



Planning Committee

Wednesday 10 October 2018 at 6.00 pm

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

Membership:

Members

Councillors:

Denselow (Chair)
Johnson (Vice-Chair)
Chappell
Colacicco
Hylton
Lo
Maurice
Sangani

Substitute Members

Councillors:

Abdi, Ahmed, S Butt, Dar, Ethapemi, Kabir,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

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

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place at 5.00pm in Boardrooms 7 and 8

Please note this meeting will be filmed for live broadcast on the Council's website. By entering the meeting room you will be deemed to have consented to the possibility of being filmed and to the possible use of those images and sound recordings for webcasting.

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 significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then 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 of 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 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 is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting - 12 September 2018		1 - 10
APPLICATIONS FOR DECISION		
3. 18/2335 Byron Court Primary School, Spencer Road, Wembley, HA0 3SF	Northwick Park	15 - 32
4. 17/0637 Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH	Stonebridge	33 - 56
5. 15/5564 Trinity House, Heather Park Drive, Wembley, HA0 1SU	Alperton	57 - 86
6. 18/2183 Car Park North East of Morrisons, Honeypot Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7	Queensbury	87 - 124
7. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 60.		

Date of the next meeting: Tuesday 6 November 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 12 September 2018 at 6.00 pm

PRESENT: Councillor Johnson (Vice-Chair, in the Chair) and Councillors S Butt, Colacicco, Chappell, Hylton, Lo, Maurice and Sangani.

ALSO PRESENT: Councillor Daly, Councillor Miller and Councillor Donnelly-Jackson.

Apologies for absence were received from Councillor Denselow.

1. **Declarations of interests**

None.

Approaches

The following approaches were reported by Councillors.

67 Medway Gardens Wembley HA0 2RJ (Ref.18/1597)

Councillor S Butt was approached by Sudbury residents by email sent to all Sudbury ward members.

Willesden Green Garage, St Pauls Avenue NW2 5TG (Ref.17/5291)

Councillor Chappell was approached by residents in connection with the application.

57 Cricklewood Broadway, London NW2 (Ref.17/5292)

Councillor Colacicco was approached by residents in connection with the application.

2. **Minutes of the previous meeting - 15 August 2018**

RESOLVED:-

that the minutes of the previous meeting held on 15 August 2018 be approved as an accurate record of the meeting.

3. **Zone C, Olympic Way & Perimeter Way, Wembley, HA9**

PROPOSAL: Full planning permission for the demolition of the existing 'Pedway' ramp structure to the front of Wembley Stadium and the construction of a set of steps (with associated lighting) to connect ground level to Wembley Stadium Landing Level (concourse); and use of the void created beneath the proposed steps as secure storage for estate maintenance equipment; the reconfiguration of an existing unadopted estate road (Perimeter Way) to create two new roads either side of the steps connecting to Engineers Way; the use of land beneath the steps bridge as temporary event space; a revised vehicular access to Plot W03 immediately west of the application site and public realm works comprising the

installation of hard landscaping, street trees, lighting columns that can incorporate advertising banners, street furniture, underground water attenuation measures, services, tree pits and other associated works.

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

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 Hilary Seaton (Planning Officer) introduced the report including details of the proposals and answered members' questions. She explained that the scheme which would consist of 16 channel steps each with 48 steps separated into 4 flights would be of concrete structure and incorporate comprehensive lighting strategy. The proposal would improve legibility, deliver improved public realm and pedestrian flow as well as link in well with development for plot W03 and W04 in the area.

In reference to the supplementary report she informed the Committee about the formal response from Wembley National Stadium Limited (WNSL) since the publication of the agenda. The response set out WNSL's support for the proposals, conditional upon a number of matters being addressed by planning conditions within any planning permission granted. She continued that the majority of the matters raised by WNSL were captured within the proposed conditions. To ensure that outstanding matters raised by WNSL were addressed, the Planning Officer recommended an amendment to condition 15 as set out in the supplementary report.

The Planning Officer then referenced a letter from Hilton Hotel requesting signage for local hotel facilities and LDO and consultation on the Site Environmental Plan. In addressing those requests, she advised Members that a condition was proposed requiring the submission and approval of a Wayfinding Strategy and a further condition that the development would be carried out in accordance with the submitted Site Management Plan. This plan sought to deal with potential environmental impacts of the proposed works and set out mitigation measures which would minimise the impact of the proposed works on all neighbouring residents and occupiers, including the Hilton Hotel.

Ms Seaton emphasised to the committee that full consideration had been given to the safety aspects of the proposal and the Council, along with other expert bodies, were satisfied that the proposed steps met safety standards.

Mr Kenneth Koranteng (objector) raised concerns about the application on grounds of public safety, mass evacuation and lack of consultation with users of the ramp Pedway structure and the emergency service providers. He explained that since its construction, there had been no structural failure of the Pedway, a testament of its durability and reliability, which was now proposed to be replaced with a set of steps which could have serious implications for crowd and mass evacuation from the Stadium. Mr Koranteng noted that the deliberations of the Public Safety Officer and unequivocal assurances from the Metropolitan Police were absent in the report. He continued that the data for crowd control technical study was not representative as it was based on only 2 events captured to support the proposal. For the above reasons, he felt that no cast iron case had been made for the removal of the Pedway ramp and urged members for deferral until the concerns expressed had been addressed.

Messrs Brett Harbutt and Julian Tollast (applicant) addressed the Committee and answered Members' questions. Mr Harbutt stated that the application would enhance the setting of the Wembley National Stadium, improve public realm and deliver a public square for other events and uses. He added that the proposed set of steps which complied with guidelines for access and egress had been reviewed and accepted by the Public Safety Officer and complied with DDA accessibility requirements. Members heard that the steps were intended to be in place for 2020 when Brent would become the Borough of Culture and Wembley National Stadium would host European Nations League finals.

In response to Members' enquiries, Mr Tollast confirmed that extensive consultations were carried out with representative groups, The Metropolitan Police, Fire Service and other civic authorities and their comments were taken on board in the final submission. He added that it was impractical to consult with visitors to the Stadium. Mr Tollast clarified various aspects of the proposed development, including that being out in the open meant that escalators were not a viable option due to propensity for frequent breakdowns, which would create difficulties for visitors. He continued that the proposals had been robustly tested against findings from other stadia.

In considering the proposals, Members highlighted the paramount consideration of public safety in terms of egress and noted that the benefits of the proposed steps, including their role in wider public realm improvements, outweighed the retention of the current Pedway ramp structure.

DECISION: Granted planning permission as recommended subject to amended condition 15 as set out in the supplementary report.

(Voting was unanimous and as follows: For 8, Against 0, Abstention 0)

4. 67 Medway Gardens HA0 2RJ (Ref. 18/1597)

PROPOSAL: Erection of a first floor side extension and part two storey rear extension, loft conversion with hip to gable conversion, rear dormer, subdivision of the rear garden, 1No. front rooflight and new window to front elevation to facilitate the conversion of a single family dwelling into two self-contained flats (1 x 2 bed and 1x 3 bed) (Amended description 30.07.18)

RECOMMENDATION: To grant planning permission subject to the conditions set out in the report.

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

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

That 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 June Taylor (Principal Planning Officer) introduced the report and answered Members' questions. She referenced the supplementary report which set out neighbours' objections and added that the issues raised had already been included in the summary of objections and taken into account in the preparation of the committee report.

Ms Imelda Smith (objector) objected to the proposed development on grounds of increased pressure on on-street parking in an area with low PTAL rating of 2 and inadequate consultation process. She added that due to its bulk, the proposal failed to comply with Council policy. In response to members' questions, Ms Smith explained that as Medway Gardens was not within the CPZ, it was always difficult for residents to find parking places for their vehicles.

Councillor Daly (ward member) addressed the committee to speak against the proposal. In accordance with the provisions of the Planning Code of Practice, Councillor Daly stated that she had been approached by residents in connection with the application. Councillor Daly raised concerns about the consultation process and parking pressure on Medway Gardens. She added that as the proposal which was for a 6metre deep extension, it breached Council policy. She urged members to consider granting permission for a 3metre extension instead.

Mr Oliver Block (Senior Planning Lawyer) advised that Members could only consider the application before them without revision to it.

Ms Liz Alexander (applicant's agent) stated that the principle of development was accepted by Council policy as the proposal would re-provide family housing unit with direct access to the rear garden of the property. She continued that the design would comply with National Space Standards as well as complement the character of the streetscene without detrimental impact on residential amenities. Members heard that as the proposal would not give rise to parking issues, the Council's Highways officers did not raise any pertinent objections.

Mr John Fletcher (Team Manager, Development Control Transportation) clarified that the provision of 2 car parking spaces was sufficient and complied with parking standards. In response to issues raised about consultation process, the Principal Planning Officer clarified that 22 neighbours were consulted. She continued that officers considered that further minor revisions to the scheme made by the applicant on 20 August 2018 were not material as to warrant a re-consultation.

The application was welcomed by majority of members. Members who dissented cited the following reasons; parking issues and overdevelopment of the property with consequent adverse impact on visual amenity from neighbouring rear gardens.

DECISION: Granted planning permission as recommended.
(Voting was recorded as follows: For 5, Against 2, Abstention 1)

5. Willesden Green Garage, St Pauls Avenue, NW2 5TG (Ref. 17/5291)

PROPOSAL: Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide 70 self-contained flats (35 x 1 bed, 22 x 2 bed and 13 x 3 bed) with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping.

RECOMMENDATION: To grant planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the report.

That the Head of Planning be granted delegated authority to negotiate the legal agreement and 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, if by 12 December 2018 the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

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

Mr Damian Manhertz (Area Planning Team Leader) introduced the report and answered members' questions and in reference to the supplementary report, reiterated the condition about mitigation measures to reduce overheating to some of the units. Members were advised that the proposal would deliver 18% affordable units and 16 basement car parking spaces.

Mr Peter Hale (objector) raised concerns about the application on the following grounds;

Loss of light to neighbouring flats at No 75, in excess of BREEAM recommendation.

Excessive number of 1 bedroom units rather than family size units

Excessive density.

Unsatisfactory waste management arrangements to the detriment of residential amenities.

Mr Jorge Barbeito (objector) stated that the proposed development failed to enhance the heritage status of the area and adjoining listed building by its excessive height, overlooking to neighbouring property, unsympathetic scale and design, culminating in a development which would be out of character with the area.

In accordance with the Planning Code of Practice, Councillor Miller (ward member) expressed concerns about the application's detrimental impact on light, the excessive density and lack of assessment of flooding impact.

Mr Mark Westcott (applicant's agent) stated that significant amount of consultation had been carried out which had resulted in a revised proposed building from 8 to 7 storey and that the design was inspired by local buildings including Kingsley Court. He added that the proposed development would provide acceptable level of daylight to 75 and 75A St Pauls Avenue as well as deliver a much needed affordable housing to the area.

Members then questioned the applicant's agent on the level of affordable housing, compliance with BREEAM guidance and highway issues including relationship to the pavement. In response, Mr Westcott stated that although the level of affordable housing was below the Authority's 50% policy, it was the maximum that could reasonably be provided based on viability, and including 3x 3bedroom family units. He explained that the transport impact of the development had been assessed by independent consultants to ensure minimum obstruction to the highway and fewer van delivery to the site.

Mr John Fletcher (Team Manager, Development Control Transportation) stated that he was satisfied that there was not a highways safety issue, and that adequate spaces were available for smaller vans to park without obstructing visibility to Park Avenue. He pointed out that as a 'permit –free' scheme, occupiers would not be entitled to a parking permit and therefore the development would not lead to additional on street parking pressure.

In the discussion that followed, Members acknowledged that the site was challenging, but expressed serious concerns about the application and were minded to refuse it for the following reasons; impact of the development on neighbouring properties including loss of light; inadequate affordable and family housing units; servicing arrangements and general impact which would be out of context with the area.

Prior to voting, Mr Manhertz reiterated the summary of key issues as set out in the report and added that the proposed development would represent a vast improvement on the existing appearance of the site in the area. Whilst there would be an impact on 75 and 75A St Pauls Avenue, this was not considered significant as to warrant a refusal.

Members however were minded to refuse the application contrary to the recommendation for approval, notwithstanding the advice. A motion to defer the application was proposed by Councillor Colacicco and seconded by Councillor Maurice. This was put to the vote and declared carried. The application was therefore deferred to another meeting for the reasons to be assessed by officers in a follow-up report.

DECISION: Deferred to another meeting for the reasons for refusal to be assessed by officers in a follow-up report

Voting on the decision was unanimous and recorded as follows:

For:	Councillors Johnson, S Butt, Chappell, Colacicco, Hylton, Lo, Maurice and Sangani	(8)
Against:	None	(0)

6. 57 Cricklewood Broadway, London NW2 (Ref. 17/5292)

PROPOSAL: Change of use from hotel (Class C1) to 9 x self-contained flats (1 x 3 bed, 4 x 2 bed and 4 x 1 bed) (Class C3) with retention of public house (Class A4); three storey rear extension.

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.

Mr Damian Manhertz (Area Planning Team Leader) introduced the report and answered members' questions. In referencing the supplementary report, he informed members that the issues raised in the additional objection received had been fully discussed and addressed in the Committee report. He reiterated that the internal space for the pub would be retained within the site and that a change of use was not proposed for the public house.

Ms Joanne Scott (objector) expressed concerns about the loss of the public house (pub) use in a mixed development and requested its protection by the imposition of appropriate conditions which would prevent future change of use. She also requested the retention of the frontage of the building so as to preserve its heritage merit and to ensure that the views from the Mapesbury Conservation Area were not harmed.

Mrs Carolyn Apcar Smith (applicant's agent) stated the proposed development would deliver a much needed housing including family size units without detriment or harm to Mapesbury Conservation Area. She continued that majority of the objections received related to the suspected loss of the pub use and re-affirmed that the pub use would be retained. Members were informed that there was no policy to resist the loss of the beer garden. Mrs Smith clarified the waste collection, delivery and servicing arrangements.

Although Members welcomed the report, it was noted that the scheme did not include a kitchen and that servicing and delivery times were not explicit in the conditions. For these reasons, they amended condition 6 by the deletion of "hot" and condition 9 for clarity of the servicing and delivery times.

DECISION: Granted planning permission as recommended.
Voting was recorded as follows: For 7, Against 0, Abstention 1)

7. Any Other Urgent Business

None.

The meeting closed at 8.55 pm

COUNCILLOR R. JOHNSON
Vice Chair in the Chair

Note: The meeting was adjourned for 5 minutes at 7.25pm and 8.25pm.

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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

10 October, 2018
03
18/2335

SITE INFORMATION

RECEIVED	15 June, 2018
WARD	Northwick Park
PLANNING AREA	
LOCATION	Byron Court Primary School, Spencer Road, Wembley, HA0 3SF
PROPOSAL	Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_140471</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 "18/2335" (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 conditions set out below.

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

Conditions

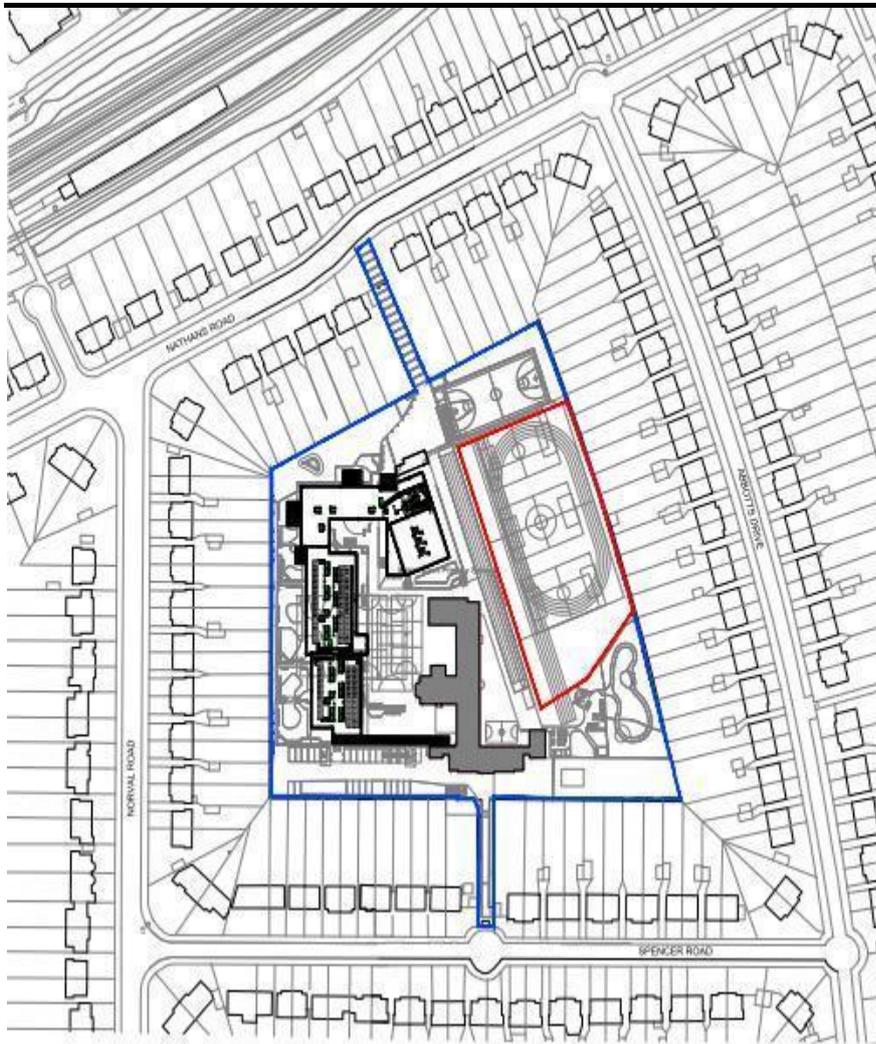
1. Development to commence within 3 years of consent
2. Development to proceed in accordance with the approved plans
3. Hours of use for community access limited
4. Drainage/flood mitigation measures proposed to be adhered to
5. Community Access Plan to be submitted
6. Replacement trees to be planted with details submitted and approved
7. Biodiversity enhancements to be carried out with details submitted and approved

That the Head of Planning is delegated authority to make changes to the wording of the committees 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 Committee resolve to GRANT planning permission subject to any direction by the Secretary of State pursuant to the Consultation Direction

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Byron Court Primary School, Spencer Road, Wembley, HA0 3SF</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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— APPLICATION BOUNDARY
— OTHER LAND OWNED BY APPLICANT
APPLICATION No. 154523

This map is indicative only.

PROPOSAL IN DETAIL

The development seeks the addition of a 3G sports pitch within the school site, on part of the site previously approved as a playing field. The pitch will occupy a 74m x 45m section of the school's playing fields on the southern side of the school site.

EXISTING

The application site relates to Byron Court Primary School. It is a community school located in the north of the borough. The school site is surrounded on all side by two storey semi detached residential properties on Spencer Road, Norval Road, Nathans Road and Abbotts Drive.

Parts of the site including the area where the 3G pitch is proposed lies within land that is liable to surface water flooding. The south western part of the site is currently designated as a Site of Local Importance of Nature Conservation. The school is also located within an Area of Distinctive Residential Character.

Planning permission was granted for the demolition of eight buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School's playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.

The expanded school has been under construction throughout recent months and occupation is due to commence shortly.

SUMMARY OF KEY ISSUES

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

1. **Representations received:** One Councillor and 29 residential occupiers have objected to this application for a variety of reasons, however officers consider that the proposal is acceptable and that none of the grounds upon which objectors resist the proposal give rise to a reasonable argument that the proposal should be resisted in planning terms.
2. **Provision of additional sports facilities for the benefit of on-site school children and members of the wider community:** Your officers give great weight to the delivery of local sports facilities which would serve the school, and would also be available for the use of the local community.
3. **The loss of a protected playing field:** Whilst the playing field is protected from inappropriate development, officers consider that the proposed use represents an appropriate development which appropriately balances enhancement of the space for sporting uses and retention of the open character of the space.
4. **The impact of the 3G pitch and associated perimeter fencing on local residential amenities:** The proposed perimeter fencing will be tall, but will be formed of a lightweight material which will allow substantial light flow. The local vegetation is substantial and would act as a suitable screen in restricting visibility of the structure from local gardens.
5. **Flooding and local drainage:** The 3G pitch has been designed with comprehensive drainage infrastructure which has been shown to effectively prevent the 3G pitch from providing any increase in the severity or contributing to local flood events.
6. **Highways and transportation:** The school already has a community access arrangement approved (relating to internal sports facilities and an outdoor multi use games area) and this proposal would result

in the addition of one additional facility for this purpose, in line with previously consented hours of use. It is not considered that the proposal would materially affect local highways and parking capacities given that the community uses would take place during off-peak periods and with staggered arrival times associated with booked time slots. A travel plan is in place to work towards the reduction in car use for attending the school.

7. **Trees, and landscaping:** The 3G pitch will necessitate the loss of four small trees close to the western side of the 3G pitch. However, replacement of these trees to a similar standard within the school site is being secured by condition.
8. **Ecology:** The current playing field has been shown to already be of negligible ecological value given its frequent disturbance and short grass length. The replacement of this low value ecological space with an artificial pitch will present a negligible worsening of the environment in ecological terms. Ecological improvements are to be secured by condition. Notable local species such as badgers and hedgehogs are very unlikely to rely on the habitat of the current playing field and its loss would not worsen local habitats of value for such wildlife, such as hedgerows or more natural settings with long sward lengths.
9. **Environmental Health:** The pitch will not make use of tannoys or lighting and will not therefore worsen light pollution or cause nuisance by means of amplified sound. Any nuisance associated with use of the pitch would likely be similar or less impactful compared with use by school children during the day and is reasonably limited by restrictions on the hours of use.

MONITORING

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

Floorspace Breakdown

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

Monitoring Residential Breakdown

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

RELEVANT SITE HISTORY

The previous consent of relevance to this application is:

15/4523. Full Planning. Granted. 26/04/2016.

demolition of eight existing buildings on site comprising 4x teaching blocks, 1x shelter, 1x shed, 1x storage/garage and 1x kitchen and dining facilities and construction of new part single and part two storey building (to accommodate expansion of the school from 3 form to 5 form entry primary school), all-weather MUGA to include the reconfiguration of the School's playing field and associated landscaping and parking, upgrading of the Nathans Road access and temporary permission for the erection of a single teaching block (2x classrooms) for use until July 2017.

CONSULTATIONS

108 local properties were consulted regarding the application on 05/07/2018. One local Councillor (Cllr Perrin of Northwick Park ward) and the occupiers of 29 local residential properties expressed objections to the proposal.

The grounds of objections raised by residents and Councillor are summarised as follows:

Ground of objection	Officer response
The 3G pitch is close to the boundary of residents along Abbotts Drive and will restrict their view, present as an eyesore and compromise privacy for existing residents.	Officers' views on this are set out below in paragraphs 11-13
It is not understood why the pitch is required. There is adequate green space in the site for sporting activities.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.
The pitch is suspected to be used on weekends and after school disrupting residents at those times.	<p>This is proposed by the applicant and is required by Sport England as it will represent a benefit to users of the pitch at the school and within the local community.</p> <p>It is not considered that the pitch will unreasonably disrupt residents' amenities and this is clarified within the report below.</p> <p>It should be noted that the area in which the 3G pitch is proposed can be used outside of school hours already.</p>
The pitch would likely have floodlights and PA systems increasing noise levels and incurring additional light pollution into neighbours' homes.	The applicants are not proposing floodlights or PA systems. As such, no nuisance from amplified sound or light spillage would be incurred in neighbours' homes. Planning permission would be required for any such features to be installed.
What is the storage building on the side of the pitch? This will restrict residents' views.	There are no buildings proposed around the pitch.
The opinions of residents have not been addressed and all previous proposals at the school have gone ahead despite large scale objection.	Residents' views are always considered. Nonetheless, acceptability in planning terms is determined by the proposal's adherence to local and national planning policies. It is not considered that concerns raised by residents demonstrate that the proposal is unacceptable in planning policy terms.
There are pitches in nearby schools (e.g. Wembley High) and green space on the other side of East Lane. The facility could also be in Northwick Park. Why does the school need to use this pitch, which would cause disruption and inconvenience to residents?	<p>The 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.</p> <p>The pitch being on-site would make the pitch more practical for use by the school compared to an off-site location where travel arrangements and management would need to be made in using such facilities for school purposes.</p>
Use of the pitch will increase bring a lot more traffic into the estate over the weekend and in the evenings and disrupt residents, adding to parking pressures.	Officers' views on this are set out below in paragraphs 29 and 30.
It is unclear if cars will be entering the school as a result of the proposal and which access will be used.	The 3G pitch would represent an addition to the arrangements of the community access plan (CAP) relating to the original school expansion application and a condition will require that the

	CAP is updated to reflect that the 3G pitch will operate on the basis of the same access arrangements.
Why was this application not made at the time of the original application to expand the school?	It would not be reasonable to restrict the school in terms of what can and cannot be applied for and at what time. This can often be a product of planning and it is understood that some projects require amendment/alterations as factors change. At the point of application, your officers consider that the 3G pitch development is acceptable in planning terms and that this does not prejudice the previous planning consent.
Work may have already commenced on the pitch.	Works to build the 3G pitch have not yet commenced and this has been confirmed by the applicant.
The pitch will not benefit the pupils as it will only reduce green areas for children to play freely.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play. There will be no practical loss of play space within the school site since there will be no fixed buildings/structures built as part of the proposal.
The proposal will remove more open space within the site.	The replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.
There is no plan for scrubs or trees to mitigate impact.	Officers' views on this are set out below in paragraph 19 and 21 below.
The neighbourhood's community spirit is being lost as the enlarged school attracts outside congestion from areas outside Sudbury Court.	Officers' views on the potential for the 3G pitch to attract outside congestion is set out below in paragraphs 29 and 30. Officers would consider that the proposal is likely to be of benefit to community cohesion, given that community access to a new local facility which promotes healthy lifestyles is to be achieved.
The site is overcrowded	It is not considered that the site is overcrowded or overdeveloped. In terms of open space, such provision on the site will not be reduced from that which was approved in 2015.
There are concerns that the 3G pitch will affect drainage runoff.	Officers' views on this are set out below in paragraphs 14-18.
The 3G pitch will be detrimental to local ecology and trees.	Officers' views on this are set out below in paragraphs 22-28.
There is no guarantee that floodlights and	Officers' views on this are set out below in

tannoys will not be applied for later.	paragraph 5 below.
There has already been wildlife losses observed in nearby gardens as a result of the school development. There is a particular risk to hedgehog populations.	The applicant's ecologist notes that the area proposed for occupation by the 3G pitch would be very unlikely to form a habitat for local notable species such as hedgehogs at present. As such, officers' consider that there would be no loss of a high value ecological habitat under this proposal.
3G pitches are linked to health conditions including cancer as a result of bacteria and chemicals on the surface of the pitch	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant.
Children would prefer a more natural environment	Whilst the pitch would be artificial, the replacement 3G pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play. The benefits of this are considered to outweigh the dis-benefits associated with the loss of the grass playing field.
The proposal does not constitute a 'minor' amendment to the original application.	The proposal is made as a new planning application for the 3G pitch only and it has not been put forward on the basis that this is an amendment to the previous consent.
The 3G pitch constituted part of the original application for the school expansion and was then removed and replaced with playing fields on environmental grounds.	This is not correct. The playing field was always a part of the original proposal and a 3G pitch was not considered for this location until the current application.
The submission states that 15 hours of community access will be allowed.	Community access will be allowed in line with the time restrictions currently imposed on the adjacent multi-use game area.
Surrounding properties will be devalued by the proposal.	Whether a proposal will affect surrounding property values (either positively or negatively) is not a material planning consideration.
Increased traffic and parking will make the local traversal of emergency vehicles more difficult.	It is not considered that parking and other associated highways issues will be put under additional pressure by this proposal. As such, it is not considered likely that emergency vehicle access will be more difficult.
Local consultation was not comprehensive.	All of the surrounding houses bordering the school were consulted and, given that the proposal is not strategic in scale (compared with the previous application for a school expansion) officers consider that the consultation radius was appropriate.
There will be increased local warming as a result of an artificial surface replacing a natural one.	There is no evidence to suggest that the 3G pitch would have the potential to increase local temperatures to an extent that would be detrimental to the surrounding environment.
The installation of the pitch would be expensive	These are not material planning considerations

and would require extensive cleaning and maintenance.	and are not related to the planning benefits or drawbacks associated with the impact of the proposal.
The impacts of ongoing construction and the proposed development are a health and safety risk to residents.	Given that the application is a 'minor' application, the construction vehicles and works associated with the proposal will be limited. Concerns regarding health and safety are covered through separate legislation.
There will be increased littering and there will be more burglaries and robberies requiring local police protection.	It is not considered that there will be a material increase in such activities and that the number of visitors to the site is unlikely to be significantly greater than under the access plan approved with the school expansion consent.
The chemicals on the pitch will filter into the surrounding soil and damage wildlife and ecology.	The current playing field is of negligible ecological value. There are no environmental health concerns raised by officers on these grounds which would outweigh the other benefits of the proposal.
The 3G pitch will increase the likelihood of flooding and remove areas of natural drainage.	Officers' views on this are set out below in paragraphs 14-18 below.
The 3G pitch has the potential to worsen sports injuries as a result of the surface being harder than a natural grass field.	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant.

Internal and External Consultation

In addition, Sport England externally and the Local Lead Flood Authority internally were consulted. All of the above officers did not object to the application and their detailed responses are discussed below in the 'detailed considerations' section.

POLICY CONSIDERATIONS

National Planning Policy Framework 2018

Further Alterations to the London Plan 2015

3.18 Education Facilities

3.19 Sports Facilities

Brent's Core Strategy 2010

Objective 5 - meeting social infrastructure needs

CP18: Protection and Enhancement of Open Space, Sports and Biodiversity

Brent's DMP 2016

DMP1: General Development Management Policy

DMP8: Open Space

DMP9a: Managing Flood Risk

DMP9b: On site water management and surface water attenuation

DMP12: Parking

DMP13: Movement of Goods and Materials

SPG17 "Design Guide for New Development" Adopted October 2001

Provides comprehensive and detailed design guidance for new development within the borough. The guidance specifically sets out advice relating to siting, landscaping, parking, design, scale, density and layout.

DETAILED CONSIDERATIONS

Principle of development

1. The development seeks the addition of a 3G sports pitch within the school site, on part of the site previously approved as a playing field. The playing fields of the site are protected as open space under Brent's Core Strategy Policy CP18. Policy CP18 requires that "open spaces of local value are protected from inappropriate development and are preserved for the benefit, enjoyment, health and well-being of Brent's residents, visitors and wildlife." It also states that "support will be given to the enhancement and management of open space for recreational, sporting and amenity use". It is considered that the proposal will meet the requirement of policy CP18 as it would see the continued use of the space for sporting/recreational use in an open environment, as consistent with the policy. The natural environment of a small element of the school playing field would be lost, but the value of the space for recreational, sporting and amenity uses would be enhanced as it would enable year round use of the space for sporting activities and the quality of the space for enabling sports activities would be improved through levelling of the land, providing a flat ground surface.
2. All playing fields in England are protected by Sport England, and Sport England's support of this proposal would be key to ensuring that the development is acceptable in principle. Sport England have reviewed the application and consider that the continued reduction in natural outdoor play space is concerning. However, Sport England do note that the artificial pitch would be fit for purpose and would have at least the same capacity for play as the approved playing field would have had. Subject to the pitch being made available for the benefit of the community, Sport England have advised that they would not object to this proposal as they consider that it would meet Sport England's Exception E5 which states that the provision of the sports facility would outweigh the detriment caused by the loss of the playing field.
3. From your officers' perspective, the development will result in the loss of a naturally grassed playing field, however the value of the field for sporting use is reduced as a result of the sloped nature of the ground and the substantial maintenance requirements in keeping the field fit for sports uses throughout the year. The replacement 3G pitch will be largely open in its character and will enhance the ability of this land to enable sporting and recreational uses.
4. As required by Sport England, the 3G pitch will be used for both school activities and external community uses. The playing field forming part of the original school expansion consent was not approved with community uses and there is thus a benefit to the local community in the increased availability of sporting facilities with this application. A condition will be attached to the consent limiting the use of the 3G pitch hours to ensure that activities are reasonably limited given the outdoor location in a residential area, whilst providing sufficient opportunities for community use. It is noted that the 3G pitch will not be equipped with floodlighting which will limit the usability of the pitch outside of school hours during winter months, nonetheless the MUGA timeframes of community use would remain reasonable restrictions based on an established precedent, even though the 3G pitch is unlikely to be used during all of these time frames. A condition will require that the school's community access plan is updated to clarify the specific arrangements and management details for the 3G pitch's access to the public.
5. Some objectors to the proposal have requested that a condition preventing lighting and tannoy equipment from being applied for in the future forms part of the consent, however your officers would consider that this is not a reasonable planning obligation and would unfairly prejudice the school, since a future application may be capable of clearly demonstrating that such features would not unduly harm the amenities of surrounding properties. However, officers would stress that such an application will only be supported where the Council is satisfied that such use will not unduly prejudice the amenities of surrounding residents.
6. Ultimately, the principle of this proposal is supported by your officers, however this is subject to the consideration of the potential of this proposal to result in other impacts such as increase in local flood risk, damage to local trees/local ecology and being of detriment to the visual amenity of neighbouring

properties. These have been thoroughly examined and are discussed later within this report.

Siting and appearance

7. The pitch will occupy a 74m x 45m section of the school's playing fields on the southern side of the school site. The pitch will be bounded by the school's previously consented Multi-Use Games Area (MUGA) to the east and the school's remaining playing field space and nature reserve to the west. The school buildings are located to the north of the proposed 3G pitch. The 3G pitch bounds the rear garden boundaries of residential properties along Abbots Drive to the south. The 3G pitch will extend alongside the rear garden boundaries of no's 18-38 (evens) Abbots Drive, but will be set back from the boundary with these properties by a minimum of about 3.5m and a maximum of about 5.02m.
8. The pitch will be lined by a 3.2m high chain-link fence along all the perimeter of all four sides, which is broadly consistent with the design of other enclosed sports pitches in similar environments. The fence will allow for substantial flow of light and visibility from and to the inside of the pitch, retaining a suitably open character within and around the pitch.
9. The development will necessitate the levelling of the pitch, which will require a raising of the current ground level by up to about 1.5m towards the northern side of the 3G pitch. The 3.2m high fences are to measure this height from the top of the newly formed ground level. Relative to the current ground level, the height of the southern boundary fence (that which is closest to the neighbouring properties along Abbots Drive) is 3.7m. The relationship between neighbouring houses, the proposed fences and existing and proposed ground levels are clearly laid out on the submitted site boundary section plans.
10. The size, scale and appearance of the 3G pitch, as most prominently defined by the 3.2m high perimeter fencing is considered to be acceptable in terms of its general siting and appearance. The 3G pitch would appear as a typical feature of many school sites and the use of a see-through mesh fence would preserve visibility in and around the pitch. The siting and appearance of the pitch is therefore supported in planning terms.

Impact on visual amenity of neighbouring properties

11. Brent's SPG17 guidance and draft SPD1 guidance set out parameters for acceptable amenity impact in respect of light losses and overshadowing as a result of new structures being built in proximity to private residential properties. The erection of a 3.2m (3.7m relative to the current ground level) high fence within 3.5m-5.02m of the rear garden boundaries of neighbouring residential properties has the potential to overshadow or appear unduly imposing from the neighbouring rear gardens. Officers acknowledge that the largely transparent nature of the fence will limit any losses of light to gardens occurring as a result of the erection of the fence alongside the 3G pitch, however the presence of the structure has the potential to appear unduly overbearing and would therefore reasonably warrant assessment against Brent's amenity impact standards within guidance.
12. The applicant's submission identifies the relationship between the affected properties (18-38 Abbots Drive) and the fence of the 3G pitch. The relevant guidance parameter (the drawing of a 45 degree line at a height of 2m from the fence line of the neighbouring property towards the proposed development) has been applied to the section drawings and it is shown that the fence will comfortably pass the amenity impact test. It is therefore considered that the fence of the 3G pitch will not have an unduly detrimental impact on the rear gardens of neighbouring houses, and it is emphasised that the impact will be lessened further by the transparent nature of the fence structure.
13. Notwithstanding the fact that the fence complies with the relevant guidance for reasonable amenity impact on neighbours. There is already substantial vegetation along the rear boundaries of affected properties on Abbots Drive that is of sufficient height and substance to provide a good level of mitigation and prevent overlooking into neighbouring gardens.

Flood risk

14. An issue raised by some residents is in relation to localised flooding and the potential for the loss of natural soil to worsen localised flooding.
15. The school site is not close to any brooks or rivers and falls within the Environment Agency's lowest grade for fluvial flood risk. However, due to local topography, a localised flood risk associated with

surface water runoff from rainfall has been identified, and part of the school site (including a part of the 3G pitch coverage) falls within flood zone 3a (relating to surface water only) of the West London Strategic Flood Risk Assessment (SFRA) criteria.

16. The applicants have submitted a drainage strategy alongside their proposal to clarify flood mitigation measures that will form part of the proposed works. The strategy confirms that the 3G pitch will be installed with its own underground storage tank for rain water and that land drainage will be installed under the pitch surface. The storage tank will have a capacity for 300 cubic metres of water and will have a discharge into the sewer of 5 litres per second, which is an equivalent drainage rate of that of green field land.
17. This information has been reviewed by Brent's Local Lead Flood Authority (LLFA). The LLFA officer is satisfied that the proposed flood mitigation measures are sufficient for the site and that any instances of flooding would not be related to the addition of the 3G pitch, given the measures that will be in place. The LLFA officer has confirmed that the drainage calculations have been prepared using the Wallingford sewer design programme and that the storage tank and land drainage will protect the local area from flooding even in the event of a 1:100 year storm event plus an allowance for a 30% increase as a result of climate change.
18. There have been some anecdotal reports from a few residents that flooding has been occurring within their rear gardens. Brent's LLFA officer has not identified any such instances of local rear garden flooding in the Council's database. The LLFA officer has clarified however that rear garden flooding is common during heavy rain and that the Council receives many complains related to this across the borough. These problems usually stem from the ground conditions and all of Brent and many other London Boroughs are built atop London Clay which does not absorb water as well as other soil types. Whilst this is an ongoing problem that needs addressing, Brent's LLFA officer remains satisfied that the 3G pitch (with drainage mitigation measures) will not contribute to this problem.

Impact on trees

19. A comprehensive tree removal, protection and replacement strategy was approved as part the school expansion consent. There are no trees in the area where the 3G pitch is proposed to be, however there is a small group of trees close to the western side of the 3G pitch extent. The original landscaping plan associated with the school expansion approval identified a group of 9 trees in this location, whilst the new proposed plans within this application show this group reduced down to 5 trees, with the 4 which are closest to the 3G pitch having been removed. All of the trees within the site were protected under the conditions of the consent and, in exercising this protection, Brent's tree officer would therefore require that 4 replacement trees of similar size and species to those lost are re-planted within the site. A condition will require that details of the replacement tree planting are submitted, approved and implemented prior to the first occupation of the 3G pitch.
20. It is noted that the above observations are at odds with the content of the applicant's submitted arboricultural statement which states that no trees are to be lost as a result of the 3G pitch construction. This has since been clarified with the applicant.
21. Subject to the above condition, Brent's tree officer is satisfied with this proposal in respect of its likely impact on local trees.

Impact on ecology

22. A professional ecology study has been undertaken to consider the impact of the 3G sports pitch on local ecology compared to that of the previously consented playing field.
23. The ecology study identified that the playing field was previously heavily managed and frequently disturbed amenity grassland with a sward length of equal to or less than 2cm. It was previously assessed as being sub-optimal habitat to support protected and/or notable species during 2015. This was as a result of the playing fields' frequent use for sporting activities. Such habitat type typically has limited ecological value and would provide limited foraging opportunities for common bird species. It is therefore considered that the site has a negligible ecological value.
24. The report identifies that the best quality local habitats for protected or notable species (e.g. hedgehog, badger and birds) are likely to be associated with the school's wildlife area (which is to be retained in the

south-western corner of the school site), the neighbouring gardens and boundary habitats.

25. Under the original proposals, reinstatement of the grass pitch would have resulted in the simple replacement of one vegetated area of negligible ecological value with a similar vegetated area of negligible ecological value. The replacement of this area with a 3G pitch would represent a replacement of this vegetated area with an area of practically no ecological value, which does represent a minor negative impact. However, the scale and likely significance of this impact is likely to be negligible.
26. Whilst impacts on ecology are likely to be negligible, opportunities exist for the further reduction of these minor impacts and even to deliver overall biodiversity enhancements through the proposals.
27. In addition, it is important to note that common bird species and mammals such as hedgehogs are wide ranging species. Individual hedgehog home ranges vary during the year but are on average 10-20ha, and they travel an average distance of 2km a night. Therefore, the loss of the amenity grassland sports pitch, a sub-optimal habitat, would not be solely responsible for the loss of hedgehogs within the wider area. Residential gardens, with a variety of structure and botanical species, provide ideal hedgehog habitats.
28. A condition will require that details of the abovementioned biodiversity enhancements are proposed, submitted, approved and implemented prior to first occupation of the 3G pitch.

Highways considerations

29. Brent's highways officers have reviewed the proposal and are comfortable that the addition of the 3G pitch to the school's community access offer (which already includes internal sports facilities and the outdoor multi use games area) is unlikely to have a material impact on local highways in respect of increased car usage and local parking.
30. It is highlighted by highways officers that local highway stress is at its greatest during school drop off/pick up times and that a staggered and relatively low-frequency use of community facilities throughout non-school hours is unlikely to materially worsen local highway conditions and parking capacities. Furthermore, it should be noted that this proposal will not increase the number of pupils within the school to beyond that approved as part of the 2015 planning consent. Nonetheless, the school will be required (by condition) to update their travel plan to take account of additional community access to the 3G pitch to ensure that the school's strategy towards reducing local car use is up-to-date and fit for purpose

Environmental health considerations

31. There will no floodlighting of the 3G pitch and there is thus no potential for the addition of the 3G pitch to worsen local light pollution into neighbouring residential properties.
32. There is the potential for noise associated with play to disturb residents, however this land has functioned as a playing field previously so it is unlikely that noise would be greater than when the pitch was used for play purposes during the school day. It is acknowledged that there would be some additional noise impact during out-of-school hours for some of the properties along Abbots Drive, however this would not be to an extent that would warrant resistance to the proposal and would be balanced with a limitation of community use up until 8pm in the evening. Short daylight hours in the winter would further limit any potential noise disturbances during after school periods at this time of year.

Conclusion

33. The principle of the development accords with the Council's policies in respect of open space and the proposal is not objected to by Sport England. Furthermore, it is considered that the 3G pitch will not be of material detriment to surrounding residential amenities in respect of appearance, visual impact, environmental health, flood risk, impact on trees and local ecology and impact on local highway usage.
34. In conclusion, the proposal is considered to comply with policies set out in Brent's Core Strategy 2010 and Brent's Development Management Policies 2016, as set out above. There are no grounds upon which this proposal should reasonably be resisted and your officers would therefore recommend that planning permission be granted, subject to the abovementioned conditions.



Application No: 18/2335

To: Miss Mezzabotta
Paul Murphy Architects
The Foundry
7 Glenthorne Mews
London
W6 0LJ

I refer to your application dated **15/06/2018** proposing the following:

Installation of 3G sports pitch on the south side in place of the grassed sports field of Byron Court Primary School

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

at **Byron Court Primary School, Spencer Road, Wembley, HA0 3SF**

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: 01/10/2018

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:-

National Planning Policy Framework 2018
Brent Development Management Policies 2016
Brent's Core Strategy 2010
Brent's Supplementary Planning Guide 17 2001
Brent's Draft Supplementary Planning Document 1 2017

- 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):

1519 DL(2-)002 Rev P1
LP2082-FIRA-10-W-3014 Rev D
LP2082-FIRA-10-W-3015 Rev D
LP2082-FIRA-10-W-3016 Rev D
LP2082-FIRA-MP-ST-S-LA-01
LP2082-FIRA-MP-ST-S-LA-02
CLSK(52)3002
CLSK(52)3003
CLSK(52)5001
CLSK(52)5002
CLSK(52)5003
CLSK(52)5004

Soft Surfaces Maintenance Proposal – Byron Court
Drainage Statement for 3G Pitch Proposals – Prepared by Cundall – Ref: 1014846-RPT-CL-001
– Dated: August 2018
Update Ecology Report – Prepared by Aven Ecology – Dated August 2018

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

- 3 Activities within the 3G pitch hereby approved for use by community users shall only take place between the hours of 0900 and 2000 Mondays to Sundays, with the premises cleared within 30 minutes of this time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of surrounding residential properties.

- 4 The development permitted by this planning permission shall be carried out in accordance with the approved 'Drainage Statement for 3G Pitch Proposals', Reference: 1014846-RPT-CL-001 (dated August 2018). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements as set out in the statement, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce surface water run off rates and to prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided.

- 5 Prior to first use of the 3G pitch hereby approved, an updated Community Access Plan detailing community access arrangements across the school as a whole, prepared in consultation with Sport England, shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall allow for a minimum of 15 hours of community use at the school each week and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

The approved updated Community Access Plan shall be brought into operation within 3 months of first use of the 3G pitch and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Local Plan.

- 6 Prior to first use of the 3G pitch hereby approved, details of size, species and placement of four new trees to be planted within the school site shall be submitted to and approved in writing by the Local Planning Authority. The tree planting shall be implemented prior to first use of the 3G pitch hereby approved.

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

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

- 7 Prior to first use of the 3G pitch hereby approved, details of the biodiversity enhancements, as specified on page 10 of the Update Ecology Report prepared by Aven Ecology (dated August 2018) shall be submitted to and approved in writing by the Local Planning Authority.

The approved ecology measures shall be implemented prior to first use of the 3G pitch and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development includes proposals to nurture and enhance surrounding ecology and wildlife habitats.

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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 October, 2018
04
17/0637

SITE INFORMATION

RECEIVED	13 February, 2017
WARD	Stonebridge
PLANNING AREA	Brent Connects Harlesden
LOCATION	Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH
PROPOSAL	Erection of four additional floors over existing mixed used building comprising 28 self-contained flats (8 x 1bed, 16 x 2bed and 4 x 3bed) to include internal childrens play area at ground floor level, cycle parking, roof terrace with associated screening, timber ramp access, landscaping and alterations to the external facade of the building
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_132623</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 "17/0637" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

To resolve to grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

A. That the Committee resolve the GRANT of planning permission subject to:

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. Affordable housing:
 - a. The securing of all units on the third floor of the resulting development as affordable rented accommodation (x7 units)
 - b. Affordable Rented definition (rents agreed at 1 beds 80% OMR, 2 beds 70% OMR, 3 beds 60% OMR – all inclusive of service charges, capped at LHA rates)
 - c. Affordable Rented units disposed to RP on freehold or minimum 125 year lease
 - d. Nomination rights
 - e. s106 post-implementation review
3. Training and employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.
 - b. 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.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. 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 training for a previously unemployed Brent resident/school leave for at least 6 months
4. Carbon offsetting
 - a. Contribution of £41,500 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated 23rd January 2017.
5. Considerate Constructors Scheme
6. Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

1. Time Limited Approval
2. Approved Plans/Documents
3. Accessible/Adaptable Dwellings
4. Parking Layout
5. Travel Action Plan
6. Flood Risk
7. Air Quality
8. Restriction of change of use to C4
9. Non-Road Mobile Machinery (pre-commencement condition)
10. Construction Methodology/Traffic Management (pre-commencement condition)
11. Construction Site Waste Management Plan (pre-commencement condition)
12. Details of Materials
13. Landscaping
14. Satellite Dish/TV Antenna
15. Details of external lighting

16. Living walls
17. Sustainable Urban Drainage Systems
18. Noise
19. Plant
20. Electric Vehicle Charging Points
21. Cycle Storage
22. Details of zero/low carbon technologies

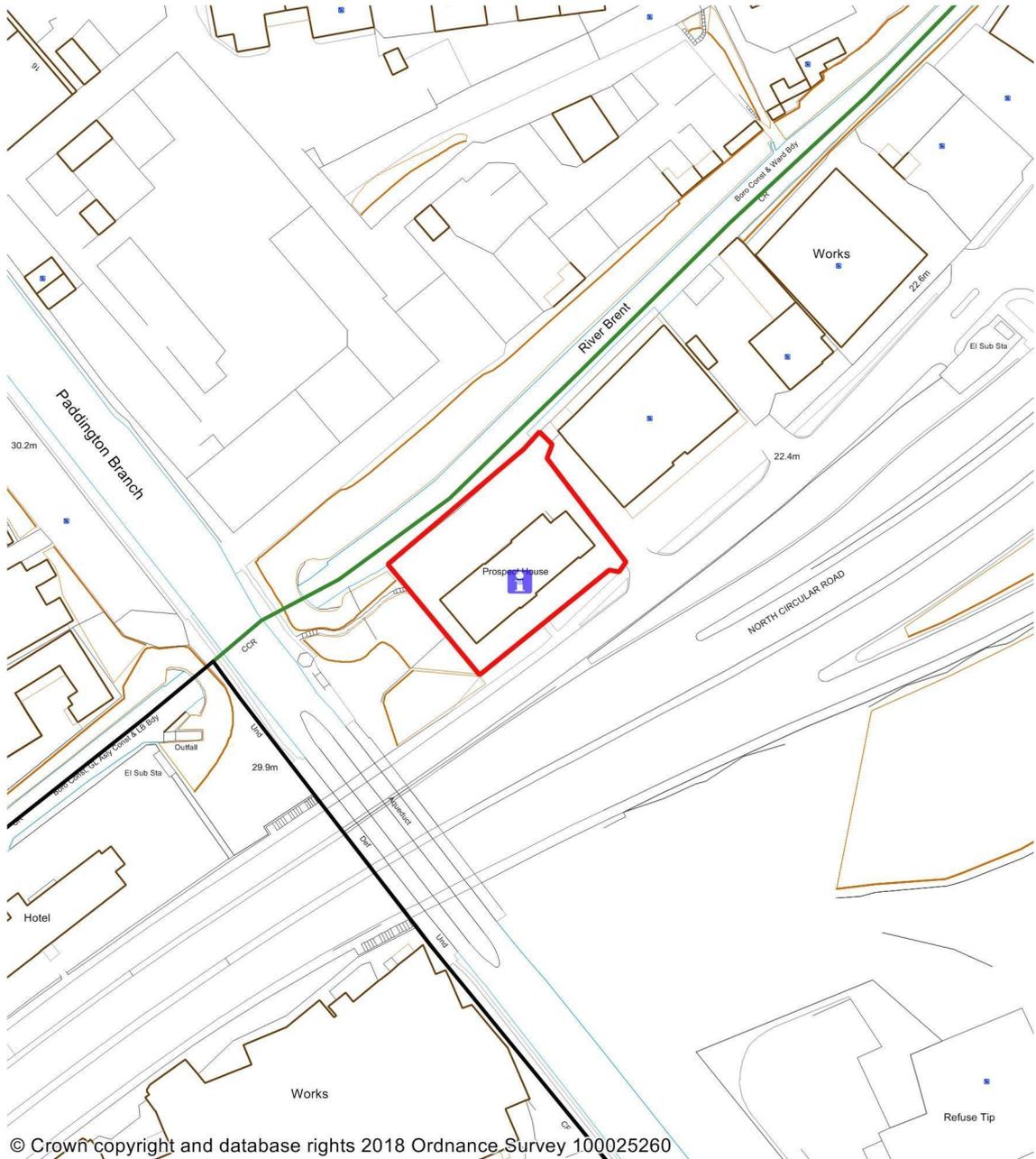
D. Informatives as detailed at the end of this of this report.

E. 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 not that such change(s) could reasonably have led to a different decision having been reached by the committee.

F. 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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

Erection of four additional floors over existing mixed used building comprising 28 self-contained flats (8 x 1bed, 16 x 2bed and 4 x 3bed) to include internal children's play area at ground floor level, cycle parking, roof terrace with associated screening, timber ramp access, landscaping and alterations to the external facade of the building.

The building will increase in height from 12.6m to 23.43m to the top of a flat roof or 25.76m to the top of the glazed screening for the rooftop amenity space.

EXISTING

The site comprises of a three storey former office building bounded by the North Circular on its southern boundary, the River Brent on its northern boundary, and an area of woodland (SINC) on its western boundary, with the Grand Union Canal beyond, in an aqueduct which goes over the North Circular. To the west is the Shurgard Self-Storage building, which rises to approximately 4-storeys in height.

The first and second floors have been converted to residential accommodation via a prior approval application (**ref: 15/0752**), with the office uses retained on the ground floor. The residential units are let to homeless families on a 5-year lease arrangement managed by Shepherd's Bush Housing Association

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: A total of 23 neighbours were consulted on the application. No objections were received in relation to the planning application.

Principle: The proposal is for new residential dwellings within a designated Strategic Industrial Location. However, with those floors having been converted to residential accommodation by virtue of a prior approval application. As such, the inclusion of additional homes above the existing homes is considered to be acceptable.

Affordable housing: The development does not achieve the target of 50% with regards to the provision of affordable housing, but has been subject to a Financial Viability Assessment which demonstrates that the maximum reasonable proportion of Affordable Housing will be provided. The scheme will provide 7 affordable rent units (accounting for 25% affordable housing, and is subject to a post implementation review to capture any potential uplift in viability.

Family Housing: Adopted policy seeks 25% of new homes within the borough to be family sized accommodation (3+ bedrooms). With 14% of the overall provision, the development falls below this level. However, officers consider that an appropriate balance has been achieved between the amount of family housing and the level of Affordable Housing and is considered to be acceptable.

Transportation considerations: Sufficient parking would be available on site and within the site and along the site frontage, and the impact associated with traffic generation is predicted to be minimal. Furthermore, there is sufficient cycle parking and refuse facilities for the development.

Design: The design, layout and appearance of the building is considered to be acceptable and appropriate for the area.

Impact on amenity: The proposal will not have a materially detrimental impact on any nearby residential units.

RELEVANT SITE HISTORY

In November 2014, a prior approval application (**ref: 14/3764**) was **refused** for the change of use from office

(use class B1) to residential (use class C3) creating 27 flats (12 x 2 bed, 7 x 1 bed and 8 studios) due to concerns that due to the site being within Flood Zones 3(a) and 3(b), the development had failed to demonstrate the safety of occupants or a safe means of access/egress in the event of flooding.

In April 2015, a prior approval application (**ref: 15/0752**) was **granted** for the change of use from offices (Use Class B1) to residential (Use Class C3) involving 17 flats (7 x 2 bed, 4 x 1 bed and 6 x studios) as the applicant had overcome the objections raised with the previous application in relation to flooding.

CONSULTATIONS

External

Letters were sent to the occupiers of 23 neighbouring and nearby properties in addition to site and press publicity. No comments have been received.

Statutory / Internal Consultees

Environment Agency

The EA advise that there are no objections.

Environmental Health

It has been advised that there are no objections

POLICY CONSIDERATIONS

The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 3.13	Affordable housing thresholds
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 4.3	Mixed use development and offices
Policy 4.4	Managing industrial land and premises
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling

Policy 6.12	Road network capacity
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.7	Location and design of tall and large buildings
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP6	Design & Density in Place Shaping
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures
CP20	Strategic Industrial Locations and Locally Significant Industrial Sites
CP21	A Balanced Housing Stock

Development Management Document

DMP 1	Development Management General Policy
DMP9a	Managing Flood Risk
DMP9b	On Site Water Management and Surface Water Attenuation
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP14	Employment Sites
DMP15	Affordable Housing
DMP18	Dwelling Size and Outbuildings
DMP19	Residential Amenity Space

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
 Planning Practice Guidance (PPG)
 Technical housing standards – nationally described space standards (2015)
 London Plan (2016)
 draft London Plan (2017)
 Mayor of London - A City for all Londoners
 LB Brent S106 Planning Obligations SPD (2013)
 LB Brent Design Guide for New Development (SPG17) (2001)
 draft LB Brent Design Guide for New Development (SPD1)
 LB Brent Waste Planning Guide SPG
 Community Infrastructure Levy Regulations 2010
 London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of development:

1. The site is on land designated as SIL, where the introduction of non-employment uses would not normally be supported, as set out in CP20 of the Core Strategy. In addition, DMP14 of the Development Management Policies has the stated aim of limiting the loss of employment land to 11.5ha in the period to 2029, as recommended by the 2015 Employment Land Demand Study (“ELDS”). However, it is considered that an “in-principle” objection in this instance, cannot be sustained because the two upper floors have already been converted to residential accommodation (x7 2-bed, x4 1-bed, x6 studio) by virtue of a prior approval application (**ref: 15/0752**), with the office uses retained on the ground floor. As such the upper floors are already not in employment use.
2. Notwithstanding the above, it is important that all other relevant planning considerations which seek to

ensure that appropriate regard is given to design, the character of the area, neighbour amenity, traffic generation, highway safety, and sustainable design and construction are properly addressed. These are discussed below

Design/Scale/Character/Appearance/Proximity to Boundaries

3. The footprint of the existing building covers an area of approximately 733sqm and the proposed building will increase this to approximately 768sqm (not including the attached cycle store at the rear) primarily through the enclosing of the external staircase at the north-eastern end of the building and also through the provision of a lift shaft and entrance lobby at the rear of the building. Distances to boundaries remains unchanged.
4. The additional floors will increase the height of the building from 12.6m to 23.43m in height to the top of a flat roof or 25.76m to the top of the glazed screening for the rooftop amenity space. Whilst the building will almost double in height, when viewed within the context of the existing streetscene, the additional height is considered acceptable because immediately to the east is the Shurgard self-storage building (22.5m in height), to the west beyond the viaduct is the 8-storey Travelodge Hotel, and beyond the River Brent to the rear, there is a resolution to grant planning permission on the former Northfield Industrial Estate (ref:18/0321), where the masterplan indicates a building of up to 14-storeys near to the application site.
5. In terms of appearance, the existing building is a mixture of brick and render and it is proposed that the entire façade will be re-clad in Marley Equitone Cladding with contrasting timber inserts on the front elevation to match the introduction of timber cladding on the access ramps on either side of the entrance. Whilst there is no objection to the principle of re-cladding, timber cladding often does not weather well. However, an alternative material would serve the same purpose in design terms. Further details could reasonably be secured by condition to ensure a satisfactory appearance.
6. The appearance of developments can be insensitively altered following occupation, through the introduction of numerous satellite dishes or TV aerials. It is considered appropriate to impose a condition to secure details of a communal television system/satellite dish to minimise the proliferation of aerials/dishes.

Quality of Accommodation

Internal Space Standards

7. To improve the quality of new housing, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), the Mayor's Housing SPG (because the Mayor considers the size of new housing to be a key strategic issue) and the nationally described space standards ("Technical Standards").
8. All of the 1 and 2-bed units exceed the relevant applicable Technical Standard in terms of their respective GIA and the size of single and double bedrooms. The 3b5p units should be providing a GIA of 86sqm, however they will each be 83.59sqm. Whilst it is disappointing that these are not meeting with the Technical Standards, it is considered that in this instance, having regard to the Relatively small level of shortfall together with the fact that each of these units is provided with a balcony which significantly exceeds the minimum requirement (30sqm for each balcony) and each of the bedrooms exceed the minimum space standards set out within the London Plan, on balance, to resist the application on this element would be unreasonable.
9. In order to ensure an acceptable level of light and outlook for occupiers, the number of single aspect units should be minimised, In particular, north facing single-aspect units are discouraged, although it is recognised that these may not always be unavoidable, due to the layout of the site. In this instance, the proposal involves a roof top extension to an existing building, accessed via one core. The orientation of the units are established by the orientation of the existing building, which is is a north western/south eastern direction. Of the twenty eight units proposed, twenty are single aspect units and eight are northwest-facing. The size of the fenestration on the rear is greater than on the front, thus still providing those occupiers with sufficient levels of light.

10. Design guidance (draft SPD1) and the Mayor's Housing SPG also seeks to minimise the number of units per core, advising that this should not normally exceed eight. The proposed building has seven units per floor, with each floor served by a centrally located on the rear elevation, with additional stairs and lift located at the north-eastern end of the building.

Amenity Space Provision

11. New developments should be providing private amenity space to all dwellings (20sqm per Flat), or where this is not achievable, in the form of communal space. Each of the proposed rear (north) facing units will be provided with balconies which will either be 20sqm (2b3p units) or 30sqm (3b5p units). In addition the existing north facing units will also be provided with balconies ranging in size from 6.8sqm to 14.3sqm. None of the south facing units will be provided with balconies which in this instance, is considered appropriate on design terms given that the existing flats do not have balconies. To compensate for this however, 222.3sqm of rooftop amenity space will be provided, which will be accessible by all residents within the building. The scheme is proposing an indoor play area for children at ground floor level, which would offer approximately 45sqm of space. A play area is welcomed, and would enable year-round usability.
12. Although the overall provision of communal amenity space amounts to only 6sqm per Flat (17sqm per Flat without access to a balcony), each of the flats with balconies have generous size balconies that in themselves meet external amenity space standards (minimum 20sqm each) and it should also be noted that the development site is in close proximity (550m) to the Heather Drive Open Space and to the publicly accessible amenity spaces which will be provided on the Northfield site. On balance, the provision of external amenity space for the new residential units is considered to be acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy / Loss of Light

13. The proposed development extends the building upwards. There are no existing residential buildings within the vicinity that will be impacted by the development on these elements. It is noted that the nearest proposed building on the Northfield site would be at approximately 50m distant, and will sit at a higher ground elevation (approximately 8m). The proposed building envelope would comply with the 30-degree line guidance contained within SPG17, although it should be noted that the 30-degree angle is taken from rear facing windows and an indicative angle is taken from the ace of the building as it is uncertain at this point whether windows on that indicative building will be front or rear facing. Notwithstanding, the Northfield development should remain unaffected by the proposals for the current scheme.

Housing

Tenure / Mix / Affordable Housing

14. Core Policy 2 ("Population and Housing Growth") confirms that at least 25% of new homes will be family-sized units (3-bed or larger), and CP21 ("A Balanced Housing Stock") confirms the need to provide an appropriate range and mix of self-contained units. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan's target of 50% affordable housing. DMP15 ("Affordable Housing") seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs. For the scheme, this would equate to 7 x 3-bed or larger units, and 14 Affordable homes (9 being Affordable Rent and 5 Intermediate tenure).
15. A review of the financial appraisal has confirmed that the maximum reasonable amount of affordable units which can be achieved on site is seven units (25%), taking into account the potential decanting costs for the existing 17 units (an unknown figure at this stage, and which can only be resolved once a contractor is in place, and following further discussions with Council's Housing Department and Shepherds Bush Housing Association (SBHA)), the cost of breaking the 5 year lease and the repayment of grant funding. It should be noted that the existing units, which are a result of the prior approval process, are not secured as affordable housing, as there is no requirement for this via the prior approval route. Moreover, their leases are only for five years as opposed to a 125 year lease that would be expected through the full planning route. Whilst the Council will gain some affordable units, the remaining units will be provided for homeless persons (again managed by SBHA), thereby still meeting a housing need. The level of affordable housing provision which is being secured is subject to a post implementation review, to enable the Council to potentially benefit in any uplift in values. It should be noted that the affordable units will be located on the first of the proposed additional floors (i.e. the third

floor) and will all be affordable rented, with the council retaining the nomination rights.

16. With regard to the mix, the development is not policy compliant in relation to the number of 3-bed units or greater, with only 4x 3-bed units proposed (14%) and of these, one is included in relation to the affordable offer. Although not policy compliant on this element, it is considered that given the quality of the local environment (adjacent to the North Circular Road), being accommodation above ground floor commercial units, and the remainder of the accommodation being for homeless persons/families, on balance Officers consider that a relaxation of the policy requirement in this instance is justified.

Highway Safety

17. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

18. Policy DMP12 and Appendix 1 allows up to one car parking space per 200sqm for the existing office use on the ground floor, with the flats on the upper floors allowed one space each on the basis that public transport access is not good. The existing building is therefore permitted approximately 20 parking spaces (17 residential & 3 office) and this allowance is exceeded by the 31 existing spaces within the site.
19. The addition of 28 further flats on four additional storeys to the building will take the total number of flats to 45 (18 x 1-bed, 23 x 2-bed & 4 x 3-bed) and increase the residential parking allowance to 47 spaces. With car parking provision remaining unaltered at 31 spaces, the increased parking allowance means that parking provision would in future be within maximum allowances, which is generally welcomed.
20. Policy DMP12 however, also requires that any overspill parking generated can be safely accommodated on-street. As a proxy, it is generally assumed that residential development generates parking demand at 75% of the maximum allowance, which would equate to approximately 36 cars but will fall to 34 cars with the provision of the affordable rented units. With on-site provision for 31 vehicles (subject to some shared use between the offices in the day and residents at night and weekends), five cars might be expected to park on-street. The service road at the front has sufficient width to accommodate on-street parking along both sides, but parking on the opposite the site is prohibited at all times. The street frontage can therefore safely accommodate approximately seven cars, allowing the predicted level of overspill parking from the site to be safely accommodated along the site frontage.
21. The inclusion of three wide spaces for disabled drivers (10% of the total) meets policy requirements. The parking layout as shown on Drawing No. AW2009/0021PH Rev.A, will be secured by an appropriately worded condition.

Access / Servicing

22. With no alterations proposed to the circulation around the building, servicing requirements will continue to be met, having regard to Policy DMP13 and Appendix 2 of the Development Management Policies.
23. The indicated proposed refuse store is of a sufficient size to accommodate all of the refuse requirements for the development. This includes a requirement to provide 4560l for residual waste, 4560l for dry recycling and 1035l for food waste (approx. 11 euro bins). The bin store is within 10m carrying distance from the rear service road, so allows easy collection for refuse vehicles.

Cycle Parking

24. Applying London Plan standards 48 cycle spaces would be required for the proposed new flats and two storage areas are indicated for a total provision of 58 bicycles, thus exceeding the minimum requirement. It should be noted that the applicant is only required to make provision for the proposed development, therefore whilst full provision for existing and proposed units (x77 spaces) would be ideal, 10 additional spaces are proposed, which is welcomed. However, short-stay parking spaces should be provided for residential visitors in accordance with London Plan standards. A condition could be reasonably imposed

to secure details of the stores and stands as well as for the siting and design of the short-stay space.

Trip Generation

25. A Transport Statement has been submitted with the application, which considers likely future trip generation from the residential accommodation. Based on surveys of two other blocks of flats within Brent, the 28 proposed flats are estimated to generate 4 arrivals/33 departures in the morning peak hour (8-9am) and 12 arrivals/7 departures in the evening peak hour (5-6pm) by all modes. Of these, 1 arrival/10 departures in the am peak hour (8-9am) and 4 arrivals/2 departures in the pm peak hour (5-6pm) are estimated to be made by car, based on typical modal split data for this area collected in the 2011 Census. The anticipated level of trips is not considered significant enough to have a noticeable impact on highway conditions in the area and no further highway capacity analysis is considered necessary.

Travel Plan

26. The development falls below the threshold for which a full Travel Plan would be required. However, an Action Plan is included within a Travel Plan Statement, with the Action Plan to be implemented by the Applicant and the Building Manager. Measures outlined includes the provision of information on walking, cycling and public transport to the site through a Welcome Pack and a site noticeboard, along with details of the Liftshare scheme, plus the provision of bicycle parking and broadband facilities to facilitate homeworking. In the interest of promoting sustainable travel, the above measures are welcomed and would be secured by an appropriately worded condition.

Sustainable Design

27. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation. This is supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7).

Flood Risk/Drainage/Water Consumption

28. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively. Policies DMP9A and 9B underpin the Councils approach to these matters

29. A Flood Risk Assessment (FRA) has been provided in support of the application, as the site falls within the Flood Zone 3, and being assessed as having a 1 in 100 year or greater annual probability of fluvial flooding. The building is expected to potentially flood to a depth of 0.71m in the 1 in 100 year even and 1.03m in the 1 in 100 year climate change event, although the predicted potential depth of external flooding will be up to approximately 1.88m, thus preventing a safe route of access and egress. A number of mitigation measures are proposed at section 8.2 of the submitted report, and recommended to be implemented where practicable:

- Incorporating flood resilient wall cladding/plaster up at ground flood level.
- Incorporating hard internal floor finishes (screed, ceramic tiling, etc.) at ground floor level.
- Incorporating flood resilient and/or easily demountable internal partitioning at ground floor level.
- Citing key electrical installations on upper floors
- Any internal manholes are fitted with bolt down sealed covers to help prevent internal flooding in the event of a blockage or surcharging of the public sewer network.
- As the development is within a flood warning area, all future owners and occupiers should sign up to the Floodline Warnings Direct free service offered by the EA.

30. It should also be noted that with regard to the existing building and uses, a Flood Emergency Plan was prepared and is included as part of the development proposals. The key elements are:

- No unaided evacuation from the development in the event of a flood
- Provision of access for occupants of the building to a safe point of refuge on the upper floors

- Provision of an external escape stairway to facilitate escape from the upper floors by boat, if necessary
 - Provision of an emergency generator on the upper floors.
31. The Environment Agency initially objected to the application because they had had considered that the initial FRA was deficient because it had failed to correctly assess the impact of climate change. A revised FRA was submitted and the objection has been removed. They do advise that in their opinion, there is no safe means of access and/or egress in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 1 in100 chance + climate change flood event) but that this is solely for the LPA to consider. It should be noted that to address this, the Prior Approval scheme was subject to a the Flood Emergency Plan referred to above to address this.
32. The development does not increase the risk of flooding elsewhere and with the additional floors beginning at a point approximately 10m above ground level, there is no risk to the proposed residents. Members should note that when the prior approval application for the conversion of the existing upper floors was considered by the LPA, one of the requirements to be satisfied was matters in relation to flooding. The initial application was refused, as set out in the planning history section above, and in the subsequent application, the applicant addressed those concerns. The existing building therefore has an approved emergency flood plan, which, as recommended in the FRA should be included in the current proposal. It is recommended that should planning permission be granted, an appropriately worded condition is imposed to secure the mitigation measures as outlined in the FRA.
33. Policy 9B of the DMP requires new developments to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run-off, and to minimise water consumption. The drainage strategy for the scheme is unclear, therefore a condition will be imposed to seek one. Measures could potentially the use of the roof terrace and the provision of water butts. However, it will be up to the developer to demonstrate what can be achieved.
34. In order to minimise any impact on water supply, major developments should be limiting consumption to a target of 105 litres or less per person, per day. Whilst details of water saving measures have not been provided, it is considered that a condition can be reasonably imposed to seek the details of such measures.

Energy

35. Being a major scheme, the development is expected to achieve zero carbon emissions in accordance with Policy 5.2 of the London Plan, with any shortfall to be off-set through a financial contribution to the Council's Carbon Offsetting Fund. The development will achieve a 35.4% improvement over Part L1A of the 2013 Building Regulations, with an off-set payment of £41,500 for the estimated residual 23.06 tonnes of CO₂ emissions. This sum will be secured via a legal agreement.
36. In terms of renewable/low carbon technologies, various technologies have been discounted due to not being feasible. Photovoltaic panels are considered to be the most suitable for the development, and should produce savings of 12.7 tonnes of CO₂ per year through the provision of 96 panels (approximately 200sqm) on the roofspace. Details for the PV panels will be secured by condition.

Air Quality

37. Policy 7.14 of the London Plan requires boroughs to seek reductions in level of air pollutants, with developments being 'air quality neutral'. The site falls within an Air Quality Management Area and as such, an Air Quality Assessment has been submitted in support of the application. Given its location, there is the greater potential to expose future occupants to elevated pollution levels and cause air quality impacts as a result of gas boiler and road traffic exhaust emissions. Predicted NO₂ and PM₁₀ concentrations were classed as APEC-A (below 5% of the annual mean Air Quality Objective ("AQO")) at all proposed residential unit locations in accordance with the London Councils Air Quality and Planning Guidance. Additionally, exceedences of the short-term AQO were not predicted at any location of relevant exposure.
38. During the operational phase of the development there is the potential for air quality impacts as a result of gas boiler and traffic exhaust emissions, and these were assessed using dispersion modelling. The results indicated effects on NO₂ concentrations as a result of operational phase emissions were predicted to be negligible at 13 receptors and slight at 4 receptors. Effects on PM₁₀ concentrations were

predicted to be negligible at all receptors. The overall significance of effects was predicted to be not significant, in accordance with the Institute of Air Quality Management (“IAQM”) guidance.

Air Quality Neutral Assessment

39. In terms of the air quality neutral requirements of the London Plan, results indicate an acceptable level of building emissions from the scheme, therefore the proposed development is considered to be air quality neutral from a building perspective.
40. Transport emissions in terms of NO_x and PM₁₀ exceeded the relevant benchmarks, however, a number of factors have been considered which should result in lower emissions, and which are accepted by Environmental Health. These include:
 - The submission of a Travel Plan, which will encourage sustainable modes of transport
 - Secure cycle storage
 - The calculated building emissions are below benchmark levels
 - The operational aspects of the development are not considered significant.
41. Similar projects have indicated that Travel Plans usually provide a reduction in vehicle trips of approximately 10%. This would reduce annual NO_x emissions to 177kg and annual PM₁₀ emissions to 30kg. Having regard to all of the above, it is considered that there should not be any undue adverse impact on existing and proposed residents, should planning permission be granted.
42. During the construction phase of the development, there is the potential for emissions from machinery to have a negative impact on air quality and the health of workers on site and neighbouring sites. The details of plant and machinery should therefore be secured by condition to ensure that any emission are within adopted guidelines

Noise

43. Due to the proximity of the North Circular Road, background noise will be dominated by road traffic. In order to achieve the recommended internal noise levels for residential spaces (BS8233:2014 “*Sound insulation and noise reduction for buildings*”), minimum performance levels, as specified in Tables 6.1 and 6.2 of the submitted Noise Impact Assessment, should be met. The report concludes that no further mitigation measures should be required in order to protect the proposed residential (and commercial) elements from external noise intrusion.

Biodiversity and ecology

44. Policy 7.19 of the London Plan (“Biodiversity and access to nature”) requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy confirms the Borough’s commitment to promote and enhance biodiversity
45. Other than two narrow strips of soft landscaping at the front of the site, the existing site is dominated by hard standing. The proposed development seeks to improve on this through the provision of some trees within the rear car park as detailed on Drawing No. AW2009/0021PH Rev.A. The details of the trees are indicated on the aforementioned drawing, and a condition will be imposed to secure their planting. A further condition will be required to secure the proposed green wall.

Density

46. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.
47. The site (approximately 0.2394ha) is located within an area with a public transport accessibility level (“PTAL”) of 3/2, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha. Although the application is for 28 flats (80 habitable rooms), the existing 17

flats (35 habitable rooms) must also be included in any density assessment.

48. With a total of 115 habitable rooms proposed within 45 units, this would equate to a proposed density level of 480hr/ha or 187.97u/ha. It is only marginally in excess of the suggested range and adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These have been considered above and are acceptable.

Conclusions

49. Having regard to all of the above, it is considered that planning permission should be granted for the following reasons:
50. The proposed development would contribute to increasing London's supply of housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, Policies DMP1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
51. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework, and with guidance contained within the National Planning Policy Framework.
52. The proposed development, due to its siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook or privacy and in this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
53. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
54. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

CIL DETAILS

This application is liable to pay **£797,792.57*** 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): 2428 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	2428		2428	£200.00	£35.15	£678,539.29	£119,253.28

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	£678,539.29	£119,253.28

*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: 17/0637

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

I refer to your application dated **13/02/2017** proposing the following:

Erection of four additional floors over existing mixed used building comprising 28 self-contained flats (8 x 1bed, 16 x 2bed and 4 x 3bed) to include internal childrens play area at ground floor level, cycle parking, roof terrace with associated screening, timber ramp access, landscaping and alterations to the external facade of the building

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

at **Flats 1-17 INC and 18 Prospect House, North Circular Road, Stonebridge, London, NW10 7GH**

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: 01/10/2018

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:-

National Planning Policy Framework 2018
 London Plan 2016
 Brent's Core Strategy 2010
 Brent Development Management Policies 2016
 SPG17 "Design Guide for New Development" 2001

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

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

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

064/EX/011	Site Plan
064/EX/010	Location Plan
AW2009/001PH	Existing Landscaping Plan
AW2000/001PH	Existing Elevations
AW2009/001PH	Existing Ground Floor Plan
AW2009/0021PH REV.A	Proposed Landscaping Plan
AW2009/008PH	Proposed North East Elevation
AW2009/010PH	Proposed South West Elevation
AW2009/011PH	First and Second Floor Plans
AW2009/012/PH	Third and Fourth Floor Plans
AW2009/013/PH	Fifth and Sixth Floor Plans
AW2009/014PH	Proposed Roof Terrace
AW2009/027PH	Existing Roof Plan
AW2009/08PH	Front Elevation
AW2009/09PH	Rear Elevation

Planning, Design & Access Statement
 Flood Risk Assessment Rev.A (January 2018)
 Noise Impact Assessment Report
 Energy & Sustainability Statement
 Transport Statement
 Travel Plan Statement
 Air Quality Assessment

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

- 3 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) and the remaining 90% built to Requirement M4(2) of the Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

- 4 The parking spaces (inclusive of blue badge spaces), as indicated on Drawing No. AW2009/0021PH Rev.A shall be provided in full prior to first occupation of the development and shall be permanently retained, kept free from obstruction and used solely in connection with the development hereby approved.

Reason: To ensure the satisfactory provision and retention of parking for the development is in accordance with adopted standards.

- 5 All measures outlined within Table 8.1 ("Action Plan") of the Travel Plan Statement shall be fully implemented from first occupation of the development hereby approved, for the life of the development.

Reason: In the interest of promoting sustainable modes of transport

- 6 The mitigation measures and recommendations outlined in the submitted Flood Risk Assessment (January 2018) shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

Reason: To minimise the risk of flooding on the development and occupiers

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 8 Unless required by any other condition attached, the development shall be undertaken in accordance with the recommendations and mitigation measures set out within the Air Quality Assessment Report (Turner Jomas & Associates, February 2018), unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect local air quality.

- 9 No works shall commence on the site until the details of all plant and machinery to be used at the demolition and construction phases have been submitted to, and approved in writing by, the Local Planning Authority. Evidence is required to meet Stage IIIA of EU Directive 97/68/EC for both NO_x and PM. No works shall be carried out on site until all Non-road mobile machinery (NRMM) and plant to be used on the site of net power 37kW and 560kW has been registered at <http://nrmm.london>. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site.

Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM Low Emission Zone.

Pre commencement reason: These details are required pre-commencement impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 10 Prior to development commencing, details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- a) a photographic condition survey of the roads, footways and verges leading to the site;
- b) wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
- c) the estimated number and type of vehicles per day/week;
- d) details of any vehicle holding area;
- e) details of any vehicle call up procedure;
- f) Coordination with other development projects in the vicinity (Transputec House);
- g) Hours of deliveries / collections, to avoid conflict with school drop-off/pick-up times (Lyon Park Infant and Junior Schools);
- h) Hours of work;
- i) A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved detail.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment.

Pre commencement reason: These details are required pre-commencement impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 11 Prior to any development commencing, inclusive of site clearance, details of a Construction Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Waste Management Plan shall include as a minimum:

- (a) Target benchmarks for resource efficiency set in accordance with best practice;
- (b) Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste;
- (c) Procedures for minimising hazardous waste;
- (d) Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works);
- (e) Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups; and
- (f) No less than 85% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19 of the London Plan.

Pre commencement reason: These details are required pre-commencement impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 12 Prior to any superstructure works commencing, details of materials for all external work, including sample panels which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

- 13 No above ground works, other than site clearance, shall take place until full details of soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of:

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

All hard and soft landscaping in shall be completed / planted during prior to first occupation of the development hereby approved.

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

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, and in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 14 Prior to the commencement of above ground works, excluding demolition, for the provision of a communal television system/satellite dish have been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 15 Within three months of the commencement of above ground works, details of any external lighting to be provided, inclusive of the design, height, siting, and lux levels shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall also include how the external lighting scheme has been designed to minimise light spillage and its impact on wildlife particularly along the northern boundary of the site. The external lighting shall be provided prior to first occupation and maintained at all times thereafter.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected.

- 16 Details of the "living walls" shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall include:
- (a) Type of native wildlife friendly plantings (with a minimum of three species);
 - (b) Density of plantings;
 - (c) Written specifications (including cultivation and other operations associated with plant establishment);
 - (d) Maintenance plan

Plantings shall be provided within the first planting season following practical completion of the development. Any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an alternative approved in writing by the Local Planning Authority.

Reason: To enhance the ecological value of the site and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 17 A Within three months of development commencing, details of the proposed SuDS measures as outlined at paragraph 6.5 of the Flood Risk Statement & Drainage Strategy (March 2017)

shall be submitted to the Local Planning Authority for approval in writing. The submitted detail shall include:

1. Location, design, substrate (extensive substrate base with a minimum depth 80-150mm), vegetation mix and density, and a cross-section of the proposed green roof
2. Location, size, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, water butts, geocellular storage, and permeable paving;
3. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
4. Where appropriate, provide calculations to demonstrate that the SuDS provided will function for 1 in 1 year and 1 in 100 year (with the allowance of climate change) events;
5. A management plan for future maintenance for all of the drainage features

All SuDS measures shall be implemented in accordance with the approved detail.

B Prior to first occupation of the development approved, a verification report demonstrating that the approved drainage / SuDS measures have been fully implemented shall be submitted to the Local Planning Authority for approval in writing.

Reason: In the interest of managing surface water runoff as close to the source as possible in accordance with adopted policy.

- 18 The development shall be carried out in accordance with the noise mitigation measures recommended in section 6 of the Noise Assessment (Turner Jomas & Associates, November 2016), unless otherwise approved in writing by the Local Planning Authority.

Reason: To obtain required sound insulation and prevent noise nuisance in the interest of safeguarding amenity.

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

Reason: To safeguard the amenity of the neighbours

- 20 Prior to any works commencing in relation to the provision of parking / turning facilities, typical details, including siting and design of plugs, of electric vehicular charging points to be provided in accordance with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to first occupation of the development and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan

- 21 Prior to first occupation, the details of all bicycle parking spaces to be provided throughout the development approved shall be provided to the Local Planning Authority for approval in writing. The approved cycle storage shall be permanently maintained, kept free from obstruction and available for the parking of bicycles only.

Reason: To provide secure cycle storage facilities free from obstruction in the interest of promoting sustainable travel and in accordance with adopted policy.

- 22 Details of the zero / low carbon technologies to be used in the development (rooftop photovoltaic panels) shall be provided in accordance with details to be submitted to the Local Planning Authority for approval in writing and implemented prior to first occupation of the development in accordance with the approved details and permanently maintained.

The submitted detail shall demonstrate compliance with the approved renewable energy strategy and include the design, size, siting, and a maintenance strategy / schedule inclusive of times, frequency and method.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 3 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.
- 4 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 5 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 October, 2018
05
15/5564

SITE INFORMATION

RECEIVED	22 December, 2015
WARD	Alperton
PLANNING AREA	Brent Connects Wembley
LOCATION	Trinity House, Heather Park Drive, Wembley, HA0 1SU
PROPOSAL	Demolition of existing building known as Trinity House and erection of a 4 storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping
PLAN NO'S	see Conditon 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_125738</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 "15/5564" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

To resolve to grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement, and the conditions and informatives recommended in this report, and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer.

A. That the Committee resolve the GRANT of planning permission subject to:

1. Payment of Council's legal and other professional costs in the preparation and management of the Agreement
2. s106 post-implementation viability review
3. Training and employment
 - a. Prior to a material start on site, to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works.
 - b. 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.
 - c. To offer an interview to any applicant who is a Brent resident and who also meets with the minimum job criteria
 - d. From material start, to provide monthly verification of the number of Brent residents employed or provided training during construction, and if the targets are not being met, to implement measures to achieve them
 - e. 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 training for a previously unemployed Brent resident/school leave for at least 6 months
4. Carbon offsetting
 - a. Contribution of £18,302.40 towards a local carbon off-setting scheme to achieve a zero carbon development based upon the carbon reduction measures set out in the Energy & Sustainability Statement dated 23rd January 2017.
5. Considerate Constructors Scheme
6. Contribution to secure an on-street servicing bay for the office use

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

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

1. Time Limited Permission
2. Approved Plans
3. Wheelchair accessible units
4. Restriction of Change of Use to C4
5. Offices – Use
6. Non-Road Mobile Machinery (pre-commencement)
7. Construction Methodology / Traffic Management Plan (pre-commencement)
8. Construction Waste Management Plan (pre-commencement)
9. Details of Materials
10. Noise
11. Plant
12. Air Quality
13. Low emission boilers
14. Contaminated Land
15. Details of External Lighting
16. Details of Access and Junction
17. Parking Layout
18. Electric Vehicle Charging Points
19. Travel Plan
20. Details of Zero / Low Carbon Technologies

21. Water Efficiency
22. Details of SUDS
23. Soft and Hard Landscaping
24. Means of Enclosure
25. Bird Boxes
26. Satellite dish / TV Antenna

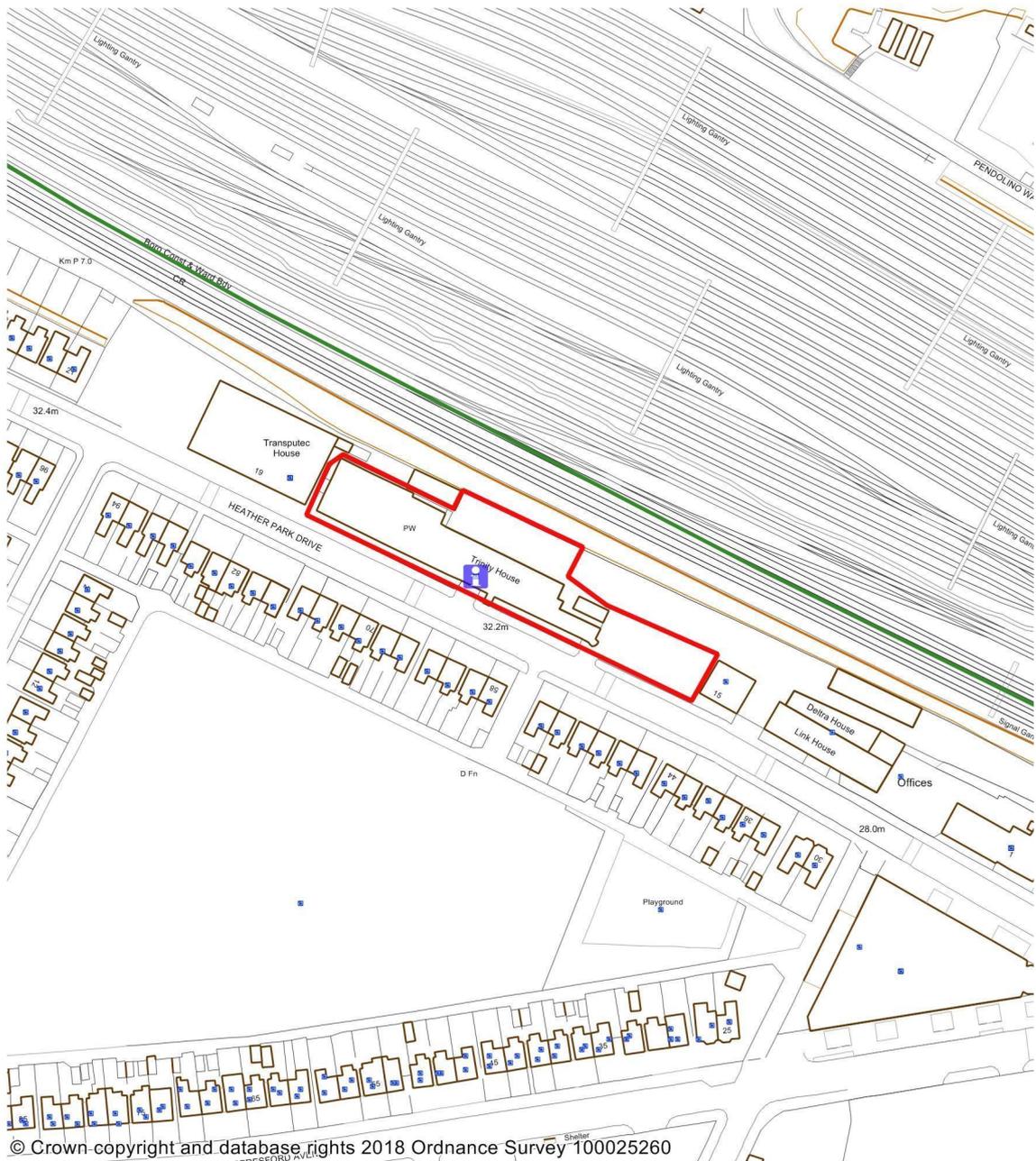
D. Informatives as detailed at the end of this of this report.

E. 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 not that such change(s) could reasonably have led to a different decision having been reached by the committee.

F. 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.

SITE MAP

	<p>Planning Committee Map</p> <p>Site address: Trinity House, Heather Park Drive, Wembley, HA0 1SU</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

PROPOSAL IN DETAIL

Demolition of existing building known as Trinity House and erection of a four-storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping.

The proposed building will have a maximum height of approximately 14.3m to the top of a flat roof, 98m in length, and will vary in depth from approximately 10.3m at its eastern end to 17m at the western end.

Thirty seven parking spaces are proposed within the basement (inclusive of seven spaces for disabled persons), with access provided via a ramp at the eastern end of the building.

EXISTING

The site comprises of a part two, part three storey office building located on the northern side of Heather Park Drive, with a car park at the eastern end of the site and a further car park along the majority of the rear, accessed by the centrally located undercroft access. To the east of the Trinity House's rear car park is a further car park serving Unitrust House, Link House and Deltra House, all located beyond the eastern car park. Beyond all of the car parking at the rear is the railway embankment for the West Coast Main Line.

The southern side of the road consists of half timbered, two-storey mock Tudor semi-detached dwellings. Immediately to the west is Transputec House, a two-storey office building which Members resolved to grant planning permission for the redevelopment of the site and the erection of x2 five-storey residential blocks containing 36 residential units (ref: 18/0284).

AMENDMENTS SINCE SUBMISSION

The following amendments have been made since the original submission:

- The number of units have been reduced from the originally proposed 58 to 47 as a result of an internal rearrangement of the layout to remove 9 single aspect, north facing units (3 per floor);
- The removal of an office from the basement and its conversion to a cycle store;
- The provision of a roof-top terrace across the whole roof; and
- Amendments to the width of the access ramp.

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:

Representations received: A total of 227 neighbours were consulted on the application. Four objections were received raising concerns regarding the design and scale of the building, impact on neighbouring amenity and parking pressures.

Principle: The site is currently in employment use, however it is not a designated employment site and the submission has demonstrated that the re-use or redevelopment of the site for employment purposes would not be viable. The proposal will provide 708sqm of office floorspace within the new building. Furthermore, the residential redevelopment would be appropriate to the character of the area. It would provide 47 new homes that contribute towards the Borough's housing targets. On balance officers support the loss of employment floorspace and residential redevelopment of this site.

Affordable housing provision and housing mix: The development is not proposing any affordable housing and a financial viability appraisal confirms that the scheme will not be viable but that this position should be reviewed post construction in order for the LPA to capture any uplift in values to go towards offsite affordable housing provision. In addition, the lack of affordable housing should also be balanced against the 30% provision of family size accommodation against the policy target of 25%.

Design: The design of the proposed building is considered to be acceptable and appropriate, and positively contributes towards the streetscene.. The streetscene is also improved through the provision of landscaping along the building frontage and through the creation of a landscaped area at the eastern end of the site.

Relationship with neighbouring properties: The proposal would have an acceptable impact on neighbouring properties in terms of light and outlook and would not lead to any overlooking or loss of privacy to neighbours, in accordance with standards set out in SPG17 and draft SPD1.

Residential living standards: The development would provide a good standard of accommodation for future residents. All of the units would comply with minimum floorspace standards and a combination of private and communal amenity space would be provided in excess of the required standard. A reasonable proportion of units would be dual aspect, and the single aspect units would all be south-facing.

Transportation considerations: Sufficient parking would be available within the site and along the site frontage, and traffic generation is predicted to be minimal.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	2500		2500	-2500	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats û Market)										
PROPOSED (Flats û Market)	17	25	16							58

RELEVANT SITE HISTORY

None relevant, however it has been resolved to grant planning permission (ref: **18/0284**) at the adjoining site (Transputec House) on 1508/2018 for the demolition of office building and erection of 2 five storey residential blocks comprising 36 self-contained flats with provision for cycle and refuse storage (14 x 1 bed, 14 x 2 bed and 8 x 3 bed), lower ground floor car parking, associated amenity space, landscaping and installation of new vehicular access.

CONSULTATIONS

Public Consultation

Letters were sent to the occupiers of 227 neighbouring and nearby properties in addition to site and press publicity. Objections have been received from four addresses raising some or all of the following points:

Comment	Response
Good project provided there is ample parking for residents and Heather Park Drive is turned into one way traffic. Otherwise there will be traffic mayhem at peak hours.	Parking considerations are discussed within paragraphs 25 and 26 below.
Scheme is too big for the site and will generate more traffic than anticipated.	The design and scale of the building are discussed within paragraphs 4 to 6 below. Parking and traffic considerations are discussed within paragraphs 25 and 26 below.
If the plans for the basement community centre is agreed, what is that capacity to have external events and attract visitors in their own vehicles	The community centre is no longer part of the scheme.
Visitors with cars will invariably park on the road and you have increased the density of the static population of the area at once	Parking and density considerations are discussed within paragraphs 25 and 26 and 60 to 62 below.
The scheme will only exacerbate existing parking problems caused by visitors to the businesses and commuters during the morning hours. The road should be made one-way and resident only parking should be introduced from 8am to 12pm. A residence permit parking system - irrespective of whether or not this project goes ahead	The development complies with adopted parking standards and potential traffic generated is considered to not be significant. Parking surveys demonstrate that there is spare capacity for 40-50 vehicles on street, with 20 directly in front of the building. A CPZ is not considered necessary.
The developers should ensure sufficient green elements are introduced such as bushes, flowers, trees, grass.	A landscaping scheme is proposed and would be secured by a planning condition.
The solution for waste collection should ensure fly tipping is prevented	The refuse storage proposed is considered acceptable for the development and will be secured via planning condition.
Building works should not impede traffic on the road	A Construction Management Plan will be secured by a planning condition to minimise impacts beyond the site.
The extra story will mean a loss of light and permanently being overlooked by all front facing properties	The relationship with the properties on the opposite side of Heather Park Drive is discussed within paragraphs 12 to 14 below
The extra floor is higher than any other provision in the area, including that first phase of the Northfields development	The scale of the building in relation to its surroundings is discussed within paragraphs 4 to 6 below.

Statutory / Internal Consultees

Network Rail

The initial holding objection has been removed, subject to the applicant submitting Risk Assessments, Method Statements and designs for Network Rail approval.

Environmental Health

It has been advised that there are no objections in relation to noise, vibration or air quality as the mitigation measures and methodology are acceptable. In relation to contaminated land, further site works are necessary and conditions are recommended to secure an investigation and remediation/verification.

Local Lead Flood Authority

It has been advised that no objections are raised. There are no historical flooding records in this area. Existing site is 100% impermeable and surface water discharges to public surface water sewer network. The developer are proposing to install water butts, green roof and storage tanks and proposed surface water discharge will be restricted to 17 l/s and this will reduce the flood risk in this area. Existing surface water and sewer network will benefit from reduced discharge.

POLICY CONSIDERATIONS

The London Plan

Policy 3.3	Increasing housing supply
Policy 3.4	Optimising housing potential
Policy 3.5	Quality and design of housing developments
Policy 3.6	Children and young people's play and informal recreation facilities
Policy 3.8	Housing choice
Policy 3.9	Mixed and balanced communities
Policy 3.10	Definition of affordable housing
Policy 3.11	Affordable housing targets
Policy 3.12	Negotiating affordable housing
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 4.3	Mixed use development and offices
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.5	Decentralised energy networks
Policy 5.6	Decentralised energy in development proposals
Policy 5.7	Renewable energy
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.12	Flood risk management
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and wastewater infrastructure
Policy 5.15	Water use and supplies
Policy 5.18	Construction, excavation and demolition waste
Policy 5.19	Hazardous waste
Policy 6.3	Assessing the effects of development on transport capacity
Policy 6.9	Cycling
Policy 6.12	Road network capacity
Policy 6.13	Parking
Policy 7.1	Lifetime neighbourhoods
Policy 7.2	An inclusive environment
Policy 7.3	Designing out crime
Policy 7.4	Local character
Policy 7.6	Architecture
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 7.18	Protecting open space and addressing deficiency
Policy 7.19	Biodiversity and access to nature

Core Strategy

CP1	Spatial Development Strategy
CP2	Population and Housing Growth
CP18	Protection and Enhancement of Open Space, Sports and Biodiversity
CP19	Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21	A Balanced Housing Stock

Development Management Document

DMP 1	Development Management General Policy
DMP9a	Managing Flood Risk
DMP9b	On Site Water Management and Surface Water Attenuation
DMP12	Parking
DMP13	Movement of Goods and Materials
DMP14	Employment Sites

DMP15 Affordable Housing
DMP18 Dwelling Size and Outbuildings
DMP19 Residential Amenity Space

Other Relevant Considerations

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
Technical housing standards – nationally described space standards (2015)
LB Brent S106 Planning Obligations SPD (2013)
LB Brent Design Guide for New Development (SPG17) (2001)
draft LB Brent Design Guide for New Development (SPD1)
LB Brent Waste Planning Guide SPG
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Principle of the loss of the office use

1. Policy DMP14 provides two detailed criteria for the release of local employment sites: that continued wholly employment use is unviable; or that significant benefits consistent with wider development plan objectives would be achieved. The existing building will require extensive works to modernise it, such as: insulation throughout; all windows are single-glazed and need to be replaced with double-glazing; introducing air-conditioning or a heating system; amending floor to ceiling heights to satisfy Building Regulations; and a new roof. The low quality office space has resulted in only 35% occupancy. More recent analysis undertaken in relation to the Transputec House scheme has also confirmed the attractiveness of higher quality office space in more accessible areas such as Alperton.
2. Notwithstanding the above, the development re-introduces some office space at ground floor level, at the western end of the building.
3. Although the employment offer is welcomed, the independent viability review confirms that the overall viability of the scheme is worsened substantially by this (it should also be noted that a 100% residential scheme will not improve viability to the point of being able to make an affordable housing offer). A mixed use scheme will bring wider benefits through the introduction of additional housing, with the development also improving the appearance of the streetscene and ecological enhancements.

Design / Scale / Character / Appearance / Proximity to Boundaries

4. The proposed building, at approximately 98m in length is longer than the existing (approximately 90m), as it extends eastwards into the existing car park. However, it will still retain a distance of approximately 26m to the common boundary with Unitrust House to the east, with the majority of this space given over to soft landscaping.
5. The long, continuous façade of the existing building is only broken by the large, centrally located undercroft vehicular access and the adjacent projecting entrance lobby. In terms of variation in height, the building height increases towards the centre. Whilst it may have been preferable for the proposed scheme to have a clear break in its long façade, the building is designed with greater articulation along the entire building frontage, with elements either recessed or projecting, thus helping to visually break up the façade, provide some verticality to its appearance and also reflect the rhythm of development seen in the dwellings opposite. The projecting features are an acknowledgement of the double-height bays on the dwellings opposite, one of the strong, positive features of those dwellings. Overall, the design is considered to be a considerable improvement on the existing building and one which will positively contribute to the streetscene.
6. The additional height is considered acceptable as elements of the top floor are set back and the overall building envelope does not compromise the design guidance contained in SPG17 by respecting the 30-degree line taken from a point 2m in height at the windows on the dwellings opposite. Moreover, the proposed height will be comparable to the heights achieved with the scheme approved on the adjacent site (Transputec House).

Quality of Accommodation

7. To ensure that the quality of new housing is sufficient, new development must meet with or exceed the minimum internal space standards contained within the London Plan (Policy 3.5 Quality and design of housing developments), and the nationally described space standards ("Technical Standards"). All units exceed their respective minimum standard and is therefore considered acceptable with regard to their internal space.
8. In order to ensure an acceptable level of light and outlook for occupiers, the number of single aspect units should be minimised, In particular, north facing single-aspect units are discouraged, although it is recognised that these may not always be unavoidable. Of the forty seven units proposed, eight are single aspect units but are all south-facing. Moreover, the main habitable rooms are located on the southern elevation, thus still providing those occupiers with sufficient levels of light.
9. Design guidance (draft SPD1) also seeks to minimise the number of units per core, advising that this should not normally exceed eight. The proposed building has four cores, with three of these cores serving three units on each floor and the fourth core (towards the eastern end of the building) serving four units per floor. This arrangement is considered acceptable.

Amenity Space Provision

10. New developments should be providing private amenity space to all dwellings (20sqm per Flat), or where this is not achievable, in the form of communal space. All of the flats will be provided with their own private amenity space in the form of balconies/terraces. Flats 1-5 on the ground floor will each be provided with rear gardens of between 42sqm and 56sqm, in addition to some front garden space. All units on the upper floors will each be provided with front balconies of between 4.5sqm and 9.9sqm. Whilst some of the balconies are below the London Plan standard of 5sqm, at 1.6m in depth, they exceed the minimum recommended depth of 1.5m. On balance, it is considered that these balconies will still provide useable and adequate space in which to provide a table and chairs. Some of the units with the smaller front balconies will have these supplemented by side or rear balconies of 6.75sqm and 3.78sqm respectively.
11. In addition, communal space (1010sqm) will be created on the roofspace, accessible by each Flat and a further area at the rear of Flats 6, 7, 8 (98.5sqm). A communal garden (305sqm) is also proposed at the eastern end of the site, between the vehicular ramp and the adjacent development, however this is only accessed from the street but will provide some welcome soft-landscape relief to the streetscene. The overall provision of communal space, excluding the garden at the eastern end of the site, amounts to 23.5sqm per Flat and is considered acceptable.

Impact on Neighbour Amenity

Distancing / Loss of Outlook / Overlooking / Loss of Privacy / Loss of Light

12. The proposed building sits on the approximate footprint of the existing, albeit extending further eastward onto the existing car park. Distancing levels to the properties opposite (approximately 21m), therefore remain unchanged and considered acceptable in this regard. Although the proposed building will increase in height between one and two storeys, as discussed above, the design guidance in SPG17 with respect to building heights is adhered to.
13. As discussed above, distances to the properties opposite are maintained, and whilst there is a greater height in the proposed development, the relationship between facing windows remains unaltered and will not lead to the greater potential for overlooking and loss of privacy or to loss of light and overshadowing.
14. The development does not contain windows on the flank elevations, therefore will not impact on the amenity of the potential occupiers of the scheme approved at the adjacent Transputec House site. Although windows are proposed on the flank elevation of the nearest approved building, distancing levels increase as that approved building rises and the majority of them are secondary windows. Similarly, the proposed development will not have a materially greater impact on those potential adjoining occupiers in terms of loss of light and overshadowing.

Housing

Tenure / Mix / Affordable Housing

Document Imaged

*DocRepF
Ref: 15/5564 Page 4 of 29*

15. Core Policy 2 (“Population and Housing Growth”) confirms that at least 25% of new homes will be family-sized units (3-bed or larger), and CP21 (“A Balanced Housing Stock”) confirms the need to provide an appropriate range and mix of self-contained units. Core Policy 2 also confirms that the Borough will aim to achieve the London Plan’s target of 50% affordable housing. DMP15 (“Affordable Housing”) seeks 70% of new affordable units to be social/affordable rented and 30% intermediate housing at affordability levels meeting local needs. For the scheme, this would equate to 12 no. 3-bed or larger units, and 24 no. affordable units (17 being social/affordable and 7 intermediate tenure).
16. The application proposes 9 x 1-bed, 24 x 2-bed, and 14 x 3-bed flats. The number of 3-beds proposed equates to approximately 30% of the total provision, thus exceeding the policy target, and therefore considered acceptable on this element.
17. A financial appraisal, which has been independently assessed, which as discussed above, concludes that the development is not viable, even before affordable provision is taken into account. This is largely due to the re-provision of some office space which has substantially worsened the overall viability of the scheme by a substantial 57.97%, with the residual value of the proposed (i.e. before deducting benchmark land value) at -£4.826m against the previous -£3.055m. Whilst it is disappointing that affordable housing cannot be provided, officers recommend that a s106 Agreement is entered into, to secure a review mechanism in order to clawback any potential uplift.
18. Members should note two matters in relation to the Review. Firstly, it was undertaken in January 2018 and this is considered sufficiently recent for any conclusions to still be valid. Secondly, it was undertaken on the basis of 53 units being proposed, prior to the proposal being reduced to 47 units. This does not nullify any of the conclusions because the loss of six units does not make the scheme more viable, particularly when the extent of the basement remains unchanged. All of the assumptions remain applicable.

Accessible and Adaptable Dwellings

19. The London Plan requires that 10% of housing should be wheelchair accessible, which would equate to 5 units out of the 47 proposed. Nine wheelchair units are proposed, with four each over the first and second floors and one on the third floor. The provision in excess of London Plan standards is welcomed. Although it may have been preferable to have a wheelchair unit on the ground floor, all units will be built so that they are easily adaptable. A condition is proposed to ensure that the proposed number of wheelchair units are secured and that the remaining units are easily adaptable.

Impact on Adjacent Railway

20. The holding objection initially raised by Network Rail has been removed subject to the applicant also submitting and gaining their approval for Risk Assessments and Method Statements. Concerns had been raised over ensuring the structural integrity and safety of the railway during and post construction, for the safety of construction workers, and the impact of noise and vibrations from the operation of the railway on occupiers. Similar issues were raised by the scheme at Transputec House.
21. A minimum 3m gap should be retained between the structures on site and the railway boundary. As described above, the proposed building will be constructed on a similar footprint to the existing. Where the footprint increases in depth towards the car park serving the neighbouring office buildings, there is still a distance of approximately 6.9m to the railway boundary. As with the requirements for the adjacent site, a suitable trespass proof fence of a minimum height of 1.8m will be required by condition, to be set back at least 0.5m from the railway boundary to the boundary with the railway land.
22. Network Rail would need to review and agree all excavation and earthworks within 10m of the railway boundary, including alterations to ground levels, de-watering works and ground stabilisation works, to determine if the works impact upon the support zone of their land and infrastructure and to determine relative levels in relation to the railway. Methods of construction works on site will also need to be reviewed and agreed by Network Rail to ensure there is no impact on critical railway infrastructure, and no excavation works are to commence without their agreement. These matters can be secured by condition. A method statement would also be required to be submitted to Network Rail for any vibro-compaction or piling works.
23. The developer is also required to submit directly to Network Rail, a Risk Assessment and Method

Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, in addition to any planning consent. Additional requirements apply in respect of scaffolding, demolition, tower crane usage, drainage measures. Alterations in loading within 15m of the railway boundary would also need to be agreed with Network Rail. In addition, a Basic Asset Protection Agreement would also be required. Informatives are recommended to deal with these matters. The applicant will be advised of all of the above by Informatives.

Highway Safety

24. Policy 6.3 of the London Plan confirms that the impact of development proposals on transport capacity and the transport network are fully assessed. The proposal must comply with policies relating to better streets (Policy 6.7), cycling (Policy 6.9), walking (Policy 6.10), tackling congestion (Policy 6.11), road network capacity (policy 6.12) and parking (Policy 6.13).

Parking

25. The existing building accommodates 35 parking spaces and the proposed 37 parking spaces (inclusive of x7 blue badge spaces) would comply with maximum standards (maximum of 54 spaces). Policy DMP12 also requires that any overspill parking generated can be safely accommodated on-street and more recent surveys conducted in relation to the Transputec House scheme confirms spare on-street capacity of between 40 and 50 vehicles on the street (with provision for around 20 parking spaces outside the application site). Car ownership for flats in the area averaged 0.65 cars/flat in the 2011 Census, therefore the basement car park would be capable of satisfying future parking demand, as the scheme provide 0.68 parking spaces per unit (this is in line with the 2011 census data).
26. The layout of the basement car park, with lift cores extending into the aisle width potentially makes a number of the spaces difficult to access (notably spaces 3, 4, 9, 10, 15, 16, 23, 26 & 30), as well as interrupting the marked pedestrian path through the car park. Vehicle tracking should be provided to confirm that the above spaces are easily accessible. It should be noted that should it be subsequently determined that a reduction in parking capacity is necessary within the basement, this is not likely to cause any concern given the findings above in relation to the availability of on-street capacity, even when viewed together with the Transputec House scheme.

Cycle Parking

27. The London Plan requires the provision of a secure bicycle parking space for every 1-bed flat and two spaces for larger flats, giving a total requirement of 85 bikes for residents. Five long-stay spaces are also required for the offices, taking the total requirement to 90 long-term spaces. One hundred cycle spaces are proposed, which exceeds the minimum requirements and is welcomed. Details of the cycle storage (Broxap Bridge stands) have been submitted and are considered acceptable.

Servicing

28. Small refuse storage compounds for up to four Eurobins are proposed alongside each of the proposed entrance cores to the flats, providing a convenient position for bin storage for residents. The doors to the stores have been amended to make the bins easier to access and to avoid any opening of doors over the public highway. Bins will be moved to a larger communal bin storage area at the eastern end of the building on collection days by a caretaker, thereby allowing direct collection from Heather Park Drive by refuse collection staff. This arrangement is considered acceptable, and sufficient storage capacity is provided to accommodate a minimum of 12 euro bins to meet refuse requirements for this scheme.
29. The offices to the development increases servicing requirements, with Appendix 2 of the DMP requiring the offices to be serviced by 8m rigid vehicles. No provision has currently been made for servicing, however with the reinstatement of the redundant crossovers, in particular the one providing access via the undercroft, there is the potential to use that additional on-street space as a servicing bay for the offices. This would only be required during office hours, after which time it could revert to residents parking. A contribution, secured via the s106 Agreement, would be required for the necessary works/orders to be made, and the applicant has indicated his agreement to this.

Access

30. Concerns were initially raised by officers with regard to the ramp width. The increased minimum width of 5.3m (plus 300mm margins), increasing to 8.245m on the sharp bend in the ramp is welcomed, as this

will now enable two cars to pass along the access ramp. However, the small inside radius kerb retained for traffic entering the basement still provides some concern and may restrict two-way movement at this point. It is therefore recommended that tracking diagrams are submitted to demonstrate two-way working at the bend, using a large vehicle. Should it be demonstrated that it would not be possible to have safe, two way working for large vehicles, the inside kerb could be amended by adjusting the wall. Alternatively a traffic light system could be employed to control traffic on the ramp, however this is not preferable as it may lead to vehicles backing up on the highway and would also entail additional maintenance costs for the developer. Further details are recommended to be secured as a condition.

31. Concerns were previously raised in relation to the lowered headroom of the basement (2.45m) not being of a sufficient height (2.6m) to accommodate high-top conversion vehicles for wheelchairs. With the headroom having been amended to 2.6m, high-top conversion vehicles will now be able to access the basement.
32. The two existing crossovers that will become redundant will need to be reinstated to footway with full height kerbs at the developer's expense. The applicant will be reminded of this by way of an Informative. As discussed above, one of these spaces will be utilised as a servicing bay for the office units during working hours.

Trip Generation

33. Future predicted trips to and from the development have been based upon comparisons with seven similar residential developments within other areas of London, plus two office developments. The sites chosen are considered to offer an appropriate comparison and the trip rates obtained compare well with those that have recently been estimated for a study of the Alperton Area Housing Zone.
34. It is estimated that the development will generate 26 arrivals/ 28 departures in the morning peak hour (8-9am) and 20 arrivals/30 departures in the evening peak hour (5-6pm) Of these trips, 4 arrivals/5 departures in the am peak hour and 5 arrivals/5 departures in the pm peak hour are estimated to be by car. On this basis, the impact of the development on the local road network is not considered likely to be significant enough to warrant further junction analysis, with a comparison with typical vehicular movements for the existing offices suggesting that a reduction in traffic to and from the site is likely, particularly in peak hours.
35. In terms of public transport trips, the development is now estimated to generate 22 journeys in the am peak hour and 20 journeys in the pm peak hour. This represents less than one additional passenger per bus/train serving the local area, so is not considered significant enough to having any adverse impact on capacity.
36. Future walking and cycling trips to and from the site have been estimated at 14 trips by foot in the am peak hour and 17 trips in the pm peak hour (in addition to the public transport trips which need to travel by foot between the site and the station/stop), whilst 3 and 1 trips by bicycle are anticipated in each peak hour.
37. Although the above trip generation figures are acceptable in terms of likely impact on the local transport networks, the size of the development is still sufficient to warrant a Travel Plan Statement under TfL's guidelines. Although it would not to set specific targets, it should set out a set of Travel Plan measures along with an Action Plan for implementation. It is recommended that this is secured by condition.

Sustainable Design

38. Chapter five of the London Plan sets out a comprehensive range of policies to underpin London's response to climate change and mitigation. This is supported by policies within the Core Strategy (CP19) and the DMP (Chapters 6 & 7). The London Plan sets a target for the residential parts of the development to achieve CO2 reductions to a level "zero carbon" through on-site measures and through the use of carbon off-setting. Policy CP18 of Brent's Core Strategy seeks for major commercial floorspace to meet BREEAM "excellent". In this case, the floorspace of the commercial use does not constitute a major application in itself (as it is less than 1000sqm), and therefore there is no requirement to achieve BREEAM "excellent".

Energy

39. The Energy and Sustainability Statement outlines the approach to carbon emission savings and

renewable energy. The Statement recognises that whilst there is currently no Decentralised Energy Network (DEN) in the immediate vicinity, the site is not too distant from the Alperton area of decentralised energy potential. In addition, the recently approved Northfields scheme will include a large site wide heat network within approximately 450m of this site. Future connectivity to a DEN is safeguarded within the scheme through the consideration of the design and location of the necessary infrastructure such as pipes. The facilities room within the basement will be capable of accommodating heat exchangers and any other equipment. Such details are to be secured as a condition.

40. The proposed design approach is to minimise energy consumption through passive design, fabric performance and energy efficiency measures. Consideration has been given to the passive design of the scheme, including the orientation and layout of the building and units, glazing, lighting to be used, and stacking of balconies for shading.
41. There is also a requirement to reduce CO₂ emissions across the development using renewable or low-carbon energy sources, where practical and feasible. Therefore the report has considered the feasibility of the following technologies:
 - Wind turbines
 - Solar hot water
 - Photovoltaic systems
 - Biomass heating
 - CHP (Combined heat and power)
 - Ground & Air source heating
42. The results of the assessment of suitable technologies relative to the nature, locations and type of development suggest that the preferred solution to be the installation PV panels, producing approximately 41,456Kwh/annum. The remaining technologies considered were discounted for various reasons such as the potential impact on neighbouring occupiers from the necessary plant, impact on streetscene, or the lack of available space on the site or building to accommodate bore holes for heating systems.
43. Overall, regulated emissions achieve a 35.18% reduction in DER/TER in line with London Plan requirements. In addition, 27.60% of this reduction in DER/TER was achieved via the use of renewable technologies.
44. The shortfall in carbon savings to achieve a zero carbon development will require a contribution to the Councils carbon fund of £18,302.40, to be secured by a legal agreement. Details of the PV panels, including a maintenance plan will be secured by condition.

Flood Risk/Drainage/Water Consumption

45. London Plan policies 5.12 and 5.13 require the consideration of the effects of development on flood risk and sustainable drainage respectively while Policies DMP9A and 9B confirms the Councils approach. The site falls within the Flood Zone 1, with the risk of fluvial flooding considered to be low. The risk of surface water flooding is also considered to be low.
46. The submitted Drainage Strategy considers that the provision of green roofs, water butts, and geocellular storage are the most viable options for the scheme. In addition, it confirms that surface water runoff will be limited to 17.5l/s by using a hydro brake flow control device, and that building thresholds should be a minimum of 150mm to 300mm above the existing ground levels and gullies should be installed here to ensure adequate drainage. Conditions will be imposed to secure the above measures.
47. In order to minimise any impact on water supply, major developments should be limiting consumption to a target of 105 litres or less per person, per day. Whilst details of water saving measures have not been provided, it is considered that a condition can be reasonably imposed to seek the details of such measures.

Biodiversity and ecology

48. Policy 7.19 of the London Plan (“Biodiversity and access to nature”) requires development proposals to make a positive contribution, where possible, to the protection, enhancement, creation and management of biodiversity. Core Policy 18 of the Core Strategy confirms the Borough’s commitment to promote and enhance biodiversity.
49. The submitted Ecological Assessment concludes that the site supports very little ecological interest, with

only shrubs/hedgerows along the front of the building, and five trees of note within or in close proximity of the site. To the rear is a wildlife corridor which runs along the railway line. It also concludes that there are no significant ecological constraints to development.

50. Given that some of the soft landscaping (trees/shrubs/hedgerow) has the potential to support nesting birds, it is recommended that clearance should take place outside of the nesting season (March to August inclusive), with 4 to 5 nesting boxes for sparrows and starlings to be provided as mitigation. In relation to bats, it is recommended that sensitive lighting is provided (if necessary) to ensure that foraging bats in the wildlife corridor to the rear are not unduly disturbed. Bat boxes are considered to be unnecessary, although it is also recommended that should the mature Cherry tree at the rear be removed, this should be preceded by an assessment of the roosting potential by bats. The Assessment recommends that an appropriate landscaping scheme is considered, consisting of wildlife friendly, native species. The recommendations of the Ecological Assessment will be secured by appropriately worded conditions or where appropriate, the use of an Informative to remind the applicant of their responsibility.

Contamination

51. A Phase 1 Contaminated Land Desk Study has been submitted, which confirms that due to the historic use of the site as a railway embankment and from 1956 when the first buildings occupied the site for light engineering works, there is a high risk of contamination. The provision of gardens provides a high risk of a pollutant pathway between the source and the receptor.
52. 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. An Informative will be attached to any permission to remind the applicant of this.

Air Quality

Dust

53. An Air Quality Assessment has been submitted in support of the application as the site is within an Air Quality Management Area. The development has the potential to generate dust and emissions during the construction phase due to on-site activities, construction activities and exhaust emissions from construction vehicles and plant. Due to the proximity of high-sensitivity receptors to the site boundary, there is the potential to impact human health. A condition will be imposed to secure details of measures to control potential dust emissions.

Air Quality Neutral Assessment

54. The Air Quality Neutral Assessment confirms that heating for the proposed dwellings will be provided by individual, low-NOx boilers and electricity will come from the National Grid, with the local building emissions considered to be "negligible". However, with no specific information on building emissions, it is recommended that details of the boilers are provided.

Noise

55. In relation to noise impacts, there is particular concern over the units which face the railway to the rear. The methodology of the measurements undertaken in the Noise Impact Assessment are considered acceptable and the criteria set for plant noise and glazing to ensure that internal noise levels are met (as specified in Table 6.2). It is noted that to achieve acceptable internal noise levels, windows will need to remain closed. Therefore, to provide appropriate ventilation, mechanical ventilation will be required, with the specification considered acceptable. The introduction of quiet sheltered areas within the gardens to provide an area that meets the required recommended noise level to protect amenity within the garden areas is also recommended.
56. It is noted that the selection of plant/machinery has not yet been confirmed, therefore a condition is suggested to ensure that the proposed measures are implemented and a report submitted confirming that the required levels have been met.
57. During the construction phase of the development, there is the potential for emissions from machinery to have a negative impact on air quality and the health of workers on site and neighbouring sites. The

details of plant and machinery should therefore be secured by condition to ensure that any emission are within adopted guidelines.

Site Waste Management

58. Policy 5.16 of the London Plan has stated goals of working towards managing the equivalent of 100% of London's waste within London by 2026, creating benefits from waste processing and zero biodegradable or recyclable waste to landfill by 2026. This will be achieved in part through exceeding recycling and reuse levels in construction, excavation and demolition ("CE&D") waste of 95% by 2020. In order to achieve the above, London Plan policy 5.18 confirms that through the Local Plan, developers should be required to produce site waste management plans to arrange for the efficient handling of CE&D.
59. The development proposal involves the demolition of the existing building and substantial excavations to help facilitate the proposed building. To ensure that all waste arising from demolition and construction is dealt with appropriately, a site waste management plan will be secured by condition.

Density

60. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.
61. The site (approximately 0.2482ha) is located within an area with a public transport accessibility level ("PTAL") of 3/2, suggesting that an appropriate level of density for this urban location is in the range of 200-450hr/ha or 70-170u/ha.
62. With 155 habitable rooms proposed within 47 units, this would equate to a proposed density level of 624hr/ha or 189.4u/ha. This calculation would suggest that from a numerical perspective, the proposed density is excessive and an overdevelopment of the site. However, adopted policy acknowledges that a numerical assessment of density is but one factor to consider in assessing whether the site is capable of accommodating the proposed development. Consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These have been discussed above, and are considered to be acceptable.

Conclusions

63. Having regard to all of the above, it is considered that planning permission should be granted for the following reasons:
64. The proposed development would contribute to increasing London's supply of housing, having regard to Policies 3.3, 3.4 & 3.14 of The London Plan, Core Policies 1, 2, 6, 18 & 21 of the Core Strategy, Policies DMP1 & 15 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
65. The proposed development, due to its design, size, scale and siting, does not unduly detract from the character and appearance of the street scene or the surrounding area having regard to Policies 3.5, 7.1, 7.4 & 7.6 of the London Plan Policy, Core Policies 5, 6 & 17, DMP Policies 1 & 19 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework, and with guidance contained within the National Planning Policy Framework.
66. The proposed development, due to its siting does not unduly impact on the existing amenities of the occupiers of nearby properties in terms of loss of light, outlook or privacy and in this respect complies with Policy 7.6 of the London Plan, Core Policy 17, DMP Policy 1 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.
67. Having regard to conditions attached to this permission, the proposal makes appropriate provision for servicing, access, parking, including cycle parking and visibility splays, and in this respect complies with Policies 6.3, 6.9, 6.12 & 6.13 of the London Plan, DMP Policies 11 & 12 of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

68. The proposed development, by virtue of measures proposed and conditions imposed, will contribute to the mitigation of and adaptation to climate change, having regard to Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.12, 5.13 & 5.15 of the London Plan, Core Policies 20, 32 and 36, DMP Policies 8, 9a & 9b of the Development Management Policies, and with guidance contained within the National Planning Policy Framework.

CIL DETAILS

This application is liable to pay **£1,190,824.63*** 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): 2500 sq. m.

Total amount of floorspace on completion (G): 6339.5 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	5816.93		3523.01	£200.00	£35.15	£984,554.63	£173,035.48
Businesses and offices	522.57		316.49	£40.00	£35.15	£17,689.70	£15,544.82

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	£1,002,244.33	£188,580.30

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

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

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



Application No: 15/5564

To: Mr GULVANESSION
GULVANESSION ARCHITECTS
227 cromwell road
CROMWELL ROAD
LONDON
SW5 0SD

I refer to your application dated **22/12/2015** proposing the following:

Demolition of existing building known as Trinity House and erection of a 4 storey building comprising 47 self-contained flats plus basement level comprising 708sqm of office space, car and cycle parking spaces, bin stores, amenity space and landscaping

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

at **Trinity House, Heather Park Drive, Wembley, HA0 1SU**

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: 01/10/2018

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:-

National Planning Policy Framework 2018
 London Plan 2016
 Brent's Core Strategy 2010
 Brent Development Management Policies 2016
 SPG17 "Design Guide for New Development" 2001

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

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

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

OS-01 Rev.D	OS Location Plan
OS-02 Rev.D	Site Levels Plan
Overlay Rev.D	Existing/Proposed Site Overlay Plan
SP-01 Rev.D	Site Levels Plan
DR-01 Rev.D	Site Drainage Plan
GA-01 Rev.D	Proposed Car Parking Basement Level
GA-01.2 Rev.D	Proposed Basement Facilities Room
GA-02 Rev.D	Proposed Ground Floor Plan
GA-02(2) Rev.D	Proposed Ground Floor Plan
GA-02(3) Rev.D	Proposed Ground Floor Plan
GA-02(4) Rev.D	Proposed Ground Floor Plan
GA-02(5) Rev.D	Proposed Ground Floor Plan
GA-03 Rev.D	Proposed 1st Floor Plan
GA-03(2) Rev.D	Proposed 1st Floor Plan
GA-03(3) Rev.D	Proposed 1st Floor Plan
GA-03(4) Rev.D	Proposed 1st Floor Plan
GA-03(5) Rev.D	Proposed 1st Floor Plan
GA-03 Rev.D	Proposed 2nd Floor Plan
GA-04(2) Rev.D	Proposed 2nd Floor Plan
GA-04(3) Rev.D	Proposed 2nd Floor Plan
GA-04(4) Rev.D	Proposed 2nd Floor Plan
GA-04(5) Rev.D	Proposed 2nd Floor Plan
GA-05 Rev.D	Proposed 3rd Floor Plan
GA-05(2) Rev.D	Proposed 3rd Floor Plan
GA-05(3) Rev.D	Proposed 3rd Floor Plan
GA-05(4) Rev.D	Proposed 3rd Floor Plan
GA-05(5) Rev.D	Proposed 3rd Floor Plan
GA-06 Rev.D	Proposed Roof Plan
1b2p-01 Rev.D	1B 2P Flat type
1b2p-02 Rev.D	Typical 1B 2P Flat type
1b2p-02 (H) Rev.D	Typical 1B 2P Flat type
2b4p-01 Rev.D	2B 4P Flat type
2b3p-02 Rev.D	Typical 2B 3P Flat type
2b3p-03 (H) Rev.D	Typical 2B 3P Flat type
2b3p-04 Rev.D	Typical 2B 3P Flat type
2b3p-05 Rev.D	Typical 2B 3P Flat type
2b3p-05(H) Rev.D	Typical 2B 3P Flat type
2b3p-06 Rev.D	Typical 2B 3P Flat type

2b3p-06(H) Rev.D	Typical 1B 2P Flat type
3b5p-01 Rev.D	Typical 3B 5P Flat type
3b5p-01(H) Rev.D	Typical 3B 5P Flat type
3b5p-02 Rev.D	Typical 3B 5P Flat type
3b5p-03 Rev.D	Typical 3B 5P Flat type
3b5p-04 Rev.D	Typical 3B 5P Flat type
TYP-FF-1 Rev.D	Typical 1 Bed Flat
FF-2 Rev.D	Typical 2 Bed Flat
FF-D3 Rev.D	Dis. 2 Bed Flat
FF-4 Rev.D	1 Bed Flat
SC-01 Rev.D	SECTION A-A
SC-02 Rev.D	SECTION B-B
SC-03 Rev.D	SECTION C-C
SC-04 Rev.D	SECTION D-D
SC-05 Rev.D	SECTION E-E
SC-06 Rev.D	SECTION F-F
EL-01 Rev.D	STREET ELEVATIONS
EL-02 Rev.D	REAR ELEVATIONS
EL-03 Rev.D	SIDE ELEVATIONS
4937-D Rev.B	Tree Plan

Accommodation Schedule (June 2018)
 Air Quality Assessment (May 2017)
 Design and Access Statement
 Energy and Sustainability Statement (May 2017)
 Flood Risk and Drainage Strategy (March 2017)
 Phase 1 Contaminated Land Desk Study Assessment (May 2017)
 Noise Assessment (May 2017)
 Planning Statement
 Transport Statement (June 2017)
 Vibration Assessment (June 2017)

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

- No less than nine of the units hereby approved shall be constructed as wheelchair user dwellings (Requirement M4(3) of the Building Regulations) as indicated on the submitted plans, and the remainder (x38 units) shall be built in accordance with Requirement M4(2) of Building Regulations and shall be maintained as such thereafter. Prior to occupation evidence of compliance with Requirement M4(2) across the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the needs of all users are met and optional national technical standard will ensure that the development allows for the future adaptability of the home to meet with the needs of future residents over their lifetime in accordance with Policy CP21 of the Core Strategy, DMP1 of the Development Management Document and Policy 3.8 of the London Plan.

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the offices shall only be used for purposes within Use Class B1a as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting

that Order with or without modification.

Reason: To ensure that the use of the site conforms to its designation as a local employment site, to safeguard the amenity of existing and proposed residents from the introduction of noisy activity, to ensure an appropriate level of contributions, and having regard to adopted parking and servicing standards.

- 6 No works shall commence on the site until the details of all plant and machinery to be used at the demolition and construction phases have been submitted to, and approved in writing by, the Local Planning Authority. Evidence is required to meet Stage IIIA of EU Directive 97/68/EC for both NO_x and PM. No works shall be carried out on site until all Non-road mobile machinery (NRMM) and plant to be used on the site of net power 37kW and 560kW has been registered at <http://nrmm.london>. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site.

Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM Low Emission Zone.

Reason for pre-commencement condition: These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 7 Prior to development commencing, details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) a photographic condition survey of the roads, footways and verges leading to the site;
 - b) wheel cleaning methodology and facilities (inclusive of how waste water will be collected /managed on site);
 - c) the estimated number and type of vehicles per day/week;
 - d) details of any vehicle holding area;
 - e) details of any vehicle call up procedure;
 - f) Coordination with other development projects in the vicinity (Transputec House);
 - g) Hours of deliveries / collections, to avoid conflict with school drop-off/pick-up times (Lyon Park Infant and Junior Schools);
 - h) Hours of work;
 - i) A Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.

The development shall be carried out in accordance with the approved detail.

Reason: To minimise the impact of construction works upon highway safety, congestion and parking availability, to ensure the implementation of the development does not lead to damage to the existing highway, and to minimise disruption to neighbouring properties and the environment.

Pre commencement reason: These details are required pre-commencement impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 8 Prior to any development commencing, inclusive of site clearance, details of a Construction Site Waste Management Plan shall be submitted to the Local Planning Authority for approval in writing. The Construction Site Waste Management Plan shall include as a minimum:
- (a) Target benchmarks for resource efficiency set in accordance with best practice;
 - (b) Procedures and commitments to minimize non-hazardous construction waste at design stage. Specify waste minimisation actions relating to at least 3 waste groups and support them by appropriate monitoring of waste;
 - (c) Procedures for minimising hazardous waste;
 - (d) Monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by

the scope of the works);

(e) Procedures and commitments to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups; and

(f) No less than 95% by weight or by volume of non-hazardous construction, excavation and demolition waste generated by the development has been diverted from landfill

Reason: To maximise the amount of waste diverted from landfill consistent with the waste hierarchy and strategic targets set by Policies 5.17, 5.18, 5.19 of the London Plan.

Reason for pre-commencement condition: These details are required pre-commencement because the impacts of construction commence when the development commences and as such, the need to mitigate those impacts accordingly arises at this time.

- 9 Prior to any superstructure works commencing, details of materials for all external work, including sample panels which shall be made available for viewing on site or within another location as agreed, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance.

- 10 The development shall be carried out in accordance with the noise mitigation measures recommended in section 6 of the Noise Assessment (Phlorum, May 2017), unless otherwise approved in writing by the Local Planning Authority.

Reason: To obtain required sound insulation and prevent noise nuisance in the interest of safeguarding amenity.

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

Reason: To safeguard the amenity of the neighbours

- 12 Unless required by any other condition attached, the development shall be undertaken in accordance with the recommendations and mitigation measures set out within the Air Quality Assessment Report (Phlorum, May 2017), unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect local air quality.

- 13 Prior to the first occupation of the residential units hereby approved, details of the low-NO_x domestic boilers to be installed demonstrating the rated emissions of Oxides of Nitrogen (NO_x), shall be submitted to and approved in writing by the Local Planning Authority. The boilers shall thereafter be installed in accordance with the approved details.

Reason: To protect local air quality.

- 14 A. Prior to the commencement of building works, excluding demolition, 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 for approval in writing, 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.

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

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

- 15 Within three months of the commencement of above ground works, details of any external lighting to be provided, inclusive of the design, height, siting, and lux levels shall be submitted to the Local Planning Authority for approval in writing. The submitted details shall also include how the external lighting scheme has been designed to minimise light spillage and its impact on wildlife particularly along the northern boundary of the site. The external lighting shall be provided prior to first occupation and maintained at all times thereafter.

Reason: In the interests of visual amenity, safety, residential amenity and to ensure that light sensitive receptors are not unduly affected.

- 16 Prior to development commencing, excluding demolition, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a. Details of the construction of any access roads and junctions and any other highway alterations associated with the development;
- b. Vehicle tracking demonstrating:
 - i) the safe two-way working of the access ramp, in particular at the bend into the basement parking, for a large saloon car;
 - ii) the safe access/egress of spaces in the proposed car park identified as potentially being impeded by the lift cores.
- c. Confirmation that the gradient of the access ramp is no more than 5% for a distance of 4m from the highway boundary;
- d. In satisfying part b.i) of this condition it is subsequently demonstrated that two way working for a large saloon car is not possible, measures to address this shall be submitted to the Local Planning Authority for approval in writing.

The works shall be carried out in accordance with the approved details before the development is occupied or the use commences.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity, and to reduce the risk of vehicle grounding at the highway threshold.

- 17 Unless required by any other condition attached to this permission, the parking spaces (inclusive of blue badge spaces), cycle storage and refuse storage as shown on the approved plans shall be provided in full prior to first occupation of the development and shall be permanently retained, kept free from obstruction, and used solely in connection with the development hereby approved.

Reason: To ensure that the approved highway works and standards of parking provision and servicing are provided and maintained in the interests of local amenity and the free flow of traffic in the vicinity, and to encourage sustainable travel.

- 18 Prior to any works commencing in relation to the provision of parking / turning facilities, typical details, including siting and design of plugs, of electric vehicular charging points to be provided in accordance with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to first

occupation of the development and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan.

- 19 A Travel Plan Statement, written in accordance with TfL's guidance, shall be submitted to the Local Planning Authority for approval in writing prior to first occupation or use commences. The Statement shall set out Travel Plan measures, together with an Action Plan for implementation, to be adhered to throughout the lifetime of the development.

Reason: In the interest of promoting sustainable travel.

- 20 Prior to installation of zero/low carbon technologies, details of the zero / low carbon technologies to be used in the development (rooftop photovoltaic panels) shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented prior to first occupation of the development in accordance with the approved details and permanently maintained.

The submitted detail shall demonstrate compliance with the approved renewable energy strategy and include the design, size, siting, and a maintenance strategy / schedule, inclusive of times, frequency and method.

Reason: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by renewable energy are met in accordance with adopted Policy.

- 21 Prior to the commencement of building works, excluding demolition, details of the measures to limit the internal consumption of water to 105 litres or less per head per day has been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved details prior to first occupation of the development.

Reason: To promote water conservation and efficiency measures in all new developments in accordance with policy 5.15 of the London Plan, and DMP9b of the Development Management Policies.

- 22 Prior to construction works commencing, details of the proposed SuDS measures as outlined at paragraph 6.5 of the Flood Risk Statement & Drainage Strategy (March 2017) shall be submitted to the Local Planning Authority for approval in writing. The submitted detail shall include:

- A. Location, design, substrate (extensive substrate base with a minimum depth 80-150mm), vegetation mix and density, and a cross-section of the proposed green roof
- B. Location, size, storage volumes, cross-sections, long-sections (where appropriate) and specifications of all the source control SuDS measures including rain gardens, raised planters, green roofs, water butts, geocellular storage, and permeable paving;
- C. Final sizes, storage volumes, invert levels, cross-sections and specifications of all site control SuDS measures including ponds and underground tanks
- D. Where appropriate, provide calculations to demonstrate that the SuDS provided will function for 1 in 1 year and 1 in 100 year (with the allowance of climate change) events;
- E. A management plan for future maintenance for all of the drainage features

All SuDS measures shall be implemented in accordance with the approved detail.

Reason: To assist in flood attenuation and to ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with adopted Policy

- 23 No above ground works, other than site clearance, shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local

Planning Authority. Details shall include:

- (a) Planting plans;
- (b) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- (c) Schedules of plants and trees, to include native, wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities);
- (d) Implementation timetables;
- (e) Wildlife friendly plants and trees of local or national provenance;
- (f) Details of hardsurfacing materials;
- (g) Details of any external furniture

All hard and soft landscaping shall be provided prior to first occupation following practical completion of the development hereby approved. The landscaping and tree planting detail shall set out a plan for the continued management and maintenance of the site and any planting which dies, becomes severely damaged or diseased within five years of completion of the development shall be replaced with new planting in accordance with the approved details or an approved alternative and to the satisfaction of the Local Planning Authority.

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, and in accordance with DMP8 of the Development Management Policies, CP18 of the Core Strategy, and Policies 5.10, 5.11 and 7.19 the London Plan.

- 24 The site shall be enclosed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details must include specifications for a trespass-proof fence of a minimum height of 1.8m and set back from the boundary with the railway land by at least 0.5m

The means of enclosure shall be erected in accordance with the approved detail before the development is occupied.

Reason: To ensure a satisfactory appearance and safeguard the privacy, amenity and safety of adjoining occupiers and the public and in the interest of highway and railway operational safety; and to ensure that any potential maintenance can occur wholly within the site boundary and not impact on Network Rail land.

- 25 Prior to the commencement of above ground works, excluding demolition, details of the design and siting of a minimum of five bird boxes designed into and around the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The approved bird boxes shall be maintained for the lifetime of the development hereby approved.

Reason: To enhance the site post development in accordance with CP18 of the Core Strategy by providing suitable nesting features for birds, and having regard to the recommendations of the submitted Ecological Assessment.

- 26 Prior to the commencement of above ground works, excluding demolition, for the provision of a communal television system/satellite dish have been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved detail.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

INFORMATIVES

- 1 Alterations in loading within 15m of the railway boundary must be agreed with Network Rail. Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land. Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- 2 Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, must have at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.
- 3 The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore the proposal drainage on site will ensure that:
 - All surface waters and foul waters drain away from the direction of the railway boundary.
 - Any soakaways for the proposal must be placed at least 30m from the railway boundary.
 - Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.
 - Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
 - Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
 - Drainage works must not impact upon culverts on developers land including culverts/brooks etc that drain under the railway.Tthere is no surface or sub-surface flow of water towards the operational railway.
- 4 The developer should also be aware of the implications for their workers / contractors as there are 25kv overhead lines and there is the risk of induced voltages up to 20-30m from the overhead lines impacting the site.
- 5 With a development of a certain height that may/will require use of a tower crane, the developer must bear in mind the following. Tower crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail's Asset Protection prior to implementation. Tower cranes have the potential to topple over onto the railway; the arms of the cranes could over-sail onto Network Rail air-space and potentially impact any overhead lines, or drop materials accidentally onto the existing infrastructure. Crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.
- 6 The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building(s), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Review of the method statement will be undertaken by the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.
- 7 As the proposal includes works which are within 10m of the railway boundary and which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Richard.Draper@networkrail.co.uk copying in Asset Protection

AssetProtectionLNWSouth@networkrail.co.uk to set up the BAPA, quoting their reference: **WCS-LEC1-7-5-RD**.

- 8 The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to: with Richard.Draper@networkrail.co.uk copying in Asset Protection AssetProtectionLNWSouth@networkrail.co.uk, quoting their reference: **WCS-LEC1-7-5-RD**.
- 9 Prior to the commencement of any works involving vibro-compaction machinery / piling machinery or piling and ground treatment works as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.
- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.
 - The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.
 - Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration.
- Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.
- 10 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.
- 11 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your 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.
- 12 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.
- 13 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for these works should be made to the Council's Head of Highways & Infrastructure 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. The grant of planning

permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

- 14 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.
- 15 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 16 The applicant is reminded that nesting birds are protected under the Wildlife & Countryside Act, 1981 (as amended). All buildings and areas of trees, hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development approved, should only be cleared outside of the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist must check the buildings and vegetation to be removed immediately prior to clearance and advise whether nesting birds are present.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

10 October, 2018
06
18/2183

SITE INFORMATION

RECEIVED	31 May, 2018
WARD	Queensbury
PLANNING AREA	
LOCATION	Car Park North East of Morrisons, Honeypot Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7
PROPOSAL	Erection of three buildings at 4, 5, and 7 storeys providing 194 residential units (76 x 1 bed, 75 x 2 bed and 43 x 3 bed), 60 car parking spaces (including disabled parking spaces), private and communal landscaped amenity areas, landscaped podium deck, secure cycle parking, recycling and refuse stores, access improvement and other associated developments
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_140307</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 "18/2183" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

- A. Referral to the Mayor of London (stage 2 referral)
- B. The prior completion of a legal agreement to secure the following planning obligations:

- 1. Payment of legal and professional costs
- 2. Notification of commencement 28 days prior to material start
- 3. 30.4% affordable housing by unit (35% affordable housing by habitable room) on a nil grant basis broken down as :
 - 39 units for affordable rent (at no more than 80% of open market rents for 1-2 beds and no more than 60% for 3-bed units [including service charges where applicable] and capped at Local Housing Allowance rates), disposed on a freehold / minimum 125 year leasehold to a Registered Provider and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.

- 20 units for Shared Ownership,(as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).

- 4. Appropriate post-implementation financial review mechanism to reassess scheme viability and actual values and costs 6 months prior to practical completion (or such other time agreed by the Council), against the agreed land value and profit, to determine any development surplus for deferred affordable housing obligations
- 5. Training and employment
- 6. Carbon offset contribution to be paid – or an opportunity to resubmit an improved energy statement and reduce the offset payment
- 7. Considerate Constructors Scheme
- 8. Parking permit restriction to be applied to all new residential units
- 9. Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents
- 10. Requirement to enter into a s38/278 agreement for the following highway works:

works

- a. Provision of a new footway on the west side of Westmoreland Road and vehicle access
- b. relocation of the bus stand on the west side of Westmoreland
- c. the establishment of a 20mph limit zone with associated traffic calming
- d. the provision of a cycle contraflow lane with associated line markings on the east side of Westmoreland Road.

- 11. 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.

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

Conditions

- 1. Time limit for commencement (3 years)
- 2. Approved Plans
- 3. Specific non-habitable rooms to be obscure glazed for privacy
- 4. Highway works and parking spaces, cycle and bin storage to be revised and laid out prior to occupation
- 5. Car club bay to be provided prior to occupation
- 6. 10% wheelchair accessible units to be secured

7. Electric vehicle charging points to be provided in line with requirements
8. Water consumption to be limited in line with regulations
9. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
10. Plant noise levels to be limited
11. Pedestrian route through the site to be made available for improved local permeability
12. Ecology report to be secured
13. Air Quality report to be secured
14. SUDS/Drainage strategy to be secured
15. Removal of C4 permitted development rights for flats
16. Material samples to be submitted prior to above ground works commencement
17. Sound insulation and noise reduction measures to be secured OR resubmitted prior to occupation
18. Landscaping proposals to be amended to change species and to be secured
19. Details of front garden boundary treatments/defensive space to be submitted prior to occupation
20. Air quality neutral report to be submitted prior to commencement
21. Construction method statement to be submitted prior to commencement
22. Remediation verification for identified soil contaminants to be submitted prior to commencement
23. Details of connection to district heating network to be submitted prior to occupation
24. Details of photovoltaic panel arrays on roofs of development to be submitted prior to occupation
25. Details of external lighting to be submitted prior to installation of lighting
26. Car park management plan to be submitted prior to occupation
27. Construction logistics plans to be submitted prior to commencement
28. Details demonstrating no impact on London Underground assets to be submitted prior to commencement

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. Contact information for carrying out highway works
 5. Notify highways service of intent to commence works
 6. Guidance notes from Thames Water
 7. Guidance notes from London Underground
 8. London living wage note
 9. Fire safety advisory note
 10. Any other informative(s) considered necessary by the Head of Planning
1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that

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

2. That, if by 3 months of the committee date the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.
3. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

	<h3>Planning Committee Map</h3>
<p>Site address: Car Park North East of Morrisons, Honeypot Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7</p>	
<p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>	



This map is indicative only.

EXISTING LOCATION PLAN

PROPOSAL IN DETAIL

The application seeks approval of the new development which proposes removal of approx. 0.6ha of the south-eastern part of Morrison's superstore car park (amounting to 160 car parking spaces) and replacement of this space with one 5 storey building and one 7 storey building.

In addition, a 4 storey building is to be erected on the small tract of land alongside of the junction of Westmoreland Road and Cumberland Road.

The three buildings together will contain 194 residential units (76x1b, 75x2b, 43x3b)

As part of the development, a ground floor car park within the larger site is proposed. The car park will provide parking space for 60 cars.

Both sites are to be accessed from Westmoreland Road, the larger site on the south side of the road immediately north of the Morrisons superstore and the smaller site from the north side of the road close to the junction with Cumberland Road.

EXISTING

This proposal affects two sites: (a) part of the car park of Morrison's supermarket; and (b) an area of vacant land on the south-eastern corner of the roundabout junction of Cumberland Road and Westmoreland Road. The site on the Morrison's car park currently provides 160 of the car parking spaces for the store, so would reduce provision across the whole car park to 405 spaces. The site is approximately 0.6ha in size.

Across Westmoreland Road, the main car park site is adjacent to a small area of a Locally Significant Industrial Site (Bowman Trading Estate) to the south and the relatively new residential development of Alpine House to the south-west. Immediately to the west of the site is the large building containing the Morrisons supermarket whilst immediately to the north is the part of the car park which is to be retained. To the east, across Westmoreland Road, the site is adjacent to an embankment sloping up to the railway tracks of the London Underground Jubilee Line; the other side of the railway line sees 1930s semi-detached housing lining Winchester Avenue.

The smaller site is approximately 0.1ha in size, comprises cleared scrubland and is bound by Cumberland Road to the north-west and the vehicular entrance to Morrisons to the south. An area of Strategic Industrial Land is present across Cumberland Road. The site also borders the Jubilee line railway to the north-east. The smaller site had a previous use as a waste recycling facility.

SUMMARY OF KEY ISSUES

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

1. **Representations received:** A number of local representees (from 23 properties) have objected to this application for a variety of reasons, although with a focus on highways matters, however officers consider that the proposal is acceptable and that none of the grounds upon which objectors resist the proposal give rise to a reasonable argument that the proposal should be resisted in planning terms.
2. **Provision of new homes:** Your officers give great weight to the viable delivery of private and affordable housing, in line with the adopted Development Plan.
3. **Design, layout and height:** The proposal replaces a large expanse of hardstanding with a medium-rise housing development. It utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development.
4. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and reasonably well aligned with the Core Strategy target mix. The flats would

have good outlook and light. The amount of external amenity space is marginally below our standard, but not to a significant extent and is in close proximity to green spaces.

5. **Affordable housing:** The maximum reasonable amount has been provided on a near policy compliant split within the Affordable Housing tenures. This includes 35% affordable housing provision with a tenure split of 39 affordable rented units and 20 shared ownership (a 66:34 ratio measured by unit, or 74:26 measured by habitable room). The viability has been tested and it has been demonstrated that this is the maximum reasonable amount that can be provided on site without grant. The requirements of affordable housing obligations are considered to have been met.
6. **Neighbouring amenity:** There would be no unduly detrimental impacts to neighbouring residential properties, as measured in accordance with BRE guidance for light. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
7. **Highways and transportation:** To encourage sustainable travel patterns and mitigate the potential for over-spill parking, the scheme will be 'permit-free' with the exception of blue badge parking spaces. Improvements to the public highway as required in the S106 would be acceptable, considering the needs of pedestrians, cyclists and motorists and would appropriately encourage a modal shift away from car use.
8. **Trees, landscaping and public realm:** Some low quality trees are proposed to be removed but they are not considered worthy of retention. The proposal is likely to substantially improve on the existing situation with the high quality street tree planting proposed and the wider landscaping strategy. This will be assured through conditions.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Conditions will require further consideration of carbon savings prior to implementation.

MONITORING

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

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
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Monitoring Residential Breakdown

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

The larger site has little in the way of relevant planning history. Planning records indicate that planning permission was granted for the clearance of the existing buildings, alterations to road layouts and redevelopment of the site to provide a retail store with ancillary restaurant, staff and customer car parking and petrol filling station with car wash in February 1994.

The smaller site does not have any formal planning history but does have a historic use as a waste recycling plant but has now been vacant for a number of years.

CONSULTATIONS

386 neighbouring properties were notified of this proposal for a minimum of 21 days on the 13th of June 2018. Site notices were erected outside the development on the 18th of July 2018 and a press notice was published on the 21st of June 2018.

From the 386 consultations sent out to neighbours, 23 representations from individual properties and the

QARA Group of Associations were received. Their comments are summarised as follows:

Point of objection	Officer Response
Too many units but no infrastructure such as schools or hospitals to support population	The developer will pay the community infrastructure levy (CIL) which will provide dedicated funding for the Council to invest in local infrastructure upon which the development would rely.
Concerns that traffic and road safety in the area will be negatively impacted	The development will not generate a high number of vehicle-borne trips as only around 1 out of every 3 flats will have a car parking space. The remainder of the flats' occupants will be prevented from parking locally as a parking permit restriction on the property. It is expected that the building will establish a modal shift towards cycling and public transport use. Brent's highways officers do not consider that the local highway network will be negatively impacted upon by this development.
Particular concerns over entry and exit points on Honeypot Lane and the roundabouts near Queensbury Station	Brent's highways officer do not consider that the local highway network will be negatively impacted upon by this development. Improvements to the highway along Westmoreland Road will help to improve local highway conditions.
Not enough parking spaces for no. of units proposed	The development is designed to encourage a modal shift in trip methods away from car use, which will be enhanced by the proximity of the development to Queensbury tube station and the implementation of a local cycle lane. A local controlled parking zone and a permit restriction on residents would enforce the low car operation of the development.
Use of electric vehicles should be promoted	The consent will include a requirement to provide electric vehicle charging points in line with London Plan requirements.
Impact on road network as a result of construction traffic	The development is designed with policy compliant reductions in carbon emissions and with low car operation, which will help to minimise its carbon footprint.

	<p>Westmoreland Road will become a more active, residential street compared to at present and will therefore be a less viable location for fly tipping.</p> <p>Any unusual increase in littering would not have a bearing on the development itself and would need to be pursued separately by Brent's refuse and environmental health teams.</p>
<p>Loss of parking at Morrisons will make parking there harder, including parking provision for the temple on Westmoreland Road</p>	<p>Studies have identified that a significant amount of the parking to be lost is surplus to requirements and that Morrisons enforce against car users who stay for periods longer than 2 hours.</p> <p>The applicant's surveys indicate that there may be a small amount of parking stress as a result of the loss of 160 parking spaces, however highway improvements, including the addition of a cycle lane, are likely to encourage a local modal shift away from car use.</p> <p>The applicant is carrying out surveys to consider if parking at Morrisons has reduced further since the local CPZ was implemented.</p> <p>Previous consents have been considered by Brent's Highways officers and it is not considered that the development would have an unduly detrimental impact on local highway capacity/safety.</p>
<p>Concerns over impact on litter/fly tipping and air pollution in the area and pest problems</p>	<p>The development is designed with policy compliant reductions in carbon emissions and with low car operation, which will help to minimise its carbon footprint.</p> <p>Westmoreland Road will become a more active, residential street compared to at present and will therefore be a less viable location for fly tipping.</p> <p>Any unusual increase in littering would not have a bearing on the development itself and would need to be pursued separately by Brent's refuse and environmental health teams.</p>
<p>Concerns over impact on local GP services</p>	<p>A substantial community infrastructure levy (CIL) payment</p>

	would enable investment in local infrastructure upon which this development would rely, which includes GP surgeries.
Concerns over anti-social behaviour	The development will result in a street with a poor pedestrian environment becoming residential with a greater footfall and greater levels of natural surveillance. This is likely to reduce the potential for anti-social behaviour.
Concerns of overlooking of rear gardens and windows of houses on Winchester Avenue	At the closest point, the development is about 60 metres from the rear gardens of Winchester Avenue properties. This distance far exceeds standards for maintaining privacy in residential properties. A high level and highly vegetated railway embankment separates the development from Winchester Avenue which will act as an additional privacy buffer.
Impact of proposal in conjunction with approved temple on Bowmans trading estate nearby as well a new care home on Honeypot Lane	Previous consents have been considered by Brent's Highways officers and it is not considered that the development would have an unduly detrimental impact on local highway capacity/safety.
Loss of light due to height of buildings	The development is not close to sensitive residential premises. The closest residential premises are those at Alpine House along Honeypot Lane. The development far exceeds the requirements of all relevant Council guidance relating to light losses and overshadowing as a result of new buildings.
Noise and disturbance form increased number of residents in the area	There are no sensitive residential premises within close proximity to this development. Even if there were, a reasonable uplift in general noise associated with the development would be expected and any unusual instances of noise and disturbance from residents would need to be raised with Brent's nuisance control team.
Negative visual impact	The building is slightly larger than its surrounding built form but is largely buffered from view by the Morrisons supermarket building. The architecture and external material usage is considered to be high quality and will result in an attractive appearance for the building.

The sustainability report only accounts for impact of future residents, not existing ones.	There are no existing residents at the development site. The sustainability report demonstrates a programme of measures that will reduce the carbon savings of this particular development, which accords with policy requirements.
Concerns over potential increase in crime	The development will result in a street with a poor pedestrian environment becoming residential with a greater footfall and greater levels of natural surveillance. This is likely to reduce the potential for anti-social behaviour.

External Consultation

Externally the following were consulted:

The Greater London Authority

As part of the GLA Stage 1 response the following comments were raised:

- Principle of development, affordable housing provision and housing mix supported. With regards to affordable housing, the provision of 35% was subject to the LPA securing a post implementation review mechanism, or alternatively consideration of grant funding should be explored.
- On site play space for young children acceptable. Advised to consider off site contribution to update off-site play areas
- Recommended that ground floor units are duplex to overcome poor outlook and optimise quality of internal spaces. Tear drop site to be widened to allow for roof top garden. Lighting strategy to be conditioned to into lighting along route to the south of larger site.
-
- Further information and revisions on energy proposal to be provided. Surface water drainage strategy to comply with London Plan policy on drainage hierarchy, and full review of flood risk (including residual risks) from all sources of flooding to be provided.
-
- Further work to be provided on servicing, cycle parking, blue badge parking, walking/cycle improvements and mitigation for local public transport. Consideration of noise impact from nearby railway line to be considered.

The above comments have been addressed within the remarks section below.

Transport for London

Objections have been raised and to overcome these objections the following matters need to be resolved:

- Exempt future residents from eligibility for local parking permits with the developer entering into a 'permit free' agreement with Brent Council;
- Implement night time parking control for Westmorland Road;
- Secure the provision of blue badge parking, ECVP provision and car parking management plan ;
- Increase cycle parking toward Draft London Plan standards, and secure the cycle parking provision for both retail and residential parts of the proposal, including wider accessible cycle spaces in accordance with the LCDS as shown in the submitted plan;
- Undertake PERS/ CLOS to identify local walking and cycling improvement needs; and Brent Council to secure appropriate improvements in light of findings; and review proposed public realm improvement

against Healthy Street criteria;

- Provide new crossing facilities at Westmorland Road and at Honeypt Lane;
- Clarify likely impact to bus standing arrangement to route 288 at Westmorland Road;
- Review Travel Plan targets;
- Secure the provision of DSP and CLP to regularise servicing and construction arrangements by appropriate planning conditions.

The above comments have been addressed within the remarks section below.

London Underground Limited - No objection subject to recommended condition and informatives

The Environment Agency - No comments to make on this application

Thames Water Utilities Ltd - No objections raised in relation to surface water drainage, surface water infrastructure and foul water sewerage infrastructure. Recommended conditions and informatives.

The London Borough of Harrow

- No objection with regards to character and appearance or residential amenity for Harrow residents.
- Raise an objection to the proposal on grounds that there would be a negative impact due to loss of Morrisons parking and lack of parking as part of the development
- Request £30,000 contribution towards creation of CPZ in Harrow

The above comments have been addressed within the remarks section below.

Internal Consultation

Internally the following departments were consulted:

Local Lead Flood Authority - The proposal falls within Flood Zone 1 which is considered to be low risk. The submitted details have been found to be satisfactory and no objections are raised.

Environmental Health -

- Agree with methodology of noise and vibration assessment however need confirmation of delivery hours and location of deliver bay; also require information on plant/equipment which should have been included in noise report
- Gas monitoring results are acceptable but remediation strategy will be required
- Require condition to ensure developments to be air quality neutral
- Require condition for a construction method statement to be submitted

POLICY CONSIDERATIONS

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

National Planning Policy Framework 2018

The London Plan 2016

3.3 - Increasing Housing Supply

3.4 - Optimising housing potential

3.6 - Children and young person's play and informal recreation facilities

3.8 - Housing Choice

3.11 - Affordable Housing Targets
3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
5.2 - Minimising Carbon Dioxide emissions
5.12 - Flood Risk Management
5.13 - Sustainable Drainage
5.15 - Water Use and Supplies
6.3 - Assessing effects of development on transport capacity
6.9 - Cycling
6.10 - Walking
7.2 - An inclusive environment
7.5 - Public realm
7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Draft London Plan 2016

GG2 - Making the best use of land
H1 - Increasing Housing Supply
H5 - Delivering affordable housing
H6 - Threshold approach to applications
H12 - Housing size mix
H13 - Build to Rent
SI.5 - Water Infrastructure
SI.12 - Flood risk management
SI.13 - Sustainable drainage
D1 - London's form and characteristics
D2 - Delivering good design
D3 - Inclusive design
D4 - Housing quality and standards
D5 - Accessible housing
D6 - Optimising housing density
D13 - Noise
S4 - Play and Informal Recreation
T2 - Healthy Streets
T4 - Assessing and mitigating transport impacts
T6.1 - Residential Parking

Core Strategy (2010)

CP1: Spatial Development Strategy
CP2: Population and Housing Growth
CP6: Design & Density in Place Shaping
CP17: Protecting and enhancing the suburban character of Brent
CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
CP21: A Balanced Housing Stock

Development Management Policies (2016)

DMP 1: Development Management General Policy
DMP 9 A: Managing Flood Risk
DMP 9 B: On Site Water Management and Surface Water Attenuation
DMP 11: Forming an Access on to a Road
DMP 12: Parking
DMP 13: Movement of Goods and Materials
DMP 15: Affordable Housing
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

Site Specific Allocations (SSA) (2011)

16: Morrison's Supermarket

Supplementary Planning Guidance (SPG)

SPG17: Design Guide for New Development (2001)

DETAILED CONSIDERATIONS

Principle of Development

1. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,915 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London.
2. The Brent Site Specific Allocations (SSA) document was adopted in July 2011, and identifies sites across the borough that are appropriate for various developments. The larger of the two development sites (the one within the superstore car park) sits within site allocation 16 (Morrison's Supermarket). The SSA document identifies the northern and eastern sections of the car park of Morrison's as suitable for residential development with an indicative capacity for 164 residential units.
3. Brent's site specific allocation describes an acceptable development of the site as follows:
4. *"Use of north and eastern section of car park for residential development including family sized accommodation. Alternatively a mixed use development including residential and retail floor space. Proposals should include an appropriate supply of amenity space. Proposals will be required to include land for, and provision of, a cycle route along Cumberland Road and maintain the PR2 bus service with an additional bus stand on Westmoreland Road. Development must conserve and enhance the adjacent Wildlife Corridor."*
5. The development proposed broadly meets all criteria mentioned above, which includes proposing residential development in close accordance with the indicative site capacity (164 units). The uplift in unit numbers (by 30) is considered to represent an appropriate response to a changing policy background since the adoption of the SSA document in 2011, whereby regional housing need has substantially increased as set out within the adopted and draft London Plan documents.
6. The development of the smaller site would not fall within a site specific allocation, although there are no policy designations or physical constraints that would render the site inappropriate for development. The surrounding area is mostly commercial in character although, residential premises are close by beyond this and the allocation of the adjacent Morrison's site for residential uses further justifies a residential transition within this area. The close proximity to Queensbury Station of the smaller site (less than 100m) creates a particularly good opportunity to establish residential uses in this location, in line with the London Plan approach for seeking residential opportunities in close proximity to transport hubs. Nonetheless, the acceptability of the development will be subject to consideration of other material planning matters, particularly in view of the commercial nature of surrounding uses and the proximity of the railway.
7. The development will not remove any designated open spaces and it is not considered that any of the areas proposed for development provide high quality open spaces in a practical sense. Whilst the small tract of land for development at the Cumberland Road/Westmoreland Road junction was, until recently, formed of grass, the relatively small size and unusual shape of the plot, as well as the enclosure of the land by railway or roads on all sides results in a poor quality environment which would not strongly warrant protection of the open space from development.
8. The principle of development of both for residential use is supported. The application will deliver 194 new homes, optimising the use of the land contributing towards housing delivery within the Borough.

Design and Appearance

Setting and Massing

9. The development is to be formed of three buildings with flat roofs. The largest would be a U-shaped building at the southern side of the site, fronting Westmoreland Road to both the south and east. A smaller rectangular block would sit to the north of this block, with these two buildings being separated by the pedestrian/vehicle access to the site. Finally, a roughly teardrop shaped building would sit on the separate smaller site at the junction of Westmoreland Road and Cumberland Road. Respectively, these buildings' massings would be:
 - U-shaped building: part 5, part 6 and part 7 storeys with the 7 storey massing set in from the building edges and focussed on the eastern and northern elevations
 - Rectangular building: 5 storeys
 - Teardrop building: 4 storeys
10. A key issue with the development is the suitability of the proposed heights of the buildings given that the location is in a low rise (mostly 2 storeys), peripheral district of Brent with a suburban character. However, an obvious local height precedent is the Alpine House development to the south-west.
11. Alpine House is a development fronting Honeypot Lane (the nearest major thoroughfare) and is comprised of residential blocks of four storeys with a set in fifth storey. The site also formed a site specific allocation within the Brent's 2011 SSA document. The development fits comfortably within the suburban setting and benefits from its adjacency to a commercial area to the north, appearing as a transitional development between that area and the residential context to the south. In comparison, the proposed development at Morrison's would see a mixture of heights proposed, which, in some instances, would be higher than those established at Alpine House.
12. Whilst it is acknowledged that the building fronts only side roads (unlike its neighbour Alpine House), it also noted that the additional storey is unlikely to make a significant difference to the perception of the building in its context from ground level. The development will not be visually prominent from the main road (Honeypot Lane) as it will be mostly visually buffered from view by the Morrison's supermarket building. The greatest massing (7 storeys) is to be limited to the eastern and northern sections of the U-shaped building, which are also the parts of the building that would be most buffered from view by Morrison's superstore as seen from Honeypot Lane. On balance, your officers consider that the proposed massing is acceptable in view of the surrounding context.
13. The teardrop shaped building is to be located close to commercial buildings with flat roofs within the industrial site to the north and these form the immediate context for this building. The closest neighbour (on the opposite side of Cumberland Road) has a 3 storey height with a flat roof. The proposal for a four storey height is considered to result in a comfortable development given that the plot is within a more prominent visual position as it is surrounded by highways on both sides and is more centrally located on the roundabout.

Architecture and Materiality

14. A simple pallet of materials is proposed which makes reference to both 'New London Vernacular' and the local material palette. The buildings are to be formed mostly of a yellow buff brick, with a secondary grey coloured brick being used to define the ground floor elevations, the set in seventh storey of the U-Shared building and certain vertical elements within the façade. Some additional articulation is to be achieved with textured brickwork banding along parts of the façade with less animation.
15. One of the key visual features of the development will be the balconies, with which all flats are equipped and which are stacked in strong vertical arrangements along the facades. The balconies are defined by dark metal railings and rockpanel cladding plinths between the balconies within each stack. Some of the balcony stacks are formed of inset balconies whilst others are projecting. This helps to bring some additional interest and variation into the building forms.
16. The ground floor will be formed of largely active frontages, although in places entrances to bicycle and bin stores from the street will be designed with grey louvred doors. The main residential entrances to the cores are to be fronted with gold coloured canopies which will enable them to work as effective wayfinding features for building users.
17. The overall design and materiality of the building is considered to be positive and will provide a simple but

pleasing uniform appearance to the three buildings. The predominant use of brick will help to foster a residential character. Specific material samples to be used should be reviewed by officers to ensure they will provide for a high quality finish and this will be required by condition.

Layout of larger site

18. The site is to be accessed from the south side of Westmoreland Road through a newly formed crossover. The entrance will be between the U-shaped building (to the south) and the rectangular building (to the north) and will allow vehicles to drive into the site and then to turn left into the ground floor car park within the U-shaped building. The driveway into the site will include outdoor disabled parking spaces as well as pedestrian accesses which run alongside both of the buildings bounding the entranceway.
19. The gap between the two buildings is formed of the vehicular/pedestrian entranceway on the eastern side of the site and a landscaped garden on the western side of the site. The main residential entrances to the two buildings are also located in this space, which includes direct street entrances to ground floor flats, entrances to bin stores and entrances to the core of the rectangular block and one of the cores of the U-Shaped block.
20. Building entrances are also to be provided along the Westmoreland Road frontage, mainly comprised of individual flat entrances, and some sections of more inactive plant/bin/bike store rooms. There are three additional cores within the U-Shaped building and these are all accessed from different points along Westmoreland Road respectively. A landscaped garden, accessed from the northern edge of the site from Westmoreland Road is provided as a green buffer between the rectangular building and the remainder of the Morrison's car park site. This garden also provides access to flats along the northern side of this building. The street entrances are to include narrow landscaped front garden areas to provide a privacy buffer for residents of the ground floor flats from passers-by along Westmoreland Road. This will also improve the visual appearance of the development. There will be some instances of inactive frontage along Westmoreland Road where bin storage/bike storage and plant line the edges of the building, however these spaces do appear to have been reasonably minimised and the general approach to equipping all ground floor flats with a street entrance will likely result in the establishment of a street with a good level of pedestrian activity and a residential feel and will offer a significant improvement to what is currently a poor pedestrian environment. In line with the GLA comments on the inactive frontage along the southern edge of site 1 to Morrison's car park and superstore, a lighting strategy will be conditioned for lighting along route to the south of larger site. - **CONDITION LIGHTING**
21. Each floor of the rectangular building contains 8 flats and sees a similar layout stacked up the building. Ground floor flats can be accessed from both the central residential core or from external entrances around the edge of the building whilst the upper floor flats are all accessed from the central residential core. The roof of the building (atop the fifth floor) is to be occupied by a PV panel array, which assists in carbon savings.
22. The ground floor of the U-Shaped building is substantially occupied by a car parking area, with a mixture of plant, bin/bike stores and residential units/core entrances around the edges of the car park, all fronting and access from the street or the communal access road into the site. Residential cores and the bike stores can be accessed both from the street and from the car park, easing movement throughout the site. Residential units positioned adjacent to residential cores are also provided with a secondary means of access directly from the core. The first floor of the U-Shaped building is to provide a central podium landscaped garden atop the car park, surrounded by residential units. The first floor flats would have private terraced spaces (in addition to the outward facing balconies) that immediately border onto the podium garden, with appropriate defensible planting for privacy.
23. The flats within the U-Shaped are accessed from four separate cores, with each core providing access to between 4 and 7 flats. From second floor and upwards the massing of the building is significantly reduced as the space above the podium garden is left open to enable light and outlook to the garden and the residential windows overlooking the garden. The same four core arrangement is seen from floors 1 to 4, a small reduction in massing is seen at fifth floor level, at the south-western part of the building. The roof of the reduced massing forms a green roof at fifth floor level, which is also the floor at which point the south-westernmost core terminates. The sixth (top) floor is set in from the edge of the building and only contains three cores. The parts of the roof of the floors below that are now uncovered as a result of the reduction in massing are used as balcony space for the flats on the eastern and northern part of the building whilst the larger roof space left open on the southern side of the building is to be used as a 500sqm green roof, accessed from core D. Finally, an additional array of PV panels is proposed atop the sixth floor of the recessed part of the building.

Layout of site containing teardrop building

24. The teardrop site is not proposed with any vehicular access and will have a main pedestrian entrance accessed centrally from the north side of the junction of Westmoreland Road and Cumberland Road. There will also be three separate entrances to the building from Cumberland Road which will enable dedicated street access to three of the four residential units proposed at ground floor level within this site. The dedicated residential entrances will be equipped with larger and deeper front garden spaces than the main site, which will enable increased privacy and separation from the road, which would be appropriate given the higher footfall and busier environment in this location close to Queensbury Station. The development would again activate a street frontage which has been inactive for a long period of time and introduce natural surveillance and a residential character to this area.
25. The site width tapers in significantly towards the south and the building's main communal amenity space is to be provided in this location at ground floor level.
26. The ground floor contains a cycle store and bin stores centrally, fronting the road for ease of collection. This, like with the other site, forms the only extent of inactive frontage with the remainder of the façade being activated through the placement of residential windows and doors. Above ground floor level, the building is solely comprised of residential flats, with 5 flats per core per floor being provided. The roof of the building is to be used for a PV panel array in achieving the building's carbon savings.

Density

27. The assessment of any development must acknowledge the NPPF and the London Plan, which encourage greater flexibility in the application of policies to promote higher densities. Policy 3.4 of the London Plan encourages the development of land to optimise housing potential but recognises this must be appropriate for the location taking into account local context, character, design and public transport capacity.
28. The application proposes a density of 278 units/ha and 791 habitable rooms/ha. This is within the acceptable range for development in an urban context having a PTAL ranging from 3-4, as set out within Table 3.2 of the London Plan. The density of the scheme is therefore supported.
29. Notwithstanding the above, consideration must also be given to the design and quality of accommodation to be provided, the siting and scale of the development, its relationship to site boundaries and adjoining properties, the level and quality of amenity space to support the development, and any highways matters. These are considered below.

Residential Provisions

Unit Mix

30. The scheme will deliver a mixture of unit types and sizes. The unit mix of the development is set out in the table below:

Units	Private	%	Intermediate	%	Af Rent	%	Total	%
1 bed	61	45	5	25	10	26	76	39
2 bed	49	36	11	55	15	38	75	39
3 bed	25	19	4	20	14	36	43	22
Total	135		20		39		194	

Habitable Rooms	Number	Affordable Rented	%	Intermediate	%	Total %
Total	2032	526	25.8	186	9.15	34.95

31. Policy CP2 of Brent's Core Strategy 2010 seeks for 25% of permanent units to be family sized (three bedrooms or more). The proposal achieves 22% family sized units, which is close to the policy target and is therefore welcomed. This has increased from 20% at pre-app stage and the improvement is welcomed. Many major developments in the borough have been supported, on balance, with lower proportions of family house, however in many instances these are developments in denser town centre locations such as Wembley Park and Alperton. Given the location of this major development outside of a town centre and within a broadly suburban area, the 22% proposal for family housing is considered to be

a good response to the local context, although the shortfall from the CP2 standard is acknowledged. Furthermore, it should be noted that 14 of the three bedroom units will be for affordable rent (accounting for 35.9% of the affordable rent units) and 4 of the three bedroom units will be for shared ownership (accounting for 20% of the shared ownership units). The three bedroom units are focused within the affordable housing provision, and therefore reflective of the higher demand for family sized units.

32. Overall, the provision of the family housing development is welcomed in this location, and meets the objectives of policy CP2 of Brent's Core Strategy 2010.

Affordable Housing

33. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough should be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.
34. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
35. The proposal is to provide 35% affordable housing as measured by habitable room and 30% affordable housing as measured by unit. The affordable housing is to be split into two tenures: affordable rented and an intermediate tenure of shared ownership, with the ratio between Affordable Rent and Intermediate being 66:34 when measured by unit or 74:26 when measured by habitable room. This offer accords with the required policy tenure split.
36. The affordable rented tenure is to be contained within the smaller rectangular building at the Morrisons site whilst the intermediate tenure is to be contained within the teardrop building in the smaller site. With the exception of one flat (flat 43) in Core B of the U-Shaped building, the remainder of this building will form private tenure accommodation and will not form part of the affordable accommodation offer.
37. The approach of splitting the three proposed tenures across different buildings is logical and such self-containment (particularly of the affordable rented tenure) is understood to routinely be expected by registered providers as it makes for simpler management arrangements and allows them to control service charge levels. Brent's SPG17/Draft SPD1 policy seeks to ensure that all residential entrances, regardless of the tenures they serve, appear equally prominent and of a similar design quality so as to avoid the creation of perceived 'poor doors'. The elevation plans confirm that all of the residential core entrances will be provided with equally prominent gold canopies and similar sized entrance openings, which accords with guidance.
38. The current provision of 30% affordable housing by unit has been subject to a thorough negotiation between the Council's financial viability consultants (BNP Paribas) and the applicants. Following negotiation it has been agreed between both parties that the current affordable housing offer represents the maximum reasonable amount that can be achieved whilst retaining development viability, on the basis of nil grant funding from the Mayor of London. Given the affordable housing proposals fall below the Local Plan 50% target and the inherent uncertainty attached to financial viability assessments at application stage, this is subject to a post implementation review mechanism that will reassess scheme viability and actual values and costs, to be secured within the Section 106 Agreement.

Amenity

Privacy and Outlook

39. The impact on neighbours is a significant consideration, and policy DMP1 seeks to ensure that this is acceptable. The context of the site is largely non-residential uses to the west and south. To the northeast are residential properties are the low-level houses along Winchester Avenue. However, these are separated from the site by the adjacent train line which is characterised by a steep, raised bank. Given the relatively low heights of the proposal it is considered that the train line will largely screen the proposal from these neighbouring properties. Notwithstanding that the separation between the proposal and these

properties is approximately 74m which is considered sufficient to mitigate any potential loss of privacy or overlooking. To the South East lies Cypress Court which is site 31m away. As above, this distance is considered to be sufficient to mitigate any loss of privacy resulting from the proposal.

40. With regards to site 1, the two blocks would be separated by a distance of 20.7m between the facing flank walls of the two blocks. This would be in line with guidance in SPG17 and SPD1 and would be acceptable in this regard. The smaller block (Block 2) would be designed to have all balconies and external windows facing onto the street and public spaces. There would be no overlooking between the different units and there are no privacy concerns in this regard.
41. The larger block (Block 1) would form a perimeter around the central courtyard. The two main wings of the building would be separated by a distance of 28.21m which would alleviate any concerns regarding overlooking between these properties. It is acknowledged that the units in the central wing would feature less separation and therefore less privacy than the units on the sides. However, in the context of an urban environment where residential buildings are in close proximity, this is considered to be an acceptable environment.
42. Site 1 is bounded by public highway to the east and south and by the Morrisons site to the north and west. The western elevation of the U-shaped building faces the Morrisons superstore building at a distance from the boundary as short as about 1.5m in places. This falls below the draft SPD1/SPG17 guidance of 9m between sites to enable suitable outlook. The applicants are in the process of redesigning sole habitable room windows in this elevation to project out from the facade. This will enable the windows to provide side outlook towards the north and south to the rooms. The secondary windows along this elevation (i.e. those which do not serve habitable rooms or are only secondary sources of light/outlook to habitable room) are to be obscure glazed by condition. These plan changes will ensure that the neighbouring Morrisons site is not prejudiced in the event that it comes forward for redevelopment in the future.
43. The units on Site 2 have been designed and laid out in such a way that there would be no direct overlooking between the windows of the units and the private balconies.
44. Overall the proposal would therefore comply with the aims and objectives of SPG17 and the draft SPD1 and would be acceptable in this regard.

Daylight and Sunlight

45. The applicant has submitted a Daylight, Sunlight and Overshadowing Report. The analysis indicated that there will not be a significant impact on surrounding properties as a result of the development.
46. A total of 6 windows from the closest residential building (Cypress Court) surrounding the site were highlighted as being potentially affected by the development. The first test carried out assessed the Vertical Sky Component (VSC) from each affected window. The VSC analysis, in broad terms, identifies how much of the sky is visible at present and how much of the sky would be visible with the new development being present. This is expressed in percentage terms. The tests are taken from the centre of windows tested. The BRE guidance considers windows whose VSC value remains above 27% to retain good levels of daylight.
47. The analysis shows that all windows tested passed the VSC test of 27% or were unaffected by the proposal. It should be noted that Cypress Court is located to the south east of the application site (so they do not directly overlook one another) and predominantly faces onto the Morrisons Superstore. Further there is a significant separation between the buildings with the presence of Westmoreland Road. As such the proposal would not result in any undue impact in terms of loss of light or overshadowing.

Quality of Accommodation

Daylight

48. An Average Daylight Factor (ADF) test has been carried out for the new dwellings which identifies that all of the impacted rooms would pass relevant BRE standards for good average daylight levels throughout the year and so would be only marginally affected by the development.
49. An Annual Probable Sunlight Hours (APSH) test has also been carried out on 151 south facing windows. BRE guidelines suggest that windows should achieve at least 25% with at least 5% during winter months.

The analysis shows that 77% would achieve at least 25% APSH with at least 5% during winter months.

50. This standard is considered to be of a good quality and it is acknowledged that where windows do not meet the 25% recommendation, this is largely due to the provision of private balconies. As such the daylight levels of the proposal are considered to be acceptable.

51. BRE guidance recommends that at least half of amenity space within a development receives at least two hours of sunlight on the 21st of March. The analysis shows that 94% of Amenity Space in Block 1 would achieve this and 96% of Block 2.

52. This would far exceed the BRE guidance and is welcomed.

Layout and Outlook

53. The proposed units are considered to be of a high quality.

Units per floor/core

Core	GF	1F	2F	3F	4F	5F
A	7	8	8	8	8	N/A
B	4	4	4	4	4	4
C	7	7	7	7	7	7
D	1	5	6	6	6	6
E	N/A	7	7	7	7	5
F	4	5	5	5	N/A	N/A

54. As demonstrated by the above table, all cores would be served by no more than 8 units per floor. This would be in accordance with the maximum allowed by the Mayor's Housing SPG.

55. 122 of the 194 proposed unit would be dual aspect which represents 62% of properties. This is considered to be an acceptable amount within this form of development. Some of the dual aspects within flats are achieved through placement of units on corners whilst others are achieved through cross-ventilation layouts (front and back outlook) which together offer a good range and quality of unit types. Those properties that are single aspect would mostly be facing northwest or northeast with some southeast facing units. However none of these units face direct south or north and so on balance there would not be any concerns regarding undue lack of light or overheating issues. Whilst it is noted that the GLA have suggested that the ground floor units are duplex to increase the number of dual aspect units, this would result in an overall reduction in the number of units within the scheme which could have an impact on scheme viability. Furthermore, the scheme as submitted to considered to provide all units with good levels of outlook, and as such, the provision of duplex units is not considered a reasonable requirement. In conclusion, the outlook provided to all units and habitable rooms is considered to be acceptable.

56. All of the proposed units meet or exceed the minimum space standards required by The London Plan and the minimum room sizes required by the Technical Housing Standards.

Accessibility

57. The development has been designed so as to be step-free with level access from the external environment for residents and visitors through clearly visible and identifiable entrances from the public realm. Level access is also achieved from the car park through the lifts of all cores.

58. 20 of the 194 flats have been designed with the appropriate circulation space to enable use by wheelchair users. This is in line with policy 3.8 of the London Plan which seeks 10% of homes in major developments being adaptable for use by disabled residents. The adaptable units comprise 14 x 2 bed units, and 6 x 1 bed units. The units would be spread across Blocks A and C on Site 1. The adaptable rooms are located close to the lift lobbies to maximise accessibility.

59. A condition will secure the 10% adaptability requirements to ensure that the 20 proposed units adaptable for disabled people are built with the appropriate measures.

Amenity Space and Play Space

60. Private balconies are provided for all flats ranging from 5sqm-16sqm depending on the size of the flat. In addition 3 of the units on the 6th floor would feature private terraces of 22.2sqm and 34.2sqm respectively. All of the balconies would be reasonably sized, achieve a minimum depth of 1.5m and would comply with the London Plan. As noted previously the submitted analysis shows that 94% of Amenity Space in Block 1 and 96% of Block 2 would receive at least 2 hours of direct sunlight and would far exceed the BRE guidance.
61. The total private amenity space for the development would be 1845sqm. The proposal would provide 1545sqm of shared amenity space at site 1 and 300sqm of shared amenity space at site 2. The site 1 communal amenity space is provided in three separate areas: the linear garden area north of the rectangular building, the landscaped area adjacent to the main vehicular access between the two main blocks and within the podium garden at first floor level within the main U-Shaped building. At site 2, the amenity space would be provided in the side/rear garden space at ground floor level. Therefore the resultant amenity space per unit would be 18sqm per flat across the whole development. This would fall short of the 20sqm sought by Brent guidance and policies. It is noted that a large green roof (at level 6 of the U-Shaped building) and smaller green roof (at level 5 of the U-Shaped building) are featured as part of the development which could have potentially been used as additional amenity space. However, the applicant has stated in their design and access statement that such a solution raised problems involving construction costs and accessibility issues (the spaces are only accessible from one core) and was considered inappropriate for this scheme. It is noted that a large public park (Queensbury Park) is located approximately 350m (5 minutes' walk) away from the site. Given all of the above, it is considered that the shortfall of amenity space would be acceptable on balance, particularly in view that the communal amenity spaces are well spaced around the development and would enable all flats access to a suitably large amenity space.
62. The proposal would provide 725sqm of playspace for 0-11 year olds. This would exceed the 612.7sqm of playspace required by the GLA's child yield calculator and is welcomed. It is acknowledged that dedicated playspace for children aged 12+ has not been provided. However, as noted above Queensbury Park is sited within a 5 minute walk and features appropriate equipment. Whilst it is noted that the GLA have requested that consideration is given to securing an off site contribution to update off-site play areas, your officers are of the view that the amenity and play space provisions are close to meeting Brent/GLA guidance and it is not considered reasonable to require an off-site contribution when adequate park facilities are already close by to the development. In conclusion, your officers consider that the playspace arrangements are appropriate and acceptable.

Transport

Loss of Morrisons Car Park

63. The proposal will result in the loss of 160 car parking spaces for Morrisons reducing the total number to 405. The submitted Transport Assessment includes the results of car parking accumulation surveys which were carried out on both a weekday (Friday) and a Saturday. It should be noted that there is a mistake in the summary of the car parking accumulation as the graphs don't correspond to the text, it is suspected that the graphs for weekday and weekend accumulation have been mixed up. Notwithstanding this, the submitted car parking accumulation surveys indicate that the proposed parking capacity (405) would be exceeded at times on both weekdays and Saturdays. It is understood that Morrisons have sold the plot of the land which is subject to this application and so their involvement with the application would be as a consultee rather than as a partner of the development.
64. The applicants have been in contact with Morrisons, who confirm that car parking controls are in operation via an ANPR (automatic number plate recognition) system and that any customer or resident who stays longer than 2 hours would receive a PCN (parking contravention notice). The applicants are carrying out an additional parking survey of the car park and surrounding streets in an attempt to capture any change in local parking patterns, as a new local CPZ has been introduced since the previous parking surveys were undertaken.
65. Notwithstanding the results of the surveys as discussed above, given that the site falls within a residential allocation and that the current car park size is far in exceedance of the current maximum Local Plan parking standards and that the development will be delivering improvements that will increase the attractiveness of walking and cycling as transport methods, your officers would consider that the proposal is unlikely to be of material detriment to local highway conditions. It is also emphasised the site, as of recently, sits centrally within a controlled parking zone which makes overspill parking in the local

area highly impractical for visitors to Morrisons and/or the development and would encourage the use of more sustainable transport methods.

66. It is also considered that the existing pedestrian routes to Morrisons are not particularly pedestrian friendly with the route from the Queensbury station convoluted and the provision of informal crossings at the roundabout junction of Westmoreland Road and Cumberland Road. Furthermore, an informal path has been created from the junction of Cumberland Road with Honeypot Lane, which is further evidence that the pedestrian routes to the supermarket are not as good as they could be. Improvements to pedestrian routes to Morrisons would help with mode shift.

Car Parking and Access

67. With regards to the parking for the proposed development 60 spaces will be provided for the 194 flats and these will all be located within the demise of site one, with no car parking proposed for site two. Out of the 60 spaces proposed, 20 will be for blue badge parking. The blue badge parking represents a 0.1 (10%) parking level which accords with London Plan standards. The TA makes references to the parking level being 0.60 whereas this level is in fact 0.31. The level of 0.31 is acceptable to highways subject to suitable mitigation to establish a modal shift away from car use. It should also be noted that the site lies within a CPZ and a 'permit-free' agreement would be required for the development which prevents all residents except for blue badge holders of obtaining parking permits. This will be secured within the Section 106 Agreement and will include a requirement for the owner to notify all residents that they will not be entitled to on-street parking permits.
68. It is noted that an objection has been received from the London Borough of Harrow who has objected on the grounds that the proposal is likely to result in a negative highways impact due to loss of parking at the Morrisons supermarket and insufficient parking for the development. They have advised that if Brent is minded to grant consent that a contribution of £30,000 from the developer towards the introduction of a controlled parking zone for affected roads in Harrow, is secured. In response to this objection, Brent highways officers would highlight that the nearest residential streets within LBH are more than 200m from the development site. At this distance, it is very unlikely that overspill parking related to this development would result in car users parking within the London Borough of Harrow. Brent officers therefore consider that there are no reasonable grounds for a controlled parking zone to be introduced to streets within the London Borough of Harrow as a result of this development and that no contribution is necessary.
69. TfL have recommended that Brent implement night time parking restrictions on Westmoreland Road to combat residents parking on street and parking of large vehicles at nighttime along the road. In response, your officers in Transportation have advised that this is not necessary. Any informal HGV parking that may occur currently is likely to be reduced once a residential character has been established on the street and natural surveillance of the street would likely deter such activities.
70. Conditions will be secured for Electric Vehicle Charging Parking provision in line with London Plan requirements and a car parking management plan.
71. A car club vehicle will be available, parked parallel to the carriageway in the internal forecourt of the site. It would be recommended the car club vehicle is made available to members of the public which will form part of the travel plan obligations.
72. The proposed vehicle entrance to the site is located where there is currently a bus stand which is used by the 288 bus. Discussions with TfL have taken place to agree a relocation of this bus stand further to the north along this side of Westmoreland Road and this arrangement has been agreed. Such details will be secured within the Section 106 Agreement.
73. The servicing arrangements for site one have been demonstrated in Appendix 9 of the Transport Assessment. The proposal is for refuse vehicles to reverse into the site in order to collect from Cores A and B which, with the inclusion of disabled bays would mean that from the entrance to the Core A refuse store to the pick-up location on the internal carriageway, would be approximately 10m and so at the limit as to what would be acceptable. It is assumed that for Cores C, D and E there would be kerbside loading.
74. With regards to site two, it is proposed to reconfigure the existing highway layout so that refuse vehicles could use this and be within the maximum distance from bin stores. It is accepted that a reconfiguration would be a sensible approach, however, it is not considered that the proposed reconfiguration makes optimal use of the existing highway. Transport consider that the bell mouth of Westmoreland Road is too

wide and that there is no need for a two lane exit here. A reconfiguration of the existing highway which creates an enhanced pedestrian environment that could also incorporate a loading bay along Westmoreland Road would be the preferred option, this may also have the benefit of providing better operational routing for the refuse vehicles. These works will form part of the S278 agreement.

75. It is recommended that the service and delivery plan submitted with the application is conditioned to any forthcoming consent.

Trip Generation

76. The predicted trip generation for car drivers appears to be on the low side of what would be expected with a trip rate 0.073 for am peak departures resulting in 14 trips, compared to a trip rate of 0.245 for public transport users in the same period. Notwithstanding this even if the figures were based on the census data of journey to work by car for the Queensbury Ward which are 36%. This would still result in 32 departures for the peak period and this figure would not be expected to have a significant impact on the highway network. Furthermore, the submitted predicted trip rate would be acceptable to use for travel plan target setting.

77. It is noted that TfL have requested a review the highway impact assessment at the junction of Cumberland Road and Westmoreland Road. Your officers in highways have advised that given the low-car proposal, it is not considered that it is likely for substantial uplift in vehicular trips. As such, modifications to this junction are not considered necessary.

Pedestrian Environment

78. A 2m wide footway along the southern side of Westmoreland Road is proposed which will eventually be adopted by the highway authority. This meets minimum footway width standards and is welcomed. Ideally, the footway would continue northwards along the boundary beyond the limits of the site ownership, however given that the private land alongside here is not within the applicant's ownership, it would not be reasonable or deliverable to require this.

79. The applicants also propose to improve the immediate pedestrian environment by providing a crossing facility upon a raised table immediately outside of the development's main entrance, forming a strong pedestrian desire line towards Queensbury station. Furthermore, at present, the entranceway to the existing Morrisons servicing yard at the south-western corner of the site is 15m wide and can be intimidating for pedestrians. The applicants proposed to delineate a crossing point with studs so as to emphasise an pedestrian priority route, which will also be secured within the S278 agreement.

80. The footway widths within the development itself are between 1.2m and 2.0m which is considered appropriate on balance.

81. Straight one way roads create a tendency for vehicles to speed and submitted Transport Assessment includes the results of an Automatic Traffic Count survey found that the 85th percentile speed of Westmoreland road is 31.3mph. Transport would require some traffic calming measures to be implemented along the road and would recommend reducing the speed limit to 20mph. The applicants have accepted this requirement and a 20mph zone will be formed through the addition of signage and a raised table (as mentioned above), with all works to be secured within a S278 agreement.

82. Furthermore, it would be recommended that a pedestrian route from Morrisons to Queensbury station be located on the eastern side of the Morrisons access road as this would create fewer conflict points between pedestrians and motorists, however given that there is no footway on the east side of Westmoreland Road in this location, this cannot feasibly be achieved at this time and may be pursued by highways officers in the future.

83. It is noted that TfL have requested a PERS to identify local walking improvement needs. Your officers in transportation have advised that a PERS is not required as the shortcomings in the local pedestrian environment are readily apparent and that a robust schedule of highway improvements are to be secured within the Section 106 Agreement.

Cycle Parking and Environment

84. With regards to cycle parking, various internal stores are provided within the cores at ground floor level. The cycle parking is spaced in accordance with minimum TfL standards. Some of the spaces achieve a

greater separation for larger bikes in accordance with LCDS guidance and recommendations from TfL guidance. Some of the cycle parking has been adjusted so that it is more convenient for use by residents. There will be provision of 312 cycle parking spaces, which accords with minimum London Plan standards for a development of this size. It is noted that TfL have requested cycle parking provision to be in line with draft London Plan, and that provision for retail cycle parking is provided. However, your officers do not consider that the draft London Plan standards represent appropriate targets given that the draft status is still at an early stage. The cycle parking has been secured in accordance with the current London Plan standards. Furthermore, your officers do not consider it appropriate for retail cycle parking to be provided as retail uses do not form part of the proposal.

85. 6 visitor cycle parking spaces are proposed which is 1 more than the minimum requirements, however, they are all located outside Core A and would therefore be some distance to the other cores (200m to block F 140m to Block E and 100m to block D). There is some concern that the location of these may make them attractive for use by residents, Furthermore the visitor cycle parking is located much closer than the long stay cycle parking for Core A and it is likely that they would be taken up by these residents. The applicants have established another cycle store closer to the entrance to Core A which would likely deter use of the visitor spaces by non-visitors.
86. In order to aid the permeability of cyclists it is recommended that a contraflow cycle facility be implemented along Westmoreland Road on the eastern side of the carriageway, delineated by road markings. The applicants have agreed to this improvement and this will strongly benefit the attractiveness of cycling for residents. Without the contraflow cycle lane, cyclists travelling to the development from Queensbury Station would need to cycle along Honeyput Lane and then enter the southern end of Westmoreland road, as a result of the current one way system. This would strongly detract from the viability of cycling between local public transport links and the development and would be a significant benefit of the proposal. The works to establish a contraflow cycle lane along Westmoreland Road would be delivered through the S278 agreement.
87. It is noted that TfL have requested a Cycling Level of Service (CLOS) Assessment to identify local cycle improvement needs. Your officers in transportation have advised that a CLOS is not required as the shortcomings in the local cycle environment are readily apparent and that a robust schedule of highway improvements are to be secured within the Section 106 Agreement.

Travel Plan

88. A Travel Plan has been submitted with the application, it is not considered to be robust enough for the development. The travel plan mainly proposes providing information to residents on their transport options and this is only one aspect of encouraging behaviour change. It mentions the cycle parking as a measure however, this is at a level at the minimum standards required in terms of quantum and currently substandard in terms of quality. It also mentions the possibility of creating a bicycle user group, this would be a useful measure but more details of it would be required including any funding that would be given to it so that their recommendations could be implemented. The development proposes a car club and further information on the car club provider and associated arrangements would be needed. It would be a requirement for the developer to pay for resident's free membership and subsidised use of the car club for a period of 3 years. Personalised travel planning can also be useful tool to help behaviour change however, the proposed service of simply providing information is not very effective, personalised travel plans work best when the TPC acts as a mentor type figure who assess what barriers people have to behaviour change and looks at ways to overcome these barriers.
89. Contact details for the travel plan co-ordinator would be required, interim details until one is appointed would be acceptable.
90. Targets would need to be TRICS compliant.

Highways Planning obligations

91. Having reviewed the proposals, highways officers would require the following conditions and other planning obligations:
- A car parking management plan (secured by condition)
 - A construction logistics plan (secured by condition)

- An improved travel plan requiring car club subsidisation for residents (secured by S106)
- A 'permit-free' agreement restricting parking permits from being applied for by residents (secured by S106)
- Requirement that a pedestrian route through the site will be kept open for the use of public for a minimum of 364 days per calendar year (secured by condition)
- Requirement that the car club bay is provided prior to occupation and thereafter retained in perpetuity (secured by condition).

Highways Conclusion

92. In conclusion, subject to the planning obligations and conditions as set out above, the proposal is considered acceptable on highway grounds as it will be delivering improvements that will increase the attractiveness of walking and cycling as transport methods (which transport officers consider would be effective in establishing a modal shift away from car use). In turn, your officers consider that the proposal is unlikely to be of material detriment to local highway conditions.

Sustainability

93. The applicant has included an Energy and Sustainability Statement.

94. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 131 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 204 tonnes per annum. This equates to a 35.78% reduction on the minimum building regulations (2013) as required within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through the Section 106 agreement.

95. The details of the energy efficiency improvements are as follows:

Be Lean (total savings from 'be lean': 1 tonne / 1%)

- Use of passive design incorporating solar design measures, with maximisation of shading and minimisation of overheating
- Using building fabric which significantly improves on the thermal performance of a building regulation compliant building.
- The use of mechanical ventilation with a continuous mechanical extract.
- Use of a communal heat distribution network between cores in the larger Morrisons site
- Use of energy efficient individual gas boilers for flats at the smaller site
- The use of 100% energy efficient lighting
- The use of smart metering to enable more efficient energy consumption

Be Clean (total savings from 'be clean': 58 tonnes / 29%)

- The use of a natural gas Combined Heat and Power unit (CHP) to supply circa 70% of the total heat demand of the development (for the larger site), located on the ground floor in the plant room next to core C.
- Individual condensing combination boilers for all dwellings in the smaller site.
- Air Quality Neutral approach to development.
- Intent to connect to future district heat network if and when available.

Be Green (total savings from 'be green': 14 tonnes / 5%)

- Review of wind turbines, photovoltaics, solar thermal energy, heat pumps and biomass heating technologies.
- Considered that these technologies are not appropriate in the context of this development.
- Photovoltaics are to be implemented across the roofs of all three buildings within the development.

96. The GLA has reviewed the energy and sustainability aspects of the proposal. They consider that further consideration of overheating is needed in achieving on-site savings and that a commitment to connect to a future heating network should be made. In addition, they consider that a CHP is unlikely to be suitable

in practice given the scale of development and advise the developer to consider alternative tech for low carbon heat provision. These aspects will need to be addressed by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.

Environmental Health

Air Quality

97. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted.
98. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development and impacts incurred by emissions from the operation of the CHP and boiler plant. The report confirms that impacts are 'not significant' in respect of construction phase emissions, 'slight' in respect of operational NO₂ emissions at one receptor and 'negligible' in all other aspects.
99. The overall impact on local air quality is concluded to be 'not significant', in accordance with GLA methodology and Institute of Air Quality Management (IAQM) guidance.
100. The report does not confirm that the GLA requirement for all major developments within London to be air quality neutral has been met, and a condition will be required in this regard to ensure that this is considered.
101. In reviewing the application, Brent's regulatory services team recommend a condition to secure the mitigation measures outlined in the report and to submit a revised version of the report that incorporates an air quality neutral assessment in line with GLA guidance.

Noise and Vibration Impact

102. A noise and vibration impact assessment considering impact from surroundings on the residential units has been submitted as part of the proposal.
103. The report shows that the tested surrounding environment results in a low to medium noise risk for occupants. The findings of the testing necessitates the provision of acoustic design mitigation measures to prevent potential adverse impacts at amenity areas. The report identifies that internal noise level requirements can be achieved with closed windows. Externally, most of the private amenity areas would experience acceptable noise levels, with those overlooking the railway and car park potentially experiencing noise levels slightly above the upper guideline criterion. The main shared amenity spaces in site 1 will experience noise levels below the lower guideline criterion.
104. In terms of vibration, it is concluded that there would be no significant adverse impacts on the health or quality of life of future residents of the proposed development site.
105. The acoustic design measures proposed are as follows:
- Double glazing systems with an enhanced sound reduction index for habitable rooms facing the railway and the Morrison's car park.
 - Acoustic trickle vents or an alternative means of ventilation to allow adequate ventilation in flats without the need to open windows.
106. The report ultimately concludes that planning permission should not be rejected on the grounds of noise and that the measures proposed would improve sound impact to within acceptable levels.
107. Brent's regulatory services agree with the submitted details and a condition will secure these details.

Construction Management

108. The development is within an Air Quality Management Area and located very close to other residential properties. Construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. A construction method statement is therefore required for submission and approval by condition to minimise the impact on local air quality and protect the amenity of neighbours during construction.

Contaminated Land

109. A contaminated land ground investigation report has been submitted. The report draws a number of geotechnical engineering conclusions identifying elevated levels of lead and asbestos within the soils of the site. A remediation strategy will be required to demonstrate a means of remediation of the elevated lead and asbestos levels within the soils.
110. In reviewing the application, Brent's regulatory services do not object to the methodology or recommendations within the report. A condition will therefore require that the recommendations within the ground investigation are adhered to throughout construction and a second condition will require a remediation strategy to be submitted and approved relating to the lead and asbestos levels.

Flooding and Drainage

111. The site falls within flood zone 1 of the Environment Agency's flood designations (the lowest flood risk) in terms of river and tidal flooding. However, parts of the site together with section of Westmoreland Road fall within an area that is liable to surface water flooding. This is also confirmed within the West London Strategic Flood Risk Assessment (SFRA). The applicant has submitted a report addressing flood risks of the development.
112. The document has been reviewed by Brent's Local Lead Flood Authority and it is noted that the existing car park is completely impermeable. The proposed development would provide storage tanks and controlled discharge. The Local Lead Flood Authority considers the approach to be acceptable and in line with London Plan Policy 5.13.
113. It is noted that the GLA have requested a full review of flood risk (including residual risks) from all sources of flooding to be provided. However as discussed below, the site does fall within Flood Zone 1 (low risk of flooding). The Environment Agency have commented on the proposal and confirmed that the site is within Flood Zone 1. They go on to advise that there is a discrepancy identified in their maps, showing the site to be in Flood Zones 2 and 3, however they confirmed that this is not the case, as identified within the submitted Flood Risk Assessment.
114. Thames Water has also reviewed the application and has provided information relating to the requirements for receiving Thames Water consent for discharge. They have also highlighted that the development is within 15m of an underground water asset. This information will be communicated to the applicant by way of informative. Thames Water confirm that they have no objection to the application in terms of surface water or sewerage infrastructure capacity.

Trees and Landscaping

115. The applicant's tree constraints plan indicates that the development will require the loss of about 12 trees located around the edge of the Morrisons site and 1 tree at the smaller site close to the railway embankment. A higher quality English Oak tree and an Ash tree plus a group of mixed broadleaf trees on the railway embankment to the east of the small teardrop site are to be considered for retention. A tree survey indicates that these trees are mostly category C trees and that two of them are category B trees.
116. The applicant's landscaping plan indicates a very comprehensive plan for replacement planting whose amenity value would far outweigh the small number of tree losses otherwise incurred. This includes a substantial amount of tree planting along the street edges of the proposal as well as substantial planting within the site and the amenity spaces of the development, making use of a strong variety of species.
117. Brent's tree and landscaping officers have reviewed the plans and welcome the landscaping proposals and, subject to their implementation, would not object to the existing tree losses. The landscaping proposals are detailed enough that further detail would not be required by condition. Despite mostly positive feedback, Brent's tree officer considers that the tree species *Pyrus Chanticleer* has been overused and that the tree is overly prolific across Brent. A condition will require that a revised landscaping plan that replaces approximately 30% of the *Pyrus Chanticleer* trees with an alternative species with the same habit should be submitted, approved and implemented alongside the rest of the landscaping plan.

Ecology

118. The site is close to a Site in Nature Conservation (SINC) located on alongside the nearby railway line to the north of the site. The application includes an ecology report to consider the potential ecological impacts of this development on the SINC and local ecology.

119. The submitted Ecology Report indicates that some local level habitats have been identified on the site. Where these habitats cannot be protected, new habitat creation is proposed as part of the landscaping within the scheme. The report considers that the SINC would not be adversely affected provided that standard construction safeguards are implemented. Additionally, a number of mitigation and enhancement measures are proposed.

It is therefore considered that the scheme, subject to the above measures, would not result in any unduly harmful impact on the biodiversity in the area. Furthermore, the inclusion of soft landscaping to the area has the potential to benefit the ecology of the area.

Community Involvement

120. The applicants held 2 public exhibitions on the 31st of April 2018 and the 2nd of May 2018. These events were held at Kingsbury Highschool. 2,065 residents were sent invitations to the events and a total of 35 people attended the events over both days. Attendees were able to provide feedback at the events and a Freephone information line and website were also available. The applicants have submitted a Statement of Community Involvement which indicated that low levels of feedback were received. Of that feedback the majority was supportive of the proposal with the remainder non-committal. No objections were received.

Summary

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

CIL DETAILS

This application is liable to pay **£4,224,226.20*** 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): 12856 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	12856		12856	£200.00	£35.15	£3,592,792.86	£631,433.34

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	£3,592,792.86	£631,433.34

*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: 18/2183

To: Mr Halpin
Fairview Estates (Housing) Ltd
50 Lancaster Road
Enfield
Middlesex
EN2 0BY

I refer to your application dated **31/05/2018** proposing the following:

Erection of three buildings at 4, 5, and 7 storeys providing 194 residential units (76 x 1 bed, 75 x 2 bed and 43 x 3 bed), 60 car parking spaces (including disabled parking spaces), private and communal landscaped amenity areas, landscaped podium deck, secure cycle parking, recycling and refuse stores, access improvement and other associated developments

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

at **Car Park North East of Morrisons, Honeypot Lane, NW9 & Vacant Land at the junction of Westmoreland Road, NW9 and Cumberland Road, Stanmore, HA7**

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: 01/10/2018

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 Development Management Policies 2016
Brent Core Strategy 2010
Brent Site Specific Allocations 2011
Brent Supplementary Planning Guide 17 2001
Brent Draft Supplementary Planning Document 1 2017

- 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):

1728-100

1728-200_B

1728-201_

1728-202_

1728-203_

1728-204_

1728-205_

1728-206_

1728-207_

1728-210_

1728-211_

1728-212_

1728-220_B

1728-310_A

1728-311_A

1728-320_A

1728-400_A

1728-401_A

1728-402_A

1728-410_A

1728-411_A

1728-412_A

1728-420_A

1728-510_A

1728-511_A

1728-512_A

FNH428 LS/01

FNH428 LS/02

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

- 3 All windows on the western elevation of flats (looking towards the Morrisons superstore building), above ground floor level, accessed from cores B and E, that are not sole windows to a habitable room, shall be constructed with obscure glazing and shall not have openings below a height of 1.8m measured from the floor level of the rooms which the windows serve. These windows shall be maintained in accordance with the above requirements for the lifetime of the development, unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: Not to prejudice the potential for future developments in the area.

- 4 A revised plan of parking for cars and bicycles shall be submitted to and approved in writing by the Local Planning Authority. The revised plan shall identify parking arrangements in accordance with the following parameters:

- A maximum of 40 standard car parking spaces
- A minimum of 20 disabled car parking spaces which shall provide a 1200mm space on one side of the parking space
- A minimum of 312 cycle parking spaces

The newly approved parking plan, including the car and cycle storage facilities, as well as the approved refuse storage facilities shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

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

- 5 The car club bay identified on the plans hereby approved shall be laid out and made available for use prior to first occupation of the development hereby approved.

The car club bay shall thereafter be maintained to a suitable standard, and shall not be used for parking other than as a car club parking bay unless otherwise agreed in writing by Local Planning Authority.

Reason: To ensure that the development continually provides car club use for residents and other users.

- 6 The development hereby approved should 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’ with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

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

- 7 Prior to first occupation of the development hereby approved, electric vehicle charging points shall be provided and made available for use within at least 20% of the approved car parking spaces within the site. The provision of electric vehicle charging points shall be in accordance

with adopted London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London Plan policy 6.13.

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

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

- 9 A communal television aerial and satellite dish system shall be provided, linking to all residential units within the development unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

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

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

Reason: To safeguard the amenity of the neighbours

- 11 The footways between the two residential blocks on the larger of the two development sites shall remain unobstructed and publically accessible at all times for at least 364 (three hundred and sixty four) days per calendar year, except during discrete temporary periods of footway maintenance.

Reason: To ensure the development improves local pedestrian permeability for the benefit of local residents and visitors.

- 12 All recommendations and enhancement measures contained within the submitted Ecology study (Aspect Ecology - Ecological Appraisal – dated May 2018) shall be adhered to throughout the construction of development.

Reason: To protect and enhance local ecosystems that would otherwise be unduly harmed by the development.

- 13 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Air Quality Assessment (Syntegra – Air Quality Assessment – dated May 2018).

Reason: To appropriately mitigate air quality impact.

- 14 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Flood Risk and Drainage Assessment (MLM Group – Flood Risk Assessment – dated May 2018).

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

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

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 16 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above ground level. 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.

- 17 The development hereby approved shall be carried out in full accordance with the details stipulated in the Noise Impact Assessment (Syntegra Consulting Noise and Vibration assessment dated May 2018 ref 18-3908 Rev A).

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

- 18 Prior to occupation of the development hereby approved, revised details of landscaping shall be submitted to and approved in writing by the Local Planning Authority showing the following:

- Replacement of approximately 30% of the proposed Pyrus Chanticleer trees with alternative tree species of a similar habit

The approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants 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.

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

- 19 Prior to works above ground level commencing, details of boundary treatments between the private garden spaces and the public highway and between the internal private garden spaces and the communal podium garden shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved plans.

Reasons: In the interests of the amenities of the adjoining occupiers.

- 20 Prior to the commencement of works, an Air Quality Neutral Assessment must be undertaken in accordance with guidance published by the Greater London Authority (GLA) and submitted to and approved in writing by the Local Planning Authority. The assessment shall include mitigation proposals should it be found that the development is not air quality neutral. All measures that are identified within the approved assessment shall be implemented within the timeframes set out within the assessment.

Reason: To protect local air quality, in accordance with Brent Policy EP3

- 21 Prior to the commencement of the development, a Construction Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

- 22 Soil contamination remediation measures of the elevated lead and asbestos contaminants within the development site shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use. The remediation works shall be carried out in full prior to first occupation of the development hereby approved.

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

- 23 Prior to the commencement of construction works (excluding demolition and site clearance), details of how the development is 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

- 24 Detailed drawings showing the photovoltaic panel arrays on the roofs of the proposed building shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.

The photovoltaic panel arrays shall be installed in accordance with the approved drawings and made operational prior to occupation of the development hereby approved.

Reason: To ensure that the development minimises its carbon emissions, in accordance with London Plan policy 5.2.

- 25 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not spill onto the nearby railway infrastructure. 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.

- 26 Prior to occupation of the development hereby approved, a car park management and allocation plan shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter operate in accordance with the approved car park management plan.

Reason: To ensure the development provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

- 27 Prior to commencement of the development hereby approved, a construction logistics plan shall

be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved construction logistics plan.

Reason: To ensure construction processes do not unduly prejudice the free and safe flow of local highways.

28 No works shall commence until detailed design and method statements (in consultation with London Underground) for each stage of the development for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- provide details on the use of tall plant/scaffolding
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London Underground land
- demonstrate that there will at no time be any potential security risk to the London Underground railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

INFORMATIVES

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

entirely within the application property.

- 4 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the highway works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 5 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. Such notification shall include photographs showing the condition of highway along the site boundaries.
- 6 Thames Water wishes to advise the applicant that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to Thames Water's website.
- 7 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 9 The Council recommends that the maximum standards for fire safety are achieved within the development.

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

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