notice was advertised on the 04/12/2017.

Objections

To date 21 objections have been received that have raised the following concerns:

Objection	Response
Loss of retail units and harm to high street	
Loss of existing affordable retail units.	The affordable units were implemented as "meanwhile" uses of spaces that were previously vacant. There is no planning obligation to maintain them as affordable retail uses and they could revert to full price retail units at any time. New retail units are proposed within this scheme.
The net loss of retail space would harm the high street.	This is discussed in paragraph 11 (below)
Student Accommodation	
Student accommodation would not be practical in this location, and would represent a transient population.	The site is located within a town centre with good access to public transport and is considered to be an acceptable location.
Student accommodation does not meet the definition of affordable housing and local need has not been demonstrated.	In line with London Plan policy, a planning obligation is recommended to secure affordable student accommodation by means of a viability review mechanism should a single educational provider not be brought on board. The applicant has demonstrated that there is a London wide need for student accommodation, again meeting relevant policy.
Local businesses need trade and student accommodation does not seem compatible with that.	The proposal would provide five additional retail units to the area and students would also contribute to existing local businesses and facilities in the area.
Planning Application in 2013	
A resident has raised concerns that a planning application in 2013 for 34 residential units was refused on the basis that the density would exceed London Plan and Brent Council recommendations. The density of the current proposal would exceed the density of that scheme.	The application in 2013 was withdrawn and a decision was not made. However the London Plan Density Matrix should not be applied mechanistically when assessing schemes and this approach is widely recognised. London Plan paragraph 3.28 states that account should also be taken of other factors relevant to optimising potential which can include local context, design and transport capacity, as well as social infrastructure, open space and play. In this case the site is located within a town centre with good transport links and would provide a well-designed building and is therefore considered to be acceptable based on the number of habitable rooms proposed.

Parking and Servicing	
Impact on parking and servicing.	A parking permit restriction for future occupants would be secured. Servicing would take place to the rear of the site (see paragraph 37-38) and is considered to be a suitable and safe arrangement.
Impact on refuse services.	The impact on refuse services is considered to be acceptable and has been assessed by Transport and Planning officers - see paragraph 36.
Service vehicles accessing road beside Electric House would cause disturbance.	Service vehicles for the proposed development will share the service yard for the adjoining building (Electric House - see paragraph 36-38). A delivery and servicing plan is also to be secured by condition.
Impact on Conservation Area	
Overdevelopment of the site and impact on character of conservation area, and the density is too high	The scale of development is considered to be acceptable and the proposal would preserve and enhance the conservation area - see paragraph 27-31
The development bears no relationship to the local vernacular.	The proposal is a modern take on buildings in the area and is considered to be acceptable.
The demolition of the existing buildings would be detrimental to the conservation area	The existing buildings do not make a particularly positive contribution to the character of the Willesden Green Conservation Area, by reason of their single storey scale and the lack of traditional shopfront details as such the demolition of these is acceptable provided the replacement building is of an acceptable design.
Neighbouring Amenity	
Loss of light, overlooking and impact on residential units/communal space of Electric House.	The proposal would not unduly harm the amenity of neighbouring residents. Further details are contained in the 'Neighbouring Amenity' section of the report, paragraphs 16-26.
Noise and disturbance from students.	A student management plan would be secured by condition to limit disturbance to neighbouring residents.
Disturbance during construction work.	Noise and disturbance are primarily covered under Environmental legislation. However due to the scale of development and proximity of residential properties officers have recommended that a Construction Method Statement is secured by condition to mitigate against disturbance.

Increase in pests from higher number of people.	A management and servicing plan will be secured by condition to ensure that rubbish is stored and collected properly.
Inaccuracies in the Daylight/Sunlight report.	The applicant has submitted a revised Daylight/Sunlight report following requests from officers. The revised report is considered to be acceptable.
Failure to provide a scaled sectioned drawing.	All drawings submitted are to scale.

Cllr Long has objected to the proposal and raised the following points:

Objection	Response
There is a shortage of housing in Brent and student accommodation is not needed in Brent.	The applicant has demonstrated that there is a London wide need for student accommodation. The site allocation, which also includes Electric House, gave an indicative capacity of 17 residential units. 25 units have been delivered in Electric House. The combined sites therefore will not underdeliver housing when compared to the allocation.
The clock of Electric House was a temporary feature that was meant to be relocated onto the proposed building. Views of the clock would be obscured.	The clock would still be visible from Willesden High Road and Willesden Lane. Views to the clock are not a material planning consideration for this scheme.
What will the retail space in the basement be used for?	The space in the basement is proposed for storage and servicing ancillary to the retail units.
Is the bin storage sufficient and what arrangements are in place to control dumping? Will the management be paying the bulky item charge or will students be responsible.	The bin storage is considered to be sufficient and a servicing plan would be secured by condition. The bulky item charge would be a matter for the applicant and is not a planning consideration.

Support

Cllr Jones has provided the following comments:

- Height acceptable when compared with other tall buildings in Walm Lane: Erin Court, Rutland.
- Frontage: would support a mix of shop sizes, perhaps to include very small retail units.
- Hope pavement space in front could continue to hold occasional "events".
- No car permits agreed but needs to be clear how shops would be serviced.
- Retain trees and bus stop location
- Approve of red brick. Entrance attractive.
- Clock on Electric House, from Electric House application: The clock would work well if relocated to

the Queens Parade roof.

To date 46 identical signed letters of support from local residents have been received. The main points from the letter are the following:

- The existing buildings do not make best use of the site
- The proposal will boost the local economy
- The new retail units will improve the Willesden town centre
- The height is suitable
- The changes to the public realm will make this part of the shopping area more attractive and will help the area

In addition to the letters of support four comments supporting the proposal have been submitted. The main points are the following:

- The view of Electric House clock will be maintained
- Westminster University would be good to approach as they have a site in Baker Street
- Red brick should be used and the shop frontages should conform to the design guide, landscaping should extend to the building by providing a green roof or wall and bird boxes
- Support the idea of flexible shop space
- Alternative accommodation should be found for the existing retail tenants in empty space along the High Road
- One of the spaces should be used as a technical hub with café for use by students and local people
- The area is in need of investment and regeneration
- The public realm improvements will help the area

A letter of support was received from the Head of Operations of Meanwhile Space CIC stating that the applicant has worked with them to provide space for start-up businesses. However the experience of the start-up businesses is that this particular side of Walm Lane does not benefit from the same level of footfall found on the opposite side of the road.

POLICY CONSIDERATIONS

Development Plan:

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

Other material planning considerations:

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

DETAILED CONSIDERATIONS

Background and Context

1. The application site is part of a Site Specific Allocation (SSA) known as 28 Queen's Parade/Electric House as designated in the Site Specific Allocations Development Plan Document (DPD). The allocation was for mixed use retail and/or food and drink uses with residential above with the indicative residential development capacity set at 17 residential units. The low density was guided by the existing 1 to 3 storey context and the location of the site in a conservation area. The development approved on the neighbouring site Electric House achieved a much higher density than anticipated by the SSA with 25 units that have been constructed and are occupied.

Amendments since submission

2. The ground floor of the proposal has been revised so that the entrances of all of the retail units occupy the primary frontage of the site. The student accommodation entrance would now be located adjacent to the service access route. The number of student rooms has been reduced from 120 to 117. The height of the building at the rear of the site has been reduced. Angled windows and obscure glazing have been proposed for the rear of the building to prevent overlooking to Electric House.

Principle

SSA and the principle of Student Accommodation

3. As previously discussed the site forms part of a SSA that was originally identified for mixed use redevelopment for retail and/or food and drink with residential above and also improvements to the public realm along the pavement frontage. However this was for the entire site including both Queens Parade and the area that now consists of Electric House. The SSA for the site requires that the ability to redevelop both sites is considered and the Council previously encouraged both site owners to work together to produce a joint proposal for both sites. However despite efforts to do so this has not happened and only the Electric House part of the site has been developed to date. An application for a part residential part commercial development at the Queens Parade site was submitted in 2013 but was subsequently withdrawn later that year by the applicant as it was recommended for refusal by officers. One of the key reasons that the application was to be recommended for refusal was the standard of accommodation that would be offered to residents. This centred on the fact that the building if constructed would be largely north facing and residents would have poor access to sunlight. This is in part why the applicant has proposed to construct student accommodation as this type of accommodation is more temporary in nature with students only living there for nine months of the year. Consideration has also been given to the fact that the SSA originally envisaged 17 residential units across the entire site including the Electric House site. However 25 units have been constructed there and are occupied thereby exceeding the original target of 17. Therefore the main consideration in the acceptability of the principle of the development is the suitability of student accommodation at the site and also the impact on the Willesden Town Centre.

Student Accommodation

4. London Plan policy 3.8 sets out the need for housing choice to meet Londoner's requirements in terms of affordability, size and type. As far as student housing is concerned point (h) states that *strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes*. Brent has and is providing a significant amount of student accommodation in Wembley and has been supportive of this use particularly where there has been a large amount of development contributing towards the London wide need.

5. DMP20 states that in the case of accommodation with shared facilities or additional support there are four clear criteria that must be met:

- a) located in an area with good access to public transport and other amenities, including shops (normally within 400m)
- b) is of an acceptable quality meeting appropriate standards for the needs of its occupants, including external amenity space, appropriate communal facilities, levels of support/care and mobility;
- c) includes management arrangements suitable to its proposed use and size;

- d) demonstrates that there is a specific Brent, or in the case of education a London, need for the particular use which are secured by planning agreement relating to use of the land or to its occupation by members of specified educational institutions;

6. In terms of criteria a) the site has a PTAL of 5 and is located just over 200 metres away from an underground station and there are also regular bus services. This would provide access to numerous higher education institutions within approximately 40 minutes journey time from the site. The site is also located within a town centre consisting of numerous facilities and amenities that students could avail themselves of.

7. With regard to criteria b) the proposal would provide a good standard of accommodation. Although there are no specific standards for student accommodation all of the rooms would have internal areas of between 14 and 28 sqm exceeding 11.5 sqm which is considered to be the minimum size that is acceptable for a double bedroom as per the Technical Housing Standards. The building would provide an on site laundry facility within the basement that students could avail of themselves of. There are a larger number of units per core than would normally be acceptable for a residential development however due to the fact that this is a proposal for student accommodation it is considered acceptable.

8. With regard to criteria c) the applicant has stated that the operator would provide management arrangements. It is recommended that a student management plan is secured through condition to ensure that potential disturbances caused to neighbouring residents are minimised. The plan should include details of management and co-ordination of deliveries to the site, the process for assisting students in moving into/out of the premises at the start/end of the academic year, the pre-booking of arrival times and staff resourcing to assist this and management measures to address any noise and disturbance associated with the student use to address any potential late night/early morning noise and nuisance.

9. With regard to criteria d) London Plan policy 3.8 and DMP20 (d) require proposals for Student Housing to demonstrate that there is sufficient need for the proposed accommodation. A Student Marketing Demand Report has been submitted with this application which has found that student numbers have been increasing in recent years in London from students within the UK but outside London and also due to a large influx in the numbers of overseas students. The report has also provided a detailed demand and supply analysis of the student to bed ratio (SBR) in London. This analysis has found that the SBR is higher than the national average and based on the current number of beds available demonstrates that there is a London need for student accommodation to meet the needs of the increasing student population. Based on this assessment officers consider that the proposal would meet a London need and fulfil the criteria of DMP20 (d). The London Plan also supports a more dispersed distribution of accommodation in accessible locations away from the areas of greatest concentration in central London and secure accommodation that is more affordable. The applicant has submitted a letter from a student management company who works with a number of higher level institutions. While no specific educational provider is currently affiliated with the proposed development, a Section 106 clause will be sought in order to achieve this. In the event that no single educational provider is brought on board a viability review mechanism will be used in order to secure affordable student accommodation, in line with the aspirations of the London Plan.

10. A condition is also recommended to restrict the use of the accommodation so that it can not be occupied other than by full time students enrolled on UK accredited and based further education courses for not less than 39 weeks of the year. The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period.

Willesden Town Centre

11. The site is located within the primary shopping frontage of Willesden Town Centre. The existing parade of shops consists of 12 units with a gross internal area (GIA) of 590sqm. The proposal will result in a decrease in retail floorspace from an existing GIA of 590sqm to 298sqm resulting in a loss of 292sqm. This loss occurs as a result of the need to provide an entrance lobby for the student accommodation and core access to the floors above. The loss is also due to the creation of a purpose built off street servicing area to the rear of the site which is considered to be an improvement on the current situation in terms of highway safety.

12. The existing units currently provide temporary retail space for start-up businesses on short term leases through Meanwhile Space which is a community interest company. A letter of support has also been received from Meanwhile Space which has stated that the applicant who owns the units has worked closely with and supported the aims of the organisation to date. However the experience of start-up companies using Queens Parade is that this side of Walm Lane does not currently benefit from the level of footfall found on the other

side of the road. Although the reduction in units may lead to a slight contraction in footfall this is likely to be offset by the increased number of students on this side of Walm Lane. Meanwhile Space have also stated that the proposed scheme would create fit for purpose commercial units that tenants could grow into in the future which may also contribute to increased footfall. Although the units currently provide space for local start-up businesses there is a good deal of vacancy within this part of the borough and specifically within Willesden Green which could accommodate start-up businesses in the future.

13. The proposal would result in the creation of five retail units within the primary shopping frontage of Willesden Town Centre. The current arrangement between the applicant who owns the parade of shops and Meanwhile Space who provide the short term leases is a temporary one whilst the applicant has sought to develop the site. Paragraph 3.7 of DMP2 states that 'meanwhile use' is temporary use of vacant buildings for a socially beneficial purpose until such a time that they can be brought back into commercial use again. In this case the existing units have provided valuable start up space for local businesses but there is now a desire to bring them back into normal commercial use by the applicant which is also supported by Meanwhile Space who currently provided the leases to companies.

14. Due to the temporary nature of the existing arrangement and the fact that the site is located within Primary Shopping Frontage of Willesden town centre the principle of replacing the existing units with five purpose built retail units is considered to be acceptable and accords with the aims of the Local Plan in terms of supporting town centres.

15. The principle of student accommodation and five retail units at the site is therefore considered to be acceptable and complies with Development Management Policies DMP2 and DMP20.

Impact on neighbouring amenity

16. The development would not result in undue material harm to the living conditions of adjoining and nearby residents for the reasons set out below.

17. Residential units are located directly to the north of the site in the upper floors of the properties along Walm Lane; to the east of the site in the form of Rutland Park Mansions which is a four storey residential building; Electric House to the south-east of the site, which is a seven storey residential building; and the upper floors of the properties that run along Willesden Lane to the south and south-west of the site.

Mass

18. The existing parade of shops stand at one storey high and the proposed building would see an increase to a part 6/7/8 storey building which is a significant increase. However due to the separation distances between the proposed building and the residential units on Walm and Willesden Lane it is not anticipated that the building would appear overly dominant when viewed from these locations. With regard to Rutland Park Mansions to the east of the site, the front and rear building lines would be level with the existing building lines and the proposed building would also be set in by 9 metres from the existing side elevation. There are also no habitable room windows located in the side elevation of Rutland Park Mansions.

19. Electric House, the recently constructed building to the south/south-west of the site, consists of 25 self-contained units in an 'L' shaped building that surrounds a communal courtyard. A number of residents have raised concerns about an increase in mass and the potential that this could have on existing windows and communal/private amenity space. Habitable room windows are located on the northern side of Electric House as well as balconies. Consideration has been given to the increase in mass that residents of Electric House would experience. However a gap of 10 metres would be maintained between both sites (where the are sole habitable room windows of rooms in Electric House) and the applicant has also reduced the height of the proposed building adjacent to the north side of Electric House. Due to the design of Electric House the units most likely to be affected are dual aspect with their primary outlook to the east and not towards the application site. A resident has raised concerns with the mass of the building and the fact that the top of the six storey part of the proposed building would exceed the 30 degree guidance line at 34 degrees when measured at a height of 2 metres. Whilst it is acknowledged that there would be a slight failure here this would be to secondary windows with the primary outlook of the living areas of these units maintained to existing levels due to the orientation of the building.

20. Consideration has been given to the fact that there would be an increase in mass close to the communal amenity space area of Electric House which would result be a slight loss of light and increased sense of enclosure due to the fact that the area would be surrounded by quite high walls on each side. However consideration has been given to the fact that this area is communal and all residents would still have access to their own private balcony and amenity space. Therefore on balance it is considered to be acceptable.

Daylight/Sunlight

21. Originally the applicant submitted a Daylight/Sunlight report that was prepared by their in house team. However officers requested an independent assessment which was subsequently submitted. The revised report prepared by Malcom Hollis has assessed the potential impact that the proposal could have on all properties surrounding the site.

22. A resident of Electric House has raised concerns with the loss of Daylight/Sunlight to their properties and specifically the open plan living, kitchen and dining rooms. This is primarily based on the VSC and ADF assessment which a resident has raised concerns with due to the reduction in VSC and the fact that the ADF assessment has not provided an assumption for the reflectance of room surfaces within the rooms of Electric House. However, with regard to both of these tests, this just formed two individual parts of an overall Daylight/Sunlight assessment which consisted of numerous tests as per the BRE guidance.

23. The Daylight/Sunlight report has identified that there would be some loss of light to some of the residential units on the north-western side of Electric House. The units on this side of the building consist of a 1B2P flat on the first floor and two 2B4P flats located on the second and third floor respectively. These units consist of a dual aspect living room with the primary outlook to the north-east and secondary outlook to the north-west. The units on the second and third floor each have a balcony that is north-west facing. There is also a bedroom on each floor with outlook to the north-west. The report acknowledges that there would be some loss of light to each unit and their balcony. However daylight distribution results show that due to the fact the units are dual aspect they would still meet BRE targets. The bedrooms are set within re-entrant corners that are shaded by the projecting walls and balconies and already experience some loss of light. The orientation of the building and the flats on the northern side also limit access to sunlight already.

24. Consideration has been given to the findings of the report and also to the layout of the units that would be affected. Although it is acknowledged that there would be some loss of light, consideration has been given to the fact that the primary living areas of each unit are dual aspect and the primary outlook is to the north-east and away from where the proposed development would be located. Taking this into account it is considered that the proposal would not materially harm the amenity of residents and is considered to be acceptable.

Overlooking

25. SPG17 generally requires 20 metres separation distance between habitable room windows. Due to the separation distances between the application site and the units on Walm and Willesden Lane of 20 and 25 metres respectively, and the fact that this would be across a public highway, there are no concerns with undue levels of overlooking in this location.

26. As previously discussed there are habitable room windows that overlook the site from Electric House where a number of residents have submitted objections concerning overlooking. The rear of the application building would have windows that overlook the balconies and habitable rooms of Electric House at a distance of 10 metres. However the applicant has proposed the use of a mixture of obscure glazed and angled windows to ensure that overlooking does not take place towards Electric House. This is considered to be an acceptable approach and addresses concerns that neighbouring residents have raised.

Character, design and impact on conservation area

27. The existing building is a single storey terrace in use as commercial units within the Willesden Green Conservation Area. The building is constructed in red brick with a front parapet wall capped with a concrete coping stone. The shopfronts have some traditional features with the high stall risers and pilasters with prominent corbels. The single storey building and shop fronts do not share the distinctive characteristics of the shopfronts and buildings which define the Willesden Green Conservation Area. The existing buildings do not make a particularly positive contribution to the character of the Willesden Green Conservation Area, by reason of their single storey scale and the lack of traditional shopfront details as such the demolition of these is acceptable provided the replacement building is of an acceptable design. The SSA also encourages redevelopment of the site with a more intensive and better use of land, therefore arguably supporting and anticipating the demolition of the existing row of single storey units.

Scale

28. The scale of development at the site has been established by the development at Electric House which is a part 4/6/7 storey building with the tallest part located adjacent to the application site. The neighbouring building, Rutland Park Mansions to the north-east, has a height of four storeys. The proposed building would have a six storey height with a mansard style feature adjacent to Rutland Park Mansions which is considered

to be acceptable in terms of scale as it would not appear overly dominant. The building would then step up to a height of seven storeys and then to a height of eight storeys at the corner of Walm Lane and Willesden Lane, before stepping back down to seven storeys adjacent to Electric House. The gradual step up from six to eight storeys with the highest point at the corner of the site is considered to reduce the overall bulk of the building whilst creating a stand out feature at the prominent corner of the site. The overall scale of the building is considered to be sympathetic to the existing buildings and acceptable in the context of the surrounding buildings and conservation area.

Design

29. The design of the building in terms of materiality and detail has sought to take cues from the neighbouring Rutland Park Mansions building without mimicking its exact style. The mansard roof would offer a contrast to the red brick façade and detail of the bays below. The corner element of the building would contain a stepped and faceted frontage which is considered to be suitable for the buildings prominent location. This would also help to break up and create an interesting building. The design would also offer a good contrast to the banded appearance of the neighbouring Electric House building.

30. The ground floor of the building would have slightly higher floor to ceiling heights and traditional elements such as stone cornices that would provide a distinction between the retail element and student accommodation above. The materials proposed would be reconstituted stone, zinc and brick which are considered to be acceptable in principle. However due to the sites location within the conservation area, a condition is recommended which requires further details of materials including samples to be submitted.

31. Overall the scale and design of the building are considered to be acceptable and would help to preserve and enhance the Willesden Conservation Area.

Improvements to public realm

32. As part of the application improvements are proposed to the public realm on the corner of Walm Lane and Willesden Lane. These would include replacement trees, street furniture and a new surface. This is welcomed and is a key aim of the SSA. The Council's Landscape and Design Team have also confirmed that the existing trees are too large for this particular location and it would be beneficial to replace them with more suitable species. Officers therefore recommend that the works are secured as part of the s106 agreement to include a financial contribution and s278 agreement for the highway works.

Parking and Servicing

Parking

33. Car parking allowances for the proposed development are set out in Appendix 1 of the DMP 2016. Retail units are permitted up to one space per 50-100m², depending on whether they are food or non-food outlets, giving a total allowance of 5-10 spaces for the ground floor/basement retail space. With no off-street car parking standards are complied with. Car-borne visitors to the retail units would be able to make use of pay and display bays along Walm Lane if they so wish, although the good access to public transport means the site is readily accessible to staff and customers anyway without requiring a car. A CPZ operates in the surrounding area to prevent overspill parking by staff in residential streets. Students are not eligible for parking permits for the local CPZ as they are not permanent residents. However, to ensure they are properly notified of this, a 'car-free' agreement would be secured by condition which has been acknowledged by the applicant.

34. The London Plan requires a secure bicycle parking space to be provided for every two students and the proposed provision of 60 spaces (44 on a double-height stacker) in a secure storeroom in the basement meets this requirement. Lifts, including a large goods lift, will be provided to allow bikes to be taken down to the basement in comfort.

35. Long-term storage for four bicycles for retail staff is also required though, so space should be identified for two 'Sheffield' stands, alongside the rear service access route. For short-term storage, three spaces are required for the student accommodation and a minimum of five spaces for the retail units. It is proposed that five stands (ten spaces) be provided within the public footway on the Willesden Lane frontage to meet this requirement. These need to be new spaces though, rather than simply a relocation of the five existing stands

that currently front the building. Therefore further details of cycle storage will be secured by condition.

Servicing

36. Bin storage is proposed in the basement, with a goods lift provided to allow the management company to bring bins up to the rear service alleyway on collection days. This arrangement is considered to be acceptable and there is space for a refuse vehicle to stand clear of the bus stop clearway and signalised junction on Willesden Lane when collecting bins.

37. For other deliveries to the shop units, the S106 Agreement attached to the development of the adjoining site at 296 Willesden Lane (ref: 13/1428) included a requirement to allow shared use of its service yard for future development on this site. A passage was therefore provided between the service yard and the rear of this site and a gate is proposed from that passage to the rear service alley for these shops. As such, off-street servicing for the units fronting Walm Lane is secured and the proposal should thus have no adverse impact from delivery vehicles standing in the bus stop fronting the site.

38. A Delivery and Servicing Plan (DSP) is also suggested for the site, which would be welcomed in terms of helping to co-ordinate deliveries and improve efficiency. Although the amount of student accommodation proposed is not huge, the limited options for unloading goods within and around the site mean that the DSP should also set out arrangements for making the moving of belongings into the student flats at the start of the academic year as easy as possible.

39. To this end, the submitted Transport Statement sets out a procedure for receiving students at the start of the academic year, with Welcome packs provided to give logistical information on the moving in process and a booking system to allocate specific 30-minute timeslots for arrival (generally at weekends). Additional staff are also proposed to be on hand to assist with moving students in and a ground floor temporary storage area will be provided to allow belongings to be unloaded from the vehicle more quickly. These measures are welcomed and should be incorporated into the DSP.

40. A Travel Plan has also been submitted for the development, despite its fairly modest size and the absence of any off-street parking, which would immediately largely eliminate car use. The main target is therefore to increase cycling as a means of travel from a baseline of 4% of trips to 9% of trips. A Travel Plan Co-ordinator will be employed to manage the Travel Plan, which will include the provision of information on transport options through a Welcome Pack and notice boards. Monitoring of the success of the Travel Plan is to be undertaken for five years from first occupation, in accordance with standard practice. Whilst the Travel Plan measures are welcomed, the securing of a full Travel Plan is not considered entirely necessary, so a simple commitment to employ the measures as set out can be secured through a planning condition, without any need to undertake future monitoring.

41. The Transport Assessment has otherwise assessed the likely trips to and from the proposed student flats in the absence of the Travel Plan, based on comparisons with other student residences within London. This concludes that the development would generate 1 arrival/15 departures during the morning peak hour (8-9am) and 11 arrivals/7 departures during the evening peak hour (5-6pm). With 100 buses and 50 Underground trains passing close to the site each hour, these volumes are not considered large enough to have a noticeable impact on any particular bus or Underground service, particularly as the halls are not proposed to be affiliated to any particular College or University.

42. Finally, the application proposes the resurfacing of the footway fronting the site in high quality materials, plus the re-siting of five existing bicycle stands and the provision of new seating, soft landscaping beds around the street trees and improved lighting. The proposals to enhance the appearance of this area of highway are welcomed in principle and should also consider removal of much of the extensive guard railing along the site frontage. A S278 Agreement to work within the public highway will be required for these works and final design and construction details will need to be agreed through that process.

Energy and Sustainability

43. As student accommodation is not technically residential accommodation the zero carbon policy as per the

Mayors Housing SPG would not apply as it is covered under Part L2A (non-domestic) of the Building Regulations. However the non-domestic target of 35% improvement over Part L 2013 would apply to the building in order to comply with policy 5.2 of the London Plan. In this case the applicant has submitted an Energy and Sustainability Statement in support of the application. This statement confirms that the proposal would achieve a 41.05% reduction thus complying with London Plan policy 5.2.

44. The applicant has also submitted a BREEAM pre-assessment. A rating of Excellent is normally sought for non-residential development within the borough. At this stage it is envisaged that a proposed score of 74.34% could be achieved, which corresponds to a BREEAM rating of Excellent.

Environment

Noise

45. Due to the proximity of the road and the fact that the site is located within a commercial/residential area there are a number of existing noise sources that need to be taken into account. In addition there are a number of new noise sources that would be introduced to the area as a result of the development. As such environmental health officers have recommended that a noise assessment is secured by condition. This is often required with the initial application for planning permission, but as the residential units would be above ground floor and as the adjacent public highway is significant, it is considered acceptable in this instance to require this via condition.

Air Quality

46. The application site is located within an air quality management area and near to a busy road. Due to the size of the development proposed an air quality impact assessment would be required to assess potential emissions. This assessment would need to include the impact of building works, the operation of the development and the impact on local air quality for future/local residents as well as mitigation proposed. Officers recommend that this assessment is secured by condition which is considered acceptable for the same reasons as outlined above in paragraph 45 above.

Contaminated Land

47. The area to the rear of the site has been highlighted as being potentially contaminated. Therefore environmental health officers have recommended that contaminated land conditions are secured to ensure that it is adequately dealt with.

Construction Noise and Dust

48. Due to the proximity of existing residential developments environmental health officers have recommended that a Construction Method Statement is secured by condition. This should include measures to control dust, noise and other environmental impacts.

Conclusion

49. The site is part of a Site Specific Allocation that originally envisaged the Queens Parade and Electric House sites coming forward together as a mixed use development consisting of retail/residential units. This however did not happen and the neighbouring Electric House development has been built and includes 25 self-contained flats. Consideration has therefore been given to the fact that the Electric House development has surpassed the original SSA target and also to the difficulty in providing residential units in the Queens Parade site due to its orientation.

50. The proposal would provide good quality student accommodation within an area that is well served by public transport and that is within a town centre that would offer students good local facilities. The accommodation would have management facilities in place that would be secured by condition. It has been demonstrated that there is London wide need for student accommodation and that there is an aspiration in the London Plan to move student accommodation away from Central London to other accessible locations.

51. The proposal would also provide five retail units within Primary Shopping Frontage of the Willesden Town

Centre and contribute towards the town centres vitality and viability. Although there would be a reduction in the overall amount of retail floorspace this would be due to the need to provide a core for the student accommodation and also to provide off-street servicing, and they would be high quality and modern units. In addition to this the existing tenants and management company have provided evidence and a letter of support for the proposal based on the fact that the existing 12 units are considered to be quite small and would be replaced by five more modern and purpose built units with basement storage that would improve this area of the High Road.

52. The building as designed would preserve and enhance the Willesden Conservation Area whilst improvements are also proposed to public space in front of the site which was originally a key aspiration of the SSA. The proposal would not materially harm the amenity of neighbouring residents.

53. Taking these factors into consideration the application is recommended for approval subject to conditions and the s106 legal agreement.

CIL DETAILS

This application is liable to pay **£941,530.45*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible** floorspace which on completion is to be demolished (E): 583 sq. m.
 Total amount of floorspace on completion (G): 3818 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Shops	641		543.120743 844945	£40.00	£35.15	£30,356.57	£26,675.84
Sui generis	3177		2691.87925 615506	£200.00	£35.15	£752,284.11	£132,213.93

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	£782,640.68	£158,889.77

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

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

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



DECISION NOTICE – APPROVAL

Application No: 17/0322

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

I refer to your application dated **20/01/2017** proposing the following:

Demolition of existing retail units and erection of part-six, part-seven, part-eight storey building, comprising 117 student residential accommodation units (Use class Sui Generis) on the upper floors, ground floor retail floorspace of 298sqm providing 5 commercial units (Use class A1) and entrance lobby for the student accommodation, and use of basement level to provide retail warehouse floorspace of 243sqm (ancillary to A1) along with cycle parking, bin stores, laundry and plant room ancillary to the student accommodation, with associated enhancements to the public realm at street level

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

at **1-12 INC, Queens Parade, Willesden Lane, Willesden, London, NW2 5HT**

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: 02/03/2018

Signature:

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

Alice Lester
Head of Planning, Transport and Licensing

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

NPPF
London Plan (2016)
Brent Core Strategy (2010)
Brent Development Management Policies (2016)
Brent Site Specific Allocations (2011)

- 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):

QPW 100
QPW 101
QPW 102
QPW 103
QPW 104
QPW 200 B
QPW 201 A
QPW 202 B
QPW 203 F
QPW 204 E
QPW 205 A
QPW 206 A
QPW 207 A
QPW 208
QPW 209
QPW 210 A
QPW 211 B
QPW 212 C
QPW 213 D
QPW 214 A
QPW 220
QPW 221
QPW 222
QPW 223

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

- 3 The Travel Plan hereby approved (prepared by Vectos dated February 2017) shall be implemented in full from first occupation of the development.

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

- 4 The student accommodation hereby approved shall be occupied by Students for a period of not less than 39 weeks in any year unless otherwise agreed in writing by the Local Planning Authority. For the purpose of this condition, Students are defined as any person enrolled on a full time UK accredited and based further education course at a recognised higher education

institution for not less than 80 % of the course time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the accommodation meets an identified need and contributes towards a balanced community.

- 5 The 'Service Access Route to Retail' as shown on approved drawing QPW 200 B shall be constructed and made available for use prior to the first occupation of the residential units and maintained clear of obstacles thereafter.

Reason: To ensure that the impact on the public highway is acceptable.

- 6 Details of materials for all external work, including samples which shall be made available for viewing on site or in another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. 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 Noise Report to include a scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (excluding demolition, site clearance and below ground works). The scheme shall demonstrate that the student rooms and units will be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

Time	Area	Max noise level
Daytime Noise 07:00 – 23:00	Living rooms and Bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8 hr) 45 dB Lamax

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

Reason: To obtain required sound insulation and prevent noise nuisance

- 8 Details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority prior to the installation of any satellite dish. The television / satellite dish systems shall not be installed other than in accordance with the approved details.

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

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

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

- 10 No development shall take place until a Construction Environmental Management Plan (CEMP)

has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- (i) The phases of the Proposed Development including the forecasted start and completion date(s)
- (ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to commence development until such consent has been obtained
- (iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any Considerate Constructor or similar scheme)
- (iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and deliveries to and from the site
- (v) Details of hours of construction including all associated vehicular movements
- (vi) Details of the construction compound
- (vii) A plan showing construction traffic routes
- (viii) An audit of all waste generated during construction works.

The construction shall be carried out in accordance with the approved CEMP.

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

- 11 Prior to the commencement of development (excluding demolition, site clearance and the laying of foundations) further details of the impact of the development on air quality and the impact of air quality on the development shall be submitted to and approved by the Local Planning Authority and shall include any mitigation measures proposed and an air quality neutral assessment. The approved details shall be implemented in full prior to first occupation and retained for the lifetime of the development.

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

- 12 Prior to first occupation of any part of the building hereby approved details of a Delivery, Servicing and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Management Plan shall include the following:

- i) Management and co-ordination of deliveries to the site;
- ii) The process for assisting students in moving into/out of the premises at the start/end of the academic year;
- iii) The pre-booking of arrival times and staff resourcing to assist this;
- iv) Management measures to address noise and disturbance associated with the student use addressing potential late night/early morning noise and nuisance.

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

Reason: To minimise the impacts of the development on the highway and neighbouring residents.

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

unacceptable risk to any identified receptors

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The works shall be carried in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

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

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

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

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

- 15 Prior to the occupation of development hereby approved, further details of cycle storage for a minimum of ten cycles in the form of five "Sheffield" stands for short term use for the student accommodation and retail units shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any occupation of the development.

Reason: In the interest of promoting sustainable transport

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 2 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found

on the Brent website at www.brent.gov.uk/CIL.

- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.
- 6 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 7 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
 - (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- 8 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise and vibration effects.
- 9 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

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

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

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

11 LICENCES

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

12 HIGHWAYS

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

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

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

13 VIBRATION

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

14 AIR QUALITY

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

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

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

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

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