



## Planning Committee

**Tuesday 12 March 2019 at 6.00 pm**

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

### Membership:

#### Members

Councillors:

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

#### Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo,  
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

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

**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

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

**Members' briefing will take place at 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 - 13 February 2019		1 - 8
<b>APPLICATIONS FOR DECISION</b>		
3. 18/3111 Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9	Wembley Central	13 - 52
4. 19/0002 709 Harrow Road, Wembley, HA0 2LL	Sudbury	53 - 64
5. 18/4903 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU	Kensal Green	65 - 80
6. 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:            Wednesday 10 April 2019**



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE Wednesday 13 February 2019 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Chappell, Colacicco, Hylton, Maurice and Sangani.

ALSO PRESENT: Councillors Councillor Fleur Donnelly-Jackson.

#### 1. **Declarations of interests**

Willesden Green Garage, St Pauls Avenue NW2 5TG 9Ref. 15/5291)

All members declared that they had received correspondence from Mr Hale, an objector.

Councillor Chappell declared that he had been approached by residents in connection with the application.

All Members re-affirmed that they would consider this and other applications with an open mind.

#### 2. **Minutes of the previous meeting - 16 January 2019**

RESOLVED:-

that the minutes of the previous meeting held on 16 January 2019 be approved as an accurate record of the meeting.

#### 3. **15/5564 Trinity House, Heather Park Drive, HA0 1SU**

PROPOSAL: Demolition of the existing office building Trinity House and to construct 50 residential units (11x 1-bed , 25 x 2-bed 14 x 3-bed ), together with 16 onsite car parking spaces, landscaping and amenity space (amended description).

RECOMMENDATION: To grant planning permission, subject to the completion of a satisfactory Section 106 or other legal agreement to include the obligations set out within the report, 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 Head of Legal Services.

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

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions 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 not that such change(s) could reasonably have led to a different decision having been reached by the Committee.

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

Mr David Glover (Development Management Manger) introduced the report which was deferred from the meeting in October because Members were minded to refuse the application due to concerns including the lack of any affordable housing. Members suggested that additional housing units could be provided in place of the offices and basement parking area. Members heard that the applicant had since reviewed and amended the scheme by removing the basement and office space, increasing the housing units from 47 to 50 with 20% affordable units and 70/30 tenure split and re-providing some parking spaces at ground level. In reference to the supplementary report, he advised Members about an additional objection received since the publication of the report and addressed the issues raised. Mr Glover added that the proposed scheme, as set out in the report, was considered to be acceptable having regard to all relevant planning considerations.

Members welcomed the amendments by the applicant and endorsed the officer's recommendation for approval subject to conditions.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was unanimous).

#### **4. 17/5291 Willesden Green Garage, St Pauls Avenue, NW2 5TG**

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 indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions (and informatives) to secure the matters set out 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 application which was reported to the Planning Committee on 12th September 2018. At that meeting, Members were minded to refuse planning consent and thus the application was deferred to a subsequent meeting to enable planning officers to present a report to address their concerns and points of further clarification. These related to the development's impact upon the living conditions of the adjoining occupiers, impact on views to and the setting of the neighbouring Grade II Listed Building and the character of the area, the servicing arrangements, in particular, deliveries and to the new properties and the resultant impact on highway safety and the amount of affordable housing and family sized units that were proposed.

Members heard that since the deferral, the Agent contacted officers to discuss amendments that could be made to the scheme. Several alternative proposals were been tested, including a design to step the building down on the eastern side near the neighbouring property on St Pauls Avenue and alterations to a section of road to create a servicing bay on the opposite site of St Pauls Avenue. Although these options were considered by the applicant, it has been confirmed that they no longer wish to amend the scheme and would prefer a decision to be made on the application as it was previously presented to the Committee.

Mr Manhertz referenced the supplementary report and added that the issues raised by the additional objector had been addressed within the main report. Although he reiterated officers' recommendation for approval for reasons set out within the report, he drew Members' attention to the set of reasons for refusal should they be so minded.

Mr Peter Hale (objector) felt that the applicant had made no changes to the scheme that Members were minded to refuse when the application was last considered. He stated that the proposed development would be inappropriate in terms of its height, bulk, scale and density and would be out of keeping with its surroundings. Whilst he accepted the principle of development on the site, he felt that the current proposal failed to conform to policy requirements, delivering 18.5% family units (25%) and 18.57% affordable housing with near policy tenure split (50%). Mr Hale continued that the proposal would impact adversely on the

daylight and sunlight to the living rooms including ground floors of Kingsley Court and 75 St Pauls Avenue to the detriment of the occupiers.

Mr Jorge Vasquez (objector) expressed concerns about the proposed development on the following grounds; it failed to enhance the heritage of the area; loss of light, overshadowing and overlooking to neighbouring properties; failure in its relationship with existing properties. Mr Vasquez added that the applicant had failed to engage with the residents throughout the application process and that anti-social behaviour had been observed since the closure of the MOT station on the site.

Ms Micala Fox (supporter) stated that the site, due to its proximity to the underpass, was a source of anti-social behaviour and by its redevelopment, would provide a natural surveillance as well as complement the character of the existing Victorian houses in the area. In her view, the site was of no architectural merit. She welcomed the wider benefits of the scheme which showcased the provision of housing and family size units with wheel chair access and the provision of cycle spaces in an area with a high PTAL rating due to its proximity to Willesden Green underground station and several local buses.

In accordance with the provisions of the Planning Code of Practice, Councillor Fleur Donnelly-Jackson (ward member) stated that she had been approached. Councillor Donnelly-Jackson objected to the application on the grounds that it failed to deliver affordable housing units and that not enough consideration had been given to its impact on lighting. She continued that the proposal constituted an inappropriate development which would be out of keeping with the design and character of the neighbouring properties.

Messrs Joe Copping (applicant), Mark Westcott (agent) and their daylight/sunlight consultant addressed the Committee. Mr Copping informed Members that the scheme had gone through a series of amendments since its inception in 2017 reducing the number of homes to 70 homes including affordable units. He continued that the loss of light impact to 75 and 75A would have been greater had the existing terrace been continued beyond those properties. He added that additional changes suggested were not possible as they would have affected the viability of the scheme which had been robustly tested independently and thus render it undeliverable. In his view, the benefits of the scheme outweighed the concerns expressed or potential harm.

During question time, Members sought clarification on the following matters of concern; the views of the listed building, daylight and sunlight impact, affordable housing units and community engagement.

Mr Mark Westcott acknowledged that whilst there would be a degree of concealment to the views of the Listed Building, the design merits of the proposed development reflected and respected Kingsley Court. He continued that compromises had already been made on affordable housing delivery and that consideration had not been given to increasing affordable housing in the basement as that area would be used for plants, cycle, bin storage and thereby compromise amenity issues. Mr Westcott added that the applicant had held public exhibitions,

circulated leaflets, advertised in the press and incorporated into the scheme suggestions made by residents including drainage and colour tone.

Officers were asked to discuss the issues raised including anti-social behaviour, highways, heritage and affordable housing. Mr Manhertz stated that he was not aware of anti-social issues. Mr John Bowman (Highways Officer) confirmed that as there were projected to be around 2 and 3 van deliveries per day, there would be no significant highways and servicing impact even if the deliveries were at greater intensities than this. Mr Mark Price (Heritage Officer) considered that there would be no significant harm to Kingsley Court. Mr Manhertz added that the viability of the scheme had been robustly tested and that the scheme delivered the maximum reasonable level of affordable housing. Members heard that should permission be granted, officers would require a Legal Agreement to review viability in the future for an uplift to fund affordable housing elsewhere or further affordable units to be incorporated into the development. Secured through a Section 106 legal agreement.

In the ensuing discussions, most Members balanced the benefits and impacts associated with the scheme. All but one member voted against the recommendation to grant planning permission. In accordance with the constitution, members gave individual reasons that they considered that permission should be refused. All members cited the impact of the proposal on the light received by the windows of No. 75 St Pauls Avenue as their primary concern. Individual members also cited other reasons, including the impact on the listed building and local character, and highways impact. Officers advised that, should permission be refused, an additional reason for refusal would need to be attached relating to the absence of a Section 106 legal agreement and associated inability to secure measures to mitigate the impacts of the scheme that would have otherwise been secured through that agreement (as set out in the supplementary report). Following further discussions, members voted to refuse planning permission due to the impact on the windows of No. 75 St Pauls Avenue (Reason 1 as set out in the Supplementary Report) and due to the absence of a legal agreement. Members highlighted that the benefits of the scheme did not outweigh the impacts in this instance.

DECISION: Refused planning permission for reasons set out above.

Voting on the decision to refuse was recorded as follows:

For	Councillors Denselow, Johnson, S Butt, Chappell, Hylton, Maurice and Sangani	(7)
Against:	Councillor Colacicco	(1)

**5. 18/2984 6 & 6A Coombe Road, NW10 0EB**

PROPOSAL: Demolition of the existing buildings and redevelopment of the site comprising the erection of a part three, five and six storey building providing 727 sqm of flexible employment workspace (Use Class B1), 42 self-contained flats (17 x 1bed, 14 x 2bed and 11 x 3bed) with associated car and cycle parking spaces, refuse and recycling stores, amenity space, landscaping and associated development.

RECOMMENDATION: That the Committee resolve 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 indicated above.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out 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 the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) 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.

Ms June Taylor (Principal Planning Officer) introduced the report and answered Members' questions. She outlined the merits of the scheme including delivery of affordable housing, affordable workspace, financial contribution and parking provision. In reference to the supplementary report, Ms Taylor drew Members' attention to points of clarification and the applicant's agent further information on the impact of the development on daylight and sunlight received by nearby windows in Roger Stone Court which were found acceptable.

Ms Mary Duffy (Objector) objected to the application on the grounds that its height would have a detrimental impact on the character of the area consisting mainly of low rise properties and the nearby area. She added that the proposal would not be in keeping with or complement the Conservation Area. Ms Duffy also raised concerns about undue pressure on drainage and inadequate consultation with the neighbouring residents.

Mr Luke Cadman and Mr Alun Evans (applicant and agent respectively) addressed the Committee. They outlined the main benefits of the scheme including 26% family-sized housing with affordable housing provision of 35.7%; appropriate design, scale and appearance to the surrounding context; high residential living standard with private and communal amenity space and on-site parking for 69% of

the residential units. Members heard that adequate separation distances to adjoining sites had been allowed as well as an 8m distance from the River Brent, accessible as part of a public footpath along the riverside

In response to members' questions, Ms Taylor confirmed that 3 neighbour objections were received in response to two consultation exercises each consulting a total of 280 neighbouring properties. The concerns raised had been addressed in the relevant sections of the report. She added that residents of Braemar Avenue were not within the consultation parameters. She continued that the applicant had submitted flood risk assessment and subject to the usual conditions, Thames Water Authority had no objections to the proposal.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation for approval was unanimous).

## **6. Any Other Urgent Business**

None.

The meeting closed at 7.40 pm

COUNCILLOR J. DENSELOW  
Chair

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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](http://www.brent.gov.uk).

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

**Further information**

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

**Public speaking**

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

**Recommendation**

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

12 March, 2019  
03  
18/3111

## SITE INFORMATION

RECEIVED	6 August, 2018
WARD	Wembley Central
PLANNING AREA	
LOCATION	Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9
PROPOSAL	Erection of 2 residential blocks (17 and 19 storeys) connected at ground floor level comprising 256 self-contained apartments, lower ground floor, 166sqm of flexible workspace (Use Class B1) on upper ground floor and roof top amenity, provision for car and cycle parking, refuse and associated communal spaces and hard and soft landscaping. This application is accompanied by an Environmental Statement.
PLAN NO'S	Please see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_141305">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_141305</a></p> <p><b><u>When viewing this as an Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "18/3111" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## 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. 20% affordable housing by unit (22% affordable housing by habitable room) on a nil grant basis broken down as 34 units at London Living Rent levels and 16 units at 80% Discount Market Rent levels (including service charges where applicable and capped at Local Housing Allowance rates), subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
    4. 72 units as Private Rented Sector / Build-to-Rent housing subject to a covenant to retain the homes as such for a period of fifteen years, in addition to a clawback mechanism to secure any difference in the total value of the market rent units and their value on a for sale basis should the covenant be broken
    5. Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and 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
    6. Training and employment
    7. Carbon offset contribution to be paid in two stages, following pre-construction submission of revised Energy Statement and post-completion submission of Energy Statement Review
    8. Travel Plan - submission of a revised Travel Plan that achieves a “pass” rating using TfL’s ATTrBuTE programme and implementation of that plan, including reviews and including promotion of car club membership.
    9. Parking permit restriction to be applied to all new residential units
    10. Financial contribution to Transport for London towards improvement of bus services, to a sum of £399,000 or as otherwise agreed with the applicant.
    11. Financial contribution to off-site play provision for older children, to a sum of £120,000 towards improvements in King Edward VII Park
    12. 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
2. Approved plans
3. Withdrawal of PD rights to convert flats to small HMO
4. Withdrawal of PD rights to convert workspace to other uses
5. Retention of residents lounge and management suite as ancillary
6. Access, parking, refuse storage to be provided prior to occupation
7. Service Management Plan
8. Water consumption
9. Construction Logistics Plan / Construction Environmental Management Plan
10. Site investigation, remediation and verification for contaminated land

11. Future connection to district heating network
12. Details of materials
13. Details of wheelchair accessible and adaptable units
14. Air quality mitigation strategy
15. Detailed landscaping scheme
16. Construction of access road
17. Noise and vibration assessment
18. Details of electric vehicle charging points 9.
19. Car parking management plan
20. Secure by Design 1
21. Restriction of satellite dishes
22. Assessment of plant noise

### Informatives

1. CIL Liability
2. Notify Highways of work starting
3. London Living Wage
4. Fire safety
5. Network Rail requirements
6. Thames Water – working near pipes
7. Thames Water – groundwater discharge
8. Soil quality
9. Protected species legislation
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 the "expiry date" of the planning application the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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

## SITE MAP

	<p><b>Planning Committee Map</b></p> <p>Site address: Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

## PROPOSAL IN DETAIL

The proposal is to redevelop the site to provide 256 homes, comprising 206 private homes (Private Rented Sector and for-sale homes) and 50 Affordable homes (comprising 34 at London Living Rent levels and 16 % at 80% of Market Rent), together with associated external amenity space and a residents' lounge, 166sqm of flexible B1 workspace, 12 parking spaces, 448 cycle storage spaces (plus 4 external spaces) and refuse storage, arranged across two buildings of 17 and 19 stories, which would be linked at ground floor level by an external courtyard.

The mix of new homes is as follows:

	Private	LLR	80% DMR	Total
<b>1-bedroom</b>	98	11	8	<b>117</b>
<b>2-bedroom</b>	88	4	8	<b>100</b>
<b>3-bedroom</b>	20	19	0	<b>39</b>
<b>Total</b>	<b>206</b>	<b>34</b>	<b>16</b>	<b>256</b>

Vehicle access would be provided from Park Lane, using an access approved under reference 15/4550 as part of the redevelopment of Chesterfield House, and twelve disabled parking spaces would be provided to the rear of the building at lower ground floor level. The remainder of the site would be landscaped to include communal amenity space for residents and areas of public realm including a pedestrian route along the south of the site from Chesterfield House. The rear service yard to the properties on High Road would be resurfaced and the existing access running beneath 428 High Road would be retained to provide access to the service yard. The existing pedestrian steps beside 444 High Road would also be retained as an alternative pedestrian access into the site.

## EXISTING

The site includes an area of scrubland, trees and vegetation along the railway embankment to the south of the Chiltern Line railway tracks, together with areas of hardstanding and a rear servicing yard associated with the commercial units at Nos 412-444 High Road, an access road from Park Lane approved as part of the planning application to redevelop the Chesterfield House site (reference 15/4550), and pedestrian and vehicle accesses onto the High Road. The site is approximately rectangular, 100m wide and 50m deep.

The site sits within Wembley Town Centre and the Wembley Growth Area. It forms part of site allocation W4 "Wembley High Road/Chiltern Line Cutting". The northern part of the site forms part of the Grade 1 Site of Importance for Nature Conservation (SNIC) - Chiltern Line together with a Wildlife Corridor. Part of the site also forms part of a Site of Archaeological Importance.

The High Road frontage has a mixed character. The western section consists mainly of a continuous three-storey frontage of commercial units with residential uses above, while the eastern section presents a more disjointed appearance of larger single office buildings of up to seven stories in height, including some permitted development conversions to residential use. The Chesterfield House site on the corner junction of the High Road and Park Lane is currently under development adjacent to the site and in the applicant's ownership, with ground floor and basement commercial and community uses and residential uses above in a part 21 storey part 26 storey building. Park Lane provides access to established residential areas to the north and the King Edward VII Park. The remaining section of railway embankment is bounded to the east by Wembley Hill Road, which leads to the Wembley Stadium Comprehensive Redevelopment Area and Wembley Park Station.

## AMENDMENTS SINCE SUBMISSION

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. An objection has 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.**

**Objections from neighbours:** Despite extensive consultation with neighbouring residents, one objection has been received (in addition to one neutral comment). The concerns raised have been considered in the main body of the report.

**Principle of development:** The site is part of an allocated site and the proposal responds well to the aspirations set out in the site allocation for the regeneration of Wembley High Street, providing new workspace, a new pedestrian route and public realm, in addition to new housing. The proposal will include Private Rented Sector housing, which is supported in principle in this location.

**Affordable housing and housing mix:** The proposal includes 34 housing units at London Living Rent levels and 16 units at 80% Discounted Market Rent. This represents 22% affordable housing at a policy-compliant tenure mix of 68:32 in favour of the more affordable tenure. Whilst the number of 3-bedroom units (39 homes / 15.2 %) does not meet the Core Strategy target of 25%, the proportion of family sized homes must be balanced against scheme viability (and thus Affordable Housing levels). The Wembley Area Action Plan also allows for some flexibility in the case of Private Rented Sector accommodation. A high proportion of 3-bed units will be provided at London Living Rent levels (19 out of 34), and your officers attach considerable weight to delivering genuinely affordable family-sized homes. Your officers are satisfied that the affordable housing proposed represents the maximum reasonable amount that can be provided based on the current viability position, and the applicant has agreed to early stage and late stage review mechanisms to ensure that further affordable housing can be provided as a result of any uplift in value.

**Design, scale and appearance:** The two buildings would be 17 stories and 19 stories high respectively, retaining a subservience to the adjoining development at Chesterfield House and contributing to an undulating skyline. The design of the buildings and the landscaped setting are considered to be of a high quality and to contribute well to the evolving character of this Growth Area.

**Residential living standards:** The 256 residential units would all meet or exceed internal space standards and the majority of units would be dual aspect. All units would have balconies and additional amenity space would be provided in the form of roof terraces, a communal garden including playspace, an internal courtyard and attractively landscaped public realm. A financial contribution towards play provision for older children will be directed towards improvements in King Edward VII Park.

**Impact on neighbouring properties:** Sufficient distances would be retained between the proposed buildings and neighbouring buildings to ensure privacy and prevent overlooking. Although the buildings would not sit within a 30 degree line of neighbouring windows, your officers consider this to be acceptable in densely populated growth areas. A Daylight Sunlight Assessment has been submitted and demonstrates a reasonable to good level of adherence to Building Research Establishment guidelines in terms of the impact on daylight and sunlight received by neighbouring properties.

**Impact on heritage assets:** An archaeology desk-based assessment has been submitted and officers accept the conclusion that the proposal is considered unlikely to have a significant effect on heritage assets of archaeological interest.

**Impact on trees and biodiversity:** The site forms part of the Chiltern Line Site of Importance for Nature Conservation, however the ecological assessment identified no protected species on site other than a colony of slow worms. Arrangements have been made for the relocation of the slow worms to the rear of the site, which will be maintained as natural unmanaged habitat, and a number of biodiversity enhancement measures are proposed. There are no trees on site subject to a Tree Preservation Order and your tree officer considers that the loss of the existing trees is acceptable subject to high quality replacement trees being secured by condition.

**Environmental health considerations:** The proposal is considered to be acceptable in terms of air quality, noise, vibration, wind and microclimate, and land contamination, subject to conditions. A detailed Construction Environmental Management Plan will be conditioned.

**Sustainability and energy:** The proposal would deliver a 30% reduction of carbon emissions on site compared to the Building Regulations 2013 baseline, and a financial contribution will be made to the Council's carbon offsetting fund. The installation of PV panels on rooftops has been explored, however your officers consider that the provision of rooftop amenity space should take precedence as other measures to improve carbon performance can be identified at the detailed design stage. Other sustainability measures include water consumption to comply with London Plan targets and sustainable procurement. A flood risk and

drainage strategy has been submitted and is considered to be acceptable.

**Transportation and highways considerations:** Vehicle access will be provided via the access from Park Lane which was granted permission as part of the redevelopment of the Chesterfield House site, and 12 disabled parking spaces will be provided for residents. The potential impact of overspill parking is considered to be low as the site is within a Controlled Parking Zone and residential parking is not available on the adjoining roads, and residents will not be eligible for parking permits. Pedestrian access will be from the Chesterfield House site and from the existing service road from the High Road, and will be open to the public with provision made for a pedestrian connection to the adjoining site to the east. Cycle parking and bin storage comply with London Plan standards.

**Density:** The proposed density of 406 units per hectare is considered acceptable for this well-connected site in a Growth Area, Housing Zone and Opportunity Area.

## MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Businesses and offices	0		0	171	171
Dwelling houses	0		0	21246	21246

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										0
EXISTING ( Flats û Intermediate )										
EXISTING ( Affordable Rent Flat )										
PROPOSED ( Flats û Market )	98	88	20							206
PROPOSED ( Flats û Intermediate )	8	8	0							16
PROPOSED ( Affordable Rent Flat )	11	4	19							34

## RELEVANT SITE HISTORY

No planning history.

## CONSULTATIONS

A total of 555 neighbouring properties were consulted by letter on 10 August 2018 for a period of 21 days. A site notice was posted on 10 August 2018 and a press notice published on 16 August 2018.

One objection was received, and is summarised below.

Comment	Officer response
Generalised concern about the extent of new development occurring in Wembley	See 'Principle of development', paragraphs 1 to 2
Loss of landscape	See 'Design, scale and appearance', paragraph 28
Loss of light and overshadowing to neighbouring residents and open spaces	See 'Impact on neighbouring properties', paragraphs 66 to 76

Increased pressure on parking	See 'Car and cycle parking provision', paragraphs 118 to 123
Recommends a masterplanned approach to development.	See 'Principle of development', paragraphs 3 to 6

One neutral comment was received and is summarised below:

<b>Comment</b>	<b>Officer response</b>
Supportive of proposal to provide more housing, and secret garden could be benefit to local area if delivered as shown.	Noted
Concerns about whether development will be delivered without compromising the standards promised in the application	This risk arises on every development and the planning process seeks to control it by attaching conditions to any planning permission. Further standards are set out in other legislative regimes such as the Building Regulations.
Overlooking onto neighbouring properties is not considered in the planning process.	Privacy and overlooking are material planning considerations and considered in relation to every planning application. The Brent Design Guide SPD1 sets out minimum separation distances between buildings to ensure that adequate standards of privacy are maintained. See 'Impact on neighbouring properties', paragraphs 66 – 69.
Application does not consider wider transport problems, such as pavement widths, congestion and pollution on Wembley High Road, safety of cycle routes in the area and the impact of the development on-street parking demand in the area.	The impact on-street parking demand in the area is an important material planning consideration in relation to this application and is considered in paragraph 123 of the main report. The other issues raised are not within the scope of this application.
Homes will become undesirable places to live if not high quality into the future.	Noted. It is in the applicant's interest to ensure that the housing remains of a sufficient quality to attract tenants.
Fire brigade should be consulted on access to buildings.	Fire safety is addressed under the Building Regulations. The layout allows large vehicles to enter and leave the site safely, and emergency vehicles would be able to attend the site if required.
Overheating assessment doesn't take railway into account.	Please see paragraph 85
Query design and management of secret garden and nature areas.	These issues will be covered in a detailed landscape strategy which will be required by condition.
Zero NOx heating system would be preferable to low NOx CHP proposed.	Noted, however Environmental Health officers have recommended conditions to mitigate any concerns regarding air quality.

#### **External consultees**

**Greater London Authority / Transport for London**

The application is referable to the Mayor of London under the provisions of the Town & Country Planning (Mayor of London) Order 2008. The application is referable under categories 1A and 1C of the Schedule to the Order 2008, namely the development comprises or includes the provision of more than 150 houses, flats or houses and flats, and includes the erection of a building more than 30 metres high, and is outside the City of London.

The Stage 1 report dated 19/11/18 states that the principle of the high-density housing-led redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application does not accord with London Plan Policy in the following respects.

- **Affordable housing:** The affordable housing offer has yet to be clarified by the applicant, however, the initial offering of 35% by habitable room, all of which would be DMR capped at 80% of market rate, is unacceptable. The applicant must deliver deeper DMR discounts, including London Living Rent. Clawbacks, an early implementation review mechanism and a minimum of 15-year covenant must be secured through a S106 agreement. Should any affordable housing offer be below 50%, a late stage review mechanism will also be required.
- **Urban design:** Whilst the site layout is supported, the lack of activation of the ground floor frontages should be addressed. There are also concerns relating to the landscaping proposals for the site, particularly relating to access to and from the site. Playspace should be provided in accordance with the Play and Informal Recreation SPG.
- **Energy:** A CHP-led strategy is not considered appropriate for the site. The applicant should maximise on-site carbon reductions before any remaining regulated carbon dioxide emissions are met through a contribution to the borough's offset fund.
- **Flood risk and drainage:** The surface water drainage strategy and water consumption targets do not comply with London Plan and draft London Plan policy and this should be addressed.
- **Transport:** Further discussion is required regarding the highways impacts of the proposals. Pedestrian and cycle access to the site must be clarified. Conditions, s106 obligations and a contribution of £399,000 towards bus provision are required.

Officers consider that the majority of these matters have been adequately addressed following receipt of the Stage 1 report, and discussed in further detail within the main body of this report.

**Affinity Water:**

Requests informatives

**Chiltern Railways:**

Requests informative regarding current and projected use of railway tracks.

**Greater London Archaeology Advisory Service:**

No objection

**Natural England:**

No comment

**Network Rail:**

No objection subject to conditions and informatives

**Metropolitan Police Secure by Design Officer:**

Concern that the location of development and provision of public amenity space in this location is likely to lead to increased crime and fear of crime (this issue is discussed in the main body of the report).

**Thames Water Utilities:**

No objection subject to informatives regarding working near underground assets and groundwater discharge

**Internal Consultees**

**Environmental Health:**

Requests conditions regarding construction environmental management plan, noise and vibration

assessment and mitigation, air quality mitigation measures, construction method statement, and contaminated land investigation, remediation and verification (these are discussed in the main body of the report).

**Local lead flood authority:**

No objection

**Sustainability officer:**

Concerned that development does not make adequate on-site carbon emissions savings. However these could be compensated for by financial contribution to carbon offsetting and future connection to any district heating network introduced in the area.

**Statement of Community Involvement**

The SoCI sets out the level of pre-application consultation carried out by the applicant, as required by the Localism Act (2011). The consultation process in full involved the use of a range of methods, set out in detail in the report, comprising the following methods:-

two phases of comprehensive community outreach, focus groups, workshop in a school, online engagement, and the use of a range of promotional and marketing materials. Supplemented by consultation with statutory stakeholders and key decision makers including Brent Council and Councillors, Wembley Matters and other local stakeholders. Over 890 community members contributed to the consultation process over the 2 phases of the engagement. Engagement was carried out with members of the public, community groups and local businesses, the demographics broadly matching local demography data. Particular consideration was given to ensuring groups traditionally marginalised or excluded from decision-making had the opportunity to share their opinions. This included, but was not limited to, the nine protected characteristics specified within the Equality Act 2010. In addition over 12,000 homes and businesses were leafleted with information about the development and how they could view the plans.

Your officers consider that the level of pre-application consultation carried out satisfies the requirements of Brent's Statement of Community Involvement in this case.

## **POLICY CONSIDERATIONS**

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2015 Wembley Area Action Plan, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

The National Planning Policy Framework 2018

Mayor of London's Play and Informal Recreation SPG 2012

Mayor of London's Sustainable Design and Construction SPG 2014

Mayor of London's Housing SPG 2016

Mayor of London's Affordable Housing and Viability SPG 2017

Brent Design Guide SPD1 2018

Brent Waste Planning Guide 2013

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging London Plan will undergo an Examination In Public in January 2019, whilst Brent's new Local Plan Preferred Options was published as a Consultation Draft in November 2018 and is expected to be adopted in 2020. These documents also carry some weight in the assessment of planning applications, as emerging documents.

## **DETAILED CONSIDERATIONS**

### **Principle of development**

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1. The NPPF expects the planning system to boost significantly the supply of housing, including by identifying key sites in the delivery of their housing strategy and by supporting the development of underused land. The London Plan identifies Wembley amongst the opportunity areas providing brownfield land with significant capacity to accommodate new development linked to existing or potential improvements to public transport accessibility, and Brent's Core Strategy Policy CP1 also aims to concentrate housing growth in well located key growth areas including Wembley. Policy CP2 sets out a target for delivering 22,000 new dwellings (including 11,500 in the Wembley Growth Area) over the 2007-2026 period.
2. The site is within the Wembley Growth Area, and the Wembley Housing Zone, and the proposal will deliver a significant number of new homes. The proposed housing would include one block for private market sale and one block as purpose-built Private Rented Sector accommodation including two types of Affordable Rent products (London Living Rent and 80% Discount Market Rent). The provision of Private Rented Sector accommodation is supported by Policy WEM22 and by London Plan Policy 3.8, Policy H13 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. Affordable housing provision is discussed in more detail in paragraphs 14 - 23.
3. More specifically the site sits in a strategically important area in terms of Brent's wider vision for the future development and regeneration of Wembley. It forms part of the allocated Site W4 within Wembley Town Centre, which consists of the area bounded by Park Lane to the west, Wembley High Road to the south, the Chiltern Line railway line to the north and Wembley Hill Road to the east.
4. The Wembley Area Action Plan 2015 sets out the following objectives in relation to Site W4:
  - support viability and vitality of town centre;
  - provide improved public realm and pedestrian accessibility;
  - create link via White Horse Bridge;
  - create a sustainable mixed use community;
  - residential development forming part of any mixed use scheme;
  - proposals should include active frontages;
5. The redevelopment of the site responds to these objectives and the wider vision of restructuring this part of the High Road to better connect the town centre with its focus around Wembley Central and the new developments around the stadium area. In terms of the objectives for the allocated site, the proposal would provide new public realm and a new pedestrian route from Chesterfield House towards the stadium area, which the Council would seek to extend further as other parts of the allocated site come forward for redevelopment.
6. As the site is set back from the road frontage, town centre uses are not considered appropriate as they could detract from the success of the High Road retail units whilst also compromising the more sheltered nature of the site. However, the creation of a substantial residential community and the proposal to include a workspace unit on the ground floor would help to provide an active frontage, animate the open space and create increased pedestrian footfall that would contribute to the viability and vitality of the town centre. As such the proposal is considered to make a valuable contribution to these objectives.
7. The site allocation also requires development along the embankments to have careful regard to existing dwellings, to be subject to an assessment of ecological value and to include mitigation measures for the loss of any ecological access including public access and a green link through the site. These issues are discussed in the relevant sections of the report and subject to these criteria being met, the proposal for residential-led development in this location is considered to be acceptable in principle.

#### **Environmental Impact Assessment (EIA)**

8. The application is accompanied by an Environmental Statement (ES). It has been agreed as part of the Scoping Report that the ES should cover the following topics:
  - Townscape and Visual; Heritage
  - Ecology and Nature Conservation
  - Wind Microclimate
  - Daylight, Sunlight and Overshadowing
  -

These topics are discussed in detail within the main body of the report below.

## **Affordable housing and housing mix**

### *Policy background*

9. Policy CP2 sets a target of 50% of new housing in Brent being affordable and 25% being family sized dwellings (3bed or more), reinforced in policy WEM19 of the WAAP. However, Policy WEM22 allows for some flexibility on housing unit size mix in the case of Private Rented Sector accommodation, subject to a reasonable proportion of the PRS accommodation being made available at or below local housing allowance levels.
10. Brent's approach to securing affordable housing provision is set out in more detail in Policy DMP15, which requires an economic viability assessment to support proposals for less than 50% affordable housing and sets out a preferred tenure mix within the affordable housing provision of 70% social or affordable rent and 30% intermediate housing.
11. The Mayor's Affordable Housing and Viability SPG provides further guidance to support the delivery of affordable housing. In the case of Private Rented Sector housing, the SPG recommends that affordable units are delivered as Discounted Market Rent (DMR) and retained under the same management arrangements as the market units. This arrangement allows the affordable units to be tenure-blind and pepper-potted throughout the development. The SPG specifically recommends rent levels being discounted to London Living Rent (LLR) levels, but allows for a wider mix of discounted market rent products to meet specific local needs. LLR levels are capped at a third of the average local household income and adjusted for the number of bedrooms in each home. To ensure that family-sized LLR homes are affordable, the rent for a 3-bedroom home is set at 10% above the 2-bedroom rent.

### *Financial Viability Assessment*

12. A Financial Viability Assessment (FVA) prepared by Savills was submitted in support of the application. This was on the basis of an initial offer of 35% affordable housing discounted to 80% of market rent (80% DMR) (equivalent to 89.6 of the 256 units).
13. The FVA concludes that the scheme generates a deficit of £11.1m with 100% private housing and is unable to support any affordable housing. Notwithstanding this conclusion, the FVA notes that the applicant is able to adopt bespoke commercial assumptions which will allow them to proceed with the development as a build-to-rent scheme and to deliver a meaningful quantum of affordable housing as Discounted Market Rent, the quantum depending on the mix of units and the discount from market rent required.
14. The FVA was reviewed on behalf of the Council by BNP Paribas (BNPP). They concluded that the development would generate a surplus of just over £2m, compared to the £11.1m deficit shown in the FVA. Their sensitivity analysis compared four options combining some provision of Discounted Market Rent and London Living Rent units, and concluded that three of the four would still generate a surplus. They also suggested that PRS schemes were generally forward-funded and that with this factored in the scheme would generate a surplus of over £6.8m.
15. BNPP also conducted a 'build for sale' appraisal in order to provide sensitivity testing, assuming an average value of £612 per square foot, a higher profit of 18% of GDV to reflect uncertainties in the property market, and a 21 month sales period. This would generate a surplus of just over £12m.
16. The FVA was also reviewed by the GLA Viability Team, and their comments have been provided to both parties in the negotiations.

### *Negotiation and agreement of affordable housing provision*

17. Based on the initial offer of all of the affordable units at 80% DMR and the conclusions of the analysis of the FVA, your officers considered that the level of discount is not genuinely affordable to many sectors of the population and that this offer did not reflect the priority need in Brent. Further discussions with the applicant have taken place with a view to securing a different mix of affordable products weighted towards more heavily discounted rent levels such as London Living Rent (LLR). This also responds to the GLA's concerns regarding the initial offer.
18. A subsequent offer was made, of 28% affordable housing (by habitable room) including 26 units at

London Living Rent (LLR) and 30 units at 80% Discount Market Rent (80% DMR) or shared ownership. This offer was based on the premise that Block B would be built primarily for market sale rather than on a PRS basis (the application originally proposed both blocks being PRS). The housing mix proposed would be 17 x 1beds and 39 x 3beds. This represented 22% affordable housing by unit but heavily weighted towards family-sized affordable units. Your officers, supported by further advice from BNP Paribas, agreed that this represented the maximum reasonable amount of affordable housing that could be secured. However, your officers also considered that the ratio of 46:54 in favour of 80% DMR units does not adequately reflect the aims of Policy DMP15, which seeks a 70:30 split in favour of more widely affordable tenures (ie a 70:30 split between LLR and 80% DMR units), and that a lower number of affordable units overall would be preferable if it represented a policy-compliant split.

19. The provision of 34 units at London Living Rent (LLR) and 16 units at 80% Discount Market Rent (80% DMR) (a total of 50 units at a 68:32 split has been proposed following further advice from BNP Paribas to confirm that this was equivalent to the applicant's offer in terms of being the maximum reasonable amount that could be secured.
20. The housing mix of the affordable units has been agreed as 11 x 1bed, 4 x 2bed and 19 x 3bed units at London Living Rent levels (comprising floors 1 - 5 of Block A), and 8 x 1bed and 8 x 2bed units at 80% Discount Market Rent (comprising floors 6 and 7 of Block A). This represents 22% affordable housing by habitable room (although only 20% by unit). Your officers acknowledge that this is a lower percentage than that originally offered. However, the original offer did not include a specific housing mix, and your officers place great weight on providing family-sized homes at more affordable levels in compliance with the tenure split set out in Policy DMP15 rather than providing a higher number of smaller units at higher rent levels. The tenure mix of 68:32 in favour of the more affordable tenure is compliant with Policy DMP15 and the housing mix is weighted towards 3bed units, addressing a specific need for affordable family-sized units in Brent. Your officers consider this to represent the optimum amount and type of affordable housing that the site can support based on the current viability position.
21. BNPP have recommended both early and late stage review mechanisms to allow the Council to capture a proportion of any additional surplus generated. The GLA also require an early stage review and, if less than 50% affordable housing is proposed, a late stage review, and Policy DMP15 also requires review mechanisms where affordable housing provision is significantly below 50%. These reviews are to be secured through the s106 agreement, and would ensure that the fullest possible contribution to affordable housing provision is provided in compliance with policy.

#### *Housing mix*

22. The housing mix proposed includes 117 x 1-bedroom, 100 x 2-bedroom and 39 x 3-bedroom homes (256 units in total). The proportion of 3-bedroom homes is 15% of the total, which does not meet the borough wide Core Strategy target of 25%. However, this is a borough wide target rather than a site specific target and the balance between the number of 3-bedroom homes and scheme viability (and thus Affordable Housing) has been considered. Policy WEM22 also supports a more flexible approach for PRS schemes.
23. The scope to provide a greater number of 3-bedroom homes has been considered. Increasing the number would impact on the viability of the scheme and the quantum of affordable housing that could be delivered. The affordable housing provision currently includes 19 x 3-bedroom homes at London Living Rent levels which represents 55 % of the London Living Rent homes and would help to meet the specific shortage of affordable family sized accommodation. On balance the proposed housing mix is considered acceptable when considering the balance between scheme viability (and thus Affordable Housing) and the number of 3-bedroom homes.

#### **Design, scale and appearance**

##### *Policy background*

24. The NPPF supports developments that function well and add to the overall quality of the area, establishing a strong sense of place and optimising the potential of the site, not preventing appropriate innovation or change such as increased densities. London Plan Policy 7.7 provides more specific guidance on the location and design of tall buildings, recommending a plan-led approach that identifies appropriate, sensitive and inappropriate locations and providing specific criteria to assess proposals. The Wembley Area Action Plan identifies these locations within the Wembley Growth Area and Policy WEM5 requires the submission of a key views assessment to accompany proposals for tall buildings in both

appropriate and sensitive locations. The application site is within an area defined as "sensitive" to tall buildings which means that tall buildings are acceptable in this location subject to the consideration of the appropriateness of the scheme within its context

#### *Height, bulk and massing*

25. The two buildings would be 17 stories and 19 stories in height respectively and of a square plan form. Block A at 17 stories would be clearly subservient to the 21 stories and 26 stories of Chesterfield House, whilst the increase to 19 stories on Block B would create a variation in height contributing to an undulating skyline as other parts of the allocated Site come forward for development.
26. The design and layout of the buildings has evolved as a result of pre-application discussions with officers, advice from the GLA and a CABE Design Review Panel. The Design & Access Statement summarises this process, which considered alternative building forms such as a courtyard massing and linear blocks. Two buildings of 18 stories set at an oblique angle to one another were proposed during this stage. The proposed square massing maximises the potential for natural daylight to the units, providing an efficient floor layout and allowing adequate separation distances between the two buildings and adjoining sites, whilst the staggered layout of the blocks minimises opportunities for overlooking between them.
27. The CABE Design Review Panel felt that the scheme could act as a catalyst for further growth in the area but recommended exploring alternative massing, footprints and typologies, and also highlighted the need to clarify the functions of different areas of open space and the boundaries between public and private areas. In response to this advice, the footprint of the buildings was reduced in order to reduce the overall mass, the layout was altered so that the two buildings would have the same orientation rather than being at an oblique angle, the building heights were altered to create the impression of undulating height, and the building corners were rounded to create a softer and less bulky visual impact. Officers consider that these changes emphasise the separation between the two buildings, allowing them to be read as separate buildings rather than a single mass and allowing for views between them to be retained. The location being well set back behind the existing two-storey High Road properties would prevent the buildings from appearing oppressive or overbearing in the existing street scene
28. The buildings would be of a square plan form and of the same footprint across all floors. The simplicity of the architectural approach lends the buildings an elegance and proportionality, and the height of the buildings would balance out the impression of bulk. The square plan form creates an efficient and legible internal layout, with all flats accessed from single central cores and layouts repeated across floors to avoid adverse stacking.
29. To comply with Policy WEM5, a townscape and visual analysis was submitted as part of the Environmental Statement. This considered the visual impact of the buildings upon the surrounding Town Centre area, the residential hinterlands to the north and south, and the Comprehensive Development Area surrounding the stadium. A number of viewpoints were identified nearby and across the borough, and existing views were compared to the view including the proposed development and then to the view also including other approved developments nearby including the Chesterfield House site. The impact of the proposal was assessed in relation to the significance of the viewpoints and the comparable cumulative impact. From most viewpoints in the immediately surrounding area, the buildings would be viewed against the backdrop of the taller buildings at Chesterfield House or would be largely or partly masked by them. The proposal would not affect any protected views of Wembley Stadium or any designated or non-designated heritage assets.
30. Views from further afield were also analysed, including Barn Hill, One Tree Hill and Welsh Harp Reservoir, and the proposal would appear in these views as a minor change in an area currently undergoing redevelopment and consistent with that redevelopment. On this basis, the height, bulk and mass of the buildings is considered to be acceptable.

#### *Architectural approach and materials*

31. The architectural approach of the scheme is a refined art deco influenced design. Each floor would be divided horizontally, with the lower section in white brick and the upper section being mostly glazed with dark grey frame detailing of windows and openings. This approach gives a strongly horizontal emphasis to the buildings, the prominent banding provided by the brickwork alternating with the secondary and recessive character of the glazing. The softened corners and recessed glazed elements also help to reduce the impression of bulk and create an openness across the facades. The design approach has also considered internal layout, as the brickwork sections maximise the amount of walled floorspace for

the placement of furniture and provide balustrades for recessed balconies within a continuous facade, while the continuous glazing maximises daylight into the units.

32. The ground floor of the buildings would be a solid white brick facade with inset windows, and this would help to ground the buildings within the landscape and create a defined base. The top of the buildings would be defined by the brick banding continuing to create a 1.2m parapet around the roofs. The two buildings would be linked at ground floor level by an enclosed external courtyard covered by a lightweight canopy which would allow trees within the courtyard to grow through the canopy. The entrance to the courtyard would provide a secure line defining the boundary between public and private space.
33. Further details of materials, to be viewed on site, would be required by condition. In particular, the design and construction of the external courtyard including materials for the enclosures and the canopy are not shown with sufficient clarity, and further details of these would need to be approved by condition. Subject to these conditions the architectural approach is considered to provide a high quality and architecturally distinctive development.

#### *Site layout and setting*

34. The area to the south of the buildings would consist mainly of landscaped public realm including footpaths through the site and a pond. The main pedestrian access would be through the courtyard and entrance core of Chesterfield House and would run along the south of the site, providing a link to future development on the adjoining site to the east and allowing for the pedestrian route to provide a connection to Wembley Hill Road in the future. The pond would be centrally located so as to provide a distinctive feature at the High Road entrance to the site.
35. On the western side of the site, the front elevation of Block A would be animated by ground floor windows of 3bed duplex units, although the entrances and living spaces to these units would be on the first floor. Ground levels would rise gradually towards the east due to the topography of the site and so it would not be possible to align these windows with external ground levels or to provide level access into the building from this elevation. Whilst the GLA has raised concerns regarding the relatively inactive frontage on this elevation and has recommended that these units are redesigned to provide ground floor entrances, your officers acknowledge that this would be problematic due to the changing ground levels. The inclusion of ground floor habitable room windows would provide some natural surveillance of the public realm, whilst the hierarchy of footpaths and defensible space would signify the elevation of the building being a more private area of the site. Defensible space in front of ground floor windows would be required by condition as part of the landscaping scheme.
36. Between the two blocks a shared courtyard covered by a lightweight canopy would be located behind a secure line and would provide access to the main entrances to the buildings which would be located on the internal sides. The entrance to Block B would also provide access to the residents' lounge, whilst the workspace unit would have entrances and windows onto the public realm, and these communal uses on the ground floor would provide an active frontage and natural surveillance of the public realm during both the daytime and the evening. The workspace unit would be self-contained, with no access to the remainder of the building which would be secured for the residential use.
37. On the northern boundary, the access road would provide vehicle access to the site at lower ground floor level including parking spaces at the rear of the building. Access into the buildings from the lower ground floor would lead into the central cores, providing lift and stair access to the upper floors. To the north of the access road, a 3m easement strip would be provided against the boundary with the railway land, as required by Network Rail. This is intended to be an area of natural and largely unmanaged native planting.
38. On the southern boundary, the service road serving commercial units on the High Road would be retained, with a boundary treatment of perforated brickwork separating this from the public amenity space whilst creating a sense of openness and permeability on the boundary.
39. In terms of Secure by Design principles, whilst the principle of providing a green pedestrian link behind the High Road is a key element of the Council's vision for the regeneration of this area, it also highlights the need to consider issues of safety and security in the use of the site. The development itself would provide a home for several hundred residents and a number of workers, in addition to the residents and users of commercial workspace at Chesterfield House, and the level of pedestrian footfall that would be generated by this number of people suggests that the areas of public realm would be well used for most of the day and evening. The proposal also introduces a large number of windows that would overlook the

public spaces. As adjoining sites come forward for redevelopment, the public nature of the open space would become more firmly established. However, the boundaries between private spaces for the use of residents and areas of public realm are not clearly articulated at present. Furthermore, features such as external lighting, which would need to be movement-sensitive to enhance safety at all hours and to include lighting of the two accesses from the High Road, boundary treatments, signage, entry systems and management arrangements to enhance safety and security, have not been clarified. Management arrangements would need to consider whether additional measures would be required to manage the space on Event Days.

40. In addition to providing further details as part of the landscaping scheme, it is considered that a report should be required by condition, setting out how the principles of security and safety have been taken into account and will be incorporated into the final details of the scheme.
41. Overall, the layout and setting of the buildings are considered to provide high quality areas of communal amenity space and public realm. The design would make good use of changing ground levels within the site to separate vehicular traffic, servicing and ancillary facilities from the pedestrianised areas, would create a landscaped pedestrian connection that would help to deliver the Council's aspirations for the allocated Site W4, and would provide a sense of arrival both to the public realm and to the buildings. Subject to the conditions above, the layout and setting are considered to be acceptable.

## Residential living standards

### *Policy background*

42. All development is required to comply with London Plan Policy 3.5, which sets out an expectation for high quality residential accommodation including accessibility and adaptability, and minimum space standards (based on Technical Housing Standards – Nationally Described Space Standard 2015) which are reinforced by Brent Policy DMP18. The Mayor's Housing SPG sets out more detailed guidance on achieving quality, for example advising that single-aspect units should be avoided, particularly if north-facing, and that 90% of units should meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% should meet M4(3) 'wheelchair accessible homes' standards.
43. In addition, Brent Policy DMP19 provides standards for private amenity space, which for flatted developments can include a mixture of individual balconies and communal space, whilst London Plan Policy 3.6 and draft London Plan Policy S4 require residential developments to make provision for play and recreation based on the expected child yield and an assessment of future needs, with further guidance provided in the Mayor's Play and Informal Recreation SPG. The Mayor's Housing SPG sets out a minimum amenity space requirement of 5sqm per unit, with balconies to be at least 1.5m in width and depth to be considered usable.

### *Internal floorspace and layout*

44. The design is based on a number of standard unit layouts and three typical floor plans that are repeated throughout the development and this avoids any concerns relating to adverse stacking. The unit typologies are as follows:

Unit type	Number of units	Floorspace provided	Minimum floorspace requirement
1bed 1person	49	43sqm	39sqm
1bed 2person	68	50sqm	50sqm
2bed 3person	52	67sqm	61sqm
2bed 4person	48	71sqm	70sqm
3bed 5person	34	91sqm	86sqm
3bed duplex 4-5person	5	89sqm - 98sqm	84sqm - 93sqm

45. All units would meet or exceed the relevant space standards with respect to total unit size. The 1bed units would be single aspect but would be provided with inset balconies of 5sqm or 10sqm, whilst the larger units would all be dual aspect and would have corner balconies of 8sqm. The layout is considered to comply with design guidelines and make efficient use of the floorspace, with either six or eight units per core, floor to ceiling heights of 2.5m and no single aspect north-facing units.

46. The Design & Access Statement shows indicative layouts of units that that could be made wheelchair accessible, but does not specify the number and location of these units, and a condition is recommended to demonstrate compliance with the requirements for accessibility and adaptability set out in the Mayor's Housing SPG.

*External amenity space and play space*

47. The development would provide various forms of amenity space and these are discussed below and summarised in the following table.

Communal garden with 200sqm child play - located to the west of Block A	349sqm
Defensible space to residential units	205sqm
General public realm - 1,206sqm discounted by 50% (including the public food growing garden to the east of Block B)	603sqm
Communal courtyard	272sqm
Roof terraces x two	930sqm
Residents' lounge	153sqm
Balconies 256 x 5sqm	1,280sqm
Total	3,639sqm
Average communal space per unit	9.2sqm
Total average per unit (assuming each unit has a 5sqm balcony)	14.2sqm
(some units would have 8sqm or 10sqm balconies)	(or 17.2sqm or 19.2sqm)

48. As set out above, areas of public realm provided as part of the development have been included in the assessment as they would provide attractive, well-landscaped and traffic-free space maintained as part of the site management arrangements and would be easily accessible to residents, but have been discounted to 50% of their actual area to reflect the fact that they would not be for exclusive use of residents. The public food growing garden has been included as public realm, as the intention is to make this publicly available when the adjoining site comes forward, although it is understood that this would be provided exclusively for residents until that time. Policy WEM36 supports proposals for food growing, and it is considered that this feature would contribute towards the creation of a sustainable residential community.

49. The residents' lounge has also been included in the assessment as this would offer a flexible communal space for the exclusive use of residents that could be used during poor weather and could potentially offer a range of activities and opportunities for residents to meet and socialise together. The Design & Access Statement suggests these could include lounge areas, gym equipment and classes, screening of sports events and films, meeting rooms for community groups and communal dining rooms and kitchens. The space would also provide for a management suite and associated storage, and a condition is recommended to ensure 75% of the space is retained for residents' use and for the space to remain ancillary to the residential dwellings.

50. The communal amenity space to the west of Block A would include defensible space for residential units and a children's play space. London Plan Policy 3.6 requires developments to provide 'doorstep' play for children under five and the Mayor's Play and Informal Recreation SPG provides further guidance on calculating the number of children estimated to be living in the development and the amount of playspace that should be provided for them. The child yield is estimated to include 27 under-5s and whilst the 200sqm of playspace proposed would fall slightly short of the draft London Plan policy target of 10sqm per child, it would be set within a wider area of communal amenity space that would also have recreational value for under-5s and consequently is considered to be acceptable.

51. The central courtyard linking the two buildings and the two roof terraces would provide further space for informal relaxation and recreation.

52. The combination of communal amenity space and private balcony space would provide an average of

between 14.2sqm and 19.2sqm amenity space per unit (depending on the balcony size). This is considered to be an acceptable level of provision, given the constraints of the site and the variety and quality of amenity spaces proposed. It would be comparable to or better than the levels of amenity space secured on other high-density developments in Wembley, for example the adjoining Chesterfield House development provides an average of 13.7sqm per unit.

53. The Landscape Masterplan shows the general layout of the site, and further details of landscaping features including proposed species are provided in the Design and Access Statement. However, sufficient details have not been provided on a plan to clarify the extent and type of landscaping in each location, or details of hard landscaping including pedestrian and cycle access arrangements and informal seating. These would need to be provided as part of a detailed landscaping scheme secured by condition, together with details of management and maintenance arrangements.
54. The Planning Statement notes that provision for older children (ages 5-11 and 12+) would be provided at King Edward VII Park, and this would be acceptable in principle as off-site provision is considered more appropriate for older age groups. The GLA has asked the applicant to demonstrate the safety of the route to the park and to provide a financial contribution to Brent to improve existing play space provision. However it is considered that the route to the park is acceptable given that the same route would be used by residents at Chesterfield House and the principle of the park being used for off-site provision was accepted in this case. A financial contribution of £120,000 has been agreed with the applicant and is to be secured through the s106 agreement. This is a similar amount to that secured for the Chesterfield House scheme, and will be allocated towards a costed programme of improvement works which is being taken forward by the Council's parks team following local consultation on how the park could be improved, including planting, water butts, litter bins, improved signage, CCTV, benches, children's playground improvements and upgraded sports provision.
55. Given the shortfall in on-site amenity space against the Council's standards, a contribution towards off-site provision is considered to be necessary to make the development acceptable in planning terms. The contribution is directly related to the development given that children (and adults) living at the development are likely to use King Edward VII park for recreation and consequently to lead to increased pressure for improvements to its facilities.

#### *Daylight and sunlight assessment*

56. An Internal Light Assessment was submitted, providing the results of a study of the levels of daylight and sunlight that would be received by habitable rooms and amenity spaces within the development. The study tested all habitable spaces in half of the apartments on each level from the first floor to the sixteenth floor, which accounts for roughly 50% of the habitable space in the proposed development. In the selection of the habitable rooms to assess, the assessment has included the units with single aspect rooms in both blocks. Given the open aspect that rooms in the proposed development enjoy from five out of the eight façades, particularly on the higher floors of the blocks, the selection of these rooms that face inwards towards the other tower looks to present the worst-case scenario. The assessment has included roughly 50% of the habitable space across the proposed development and 100% of the inward-facing single aspect rooms.
57. When reviewing the Average Daylight Factor (ADF), It should be noted that some of the living rooms and bedrooms within the scheme have direct access to either balconies which over sail the rooms below or recessed balconies which are set back within the external façade of the building. It is recognised that this is as a result of a trade-off between internal daylight levels and providing external amenity space. Where rooms will be below the guideline they all, except for one Living/Kitchen/Dining room on the ground floor sit behind recessed balconies. However it should be noted that this LKD room still be within 0.8 times the ADF target.
58. The study demonstrates that the vast majority of rooms tested (83%) meet the BRE daylight guidelines for daylight, with many receiving light levels well in excess of the suggested numerical targets. However, 3 of the bedrooms and 2 of the LKD rooms will be within 0.8 times the ADF target. Of the living rooms tested, 15 will be within 0.8 times the target, 34 within 0.6 times the target and 12 within 0.4 times the target. As discussed above, the reduction in the ADF value is as a result of the overhanging balconies above, and your officers are of the view that a balance needs to be made with ensuring that adequate levels of external amenity space is provided for the units.
59. In terms of sunlight, half of the windows tested that are orientated within 90 degrees of due south would be close to or fully satisfy the BRE annual APSH target, with around three-quarters of the windows close

to or achieving the winter APSH targets. A significant number of these windows would receive sunlight levels well in excess of the guidelines, with some annual APSH levels as high as 64% - a very high level of sunlight. Again, the addition of balconies impacts on the level of sunlight received internally, whilst providing valuable private amenity space for residents. The study also tested sunlight availability on the ground, and concludes that 92% of the proposed amenity space would receive at least two hours of sunlight on 21 March, exceeding the BRE guidelines which require this standard to be met for over 50% of this area. Overall, the layout of the proposed development is considered to comply with the BRE guidelines and to provide good daylight and sunlight conditions for residents.

## Impact on neighbouring properties

### Policy background

60. All developments need to maintain adequate levels of privacy and amenity for existing residential properties, and further guidance and standards are provided in SPD1. Separation distances of 18m are normally required between directly facing habitable room windows, and a 9m distance should be retained to the site boundary, to ensure privacy. Development should normally sit within a 30 degree line of neighbouring habitable room windows, however SPD1 also supports the use of the BRE's 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE209) in the evaluation of daylight and sunlight impacts on neighbouring properties, and this can be used in areas of high density to justify development that does not comply with the 30 degree guidance.
61. The BRE guidance acknowledges and accepts that there are situations in which the standard targets cannot be achieved, particularly where development in dense urban locations is expected to match the height and scale of neighbouring buildings and is located close to the boundary with other properties. The need to apply BRE guidance flexibly is also supported by paragraph 123 of the NPPF where this is required to make efficient use of the site.

### Assessment

62. The layout of the site would retain 18m separation distances to the Chesterfield House development to the west and between the two proposed buildings, to ensure adequate privacy for future residents of both developments. To the south, distances of over 20m would be retained to the residential properties located above the retail units on the High Road. To the north, the railway tracks and northern railway embankment would provide a distance of over 100m to residential properties on Lea Gardens and Dennis Avenue.
63. To the east, Block B sits close to the site boundary, however the adjoining site is also in the applicant's ownership and is expected to come forward for a similar form of development in due course. The Design & Access Statement provides confirmation of this, showing the future landscape plan as including a landscaped area of over 20m width to the east of Block B. In conclusion, the proposal maintains adequate separation distances to existing properties, to development under construction and to development likely to come forward in the future, and does not raise any concerns in relation to privacy.
64. The BRE's guidance was used to establish the extent to which the proposed development meets current best practice recommendations for impacts on daylight and sunlight received by neighbouring properties. The Daylight, Sunlight and Overshadowing Assessment submitted as part of the Environmental Statement considers the effects of the proposal on the levels of daylight and sunlight received by nearby residential properties based on the following three tests:

BRE test	BRE criteria
Vertical Sky Component (VSC)	The loss of daylight to a window will be noticeable if the VSC will be reduced to less than 27% and less than 0.8 times its former value.
Daylight Distribution (DD) (also known as No Sky Line Contour (NSL))	The loss of daylight to a room will be noticeable if the area of the working plane which can receive direct skylight will be reduced to less than 0.8 times its former value.
Annual Probable Sunlight Hours (APSH)	A window should still receive enough sunlight if it receives at least 25% APSH for the whole

	year including 5% during the winter months. If the available sunlight hours will be less than this and less than 0.8 times their former value, either during the winter or over the whole year, it will be noticeable except where the reduction annually is no greater than 4% APSH.
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65. The assessment demonstrates that, of the 175 neighbouring windows tested in the VSC test, 112 (64%) currently receive more than the BRE recommended 27% VSC. Upon completion of the development, out of the 175 neighbouring windows tested, 63 (36%) would satisfy the BRE guidelines for impact on VSC by retaining either a VSC of at least 27% or at least 0.8 times their former value. Of the remaining windows, 66 (38%) would all be within 20% of the 0.8 BRE guideline. 46 windows around the whole site (26% of the sample) would not be within 20% of the guidelines levels. Some of these windows would have significant levels of reduction of Vertical Sky Component, with the lowest being 0.29 times its former value. These 112 windows are assumed to serve 93 rooms, and the impact on these has been assessed in more detail using the Daylight Distribution (DD) test to establish the levels of daylight penetration into these rooms.
66. The DD test assumes a worst case scenario, with all windows assumed to serve single-aspect habitable rooms. Of the 93 rooms tested in the DD test, 86 (92%) are assumed to currently receive daylight over at least 80% of the area of the working plane. Upon completion of the development, 80 of these (86%) would continue to satisfy the BRE guidelines for impact on DD whilst a further 12 rooms (13%) would be within 20% of the BRE 0.8 guideline, and only one room around the whole site would not be within 20% of the recommended guideline.
67. Taking the assessments of VSC and DD together, the results show a reasonable to good level of adherence to the guidelines. Properties to the south of the site at 379 – 395 High Road are likely to experience a minor adverse effect in terms of daylight received as a result of the proposal, whilst those at 412 – 426 High Road would experience a moderate adverse effect together with those at 428 – 444 High Road.
68. In terms of sunlight, the property to the east of the site at 26 – 29 Ecclestone Place is the only property likely to be affected, as overshadowing effects would primarily be to the railway line and embankment to the north. Two windows were assessed, of which neither currently receive more than the BRE guideline of 25% APSH annually or 5% APSH in the winter months. The assessment identified that both windows assessed would satisfy the BRE guidelines, and that the impact to this property in respect of sunlight would be of negligible significance in the long term. There would be no change to the sunlight to the amenity space at this property.
69. On balance it is considered that the impact on daylight and sunlight to neighbouring properties would not be unduly adverse given the relatively constrained and high density character of the existing urban environment (which is demonstrated by the low existing VSCs of many windows in the surrounding area). The site is a cleared site within a dense urban environment, which has been allocated for development, and the windows affected are therefore considered to be sensitive to change.
70. In conclusion it is considered that the proposal would be acceptable in terms of its impact on neighbouring properties.

### **Impact on heritage assets**

71. The NPPF section 16 and London Plan Policy 7.8 make the conservation of archaeological interest a material planning consideration. The site is within a Site of Archaeological Importance, which is considered a non-designated heritage asset and of lesser significance than nationally recognised Archaeological Priority Areas. Policy DMP7 requires an analysis of the significance of the asset and the proposal's impact upon it.
72. An archaeology desk-based assessment was submitted, which summarises evidence from the Greater London Historic Environment Record and concludes that most of the site was probably in use as agricultural land until the excavation of the railway cutting in the early 20th century. It identifies a moderate potential for post-medieval remains but only low potential for any earlier remains, and did not recommend any further investigations.
73. Greater London Archaeology Advisory Service were consulted and agree with the assessment's

conclusions that there is very limited archaeological potential for remains dating to the medieval or earlier periods, with the main potential being for foundation remains for 19th century buildings. Furthermore the railway cutting will have significantly impacted upon the survival of any archaeological remains or deposits. The proposal is considered unlikely to have a significant effect on heritage assets of archaeological interest, and no further assessment or conditions are therefore necessary.

74. The Environmental Statement also reviews the site's proximity to conservation areas, listed buildings and locally listed buildings. There are no such heritage assets in close proximity to the application site, and the proposal is not considered to have any adverse impact on those identified.

#### **Impact on trees and biodiversity**

75. London Plan Policy 7.19 requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity. Core Strategy Policy CP19 also supports the enhancement and management of open space for biodiversity and nature conservation.
76. The application site forms part of the Chiltern Line SINC and this designation is recognised in the Wembley Area Action Plan, which requires development in this area to be subject to an assessment of the nature conservation value of the embankments and to include mitigation measures for its loss, including public access and a green link through the site. The biodiversity value of the embankment is also recognised by its designation as a Wildlife Corridor, and Brent Policy DMP8 seeks to protect such sites from development that would compromise their biodiversity or recreational function.
77. An ecological assessment was provided as part of the Environmental Statement. This identified baseline conditions on site and the predicted impact of the proposal, and recommended mitigation measures. Further detailed on-site protected species surveys were conducted to identify any activity from bats, reptiles and badgers. These surveys identified that the site consists of hardstanding, sections of bare ground, improved grassland, disturbed ground and scrub which is dense in parts. Anecdotal evidence suggests that sections of the site and immediately adjacent to the site have been recently cleared and habitats present have become degraded. Several areas of the invasive species Japanese Knotweed have been identified as being present on the adjacent site. Evidence was found of the use of the site by six species of bats for commuting and foraging (but not roosting), of previous badger setts and of birds including during the breeding season. Features identified as being of some ecological value include a low population of reptiles (slow worms, which are protected under the Wildlife and Countryside Act although not subject to the higher level of protection afforded to European Protected Species) and low levels of foraging and commuting bats along the northern site boundary.
78. Extensive landscaping including compensatory native woodland planting, retention of a 3m easement zone along the railway line; substrate based biodiverse living roofs; alternative nesting sites such as bird boxes; and inclusion of wildlife sensitive lighting are recommended as mitigation measures. The 3m easement zone would maintain a commuting corridor for wildlife and will provide new habitat for the colony of slow worms identified on the site. The landscaping proposals include extensive areas of soft landscaping including on the roof terraces, and further details of these, together with the location of bird boxes and a lighting specification, would be required as part of the landscaping condition.
79. The Environmental Statement also included a Tree Survey and Arboricultural Impact Assessment. This identified eight groups of trees, of which seven are within the application site and one within the adjoining site to the east (also in the applicant's ownership). Previous tree felling and site clearance operations have led to the vegetation cover being fragmented in this way. The trees surveyed have all been categorised as being of low quality due to their relatively low landscape group quality or individual arboricultural stature. There are no established mature trees on site, and no trees protected by Tree Preservation Orders. Consequently the proposal involves removing all of the trees on site and replacing them with new tree planting as part of a comprehensive landscape strategy. This will involve a significant increase in the number of replacement trees planted within the site. The Tree Officer has been consulted and supports this approach, due to the low quality of the trees currently on site. Further details of tree planting will be required by condition as part of a landscaping scheme.
80. Your officers consider that the ecological assessment, species surveys and tree survey have provided an appropriately comprehensive appraisal of the ecological and arboricultural value of the site and have been undertaken by competent qualified ecologists and arboriculturalists, and that the findings can be accepted on this basis. Overall, notwithstanding the SINC designation covering a wider area of the railway embankment, the application site itself has been demonstrated as having low ecological value. A Reptile Mitigation Strategy has been submitted, detailing measures to provide suitable habitats for slow

worms within the 3m easement zone and to encourage the existing colony of slow worms to relocate to this zone. These measures are considered to adequately minimise any impact on this protected species, in accordance with London Plan Policy 7.19. The development would also provide pedestrian access and a green link through the site, delivering the aspirations of the site allocation to compensate for the loss of the undeveloped land, and the landscaping measures proposed would also provide some enhancement of the biodiversity value of the site.

81. Overall the impact on trees and biodiversity is considered to be acceptable, subject to further details of the landscaping scheme, including management and maintenance arrangements, being provided by condition.

## **Environmental health considerations**

### *Air quality*

82. London Plan Policy 7.14 requires development to make provision to address local air quality problems particularly within Air Quality Management Areas, to promote sustainable design and construction, to be at least 'air quality neutral'. Brent Core Strategy 2010 Policy CP19 requires a sustainability statement for major developments and those proposing residential uses in Air Quality Management Areas.
83. An air quality assessment was submitted, including an air quality neutral assessment. This reviewed dust levels associated with construction activities and recommended mitigation measures to reduce these to negligible levels. Vehicle emissions predicted as a result of the development were modelled and found to be within acceptable levels. The proposed development was demonstrated to meet building and transport emission benchmarks and to be air quality neutral.
84. Environmental health were consulted and have requested the submission and implementation of an air quality mitigation scheme to protect occupants from poor air quality, which could include installation of a mechanical ventilation heat recovery (MVHR) system to provide an effective clean air source in all apartments, together with details of the maintenance and servicing arrangements for the MVHR and NO<sub>x</sub> filters. Such details are recommended to be conditioned.

### *Noise and vibration*

85. A noise and vibration assessment was submitted for the construction phase and the operational phase. While the assessment was considered to be robust in the whole, some discrepancies were noted between the noise report and the over-heating assessment. The noise report shows that noise can be addressed through façade treatments and specifies that the ventilation strategy includes mechanical extract ventilation and acoustic trickle vents. The over-heating report specifies that the assessment has been undertaken on the assumption that occupants will have the ability to open bedroom windows at night. As such, the assumptions for the noise assessment do not fully reflect the assumptions of the over-heating assessment. Nevertheless, it is also noted that the highest noise levels would be experienced for windows within the northern rather than the southern façade which is less likely to experience significant over-heating. A condition is accordingly recommended requiring details of ventilation systems which take into account the risk of over-heating. Only limited information has been provided regarding noise from fixed sources such as plant and equipment. As assessment, in accordance with BS4142: Noise Impact Assessments and Reports, is recommended to be secured through condition. The findings in relation to vibration were considered to be robust.

### *Microclimate and Wind*

86. A microclimate assessment was submitted as part of the Environmental Statement. Wind conditions were assessed by applying wind tunnel tests to a scale model of the proposed development. The tests covered 128 locations within and around the site, including ground level locations along the building facades and at corners, near main entrances, on pedestrian routes within and around the site and roof top terraces. The results were assessed against the Lawson Comfort Criteria, which recommend threshold wind speeds for sitting, standing, strolling and walking.
87. This assessment identified that wind conditions would be suitable for the intended use of the different external areas, including walkways, amenity spaces, building entrances, roof terraces and balconies, other than in a small number of instances: Landscaping features such as pergolas and planting are recommended as mitigation measures to counteract these limited instances of uncomfortable wind speeds, and these will be secured through the landscaping condition.

### *Contaminated land*

88. A Contamination Assessment Desk Study was submitted. This report includes a desk study, preliminary contamination assessment and preliminary geotechnical considerations. Environmental Health have reviewed the details and have recommended conditions requiring a site investigation and any necessary remediation measures together with a verification report. The site investigation would be carried out following site clearance and the removal of existing areas of hardstanding on the site. Remediation measures may include importing new topsoil, which would be carried out as part of the landscaping scheme and would need to be completed prior to occupation, together with submission of the verification report.

### *Construction management*

89. A range of measures to minimise and control the environmental impacts of the construction process have been requested by environmental health officers, and these would all be incorporated within a pre-commencement condition requiring submission of a Construction Environmental Management Plan to ensure that adequate measures are agreed and in place prior to work starting on site. These measures cover the potential cumulative impacts of construction traffic, noise, emissions and other environmental impacts of construction from this and neighbouring sites.

90. Transport officers have requested a Construction Logistics Plan as the site is difficult to access, and this will also be incorporated within the CEMP.

### **Sustainability and energy**

#### *Carbon reduction targets*

91. Major residential developments are expected to achieve zero carbon standards in accordance with London Plan Policy 5.2, which requires an Energy Assessment setting out how these standards are to be achieved. Specifically, a 35% reduction in carbon emissions compared to the 2013 Building Regulations baseline should be achieved on site and any shortfall in achieving zero carbon emissions would need to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £60, payable over 30 years. The corresponding target for non-residential floorspace is a 35% reduction including off-site financial contributions.

92. An energy assessment was submitted, describing passive design measures such as low U-values, and a low carbon heat network served by CHP to deliver 90% of domestic hot water and 24% of the space heating load. These energy savings also apply to the commercial B1 floorspace. Renewable energy sources are not proposed, however the assessment reviews the available sources and demonstrates that none would be suitable in this case.

93. The development would achieve a 30% reduction over the baseline Building Regulations 2013 carbon dioxide emissions for the residential units, including a 1% reduction through energy efficiency measures and 29% through the use of CHP, and a 24% reduction for the non-domestic floorspace. In order to achieve zero-carbon status for the residential parts of the buildings and a 35% reduction for the non-residential floorspace, the emission of 5,727.1 tonnes of carbon (190 tonnes per year over 30 years) would need to be compensated for by a payment to the Council's carbon offsetting fund of £343,626 (based on a notional price per tonne of carbon of £60).

94. The applicant has proposed using one of the two rooftops for an installation of photovoltaic panels that would provide an additional 5% reduction in carbon emissions in order to achieve the 35% on-site residential target. However, your officers consider that this would not be acceptable as it would reduce the provision of on-site amenity space for the use of residents, which would be of concern as the proposed amenity space provision is in any case below the 20sqm per unit requirement set out in Policy DMP19. On balance your officers consider that on-site amenity space provision should take precedence as other measures to improve carbon performance can be identified at the detailed design stage.

95. The energy assessment also includes an analysis of cooling and overheating, and concludes that these would be within compliance requirements without the requirement for additional mechanical ventilation. Measures to limit the risk of overheating have been incorporated into the design.

96. The development proposes two gas fired Combined Heat and Power (CHP) units as the lead heat

source. Provision would also be made to allow future connection to a district heating network should one become available in the future, and further details of this would be secured by condition. It is noted that the GLA considers that CHP might not be appropriate for a development of less than 500 units, however it is considered that the applicant has assessed the relative benefits of alternative technologies in detail and has provided robust justification for their choice of CHP in this case.

97. Both the GLA and Brent's Sustainability Officer have raised concerns that the proposal does not meet the target on-site reduction of 35% required under London Plan Policy 5.2. Specifically, the GLA has requested that the applicant models further energy efficiency measures, investigates whether higher carbon performance is achievable, and provides further detail on how the thermal bridging value of 0.08 will be achieved. To resolve these concerns it is recommended that a two-stage revised energy assessment (at detailed design stage and post-completion), together with the necessary financial contribution to carbon offsetting, is secured through the s106 agreement. The Council's Sustainability Officer has also been consulted and supports this approach.

98.

#### *Sustainability statement*

99. Core Strategy Policy CP19 requires a Sustainability Statement for major planning applications, demonstrating at the design stage how sustainable design and construction measures will mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day.
100. The Sustainability Statement submitted provided a summary of the carbon reduction measures proposed in response to the energy hierarchy, and a response to wider sustainability requirements. The Statement was revised in response to comments from the GLA, to confirm that water consumption would comply with the targets set out in London Plan Policy 5.15 and draft London Plan Policy SI.5 of 105 litres per person per day. Materials procurement would be in accordance with the BRE Green Guide to Specification, with materials sourced locally where possible and timber sourced from FSC certified sources. The Statement sets a target to divert a significant majority of construction waste from landfill, supported by the use of off-site manufacturing to reduce on-site waste, and the contractor would develop a sustainable procurement plan and site waste management plan.
101. The landscaping proposals would provide biodiverse living roofs, a continuous green corridor across the public realm and a linear woodland corridor on the rear boundary. Bat and bird boxes, pollinator friendly planting, and foraging habitat would be provided.

#### *Flood risk and drainage*

102. Although the site is in Flood Zone 1 and the risk of flooding is low, a site-specific flood risk assessment is required by the NPPF due to the size of the site being over 1ha. A Flood Risk Strategy has been provided, including green roofs, permeable paving and a storage tank with flow control device, with surface water discharge from the site restricted to 5 l/s. This meets the requirements of Brent Policy DMP9B, which requires sustainable drainage measures on major schemes, and there are no objections from Brent as the Lead Local Flood Authority.
103. The approach to flood risk management also complies with London Plan Policy 5.12 and draft London Plan Policy SI.12. The GLA has raised some technical queries on the surface water drainage strategy, including assessment of the greenfield runoff rate, integrating SuDS measures with proposed landscape measures, discharge rates for a range of rainfall events, design of attenuation storage areas and maintenance arrangements. The applicant has provided further information to address these queries and the GLA has not raised any objection in response.

#### **Transportation and highways considerations**

104. The site is located behind Wembley High Road (A404), which forms part of the Strategic Road Network, and to the east of Park Lane (A4089). The Public Transport Accessibility Level (PTAL) for the site is a mixture of 2 (poor), 5 and 6a (excellent). The PTAL of 2 for a portion of the site is due partly to the lack of any existing established access and would be improved as a result of the scheme.

#### *Access arrangements*

105. Vehicular access is proposed via an extension to the approved 5.25m wide service road along the

northern side of the Chesterfield House development. The approved site plan for the Chesterfield House development shows extensive refuse storage taking place along this service road, until such time as it is required to provide a through access route, and parking for the development to the east of the buildings (within the current application site). However, this plan was revised via a non-material amendment application reference 16/5045 to provide bin storage internally, whilst Condition 3 of the original permission for Chesterfield House allows parking in this location or elsewhere as approved. This allows for the Chesterfield House parking to be relocated as indicated on the current application plans, and it is understood that the applicant intends to apply for a further non-material amendment to the Chesterfield House scheme in order to formalise this change. The relocation of these spaces is considered to be acceptable in principle, however the two westernmost spaces would be accessed over the public footway of Park Lane, resulting in hazardous manoeuvring over the footway. To address this, transport officers have recommended that the layout is altered to concentrate the spaces further eastwards, and the applicant is preparing revised plans which will be reported on via the Supplementary Agenda.

106. The extended road, which is shown varying in width from 4.5m to 6m, would include a 10m long ramp to a gradient of 1:6 at its western end, to take the road down to the lower ground floor level. This would provide access for servicing and delivery vehicles, and to twelve on-site disabled parking spaces. The width and gradients of the road are confirmed as meeting standards for this type of road, however further details of its construction, including lighting and drainage, would be required by condition to ensure it is fit for purpose. The service road would also extend to the eastern boundary of the site to allow a connection to potential further phases of the development of the railway embankment land on plots to the east.
107. The site includes the existing rear service road for 412-444 High Road, which is currently in a poor condition. The proposed resurfacing of the road is welcomed, however further details of paving materials, lighting and drainage would be required as a condition. This road would provide a shared surface secondary pedestrian access into the site, which transport officers have accepted in principle due to the low level of traffic using this access. The main pedestrian access would be through the consented Chesterfield House development via a double-height undercroft leading from the public square between two residents' lounges, and Condition 7 of the Chesterfield House permission 15/4550 secures this public access through the development throughout its lifetime. Condition 19 of that permission (which remains to be discharged) requires details of external lighting for that site, whilst this development would also be subject to a condition requiring details of external lighting for the service road. It is considered that these features, together with further information on how the development complies with Secure by Design principles (as discussed in paragraph 47 above) would be sufficient to allay concerns raised by TfL regarding natural surveillance and road safety.
108. A third pedestrian access, via the steps alongside No 444 High Road, is within the red line of the site but does not form part of the access and movement strategy set out in the Design & Access Statement. However, the agent has clarified that this is to remain gated and would not provide access into the development.
109. The footpaths within the proposed landscaped area in the southern half of the site would be linked to the two pedestrian accesses and would provide a welcome high quality level access pedestrian route into and through the site, allowing for a pedestrian through route to the east if the adjoining site comes forward for redevelopment and congregating around the central water feature leading towards the residential courtyard and entrances. These footpaths would also provide access for cyclists, with level access provided to cycle stores on the upper ground floor of the building and, although TfL have queried whether the footpaths would be of suitable width to be shared between pedestrians and cyclists it is considered that the overall level of use would not be high enough to cause concerns in this respect. Further details of paving and other hard landscaping features would be required as part of the landscaping condition.

#### *Car and cycle parking provision*

110. The site is within the boundary of the Wembley Area Action Plan, which sets out car parking allowances of up to 0.4 spaces per unit for 1bed and 2bed flats and 0.6 spaces per unit for 3bed flats where public transport access is good. Applying this standard to this development gives a maximum allowance of up to 110 residential parking spaces.
111. The proposed provision of 12 disabled spaces along the rear service road behind the two blocks would accord with maximum parking standards, whilst also exceeding the draft London Plan requirement of a disabled space for 3% of units at the outset, and would be in a location with convenient access to the lift

cores of the buildings. Due to the constrained site, it is considered that it would not be possible to increase on-site parking to provide for 10% of residents (equating to 26 spaces) in future should the demand for disabled parking increase accordingly, and the application does not fully comply with draft London Plan Policy T6.1 in this respect. It is noted that the Chesterfield House scheme was granted permission with provision of only 3% parking, however this decision predates the publication of the draft London Plan.

112. The Transport Statement confirms that two of the parking spaces would be provided with active electric vehicle charging points and four with passive charging points. A condition is recommended to secure further details of charging points, as these are not shown on the plans. It is noted that draft London Plan standards require passive provision for ten bays rather than four, and it is considered that this requirement can be secured through the condition.
113. In line with draft London Plan Policy T6.1, TfL have requested that, rather than simply allocating the parking spaces to wheelchair accessible units, they should be managed via a Car Park Management Plan (CPMP) secured by condition to ensure the parking is used by those most in need, who may not necessarily live in the wheelchair accessible units. The applicant has clarified that this Plan could be provided jointly with the Chesterfield House scheme currently under construction.
114. For the workspace unit, no more than one car parking space per 400sqm would be allowed, so the lack of any parking for the unit would be acceptable.
115. Transport officers have also considered the potential impact of overspill parking on highway safety and traffic flow in the area. In this respect, the site sits back behind the frontage of London distributor and local distributor roads and bus routes, along which residential parking is not feasible due to the presence of loading bays and pay and display parking bays. It is not therefore possible to safely accommodate overspill residential parking from a development of this size close to the site. However, the site has very good access to public transport services and is located within a Controlled Parking Zone. Policy DMP12 recommends that 'car-free' developments should be considered in highly accessible locations, and this would be secured as part of the Section 106 Agreement removing the right of future residents to apply for on-street residents' parking permits and requiring the owner to notify all prospective residents in writing of the restrictions. A number of car club vehicles are based in the local area, and future residents would be provided with information about these as part of the Travel Plan for the development, whilst a dedicated car club parking space could be provided within the parking area if the car club operators consider that demand warrants it.
116. The London Plan requires at least one secure cycle parking space per 1bed flat and two spaces for larger flats, plus one space per 40 flats for visitors. Two spaces are required for the workspace, taking the overall requirement to 397 long-term and seven short-term spaces. The internal storage rooms on the ground floor are shown with a capacity of 448 spaces on double-height racks (including four spaces for the workspace), which meets the long-term requirement and also complies with the higher standards proposed in the draft London Plan. Four external spaces for short-term use are also required, and a condition will secure these to be provided as 'Sheffield' type stands in the shared courtyard area. The provision of cycle parking complying with London Cycling Design Standards prior to occupation would also be required by condition.

### *Servicing*

117. Servicing is proposed along the rear of the site, with a 17m deep turning head shown to accommodate turning by refuse vehicles and delivery vehicles serving both the residential units and the workspace. Tracking diagrams have been provided to demonstrate that this would provide adequate turning space and it would also provide a turning facility that would allow delivery and servicing vehicles at both the application site and the Chesterfield House site to enter and exit the Park Lane junction in forward gear, which has been welcomed by your transport officers and TfL. The rear service road would also accommodate fire appliances, allowing access to wet riser inlets at the rear of both blocks.
118. The residential units would require a total of 24 x 1,100L Eurobins for each of the main waste streams (dry recycling and residual waste), in addition to 6 x 1,100L Eurobins for organic waste. This capacity will meet Brent's standards.
119. A Servicing Management Plan has also been submitted to help to ensure that the 14 expected deliveries per day do not cause any problems in relation to the vehicle access road or conditions on the highway network. Measures proposed include co-ordination of deliveries through a booking system and

the use of a concierge to receive and store deliveries on behalf of residents. The Servicing Management Plan is welcomed by transport officers and its operation would be secured by condition.

### *Transport impact assessment*

120. A transport assessment was submitted. This notes the accessible location and the various transport infrastructure enhancements planned for the area, personal accident data for the area, and the level of parking proposed. It includes a swept path analysis in ACE Drawing Number 180270-001 Revision C. Future predicted trips to and from the development have been estimated using comparisons with similarly located office and residential developments within other areas of London that have very good access to public transport services. The sites chosen are considered to offer an appropriate comparison. This exercise gives estimated movements to and from the development totalling 51 arrivals and 143 departures in the morning peak hour (8-9am), and 106 arrivals and 63 departures in the evening peak hour (5-6pm).
121. Given the very low level of residential parking proposed and the constraints on on-street parking in the surrounding area, only 5% of future residential journeys have been assumed to be made by car and this assumption is accepted by your transport officers and by TfL. On this basis, only three arrivals and seven departures in the am peak hour, and five arrivals and three departures in the pm peak hour are estimated to be by car. The impact of the development on the local road network is not therefore considered likely to be significant enough to warrant further junction analysis.
122. In terms of public transport trips, the development is estimated to generate 63 additional bus journeys in the am peak hour, 55 journeys in the pm peak hour and 497 journeys daily, whilst 85 additional trips in the am peak hour and 74 additional trips in the pm peak hour are estimated to be made by tube or rail. These amount to less than one additional passenger per bus passing the site, three passengers per Underground train and one passenger per National Rail (i.e. London Overground, Chiltern & Southern) train. These totals are not considered to be significant enough to give rise to concerns, however, the trip generation assessment does not take into account that some people making London Underground and rail journeys are likely to use the bus to access the station given the distance (400 metres). As such it is considered that the assessment underestimates the bus network impact, however TfL considers that the impact of residents using bus services to access rail services would be comparatively small due to the proximity of Wembley Central and Wembley Stadium stations, and has not requested any revisions to the assessment.
123. Existing bus services in the area are at capacity, and given the site is located in a growth area, there are expected to be cumulative impacts of development on the bus network. Therefore TfL considers that contributions are necessary to mitigate the impacts, and are seeking a contribution of £79,800 per year for five years, which equates to £399,000. This sum has been calculated in line with contributions agreed for other developments in the area, and would be secured through the s106 agreement. Whilst the applicant has put forward arguments for a smaller contribution, TfL considers that the full contribution should be made given that the site is not able to provide the scope for 10% disabled parking to meet future demand. The final amount will be agreed with TfL as part of the Stage 2 submission to the GLA.
124. Future walking and cycling trips to and from the site have been estimated at 26 trips by foot in the am peak hour and 23 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 three trips by cycle are anticipated in each peak hour. The improvements to pedestrian access into and through the site would help to accommodate these flows safely.

### *Road safety*

125. Personal injury road accidents in the vicinity of the site over the five year period May 2012-April 2017 have also been examined in detail. This exercise identified 18 accidents over the study period at the High Road/Park Lane junction, of which one resulted in serious injury, with eight involving pedestrians. The Council has previously identified proposals to improve this junction and in particular, provide improved pedestrian crossing facilities (the Park Lane arm currently has no dedicated pedestrian crossing phase).
126. Further afield, ten accidents were recorded along Park Lane between High Road and Dagmar Avenue, of which two involved pedestrians crossing Park Lane. A total of 17 accidents were recorded in High Road between Park Lane and Wembley Triangle, of which two resulted in serious injury. Ten of these involved pedestrians.

127. Whilst these high accident rates are reflective of this busy town centre location, they also highlight a need to improve facilities for vulnerable road users in the area. To this end, a corridor study is underway for Wembley High Road, examining future options to improve the safety and operation of junctions and links (including a review of proposals for the above cited Park Lane junction). Funding from any CIL contribution from this development towards development of the study and implementation of recommended options would be beneficial, however an application for CIL funding would be taken forward outside of the planning application process.

#### *Travel Plan*

128. The development is large enough to warrant the submission and operation of a Travel Plan. A Framework Travel Plan has been submitted with the application, proposing measures to retain and reinforce the reduced level of vehicular trips. These include details of car club places nearby and lift-sharing schemes, promotional material on the benefits of walking and cycling, online journey planning tools for pedestrian journeys, cycle user group meetings, information for visitors, consideration of further incentives for cyclists, information on public transport services, season ticket loans for any regular employees of the workspace, promotional material on home working and home deliveries and internet access to facilitate these, together with targets and a monitoring regime. A full Travel Plan will be secured through the s106 Agreement.

#### **Density**

129. London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan Chapter 7 and public transport capacity. Draft London Plan Policy D6 seeks a design-led approach to density, based on an assessment against the housing standards within Policy D4 and the long-term management proposals for higher density developments. The proposed density of 406 units per hectare or 1095 habitable rooms per hectare is considered acceptable for this well-connected site in a Growth Area, Housing Zone and Opportunity Area.

#### **Equalities**

130. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

## **S106 DETAILS**

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. *Affordable Housing and Private Rented Sector Housing* – to include 11 x 1bed, 4 x 2bed and 19 x 3bed units at London Living Rent levels and 8 x 1bed and 8 x 2bed units at 80% Discount Market Rent (represents 22% affordable housing by habitable room)
4. *Two stage financial review mechanism* to reasonably capture any improvement in viability for deferred affordable housing planning obligations.
5. *Maintenance of pedestrian link through site as a permissive public right of way*
6. *Training and employment of Brent residents* - Prior to a material start to inform in writing Brent Works of the projected amount of construction jobs, training opportunities and provide a copy of the Schedule of Works. And, prior to a Material Start to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough

relating to the construction phase of the Development and in relation to the operational phase of the Development.

7. *Carbon Off-setting measures* – (i) Pre-construction submission of revised Energy Statement calculating regulated carbon emissions for domestic and non-domestic floorspace separately, based on detailed design specification and identifying measures to achieve carbon reduction targets (zero carbon for domestic floorspace and 35% reduction for non-domestic floorspace) (ii) Initial financial contribution towards Brent’s carbon offsetting scheme to offset 50% of the shortfall identified in (i) above (iii) Post-completion submission of Energy Statement Review calculating actual regulated carbon emissions achieved in the development in comparison to (i) above and (iv) Final financial contribution to offset the remaining shortfall identified in (iii) above. £TBC in two stages.
8. *Travel Plan* – The approval of a revised Travel Plan that achieves a “pass” rating using TfL’s ATTrBuTE programme and implementation of that plan, including reviews and including promotion of car club membership.
9. *Transport for London* – financial contribution towards improvement of bus services. £TBC
10. *Contribution to off-site play provision for older children* towards improvements in King Edward VII Park (including planting, water butts, litter bins, improved signage, CCTV, benches, children’s playground improvements and upgraded sports provision). £120,000
11. *Removal of rights to apply for parking permits*

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

## CIL DETAILS

This application is liable to pay **£6,998,970.01\*** 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): 21417 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	21246	0	21246	£200.00	£35.15	£5,937,498.21	£1,043,515.31
General business use	171	0	171	£40.00	£35.15	£9,557.68	£8,398.81

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	
<b>Total chargeable amount</b>	<b>£5,947,055.89</b>	<b>£1,051,914.12</b>

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

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

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



**DECISION NOTICE – APPROVAL**

Application No: 18/3111

To: Mr Lucas  
GVA HOW Planning  
40 Peter Street  
Manchester  
M2 5GP

I refer to your application dated **06/08/2018** proposing the following:

Erection of 2 residential blocks (17 and 19 storeys) connected at ground floor level comprising 256 self-contained apartments, lower ground floor, 166sqm of flexible workspace (Use Class B1) on upper ground floor and roof top amenity, provision for car and cycle parking, refuse and associated communal spaces and hard and soft landscaping. This application is accompanied by an Environmental Statement.

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

at **Land, garages, alleyway rear of 416-444, High Road, Wembley, HA9**

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: 01/03/2019

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:-

London Plan 2016  
Brent Core Strategy 2010  
Brent Development Management Policies 2016  
Wembley Area Action Plan 2015

- 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):

**Plans**

DPA-001  
DPA-002  
DPA-003  
DPA-004 Rev A  
DPA-099 Rev A  
DPA-100 Rev A  
DPA-101 Rev A  
DPA-102 Rev A  
DPA-103 Rev A  
DPA-104 Rev A  
DPA-105 Rev A  
DPA-106 Rev A  
DPA-107 Rev A  
DPA-108 Rev A  
DPA-200 Rev A  
DPA-201 Rev A  
DPA-202 Rev A  
DPA-300 Rev B  
DPA-301 Rev B  
DPA-302 Rev B  
DPA-303 Rev B  
DPA-304 Rev B  
DPA-400 Rev A  
DPA-401 Rev A  
DPA-402 Rev A  
H-22-AL-P-01  
H-22-AL-P-02  
P450050-C101 P1  
2105-A-SK-180926-01  
2015 - 180926

**Supporting documents:**

Air quality assessment (Arden Consulting Engineers, Ref 180270-04A, August 2018)  
Archaeology desk-based assessment (Pre-Construct Archaeology Ltd, Ref R13269, August

2018)  
 Design and access statement  
 Energy assessment (Max Fordham LLP, Issue 3, 5 October 2018)  
 Environmental statement (August 2018)  
 Flood Risk Assessment and Drainage Strategy (Whitby Wood, ref P450050 rep 002, July 2018)  
 Contamination assessment desk study (Whitby Wood, ref P450050 rep 001, July 2018)  
 Internal light assessment (Anstey Horne, ref MG/ROL00012, August 2018)  
 Noise and vibration assessment (Max Fordham LLP, Issue 2, 25 July 2018)  
 Construction noise and vibration assessment (Max Fordham LLP, Issue 2, 25 July 2018)  
 Planning statement (August 2018)  
 Statement of Community Involvement (August 2018)  
 Sustainability Statement (Max Fordham LLP, Issue 3, 5 October 2018)  
 Transport assessment (Arden Consulting Engineers, Ref 180270-01C, August 2018)  
 Framework travel plan (Arden Consulting Engineers, Ref 180270-03C, August 2018)  
 Servicing management plan (Arden Consulting Engineers, Ref 180270-02C, July 2018)  
 Viability assessment report (Savills, August 2018)

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

- 3 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.

- 4 The B1 floorspace approved shall not be converted to any other use within the Use Classes Order, notwithstanding the provisions of Schedule 2 Part 3 Classes I, O and T 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: In order to fully assess and control the potential impacts of any future proposals for change of use of this floorspace.

- 5 The area marked on the plans as 'residents lounge and management suite' shall remain ancillary to the residential uses of the development only and shall not be used for any other purposes at any time.

Reason: To ensure adequate ancillary facilities including an adequately sized residents lounge are retained to serve the development.

- 6 The access arrangements including pedestrian and cycle access and provision for servicing, parking spaces, cycle storage and refuse storage as shown on the approved plans shall be provided in full prior to first occupation of the dwellings and shall be permanently retained and used solely in connection with the dwellings hereby approved.

Reason: To ensure adequate access into the site at all times and that the approved standards of parking provision and servicing are maintained in the interests of local amenity and the free flow of traffic in the vicinity.

- 7 All servicing and deliveries to the development shall be carried out in full accordance with the approved Service Management Plan for the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of maintaining the free flow of traffic in the surrounding area.

- 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

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

- 9 PRIOR TO DEVELOPMENT COMMENCING, a Construction Logistics Plan (CLP) providing details of how access into the site by construction traffic will be controlled and a Construction Environmental Management Plan (CEMP) incorporating the recommendations of the approved Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall incorporate an Environmental Management Plan, Construction Management Plan, and Air Quality (Dust) Management Plan (AQDMP). These Plans should cover all phases of development namely: demolition, earthworks, construction and track-out, and should show how the potential cumulative effect of construction traffic, noise, emissions and other environmental impacts of construction from neighbouring development sites will be managed between the sites.

The Plans shall include

(i) An assessment of predicted construction noise and vibration levels including from construction traffic using the methods in BS5228 and the Calculation of Road Traffic Noise (CRTN) methodology, the provision and operation of noise and vibration monitoring equipment, and measures to ensure that predicted noise and vibration levels at sensitive receptors comply with the Code of Construction Practice. Measures shall be included to prevent site deliveries and vehicular movements outside of specified working hours and to ensure that vehicles waiting to enter or leave the site switch off their engines. Deliveries shall be carried out at such times and in such a way as to minimise nuisance to local residents.

(ii) Details of the methodology for piling, demolition and excavation of hard materials shall be included, with justification in terms of Best Practicable Means and proposed mitigation measures to control noise impacts. Works to the structure of the buildings shall follow a two hours on, two hours off working pattern in order to protect neighbouring residents from structure-borne noise.

(iii) The Plans shall include measures to reduce emissions from construction vehicles including through heavy duty vehicles and heavy goods vehicles complying with Euro VI for PM, and confirmation that all mobile vehicles associated with the demolition and construction works will comply with London Low Emission Zone standards and all non-road mobile machinery of net power of 37kW and up to and including 560kw complies with emissions standards set out in chapter 7 of the GLA's 'Control of Dust and Emissions During Construction and Demolition' SPG 2014.

(iv) The Plans shall incorporate a wheel washing facility to be installed on site prior to commencement, which shall be maintained in working order whilst the site remains in operation.

(v) The AQDMP should show details of mitigation measures that are already part of any planned development and how these measures tie in with the mitigation for this site.

(vi) All sub-contractors shall be required to demonstrate adherence to policies and procedures set out within the CEMP.

(v) Detail of Reptile Exclusion Zone between the site and railway corridor and confirmation of measures to keep this zone free from disturbance during construction works and that temporary amphibian fencing will be installed prior to commencement.

Reason: To ensure that the construction works and operation do not prejudice air quality within an Air Quality Management Area and that the potential adverse impacts of the construction process are adequately controlled.

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

- 10 (A) No works shall commence (other than demolition and site preparation works) unless a

site investigation is carried out and remediation strategy is prepared by an appropriate person in accordance with of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination - Contaminated Lane Report 11' (CLR 11) (or other such updated British Standard) to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found.

(B) Prior to first residential occupation of the development hereby approved, a verification report written by a suitably qualified person in accordance with of BS 10175:2011 + A2:2017 and 'Model Procedures of for the Management of Land Contamination - Contaminated Lane Report 11' (CLR 11) (or other such updated British Standard) must be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to part A of this condition and the site is safe for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with Policy 5.21 of the London Plan (2016).

- 11 PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORK OTHER THAN DEMOLITION AND GROUNDWORKS, 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.

- 12 Prior to any work commencing on the superstructure of the development, details of materials for all external work, including samples to be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on the superstructure of the development. The work shall thereafter be carried out in accordance with the approved details.

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

- 13 Prior to works commencing on the superstructure of the development , further details of how the development will be built so that 90% of the residential units will achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that the remaining 10% of the residential units will be easily adaptable to achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings' shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details.

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

- 14 Within 6 months of works commencing on the superstructure of the development, an Air Quality Mitigation Strategy to protect residents from poor air quality shall be submitted to and approved in writing by the local planning authority. The strategy shall include:

(i) any air quality mitigation measures already proposed for the development;  
(ii) details of air quality mitigation measures, including mechanical ventilation heat recovery (MVHR) system , to provide an effective clean air source to be installed in all apartments;  
(iii) assessment of the impact of the Energy Centre, including location and height of the discharge stack, volume and velocity of discharged air, realistic end-of-pipe emissions factors (these must be given in mass/volume or mass/time units - references to BREEAM or RHI standards in mass/power units must not be used), use of stand-by or top-up conventional boilers (these should be included in the model as time varying sources), short term impacts (i.e. assessment against the short term AQS), realistic background levels, relevant receptors, and NOx-NO2 calculation methodology.

(iv) a screening assessment for cumulative air quality impacts of CHP(s) in the development. If the CHP(s) cannot be screened out, then dispersion modelling of each CHP and boiler should be undertaken using an appropriate modelling software and relevant data sets; if determined through the modelling assessment that the occupants of the proposed residential accommodation will be exposed to high concentrations of air pollutants from these sources, then a scheme to protect the said occupants from these pollution sources shall be submitted to the local planning authority for approval in writing as part of this strategy.

The approved Air Quality Mitigation Strategy shall be fully implemented prior to occupation of the residential accommodation to which it relates.

Reason: To ensure residents are protected from the impacts of poor air quality, to comply with Core Strategy Policy CP19 and London Plan Policy 7.14.

- 15 Within six months of commencement of development above upper ground level, further details of landscaping works within the application site as indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The landscaped works shall be completed prior to first occupation of the residential units hereby approved, or other timescales to be agreed in writing by the Local Planning Authority.

Such details shall include:-

- (i) Proposed walls and fencing and other boundary treatments both within and around the site, indicating materials and heights and exact locations within the site, including a trespass-proof fence of a minimum height of 1.8m and set back by at least 0.5m from the boundary with the railway land together with suitable screening to enhance the visual amenity of the development. Any hard boundary treatments adjoining soft landscaped areas are to include provision to maintain connectivity for the wildlife corridors.
- (ii) Other appropriate matters within the context of a landscaping scheme, such as details of external furniture, areas of hard landscape works including footways and other paved pedestrian and vehicle parking areas, including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users.
- (iii) Proposed species, locations and densities of soft landscaping and trees including the use of native species where appropriate.
- (iv) Defensible planting strips of minimum 1.5m depth outside any habitable room windows on the ground floor that look out onto communal areas including communal amenity space.
- (v) Measures to mitigate uncomfortable wind conditions on site, as recommended in the approved Environmental Statement Appendix 10.1 - Pedestrian Level Wind Microclimate Assessment (RWDI, ~1803012 PLW Rev A, 1 August 2018)
- (vi) Details of the proposed arrangements for maintenance of the landscaping, for controlling access to areas exclusively for residents' use, for the establishment and management of the proposed food growing garden and for the maintenance of appropriate habitats for slow worms in the ecological zone protected species. Details of any alternative arrangements to be made on Event Days.
- (vii) Tree pit designs
- (viii) Proposed soil depths and composition on roof terraces
- (ix) Details of external lighting (including proposed siting within the site and on buildings and light spillage plans showing details of lux levels across the surface of the site and at residential windows, and showing how adverse impacts on bat foraging and commuting paths will be avoided), together with confirmation that these details have been approved in writing by Network Rail.
- (x) Details of Bird and Bat Boxes including their location within the development, to include integrated Bird Boxes for Swifts.
- (xi) Details of four 'Sheffield' type cycle stands to be located in the external courtyard.

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

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality, contributes to biodiversity enhancements on-site and is in accordance with Network

Rail's requirements for development adjacent to a railway line.

- 16 Within six months of commencement of works above upper ground floor level of the superstructure, further details of the construction of the access road and the resurfacing of the existing rear service road for 412-444 High Road, including materials, lighting and drainage, shall be submitted to and approved in writing by the local planning authority and shall be carried out in full prior to first occupation of the development hereby approved.

Reason: To ensure satisfactory access into the site.

- 17 Prior to the commencement of works on the facade or fenestration for the development, a noise and ventilation report shall be submitted to and approved in writing by the local planning authority which reviews and updates the findings of the reports titled "Wembley Link Noise and Vibration Assessment Issue 2 25/07/2018" and the report titled "Energy Assessment Appendix 2 Wembley Link Overheating Analysis 25th July 2018" taking into account the need to achieve appropriate internal noise levels (having regard to BS8233:2014) and the need to avoid excessive levels of overheating. All mitigation measures recommended to be implemented within the aforementioned reports shall be implemented in full prior to first occupation of the residential units, save for recommendations that are amended pursuant to this condition which, along with any additional recommendations made pursuant to this condition shall be implemented in full accordance with the approved details prior to first occupation of the residential units

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

- 18 Prior to first occupation of the development, further details of the active provision of vehicle charging points to serve two parking spaces and passive provision of the necessary infrastructure to facilitate charging points to serve an additional four spaces, shall be submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details, and the active provision of charging points shall be completed and made available for residents' use prior to first occupation of the development.

Reason: To facilitate the use of sustainable means of transport.

- 19 Prior to first occupation of the residential units, a Car Park Management Plan shall be submitted to and approved in writing by the local planning authority, setting out how parking spaces shall be allocated to residents with the most need for parking. All parking spaces shall be made available on short-term leases rather than sold to individual residents. The allocation and management of parking spaces shall be conducted in accordance with the approved details for the lifetime of the development.

Reason: To ensure that parking spaces are allocated to residents with the greatest need for parking.

- 20 Prior to first occupation of the residential units, a report shall be submitted to and approved in writing by the Local Planning Authority, setting out how the development will incorporate design features to enhance the safety and security of the site including areas of public realm, such as the definition of the boundaries between private spaces for the use of residents and areas of public realm, boundary treatments, movement-sensitive external lighting, signage, entry systems and management arrangements to enhance safety and security including provision for alternative arrangements on Event Days. The approved features shall be implemented in full prior to first occupation of the development and shall thereafter be maintained for the life of the development.

Reason: To ensure the development provides a safe and secure environment for all users. To comply with London Plan Policy 7.3.

- 21 Measures should be taken in order to mitigate against the possibility of numerous satellite dishes being installed on the buildings hereby approved. Any external equipment required shall be located so as to have the least impact on the external appearance of the development, and details of any such equipment shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

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

- 22 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.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries. 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 An Asset Protection Agreement (APA) will need to be entered into with Network Rail to facilitate the design and construction of development works to be undertaken within 10m of the operational railway. A risk assessment and method statement (RAMS) together with details of any vibro-compaction machinery / piling machinery or piling and ground treatment works including a method statement will need to be agreed with Network Rail prior to the commencement of those works. Furthermore, Network Rail have advised that a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail.

The applicant /developer should submit the RAMs and the BAPA directly to:

[AssetProtectionLNWSouth@networkrail.co.uk](mailto:AssetProtectionLNWSouth@networkrail.co.uk)

- 6 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read 'Working near or diverting our pipes' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures -  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 7 A Groundwater Risk Management Permit from Thames Water will be required for discharging

groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Groundwater-discharges>

- 8 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
  
- 9 The applicant is reminded that the grant of planning permission does not override protected species legislation and that advice should be sought from a suitably qualified ecologist to prevent any adverse impact on protected species as a result of the development.

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

12 March, 2019  
04  
19/0002

## SITE INFORMATION

RECEIVED	2 January, 2019
WARD	Sudbury
PLANNING AREA	Sudbury Town Neighbourhood Forum
LOCATION	709 Harrow Road, Wembley, HA0 2LL
PROPOSAL	Demolition of existing rear extension and erection of a replacement single storey rear extension for the commercial premises (as amended by revised plans).
PLAN NO'S	Refer to condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143327">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143327</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> _</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="http://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "19/0002" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

RECOMMENDATION Resolve to grant planning permission subject to conditions.

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

### Conditions

1. Time Limit for commencement
2. Approved drawings/documents
3. Materials to match
4. Extension not to be used other than for purposes ancillary to the retail unit at No. 709 Harrow Road, and the premises shall not be subdivided

### Informatives

1. Party Wall
2. Building near boundary

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

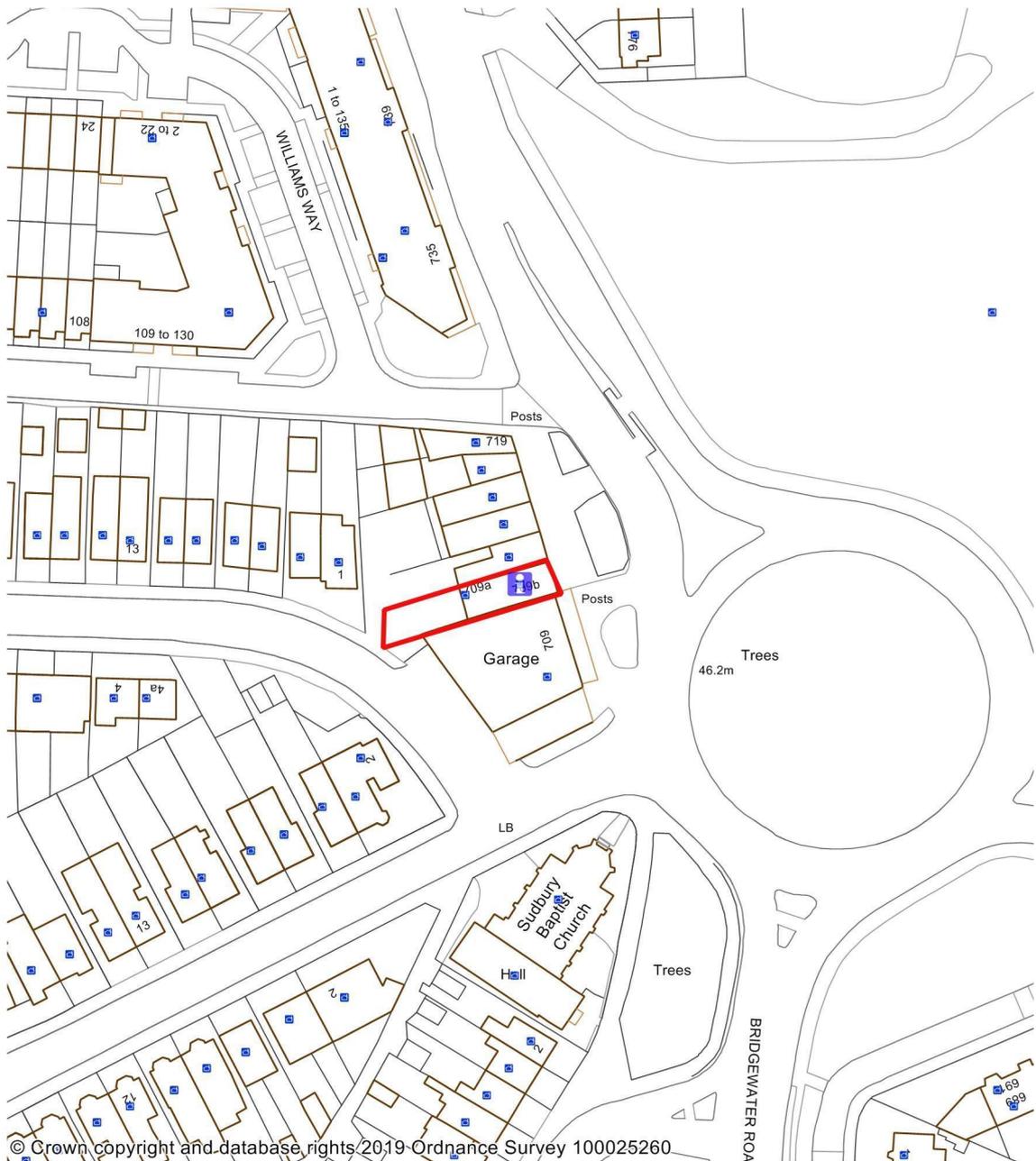
## SITE MAP



### Planning Committee Map

Site address: 709 Harrow Road, Wembley, HA0 2LL

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This map is indicative only.

## PROPOSAL IN DETAIL

Demolition of existing rear extension and erection of a replacement single storey rear extension for the commercial premises.

## EXISTING

Existing 3-storey end of terrace property on Harrow Road, facing Barham Park open space with retail use on the ground floor, and residential use at first and second floor. There is an existing lean-to rear extension, and a service area to the rear that is accessed via Central Road. The flats are accessed from Harrow Road.

There is an existing vehicle repair garage adjoining the site, this has a deep rear projection along the boundary.

The site is located within Sudbury Town Centre and within the Secondary Shopping Frontage. It also sits within the Sudbury Neighbourhood Forum boundary. The site is not within a conservation area nor does it contain any listed buildings.

## AMENDMENTS SINCE SUBMISSION

The proposal initially proposed an extension at 11.3m deep with a mezzanine floor on top (proposed floorspace of 88.4sqm). The extension was annotated to include storage, a meeting room and office space within the mezzanine floor. Your officers requested amendments to the plans to remove the mezzanine floor due to the detrimental impact that this would have upon the neighbouring residential occupiers at first floor level due to restricted outlook and loss of light, and the impact upon the useability of the rear service yard.

In response to these concerns, the plans have been amended to remove the mezzanine floor and reduce the depth of the ground floor extension to 7.855m. The plans show the extension as storage. The revised floorspace is 39sqm, which is almost more than 50% reduction in size from the original proposal.

## SUMMARY OF KEY ISSUES

**The key planning issues for Members to consider are set out below. Objections has 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.**

**Objections from neighbours:** 4 objections from individual properties together with an objection petition with 150 signatures from residents on District Road and Central Road, and objections from Cllr Stephens and Cllr Daly have been received. The concerns raised have been considered in the main body of the report.

**Principle of development:** The proposal relates to a single storey rear extension to a ground floor retail unit. The extension will be used for storage and office space in connection with the ground floor retail unit. As the proposal is ancillary space for the retail unit, it is considered acceptable in principle within the designated secondary shopping frontage of Sudbury Town Centre.

**Design, scale and appearance:** The extension is single storey and of a design and scale that is in keeping with the main building.

**Impact on neighbouring properties:** The proposal will maintain sufficient level of outlook to neighbouring occupiers, and maintain adequate levels of amenity for adjoining occupiers.

**Transportation and highways considerations:** The proposal retains a rear service yard that is of sufficient size for a transit sized vehicle and one car parking space. This level of provision is acceptable for the retail unit.

## MONITORING

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

## Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	78.4	78.4	0	39	117.4
Storage and distribution	0		0	0	

## Monitoring Residential Breakdown

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

### Relevant planning history

#### **13/0972- Granted**

Demolition of existing rear extension and erection of a replacement single storey rear extension (as amended by revised plans)

\* note that this permission has not been implemented and has now expired.

#### **97/1708 - Granted**

Change of use of the ground floor from offices (Use Class B1) to retail (Use Class A1)

## **CONSULTATIONS**

23 properties and the Sudbury Town Neighbourhood Forum were consulted in relation to the proposal on 08/01/2019.

A total of 4 objections from individual properties have been received together with objections from Cllr Daly and Cllr Stephens.

A petition with 150 signatures has also been received from residents in Central Road and District Road objecting to the proposal.

A summary of the objections are set out below:

Point of objection	Officer response
Increased used of alleyway by businesses and residents on Harrow Road and Central Road results in vehicles overspilling onto Central Road and resulting in traffic and	This proposal will maintain a rear service yard within the application site that is of sufficient size for a transit sized vehicle

<p>safety issues.</p>	<p>together with a off street car parking space.</p> <p>The servicing requirements for a retail unit of this size is for it to be served by a transit sized vehicle rather than a larger vehicle. Adequate service and parking provision for the retail unit will be retained.</p>
<p>Adjoining retail unit has large box lorries loading and unloading on Central Road</p>	<p>This proposal does not affect the ability of other commercial units within this parade access their rear service yards.</p> <p>There is no planning conditions restricting the servicing arrangements for No. 711 Harrow Road. In the event that this unit is being serviced by larger vehicles that park on Central Road, and planning enforcement issues will need to be reported to the Council's Planning Enforcement Team.</p>
<p>Area has suffered from overdevelopment (Parkside Place Estate) which has caused problems relating to traffic, privacy and parking (overspilling onto Central Road). This impact will be made worse with the potential development at Keelers Corner.</p>	<p>Officers can only consider this impacts of the development proposed as part of this application. As discussed above, adequate servicing and parking provision is retained for the retail unit.</p> <p>The impact on adjoining residential amenity of this proposal has been considered and discussed within the remarks section below.</p>
<p>Proposal will have a detrimental impact on the character of the local area and community</p>	<p>The proposal involves a modest extension to the retail unit. The applicant has confirmed that it will be used as storage and office to be used in connection with the retail unit only. Your officers have recommended a condition to restrict the use of the extension to be used for purposes ancillary to the retail unit.</p> <p>It is not considered that the proposal will have a detrimental impact on the character of the local area or community.</p>
<p>Inadequate consultation including the need to consult on the revised plans</p>	<p>The consultation was for this application was carried out in accordance with statutory requirements and Brent's Statement of Community Involvement. As such, it is considered that the level of consultation was appropriate.</p> <p>In terms of re-consultation, it is upto the LPA to decide whether further publicity and consultation is necessary. In this case, given that the size of the extension was amended to be smaller (i.e. reduced footprint and reduced to one storey only), it was considered that the proposal did not raise any new material planning considerations. The objections raised as part of the original plans have been considered and discussed.</p>

Objection raised to the building of flats	This proposal does not involve the creation of any new residential units.

### Petition

The petition has raised concerns with discrepancies between the current application and the earlier one approved under reference 13/0972. It has requested that the application is re-consulted upon based on the revised plans. In response your officers can advise of the following:

The earlier 2013 application (LPA Ref: 13/0972) was not implemented within 3 year time period and has therefore lapsed. This application also proposed a single storey rear extension to the retail unit, although the size and detailing of the extension are different to the current proposal. The current application has been considered on its individual merits in line with current planning policies (namely Brent's Development Management Policies 2016 and the Sudbury Neighbourhood Plan).

The request to re-consult is discussed within the above table.

### Response from Cllr Stephens

The concerns raised by Councillor Stephens are summarised below:

1. *Implications for residential parking in the area (particularly on District Road and Central Road)*
2. *Impact of extra loading/unloading space on local businesses and residents*
3. *Obstruction of windows and limited emergency vehicle access for flats at 709 Harrow Road.*

Points 1 and 2 have been discussed above. In response to point 3, the extension has been reduced to single storey to maintain adequate outlook to the flats at No. 709 Harrow Road. The proposal will not block the service road behind the commercial units on Harrow Road.

### Response from Cllr. Daly

The concerns raised by Councillor Daly are summarised below:

1. *Loading Unloading*
2. *Amenity of residents living flats above Number 709 Harrow Rd*
3. *Impact on residential parking*

The above matters have been discussed above.

## **POLICY CONSIDERATIONS**

### NPPF 2018

#### Development Management policies 2016

DMP1 Development Management General Policy

DMP12 Parking

DMP13: Movement of Goods and Materials

#### The Sudbury Town Neighbourhood Plan

TDC1: Town Centre Development

## **DETAILED CONSIDERATIONS**

1. 709 Harrow Road is in retail use which falls within Use Class A1. To the rear is an existing service yard 15.3m deep. This is accessed via a shared service road, that has an access from Central Road.

### Use, scale and design

2. The application proposes a single storey rear extension to the A1 unit. It is proposed at 7.85m deep from the existing single storey projection (9.455m deep from the main rear wall of the building). It will be designed with a flat roof at 3.36m high. The extension will be used as a store to be used in connection with the ground floor unit at No. 709 Harrow Road. The extension is designed in brickwork to match the main building with a roller shutter and entrance door. It is in keeping with the character of the building and a condition is recommended for external materials to match the main building.
3. The extension will increase the floorspace of the retail unit by 39sqm. This is considered a modest addition in floorspace to the retail unit. The applicant has confirmed in writing that the extension will be used for storage and administration office purely relating to the retail space fronting onto 709 Harrow Road. As such, it is not considered to adversely impact on the function of the retail unit or Sudbury Town Centre. A condition is however recommended for the extension to be used for purposes ancillary to the retail unit at No. 709 Harrow Road and that it shall not be subdivided without further permission. This is necessary to ensure that the intensity and layout of the use is appropriate.

### Impact on neighbouring amenity

4. The proposal is at ground level only. It is sited below the height of the sill of the windows to the residential flats above and the residential unit at No. 711 Harrow Road, and thus will not impact on their outlook. The extension will not overlook the residential units at Nos. 1 and 1A Central Road. A boundary wall of approx. 2m separates Nos. 1 and 1A Central Road from the service access road.
5. The height of the extension is lower than the existing garage building at Keelers Corner that runs along the length of the southern boundary. Consideration has also be given to the impact of the extension upon any future redevelopment of Keelers Corner as there is a current application in for its redevelopment (LPA Ref: 18/3069). This proposed scheme does not include any residential development at ground floor level. The residential units at first floor level are sited around 4m above ground level. The proposed extension will sit below these residential units. As such, it is considered that the extension will not compromise the ability of Keelers Corner coming forward for redevelopment in the future.

### Servicing and highway considerations

6. The proposal will retain an area to the rear of 8 metres, which is clear of the shared access road that will provide space for servicing the unit . The retained loading area (48.8 sqm) is large enough for a transit space, and it can also accommodate car parking for a single car. Officers in Transportation have confirmed that this arrangement is acceptable.

### Conclusions

7. It is considered that the proposal is acceptable. It will provide additional storage for the retail unit whilst maintaining adequate servicing provision within the rear service yard. The design of the extension is in keeping with the main building and will not adversely impact on neighbouring amenity.
8. The proposal is considered to comply with policies DMP1, DMP12 and DMP13 of Brent's Development Management Policies and the objectives of policy TCD1 of the Sudbury Neighbourhood Plan.
9. Approval is recommended subject to condition.

### **Equalities**

10. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).



Application No: 19/0002

To: Mr Dhorajiwala  
D M Architects  
75 Queens Drive  
Surbiton  
KT5 8PP

I refer to your application dated **02/01/2019** proposing the following:

Demolition of existing rear extension and erection of a replacement single storey rear extension for the commercial premises (as amended by revised plans).

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

at **709 Harrow Road, Wembley, HA0 2LL**

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: 01/03/2019

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)  
Sudbury Town Neighbourhood Plan
  
- 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):  
  
1821 - A.10  
1821 - A.11  
1821 - A.100.B  
1821 - A.101.B  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 All new external work shall be carried out in materials that match, in colour, texture and design detail those of the existing building.  
  
Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.
  
- 4 The extension hereby approved shall not be used other than for purposes ancillary to the existing ground floor premises within the application site and shall not be used for any other purpose, nor shall the ground floor be subdivided, without the prior written consent of the Local Planning Authority through the submission of a planning full application.  
  
Reason: To ensure that no separate use commences due to the inadequacy of the site to serve an additional use and to ensure adequate parking, servicing and access can be provided in the interests of the free flow of traffic and conditions of highway and pedestrian safety within the site and on the neighbouring highways.

## INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
  
- 2 The applicant 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.



Any person wishing to inspect the above papers should contact Mahya Fatemi, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2292

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

13 March, 2018  
05  
**18/4903**

## SITE INFORMATION

<b>RECEIVED</b>	<b>24 December, 2018</b>
<b>WARD</b>	<b>Willesden Green</b>
<b>PLANNING AREA</b>	
<b>LOCATION</b>	<b>51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU</b>
<b>PROPOSAL</b>	Demolition of existing pitched roofs, removal of existing chimneys, demolition of existing pitched gable end to outrigger and erection of replacement dutch gable; construction of a third floor level to provide 6 self-contained flats (6 x 1-bed) with private external terraces, installation of replacement windows to all flats facing High Road, installation of communal satellite dishes and terrestrial aerials to each property, reduction of side brick work panel to No. 63 High Road and removal of brick pilaster to side elevation of No. 63 High Road and associated secure cycle storage
<b>PLAN NO'S</b>	C152-100, C152-101, C152-102, C152-103, C152-105, C152-106, C152-107, C152-109, C152-152, C152-153, C152-154, C152-156, C152-157, C152-159, C152-170, C152-155
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case  <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143279">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_143279</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "18/4903" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

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

### Conditions:

1. Time limit for commencement
2. Approved drawings/documents
3. Details of considerate constructor to be submitted
4. Removal of Permitted Development Rights to change to a small HMO
5. Details of materials

### Informatives

1. CIL liable
2. Party Wall
3. Advertisements
4. Highways requirement
5. Notification of Highways
6. Fire safety
7. Living wage

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

## SITE MAP



### Planning Committee Map

Site address: 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU

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This map is indicative only.

## PROPOSAL IN DETAIL

Demolition of existing pitched roofs, removal of existing chimneys, demolition of existing pitched gable end to outrigger and erection of replacement dutch gable; construction of a third floor level to provide 6 self contained flats (6 x 2-bed) with private external terraces, installation of replacement windows to all flats facing High Road, installation of communal satellite dishes and terrestrial aerials to each property, reduction of side brick work panel to No. 63 High Road and removal of brick pilaster to side elevation of No. 63 High Road and associated secure cycle storage

## EXISTING

Nos 51-63 comprise a group of terrace properties spanning the entire block between Richmond Avenue and Ellis Close. The premises are three storey in height to High Road, with four storey rear outriggers. The premises accommodate commercial uses on the ground floor and residential uses on the upper floors. A supermarket and associated car parking is to the rear of the premises separated by Ellis Close. The premises form part of a mixed use centre and fall within the Willesden Green Conservation Area.

## SUMMARY OF KEY ISSUES

Summary of key issues

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

### Principle

The site is an existing mixed use site comprising commercial units at ground floor with residential above. The proposal would result in 6 additional housing units which would add to the Borough's Housing stock at a site within a town centre location with very good access to facilities and public transport.

### Standard of accommodation

It is considered that the scheme would provide a good standard of accommodation, generally consistent with Development Plan Policies in terms of internal and external space and quality of living environment.

### Design/Character and appearance

Subject to approval of details of proposed external materials, it is considered that the proposal would preserve the character and appearance of the Willesden Green Conservation Area.

### Impact on neighbouring amenity

It is considered that the proposal will result in no material harm to the amenities of neighbouring occupiers in terms of impacts on privacy, light and outlook,

### Highways/parking

The proposed development would be acceptable in highways and transport terms.

## RELEVANT SITE HISTORY

**13/1517**      **Granted**

Demolition of existing pitched roofs 51 - 63 High Road, removal of existing chimney pots to nos 53 - 59 High Road, demolition of existing gable to no 51-53 and erection of replacement Dutch gable, to enable the erection of a third floor roof extension to provide ancillary space to flats below, plus the installation of replacement windows to all flats facing High Road, installation of Communal satellite dishes and terrestrial ariels to each property, reduction of side brickwork panel to no.63 High Road, removal of brick pilaster to side

elevation of No.63 High Road

**13/1518      Granted**

Demolition of existing pitched roofs 51 - 63 High Road, removal of existing chimney pots to nos 53 - 59 High Road, demolition of existing gable to no 51-53 and erection of replacement Dutch gable, to enable the erection of a third floor roof extension to provide ancillary space to flats below, plus the installation of replacement windows to all flats facing High Road, installation of Communal satellite dishes and terrestrial ariels to each property, reduction of side brickwork panel to no.63 High Road, removal of brick pilaster to side elevation of No.63 High Road – Granted

**12/3233      Allowed on appeal**

Demolition of existing pitched roofs, removal of existing chimney pots to nos 51-63 High Road, demolition of existing gable to no 51-53 and erection of replacement Dutch gable, to enable the erection of a third floor roof extension to provide 6 self contained flats with private external terraces, plus the installation of replacement windows to all flats facing High Road, installation of Communal satellite dishes and terrestrial ariels to each property, reduction of side brickwork panel to no.63 High Road, removal of brick pilaster to side elevation of No.63 High Road (as amended 30/01/2013)

**12/3234 -      Allowed on appeal**

Conservation Area consent for reduction of side brickwork panel to no.63 High Road, removal of brick pilaster to side elevation of No.63 High Road, removal of existing chimney pots to nos 51-63 High Road, removal of all pitched roofs to nos 51-63 High Road, removal of pitched gable to nos 51 & 53 High Road, removal of all windows fronting Willesden Green High Road in association with full planning application ref:12/3233  
*...erection of a third floor roof extension to provide 6 self contained flats with private external terraces, plus the installation of replacement windows to all flats facing High Road, installation of Communal satellite dishes and terrestrial ariels to each property, reduction of side brickwork panel to no.63 High Road, removal of brick pilaster to side elevation of No.63 High Road (as amended 30/01/2013).*

## CONSULTATIONS

187 neighbouring properties were notified. 9 objections were received at the time of writing this report and one comments was received neither objecting to or supporting the proposal

Objection	Response
Loss of light privacy and light to adjacent properties	Discussed in neighbouring amenity section
Building in poor state and allowing increased occupation would make the situation worse	Discussed in character and appearance section
Problem of rubbish being dumped on the pavement by some residents	The site falls within a timed collection zone
Increase in noise disturbance noise	Discussed in neighbouring amenity section
Impact on sewage and water system	These are not material planning considerations and are dealt with by the relevant utility provider for a development of this scale
No provision for soft landscaping	Discussed in character and appearance section
No clear evidence has been provided on how the required internal height would be achieved	The application is accompanied by section drawings which confirm the internal height to be sufficient
No detail on the location of the satellite dishes	Discussed in character and appearance section
No detail on how the terraces will be used	The terraces are proposed as external amenity space and have been considered as such
Exacerbate existing car parking issues	Discussed in transport section

A number of other comments were received from residents of neighbouring properties making suggestions in relation to further refurbishment works may well serve to improve the appearance of the building, the

assessment needs to be based on the development submitted.

## **POLICY CONSIDERATIONS**

National Planning Policy Framework 2018

London Plan (2016) Consolidated modifications since 2011

Core Strategy (2010)

CP2: Population and Housing Stock

CP17: Protecting and Enhancing the Suburban Character

Brent's Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP 7 Brent's Heritage Assets

DMP 12 : Parking

DMP 16: Resisting Housing Loss

DMP 18: Dwelling Size and Residential Outbuildings

DMP 19: Residential Amenity Space

Other

SPD1 - Brent Design Guide (2018)

## **DETAILED CONSIDERATIONS**

### **1. Background**

1.1 The application is essentially a re-submission of planning application 12/3233 which was allowed on appeal dated 1 April 2014. The 3 year time limit has now lapsed and as such the applicant is submitting a scheme identical to that previously allowed on appeal. Whilst the development is identical to that which has previously been granted approval, it should be noted that planning policies have changed since the determination of the original application. Circumstances have also changed regarding development in the locality, as Metropolitan Court, which is the residential development directly adjacent the subject site had not been constructed and was not occupied at the time the previous application was determined. It is therefore necessary to consider the proposal in light of updated legislation and current local plan policies and guidance.

### **2. Principle**

2.1 The site is an existing mixed use site comprising commercial units at ground floor with residential above. The proposal would result in 6 additional housing units which would add to the Borough's Housing stock at a site within a town centre location with very good access to facilities and public transport. Subject to detailed criteria considered below, the principle of the development is acceptable.

### **3. Character and appearance**

3.1 The original application 12/3233 was refused by the local planning authority on design grounds. The reason for refusal being

*'The proposed roof enlargements, due to their bulk, scale, extent across the entire outshoot roof, height above the existing ridge level, poor relationship with the established roof form and high visibility in the streetscene, would relate poorly to the application property, in particular, and would fail to preserve or enhance the character and appearance of the Conservation Area in general, contrary to Unitary Development Plan policies BE2, BE9, BE26 and the advice contained within SPG17 Design Guide for new development.'*

3.2 However, this reason for refusal was not upheld at appeal. The Inspector, whilst acknowledging that the development would be visible from the rear of the site, including across the supermarket car park and when approaching in both directions along High Road, concluded that the development would have an acceptable impact on the existing building and would preserve the character and appearance of the

Conservation Area. The paragraph below, taken from the appeal decision in relation to application ref. 12/3233 provides the Inspector's reasoning behind allowing the appeal. The Inspector took the view that, the roof extensions:

*"would primarily comprise of glazing and as such , would appear as fairly lightweight structures. I consider they would sit comfortably against the original buildings, being set in from the sides and from the rear gables. Whilst they would extend above the proposed additions to the front, they would be set back from the High Road and would also sit below the highest part of the rear gables. In this respect, a Dutch Gable would be provided to Nos 51-53, increasing the cohesiveness of the group of buildings. Together with the proposed retention of the chimneys to the sides, including their pots, I consider the original form of the buildings would continue to be read"*

3.3 It is acknowledged that policy has changed since the determination of this application. However, the design principles behind current policy largely remain the same as those against which the previous application was considered. DMP 1, DMP 7 and the guidance contained with SPD1 are of particular relevance in the consideration of this proposal. The aims of these policies and guidance is to secure development that is appropriate in terms of scale, detailing and design as well as development that preserves the character and/or appearance of heritage assets. Whilst considering the proposal in light of current legislation, together with the reasoning providing by the Inspector in the appeal decision, which is a material planning consideration, the proposed development would continue to be acceptable. The roof extensions would be subservient additions, that would not distort the form or detract from the character of the original building, and although visible, by virtue of their design, would be sympathetic additions that would preserve the character and appearance of Willesden Green Conservation Area.

3.4 Other alterations include the replacement of the front elevation casement windows with sash windows. The existing windows are uPVC and the proposed material is also uPVC and the proposed material would be no worse than the existing, this can be accepted. The proposed stucco repair work and repainting do not require planning permission. The removal of the three storey redundant brickwork is not objected to, nor is the decluttering of the rear facade and removal of individual satellite dishes. Given that the proposal would result in the removal of a number of satellite dishes, the few that are proposed communally are considered on balance acceptable. Whilst a comment has been received in relation to the location of the satellite dishes, these would be located to the rear of the building and more limited in number than the existing situation. The installation of a signage board is noted and in the event of permission being granted, an informative requiring and advertising consent application be submitted would be included.

3.5 Whilst a number of comments have been received in relation to the unkempt appearance of the existing terrace and the fact that the addition of another storey would only serve to make this situation worse, as above the proposal also includes improvements to the existing building. Whilst a comment was also received in relation to the lack of soft landscaping proposed, it is not considered reasonable to request the provision of this. The site currently lacks soft landscaping and the provision of an addition storey is not considered to worsen the existing situation on site. Furthermore, given the location of the site in a town centre location, soft landscaping is not a particular feature of the area.

3.6 A number of properties have also made suggestions in terms of how additional refurbishment works could further improve the appearance of the existing building. However, planning is restricted to the consideration of the development as submitted and conditions can only be attached if they are necessary in order to make the development acceptable. Ultimately the assessment is restricted to whether the development submitted for consideration is able to preserve the character and appearance of the Conservation Area and building. Whilst additional changes may well serve to improve the appearance of the building, the NPPF test is whether the 'development preserves or enhances'. Based on the information submitted, the proposal preserve the character and appearance of the conservation area and as such the development meets the test.

#### **4. Quality of accommodation\_**

4.1 DMP1 requires all development to provide good levels of light and amenity and DMP 17 requires. The extensions to the roof would facilitate the creation of 6 x 1b2p bedroom units. Minimum Space Standards requires units of this size to have minimum floor areas of 50sqm. In this case all of the units would exceed these standards with each unit having an internal area between 55sqm and 62 sqm. All habitable rooms would be served by front and rear facing openings which would allow for good levels of light, outlook and ventilation and additional light would be afforded to the units through the provision of a number of side facing windows (although the use of obscure glazing would restrict this to some extent) . All units would also have sufficient head height.

4.2 In terms of external amenity, DMP19 requires 20sqm to be provided for one bedroom units. In this case, all the units would benefit from front and rear terraces however provision would fall short of standards, with the combined terraces for each unit measuring approximately 11sqm. Nevertheless, owing to the town centre location of the development and noting that the shortfall would be to some extent mitigated through the generous floor area of each of the units, the external provision is acceptable in this instance.

All of the units would experience good levels of privacy, due to the provision of obscure and fixed glazing to the side facing windows which would prevent overlooking between units.

## **5. Impact on neighbouring properties**

5.1 Residential properties are located below the proposed development and as such the increase in height needs to be assessed in relation to the impact on light and outlook enjoyed by flank habitable room windows for lower level flats with the outriggers. SPD 1 states that development should not intrude a 30 degree line taken from a height of 2m from the nearest habitable room windows. The extensions have been set back 950mm from the edge of the roof in order to preserve neighbouring amenity. Whilst it is noted that the massing still intrudes the 30 degree line, this is marginally so and as such the development as proposed is not considered to have an overbearing impact on the occupants of fourth floor occupiers. With regards to the flank windows at lower levels, the set back is considered to make the impact of the extension relatively minor in terms of their outlook. The proposed development is therefore considered to have an existing impact on the occupiers of the existing residential units at the subject site.

5.2 Since the previous approval, a residential development, Metropolitan Court, has been constructed which is located directly adjacent the subject site. The properties at the top floor benefit from roof terraces. A number of the occupants of Metropolitan Court have objected to the development, primarily on the basis that the increase in height would result in loss of light and privacy and affect outlook. Metropolitan Court is a five storey building and the subject site currently comprises 4 storeys. As such, the top floor units of Metropolitan Court currently look out towards the roof of the subject site. Whilst the development would result in adjacent windows at the same level, the separation distance between these properties and the new units would be the same as those located on the lower floors, and such separation distances would be the same as that which is consistent on High Road. The separation distance has been measured as 18m between the front elevation of Metropolitan Court and the subject site which is in full compliance with the guidance contained within SPD1 and as such the development would not have a detrimental impact on the occupants of these adjacent properties in terms of any loss of privacy or overlooking. Furthermore, when also considering the separation distances and the resulting increase in height, the proposed development would similarly not result in any harmful loss of light to the occupants of these adjacent residential properties and they would still experience good outlook.

5.3 Whilst a number of neighbouring properties have also objected to the proposal on the basis of increased noise, the site is located in a busy town centre location where a certain degree of noise is expected. The addition of six, one bedroom residential units is therefore the development is not expected to result in any unreasonable levels of noise disturbance.

5.4 The proposed development is therefore considered to have an acceptable impact on the amenity of neighbouring residential properties.

## **6. Transport**

6.1 As the site has good access to public transport services, the lower residential allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply.

6.2 The 38 existing flats would therefore be allowed up to 29.4 off-street parking spaces. There are no allowances for the financial and professional offices on the ground floor. With no off-street parking available within the site, maximum standards are not exceeded.

6.3 This proposal to provide six further 1-bedroom flats to give a total of 44 flats (32 x 1 bed, 10 x 2-bed & 2 x 3-/4-bed) will raise the residential car parking allowance to 33.9 spaces. The increase of 4.5 spaces in the parking standard is considered to be significant.

6.4 Although the continued absence of off-street parking within the site means that maximum parking standards will still be complied with, Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. In this case though, the site fronts a major London distributor road and

bus route and on-street parking is therefore prohibited at all times along the site frontage, whilst the narrowness of Ellis Close to the rear means double yellow lines are in place. The proposal therefore gives rise potential concerns regarding increased parking pressure in the area.

6.5 However, this scheme is effectively a resubmission of an earlier proposal for six 1-bed flats that was allowed on appeal, on the basis that car ownership for flats in the local area averages just 0.263 cars/household. Therefore, whilst a number of properties have objected on the basis that the proposed development would exacerbate existing car parking issues, given the car ownership levels, this is not considered to be the case. Given this is an identical scheme to that previously approved, the development is considered acceptable in car parking terms.

6.6 The London Plan would require a secure bicycle parking space for each flat. However, it is recognised that providing accessible bicycle storage for flats above shops is often far from straightforward and on this basis, the bicycle parking requirement can be waived.

6.7 Finally, the site is within a timed collection zone for refuse, meaning that refuse bags can be brought down to street level at certain times each day for collection. There is therefore no need to provide bin storage for these flats at ground floor level.

**7. Other matters**

7.1 In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

7.2 In light of the discussion above, and given that the considerations and assessment of this application remains largely the same as that allowed on appeal. It is considered appropriate to attach the same conditions as those proposed by the Inspector in the allowed appeal.

**CIL DETAILS**

This application is liable to pay **£124,459.44\*** 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): 374 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	374		374	£200.00	£35.15	£105,855.36	£18,604.08

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)	317	
<b>Total chargeable amount</b>	<b>£105,855.36</b>	<b>£18,604.08</b>

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

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

**Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of**

indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Application No: 18/4903

To: Mr Manga  
Ten Point Five Architecture  
184 Whittington Way  
Pinner  
HA5 5JY

I refer to your application dated **24/12/2018** proposing the following:

Demolition of existing pitched roofs, removal of existing chimneys, demolition of existing pitched gable end to outrigger and erection of replacement dutch gable; construction of a third floor level to provide 6 self-contained flats (6 x 1-bed) with private external terraces, installation of replacement windows to all flats facing High Road, installation of communal satellite dishes and terrestrial aerials to each property, reduction of side brick work panel to No. 63 High Road and removal of brick pilaster to side elevation of No. 63 High Road and associated secure cycle storage

and accompanied by plans or documents listed here:

C152-100, C152-101, C152-102, C152-103, C152-105, C152-106, C152-107, C152-109, C152-152, C152-153, C152-154, C152-156, C152-157, C152-159, C152-170, C152-155

**at 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU**

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: 01/03/2019

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)  
Core Strategy (2010)  
SPD1 - Brent Design Guide (2018)

Development Management Policies (2016)

DMP1 Development Management General Policy  
DMP7 Brent's Heritage Assets  
DMP12 Parking  
DMP18 Dwelling size and residential outbuildings  
DMP19

Residential Amenity Space

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

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

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

C152-100

C152-152

C152-153

C152-154

C152-156

C152-157

C152-159

C152-170

C152-155

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

- 3 No external construction activity, including demolition, shall take place until the site and/or company carrying out the works has registered with the Considerate Constructors Scheme. The site and/or company shall remain registered for the duration of the works hereby permitted.

- 4 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 in the site to accommodate additional bin or cycle storage.

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

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

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk)
- 3 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
- 4 The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include: (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways; (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips); (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order; (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway; (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site; (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

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

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

- 5 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 Brent Council supports the payment of the London Living Wage to all employees within the

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

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395