



## Planning Committee

**Wednesday 10 April 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](mailto:joe.kwateng@brent.gov.uk); 020 8937 1354

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**[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 or trade union).

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

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting - 12 March 2019		1 - 6
<b>APPLICATIONS FOR DECISION</b>		
3. 18/4199 Alperton House, Bridgewater Road, Wembley, HA0 1EH	Alperton	11 - 58
4. 18/4903 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU	Willesden Green	59 - 74
5. 18/3603 124 Purves Road, London, NW10 5TB	Kensal Green	75 - 92
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 8 May 2019**

**Further details of a site visit to Alperton House will be sent to Members.**



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

Tuesday 12 March 2019 at 6.00 pm

PRESENT: Councillors Denselow (Chair), Johnson (Vice-Chair), S Butt, Colacicco, Hylton, Ahmed and Dar

Apologies for absence were received from Councillors Chappell, Maurice and Sangani. Councillor Ahmed substituted for Councillor Chappell and Councillor Dar substituted for Councillor Sangani.

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

None.

#### 2. **Minutes of the previous meeting - 13 February 2019**

RESOLVED:-

that the minutes of the previous meeting held on 13 February 2019 be approved as an accurate record of the meeting.

#### 3. **18/3111 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.

RECOMMENDATION: 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 planning obligations set out within the Committee reports.

That the Head of Planning is granted delegated authority to negotiate the legal agreement indicated above and to issue the planning permission and impose conditions and informatives to secure the matters set out within the reports.

That the Head of Planning is 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 the planning application the legal agreement has not been completed, the Head of Planning is 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 Victoria McDonagh (Area Team Manager) introduced the report and answered Members' questions. She stated that the proposed mixed development for 2 blocks of 256 homes and about 50 affordable units, situated within the Wembley Growth Area, would support the vitality of Wembley Town Centre. Of the affordable units, 34 would be capped at London Living Rent (LLR) and 16 at discount (80%) market rent. In addition to the associated amenity spaces, there would be 12 disabled persons parking spaces. She continued that financial contributions had been secured in the Heads of Terms for off-site play space in accordance with the Mayor of London's SPG and adopted policy.

With reference to the supplementary report, Ms McDonagh clarified that although there was no policy basis for requiring 100% nomination rights at either Brent or London levels, there was a need for a Lettings and Marketing Plan to allow the Council to approve the eligibility criteria for the affordable homes within the Heads of Terms. She added that negotiations with TfL regarding the level of financial contribution towards bus services were ongoing. She then drew Members' attention to minor corrections as set out in the supplementary and the amendments received following the initial submission which did not materially change the scheme. In reiterating the recommendation for approval, Ms McDonagh amended the following conditions: Condition 2 (Energy Assessment) and Condition 14(ii) to reflect details of air quality mitigation measures.

Mr Steve Sanham (applicant) stated that following the pre-application process, there had been an extensive consultation involving around 12,000 people with comments taken on board and the scheme revised accordingly to achieve a high quality mixed development which would meet the needs of the local area including key workers. In response to a member's question, Mr Salman clarified the tenure split adding that 34 units would be available to various occupiers and would target those in need.

During question time, members raised issues ranging from tenure split, height, daylight and sunlight, CHP energy, contribution towards King Edward Park to transport. Ms McDonagh stated that to move to more London Living Rent (LLR) units than currently secured would not have been viable. She added that 34 units would be LLR and with additional family sized units and Marketing and Lettings Plan, the development would meet the needs of the Borough. In respect of height, Ms McDonagh explained that the proposal which had been considered at a Design Review would be subservient to the proposal for Chesterfield House in terms of scale and design.

Ms McDonagh clarified that daylight and sunlight would not be an issue as the scheme would be mainly maisonettes with dual aspect element and improved public realm. She continued that there were on-going discussions on CHP Energy which would be concluded at Stage 2. In terms of amenity, Ms McDonagh informed members that there would be 2 roof top gardens and in addition, the applicant had agreed under the Section 106 Heads of Terms, to contribute £120,000 towards improvements to King Edward Park with additional contributions also expected from the Chesterfield House development.

Members heard that the 12 car parking spaces for this 'permit free' development would be for disabled persons only and that sufficient cycle spaces would also be made available. It was noted that the site, within a PTAL rate of 6, would be highly accessible. The accessibility would be enhanced with a Travel Plan and Car Clubs in the area. Ms McDonagh clarified that with 500 residents, improved public realm and increased footfall, there would be no issue with crime as suggested by the Police. She continued that there was no incidence of flooding as the site was not within the flood zone adding that appropriate measures for water discharging and storage tanks coupled with soft landscaping would be in place.

DECISION: Granted planning permission as recommended with amendments as set out within the supplementary report.

(Voting on the recommendation was: For 7, Against 0)

#### **4. 19/0002 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).

RECOMMENDATION: To grant planning permission subject to conditions.

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

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.

Ms Victoria McDonagh (Area Planning Manager) introduced the report and answered members' questions. With reference to the supplementary report, she drew attention to an additional objection received from No. 16 District Road (the organiser of the petition) on the need for re-consultation and reference to

permitted development rights. She advised on the extent of consultation and clarified that there was no statutory requirement for the LPA to re-consult on the revised plans which were not material. She continued that the application was a full planning application and that no reference had been made within the committee report to permitted development.

Mrs Kamil Kaul (objector) informed the Committee that officers had not consulted some residents of Central and Road District Road nor assessed the impact of the development on residents of Station Approach, District Road and Central Road. She added that due to ambiguity about the address of the property (according to Land Registry records), Members may be giving planning permission to a different property address. In response to members' queries, Mrs Kaul stated that despite the potential problem of some properties to be overlooked, those residents had not been consulted and with that in view, asked that the consultation should be re-opened.

In accordance with the Planning Code of Practice, Councillor Daly (ward member) stated that she had been approached by the local residents. Councillor Daly went on to say that she was pleased with the changes made to the proposed development, however, she was concerned there was no wider consultation to include occupiers who would be impacted upon by the development.

In accordance with the Planning Code of Practice, Councillor Stephens (ward member) stated that she had been approached by the local residents. Councillor Stephens echoed the sentiments expressed by Councillor Daly including the scope of consultation, a request for re-consultation. He also expressed concerns about traffic in terms of access for emergency vehicles, servicing facilities for loading and unloading.

In response to the consultation issues raised, Councillor Denselow (Committee Chair) asked that in view of the petition received and the consultation carried out, whether the Councillors thought that there were people in the area who were directly affected who weren't aware of the proposal, and would it be likely that more consultation would raise issues not currently being considered. The Councillors agreed probably not.

Ms McDonagh then responded to issues raised by Members. She clarified that Members were being asked to decide on this application on current policy as although, previously granted planning permission in 2013, the policy context had changed. She continued that as a commercial unit the property does not have significant permitted development rights. Having explained the consultation, Ms McDonagh added that the level of consultation exceeded the statutory requirement. She clarified that the Council's property database listed the site as 709 Harrow Road HA0 2LL.

Ms McDonagh informed the Committee that a condition had been imposed to ensure that the use of the extension remained ancillary to the main building with no sub-division envisaged. She continued that officers in Transportation had advised that the proposal would not give rise to highways issues of concern and added that servicing would be mainly by 'transit vans' and the extension would not change emergency vehicle access. In conclusion, Ms McDonagh reiterated that



the scheme was for a single storey extension with no direct overlooking to a habitable room due to excessive distances and the use of roller shutters.

DECISION: Granted planning permission as recommended.  
(Voting on the recommendation was: For 7, Against 0)

**5. 18/4903 51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU**

PROPOSAL: 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.

RECOMMENDATION: To defer to the next meeting.

Members were informed that due to an administrative error, letters to the residents had an incorrect date for the meeting. As this would have caused confusion to the residents who would have wanted to attend the meeting, it was decided to defer consideration of the application to the next meeting in April.

DECISION: Deferred to the next meeting.

**6. Any Other Urgent Business**

None.

The meeting closed at 7.15 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

10 April, 2019  
03  
18/4199

## SITE INFORMATION

RECEIVED	31 October, 2018
WARD	Alperton
PLANNING AREA	
LOCATION	Alperton House, Bridgewater Road, Wembley, HA0 1EH
PROPOSAL	Demolition of the existing buildings and construction of 4 buildings ranging in height from 14 to 23 storeys, comprising 474 residential units at 1st to 23rd floors (140 x 1-bed, 263 x 2-bed and 71 x 3-bed), mixed commercial use at ground and part 1st floor including a new public house (Use Class A4) retail floorspace (Use Classes A1, A2, and/or A3), workspace (B1b/c), and an office (B1a), together with associated public realm improvements; soft/hard landscaping; creation of a canal side walkway, new access arrangements, car and cycle parking; servicing, refuse and recycling facilities
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_142500">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_142500</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 "18/4199" (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. Developer to be a member of the Considerate Constructors Scheme
    3. Parking permit restriction to be applied to all new residential units
    4. 31% affordable housing by unit (35% affordable housing by habitable room) on a nil grant basis broken down as 89 units at London Affordable Rent levels (including service charges where applicable and capped at Local Housing Allowance rates) and 58 units for shared ownership, subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
    5. Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and upon occupation of 75% of the open market dwellings, against the agreed land value and profit, to determine any development surplus for deferred affordable housing obligations
    6. Financial contribution to off-site play provision for older children, to a sum of £230,000 towards improvements in One Tree Hill Park
    7. Financial contribution to introduction of Controlled Parking Zone in surrounding area, to a sum of £237,000
    8. Financial contribution to improvement of canalside, to a sum of £55,000 to be paid to the Canal & Rivers Trust
    9. Financial contribution to public transport improvements, to a sum of £430,635 or as otherwise agreed with the applicant, to be paid to Transport for London
    10. Provision of 1,452sqm of B1b or B1c floorspace as Managed Affordable Workspace, disposed of to a recognised Affordable Workspace Operator at no more than 50 % of market rent
    11. Training and employment plan for Brent residents
    12. Highway works to Bridgewater Road and Ealing Road, and permissive public access through the site
    13. 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 car club scheme.
    14. Sustainability and Energy - Submission of BREEAM Compliance Certificate, and 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
    15. Surveys of television and radio reception in surrounding area, and any mitigation works agreed
    16. Private workspace marketing and meanwhile use strategy
    17. 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. Three year rule
2. Approved plans
3. Withdraw permitted development rights for C3 conversion to C4
4. Withdraw permitted development rights for A4 conversion to A1/A2
5. Mains water consumption for residential units not to exceed 105lppd
6. Provision of cycle parking, access and car parking
7. CIL Phasing plan
8. Phasing plan
9. Construction Logistics Plan
10. Waterway wall survey and method statement
11. Design and construction management plan
12. Bat survey
13. Contaminated land
14. Internal noise



15. Sound insulation measures
16. External materials, balconies etc
17. Wheelchair units
18. Landscaping scheme
19. Details of PV panels
20. Construction of vehicular and pedestrian access routes
21. Thames Water surface water network upgrades
22. Commercial kitchen flues
23. Meanwhile use strategy
24. Refuse collection arrangements
25. Delivery and Servicing Plan
26. Car Park Management Plan
27. Satellite dishes
28. Extra parking / cycle facilities
29. Estate management
30. Plant noise
31. Electric vehicle charging points

#### Informatives


1. CIL liability
2. Vehicle crossover works
3. Thames Water underground assets
4. Groundwater Risk Management Permit
5. Japanese knotweed
6. Protection for breeding birds and nests
7. Access to Canal & River Trust land or water etc
8. Asbestos removal
9. Notify Highways pre-commencement
10. London Living Wage
11. Fire safety

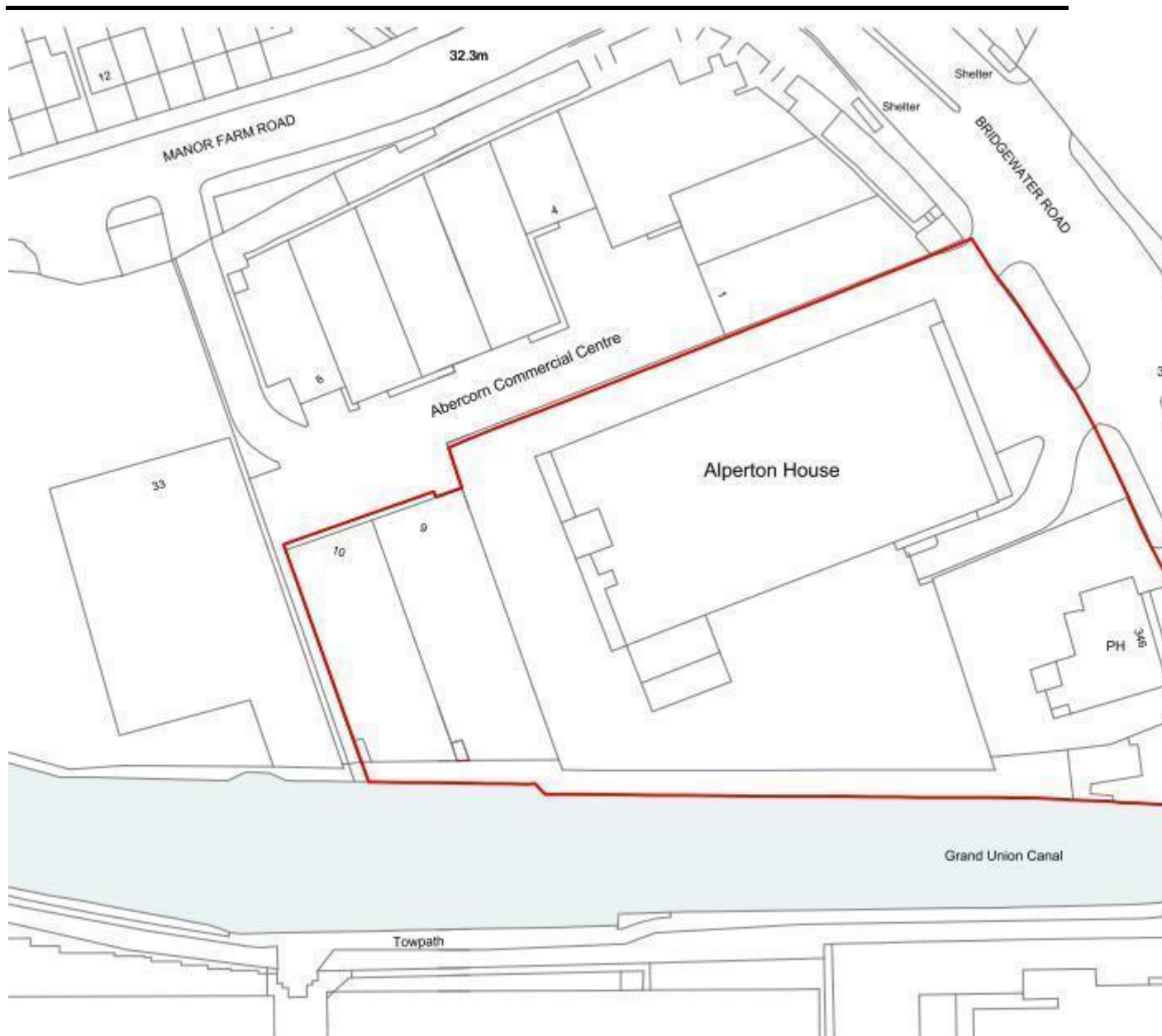
1. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied 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: Alperton House, Bridgewater Road, Wembley, HA0 1EH</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100025260</p>
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This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the demolition of all buildings on site and construction of a mixed use development included retail, public house and workspace uses and 474 residential units. These are arranged within four buildings as set out below:

- Block A would be a maximum of 23 stories in height, with lower elements of 18 and two stories respectively, and would include a ground floor retail unit, a public house across ground and first floors and 113 residential units on the upper floors.
- Block B would be 20 stories in height, with a lower element of 16 stories, and would include retail units at ground floor level and workspace units at first floor level, together with 114 residential units on the upper floors.
- Block C would be 18 stories with a lower element of 14 stories, and would include affordable workspace units on the ground floor, together with 158 residential units on the upper floors.
- Block D would be 14 stories in height with a lower element of two stories and would include affordable workspace units at ground and first floor levels, together with 89 residential units on the first and upper floors.

Blocks C and D would be linked by a podium at first floor level, providing communal residential amenity space and covered parking below. The lower elements of each building would provide rooftop amenity spaces for residents, and the remaining areas at ground level would provide vehicle access to parking and servicing areas, pedestrian access through the site and along the canalside, further amenity space for residents, an area of landscaped public realm adjoining the canalside and external seating for the public house.

## EXISTING

The application site is 0.92 hectares and comprises a six-storey commercial building, known as Alpertons House, and a public house, The Pleasure Boat, both fronting onto Bridgewater Road, and two industrial units forming part of the Abercorn Industrial Estate and fronting onto the Grand Union Canal. A breakdown of the existing floor area of the site is set out below:

use class	building	floorspace (GIA)
class A1	Alpertons House	1,600sqm
class B1	Alpertons House	9,600sqm
class A4	The Boat Pub & Hotel	389sqm
class B1c	Units 9 and 10, Abercorn Industrial Estate	1,340sqm

The site is not within a Conservation Area, nor are any of the buildings listed. There are no designated heritage assets in the vicinity of the site.

The surrounding area comprises a mix of residential, light industrial, retail, leisure and community uses. To the east and northwest the area is predominately light industrial up to Alpertons Underground Station, beyond this the character changes to low rise residential with some retail and office uses and a large school. As a result the character of the surrounding area is varied. To the east, several large recent and forthcoming residential-led developments are indicative of the changing character of the area, while to the south across the Grand Union Canal are other tall buildings in residential use (Grand Union Heights and Peppermint Heights).

## AMENDMENTS SINCE SUBMISSION

Amended plans were received on 21/03/19, incorporating the following amendments:

- a reconfigured layout of the commercial workspace in Block B to facilitate this space being in B1b/B1c use rather than B1a use;
- minor alterations to fenestration on the first floor of Block B;

- addition of a rear fire door to Retail Unit 2.

These amendments did not materially alter the scheme and did not require further public consultation.

## 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.**

**Objections from neighbours:** These relate mainly to the mix of uses on site, the impact of the buildings on the character of the area, the impact on light and outlook to neighbouring properties, use of One Tree Hill Park, parking provision and the impact on existing congestion in the area, and are covered in the relevant sections of the report.

**Principle of development:** The majority of the site is allocated for mixed use redevelopment including ground floor retail and commercial uses with residential development above. There are no policy objections to the loss of the college or office floorspace, and the proposal would provide new high quality light industrial floorspace which, while slightly below the site's benchmark industrial capacity as defined by the draft London Plan, would be mostly for affordable use and would, together with the retail and public house uses, new public realm and residential units, and respond well to the Alpertown Masterplan 2011 vision of creating a new canalside community in this area. The proposed mix of uses is considered to be acceptable in principle.

**Affordable housing and housing mix:** The proposal includes 147 affordable housing units out of a total of 474 units, representing 35% affordable housing by habitable room. These would comprise 89 units at London Affordable Rent levels and 58 units for shared ownership, representing a tenure split of 65:35 and a housing mix including a high percentage of affordable family-sized units in accordance with the Alpertown Masterplan 2011. Your officers consider this to be the maximum reasonable amount of affordable housing that can be provided, subject to any additional surplus being captured through early stage and late stage review mechanisms.

**Design, scale and appearance:** The four buildings would contribute to the emerging cluster of tall buildings at this highly sustainable location in the Alpertown Growth Area, with the staggered heights breaking up the mass and bulk of the buildings and creating an effective transitional relationship with lower density traditional housing to the north. The layout and landscaping proposals would provide an effective relationship between the buildings, open space and canal, and the design overall is considered to be of high quality.

**Residential living standards:** The 474 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 ground level courtyard and canalside public realm. A financial contribution towards play provision for older children will be directed towards improvements in One Tree Hill Park.

**Impact on neighbouring properties:** Sufficient distances would be retained between the proposed buildings and adjoining industrial sites so as not to prejudice their coming forward for redevelopment in the future. 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 residential properties, which the nearest affected properties having a similar densely populated urban character and the more traditional residential areas being unaffected by the proposal.

**Trees, biodiversity, landscaping and relationship with Canal:** There are no protected trees on site and new tree planting will compensate for the loss of existing trees. The existing biodiversity value of the Grand Union Canal would be protected through conditions and landscaping proposals would enhance the biodiversity value of the site. The proposal would maintain an adequate level of set back from the Canal, would allow public access to the canalside and would include soft landscaping to provide a buffer zone and protect the privacy of existing houseboat moorers.

**Environmental issues:** The proposal would achieve a 39.58% reduction on 2013 Building Regulations for residential floorspace and 31.41% reduction for non-domestic floorspace through on-site measures. Further improvements will be sought through the s106 agreement, together with a financial contribution to the Council's carbon offsetting fund and compliance with BREEAM Excellent standards in all categories except

ENE01 (reduction of emissions) for the non-domestic floorspace (noting that achieving ENE01 credits on 'shell and core' fit outs can be problematic). The proposal is considered to be acceptable in terms of air quality, noise, odour, wind and microclimate, land contamination, flood risk and drainage, subject to conditions. Revised versions of the Construction Management Plan and Construction Logistics Plan will be conditioned.

**Transportation and highways considerations:** Vehicle access will be provided via the existing access at the northern boundary, with a secondary access for three commercial parking spaces through the Manor Farm Road industrial estate. Two other existing accesses will be closed and highway improvements will be secured through the s106 agreement, together with a financial contribution to introducing Controlled Parking Zones in the area and withdrawing future residents' eligibility for on-street parking permits. Fifteen disabled parking spaces would be provided for the residential units, in addition to two spaces for car club vehicles. Cycle parking and bin storage comply with the relevant standards, and pedestrian access through the site will be open to the public with provision made for a pedestrian connection along the canalside to the adjoining site to the west.

## MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
Dwelling houses					

### Monitoring Residential Breakdown

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

### Relevant planning history

#### Alperton House

**13/3557:** Renewal of planning permission reference 10/1631, dated 18/01/2011, for change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended **Granted, 17/02/2014**

**10/1631:** Change of use of first, second, third, fourth and fifth floors of building to a mixed use as an office (Use Class B1: business) and non-residential institution (Use Class D1: non-residential institutions - education and training centres) and subject to a Deed of Agreement dated 13th January 2011 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 18/01/2011**

#### Pleasure Boat Public House

No relevant planning history

#### 9 and 10 Abercorn Commercial Centre

No relevant planning history

## CONSULTATIONS

### Public Consultation

848 neighbouring properties were consulted by letter on 8 November 2018, including a number in the adjoining London Borough of Ealing. The extent of the consultation area was approx 230m from the application site. In addition a site notice was posted on 12 November 2018 and a press advert was published on 7 February 2019.

Ten objections from individual properties were received raising the following concerns:

Topic area	Point of objection	Officer response
Parking and transport related matters	Insufficient parking for the development will lead to overspill parking within the area	See paragraphs 112 - 121
	The area has existing parking problems as a result of recently constructed developments within the area together with increased congestion. Examples of concerns include vehicles parked on Ealing Road opposite Sainsbury's, parking over people's driveways and buses from the bus depot parking outside properties on Manor Farm Road. Existing residents find it difficult to park on street for those without driveways.	See paragraphs 118 - 130. The proposal is not expected to have a significant impact on the highway network and will contribute towards the introduction of Controlled Parking Zones in the surrounding area.
	Congestion made worse by overspill parking into Brent's roads from residents within LB Ealing due to new developments taking place within Ealing.	See paragraphs 118 - 130. The proposal is not expected to have a significant impact on the highway network and will contribute towards the introduction of Controlled Parking Zones in the surrounding area.
	Details of the number of parking spaces and access arrangements into and out for the site not shown on the plans.	These details are shown on the Proposed Ground Floor Plan A HW - P100 - S2 - P1
	Use of access that is shared with the rest of the units within Abercorn Commercial Centre will lead to increased congestion and difficulties for existing units to access their premises	See paragraphs 105 - 130
	Overspill parking into industrial estate	The industrial estate is not part of the public highway and therefore not within the Council's control, however the owners of the estate could take action against unauthorised parking if it occurs.
	Increased demand on public transport services	See paragraphs 122 - 130
Infrastructure	Strain on local services such as schools, GPs and dental surgeries.	Funding for infrastructure is provided via the Community Infrastructure Levy charged on all new developments and

		specific additional funding will be secured through the s106 agreement in this case.
Public Realm	Canal space a dumping ground with anti social behaviour	The proposal will provide high quality new public realm to provide public access to the canalside and incorporates principles of secured by design, including a good levels of natural surveillance of the canal side area.
	Loss of trees and greenery	See paragraphs 74 - 83
Environmental	Increased noise and pollution	See paragraphs 91 - 96
	Asbestos from existing buildings could become air borne and damage health of nearby workers	Removal of asbestos is controlled under a separate legislative regime. An informative will be included to this effect.
	Increased noise and pollution during construction work having a negative impact on working environment and operation of existing businesses in Abercorn Centre	See paragraphs 138 - 142
Community	Alperton is losing its original community feel. Area is being transformed by outside developers building for profit	See paragraphs 2 - 22. The proposal aims to contribute to the creation of a new canalside community as envisaged in the Alperton Masterplan 2011. Developer profit is not a material planning consideration.
	Increased opportunity for crime	The proposal takes into account the principles of Secure by Design. See paragraphs 44 47.
	Loss of education and office use	See paragraphs 19 - 22. The proposed mix of uses is considered to be acceptable in policy terms.
Neighbouring amenity	Noise and pollution to nearby residential units from the business uses	The business units proposed are for retail and light industrial uses that are considered compatible with residential uses, and existing residential neighbours are at a sufficient distance not to be affected in this way.
	Overshadowing, loss of light and unsightly view for the existing commercial units	See paragraphs 61 - 70. BRE Guidance does not explicitly address commercial uses as these are considered less sensitive to loss of light than residential uses.
	Loss of privacy to nearby commercial units and residential units	See paragraphs 61 - 62
	Loss of light and overshadowing to nearby residential units	See paragraphs 61 - 70
Design and character	Adversely affect character of the area	See paragraphs 30 - 48
	Concerns raised with the number, design and size of buildings	See paragraphs 30 - 48

	Buildings too high for the area	See paragraphs 37 - 40
Land uses	Loss of more beneficial land uses e.g employment uses, homes and community uses	See paragraphs 7 - 22. The proposal will provide new housing and employment floorspace including affordable workspace.
Other matters	Loss of earnings for existing business units and decrease in value of property	It is not clear how the proposal will reduce the earnings of existing units, however impact on property value is not a material planning consideration.
	Block signal to satellite antenna and TV aerial for nearby businesses	See paragraph 69.
	Proposal fails to comply with planning policy and guidance	It is not clear which areas of policy and guidance this comment refers to.
	Fire safety associated with high rise buildings	Fire safety is addressed in the Building Regulations and is not normally a material planning consideration. However, draft London Plan policy D11 encourages the highest standards of fire safety and an informative will be added to this effect.

Objections have also been received on behalf of the “WCARA” - Wembley Central and Alperton Residents Association on the following grounds:

- Lack of social infrastructure such as GPs and schools in local area and increasing pressure from recent development such as 243 Ealing Road
- Increased pressure on public transport network
- Scheme will not secure section 278 works and highways officer should object on these grounds
- Zero car policy does not work and leads to congestion on surrounding streets.
- Ealing Road is gridlocked with traffic especially at peak times.

The above matters are discussed above and within the remarks section below.

#### Supportive comments

Two letters of support have been received on the following grounds:

- Proposal will enhance and improve the local area.
- Proposal will allow boats to be permanently moored along this side of the canal as they have been for the last 50 years,
- Provide more open canalside space for visiting boats to the area,
- Allows the canal to be publicly accessible.

#### Middlesex Branch of Inland Waterways Association (IWA)

The IWA have made observations on the proposal. They advise that they do not object but have raised a number of observations in relation to the design of the proposed development; operational controls during the construction phase and the ongoing management of the completed development. These observations are discussed within the remarks section below.

#### **Internal, external and statutory consultees**

##### Greater London Authority incorporating TfL comments

The GLA's Stage 1 referral report of 18 February 2019 raises the following issues:



**Principle of development:** Whilst the principle of the plan-led and master planned mixed use redevelopment of this largely LSIS site is supported, the applicant should seek to re-provide a total of at least 2,875 sq.m. of industrial capacity in line with draft London Plan Policies E4, E6 and E7.

**Affordable housing:** The development would deliver 35% affordable housing by habitable room, which is subject to robust interrogation by GLA officers to ensure that the maximum level of affordable housing is provided. The applicant has already agreed to early and late stage reviews, as required.

**Urban design:** The residential quality is generally high and the layout and height and massing responds well to the existing and emerging context.

**Climate change:** Carbon dioxide savings for both the domestic and non-domestic elements fall short of the policy targets and as such the applicant should consider the scope for additional measures aimed at achieving further carbon reductions, including the maximisation of on-site PV installation. Further details on how SuDS measures at the top of the drainage hierarchy would be included are also required.

**Transport:** A further 67 long-stay cycle parking spaces should be provided and a parking design and management plan, full residential and commercial travel plan, final construction logistics plan and delivery and servicing plan secured.

Your officers consider that the GLA's concerns have been satisfactorily addressed through further discussions with the applicant. These are discussed in more detail in the relevant sections of the report.

#### London Borough of Ealing:

- No objections

#### Canal & River Trust:

No objections raised.

Summary of comments:

- Requested alterations to landscaping and specific landscaping details.
- Pre-commencement and post construction conditions required to ensure waterway wall is not damaged
- Condition requesting that services, security and privacy enhancement measures for long term moorings be submitted for approval, prior to occupation.
- Requested additional details to be included in the Construction Management Plan.

#### Secure by Design: \_

Concerns initially raised with the layout of the ground floor and the interaction between the different uses

Officer comment: The layout and function of the public realm is discussed within the remarks section below.

#### Thames Water:

No objections, requested conditions and informatives to be added to any potential consent.

#### Affinity Water:

- No comments received

#### Veolia Waste:

Bin storage is confirmed as being adequate.

#### Local Lead Flood Authority:

Satisfied with the Flood Risk Strategy and restriction on surface water discharge from the development. Has raised points of surface water flooding within the site due to inadequate capacity in the surface water sewer in Bridgewater Road.

Officer comment: The surface water is proposed to be discharged directly into the Grand Union Canal rather than into the surface water sewer in Bridgewater Road, and the Canal and Rivers Trust have confirmed that they agree for the surface water to be discharged into the Grand Union Canal.

#### Environmental Health:

No objections and requested details via appropriate conditions on noise, construction method statement, air quality, contaminated land, odour and extraction systems.

#### Sustainability officer

Concerns relating to BREEAM rating proposed. These are discussed in the 'Remarks' section

### **Community Involvement by applicant**

The NPPF paragraph 40 encourages applicants to engage with the local community before submitting their applications, and Brent's Statement of Community Involvement (SCI) sets out the level of pre-application engagement recommended according to the size of the scheme.

A Statement of Community Involvement was submitted, detailing the activities carried out by the applicant. These included newsletters distributed to 2,600 neighbours, a consultation drop-in event held on 9 and 12 July 2018, stakeholder one-to-one meetings offered to 20 local stakeholders including elected representatives, local residents associations, community groups and immediate neighbours including representatives of the nearby houseboat residents, a presentation to Planning Committee members, a project website and a telephone number and email address provided for residents' enquiries. This is considered to meet the requirements of Brent's SCI for a development on this scale.

Tenants of the remaining units on the Abercorn Industrial Estate have been invited to attend stakeholder meetings but have not responded.

## **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 Brent Core Strategy 2010, the Brent Site Specific Allocations DPD 2011, the Brent Development Management Policies DPD 2016 and the London Plan 2016 (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

The National Planning Policy Framework 2018

Mayor of London's Housing SPG 2016  
Mayor of London's Sustainable Design and Construction SPG 2014  
Mayor of London's Affordable Housing & Viability SPG 2017  
Mayor of London's Accessible London SPG 2014  
Mayor of London's Character and Context SPG 2014  
Mayor of London's Play and Informal Recreation SPG 2012  
Mayor of London's Energy Planning SPG 2016

Alperton Masterplan SPD 2011  
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 Draft New London Plan is currently undergoing an Examination In Public and carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. Brent's Local Plan Consultation Draft 2017 ('Shaping Brent's Future Together') has recently been subject to public consultation and also carries some weight in determining this application.

## DETAILED CONSIDERATIONS

### Environmental Impact Assessment (EIA)

1. Under the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2017, the scheme is considered to fall within the definition of development under Schedule 2 as it includes more than 150 dwellings. In accordance with the Regulations, the applicant submitted a request for a Screening Opinion on 27 July 2018. The Council determined on 7 August 2018 that the scheme did not require an Environmental Impact Assessment as it incorporates adequate mitigation measures to address potential adverse effects.

#### Principle of development and land uses

2. The application site includes three parcels of land known as Alperton House, the Pleasure Boat Public House and units 9 and 10 Abercorn Commercial Centre. Alperton House and the Pleasure Boat PH are located within the Alperton Growth Area and form part of a site allocation: Alperton House A1. They are also within the Alperton Housing Zone, designated by the GLA in 2015. The site allocation sets out the following requirements:
3. "Mixed use development including residential, food and drink and workspace (including a proportion of managed affordable workspace) and appropriate mooring points for canal boats. The Council is seeking the comprehensive redevelopment of this site with development that addresses the canal side by virtue of design and use and that can improve connections between this and other sites along the northern side of the canal".
4. Alperton House and Units 9 and 10 Abercorn Commercial Centre also form part of a Local Significant Industrial site (LSIS).
5. The scheme proposes the following mix of uses:

Proposed use	Quantity	Location
Residential use	474 new homes	Across Buildings A, B, C and D from 1st floor level and upwards
Industrial floorspace (use classes B1b/B1c)	469sqm	Building B at first floor level
Managed affordable workspace (use classes B1b/B1c)	1452sqm	Building C at ground floor level and Building D at ground and first floor levels
Retail (use classes A1/A2/A3)	292sqm	Buildings A and B at ground floor level
Public House (use class A4)	510sqm	Building A at ground and first floor levels

6. Detailed consideration of the proposed uses together with the loss of existing uses that will not be re-provided are set out below:

#### Residential use

7. The scheme proposes 474 new homes (the mix of units is discussed in further detail below). London Plan Policy 3.3, in seeking to increase the supply of housing in London, sets borough housing targets, and in Table 3.1 puts the minimum annual monitoring target for the London Borough of Brent at 1,525 additional homes per year between 2015 and 2025. The draft London Plan Policy H1 sets a higher target of 2,914 per year for the period 2019 to 2028. Brent's Core Strategy 2010 is consistent with this approach, identifying in Policy CP2 a number of Growth Areas that can support new development on a large scale, including Alperton.
8. The provision of 474 new homes will contribute towards the above targets and meet the objectives of the site allocation and wider objectives of the Alperton Growth Area.

## Re-provision of industrial floorspace

9. The site currently contains 1,340sqm of industrial floorspace, and the overall size of the LSIS designated area is 0.7 hectares. The scheme is proposing to re-provide 1921sqm of industrial floorspace (use classes B1b/B1c). This includes light industrial units provided at ground and first floor level, with a total floorspace of 1,452sqm, provided as managed affordable workspace. This space will be subdivided into small units for letting to separate tenants, with some shared facilities such as refreshment points and toilets. The workspace would be leased by an affordable workspace provider, which would then let out individual units to tenants and provide ongoing overall management. It would be located toward the western part of the site which currently retains an industrial character and close proximity to other traditional industrial premises. Internal walls would be non-structural, allowing units to be reconfigured to suit the needs of individual tenants and allowing them to 'scale up' as their business expands. The provision of this floorspace as affordable workspace will be secured within the Section 106 Agreement.
10. In addition, a total of 469sqm of light industrial B1(b) or B1(c) uses are proposed on the first floor facing onto Bridgewater Road. Evidence of market demand for floorspace of this type in this location has been provided. This floorspace was originally envisaged as being provided as flexible co-working space for SMEs and start-up businesses but has been amended to light industrial in response to concerns raised by the GLA.
11. A large proportion of the site is designated as LSIS within Brent's Local Plan, although the Alperton House part of the site is allocated for mixed use development within the site allocation which includes a requirement to provide a proportion of managed affordable workspace. However, the current site allocation for Alperton House has not released this land from its LSIS designation and the site is not included in the 11.5ha of industrial land that Policy DMP14 allows to be released, notwithstanding the intention of the site allocation and the Alperton Masterplan SPD 2011 to redevelop this site as part of a residential-led mixed use canalside community. Furthermore, whilst the site allocation requires workspace to be provided as part of the mix of uses on the site, it does not specify an amount, and the part of the application site which is not included in the site allocation also retains its LSIS designation without any extenuating circumstances to justify its release.
12. The GLA have given significant weight to the emerging draft London Plan when considering the policy context for LSIS sites. Draft Policy E4 seeks to ensure an adequate supply of industrial land by requiring no net loss of industrial floorspace across London as a whole. Furthermore, Brent is one of a number of Boroughs in which strategic demand for industrial, logistics and related uses is anticipated to be the strongest, and consequently is expected to provide additional capacity for these uses. Policy E4 further sets out that any release of industrial land should facilitate industrial intensification, co-location and land substitution processes and makes clear that any release that accords with this approach should be in locations that have high public transport accessibility and aid in delivering other planning priorities, particularly affordable housing. Furthermore, it is noted that Brent has been reclassified as a 'provide capacity' borough in Table 6.2 of the draft London Plan. Policy E6 applies this policy approach to LSIS sites and Policy E7 sets out principles for co-location of industrial and other uses, including securing no overall net loss of industrial floorspace (and yard space capacity) and ensuring that adjacent industrial activities are not compromised and appropriate design mitigation measures are secured in line with the Agent of Change principle. Draft Policy E4 defines the industrial capacity of a site as the existing industrial floorspace or 65% of the site area, whichever is the greater.
13. Brent's Preferred Options Local Plan was published for public consultation in November 2018 and provides a vision for the future development of the Borough, in response to the draft London Plan. This document is at an earlier stage in its preparation and therefore carries only limited weight in the determination of planning applications at this time. It promotes the BSWSA1 Alperton Industrial Sites (of which this site forms part) around the junction of Bridgewater Road and Ealing Road for mixed use development, co-locating residential units with existing industrial and commercial uses. The allocation also comprises the remainder of the Abercorn Industrial Estate and the adjoining Jewsons site, and two sites further east and north east of Bridgewater Road, which are considered to be low density LSIS sites that have not maximised their development potential. The allocation would allow these underutilised sites to contribute to Brent's housing numbers within the designated Alperton Growth Area, whilst also increasing provision of industrial floorspace in line with London Plan requirements, and a masterplan for the wider site is being developed to ensure that both industrial capacity and other uses can be optimised. Their proximity to Alperton Station makes these sites suitable for residential use in addition to the existing industrial and commercial activity, and redevelopment of sites bordered by the Grand Union Canal would allow for a continuation of the high quality canalside development planned to come forward on other sites further to the east.

14. In line with draft policy E6, whilst the site currently contains 1,340sqm of industrial floorspace, the overall LSIS-designated area of 0.7ha results in an industrial capacity of 4,500sqm. Under a strict interpretation of the policy, the redevelopment of the site should include at least this amount of industrial capacity. However, the GLA also notes that the office and retail use and subsequent D1 college use of the Alpertons House building are long established despite the LSIS designation. Consequently, the GLA considers that the 2,577sqm footprint of Alpertons House should be discounted from the industrial capacity of the site, reducing this to 2,875sqm, the latter figure representing the benchmark industrial capacity that redevelopment should seek to provide.
15. In response, the applicant has offered to convert the 469sqm of proposed B1 office floorspace to B1b/c industrial floorspace, increasing the total industrial floorspace proposed from 1,452sqm to 1,921sqm. This would be secured by a condition restricting the use of this floorspace. Whilst this would not meet the benchmark, it is considered that increasing the amount of workspace further would reduce the number of residential units and the viability of the scheme and consequently would have a potentially very significant impact on the delivery of affordable housing and the other planning benefits of the scheme including the provision of affordable workspace. The access road and the parking area on the western site boundary would also provide additional servicing and yard space that would further increase the industrial capacity of the site. The applicants have requested some flexibility in the use of this floorspace to guard against long-term vacancies, and it is considered that a meanwhile use strategy should be required by condition in order to set out a process for considering alternative uses.
16. Furthermore, the re-provision of industrial floorspace also has to be balanced out against other policy priorities. In this case, the proposal delivers a number of significant planning benefits to realise the vision of the site allocation and the Alpertons Masterplan SPD 2011, including managed affordable workspace, affordable housing, public access to the canal and canalside public realm. The workspace offer would be tailored towards small creative businesses and so would contribute actively towards the objectives of the Alpertons Growth Area.

#### Retail

17. A small amount of A1 retail floorspace is proposed, totalling 292sqm. This would be located at ground floor level on and near to the Bridgewater Road frontage, and would be provided as three separate units of a flexible A1/A2/A3 use class. There is existing A1 floorspace on the ground floor of Alpertons House (totalling 1,600sqm) which is in use as a Tile Depot store of the type found on large retail warehousing sites, however the re-provision of an equivalent amount of retail floorspace is not considered appropriate in this case as the site is not within a designated Town Centre or retail parade, and there is no policy objection to the loss of the A1 use. This element of the proposal would provide an opportunity for small local retail and convenience stores including A3 food and drink outlets to support the residential and business communities on the site. As the floorspace proposed is under 500sqm in total there is no policy requirement for a retail impact assessment to consider whether retail activity in Ealing Road Town Centre would be adversely affected.

#### Public House

18. The existing public house has a floorspace of 389sqm and the proposal includes a new public house of 510sqm, which would be spread over two floors and include external seating areas overlooking the canal, and would be operated by the existing brewery on site. This would satisfy the requirements of Policy DMP21, which seeks to retain public houses, and would provide a new local leisure destination to support the residential and business communities in the area.

#### Loss of office use

19. The existing B1 floorspace of Alpertons House is 9,600sqm and the proposal would therefore represent a net loss of B1 office floorspace. However, Alpertons House has experienced high vacancy rates for many years and this was acknowledged by the local planning authority in 2007 and 2010, when planning permission was granted on a temporary basis for the D1 use of part of the building to house the London School of Science and Technology (LSST) (refs 07/1530 and 10/1631). Brent's Employment Land Demand Study 2015 also recommended the release of poor quality older office stock and the provision of high quality new office accommodation in Wembley. The NPPF defines B1 office use as a town centre use, and consequently providing a large amount of office floorspace outside of a town centre is not considered appropriate in policy terms,

## Loss of education use within Alpertton House

20. Policy CP23 in Brent's Core Strategy 2010 seeks to protect community facilities. Planning permission was granted on a temporary basis for the D1 use of part of the building to house the London School of Science and Technology (LSST) (refs 07/1530 and 10/1631). The temporary permissions were granted in response to the high vacancy levels of office space within Alpertton House. The latter permission expired on 12 February 2016.
21. It is understood that the LSST is now in the process of relocating to new premises in Park Royal. The loss of the D1 use from the site is not considered to cause concern, given that this use was permitted on a temporary basis in response to the vacancy of the office floorspace at the time and on the basis that the site was expected to come forward for comprehensive redevelopment in the future (the 2011 site allocation was published in draft form at the time of the 2010 permission being granted).

## Conclusion

22. On balance, it is considered that the proposal has optimised the industrial capacity of the site whilst also providing an appropriate response to the vision set out in the Site Allocations DPD and Alpertton Masterplan SPD and providing the maximum reasonable amount of affordable housing on site. The proposal would deliver a new residential waterside community supported by employment and local retail floorspace and the re-provided public house, together with public access and enhanced public realm along the canal. Whilst draft Policy E4 should be afforded significant weight at this time, it should not outweigh the adopted development plan policies in determining the application, and the proposal is considered to be acceptable on this basis.

## **Housing mix and affordable housing**

### Housing mix

23. Core Strategy Policy CP2 sets a borough wide target for the provision of at least 25% of new dwellings to be family sized (3bed or more) and Policy CP21 also seeks to ensure that an appropriate range and mix of accommodation, including 25% family sized dwellings on major developments, is provided.
24. However, the Alpertton Masterplan SPD sets out a different housing mix for this part of the Growth Area, known as Alpertton Core, promoting new housing for smaller households (1bed and 2bed units making up the majority of the intermediate and market units) whilst providing a target of 40% of affordable rented units to be family sized (3bed or larger) units.

The application proposes 474 housing units, and the mix of unit sizes is summarised in the table below.

	Affordable rented	(% of housing type)	Shared ownership	(% of housing type)	Market sale	(% of housing type)	Total
1 bed	17	(19%)	29	(50%)	94	(67%)	140 (30%)
2 bed	34	(38%)	17	(29%)	212	(45%)	263 (55%)
3 bed	38	(43%)	12	(21%)	21	(15%)	71 (15%)
Total	89		58		327		474

Overall, the scheme proposes 15% family sized units, but this is weighted towards the affordable rented tenure with 43% of affordable rented units being three bedroom units. Whilst the proposed housing mix does not provide the 25% family-sized housing required by Policies CP2 and CP21, it does meet the objectives of the Alpertton Masterplan, providing a higher proportion of family sized units within the affordable rent tenure (where there is highest demand for affordable rented units).

### Affordable housing

25. The application proposes a total of 147 affordable housing units, comprising 89 affordable rented units (65%) and 58 for shared ownership (35%). This accounts for 31% of the total units or 35% on a habitable room basis. The affordable rented units would be provided at London Affordable Rent levels, which are capped at benchmark levels published by the GLA and significantly less than 80% of market rent.
26. Core Strategy Policy CP2 sets a target that 50% of new homes in Brent should be affordable. Policy DMP15 reinforces this target, seeking a 70:30 ratio of affordable rent to intermediate homes and requiring a financial viability assessment where a lower percentage of affordable housing is proposed.

### Viability review and negotiations

27. In line with policy DMP15, a Financial Viability Assessment (FVA) was submitted in support of the application, and was reviewed on behalf of the Council by BNP Paribas. They have confirmed that they regard the applicant's offered level of affordable housing to be the maximum reasonable amount for the scheme.
28. BNP Paribas have also carried out a sensitivity analysis to understand the impact of providing a policy-compliant tenure split (a 70:30 ratio of affordable rented to shared ownership units). They concluded that this tenure split would result in eight fewer affordable units being delivered. Your officers consider that it would be counter-productive to insist upon a policy-compliant split in this instance and that the tenure split proposed should be accepted.
29. A post-implementation viability review would be required, in accordance with Policy DMP15, to secure an additional affordable housing contribution if the viability of the scheme improves. GLA officers have also reviewed the Financial Viability Assessment, and have requested an early-stage viability review in addition. The GLA notes that the proposal does not include any public funding, and that opportunities for public funding should be explored as part of the early stage review in order to secure the maximum possible amount of affordable housing. The applicant has agreed to these reviews which, together with the provision of affordable housing, would be secured through the s106 agreement.

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

#### Policy background

30. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Policy DMP1 requires the scale, type and design of development to complement the locality. The allocation of Site A1 within the Growth Area recognises that the character of this part of Alperton will continue to change with the introduction of higher density development typologies. The Brent Design Guide SPD1 also encourages tall buildings of exceptional design quality in appropriate locations and gives further detailed advice on design.
31. Draft London Plan Policy D8 supports tall buildings where they form part of a plan-led approach to helping London accommodate its expected growth and enable people to navigate to key destinations, and provides detailed criteria to consider their visual, functional and environmental impact.

#### Demolition of existing buildings

32. The proposal would result in the demolition of all existing buildings on site. None of these buildings has any specific architectural merit or heritage designation that would merit their retention within a wider redevelopment, and no objections are raised to their demolition.

#### Layout

33. The proposal consists of four buildings with an approximately north-south orientation to follow the shape of the site. Blocks A and B would address Bridgewater Road, separated by a pedestrianised area leading to a new area of public realm, and Block A would also have a frontage onto the canal. Blocks C and D would address the canal, and would be linked at ground floor level by a continuous frontage of

workspace units and at first floor level by a communal amenity space podium.

34. Your officers consider that the proposed layout would provide an effective relationship between the buildings, open space and canal, maintaining an active commercial frontage across the majority of the site and concentrating servicing and parking requirements towards the rear and north of the site as it adjoins remaining industrial sites. The majority of ground floor units on the northern elevations of each block contain elements of active frontages which is a favourable approach and would retain some natural surveillance along this portion of the site.
35. The proposal would provide an adequate degree of set back from the canal (a minimum setback of 8m is required to comply with Policy DMP9), with the staggered building lines creating greater distances to the canal across most of the site and ensuring that the development does not appear overly bulky in longer distance views from the opposite canal bank. The layout would allow for public pedestrian access to the canalside and proposed public realm, which in turn would enhance the setting of the buildings and provide natural desire lines to the retail frontages, the public house and the pedestrian access to Bridgewater Road. Entrance cores would be centrally located within each block to provide a strong sense of arrival, and the residential entrances (except for Block A) would be located in landscaped settings within the site to provide semi-public external circulation space, rather than on the road frontage itself.
36. Separation distances of 18m between Blocks B, C and D would be sufficient to ensure the height and bulk of the buildings does not create an oppressive environment at street level, whilst the closer 12m spacing between Blocks A and B would also be appropriate to the denser urban character of the road frontage. The built form would be softened by high quality landscaping, which is discussed in more detail below.

#### Height and massing

37. Building heights would be staggered to increase towards the road frontage and canalside, from 14 stories to 23 stories (Block A 23 stories, Block B 20 stories, Block C 18 stories and Block D 14 stories). SPD1 advises that building heights should positively respond to existing character and the massing of new development should limit its visual impact by effectively breaking up facades, creating a varied roofscape and relating positively to existing surroundings. The recently permitted scheme opposite the site at Minavil House (ref: 16/2629) has a maximum height of 26 storeys and contributes to an emerging skyline of taller buildings around the junction of Ealing Road and the Grand Union Canal, together with the 16-storey former office building Peppermint Heights and the 14-storey buildings at 243 Ealing Road. In this context, it is considered that the location of the site at this junction makes it suitable for tall buildings and that they will appear in keeping with this existing and emerging cluster of similarly tall buildings. Given the highly sustainable location of the site, tall buildings are considered acceptable as a means of supporting high density residential development.
38. The heights of the buildings would rise from west to east and north to south, culminating in the point block Block A which would be partly 18 stories and partly 23 stories high. Block D on the western side of the site would be 14 stories high, whilst Block C would be partly 14 stories on the northern boundary and partly 18 stories facing onto the canal, and Block B would be partly 16 stories on the northern boundary and partly 20 stories. The lower heights of Blocks B, C and D on the northern boundary would respect the transition between the site and surrounding industrial buildings and the smaller mass of the traditional two storey dwellings further north of the site. The centrally positioned access core of each block would be recessed from the building line to give the impression of the block being divided into two elements within the same block. The use of opaque glass for the recessed elements, in contrast to the solid brick facades of the main building, further distinguishes between separate elements of the buildings.
39. This approach of stepping down part of each block would also effectively break up the mass and bulk, whilst the repeating rhythm of balconies and recessed elements provides further articulation to emphasise the verticality of the buildings and break up the bulk and mass of each block in a suitable manner. Block A would have a more slender form with various elements stepped down in height, which prevents this taller building from appearing bulky within the street scene.
40. A Townscape and Visual Impact Appraisal was submitted in support of the proposed height and massing. The impact on eleven viewpoints was analysed as part of the assessment, including viewpoints within the general vicinity of the site and those further afield including One Tree Hill and Alperton Sports Ground. Existing views of the application site and its associated buildings are largely restricted to local views from the surrounding streets and the Grand Union Canal. Overall the assessment has



demonstrated that the proposed development would have a largely beneficial impact on the townscape, with minor or moderate impacts on the representative views included in the assessment, compared to the existing unattractive buildings on site, and would not adversely impact any views of importance within the wider area given the cumulative impact of developments in the surrounding area. Overall the height and massing of the buildings are considered accepted given the high quality of the design and the emerging context of the area.

#### Architectural detailing and materials

41. The intention is to incorporate a red brick material and a cladding material on the elevations. A darker tone of brick would be used for Block A and a lighter brick would be used for the other blocks, with the variation in colour helping to establish a unique character for each block whilst also retaining a consistent architectural language across the site as a whole. The use of high quality brick would complement the surrounding industrial buildings and would respond well to the context.
42. The windows would consist of dark grey powder coated aluminium. The balcony balustrades would be predominantly formed of vertical railing (flat bars), face-fixed to the metal-clad balcony slab. All metalwork would be the same RAL colour to match the window frames, and this would provide a consistency across the site as a whole. The secondary balcony type for Block A has a vertical railing balustrade sitting on a reconstituted stone clad slab in Portland Fine, a contrasting material in colour. Some parts of the ground floor would use contrasting materials to differentiate between the residential uses at upper floors and the non-residential uses on the ground floor, and this also helps to establish a clear distinction between the base of the building and the upper floors.
43. Overall it is considered that the proposed materials are acceptable in principle and would integrate successfully with the existing built form within the vicinity of the application site. A condition would be incorporated ensuring that further details of materials including facing materials, window reveals, balconies and rooflines are reviewed on site and approved in writing by the LPA.

#### Secure by Design

44. The Design and Access Statement summarises the applicant's on-site meeting with the Metropolitan Police Designing Out Crime Officer to discuss the proposed development in the context of safety and security issues around the area, and the features included in the proposal submitted that respond to these concerns.
45. As a result of this meeting, the design was amended to provide stronger definition of the residential entrances including wider portals and different colour treatments to provide wayfinding devices. Lifts would be accessed by fob access and each floor would be zoned so that residents can only gain access to the floor they live on, which would also help to generate smaller communities of residents on each floor. Bin and cycle stores would also be fob access and where possible would have only one external entrance to prevent any access to the main areas of the building through the stores.
46. The public house terrace and adjoining area of public realm are separated in order to reduce the risk of antisocial behaviour around these areas, particularly at night. The introduction of a fence running along the edge of the boulevard, substantial amounts of defensive planting and level changes would demarcate the boundary between public and private spaces. External lighting would be provided throughout the site in order to maximise safety and discourage anti-social behaviour (lighting proposals would be secured by condition as part of a detailed landscaping scheme). It is recommended that a condition is secured for the management arrangements of the public spaces.
47. Active frontages have been maximised to increase natural surveillance, and workspace users would be prevented by condition from obscuring the glazed frontages. Workspaces would be able to be accessed at all hours in order to maximise the hours of natural surveillance. The landscaping proposed has been designed in order to direct people around the site, highlight entrances and provide privacy where required through defensible planting. The proposals also include a secure gated area for the canal boat moorers, to ensure their safety and demarcate their space from the public realm.

#### Conclusion

48. Overall your officers consider the proposal to be of a high quality of design that responds well to the existing context and would make an effective contribution to the emerging cluster of tall buildings in this area. The overall design approach is also strongly supported by GLA officers, and the layout of the site

would successfully combine a variety of uses and spaces to create a vibrant new neighbourhood.

## **Residential living standards**

49. All development is required to comply with standards set out in the Mayor's Housing SPG (including minimum internal space standards based on Technical Housing Standards – Nationally Described Space Standard 2015), and with Brent Policy DMP19, which requires private amenity space of 20sqm per 1bed or 2bed flat and 50sqm for 3bed and ground floor flats, which can be a combination of private terraces or balconies and access to communal amenity space. Balconies should have a minimum width and depth of 1.5m to be considered usable, and single aspect units should be avoided, particularly if north-facing.
50. The Mayor's Housing SPG also requires 90% of units to meet Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% to meet M4(3) 'wheelchair accessible homes' standards.

## Internal layout

51. The Design and Access Statement and drawings submitted with the application demonstrate the residential unit types and layouts that would be provided as part of the development. All of the units would meet the minimum floorspace requirements and the majority would exceed these requirements. All units would be logically laid out to achieve good levels of outlook and access to light. Approximately 77% of the units would be dual aspect, which is a high proportion for a development of this size, and there would be no north-facing single aspect units, the majority of the single aspect units facing either east or west so as to avoid the risk of overheating associated with south-facing units.
52. The relationship between the proposed workspace units and the residential units immediately above would need to be carefully considered during the detailed design stage in order to ensure satisfactory internal noise levels for residents. Further details to demonstrate this would be required by condition. Furthermore it is noted that the operation of the public house with an external seating area could result in excessive noise levels, however any concerns in relation to this would be dealt with through the licensing regime.
53. The layout includes secure entrances to the residential units in each block in locations which are well overlooked so as to maintain a sense of security, and in turn would overlook public areas in a more positive way than the existing buildings. The Mayor's Housing SPG advises that no more than eight units per floor should be accessed from a single core, to prevent an impersonal and unneighbourly character from developing. The layout of Block C would result in ten units accessing one core, however whilst this is not strictly in accordance with the guidance it is not considered so excessive as to be of concern.

## Accessible and adaptable units

54. The units would accord with Building Regulations requirement M4(2) for 'Accessible and adaptable dwellings', and 10% would meet M4(3), to be wheelchair accessible, or easily adaptable. A condition would be imposed to require that this is done.

## Relationship between proposed units

55. Blocks C and D would be separated by 20m, and Blocks B and C by 22m, which provides acceptable separation distances to ensure privacy and prevent any overlooking between units. A separation distance of just over 10m would be achieved between Block A and the southern elevation of Block B, however the south-facing windows in Block B would all be secondary windows. Given that the windows on the southern elevation of Block B will overlook the new pedestrian access into the site (and thus provide natural surveillance), it is not considered appropriate to condition these secondary windows to be obscured glazed. In addition the balconies would be appropriately orientated and sufficiently separated to prevent any overlooking between units. It is noted that a number of balconies would adjoin one another, and a condition would be required to ensure details of privacy screening are submitted and approved.

## Daylight and sunlight

56. A sample of 35% of habitable rooms in the development, including 'worst-case' units representative of all unit typologies, were assessed for internal daylight and sunlight in accordance with Building Research Establishment guidance. This assessment demonstrated that 99%, 93%, 82% and 86% of rooms in Blocks A, B, C and D respectively would meet recommended internal daylighting standards. Some rooms would have very good light levels in excess of the standards, whilst some would fall only

marginally short of the standards. The rooms with the lowest light levels would mostly face onto the internal courtyard on the lower floors of Blocks C and D, and the high quality of the outlook would to some extent compensate for the lower light levels, whilst many of these rooms would also be served by balconies which do restrict internal light levels to some extent whilst also providing valuable private external space. Windows facing within 90 degrees of due south were also assessed as receiving more than the minimum recommended amount of sunlight. Overall it is considered that the residential units would receive good internal light levels for a dense urban setting.

57. A Dynamic Overheating Report was submitted, based on an assessment of six representative units and one communal corridor. Units expected to have a higher risk of overheating were selected, as well as those affected by external noise levels. This report investigates mitigation strategies to minimise overheating within the development, in line with GLA guidance on preparing energy assessments (2016) and the cooling hierarchy set out in London Plan Policy 5.9. The development has been designed to utilise openable windows as the primary means of ventilation, with a background mechanical ventilation system running constantly to further reduce overheating risks. Communal corridors that benefit from natural ventilation through external windows meet the overheating criteria by leaving windows open at 50%, whilst corridors with no access to natural ventilation benefit from the operation of a mechanical system with extract fans. Overall the assessment finds that the risk of overheating would be satisfactorily resolved through these measures.

#### External amenity space

58. All residential units would have access to private balconies or terraces of at least 5sqm, and this provision would result in a total of 3,827sqm. Shared amenity space would be provided, including ground floor spaces between Blocks B and C, a first floor podium garden between Blocks C and D, and roof gardens on the second and 18th floors of Block A, on the 16th floor of Block B, on the 14th floor of Block C and at second floor level on Block D, totalling 2,078sqm. Given the likelihood that future residents would also utilise the proposed public open space adjacent to the canal, it seems reasonable to incorporate elements of this space as amenity provision linked to the residential units. Taking this into account, the development would result in amenity space provision of approximately 16sqm per unit. This would include on-site play space as required by London Plan Policy 3.6, with diverse elements spread across the development, including equipped play areas outside Blocks B and D and 'play on the way' features along pedestrian routes, and benefiting from a degree of overlooking and natural surveillance. The majority (89%) of the area of amenity spaces, including the podium level and roof terraces, would receive well in excess of the recommended minimum levels of sunlight.
59. In order to compensate for the level of amenity space provision which is slightly below Brent target levels and to provide recreational facilities for older children, the applicant has agreed to a financial contribution of £230,000 towards improvements in the nearby One Tree Hill Park. These could include providing cricket nets and developing an enclosed cricket practice area, expanding and improving the children's playground area, redeveloping the old allotments site into a community garden, providing a functional art installation to encourage people to admire the view from the top of the park, and carrying out a community consultation exercise to ensure works meet the needs and aspirations of the local community.
60. In conclusion, although the on-site amenity space provision overall falls below Brent's policy requirement, on this occasion it is considered an acceptable level of provision given the high density nature of the scheme and the high quality of the amenity space proposed and of the landscaped public realm around the site. Residents would all have access to private amenity space in the form of balconies or terraces in accordance or in excess of the minimum standards set out in the London Plan, and would also benefit from being in close proximity to the canalside and from internal floorspace exceeding minimum standards. The financial contribution to One Tree Hill Park would potentially make this a more attractive area to visit for recreation to supplement the on-site amenity space.

#### Relationship with neighbouring properties

61. The buildings directly north and west of the application site occupy industrial uses and the proposed buildings would retain a 9m distance to the western and northern boundaries with these industrial sites. This would allow these sites to be redeveloped in a similar manner to achieve a separation distance between windows of 18m.
62. The nearest existing residential properties are a considerable distance away from the application site with Block A being over 30m from Peppermint Heights and from the approved Minavil House scheme. A

distance of over 70m will be maintained from the residential properties along Manor Farm Road. These distances would prevent any potential harmful overlooking onto these properties.

63. As the scheme does not directly adjoin a boundary with existing residential units or private external amenity space, the 30 and 45 degree lines as set out in SPD1 do not apply. However, the application has considered the impact upon daylight and sunlight to existing residential uses in line with 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. The use of this guidance is considered appropriate in areas of high density.
64. 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.
65. Nearby properties assessed were Peppermint Heights, Grand Union Heights, the consented development at Minavil House, 2-6 Manor Farm Road and 3 Bridgewater Road. Neighbouring frontages facing south were assessed for sunlight availability (Annual Probable Sunlight Hours) and demonstrated good sunlight levels on both the annual and the winter tests across all neighbouring properties, and all amenity spaces at neighbouring properties would continue to receive adequate sunlight throughout the year and meet the BRE targets. Peppermint Heights and Grand Union Heights were not assessed in terms of sunlight impacts, as they are located due south of the proposed development and so would not be affected in this way. The results show that the proposal would not impact on VSC levels of the properties at 2-6 Manor Farm Road or 3 Bridgewater Road, and that they would retain good sunlight levels throughout the year in accordance with BRE guidance.
66. A total of 115 windows at Grand Union Heights were assessed and 75.6% of these (81 windows) would meet the BRE targets by retaining 0.8 times their existing VSC, whilst windows located on the east block and facing directly towards the proposed development would experience daylight loss to around 0.6 times their former value which is below 0.8 BRE target. However, internal daylight levels are not expected to be dramatically impacted as the respective habitable rooms are dual aspect with some of their windows maintaining VSC values above the thresholds. At Peppermint Heights a total of 89 windows were assessed, and 40 of the ground floor and first floor windows would experience some loss of VSC below the BRE target, however the assessment of daylight distribution line shows that 82.25% of the assessed units meet this target with only six out of the 80 assessed habitable rooms falling below the recommended thresholds, mainly due to their existing enclosed geometry. However, due to the significant separation distance between the development and these properties, it is considered that the overall harm to these residents would be slight.
67. At the consented Minavil House scheme, a total of 80 rooms out of the 111 assessed (72%) would continue to meet the BRE VSC thresholds. Detailed calculations of the daylight distribution in these rooms shows that almost all habitable rooms (90%) would have acceptable levels of daylight distribution, with only three room typologies (R5, R4 R11) at the lower floor levels failing this test. All windows facing due south would continue to receive good levels of sunlight.
68. Overall the proposed development would not significantly impact the internal daylight or sunlight levels or sunlight to amenity spaces of neighbouring properties. On balance, it is considered that the impact would not be unduly adverse given the high density character of the existing and emerging surrounding area, and the lack of any impact on the more traditional low density residential neighbourhood to the north. Most of the site is allocated for redevelopment within a dense urban environment, and the windows affected are therefore considered to be sensitive to change.
69. Notwithstanding neighbour objections on this issue, existing industrial uses are not considered sensitive to impacts such as loss of light and privacy in the same way as residential properties where existing residents would have an expectation of being able to relax and enjoy the comfort of their homes without being unduly affected by neighbouring properties. The proposed buildings would retain a 10m separation distance to the boundaries and it is not considered that there would be any adverse impact on the privacy of adjoining industrial units. Objections regarding loss of TV and satellite signals have been discussed with the applicant, and provision for surveying and compensating for any such loss is proposed to be secured through the s106 agreement.
70. In conclusion it is considered that the proposal would be acceptable in terms of its impact on

neighbouring properties.

## **Trees, biodiversity, landscaping and relationship with Canal**

### Existing biodiversity potential

71. The site is adjacent to a watercourse (the canal) which is designated as a Green Chain and therefore subject to Policy DMP8 which prevents development affecting the biodiversity and recreational value of the canal, and to Policy DMP9, which requires proposals to improve access to the waterways, provide an appropriate landscaped setback, and to enhance water quality and biodiversity. The canal is also part of the London's Canal's SINC, and is therefore protected under London Plan Policy 7.19, which requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity. The Canal & River Trust are a statutory consultee as the site adjoins the canal, and are also the owners of the part of the application site immediately adjacent to it.
72. A Preliminary Ecological Appraisal was submitted, together with a Bat Emergence Survey, to assess the biodiversity potential of the existing site. The Appraisal concluded that the site is dominated by ecologically poor habitats consisting of hardstanding and buildings, and that a landscaped buffer with semi-natural open space along the canalside, together with pollution prevention measures, would help to protect the biodiversity of the canal. The public house building was considered to provide moderate potential for roosting bats and, although no evidence of bats was discovered, further surveys are recommended in accordance with best practice and can be required by condition together with any mitigation measures that may be required if evidence of bat roosts are discovered. The presence of Japanese Knotweed on site was noted, and an informative is recommended regarding the need for this to be controlled, together with an informative regarding nesting birds.
73. Overall, the proposal is considered to have a low impact in terms of biodiversity and any potential adverse impacts could be mitigated in line with relevant wildlife legislation. It is recommended that bird and bat boxes are provided as part of the detailed landscaping scheme, in order to ensure the opportunity is taken to enhance biodiversity on the site.

### Impact on trees

74. There are no trees on site subject to a Tree Preservation Order, and no extensive areas of vegetation. However, trees and vegetation on and adjoining the site along the canalside make an important contribution to the visual amenity of the area and also have some biodiversity value and contribute to the biodiversity and water quality of the canal, where they overhang the canalside.
75. An Arboricultural Impact Assessment was submitted, providing details of eight individual trees, one tree group, one hedgerow and four areas of scrub. Two weeping willow trees (T1 and T6) are categorised as B (moderate value) but near the end of their life and the remaining items are categorised as C (low value). The site is mostly hardstanding with two trees (T7 and T8) on the boundary between the Alperton house carpark and public house beer garden. Trees T1 and T6 provide valuable landscape features near the canal embankment, whilst T10 and T11 are fruiting trees possibly planted and cultivated by the houseboat residents. Two trees and two areas of scrub would be retained in the construction of the development, and measures to protect these during construction works are proposed.
76. Extensive new tree planting is proposed as part of the landscaping scheme to compensate for the loss of existing trees. The tree officer has been consulted and considers the proposed loss of trees and replacement tree planting to be acceptable.

### Landscaping and relationship with canal

77. In terms of the existing public realm, the public house has an external seating area on the canalside although this is not accessible to the general public other than customers, and the remaining areas of the site including the canalside are not publicly accessible. The proposal includes new areas of public realm including a landscaped canal side space and canalside walkway, and new tree planting is intended to form part of the landscaping of the site. A Landscape Statement was submitted with the application, describing the functions and character of different spaces throughout the site, and these are summarised below.
78. On the street frontage, the front building line of Block B would be set back behind areas of planting to soften the impact of the built form. The northern edge of the site would provide vehicle access for

parking and servicing, and would be paved as a shared surface with a contrasting comfort strip along the building edge, with two service bays integrated, and a planter along the northern boundary for climbing plants and the parking court on the western site boundary. The courtyard gardens between Blocks B and C would incorporate amenity space for residents, framed by regular planted trees, hedges and lawns and including doorstep playspace for young children, with a central paved area leading out onto the main courtyard between Blocks A and B. This would allow for occasional servicing access to Block A but would primarily be a broad pedestrian route from Ealing Road, framed by trees on the southern side including a large signature tree.

79. The central courtyard would continue as a paved route along the canal side but at a higher level than the canal edge itself, providing access to ground level commercial space and the residential entrances of Blocks C and D, views back over the canal and planting to provide a buffer zone along the canal edge and protect the privacy of the canal boat residents, together with seating and incidental play features. This route would allow for pedestrian access along the canal side to be extended further westwards if adjoining sites come forward for redevelopment.
80. The triangular canal side amenity space would include a richly planted accessible ramped route descending by approx 2m in height down to the canal edge, with bench seating set within garden planting and an undulating lawn for alternative play. The Canal & River Trust have requested a more semi-natural character in this area, and this requirement can be addressed through the detailed landscaping condition. The upper terrace would provide external seating for the public house on the south side of Block A, and any fixed seating and landscaping features would also need to be approved under the detailed landscaping scheme condition. The terrace would incorporate stepped access down to the canal side which would also be accessible directly from Ealing Road, and an additional mooring point would be provided at this point to allow public pleasure boats to stop outside the public house. The triangular area at the far southeastern corner of the site adjacent to the canal would be planted as a semi-natural area, and the canal edge itself would be paved, with gated access to the existing private moorings.
81. The roof gardens would provide varied seating environments and play spaces for residents, with ornamental planting, semi-mature trees and area of lawn to create a green garden character and contribute to site ecology. Defensible planting would be provided to private terraces fronting the gardens, and planting would be designed to reduce the effect of wind and create a pleasant micro-climate on the terraces.
82. These landscaping features comply with Policies DMP8 and DMP9, and are considered to be appropriate to the overall scale of the development. The Landscape Statement sets out proposals for a high quality palette of landscaping materials and planting, and these are welcomed. The provision of public realm would help to enhance the setting and thus mitigate the visual impact of the development and to provide a high quality environment for users of the development and other local residents. The public realm is considered to be of high quality and providing public access to the canal side is also strongly supported by London Plan policies to enhance the Blue Ribbon Network. It would represent a benefit in planning terms that is considered to carry significant weight against any negative impacts of the scheme.
83. The land immediately adjoining the canal is within the ownership of the Canal & River Trust. They have been consulted on the application and have supported the general landscaping strategy but have requested the introduction of more native species including trees into the landscaping. Other details requested by the Trust include assurance that surface water run-off from construction works will not drain or run off into the canal, further details of external lighting and CCTV, and of facilities for the adjacent canal boat moorings. These details will all be secured by conditions, together with a detailed landscape scheme and materials samples, and arrangements for the maintenance of areas of public realm. Compliance with the Trust's Code of Practice and a structural survey of the canal wall would also be required, and an informative is recommended to this effect.

## **Environmental issues**

### Energy and sustainability

84. London Plan Policy 5.2 seeks to minimise carbon emissions through the 'Be Lean, Be Clean and Be Green' energy hierarchy, and a 'zero carbon' standard is applied to all new residential development from 2016 onwards. The Mayor's Housing SPG defines 'zero carbon' homes as homes forming part of major development applications where the residential element of the scheme achieves at least a 35% reduction in regulated carbon dioxide emissions (beyond the Building Regulations Part L 2013 targets) on-site. The remaining regulated carbon dioxide emissions, to 100%, are to be off-set through a financial contribution

in lieu to the borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere. Non-residential floorspace is also covered by this policy, however the policy target is to achieve a 35% reduction on-site without any requirement to achieve a zero-carbon rating but with any shortfall compensated for by a financial contribution.

85. Brent's Policy CP19 requires major planning applications to be supported by a Sustainability Statement, 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. This policy also requires non-residential floorspace over 1,000sqm in area to achieve a BREEAM Excellent rating.
86. The applicant has included an Energy Statement with the proposal. The statement outlines various sustainable design and construction measures, and highlights that the development would include energy efficiency measures and incorporate a site-wide combined heat and power system. The statement demonstrates that the residential parts of the development would achieve a 39.58% reduction on 2013 Building Regulations emissions through these Be Lean and Be Clean measures, and that a financial contribution to carbon-offsetting of £755,280 would be required to achieve 'zero carbon' status. Domestic and non-domestic emissions were assessed separately and a 35% reduction is achieved as an average across both, with non-domestic emissions underperforming against the target at 31.41%.
87. A Sustainability Statement was submitted, demonstrating that BREEAM Very Good would be achieved for all commercial units, and other measures included to create a sustainable development. All new dwellings would target a minimum water efficiency standard of 105 litres/person/day in accordance with London Plan Policy 5.15.
88. The GLA Stage 1 report recommends that, as the carbon dioxide savings fall short of the policy targets, the applicant should consider the scope for additional measures aimed at achieving further carbon reductions, including the maximisation of on-site PV installation. Although the average carbon reduction achieved would be 35%, the non-residential floorspace would not achieve the 35% target whilst the aim for the residential floorspace should be to further reduce carbon emissions towards achieving zero carbon on-site. The roof plan submitted identifies areas that could be used for PV installation (these are on the highest parts of the roofs of each building, which are not proposed as roof terraces) and the applicant has agreed that these could be included. Further details of PV installations can be required by condition.
89. The Council's sustainability officer has raised concerns to the shortfall in achieving the required BREEAM rating. The applicant's view is that a BREEAM Excellent rating cannot be achieved on a 'shell and core' fitout of commercial units, as it is not possible to gain sufficient credits under the ENE01 heading. The Council's officer has accepted that this may be the case, and has recommended that BREEAM Excellent should be achieved under all headings except for ENE01. The applicant considers that this could be achieved through measures such as reducing the amount of glazing on the commercial frontages.
90. The GLA have raised a number of technical queries regarding the energy performance of the development and these are in the process of being resolved through further correspondence with the applicant. The s106 Agreement would secure a revised Energy Statement and Sustainability Statement at the detailed design stage, incorporating measures to achieve greater carbon emissions reductions and a higher BREEAM rating as set out above, and identifying the financial contribution to carbon off-setting required as a result. Half of this financial contribution would be required to be paid at this stage. Following practical completion of the development, final reviews of the Energy Statement and Sustainability Statement would be required, identifying the actual carbon emissions reductions and BREEAM rating achieved in the development and adjusting the financial contribution accordingly if required. This is the preferred approach recommended by the Council's sustainability officer as it incentivises further improvements in carbon performance at detailed design stage and during construction.

#### Air quality

91. An Air Quality Assessment was submitted with the application, including an Air Quality Neutral Assessment as required by London Plan policy. The traffic generated by the proposed development would be less than that generated by the existing uses of the site, and thus the impacts of this traffic on air quality in the local area would not be significant. The effects of local traffic and the proposed energy plant on air quality for residents and users of the proposed development have been shown to be acceptable in the worst-case locations assessed. The building and transport related emissions

associated with the proposed development are both below the relevant benchmarks. The proposed development therefore complies with the requirement that all new developments in London should be at least air quality neutral.

92. Environmental health officers have been consulted and are satisfied with the air quality assessment, with no further requirements or conditions, subject to any plant being installed in accordance with the plant specification set out in the Assessment and adequate measures being in place to control air quality and dust during the construction process.

#### Noise and odour

93. An Acoustic Report was submitted and concluded that road traffic is the predominant source of existing noise, and that the residential units near to the Ealing Road / Bridgewater Road frontage would need high performance glazing to achieve acceptable internal noise levels. The report also considered internal noise levels in the context of the development's reliance on natural ventilation to prevent overheating, and concluded that this should be supplemented by mechanical ventilation for the units affected. Plant noise from plant required for the development was considered, although no details of plant have been provided at this stage and therefore a detailed assessment of its noise levels is not possible.
94. Environmental health officers have been consulted and note that there could be noise associated with the proposed commercial uses including from plant and machinery, noise from customers, and noise travelling through the building. Therefore in order to ensure that the appropriate noise control measures are adopted, conditions have been recommended to require further details of plant noise assessment, internal sound insulation measures between commercial and residential uses, and design of residential units to achieve the required internal sound levels.
95. Transport for London have queried whether the introduction of residential uses in this location could potentially compromise the operation of Alperton Bus Depot which sits opposite the site, on the basis that noise from the Bus Depot could create an unacceptable environment for residents. Draft London Plan Policy D12 requires new residential developments to incorporate measures to mitigate impacts from existing noise-generating uses in the area. Although the bus depot was not identified as a significant source of existing noise in the Acoustic Report, it may include for example operation of jet washes at night-time that could potentially disturb residents. Environmental health officers have recommended that a further noise assessment is undertaken to cover this concern, and this will be required by condition.
96. Environmental health have also requested details of the extract ventilation system and odour control equipment for any commercial kitchens in the development (for example, relating to the use of the public house or retail units), and this will be required by condition.

#### Contaminated land

97. A geo-environmental site investigation report has been submitted, and this identifies that land contamination may be present due to the existing and former uses on the site. Environmental health have been consulted and have requested submission of a contaminated land assessment, remediation scheme and verification report, together with procedures for reporting of any unexpected contamination. These measures will be secured by condition.

#### Wind and microclimate

98. A Wind Microclimate Assessment was submitted, which assessed the baseline scenario (existing site and surrounding buildings) against the proposed development and existing surrounding buildings, and the proposed development together with other cumulative developments nearby in terms of the Lawson Comfort Criteria. Wind conditions at the existing site are generally calm and suitable for all the intended uses, and windier conditions are anticipated as a result of the development and the cumulative developments.
99. Mitigation measures have been recommended at several locations, and a number of these have been incorporated into the proposed landscaping scheme. A condition is recommended, to require further details of mitigation measures for balcony locations, together with further testing to assess their effectiveness in creating comfortable conditions to allow seating on balconies.

#### Flood risk and drainage



100. London Plan Policy 5.12 and Brent Policy DMP9A set out a policy approach to managing the risk of flooding, whilst London Plan Policy 5.13 and Brent Policy DMP9B require sustainable drainage measures to be incorporated into major developments. Like many areas in the borough the site is within a critical drainage area, although this is a local designation rather than designated by the Environment Agency.
101. A Flood Risk Assessment and Surface Water Drainage Strategy was submitted, which considers the risk of flooding from a range of sources. When mitigation measures are considered, the residual flood risk to the site is low. The approach to flood risk management for the proposed development therefore complies with London Plan Policy 5.12 and draft London Plan Policy SI12 and is supported.
102. The local lead flood authority supports this approach but notes that, whilst the applicant proposes to discharge surface water directly into the canal, the area is currently at risk of surface water flooding due to inadequate capacity in the surface water sewer in Bridgewater Road and that a CCTV survey would be advisable if discharge into the sewer were found to be necessary at a later stage. Thames Water have also been consulted and have requested surface water network upgrades to be required by condition. However, the Canal & River Trust have confirmed that they have no objection to surface water being discharged directly into the canal, and this is considered to allay any concerns regarding surface water flooding.
103. The GLA notes that the surface water drainage strategy partly addresses the drainage hierarchy set out in Policy 5.13 and notes that rainwater harvesting would not be possible. Permeable paving, green/brown roofs and attenuation tanks are proposed as the main sustainable drainage measures. However, further details of measures at the top of the drainage hierarchy were requested, particularly blue roofs and bio-retention systems, together with further attenuation storage volume calculations and assessment of exceedance flow paths. This information has been provided and GLA officers have confirmed that they are satisfied with the level of detail provided.

## **Transportation**

104. Ealing Road and Bridgewater Road are major London Distributor roads and bus routes. A signalised junction with pedestrian crossing facilities on the Ealing Road (north) and Bridgewater Road arms forms the junction of the two roads. They are very heavily trafficked roads and have two lanes in each direction, widening to three lanes on the approach to the signalised junction. Bridgewater Road also has a hatched central strip separating northbound and southbound traffic, with a small splitter island at the northern end of the site and a pedestrian island at its southern end associated with the signalised junction with Ealing Road. A solid island with guardrailing is located along the centre of Ealing Road fronting the southern end of the site. On-street parking is prohibited during the day, with loading prohibited at peak hours, along this length of road. Public transport access to the site is good (PTAL 4), with Alperton Underground station and seven bus services within 640 metres.

## **Access, layout and highway works**

105. The site currently has three vehicular accesses from Bridgewater Road (two serving the Alperton House building and the third serving The Boat public house, and a fourth access from Manor Farm Way serves the two industrial units and other units in the Abercorn Industrial Estate. There are no dedicated pedestrian or cycle routes. The site includes 144 parking spaces at Alperton House and 20 spaces at The Boat, both of which substantially exceed the Council's maximum parking standards.
106. The proposed access strategy would retain access through the Manor Farm Way industrial estate to provide access to three disabled parking bays serving the workspace units. Transport officers have accepted this arrangement, and welcome the opportunity to also provide a secondary route into the site for emergency vehicles. The applicant has confirmed that a right of way through the estate runs with the ownership of the land, and the location of these parking bays would provide convenient access to the main areas of workspace. It is noted that neighbours have raised concerns about the use of this access by other vehicles travelling to and from the development, however it is considered that this could be prevented by urban design features such as bollards to prevent vehicular access to other parts of the development, and this will be required as part of the landscaping condition.
107. All other traffic would use the existing vehicle access to Alperton House at the northern site boundary, which would be amended to include tighter kerb radii and a raised entry table. This route would lead to the undercroft parking area between Blocks C and D and the central bin stores. It would also provide a route to Block A for servicing and delivery vehicles, although this route would not be available for general

traffic. The other two existing vehicle crossovers would be removed, and the main pedestrian route into the development would be between Blocks A and B, adjacent to the signalised pedestrian crossing on Bridgewater Road which provides a direct route to Alperton Station with safe crossing points and footways.

108. This arrangement has been accepted by transport officers and by Transport for London (TfL). The rationalisation of vehicle access is welcomed, and supports TfL's Vision Zero perspective through reducing vehicle dominance and creating a safer environment for pedestrians and cyclists. The highway works required would comprise removal of a small pedestrian island in Bridgewater Road in front of the vehicle access, extending the island on the Bridgewater Road arm of the Ealing Road signalised junction 28m northwards to create a central median strip in order to improve highway safety along the site frontage, together with removal of the redundant crossovers and their reinstatement to footway. Transport officers have also requested that footway repaving along the site frontage and widening of the adopted footway of Ealing Road to a minimum of 4m along the southern part of the site frontage be included in the works, and the applicant has agreed to this, subject to an oversailing licence being granted for the public house entrance canopy. These works would be secured through the s106 agreement.
109. The layout of the main access road, with a general width of 6m - 7m plus a 1.35m footway in contrasting material on the southern side and a 450mm planted margin on the northern side, is considered to be acceptable and to provide sufficient space for vehicles to pass one another and to unload. The entrance into the undercroft car park between Blocks C and D is shown with a headroom of 4.3m, which would allow delivery and refuse vehicles to turn at the end of the service road and leave the site in a forward gear. The road and pedestrian areas would need to be surfaced in block paving to provide a suitable material for use as a shared surface, and further details of surfacing materials would be required as a condition.
110. The pedestrian access would also provide a footpath through the site to the Grand Union Canal, including an accessible 1.8m wide ramp at a maximum gradient of 1:15 with level landings at 5m intervals down to a towpath and mooring area alongside the canal, in order to facilitate wheelchair access, in addition to stepped access to connect the towpath to the public house terrace. This route is welcomed and would be secured as a permissive footpath in the S106 Agreement. TfL have requested confirmation that this route would be for pedestrian use only and measures to prevent vehicle access can be included as part of the landscaping scheme. The routes within the site have been assessed using TfL's Healthy Streets checklist and have scored very highly, whilst improvements to the footway along the site frontage would also contribute to improving the pedestrian environment on the route between the site and Alperton Station. TfL have suggested that the applicant makes further contributions to improving the pedestrian environment on the route between the site and the station, however it is considered on balance that improvements to the footway, together with the public realm provided on-site, enhancements to One Tree Hill park and the contribution towards the wider canal network agreed with the Canal & River Trust, that the development has made sufficient contribution towards the local environment and that it would be unreasonable to require further contributions.
111. A lighting design concept has been submitted, showing lighting columns along the northern and western boundaries of the site and low level footway lighting along the remaining pedestrian routes. However, as delivery vehicle access is required between Blocks B and C in order to access Block A, lighting columns are likely to be required in this area too to provide adequate illuminance. Further details of external lighting would be required by condition.

#### Parking and cycle parking provision

112. As the site has good access to public transport services, the lower residential parking standards in Appendix 1 of the Development Management Policies apply. The 474 proposed flats are therefore allowed a maximum of 387 car parking spaces. The three retail units would be allowed up to five spaces, whilst six spaces would be allowed for the business and office units. There is no particular parking allowance for the public house.
113. The proposed provision of 20 parking spaces (including 18 disabled spaces) therefore accords with maximum standards. The amount of disabled parking shown also accords with draft London Plan Policy T6.1, which requires disabled parking provision for 3% of flats at the outset and provision for further disabled parking to a total of 10% if demand increases in the future. The undercroft parking would provide 15 spaces for residential use and three disabled spaces on the western site boundary would be for commercial use. The remaining two spaces would be reserved for Car Club vehicles, which is also

welcomed in helping to support the Travel Plan and limit car ownership.

114. Part of the ground floor amenity spaces in front of Blocks B and C have been earmarked as being suitable for conversion to further disabled parking should this be required in the future, in compliance with draft London Plan Policy T6.1. However, to ensure that amenity space provision is not reduced unnecessarily, a condition is recommended, requiring submission of evidence to justify the provision of additional parking in terms of increased demand from disabled persons, assessment of alternative options to provide this on-site, and details of the proposed conversion to parking including materials and compensatory landscaping, prior to the conversion works being carried out.
115. Of the 20 spaces at least eight would need to be provided with electric vehicle charging points (four active and four passive), although draft London Plan Policy T6.1 requires passive provision for all but four spaces. This has been acknowledged in the Transport Assessment and further details would be secured by condition. TfL have also requested a parking management plan to ensure parking spaces are allocated to those most in need and are not sold to individual residents, and this would be required by condition.
116. The London Plan requires at least one secure bicycle parking space per 1bed flat and two for larger dwellings, plus one visitor space per 40 flats. This gives a residential requirement for 808 long-stay and 12 short-stay spaces. For the non-residential uses, about 30 bicycle parking spaces are required in total (13 long-stay and 17 short-stay). Internal storerooms with a total capacity for 826 bicycles are indicated on the ground, mezzanine and first floors, sufficient to meet the long-term storage requirements, and showering facilities would be provided within each of the commercial units to encourage occupants to cycle to work. Lifts are proposed to access the upper floor store rooms, and a further 31 external 'Sheffield' stands are indicated to meet the short-stay requirements.
117. TfL have requested that cycle parking is increased in compliance with draft London Plan standards, which would require 895 long-stay cycle parking spaces. However, this is not yet adopted policy and it is considered that it should not override the adopted policy requirements. Furthermore, devoting additional space to cycle parking would be likely to result in the loss of other elements within the scheme such as industrial floorspace, public realm or residential amenity space, and the increased uptake of cycling, whilst an aspiration of the draft London Plan, is not yet proven. On balance therefore it is considered that increased cycle parking should not be required, however provision for additional cycle parking should demand support it could be addressed through the condition on future car parking referred to in paragraph 114 above.

#### Impact on on-street parking

118. Neighbour responses have highlighted concerns relating to the impact on on-street parking. Where development is likely to generate overspill parking, Policy DMP12 requires that such parking can be safely accommodated on-street. In general, it is estimated that residential developments generate car ownership at 75% of the maximum allowance (50% in the case of social rented flats) and on this basis, the 474 proposed residential units are estimated to generate demand for about 270 spaces, giving a predicted overspill of up to about 250 cars from the site without suitable mitigation. To verify whether this is a realistic estimate for this area, car ownership data from the 2011 Census have been examined for flats at the nearby Peppermint Heights and Grand Union Heights buildings. The results indicate average car ownership levels of about 0.76 cars per household for the relevant output areas, suggesting that overall car ownership could be as high as 360 cars.
119. The site currently lies outside of any Controlled Parking Zone and residents who own cars would therefore be likely to create overspill onto streets further afield (such as Bridgewater Road, Burnside Crescent, Clifford Road and Carlyon Road) as these streets are not covered by Controlled Parking Zones. However, given the amount of development that is already approved or proposed in future within this Growth Area (mostly with low levels of on-site parking provision), extensions to CPZs are increasingly likely to be required to address overspill parking issues, even though consultation recently undertaken with local residents on a new CPZ in residential streets around Carlyon Road and Burns Road showed the majority of residents not to be in favour of the scheme. Any development that requires a CPZ extension to address overspill parking is required to provide funding towards the cost of introducing a CPZ.
120. A sum of £500 per residential unit is therefore sought towards the CPZ extension, consistent with the approach taken on other major developments in the surrounding area, and would amount to a contribution of £237,000 in this case. Transport officers have recommended that the funding be split into

an initial contribution of £57,000 for consultation and implementation, with the remaining £180,000 remaining available to be called upon in the event that it is decided to proceed on the basis. This funding has been agreed with the applicant and is to be secured through the S106 agreement.

121. The s106 agreement will also designate the development as 'parking permit restricted', with the right of future residents to on-street parking permits in any future CPZ being withdrawn. This has also been accepted in the Transport Assessment.

#### Impact on highway network and public transport services

122. The Transport Assessment has estimated future trips to and from the site, based on surveys of other similar residential developments in London. Trips to the commercial units have been estimated based upon the likely number of staff employed and existing Census data has been used to identify likely modes of transport. Modal share estimates have then been adjusted to reflect the very low level of car parking proposed. The overall development is therefore estimated to give rise to 108 arrivals and 199 departures in the am peak hour (8am to 9am) and 130 arrivals and 151 departures in the pm peak hour (5pm to 6pm) by all modes of transport.

123. Due to the low level of car parking proposed, just one arrival and two departures in the am peak hour, two arrivals and one departure in the pm peak hour are estimated to be by car, although adding delivery vehicle movements to these totals would increase estimated vehicle movements at the site access to eleven movements in each peak hour. This level of traffic is not considered significant enough to have a noticeable impact on the local highway network and is considerably lower than the existing flows into and out of the site for the public house, offices and warehouses.

124. In terms of trips by public transport, the development is estimated to generate 68 and 65 trips by bus in the morning and evening peak hours respectively, plus some onward trips by rail that would use a bus to reach the station. These predicted trips have been assigned to the seven bus routes passing close to the site, based on likely destinations. Most bus routes would experience an increase in demand of only about one passenger per bus, with route 487 experiencing the highest increase in demand of 2.3 passengers per southbound bus in the morning peak hour.

125. TfL have queried the trip generation rates originally submitted. They also note that bus services in the area are nearing capacity and have expressed concern that the development would create undue pressure on the bus services. A financial contribution of £460,750 towards improving bus services has been requested. Revised trip generation rates have been provided by the applicant and TfL have accepted these. The applicant has agreed to a contribution in principle and the exact amount to be provided is under negotiation.

126. For Underground trips, a total of 65 trips in the morning peak hour and 57 trips in the evening peak hour are forecast. About 65-70% of these trips are expected to use the Piccadilly line from nearby Alpertons Station. The peak impact would be on eastbound services in the morning peak and westbound services in the evening peak, when three to four additional passengers per train could be expected. The station gateline capacity has also been assessed. Flows are expected to increase by a maximum of 7.2% into the station in the morning peak hour and there is considered to be sufficient spare capacity through the four existing gates to accommodate this increase. TfL initially considered that contributions would be required towards potential gate capacity and/or step free access improvements at Alpertons Station to mitigate the cumulative impact of trips from the proposed development, but have withdrawn this request following the submission and agreement of revised trip generation information.

127. For rail services, 20 morning trips and 17 evening trips are expected. No national rail stations are located particularly close to the site, so such trips are expected to be spread thinly across a number of stations and services. The impact on any particular service is thus likely to be negligible.

128. The development is estimated to generate 101 trips in the morning peak hour and 88 trips in the evening peak hour by foot, plus additional trips by foot to nearby bus stops and stations. The Transport Assessment has assigned these pedestrian journeys to the local road network, with 50% of trips assumed to be via Ealing Road north towards Alpertons station. Pedestrian comfort levels on nearby footways and at crossing points have then been assessed for these increased pedestrian flows, using TfL's methodology. This confirms that pedestrian comfort levels will remain high along all footways and crossings, with the main existing issue of a narrow length of footway past utility company cabinets outside the site being addressed through the widening of the footway along the frontage (as discussed in paragraph 108 above).

129. The development is also estimated to generate six movements in each peak hour by cycle. An assessment of cycling routes in the vicinity of the site does not score well, with the site fronting two major roads. However, there is a nearby traffic-free cycle route along the Grand Union canal towpath to provide a good quality route close to the site, and widening of the footway fronting the site may offer scope to allow cyclists to make shared use of the footway fronting the site to access the canal's towpath.
130. Personal injury accidents were examined for the three year period June 2014-May 2017. This identified a total of 16 accidents in the close vicinity of the site, of which two resulted in serious injury. Five involved pedestrians and two involved cyclists. The majority of the pedestrian accidents occurred on Ealing Road (north) in the vicinity of Alperton station. Brent Council is currently undertaking a road safety improvement scheme associated with the station and Alperton Community School, and future improvements to pedestrian crossing facilities at the Ealing Road/Bridgewater Road junction have also been approved as part of the Minavil House development opposite this site. These two committed schemes will help to address this safety issue. There does not appear to be any other consistent factor behind the other accidents that would indicate a problem with the road network that might be worsened by this proposal, with no accidents having been recorded at the proposed retained site access.

### Travel Plan

131. To help to manage travel demand to and from the development, a Framework Travel Plan has been submitted, covering both the residential accommodation and the workspace. Separate Travel Plan Co-ordinators will look after each aspect of the Travel Plan, under the guidance of a site-wide Sustainable Transport Manager. The Framework Plan sets out a number of measures to be implemented by the Travel Plan Co-ordinators to support the 'car-free' development, such as the provision of Travel Information packs, display of information on noticeboards, personal journey planning advice, provision of delivery lockers for residents, establishment of a Car Club and its promotion to residents with three years' free membership, provision of interest-free season ticket loans for workplace staff and participation in the DfT's Cycle to Work scheme.
132. The target is to keep travel by non-car modes above 90% of total trips, although no monitoring programme to assess progress towards this target has been set out. The standard practice is to undertake travel surveys in accordance with TRICS or i-TRACE survey standards one, three and five years after occupation and this requirement would be secured through the S106 Agreement for the site, along with a review and identification of remedial measures in the event that targets are not met. The submitted Travel Plan therefore needs further development before it can be approved, and a revised version would be required as part of the s106 agreement.

### Deliveries, servicing and refuse collection

133. With regard to servicing, refuse stores are proposed within each block, along with a central refuse store close to the access road for use on collection days. The facilities management team would be responsible for moving bins between the individual storerooms and the central storage area using an electric tug, replacing full bins in each of the individual storerooms with empty bins on a daily basis and storing the full bins in the central stores for convenient access on collection days. The total capacity to be provided would be 49 x 1,100L Eurobins for dry recycling, 34 x 1,100L Eurobins for residual waste, and 33 x 240L bins for organic recyclable waste. Although this falls short of the residential storage requirement of 96 Eurobins for general waste and recycling and 45 wheeled bins for organic waste, the Council's Waste Services team have agreed to this reduced provision in this instance on the basis that a second collection per week would be made through a private arrangement between the developer and the waste contractor, Veolia. Veolia have been consulted and have confirmed that the bin storage proposed is acceptable. A condition is recommended, requiring evidence of this arrangement and for it to be maintained for the lifetime of the development.
134. For the commercial floorspace, the retail units require servicing by transit-sized vans, whilst the workspace and offices require servicing by 8m rigid vehicles. Two 8m long delivery bays are indicated along the internal access road to serve the workspaces in Blocks B, C and D, as well as to provide a standing area for delivery vans to the residential flats. In addition, the public house requires deliveries by 10m brewery drays, whilst fuel deliveries will also be required to the energy centre in Block A. This block is some distance from the main access road. The shared surface access between Blocks B and C will allow delivery vehicles to access the public house and energy centre, and retail unit 2. This would help to ensure there is no temptation to service these units from the pedestrian access at the Ealing Road/Bridgewater Road junction instead, and this would be reinforced by urban design measures such

as bollards to prevent vehicle access between Blocks A and B.

135. Tracking diagrams have been submitted to demonstrate that all access and turning manoeuvres by delivery and service vehicles can be accommodated, and the Transport Assessment has included an assessment of likely delivery and servicing trips to the site, based on survey data from other similar developments in London and discussions with the operator of the public house regarding their delivery patterns. This estimates that about 89 deliveries can be expected across the course of a typical day – the majority being small van deliveries to the flats. The busiest period would be late morning, when nine deliveries per hour could be expected.
136. Given the various uses on the site and the shared servicing arrangements, it is recommended that a detailed Delivery & Servicing Strategy is developed and implemented so that deliveries are co-ordinated as far as possible to ensure adequate space is always available within the site for delivery vehicles and to ensure access around the site by delivery and other vehicles is properly managed. This would also be required by condition.

#### Fire safety

137. Compliance with fire safety requirements is normally assessed under the Building Regulations and therefore not regarded as a material planning consideration. However, draft London Plan Policy D11 expects major development proposals to be submitted with a Fire Statement produced by a suitably qualified third party assessor, and this is also a material consideration, although not yet adopted policy. The Design & Access Statement sets out key fire safety features incorporated within the development. The height of the buildings requires an automatic sprinkler system to be installed to all residential units, which will be supplemented by fire detection and alarms, and common corridors will feature mechanical smoke ventilation and automatic smoke detection. The commercial units will be fitted with an automatic fire alarm and detection system. The separate uses will all have independent means of escape and compartmentation will provide a two-hour fire separation between uses. Fire fighting shafts will be incorporated into each core, together with a wet riser main. External wall materials will be fire resistant in accordance with the relevant British Standards. These measures are considered adequate at this stage to ensure fire safety, however an informative regarding the need for a Fire Statement will be added as recommended by the GLA.

#### **Phasing and construction management**

138. Phasing plans have been submitted, indicating that Phases 1 and 2 would involve the demolition and redevelopment of the public house part of the site (Block A), during which the other existing buildings on site would remain operational. Phases 3 and 4 would involve the demolition of the remaining buildings and the redevelopment of the remainder of the site, with Block A protected by hoardings and the existing access between Blocks A and B retained during the construction period to provide access and a turning zone for construction vehicles.
139. A Design and Construction Management Plan was submitted, setting out how the construction process would be managed including compliance with the Environment Agency and Canal & River Trust requirements. The Canal & River Trust have requested additional detail including details of how surface water run off will be managed during the construction phase and measures to prevent materials being blown into the canal, and a revised Construction Management Plan is therefore required by condition.
140. A draft Construction Logistics Plan was also submitted as part of the Transport Assessment, proposing transport arrangements during the anticipated four-year construction period (July 2019-April 2023). Working hours are to be kept to standard hours of 8am-6pm on weekdays and 8am-1pm on Saturdays. Average deliveries are expected to total about 25 vehicles during this period (50 in or out movements), peaking at about 40 vehicles (80 movements) at the busiest times. As the site fronts a major London distributor road, these volumes would be acceptable in principle. Deliveries would be pre-scheduled using a booking system to ensure adequate unloading space and holding space within the site at all times. A just-in-time system is proposed to minimise on-site storage requirements, whilst goods would also be smartly procured to ensure full loads where possible.
141. Delivery vehicles will be expected to travel to the site via the A40 Western Avenue or A406 North Circular Road, leaving at the Hanger Lane junction and travelling along Ealing Road to reach the site from the south. Existing accesses will be used to enter and leave the site with the aid of banksmen and points of access will vary across the different phases of the development. In all cases, wheel washing facilities will be provided at the site egress. All vehicles will be FORS and CLOCS registered to maintain

safety standards. The site is to be enclosed by hoardings and it is not anticipated that these would need to extend out over the footway of Ealing Road, so there would be no need for any footway closures. Only limited staff parking would be available on site for construction staff, so a Travel Plan is proposed to encourage travel by alternative modes.

142. However, transport officers have raised concerns that scheduling deliveries to avoid peak periods and use of the Grand Union Canal for freight transport have been dismissed, and TfL has also emphasised the use of the canal for freight transport. Given the heavily trafficked nature of the roads fronting the site and the proximity of the site to the canal, these aspects are not considered acceptable. An amended Construction Logistics Plan would therefore be required as a pre-commencement condition.

## Density

143. 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 1,618 habitable rooms per hectare exceeds the guidance ranges set out in the London Plan but is considered acceptable for this well-connected and highly accessible site in a Growth Area and Housing Zone.

## Equalities

144. 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:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Notification of commencement 28 days prior to material start
- Developer to be a member of the Considerate Constructors Scheme
- Parking permit restriction to be applied to all new residential units
- 31% affordable housing by unit (35% affordable housing by habitable room) on a nil grant basis broken down as 89 units at London Affordable Rent levels (including service charges where applicable and capped at Local Housing Allowance rates) and 58 units for shared ownership, subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
- Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and upon occupation of 75% of the open market dwellings, against the agreed land value and profit, to determine any development surplus for deferred affordable housing obligations
- Financial contribution to off-site play provision for older children, to a sum of £230,000 towards improvements in One Tree Hill Park
- Financial contribution to introduction of Controlled Parking Zone in surrounding area, to a sum of £237,000
- Financial contribution to improvement of canalside, to a sum of £55,000 to be paid to the Canal & Rivers Trust
- Financial contribution to public transport improvements, to a sum of £430,635 or as otherwise agreed with the applicant, to be paid to Transport for London
- Provision of 1,452sqm of B1b or B1c floorspace as Managed Affordable Workspace, disposed of to a recognised Affordable Workspace Operator at no more than 50 % of market rent
- Training and employment plan for Brent residents
- Highway works to Bridgewater Road and Ealing Road, and permissive public access through the site
- 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 car club scheme.
- Sustainability and Energy - Submission of BREEAM Compliance Certificate, and 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

- Surveys of television and radio reception in surrounding area, and any mitigation works agreed
- Private workspace marketing and meanwhile use strategy
- Any other planning obligation(s) considered necessary by the Head of Planning.

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

## CIL DETAILS

This application is liable to pay **£10,776,181.16\*** 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): 12929 sq. m.

Total amount of floorspace on completion (G): 46182 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	43459	0	31292.32	£200.00	£35.15	£9,052,422.43	£1,590,963.24
Shops	292	0	210.25	£40.00	£35.15	£12,164.60	£10,689.64
Drinking establishments (2004)	510	0	367.22	£40.00	£35.15	£21,246.40	£18,670.27
Businesses and light industry	1921	0	1383.2	£0.00	£35.00	£0.00	£70,024.58
				£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224224	224224
BCIS figure for year in which the planning permission was granted (Ip)	324317	
<b>Total chargeable amount</b>	£9,085,833.43£0.00	£1,690,347.73£0.00

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

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

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



## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 18/4199

To: Mrs Ladden Timbers  
Barton Willmore  
7 Soho Square  
London  
W1D 3QB

I refer to your application dated **31/10/2018** proposing the following:

Demolition of the existing buildings and construction of 4 buildings ranging in height from 14 to 23 storeys, comprising 474 residential units at 1st to 23rd floors (140 x 1-bed, 263 x 2-bed and 71 x 3-bed), mixed commercial use at ground and part 1st floor including a new public house (Use Class A4) retail floorspace (Use Classes A1, A2, and/or A3), workspace (B1b/c), and an office (B1a), together with associated public realm improvements; soft/hard landscaping; creation of a canal side walkway, new access arrangements, car and cycle parking; servicing, refuse and recycling facilities

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

at **Alperton House, Bridgewater Road, Wembley, HA0 1EH**

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: 29/03/2019

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

London Plan 2016  
 Brent Core Strategy 2010  
 Brent Development Management Policies 2016  
 Site Specific Allocations DPD 2011  
 Alperton Masterplan 2011  
 Draft London Plan 2017  
 Shaping Brent's Future Together Consultation Draft Local Plan 2018

- 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):

Topographical Survey RH/1804033/1-3  
 Accommodation Schedule APH-P601-S2-P0  
 Site Location Plan - P001 2-0  
 Site Block Plan - P002 2-0  
 Phasing Plans (Phase 1) - P003 2-0  
 Phasing Plans (Phase 2) - P004 2-0  
 Phasing Plans (Phase 3) - P005 2-0  
 Phasing Plans (Phase 4) - P006 2-0  
 Ground Floor Plan - P100 2-1  
 1st Floor Plan - P101 2-1  
 2nd Floor Plan - P102 2-0  
 3rd Floor Plan - P103 2-0  
 4th to 8th Floor Plans - P104 2-0  
 9th Floor Plan - P109 2-0  
 10th to 13th Floor Plans - P110 2-0  
 14th Floor Plan - P114 2-0  
 15th Floor Plan - P115 2-0  
 16th Floor Plan - P116 2-0  
 17th Floor Plan - P117 2-0  
 18th Floor Plan - P118 2-0  
 19th Floor Plan - P119 2-0  
 20th Floor Plan - P120 2-0  
 21st to 22nd Floor Plans - P121 2-0  
 Roof Plan - P123 2-0 2-0  
 Blocks A & B East Elevation - P200 2-1  
 Blocks A & B West Elevation - P201 2-1  
 Block C East Elevation - P202 2-0  
 Block D East Elevation - P203 2-0  
 Blocks B, C & D South Elevation - P204 2-0  
 Blocks A, C & D South Elevation - P205 2-0  
 Blocks B, C & D North Elevation - P206 2-0  
 Block A North Elevation - P207 2-0

Block C West Elevation - P208 2-0  
 Block D West Elevation - P209 2-0  
 Context Elevation- South - P210 2-0  
 Context Elevation- East - P211 2-0  
 Context Elevation- West - P212 2-0  
 Context Elevation- North - P213 2-0  
 Section 1 through Blocks B C D - P300 2-0  
 Section 2 through Blocks B C D - P301 2-0  
 Section 3 through Blocks A & B - P302 2-0  
 Proposed Floor Types FA0 & FA1 - P400 2-0  
 Proposed Floor Types FA2 & FA3 - P401 2-0  
 Proposed Floor Types FA4 & FA5 - P402 2-0  
 Proposed Floor Types FB0 & FB1 - P403 2-1  
 Proposed Floor Types FB2 & FB3 - P404 2-0  
 Proposed Floor Types FB4 & FB5 - P405 2-0  
 Proposed Floor Types FC0 - P406 2-0  
 Proposed Floor Types FC1 & FC2 - P407 2-0  
 Proposed Floor Types FC3 - P408 2-0  
 Proposed Floor Types FC4 & FC5 - P409 2-0  
 Proposed Floor Types FD0 - P410 2-0  
 Proposed Floor Types FD1 - P411 2-0  
 Proposed Floor Types FD2 & FD3 - P412 2-0  
 Proposed Floor Types FD4 & FD5 - P413 2-0  
 Block A Bay Study 1 - P500 2-0  
 Block A Bay Study 2 - P501 2-0  
 Block B Bay Study 3 - P502 2-0  
 Block B Bay Study 4 - P503 2-0  
 Proposed Massing Model AOD M005 2-0  
 Proposed Electronic Massing Model (.skp) M005 2-0

Air quality assessment (Air Quality Consultants, Ref J3454/F1, 8 November 2018)  
 Acoustic report BS8233:2014 (Hodkinson, October 2018)  
 Affordable Housing Statement (Peabody)  
 Bat Emergence Survey Report (Southern Ecological Solutions, October 2018)  
 BREEAM New Construction 2018 Pre Assessment (Hodkinson, 14 March 2019)  
 Daylight and Sunlight Assessment (Hodkinson, October 2018)  
 Design and Access Statement (AHW-DS-01-ZZ-RP-A-P610-S2-P1, October 2018)  
 Design and Construction Management Plan (Redrow, October 2018)  
 Dynamic Overheating Report (Hodkinson, October 2018)  
 Employment Land Review (Forty Group, October 2018)  
 Energy Statement (Hodkinson, October 2018)  
 Financial Viability Assessment (Douglas Birt Consulting, October 2018)  
 Flood Risk Assessment and Surface Water Drainage Strategy (Conisbee, Ref 180160/J Sehmi, 24 October 2018)  
 Geoenvironmental Site Investigation Report Phase I Preliminary Risk Assessment (Geocon Site Investigations Ltd, Ref J0374 JL (GSI 1035) PI Report AR RR 121018, October 2018)  
 Landscape Statement (Turkington Martin, October 2018)  
 Overview of the Mechanical and Electrical Systems (Designbrook Ltd, Ref XXXX-Z-Z-M-800-00-001 – Issue 003, October 2018)  
 Planning Statement (Barton Willmore, Ref 7845/A5/ELT, 26 October 2018)  
 Preliminary Ecological Appraisal (Southern Ecological Solutions, 24 October 2018)  
 Statement of Community Involvement (Four Communications, October 2018)  
 Sustainability Statement (Hodkinson, October 2018)  
 Technical Note: B1 Business Use - Transport Review (Velocity Transport Planning Ltd, Ref 2590/1100 DOC NO. 009B, March 2019)  
 Townscape and Visual Impact Appraisal (Van Bruggen, October 2018)  
 Transport Assessment (Velocity Transport Planning Ltd, Ref 2590/1100 DOC NO. 001, October 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 A4 public house hereby approved shall at no time be converted from A4 use to a use falling within Class A1 or A2, notwithstanding the provisions of Schedule 2 Part 3 Class A of the Town and Country Planning (General Permitted Development) (England) 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 a public house is retained on site in compliance with Brent Policy DMP21.

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

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

- 6 Prior to first occupation or use of the relevant approved phase, the access arrangements including pedestrian and cycle access, and provision of servicing, parking spaces, cycle storage and refuse storage as shown on the approved plans, shall be provided in full (unless otherwise agreed in writing by the Local Planning Authority). These facilities shall be permanently retained and used solely in connection with the development hereby approved.

Reason: To ensure adequate access to 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 Prior to the commencement of works on a relevant part of the development hereby approved, a CIL chargeable developments plan, including projections for the commencement and completion of development, as it relates to that part of the development shall be submitted to the Local Planning Authority.

Reason: To define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

- 8 The development hereby approved shall not be commenced until a phasing plan showing the location of phases, the sequencing for those phases and indicative timescales for their delivery shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the plan thereby approved. The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge, and to ensure coordination between the phasing plan as approved.

Pre-commencement reason: As above.

- 9 The relevant phase of the development hereby approved shall not commence until a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This document shall retain the arrangements set out in the draft Construction Logistics Plan submitted as part of the approved Transport Assessment, but shall also:

- (i) make provision for deliveries to be made outside of peak hours (8-9am and 5-6pm) as far as is reasonably possible;
- (ii) include a waterborne freight feasibility assessment to identify the scope for deliveries to be made via the Grand Union Canal, and make provision for such deliveries as can reasonably be made to be via this route.

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

Reason: In order to minimise any adverse impacts of the construction process upon the highway network in the area.

Reason for pre-commencement condition: Impacts arising from the construction process occur as soon as development commences and adequate controls need to be in place from this time.

- 10 (a) The relevant phase of the development hereby approved shall not commence until a survey of the condition of the waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

- (b) Prior to first occupation or use of the development and following the completion of any repair works approved above, a further survey of the waterway wall shall be carried out, and the details submitted to the local planning authority, to demonstrate that any necessary repair works have been carried out and that no additional damage to the wall has occurred.

Reason: To ensure that the structural integrity of the Grand Union Canal is retained.

Reason for pre-commencement condition: Impacts on the integrity of the canal wall could occur at any stage during the demolition and construction process, and it is necessary to identify any potential adverse impacts prior to works commencing.

- 11 The relevant phase of the development hereby approved shall not commence, and notwithstanding the approved Design and Construction Management Plan, until a revised Design and Construction Management Plan shall be submitted to and approved by the local planning authority. This document shall retain the arrangements set out in the approved Design and Construction Management Plan but shall also include:

- (i) details of proposed surface water arrangements (either via drains or surface water run-off) during demolition and construction works;
- (ii) confirmation that no surface water (either via drains or surface water run-off) or extracted perched water or groundwater shall be discharged into the Grand Union Canal during demolition and construction works;
- (iii) that any surface water drains connecting the site with the waterway are capped off at both ends for the duration of the demolition and construction works at the point of surface water ingress and at any outfall to the canal;
- (iv) details of measures to prevent materials being blown into the canal, including detailed hoarding plans.

Reason: In order to minimise any adverse impacts of the demolition and construction process on local environmental quality and to ensure that the demolition and construction process do not have any adverse impact upon the water quality of the Grand Union Canal.

Reason for pre-commencement condition: Impacts arising from the construction process occur

as soon as development commences and adequate controls need to be in place from this time.

- 12 Prior to the demolition of the existing public house building, the results of bat emergence and re-entry surveys of this building (to be undertaken between the months of May and September, with at least one survey between May and August), together with any mitigation strategy required in the event of bat roosts being discovered, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development takes adequate measures for the protection of protected species.

- 13 (a) The relevant phase of the development hereby approved shall not commence 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 for that relevant phase of the development, 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.

If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

(b) Prior to first residential occupation of a relevant phase, or the commencement of the use within the relevant part 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 condition 13 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).

- 14 (a) Prior to the commencement of each phase of the development hereby approved, except for site preparation works, details of the sound attenuation to protect against externally generated (environmental) noise sources including the nearby Alperton Bus Depot so as to achieve the internal ambient noise levels detailed in BS8233:2014 shall be submitted to and approved in writing by, the Local Planning Authority. The measured or calculated noise levels shall be determined in accordance to the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. These criteria apply with windows shut and with an appropriate ventilation system installed. Any mechanical ventilation system shall not give rise to a noise level greater than the above internal noise standards, or a noise rating of NR25 within bedrooms, and NR30 within living/dining rooms.

The approved works are to be completed prior to occupation of the residential development for that phase and retained for the lifetime of the development for that phase.

(b) Prior to first occupation of any relevant phase, a Post Completion Report demonstrating compliance with the mitigation measures in A above shall be submitted to and approved in writing by the Local Planning Authority for that phase.

Reason: In order to safeguard the amenities, health and safety of neighbouring properties and occupiers and of the area generally, and to ensure compliance with Policy 7.15 of the London Plan (2016).

- 15 A scheme of sound insulation measures to address potential noise transfer between the retail uses, industrial floorspace and public house and residential uses within the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the superstructure of buildings that include both B1c and/or B8 uses and residential uses. The approved measures shall thereafter be implemented in full.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Policy 7.15 of the London Plan (2016)

- 16 Prior to the commencement of works to the superstructure on the relevant phase of the development as hereby approved, excluding site preparation works, details of the following as they relate to that part of the development shall be submitted to and approved in writing by the Local Planning Authority:

- (a) Details of materials for all external surfaces, including samples which shall be made available for viewing on site or in another location as agreed;
- (b) Details of any plant, including locations, external appearance and any proposed screening;
- (c) Details of 1.8m high privacy screens and their locations on all balconies adjoining neighbouring balconies
- (d) Details of mitigation measures to protect balcony locations from uncomfortable wind speeds, as set out in the approved Wind and Microclimate Assessment.

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.

- 17 Prior to the commencement of works to the superstructure on the relevant phase of the development as hereby approved, excluding site preparation works, 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.

- 18 Within six months of the commencement of works to the superstructure on the relevant phase of the development as hereby approved, further details of landscaping works within the application site as indicated on the approved plans and documents shall be submitted to and approved in writing by the local planning authority. The landscaping 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 suitable boundary treatments to enhance safety at points of changing ground levels and at the canal edge;
- (ii) Other appropriate matters within the context of a landscaping scheme, such as details of external furniture and play equipment;

- (iii) 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;
- (iv) Proposed species, locations and densities of soft landscaping and trees including the use of native species where appropriate;
- (v) Measures to mitigate uncomfortable wind conditions on site, as recommended in the approved Wind Assessment;
- (vi) Details of access to houseboat moorings, together with measures to ensure the continued enjoyment of those moorings such as facilities, security and privacy enhancements, and of an additional pleasureboat mooring
- (vii) Details of the proposed arrangements for maintenance of the landscaping;
- (viii) Tree pit designs
- (ix) Proposed soil depths and composition on roof terraces
- (x) Details of external lighting (including proposed siting within the site and on buildings, height, type, position, angle and spread 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 and light spillage and glare will be minimised outside of the development);
- (xi) Details of Bird and Bat Boxes including their location within the development;
- (xii) Details of any CCTV scheme to be provided within the development.

The landscaping scheme shall be provided in full as approved within the first planting season following Practical Completion of the development.

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, retains the character of the Grand Union Canal and maximises biodiversity benefits in accordance with the Blue Ribbon Network policies of the London Plan.

- 19 Prior to topping out being reached on any building, further details of rooftop PV installations to achieve the carbon emissions reductions agreed through the s106 agreement shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the maximum reasonable carbon emissions reductions are achieved on-site.

- 20 Prior to the commencement of works on the superstructure of a relevant phase hereby approved, further details of the construction of vehicular and pedestrian access routes associated with this phase of the development shall be submitted to and approved in writing by the local planning authority. The details shall include:

- (a) Proposed hard surfacing materials to provide shared surfaces for vehicular and pedestrian movements;
- (b) Proposed external lighting throughout the site to ensure pedestrian and vehicle safety whilst taking account of the recommendations of the approved Preliminary Ecological Appraisal;
- (c) Details of measures to prevent vehicles accessing the development from Manor Farm Road via Manor Farm Road Industrial Estate (other than to utilise the parking bays located on the western boundary of the site or to provide access for emergency vehicles) or from Bridgewater Road via the pedestrian access between Blocks A and B;
- (d) Details of measures to prevent vehicles (other than servicing, delivery and emergency vehicles) driving between Blocks B and C;

Works shall be carried out in accordance with the approved details prior to first occupation or use of the development.

Reason: In order to ensure adequate means of access for all users of the development.



- 21 Prior to first occupation or use of the development, further details shall be submitted to and approved in writing by the Local Planning Authority to confirm

(a) that all surface water network upgrades required to accommodate the additional flows from the development have been completed; or

(b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 22 Prior to first use of any kitchen areas within the retail, workspace and public house units on site, details of associated extract ventilation systems and odour control equipment, including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to the use commencing and shall thereafter be operated at all times during the operating hours of the unit and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents.

- 23 Prior to first occupation or use of the B1b/B1c units in Block B, a Marketing and Meanwhile Use Strategy shall be submitted to and approved in writing by the Local Planning Authority, and implemented in full thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of proper planning. To allow for alternative uses of the workspace units in Block B to be explored on a temporary basis in the event of any extended periods of vacancy.

- 24 Prior to first occupation or use of the relevant approved phase, further details of the arrangements for the collection of residential waste (including where required details of arrangements with Veolia Waste for a second weekly collection of residential waste to take place), shall be submitted to and approved in writing by the local planning authority. These arrangements shall be put into operation upon first occupation of the residential units and shall be retained thereafter unless otherwise agreed in writing with the local planning authority.

Reason: To ensure adequate arrangements are made for the collection of residential waste and recycling to compensate for the shortfall in on-site storage to comply with the Council's Waste Planning Guidelines.

- 25 Prior to first occupation or use of the relevant approved phase, a Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority. This document shall set out measures to ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

All delivery and servicing activity shall thereafter be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network.

- 26 Prior to first occupation or use of the relevant approved phase, 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 and workspace users with the most need for parking. All parking spaces shall be made available on short-term leases rather than sold to individual residents or workspace users. The allocation and management of parking spaces shall be conducted in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 27 Prior to first occupation or use of the relevant approved phase, 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, and thereafter implemented in accordance with the approved details.

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

- 28 No additional parking provision and / or cycle parking provision other than that shown on the approved layout plans shall be provided within the development unless the following has been submitted to and approved in writing by the local planning authority:

- (a) Evidence to justify the additional parking provision based on increased demand for parking by residents of the development who are holders of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970;
- (b) An assessment of how the additional parking and / or cycle parking could best be provided on site without adverse impacts on the highway network or the safety of other vehicles, pedestrians and cyclists, and without causing undue detriment to the amenities of residents and other users of the development;
- (c) Evidence to justify the additional cycle parking provision based on increased uptake of cycling;
- (d) Details of the physical works proposed including materials and compensatory landscaping.

The works shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that suitable provision is made for future increases in demand for disabled parking, in accordance with draft London Plan Policy T6.1.

- 29 A management plan, detailing the maintenance and cleaning regime for the public and communal external spaces within each relevant phase of development, shall be submitted to and approved in writing by the Local Planning Authority in writing prior to first use of the public or communal spaces within that phase of development. The approved plan shall be updated where required and implemented for the life of this development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a good quality of environment is provided.

- 30 Any plant shall be installed, together with any associated ancillary equipment, so as to minimise the transmission of noise. The rated noise level from all plant and ancillary equipment shall be equal to background noise level when measured at 1m from the window of the nearest noise sensitive receptor unless otherwise agreed in writing by the Local Planning Authority. Prior to the installation of plant, an assessment of the expected noise levels of any plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be

carried out in material compliance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and shall include any mitigation measures necessary to achieve the above required noise levels. The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels in the interest of the amenities of sensitive uses, and in accordance with Policy 7.15 of the London Plan (2016)

- 31 Prior to occupation of the relevant phase, further details of electric vehicle charging points to include passive provision for 16 spaces and active provision for four spaces shall be submitted to and approved in writing by the local planning authority, and thereafter implemented in accordance with the approved details.

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

## 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 If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Should Application for such works should be made to the Council's Safer Streets Department, Brent House, 349 High Road Wembley Middx. HA9 6BZ Tel 020 8937 5050. The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.
- 3 The 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.
- 4 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>.
- 5 Japanese knotweed has been identified within the south west corner of the site and continuing off site. It is the land owner's responsibility under the Environmental Protection Act 1990 to prevent this invasive species from spreading onto adjacent land or into the wild. It is recommended that an invasive species survey should be undertaken by an invasive species

specialist with options for its eradication provided.

- 6 All breeding birds and their nests are protected from deliberate destruction under the Wildlife and Countryside Act 1981. Impacts could include damage or destruction to active bird nests during construction. Therefore, if any nesting bird habitat (buildings and scattered trees) is to be lost or disturbed through construction, then this should be cleared outside of the nesting season (which is generally March to August) or after an ecologist has confirmed active nests are not present.
- 7 Any access to, or oversailing, the Canal & River Trust's land or water during the construction must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust's Estate Team at [Bernadette.McNicholas@canalrivertrust.org.uk](mailto:Bernadette.McNicholas@canalrivertrust.org.uk) for further information.  
  
The applicant / developer should refer to the current Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure that any necessary consents are obtained, and liaise with the Trust's Third Party Work's Engineer:  
<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>  
  
Any surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Chris Lee from the Canal & River Trust Utilities Team ([Chris.Lee@canalrivertrust.org.uk](mailto:Chris.Lee@canalrivertrust.org.uk)).
- 8 Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 9 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.
- 10 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.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.

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

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 April, 2019  
05  
18/4903

## SITE INFORMATION

RECEIVED	24 December, 2018
WARD	Willesden Green
PLANNING AREA	
LOCATION	51-63 INC and Upper Floor Flats at 51-63 INC, High Road, London, NW10 2SU
PROPOSAL	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
PLAN NO'S	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
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_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 a 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>

## INTRODUCTION

This item was deferred from the previous committee because the notification letters included an error in the date of the committee.

## 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

© Crown copyright and database rights 2011 Ordnance Survey 100025260





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 at the time the application was determined, although it should be noted that the Inspector acknowledged in the appeal decision that consent had been granted for the re-development of the site. Nevertheless, it is 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.

4.3 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 occupants 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 four storey building and the subject site currently comprises 4 storeys (although is three storeys fronting High Road). 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 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.



## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

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: 29/03/2019

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

### Notes

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

DnStdG



**SUMMARY OF REASONS FOR APPROVAL**

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

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

## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

10 April, 2019  
05  
18/3603

## SITE INFORMATION

RECEIVED	18 September, 2018
WARD	Kensal Green
PLANNING AREA	
LOCATION	124 Purves Road, London, NW10 5TB
PROPOSAL	Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage
PLAN NO'S	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_141842">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_141842</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 "18/3603" (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. Car free development
4. Reinstatement of crossover
5. No C4 permitted development rights
6. Bin and cycle storage to be implemented prior to occupation
7. Details of materials
8. Landscaping scheme
9. Details of glazing
10. Tree report and method statement
11. Contaminated land
12. Soil remediation measures
13. Construction Method Statement
14. External lighting

### Informatives

1. CIL liability
2. Reinstatement of crossings
3. Control of Pollution
4. Hours of Construction
5. Building regulations
6. Construction Licences
7. Highways agreement
8. Noise and vibration
9. Notification of commencement
10. Party Wall informative
11. Building near boundary
12. Liaise with Network Rail

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

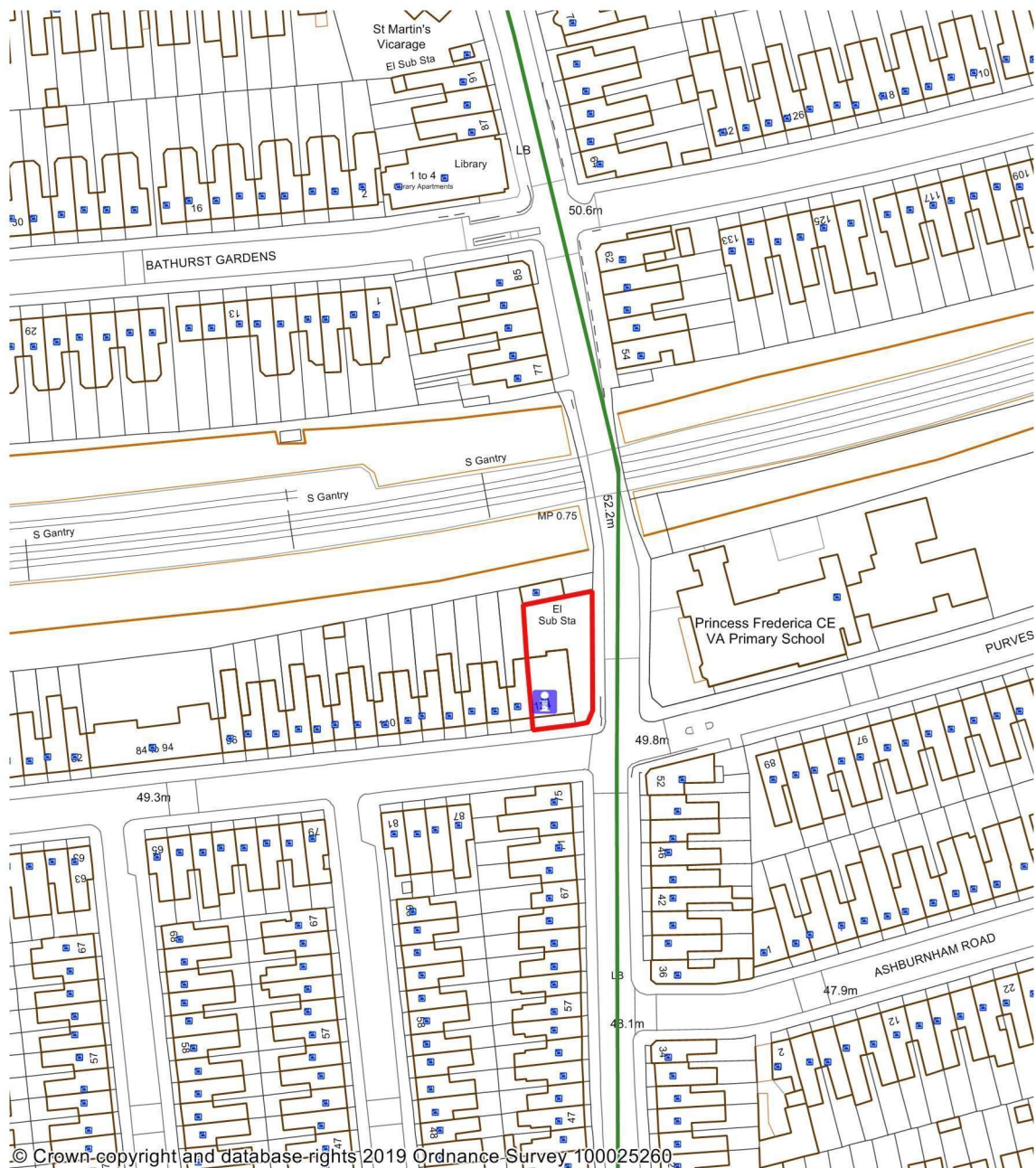


### Planning Committee Map

Site address: 124 Purves Road, London, NW10 5TB

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This map is indicative only.

## PROPOSAL IN DETAIL

Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage

## EXISTING

The application concerns the rear of 124 Purves Road which is currently used as a car park by the residents of 124 Purves Road which consists of five self-contained flats. The site is not located within a conservation area nor does it contain any listed buildings.

## SUMMARY OF KEY ISSUES

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

### Principle

The site comprises a residential building with a car park located to the rear. The surrounding uses are predominantly residential and as such the proposed additional unit would be consistent with the surrounding locality. The development would provide an additional housing unit contributing to the borough's Housing Stock.

### 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 be in keeping with the character and appearance of the wider 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

Subject to a condition to secure a parking permit restrict for future residents it is considered that the proposal is acceptable in highways and transport terms.

## RELEVANT SITE HISTORY

### **18/1042 - REF**

Erection of split level, 2 bedroom dwelling over basement, ground and mezzanine level on land to the rear of 124 Purves Road with associated amenity space, bicycle, refuse & recycling storage. Allocation of private amenity space and bicycle storage to existing ground floor flat and provision of communal amenity space and refuse & recycling storage for the upper floor flats at 124 Purves Road

**16/5034 – DIS**

Erection of two-storey, 2 bedroom dwelling over ground and basement level on land to the rear of 124 Purves Road with associated amenity space, bicycle, refuse & recycling storage. Allocation of private amenity space and bicycle storage to existing ground floor flat and provision of communal amenity space and refuse & recycling storage for the upper floor flats at 124 Purves Road

**16/2972 – REF**

Erection of a detached two storey two bedroom dwellinghouse with associated landscaping, cycle provision, bin stores and recycling and amenity space and new entrance on land rear of 124 Purves Road and creation of new amenity area, cycle and bin provision and new gate for existing ground floor flat and installation of bike lockers and refuse storage for all other existing flats of 124 Purves Road

**15/4571 – GTD**

Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free

**90/0669 – GTD**

EREC OF A BLOCK OF FIVE FLATS & FORM OF VEHICULAR ACCESS & PARKING

**CONSULTATIONS**

19 neighbouring properties were notified. 8 representations were received at the time of writing this report

<b>Objection</b>	<b>Response</b>
Noise	See neighbouring amenity section
Overlooking/loss of privacy from windows	See neighbouring amenity section
Disruption from building works	Most developments result in an element of disturbance during construction works, any excessive impacts would be managed through Environmental Health Legislation. Once built, reasonable use of the property would not have an adverse impact on the neighbouring occupiers.
Impact on/from railway/substation	No objections have been received from either the electricity provider or railway company following formal consultation.
Impact of additional light	See neighbouring amenity section
Overshadowing	See neighbouring amenity section
The site would not be maintained	This is not a planning consideration
Basement will affect foundations	Structural stability and construction details will be addressed by Building Control legislation
Lack of access	The proposal would not involve any parking space and the future residents would not be eligible for parking permits. Access to the property would only be by foot. Construction access would have to be managed by the development to ensure that

	disturbance is minimised.
Increase in parking and traffic	See parking and access section
Increased smell	See neighbouring amenity section
Impact on character of area	See character and appearance section
Development contrary to planning permission 15/5471	See principle section
Development would attract more opportunity for crime	See neighbouring amenity section

### External consultation

Due to the sites proximity to an electricity substation and railway line, UK Power Network and Network Rail were formally consulted. No objections were received from either consultees.

### Internal consultation

Transport & Highways – no objections subject to a permit free agreement and removal of the existing vehicular access and its return to footway.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2018)

#### The London Plan (2011 as amended)

Policy 3.5 – Quality and Design of Housing Developments (as amended)

#### Core Strategy (2010)

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP21 – A Balanced Housing Stock

#### Development Management Policies

DMP 1 Development Management General Policy

DMP 12 Parking

DMP 18 Dwelling Size and Residential Outbuildings

DMP 19 Residential Amenity Space

#### Supplementary Planning Guidance

SPD1 – Brent Design Guide (2018)

## DETAILED CONSIDERATIONS

### 1. Background and Context

1.1 Three applications for a detached two-storey, two bedroom dwellinghouse have previously been refused by the LPA with one dismissed at appeal. The appealed application (16/5034) was dismissed as the Inspector found that the proposal would have had significant harm on the living conditions of future occupants by way of insufficient outlook. The application submitted following the appealed decision was again refused, this time on the basis that the development would have a detrimental impact on the occupants of neighbouring properties as well as having a negative impact on the character and appearance of the area due to its scale and design. The current application again proposes a two storey dwelling, however the scale and design has been altered in order to overcome the previous reasons for refusal.

## 2. Principle

2.1 The principle of residential development at the site has already been established in the previously refused applications. A local resident has raised concern with the suitability of the land for residential development and has also made reference to application 15/4571 and the conditions attached to that application. Application ref.15/4571 was a variation of condition application relating to 90/0669 that sought to have No.124 as a permit free development. This application was approved subject to two conditions, one of which required the area that is currently proposed to be developed at the rear of the site is to be either ancillary car parking or amenity space. The land is currently in use as car parking and therefore would appear to be in compliance with that condition. Notwithstanding the existing permission and attached conditions, a new grant of permission if approved would supersede the previous permission. Therefore, the current application can be assessed on its own merits, and the previous written condition does not necessarily restrict development. The principle of developing this area of land for residential purposes is therefore again considered to be acceptable.

## 3. Standard of accommodation

3.1 DMP18 requires the size of dwellings to be consistent with London Plan Policy 3.5 Table 3.3 in terms of internal space standards. The application proposes the erection of a two bedroom dwelling set out over basement, ground and first floor levels. The unit would have a gross internal area (GIA) of just under 80.2sqm therefore exceeding the minimum size required for a 2B4P

3.2 The unit would have access to private amenity space which would well exceed the 20sqm required under DMP19 due to the provision of two terraces at basement level and a garden at ground floor level.

3.3 In terms of internal amenity, outlook would be somewhat restricted to the bedrooms due to the subterranean nature of the basement level and proximity to the boundary walls. Due to the open plan nature of the kitchen/dining room at ground floor, the use of glazing and low boundary wall proposed outlook would be good from these habitable rooms. Due to its location at first floor and the fact that the living room would be well served by windows, outlook would also be good from this habitable room. As the living room would be the primary living area, the slightly restricted nature of the bedrooms would be considered acceptable on balance.

3.4 The applicant has submitted a daylight/sunlight assessment to accompany the application. The daylight/sunlight report confirms all habitable rooms would receive good levels of daylight, all of which would significantly exceed required standards and therefore it is accepted that the accommodation would prove suitable in this regard.

3.5 Whilst accepting that there would be some limitations namely in terms of outlook, it is considered that the overall standard of accommodation would provide good levels of internal and external amenity for the future residents of the site in compliance with DMP1.

## 4. Parking and Access

4.1 Car parking allowances for residential use are set out Appendix 1 of the adopted DMP (2016). As the site has good access to public transport services, the lower parking standard applies. The size of the five existing flats at 124 Purves Road is not known, but they were originally constructed with a 5-space car park at the rear, with a planning condition requiring those spaces to be retained for the exclusive use of those flats thereafter.

4.2 Planning consent was granted under reference 15/1711 for the removal of that condition, allowing the car park to be removed. A 'car-free' condition removing the rights of those five flats to on-street parking permits was attached to that consent, so that there would be no displacement of parking onto the surrounding heavily parked streets. On this basis, the car park is now surplus to requirements and can be developed for other uses.

4.3 The existing driveway alongside the existing flats is to be retained but not as parking. Therefore a condition to reinstate the vehicular crossover onto Purves Road to footway at the developer's expense prior

to occupation of the development is recommended should permission be granted.

4.4 With regard to the new dwelling itself, no parking is proposed for the building. With the good access to public transport services and location within a CPZ, a 'car-free' agreement would be appropriate to mitigate against additional parking pressure in the area, as long as it is properly secured condition.

4.5 The London Plan requires the provision of secure long-term bicycle parking spaces. A total of ten secure bicycle lockers are proposed – eight for the existing upper floor flats (the ground floor flat has its own private amenity space) and two for the proposed new house – thus satisfying this requirement for the whole site, which is welcomed.

4.6 Refuse storage for three wheeled bins for the new house is proposed alongside the site access, allowing easy collection from College Road, in line with requirements. A new covered refuse store for two Eurobins for the existing flats is also proposed alongside the driveway, allowing easy collection of waste from Purves Road.

## **5. Impact on neighbouring amenity**

5.1 Residential properties are located within the site at No.124 Purves Road and also adjacent to the site in No.122 Purves Road which contains two self-contained flats. During the site visit it was noted that there are a number of habitable room windows to the rear elevation.

5.2 The proposal would occupy the rear of the application site and consist of the proposed dwelling and an area of amenity space. As part of the application, the remaining area of land, not designated as the curtilage of the proposed dwelling, would be re-provided as three separate areas of amenity space for the existing flats. Two of these are proposed to the rear of No.124 and one to the side of No.124. The smaller areas of amenity space, with a combined area of 30 sqm, would be allocated to the rear ground floor flats and the larger area, with an area of 60 sqm, would be used as communal space for the remaining three flats.

5.3 With regard to overlooking there would be no directly facing habitable room windows to the proposed new dwelling that would result in overlooking to the rear of No.124. With regard to the impact from the proposed building, guidance within SPD1 is applied by means of the 30 and 45 degree guidance lines. The applicant has submitted sectioned drawings showing the relationship between the proposed and existing buildings

5.4 In relation to the rear private amenity space allocated to the existing ground floor unit within 124 Purves Road, the building would not extend the full depth of the rear boundary and as such the space allocated to the existing unit would not experience any unacceptable overbearing impact due to the fact that the rear boundary would abut amenity space. The rear facing openings serving this unit would also not be unduly affected because of this relationship. In the previously refused application, concerns were raised with regards to the impact of the new dwelling on the new provided communal amenity area and the development was considered to have an unacceptable overbearing impact on this. In this application, and in order to address previous concerns, the rear communal amenity space is proposed to be raised by 0.5m. Therefore when taken from a height of 2m from the newly raised rear garden area, the building would not intrude the 45 degree line and therefore would not have an unacceptable overbearing impact on the rear garden area of the flats of 124 Purves Road. In addition to this and whilst noting that the building would be sited in close proximity to the existing residential building the dwelling would not extend the full rear boundary of the communal area which would further limit its impact.

5.5 It should also be noted that the development would bring about some improvements for the existing units on 124 Purves Road. At present the habitable room windows in the rear elevation benefit from limited privacy due to the location of the existing car park and the lack of any defensible space. Whilst it is acknowledged that such improvements could be facilitated without the addition of a new dwelling, the development would result in a communal garden for residents but also private amenity space for two of the existing units and increased privacy as a result of this provision

5.6 The other residential property most likely to be affected by the development is no. 122 Purves Road. The shared boundary wall would be retained and the proposed building would be set in 2.7 metres from the boundary and this would be at single storey. At two storeys the building would be set in 4.5m from the boundary and given the separation and the design of rear elevation, which would pitch away from this

property, the dwelling would not intrude the 45 degree and as such is not considered to result in any harmful overbearing impact. Whilst the first floor rear is proposed to be predominantly glazed, given the design of the elevation and the type of glazing proposed which would be obscure glazed, becoming transparent only at high level, no overlooking would occur. Furthermore, whilst the glazing would add light to the unit, given the presence of the void area immediately adjacent the windows with the mezzanine set towards the front of the building, it would not be possible to obtain clear views of the neighbouring garden.

5.7 Whilst the communal space is proposed to be raised by 0.5m, the private amenity space closest to the boundary with no. 122 is proposed to be maintained. The raised area would therefore be set away from the boundary by 4m and given this and the proposed boundary treatment, of which further details are to be secured by condition, this aspect of the development is not considered to be detrimental to the occupants of this neighbouring property.

5.8 A resident has raised concerns with a lack of access to the site however the site would be accessible on foot and vehicular access would be removed. A resident has raised concerns about increased light pollution however it is not considered that this would be excessive in this residential location. A resident has raised concerns with increased smells from the site however refuse storage is proposed. A comment has also been made, raising concern that the development would make the site more susceptible to crime. However, there is no reason why this would be the case, particularly in light of improved boundary treatment.

## **6. Design and Impact on character**

6.1 With regards to the previously refused applications, the approach has always been to produce a dwelling more contemporary in design. Whilst a number of neighbouring objections have been received on the basis that the proposed development would not be in keeping with the character and appearance of the area, it is acknowledged that in the appeal decision for application ref. 16/5034 the Inspector noted that due to the mix of different house types and designs in the locality, a contemporary design would not necessarily result in any unacceptable harm to the character and appearance of the area.

6.2 The surrounding area consists predominantly of brick built, pitched roof buildings. It is acknowledged that the proposed new dwelling has been designed to be contemporary in appearance, nevertheless it is considered that the design of the dwelling has been refined and as proposed would sit sympathetically within its surroundings. The proposed building would have a mono pitched roof which would reflect the design of the outriggers to the properties in the locality and on Purves Road. Additionally, whilst the fenestration would be more modern to the rear, comprising full width glazing, the windows to the front would be of a simple design and of traditional proportions, also compatible with surrounding development. In terms of the materials the dwelling is proposed to be of brick construction which again would be compatible with surrounding development.

6.3 The proposed building would be two storeys, however it would be well set back from the footpath which would help to reduce its presence when viewed from College Road. Furthermore despite its two-storey design it would be of a smaller scale than both the outriggers to the adjacent buildings on Purves Road and the substation which is read as a single storey building. Effort has also been made to avoid any cramped appearance within the street scene by setting part of the first floor front elevation back towards the substation in order to achieve a degree of separation between the two buildings.

6.4 Given the set back position of the building from the footpath, the scale and design including the use of traditional materials and fenestration the proposed new dwelling would have an acceptable impact on the character and appearance of the area.

6.5 The existing boundary treatment to College Road consists of a timber fence that is not of any particular quality. The proposal would see the erection of a brick wall that would run the length of the site for just over 21 metres and then end where the boundary for the proposed residential unit starts. The brick wall element would be considered acceptable in this location. The boundary in front of the proposed building would consist of a brick pier with black metal railings. Whilst boundary treatments within the surrounding area largely consist of timber fencing and brick walls, the proposed treatment would not be overly prominent and it is noted that adjacent school benefits from a similar treatment to its Purves Road boundary. Such a front boundary treatment would be acceptable in this predominantly residential setting.

6.6 It should also be acknowledged that the development is proposing soft landscaping on a site where

there is currently none. Whilst it should be noted that this could be achieved without the complete re-development of the site, it should also be considered a benefit of the scheme.

## **7. Trees**

7.1 A large tree is shown along the existing boundary with College Road and the plans show the retention of this. In order to ensure that the tree is not harmed and is retained as indicated, a tree survey and arboricultural method statement are recommended to be secured by condition to ensure that the works would have an acceptable impact on this tree.

## **8. Equalities**

8.1 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).

## **9. Conclusion**

9.1 The proposed development would provide a good standard of accommodation for future residents, would have an acceptable impact on the occupants of neighbouring properties and would have an acceptable impact on the character and appearance of the locality.



## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 18/3603

To: Mr Babic  
Milan Babic Architects  
Ground Floor Office  
151b Bermondsey Street  
LONDON  
SE1 3UW

I refer to your application dated **17/09/2018** proposing the following:

Proposed two-storey, two bedroom dwellinghouse with a lower ground floor at the rear of 124 Purves Road with associated amenity space, allocation of private amenity space for existing flats of 124 Purves Road with raised ground level and provision of refuse & recycling storage

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

at **124 Purves Road, London, NW10 5TB**

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: 29/03/2019

Signature:

**Alice Lester**  
Head of Planning, Transport and Licensing

### Notes

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

National Planning Policy Framework (2018)  
 The London Plan (2016)  
 Brent Development Management Policies (2016)  
 Council's adopted Supplementary Planning Document 1- Brent Design Guide (2018)

- 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):

PL-919-001  
 PL943-MB-00-102  
 PL-943-MB-04-100  
 PL-943-MB-04-102 Rev C  
 PL-943-MB-04-104  
 PL-943-MB-00-099  
 PL-943-MB-00-100  
 PL943-MB-00-101  
 PL943-MB-00-100xl Rev A  
 PL847-MB-00-100  
 943-MB-04-103  
 PL-943-MB-04-101  
 PL-943-MB-04-105

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

- 3 Occupiers of the residential development hereby approved and the occupiers of units A-E 124 Purves Road shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

- 4 The development hereby approved shall not be occupied until works to remove the existing crossover and reinstate it to a footway with full height kerb, has been completed at the applicants expense.

Reason: In the interests of highway and pedestrian safety.

- 5 The residential unit 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 front garden to accommodate additional bin and cycle storage.

- 6 The dwelling hereby approved shall not be occupied until both the refuse and cycle-storage has been installed in accordance with the details on the approved plans (PL943-MB-00-100xl). The storage shall thereafter be retained and maintained for the life of the development.

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

- 7 (a) Details of materials for all external work, including samples, 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.

(b) Details of materials for all external work 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.

- 8 Notwithstanding any details of landscape works referred to in the submitted application, a scheme for the landscape works and treatment of the surroundings of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any site clearance, demolition or construction works on the site. Any approved planting, turfing or seeding included in such details shall be completed in strict accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) screen planting along the illustrated boundaries;

(d) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(e) areas of hard landscape works and proposed materials;

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

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

- 9 Prior to the occupation of the dwelling hereby approved, full details of the glazing to the first floor rear elevation shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved detail and retained in perpetuity unless otherwise agreed in writing.

Reasons: In order to safeguard the privacy of neighbouring residential properties.

- 10 Prior to the commencement of development, a tree report and method statement detailing how the development will impact the tree along the College Road boundary and detailing suitable measures for its retention and protection shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reasons: In the interests of local amenity.

- 11 Prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- 13 Prior to the commencement of the development a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development.

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

- 14 Prior to above ground works commencing, details of the design, siting, lux levels and measures to prevent external lighting affecting light sensitive premises in the vicinity of the development shall be submitted to the Local Planning Authority for approval in writing. The approved lighting shall be implemented prior to first occupation and permanently maintained.

Reason: To ensure that the development does not prejudice the amenities of adjoining occupiers.

## 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 removal of a crossover fronting Purves Road including the reinstatement of the public footpath shall be carried out by the Council as the Local Highway Authority at the applicant's expense. Such application should be made to the Council Highway Consultancy. The grant of planning permission, whether by the Local Planning Authority or on appeal does not indicate that consent will be given under the Highways Act.
- 3 The applicant is advised to ensure that demolition and construction works follow Best Practicable Means (BPM) of Section 72 of the Control of Pollution Act 1974 to minimise noise

and vibration effects.

4 STRUCTURAL INTEGRITY

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

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

- 5 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30

Saturdays – 08.00 to 13.00

Sundays and Bank Holidays – No noisy works at all

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

6 LICENCES

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

7 VIBRATION

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

- 8 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.

- 9 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)
- 10 The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, 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.
- 11 The applicant is advised to contact Network Rail to agree a Basic Asset Protection Agreement (AssetProtectionLNWSouth@networkrail.co.uk)

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

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