



Planning Committee

Wednesday 13 November 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
Hylton
Mahmood
Maurice
Sangani

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Kennelly, Lo,
W Mitchell Murray and Patterson

Councillors

Colwill and Kansagra

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

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

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

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

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

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

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

or

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

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

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

| ITEM | WARD | PAGE |
|---|-----------------|---------|
| 1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate. | | |
| 2. Minutes of the previous meeting - 16 October 2019 | | 1 - 10 |
| APPLICATIONS FOR DECISION | | |
| 3. Keelers Service Centre, Harrow Road, Wembley, HA0 2LL (Ref. 18/3069) | Sudbury | 15 - 48 |
| 4. 290B Ealing Road, Wembley, HA0 4LL Ref. 19/1761) | Wembley Central | 49 - 70 |
| 5. 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 18 December 2019



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

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

This page is intentionally left blank

LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 16 October 2019 at 6.00 pm

PRESENT: Councillors Denselow (Chair), S Butt, Hylton, Kabir (substitute for Councillor Mahmood), Kansagra (substitute for Councillor Maurice) and Sangani

Apologies for absence were received from Councillors Johnson, Chappell, Mahmood and Maurice

1. **Declarations of interests**

Queens Park Community School, Aylestone Avenue (19/1477)

Councillor Kabir declared that she was a former member of the Avenue School Trust (applicant). She therefore left the meeting room when the application was being considered and took no part in the discussion or voting in the application.

Approaches

Argenta House, Argenta Way NW10 (18/4847)

All Members received a brochure from the applicant.

Queens Park Community School, Aylestone Avenue (19/1477)

All Members received a correspondence from the applicant.

2. **Minutes of the previous meeting - 11 September 2019**

RESOLVED:

that the minutes of the previous meeting held on 11 September 2019 be approved as an accurate record of the meeting.

3. **381A-D INC, 381-397 INC and 13-20 Park Parade Mansion, Edgware Road, Kingsbury, London, NW9 (Ref. 17/2284)**

PROPOSAL: Demolition of existing buildings and redevelopment of the site to provide a replacement part 4 part 5 and part 18 storey building comprising 563m² of retail uses (Class A1, A2 A3), and 110 residential units (56 x 1bed, 30 x 2bed and 24 x 3bed) with associated car parking, cycle storage, plant and shared external amenity space at first and fifth floor level with other ancillary works.

RECOMMENDATION: To GRANT planning permission subject to:

A. Any direction by the London Mayor pursuant to the Mayor of London Order

B. Any direction by the Secretary of State pursuant to the Consultation Direction

C. The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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

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

That, if by the application "expiry date" the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

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

Ms Victoria McDonagh (Development Management Team Leader) introduced the report and answered Members' questions. Members heard that the re-development of the site accorded with its designation within the Colindale/Burnt Oak Opportunity Area, and although no affordable workspace would be provided, the re-provision of commercial floorspace at ground floor level would provide active frontage to both Edgware Road and Grove Park. She added that the scheme would deliver affordable housing of 8 intermediate (shared ownership) units, which although would be below both Brent and London Plan policy targets, had been demonstrated by a financial viability appraisal to be beyond the maximum amount of affordable housing which can viably be provided on site. The design, layout and height was considered to be in keeping with the heights of buildings in the surrounding area, with reduced height and scale nearest to the Beis Yaakov School to the south-east, which was locally listed. Ms McDonagh continued that the quality of the resulting residential accommodation proposed would be of sufficiently high quality, meeting the particular needs and requirements of future occupiers. Clarification was provided on the level of external amenity space provided which would be below policy levels, but a good standard of accommodation was considered to be provided. The size mix of intermediate units was also clarified as this was incorrectly specified in part of the main report. She also clarified that there were further on-going discussions with the GLA on sustainability issues relating to the scheme.

Mrs Jan Donovan (agent) stated that the scheme which had been amended following consultation feedback was supported by the GLA. She referenced the intermediate housing units and added that it had been demonstrated by a financial viability appraisal to be the maximum amount of affordable housing which can

viably be provided on site. She clarified that parking space provision had been reduced due to the high PTAL rating (4) of the area. Mrs Donovan continued that the scheme had been rigorously tested for air quality, daylight and sunlight with no impact on the nearby school.

In response to Members' questions Ms McDonagh explained that the basement car parking provision was removed from the scheme in order to reduce construction costs and increase viability to allow for the potential for affordable housing to be provided. She added that there would be no opportunity to convert the bicycle spaces to car parking spaces for future occupiers of the building. She also explained the extent of consultation which she added exceeded the boundaries. Members heard that Roe Green Residents' Association was not within the consultation zone for the scheme. the resulting responses received.

The Chair remarked that the design and size of the proposal fitted into the site which was characterised by properties with similar height and density. Members took note that the scheme would now provide 8 intermediate housing units, with state 2 referral to the Mayor of London and late stage reviews

DECISION: Granted planning permission as recommended.
(Voting on the recommendation was as follows: For 5; Against 0, Abstention 2)

4. Argenta House, Argenta Way, London, NW10 0AZ (Ref. 18/4847)

PROPOSAL: Demolition of the existing two storey building (Use class B1) and redevelopment to provide a 24-storey building comprising 130 residential dwellings (37 x 1bed, 75 x 2bed and 18 x 3bed) with associated car and cycle parking, provision for bin stores, landscaping and ancillary works (revised description)

RECOMMENDATION: To GRANT planning permission subject to:
Referral to the Mayor of London (stage 2 referral)
The prior completion of a legal agreement to secure the planning obligations set out within the Committee reports.

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

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

That, if by the “expiry date” of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning be granted delegated authority to refuse planning permission.

Ms Victoria McDonagh (Development Management Team Leader) introduced the report and answered Members’ questions. She informed Members that the proposal which would replace a poor quality commercial plot with a modern high density development would complement the scale of the neighbouring Wembley Point building. With acceptable layout, height, design, massing and protected views the proposal would deliver 27% affordable housing with early and late stage viability reviews which would be secured by S106 legal agreement. Clarification was provided regarding the amount of external amenity space which would be below policy levels, but a good standard of accommodation was considered to be provided. The access arrangements to the brook side garden were also discussed.

Mr Anthony Sturgess an objector enquired as to whether the proposal was up to date the new regulations regarding cladding and fire. He added that as parking in the area was mainly drop off and pick up, there was no need to introduce controlled parking restrictions.

Messrs Nick Francis, David Roach and David Bennett (architect, planning agent and applicant) addressed the Committee and answered Members’ questions. Members heard that the proposal would deliver landmark homes and provide a transformative change to the area. Mr Francis outlined the key benefits of the scheme including environmental benefits, delivery of new homes which complied with GLA requirements including play space and shared amenities and 27% affordable housing with early and late stage reviews. He added that key agencies including Environment Agency and Transport for London were engaged in the consultation. In response to the objector’s enquiry, Mr Francis stated that a Cladding Consultant had advised on the use of non-combustible material to ensure that the scheme complied with up to date fire regulations.

During question time, members raised issues relating to affordable housing, design of the project for the disabled, height of the scheme and parking in the area.

The agents responded that the affordable housing level far exceeded the level required by the Council’s independent viability assessment. It was added that the proposal would have a 24hour concierge system and that while full access to the brook side area could not be provided due to levels within the site, platform for access parts of this area were incorporated into the design. In respect of the height, Members were informed that the scheme would be similar if not lower in height than some other future developments within the area. It was added that the parking configuration was limited by the constraints of the site and whilst there were no proposals to dramatically alter the road scheme, the location was well suited to a car free development due to the site’s high PTAL rating and the encouragement for use of car clubs on site. The applicant’s transport consultant

outlined measures to improve the existing roundabout to ensure adequate turning room for vehicles.

Officers added that there were on-going discussions with TfL on contribution towards transport improvements and in addition, tools were available to respond to future demands. It was also added that the proposed development accorded with relevant planning policies and the NPPF.

In welcoming the application, Members took note that the proposal would give rise to parking issues particularly on Wembley event days. With that in view, they added a further condition to restrict parking permit and remove the rights for occupants within the development to not be entitled to parking permits within the existing Wembley Stadium Event Day CPZ and any future all year CPZ

DECISION: Granted planning permission as recommended with reference in the parking permit restriction clause to remove the rights for occupants within the development to not be entitled to parking permits within the existing Wembley Stadium Event Day CPZ and any future all year CPZ.

(Voting on the decision was unanimous).

5. Empire House, Empire Way, Wembley, HA9 0EW (Ref. 19/1973)

PROPOSAL: Erection of two additional storeys to create 9 residential flats (1 x 1-bed, 6 x 2-bed, 2 x 3-bed) including roof garden, conversion of parking undercroft for refuse, bicycle storage and 1 disabled car parking bay and external refurbishment of the existing building (revised description).

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 (Development Management Team Leader) introduced the report and answered Members' questions. Having set out the description of the site and the proposal, she informed Members that since the publication of the Committee report, the total number of objectors had dropped to 7 and under the constitution, the application could have been decided under delegated authority by the Head of Planning. She referenced the supplementary report and drew Members' attention to an additional condition recommended by Environmental Health in relation to sound insulation between the office and residential floors.

Ms Ashley Whyte in objection, stated that the proposal would result in result in unprecedented density, overshadowing, loss of privacy to the neighbouring residents and out of character with the suburban context of the area. Cumulatively, the scheme would contravene the objectives of the Wembley Action Plan (WAP). She referred to an illegal structure on the site and problems with right of way to the to the shared servicing areas and rear of the site and other properties using this access. Mr Kevin Leahy, speaking in a similar vein, added that issues regarding right of way and the resulting obstruction to delivery vehicles to the site would be made worse by the proposed development.

Mr Tom Horne (agent) stated that the proposed development had been revised and carefully designed to minimise impact and deliver 9 quality homes in an accessible site. He disagreed with the objectors' allegation that the scheme would result in overlooking and loss of privacy.

In responding to issues raised, Ms McDonagh informed Members that the proposed extension at third and fourth floor levels would maintain a distance of over 18m to the rear habitable room windows in 120 to 126 Wembley Park Drive. She continued that the separation distance of the roof terrace to the third and fourth floor flats that face out onto Wembley Park Drive would maintain a distance in part of 8.5m and whilst this was marginally short of the 9m separation distance set out in SPD1 by 0.5m, such a marginal shortfall was not considered sufficient to compromise the ability of the adjoining site to come forward for redevelopment. It was considered that the proposal had addressed the previous reason for refusal, and thus would maintain adequate levels of privacy for existing residents. Ms McDonagh clarified that issues relating to the service road and the illegal structure were outside the remit of the Committee. She added that the location of the bin store was considered acceptable by the Highways Team.

In welcoming the report, Members agreed the additional condition recommended by the Environmental Health on insulation as set out in the supplementary report.

DECISION: Granted planning permission as recommended and a further condition in relation to sound insulation between the office floors and the proposed residential floors.

(Voting was recorded as follows: For 6; Against 0; Abstention 1).

6. 39A-B, 41, 43-47 Dudden Hill Lane & car park Villiers Road R/O 43-47, London, NW10 (Ref. 19/1095)

PROPOSAL: Demolition of existing buildings and erection of a part 4 storey, part 5 storey building with Learie Constantine community centre (Use Class D1) on ground floor and 26 self-contained flats above (12 x 1 Bed, 7 x 2 Bed and 7 x 3 bed), provision for balcony amenity, and associated landscaping.

RECOMMENDATION: To grant planning permission subject to conditions.

That the Head of Planning be granted delegated authority to issue the planning permission and impose conditions and informatives to secure the matters set out within the 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 Sarah Dilley (Planning Officer) introduced the report and answered Members' questions. Members heard that the community had been engaged in the design of the proposed development. She clarified that the 25 of the 26 homes provided would be provided for social rent and that the ground floor home would not be affordable. She added that interim measures would be put in place for current users during construction.

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

7. Queens Park Community School, Aylestone Avenue, London, NW6 7BQ (Ref. 19/1477)

PROPOSAL: Erection of a temporary single storey classroom building to provide additional teaching facilities, addition of associated single storey staff room/admin office, storage container and canopy over playing area to include mesh fence enclosure, new tarmac footpath and associated cycle storage (DEPARTURE FROM POLICY CP18 OF BRENT'S LOCAL PLAN).

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.

Mr Damian Manhertz (Development Management Team Leader) introduced the report and answered Members' questions. He drew Members' attention to the objections raised by the residents to the proposal, highlighting the objections

submitted by MRPP on behalf of some local residents and officers' responses to them as set out in the report. He then referenced the supplementary report which provided a further clarification of staffing numbers and added that the additional of 3-part time members of staff was not considered material as to impact on the residential amenities of nearby residents beyond the existing use.

Mr Manhertz also referenced the revised planning statement and added that the alterations within the statement were rather minor. He clarified that the Planning Statement had amendments to confirm that the building would not be hired out to other users outside of the hours of use stated in the planning statement, clarifying that one part of the committee report incorrectly specified that it would not be hired out. He explained that the proposal had been tested with the requirements of NPPF and Brent Policy CP18. He set out that there was some impact on openness, but that when balancing the impacts and benefits of the scheme, officers considered that the need for SEN places and associated provision within this scheme far outweighed the potential harm to the open space. He also highlighted that the school appears to be located within a sensible location within the playing field, and the response from Sport England highlights the usability of this space and lower impact. He continued that the Council's Environmental Health officers had considered the proposal and had advised that they did not consider that a noise impact assessment was required as the proposal was not expected to give rise to undue levels of noise impact. He referenced the operational hours as submitted by the school (pupils attending from 8:50 am to 3:20 pm, with the school buildings open 7:30 am to 6 pm Monday to Friday and 8:30 am to 2 pm on Saturdays.) and recommended an additional condition restricting the use and operational hours. The presentation of this application was concluded by Mr Manhertz confirming that the application was recommended to be granted and it is considered that any harm of the temporary building and use would be outweighed by the benefits of the scheme.

Mr Alex Norman (objector) considered that the proposal would be detrimental to the enjoyment of his residential amenities. He added that the proposal would be intrusive particularly in the summer months and without any buffer, the playground noise would be rather distressing to nearby residents. Mr Norman explained that the noise created by the proposal and existing use is different to general playground noise and that it would be more intrusive. Mr Norman added that the school had not engaged with the residents to discuss their legitimate concerns including noise impact and detriment to residential amenity and urged refusal.

Mr Miles Young, objecting on behalf of some residents, alleged that the proposal breached policy CP18 and the NPPF. Mr Young referred to his paper previously circulated to all members which highlighted concerns on noise. He expressed a view that the noise impact of the proposal including mitigation measures had not been fully explored. He urged Members to either refuse the application or defer it for further investigations.

Mrs Jayne Jardin (applicant) clarified that the proposal was for a temporary use until 2021 when the new build would be ready. It would be a primary school setting with non-verbal SEN pupils and that there was no intention to increase the pupil numbers at the school beyond that specified within the application. It was

explained how the building would allow more internal sessions and explained some of the characteristics of the pupils that would be attending the school, including pupils that are not able to speak and communicate. She confirmed that the building would not be used in the evenings and weekends. In response to members' questions, Mrs Jardin stated that the school consulted with local residents. She added that in the absence of the temporary buildings, the SEN pupils would need to send to schools outside of the borough.

In the ensuing discussion, Members sought legal advice on the issues raised by the objectors to which Ms Saira Tamboo (Senior Planning Lawyer) responded that the consideration of the application was legally sound. Mr Manhertz also clarified that the location, part of an open space within the school, would be appropriately sited and that the level of potential noise would not be unduly harmful to the neighbours. In response to members, he added that any change the location [to reduce the impact on the open space] would be likely to push the temporary structure closer to the residents. Mr Manhertz continued that noise assessment was neither required nor justifiable and reiterated the operational hours of use. Members also heard that Sport England raised no objection to the proposal.

DECISION: Granted planning permission as recommended subject to the addition of a condition restricting the use and operational hours of the development approved.

(Voting on the amended recommendation was as follows: For 5, Against 1; Abstention 1).

Councillor Kabir, having declared an interest in the application left the meeting room and did not take part in the discussion or voting on the application.

8. Any Other Urgent Business

None.

The meeting closed at 8.50 pm

COUNCILLOR J. DENSELOW
Chair

This page is intentionally left blank

APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Brent comprises the following documents:
 - London Plan March 2016
 - Brent Core Strategy 2010
 - Brent Site Specific Allocations 2011
 - West London Waste Plan 2015
 - Wembley Action Area Plan 2015
 - Sudbury Town Neighbourhood Plan 2015
 - Saved 2004 Unitary Development Plan Policies 2014
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that

adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail. Similarly, Brent Council's CIL is also payable. These would be paid on the commencement of the development.
13. Brent Council's CIL provides an income stream to the Council to fund (either in whole or in part) the provision, improvement, replacement, operation or maintenance of the following types of new and existing infrastructure:
 - public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
14. except unless the need for specific infrastructure contributions is identified in the Section 106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. Full details are in the Regulation 123 List is available from the Council's website: www.brent.gov.uk.

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

Further information

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

Public speaking

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

Recommendation

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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 November, 2019
03
18/3069

SITE INFORMATION

| | |
|---|--|
| RECEIVED | 2 August, 2018 |
| WARD | Sudbury |
| PLANNING AREA | Sudbury Town Neighbourhood Forum |
| LOCATION | Keelers Service Centre, Harrow Road, Wembley, HA0 2LL |
| PROPOSAL | Demolition of existing M.O.T testing centre and erection of a part 5 and part 6 storey mixed use building comprising office (Use class B1) at ground floor and 22 residential units on the 1st to 5th floors (6 x 3 bed; 8 x 2 bed and 8 x 1 bed); plant room in basement; PV panels at roof level, cycle parking and waste storage (revised description) |
| PLAN NO'S | Please see Condition 2. |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_141260</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "18/3069" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

A. That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Affordable housing provision - 3 shared ownership units (2 x 1-bed and 1 x 2-bed) together with late stage viability review mechanism.
- A construction training and employment plan targeting Brent residents;
- Revised Energy Assessment and a contribution to Brent's carbon offsetting fund to mitigate any shortfall in achieving zero carbon emissions;
- Financial contribution to off-site amenity space provision;
- Financial contribution to implementation of Controlled Parking Zone(s) in the vicinity of the development;
- Parking permit restrictions and provision of car club membership for residents;
- Highway works necessitated by the development.

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

B. 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 time limit
2. Approved plans
3. Commercial floorspace to be B1(a) office only
4. Withdraw PD rights to convert flats to C4 small HMOs
5. Water consumption not more than 105lpd
6. Cycle parking and refuse to be provided as per approved plans
7. Pre-commencement Construction Method Statement
8. Pre-commencement Construction Management Plan
9. Site investigation, remediation strategy and verification
10. Details of materials, screens and external plant
11. Details of M4(2) and M4(3) compliance
12. Details of marketing strategy
13. Details of revised loading bay and disabled parking space layout
14. Details of landscaping works
15. Details of PV panels
16. Satellite dishes
17. Internal noise levels
18. Noise and Vibration from Plant

Informatives

1. CIL liability
2. Building near boundary
3. Fire safety
4. London Living Wage
5. Party wall
6. Notify Highways pre-commencement
7. Planters outside of the application site do not form a part of the development and would not be considered acceptable.

C. 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.

D. 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.

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

SITE MAP



Planning Committee Map

Site address: Keelers Service Centre, Harrow Road, Wembley, HA0 2LL

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The proposal relates to the demolition of the existing single storey building on site, which is an MOT centre measuring 502sqm GIA. In its place it is proposed to erect a part five and part six storey building. The ground floor would contain 200sqm commercial office floorspace, entrances to the building's residential elements, and associated refuse storage and cycle storage. There is also external hardstanding proposed which includes a loading bay at the rear and a disabled parking space, alongside the boundary with Central Road. Above the ground floor would be residential uses, consisting of a mix of one, two and three bedroom residential units. There would be 22 new homes in total.

EXISTING

The site fronts on to the large roundabout where Harrow Road meets Bridgewater Road. The site has a side elevation onto District Road with the rear accessed from Central Road. Sudbury Baptist Church is a local landmark to the south. To the south and west the predominant character is suburban, generally with 2 storey houses. To the north is more commercial, but with residential led schemes forming the Barham Park Estate regeneration area in close proximity, and to the east is Barham Park.

The site is within the Sudbury Town Neighbourhood Area, and Sudbury Town Centre (which is classified in Brent's Core Strategy 2010 as a 'Local Centre'). Barham Park is designated as a Local Green Space and A Site of Nature Conservation Importance (Grade II). The site does not contain any listed buildings, and is not within a conservation area. The London Cycle Network TRN11 and the London Bus Priority Network are near to the site.

AMENDMENTS SINCE SUBMISSION

Amended plans were received on 30 January 2019, involving the following amendments:

- reduction in bulk and change in elevational treatment of sixth storey;
- removal of partial seventh storey and access to roof area;
- increased private terrace areas for sixth storey flats;
- reduction in number of flats from 24 to 22.

Further amended plans were received on 2 September 2019, involving the following amendments:

- red line site boundary altered to include garage forecourt, which is in the applicant's ownership;
- balconies on northernmost flats on first to fourth floors relocated further towards northern boundary, to improve outlook from north-facing bedroom windows.

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 received: A substantial number of objections were received (including 45 individual properties, 2 petitions, Sudbury Town Neighbourhood Residents Forum and Cllr Daly). These mainly relate to (i) traffic generation and added pressure on existing on-street parking and congestion on the highway network, (ii) the loss of the existing business and the most appropriate use of the ground floor, (iii) the design of the building including its overall height, (iv) bulk and mass and impact on the character of the area, and (v) concerns regarding loss of light and privacy to neighbouring properties. These issues are all addressed in the relevant sections of the main body of the report.

Principle of development: The proposal would contribute to the aims of the Sudbury Town Neighbourhood Plan by providing new B1(a) office floorspace within the extended town centre, and would also provide new housing to contribute to the borough's housing targets. On balance, your officers consider that concerns regarding the net loss of employment floorspace on the site would be outweighed by the benefits of redeveloping the site.

Viability, affordability and housing mix: The proposal would provide 22 residential units comprising 8 x

1-bed units, 8 x 2-bed units and 6 x 3-bed units. This represents 27% of the units being family sized (three bedroom units). 3 of the 22 units (two x 1bed and one x 2bed) would be secured as affordable housing within the shared ownership tenure, together with late stage viability review mechanism being secured through the s106 agreement.

Design and appearance: The proposed building would be well articulated with a strong vertical rhythm and clear definition of the base and top of the building. It is considered that the height of the building is appropriate for its context, forming an attractive gateway into the town centre from the south. The proposal would also involve improvements to the public realm around the site, which are welcomed.

Impact on neighbouring properties: Due to the location and orientation of the site, the proposed building would have an acceptable relationship with all neighbouring properties and would not lead to any material loss of privacy, light or outlook enjoyed by neighbouring residents.

Quality of residential accommodation: The proposed residential units would be of good quality in terms of minimum space standards, light and outlook, internal layouts and access to private amenity space. Although the overall quantum of amenity space falls short of the target set out in Policy DMP19, this is considered to be acceptable in a town centre location in close proximity to the extensive open space of Barham Park. A financial contribution of £10,000 towards improvements to Barham Park has been agreed with the applicant, to offset the shortfall in on-site amenity space, and would be secured through the s106 agreement.

Sustainability and energy: The proposal complies with London Plan targets for carbon emissions reduction, and a carbon-offsetting contribution would be secured through the s106 agreement.

Flooding and drainage: The proposal makes adequate arrangements for sustainable drainage of the site and to avoid any risks from surface water flooding.

Environmental health considerations: Conditions have been proposed to secure an acceptable development with respect to air quality, internal noise levels, plant noise, land contamination and construction management.

Impact on highways, parking and servicing: The proposal provides a disabled parking space and servicing for the commercial floorspace, together with adequate cycle storage and refuse storage. A financial contribution would be secured through the s106 agreement towards the introduction of a Controlled Parking Zone on neighbouring streets. Residents of the development would not be eligible for on-street parking permits, and sustainable travel choices would be reinforced through a Travel Plan, to ensure that the development would have minimal impact on the highway network in this highly accessible location. Public realm improvements including resurfaced footways, street furniture and planting, and visitor cycle stands, would also be secured through the s106 agreement.

MONITORING

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

Floorspace Breakdown

| Primary Use | Existing | Retained | Lost | New | Net Gain (sqm) |
|---------------------------------------|----------|----------|------|------|----------------|
| Assembly and leisure | 0 | | 0 | 0 | |
| Businesses / research and development | 0 | | 0 | 0 | |
| Businesses and light industry | 0 | | 0 | 0 | |
| Businesses and offices | 0 | | 0 | 211 | |
| Drinking establishments (2004) | 0 | | 0 | 0 | |
| Financial and professional services | 0 | | 0 | 0 | |
| General industrial | 502 | | 502 | -502 | |
| Hot food take away (2004) | 0 | | 0 | 0 | |
| Hotels | 0 | | 0 | 0 | |
| Non-residential institutions | 0 | | 0 | 0 | |
| Residential institutions | 0 | | 0 | 0 | |
| Restaurants and cafes | 0 | | 0 | 0 | |
| Shops | 0 | | 0 | 0 | |
| Storage and distribution | 0 | | 0 | 0 | |

Monitoring Residential Breakdown

| Description | 1Bed | 2Bed | 3Bed | 4Bed | 5Bed | 6Bed | 7Bed | 8Bed | Unk | Total |
|-----------------------------|------|------|------|------|------|------|------|------|-----|-------|
| EXISTING (Flats ú Market) | | | | | | | | | | 0 |

| | | | | | | | | | | |
|-----------------------------------|---|---|---|--|--|--|--|--|--|----|
| EXISTING (Flats û Intermediate) | | | | | | | | | | |
| PROPOSED (Flats û Market) | 6 | 7 | 6 | | | | | | | 19 |
| PROPOSED (Flats û Intermediate) | 2 | 1 | 0 | | | | | | | 3 |

RELEVANT SITE HISTORY

17/5117

Full Planning Permission

Application Withdrawn 24/01/2018

Demolition of the existing M.O.T testing centre and erection of a 6 storey mixed use building comprising offices at ground floor (Use Class B1 or A2); 29 residential units at 1st to 6th floors (10 x1 bed, 12 x 2bed, 7 x 3bed); plant room in basement; play area/PV panels at roof level with associated cycle parking and waste storage

CONSULTATIONS

101 neighbouring properties were notified of this proposal for a period of 21 days on 5 September 2018, together with the Sudbury Town Neighbourhood Forum. A site notice was erected outside the site on 5 November 2018 and a press notice was published on 29 November 2018.

Occupiers of 45 individual properties submitted letters of objection to the development.

- Occupiers of 1 individual property submitted a letter of support for the development.
- 2 petitions against the development were received, one which contained signatories from 33 separate properties and one which contained signatories from 153 separate properties (on behalf of the Central & District Road Action Group).
- The Sudbury Town Residents Association Forum submitted an objection to the development.
- Local Sudbury Ward Councillor Mary Daly submitted an objection to the development.

The red line site boundary was subsequently amended to include the garage forecourt, which is within the applicant's ownership. Neighbouring properties were reconsulted by letter on 9 September 2019, a site notice was erected on 10 September 2019 and a press notice was published on 19 September 2019. Fifteen further objections were received from individual properties, the Sudbury Town Neighbourhood Forum, in addition to one from Cllr Daly.

The responses received are summarised as follows:

| Topic area | Objection | Response |
|----------------|--|--|
| Infrastructure | The area is overpopulated to the extent that schools and GPs are oversubscribed. | New developments contribute funding to the Community Infrastructure Levy to support related infrastructure provision. The Council's school places team monitors and forecasts the need for additional school places. They currently consider that there is sufficient capacity within primary schools, but that additional capacity will be needed in the short to medium term for secondary school places. A new secondary school is proposed to be delivered within Neasden to |

| | | |
|----------------------------------|---|--|
| | | address this need. |
| Loss of existing business | The car repair services offered at the existing site are valuable to local residents and should not be removed. | See paragraphs 1 to 6 for the discussion of the loss of industrial floorspace. Adopted policies regarding the employment uses protect the use and floorspace of those premises, but not the specific type of employment use (e.g. car repairs vs an alternative industrial use). |
| | Keelers Garage is a viable business. | As above. |
| | The STRA would have expected the existing business to have been put up for sale or for an alternative business to have been encouraged. | The Council cannot prevent the closure of existing businesses where the owners choose to redevelop the site, other than through adopted planning policies. See paragraphs 1 to 6. |
| | An alternative use would be more valuable (e.g. community centre, nursery, medical facilities, care home) | Adopted policy does not require the provision of these uses on the site. See paragraphs 1 to 6. |
| | The shop use should be with an anchor tenant to prevent failures and ownership turnovers as seen in other shops in Sudbury. | Tenancy arrangements are outside the scope of the planning system and not a material planning consideration. |
| | The proposal will see a loss of skilled jobs and there is no need for another large commercial outlet along the high street. | See paragraphs 1 to 6. |
| Design/character | Six stories with a set in seventh storey is excessive and unsuitable for the area. | The proposal has been revised and now involves a five storey building with set in sixth storey. See paragraphs 21 to 25. |
| | The part seventh storey has been added at late notice and without explanation. | The proposal has been revised and now involves a five storey building with set in sixth storey. See paragraphs 21 to 25. |
| | Local character is for traditional two storey houses. | See paragraphs 21 to 25. |
| | The neighbourhood plan suggests proposals for new development are in the order of two to three storeys high with new homes that respond to local needs. | The Sudbury Town Neighbourhood Plan does not include any policies guiding residential development. See paragraphs 21 to 25. |
| | 24 flats across six storeys is an overdevelopment of the site. | The proposal is now for 22 flats. See paragraphs 21 to 25. |
| | The new development will be an eyesore and will reduce the value of | Property values are not a material planning consideration. See |

| | | |
|-----------------------------|---|--|
| | nearby houses. | paragraphs 21 to 25. |
| | The building will obstruct views and lighting and damage the value of the local green spaces (e.g. Barham Park) from which the development will be visible. | See paragraphs 23 and 31 to 34. The view from Barham Park already includes a number of large buildings, along the opposite site of Harrow Road, including the Barham Park Estate development which is both larger and taller than the proposed building. |
| | The proposal does not confirm how it will fit with the local shop front and signage policy. | See paragraph 29. |
| | Additional height (up to 8 storeys) should be considered so that the development will relate to the 6-8 storey developments further north along Harrow Road. Relation to the terrace to the north is not relevant given the likelihood of future redevelopment. | See paragraphs 21 to 25. |
| | The basement should be made larger to avoid a lost opportunity to maximise floor areas which will be badly needed in the future. | A larger basement could affect the viability of the scheme and give rise to concerns about issues such as flood risk and drainage, and would be of limited use for commercial or residential uses. |
| | The bronze framing material has no local precedent – brown would work better. | See paragraphs 28 and 30. |
| | The large expanse of brickwork would result in an inappropriate dark mass. | See paragraphs 28 and 30. |
| | The building does not relate to other recent residential developments well in this local area or other key buildings (e.g. Sudbury Town Station and the Swan Public House). | Officers consider brick to be a preferable material as it has the ability to appear high quality and residential in nature. Materials condition to be applied. See paragraphs 30 and 31. |
| Neighbouring amenity | Problems of increased noise, smell, dust, traffic as a result of the use of the proposed building | See paragraphs 62, 63, 80 and 81. |
| | The development will incur losses of light, privacy and outlook to the surrounding occupiers. | See paragraphs 32 to 44. |

| | | |
|---------------------------------------|---|--|
| | Noise disturbance and losses of privacy to neighbours from use of new balconies and any roof terrace | See paragraphs 32 to 44. |
| | Daylight and Sunlight Assessment has a number of inaccuracies and does not fully consider the impact on neighbouring properties | See paragraphs 35 to 44 |
| Quality of accommodation | The plans do not have enough detail to show whether the proposed units and balconies meet the relevant space standards. | See paragraphs 45 to 54. |
| | The flats have poor internal layouts. | See paragraphs 45 to 50. |
| | The roof should not be made accessible to residents so as to further encourage active use of the adjacent park. The roof could be provided as an inaccessible green roof for biodiversity benefits. | The proposal no longer involves a roof terrace, and the roof will be used to generate renewable energy through PV panels. See paragraphs 55 to 58. |
| | The proposal should be greener than proposed, in line with Sudbury Neighbourhood Plan. | Officers consider that the proposal has optimised opportunities to develop the site in a sustainable way. |
| | Flats should be 1 to 2 person to detract families and children given local pollution being bad for children's health. | The Council's policies require family-sized housing to be provided on major developments. An Air Quality Assessment has been submitted and car free development should help to minimise local pollution. |
| Transportation related matters | New uses will bring additional traffic into local area and associated negative impacts. This has already been observed with other local developments (e.g. Parkside Place Estate) and from vehicles associated within Fishers Way blocking driveways in Central Road. | See paragraphs 80 and 81. |
| | No provision is made for parking of vehicles whilst the local area already has problems with insufficient parking availability. Parking capacity is strained by those who park to use local public transport facilities. | See paragraphs 66 to 71. |
| | The two closest residential streets are | See paragraphs 66 to 71. |

| | |
|---|--|
| outside a CPZ so the Council could not enforce against overspill parking in these roads. CPZ restrictions would only last until 6:30pm. | |
| Further CPZs will be resisted by residents. | See paragraphs 66 to 71. |
| Why is excessive cycle parking proposed with only minimal car parking? | See paragraphs 66 to 73. |
| There is not enough space on Harrow Road to add cycling spaces with the area already congested and pedestrians crossing and walking through the area. | See paragraphs 72 and 73. |
| There are no local cycle lanes. | Noted, however the proposal is required to comply with London Plan standards on cycle parking. The Brent Cycle Strategy identifies an east-west route along (or near to) the High Road as a long term aspiration. |
| How can it be guaranteed that new residents will not have cars? The surrounding area cannot accommodate additional parking. | See paragraphs 66 to 71. |
| A car free development cannot be enforced as there's nothing to stop residents/visitors using cars. | See paragraphs 66 to 71. |
| The submitted transport assessment is devoid of reality. | See paragraphs 79 to 82. The highway authority has been consulted on the transport assessment and has raised no concerns in relation to it. |
| The development will worsen local noise, traffic and pollution | A parking permit restricted development on a site which is currently heavily used by cars for the purposes of repair and MOT testing is likely to significantly reduce pollution at the site. See paragraphs 66 to 71. |
| Pedestrian safety has not been considered. | See paragraph 82.. |
| The development should be entirely car free and the disabled parking space moved off site to free up development areas. | The proposal is required to meet London Plan standards for disabled parking spaces. |
| The residual pavement on District Road will be too narrow. | The proposal does not involve reducing the width of this pavement. |
| Inadequate space | See paragraphs 75 to 79. |

| | | |
|-----------------------------|---|---|
| | provided for loading and unloading on site. | |
| | The pavement on District Road gets congested and is too narrow for planters, whereas the area to the front of the site is neglected and would require remodelling. | The layout of planters and other elements of public realm outside the site boundary is indicative and a revised layout would be secured through the s106 agreement. See paragraphs 75 to 78. |
| | A zebra crossing on District Road has been proposed previously and should be funded by the developers. | Highway officers do not consider that this would be necessary to make the development acceptable in planning terms. |
| | The transport report excludes a consideration of traffic issues on the stretch of District Road from Harrow Road to Allendale Road which is used heavily as a cut through to Ealing. | The highway authority has been consulted on the transport assessment and has raised no concerns in relation to it. |
| | The crossing from the Baptist Church to the top of District Road is a hazardous junction with a history of accidents. The developer should provide more information about traffic at this site in their traffic report. | The development would reduce the use of this site by vehicles. It would turn it from a car repair business into a car free residential led development. This would therefore reduce local trips and the associated risk of accidents. |
| | It is not clear how servicing of the commercial unit would work and how refuse collection would work along Central Road from what is a residential environment. | See paragraphs 75 to 78. |
| | There is an urgent need for a consideration of the precise range of uses that could operate in the ground floor and for the impact of each on the local road network to be considered. | The ground floor would be secured for B1(a) office use. The impacts on the local road network of this use have been considered. |
| | The details of a potential CPZ should be made public by the developer and must include an offer to subsidise permits for existing residents. | See paragraphs 66 to 71. Introducing a CPZ would be carried out by the highway authority not by a developer. |
| | Some people need cars despite the policy for discouraging car use. | Parking permit restricted schemes do not prevent those with blue badges from parking locally. |
| | The local roads are dangerous for pedestrians. | See paragraphs 79 to 82. |
| Other considerations | Neighbour did not receive consultation letter. | The extent of consultation is described above and has |

| | | |
|--|--|---|
| | | exceeded statutory requirements for a scheme of this size. |
| | A statement of community involvement has not been submitted by the applicants. | Details of public consultation undertaken by the applicant are included in the Design & Access Statement. |
| | Building flats will increase crime in the area including increase in numbers of people drinking on the street and selling drugs. | There is no evidence that the new development would result in an increase in crime. |
| | Concern about subsidence to local properties as a result of the proposal. | Structural issues would be dealt with through the Building Regulations and Party Wall Act and is not a material planning consideration. |
| | Will the dwellings cater for the most disadvantaged home seekers? | The proposal will provide a mix of housing sizes and tenure types, but would not include Affordable Rented accommodation. See paragraphs 7 to 11. |
| | The Financial Viability Assessment should be made available for the view of the public and members. | There was a slight delay in submitting the Financial Viability Assessment, however this was available on the Council's website from November 2018. |
| | Indents on the District Road side will attract rubbish and create a conflict of ownership. | There is no evidence to support this view. |
| | Restrictive covenants on the site prevent it from coming forward for redevelopment | This is not a planning related matter. |
| | There are existing vacant flats in the area that could be used to house people. | The local planning authority is required to deliver new housing in accordance with its adopted plan targets, with a significant need for additional new housing identified. |

| Ground of support | Officer response |
|---|------------------|
| The development keeps in line with the improved and regenerated surrounding area and would be good for Sudbury | Noted |
| The plot is well placed between Sudbury Town Station, Sudbury & Harrow Road Station and bus links, meaning parking issues and congestion are likely to be less relevant as the development would benefit from its proximity to public transport | Noted |

Internal Consultation

Environmental Health: no objection subject to conditions. These are discussed in the main body of the report.

Local Lead Flood Authority: no objection.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document, the 2016 London Plan (Consolidated with Alterations since 2011) and the 2015 Sudbury Town Neighbourhood Plan. Relevant policies include:

National Planning Policy Framework 2019

The London Plan 2016

Key policies include:

- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 – Quality and Design of Housing Development
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes -
- 5.2 - Minimising Carbon Dioxide emissions
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 7.2 - An inclusive environment
- 7.8 – Heritage Assets and Archaeology

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures
- CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

- DMP 1: Development Management General Policy
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 11: Forming an Access on to a Road
- DMP 13: Movement of Goods and Materials
- DMP14: Employment Sites
- DMP 15: Affordable Housing
- DMP 18: Dwelling Size and Residential Outbuildings
- DMP 19: Residential Amenity Space

Sudbury Town Neighbourhood Plan (2015)

- TCU1: Town Centre Uses
- PR1: Public Realm
- SFS1: Shop Fronts and Signage
- TCD1: Town Centre Development

Supplementary Planning Guidance

- Mayor's Affordable Housing and Viability SPG (2017)
- Mayor's Housing SPG (2016)
- Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)

DETAILED CONSIDERATIONS

Principle of Development

1. The site is identified within the Sudbury Town Neighbourhood Plan 2015 as forming part of an envisaged 'Extended High Street Area' at the southern extent of the town centre, which would then form part of the secondary shopping frontage. Although it does not currently form part of a primary or secondary frontage, the Neighbourhood Plan provides policy support for continuation of a town centre use at the site. Policy TCU1 requires that development provides an active ground floor frontage to contribute to the diversity of the High Street and add to the vitality and viability of the area. The proposal is for a ground floor commercial space which would activate the east and south frontages of the building, with an internal area of 200sqm.
2. The proposal was initially submitted with the ground floor shown as a retail unit, and the commercial space proposed could feasibly support a variety of retail uses. However, the existing use on the site also needs to be acknowledged. The car repair garage would fall into a sui generis use class but primarily with B2 (industrial) uses, and is considered to be an employment use. Policy DMP14 of the Development Management Policies is therefore of relevance, and this policy seeks to retain local employment sites unless robust marketing evidence can be provided to demonstrate that they are no longer viable. It is noted that no evidence of marketing has been submitted. However, given the aspirations of the Neighbourhood Plan to improve the town centre and to reuse the site for main town centre purposes at ground floor, the loss of the existing industrial floorspace is considered acceptable in this instance.
3. As the site is considered viable for continued town centre uses, it is suggested that there is greatest policy support for continued employment use on the site, and that a B1 office use would sit well alongside the residential uses above. The use of the floorspace for B1(a) office uses would be secured by condition, and a condition would also withdraw permitted development rights for its conversion to any other use.
4. Policy DMP14 seeks no net loss of employment floorspace, however the release of local employment sites can be acceptable where continued wholly employment use is unviable or significant benefits consistent with the wider objectives of the Development Plan are achieved. The quantum of commercial floorspace proposed (200sqm) would fall significantly short of the existing employment space on site (approximately 500sqm). However, redeveloping the site for mixed use inevitably constrains the scope for providing more commercial floorspace on the ground floor, and it is considered that increasing the commercial floorspace could potentially threaten the viability of the scheme in this location. Officers have sought to find a viable arrangement for the proposed floorspace to be delivered as affordable workspace (at 50% of market rate) to mitigate the loss of the existing employment floorspace, however this would impact on the viability of the development and the provision of affordable housing (this issue is discussed further in paragraphs 7 to 17).
5. The site is not identified in Brent's Employment Land Demand Study 2015 as being in a cluster of employment land that should be retained, and the proposed office use and enhanced public realm on the frontage would reflect the aspirations for the town centre set out in the Sudbury Town Neighbourhood Plan whilst the residential units would contribute to the borough's housing targets, in accordance with Core Strategy Policy CP2. The office floorspace could be configured in a variety of ways including subdivision into small units to support local businesses. Consequently it is considered that the benefits of redeveloping the site would help to deliver the objectives of the Development Plan and that these benefits outweigh the loss of employment floorspace in this case.
6. Further conditions are recommended to ensure the office floorspace successfully contributes to the aims of the extended town centre. Firstly to require a Marketing and Letting Strategy, including further details on the level of fit out to be provided for the office floorspace, independent verification from a commercial agent to demonstrate that it caters for any specific requirements within the local office market, and measures to minimise the risk of extended periods of vacancy. Secondly to prevent any obscuring of the frontage to ensure an active frontage is retained.

Viability, affordability and housing mix

Affordable Housing

7. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
8. Core Strategy Policy CP2 sets out a target that 50% of all new homes in the borough should be affordable, and Policy DMP15 reinforces this. The maximum reasonable amount of affordable housing will be sought on sites capable of providing ten units or more, such as this scheme. The tenure mix should include 70% of new affordable housing as social/affordable rented housing and 30% as intermediate housing at affordability levels meeting local needs. Where reduced affordable housing obligations are sought on economic viability grounds, the applicant is required to provide a financial viability appraisal to demonstrate that schemes are maximising affordable housing output, and a review of scheme viability will be required where significantly less than 50% is agreed.
9. The scheme has been submitted alongside a financial viability assessment which identified that the scheme could only support three shared ownership units (comprising two x 1bed and one x 2bed) as the maximum reasonable amount of affordable housing. This offer equates to a 13.6% provision of affordable housing by unit (11% by habitable room), weighted entirely towards intermediate affordable housing.
10. Officers have scrutinised this assessment in tandem with industry professionals and it is agreed that this is the maximum reasonable amount of affordable housing the scheme can offer given the projected costs and revenues of the development. The assessment submitted was based on the original proposal for 24 units, however your officers have sought further advice on the impact of reducing the scheme to 22 units and are confident on this basis that the reduced number of units has a negative impact on the viability of the scheme and that no additional affordable units could be provided if a revised assessment were submitted. Whilst falling significantly short of the policy target for affordable housing, officers are satisfied that the provision represents the maximum reasonable amount of affordable housing, thus still complying with Policy DMP15. Notwithstanding this, scheme viability can change over time and a number of assumptions must be made for viability assessments submitted to support planning applications. As recommended by GLA guidance, a late-stage review is therefore recommended to test actual scheme viability based on real build costs and sales values. Should scheme viability improve, contributions towards the provision of Affordable Housing would be secured.
11. Officers have discussed with the applicant opportunities to seek a reduction in the size of the basement to bring about increased viability, including a requirement to test an alternative energy strategy for the building in order to achieve a reduced basement build cost. However it is considered that given the land contamination on site, the basement space would need to be excavated in full regardless of whether a basement is delivered in the final scheme, resulting in the actual cost being attributable to the basement construction being minimal in this case.

Potential to provide affordable workspace

12. As discussed above the development would include the loss of a car repair garage, which is primarily a B2 use and consequently defined as an employment use in terms of Brent's Policy DMP14. This policy seeks to limit the loss of employment floorspace within the borough. It specifies that the release (to non-employment uses) will be allowed when the continued wholly employment use is unviable (part a of this policy) or there are significant benefits consistent with the objectives of the development plan are achieved (part b). It also specifies that where non-employment uses are proposed, the site shall incorporate the maximum amount possible of the existing floorspace or managed affordable workspace. The replacement commercial unit would be 200sqm in size, about 40% of the size of the existing car repair garage in terms of internal area. The loss of employment generating floor space clearly conflicts with part (a) of Policy DMP14 and while there are benefits consistent with the wider objectives of the development plan (in terms of the provision of housing in line with Policy CP2 and improvements to the public realm in accordance with policy PR1), officers have therefore sought an element of Affordable Workspace to offset the shortfall.
13. Officers initially secured agreement for the ground floor commercial unit to be provided as affordable workspace in the B1c use class. The 'affordable' designation of the space would result in the rents to

operators being at rates no greater than 50% of the local market rate and would also require the space to be managed by a bespoke affordable workspace provider. Officers consider that this arrangement would provide significant betterment that would largely offset the reduction in the size of the employment floor space.

14. Nonetheless, following an assessment of the scheme viability based on projected costs and revenues, it was found that the delivery of affordable workspace impacted viability to the extent that the affordable housing offer would be reduced from three shared ownership units to one shared ownership unit. On balance, officers consider that the delivery of affordable housing is of greater benefit to Brent and have therefore requested that the affordable housing is maximised in lieu of affordable workspace provision. This is in line with paragraph 9.3 of the Development Management Policies which supports policy DMP14 and specifies "Where the viability of delivery of affordable housing is being affected by the re-provision of employment space, the Council will seek to prioritise affordable housing delivery whilst recognising that successful places usually comprise a mix of uses, rather than being wholly residential".
15. Ultimately, this results in a net loss of employment generating floor space without a deliverable offsetting factor. Officers have sought suitable betterment, but, on balance, with respect to the scheme's viability, have deemed that affordable housing obligations would reasonably take precedence over this element.
16. Overall, whilst acknowledging the loss of employment floorspace, in conflict with DMP14, officers have taken reasonable steps to facilitate mitigation of this, although ultimately have deemed the mitigation of this of secondary importance to the delivery of affordable housing, on balance.

Housing Mix

17. The scheme would deliver a mixture of unit types and sizes. This includes 8 x 1-bed units, 8 x 2-bed units and 6 x 3-bed units. As discussed in paragraph 9 above, 2 x 1-bed and 1 x 2-bed units will be affordable as shared ownership units.
18. Policy CP2 of Brent's Core Strategy 2010 seeks for 25% of permanent units to be family sized (three bedrooms or more). The proposal achieves 27% family sized units, which exceeds the policy target. Given that many major residential schemes fall short of this target, the provision of family housing in this quantity is welcomed, especially given the site's location close to a suburban residential area, comprised largely of family homes.
19. Ultimately, officers consider that this proposal is acceptable in terms of the proposed residential unit mix.

Design and Appearance

Loss of existing building

20. There is no objection to the demolition of the existing building, which is considered to be a utilitarian design reflecting the existing use. The comments above on land use suggest that the basic premise of a commercial ground floor with residential above is an acceptable approach to the design of the replacement building. It therefore becomes a matter of the design of the building and how this is achieved in this location.

Height, scale and mass

21. The site has a prime and prominent location on an important corner representing the start of the designated town centre when approached from the south. The recent Barham Park Estate development to the north rises to a height of eight stories. However, the site is adjacent to a terrace of traditionally-scaled two-storey buildings with the surrounding context to the south and west being low rise residential properties. Nevertheless, consideration needs to be given to the emerging character, with Brent's proposed Local Plan seeking to promote buildings of 5 to 6 storeys within town centre locations. This is reflected within emerging policy BP7 of Brent's draft new Local Plan which supports taller buildings within "intensification corridors" and specifies that buildings of up to 5-6 storeys could be appropriate within the Sudbury Town Centre.
22. The main bulk of the proposed building would be five stories in height. A sixth storey would be well set

back on all sides and with a contrasting elevational treatment to emphasise its subservience to the main building and to minimise the visual impact of the additional height and bulk. The proposal originally included a partial seventh storey to accommodate a lift and stair housing to provide access to the roof terrace, but this no longer forms part of the proposals.

23. Although taller than the adjacent terrace, the building would sit marginally behind the existing building line of this terrace and in this respect it would appear less obtrusive than the bulky projecting canopy of the existing building. The terrace itself has a steep gable roof which adds to its three-storey height and consequently it is considered that the five to six stories of the proposal would not appear significantly taller than the adjacent building and would comply with Brent's draft Tall Buildings Strategy 2018. In terms of the relationship of the building to other buildings and features within the street scene, Sudbury Baptist Church sits to the south across District Road and is a large building of two- to three-storey height whilst Barham Park is an extensive green space separated from the site by the wide expanse of the main road and roundabout, and it is not considered that the proposed building would have an adverse visual impact on either.
24. The proposed building incorporates successive projecting elements on the southern and western elevations responding effectively to the angled boundary of the site and successfully modulating the overall bulk and mass of the building. The depth of the building would reduce towards the northern elevation, to respect the smaller scale of the adjoining terrace. The commercial frontage at ground floor would provide a distinct base for the building in comparison to the residential floors above, and the set back sixth storey would provide a well-defined top to the building. Overall, the bulk and massing is considered to be appropriate to the site and to provide a strong frontage on both the eastern and southern elevations.
25. Overall, officers have taken the context into consideration, noting that the plot has a natural prominence and position at the 'gateway' into the local centre whilst also appreciating that the plot is not within the 'central core' of the local centre and therefore also has an element of peripheral siting. The submitted design for a part five and part six storey building is considered to strike the right balance between prominence and restraint in this setting, being taller than its surroundings (justified by its corner/gateway setting) but not significantly taller and subservient to the tallest central elements in the core of the local centre.

Layout and setting

26. The overall layout of the ground floor is considered to be logical. The active frontage has been effectively maximised, with full active frontages across the eastern and southern elevations. The office floorspace would wrap around these two sides of the building, providing an opportunity for various layouts including a number of small units. On the western elevation (District Road), the residential entrance would be on a prominent corner element, helping to activate this corner further and responding to the residential character of the side streets, whilst the entrances to the bin stores and plant room would be further set back and less prominent towards the northern side of the elevation, and these ancillary spaces within the building would be clustered in the northwestern part of the building away from any road frontages.
27. The existing service road in front of the MOT service centre would no longer be required, and the proposed site layout shows this area being resurfaced along with other areas of adjoining footway, with bench seating, planters, two street trees and visitor cycle parking consisting of ten Sheffield style cycle stands. These improvements to the public realm would be an added benefit of the scheme (see paragraphs 74 to 78). It is noted that concerns have been raised by objectors regarding the planters on the relatively narrow southern footway contributing to pedestrian congestion at peak hours. These concerns are also held by officers. However, this footway is outside of the application site and the indication of planters within the location do not have any status. Officers do not support the provision of planters on the adopted highway in this location due to the footway width, but while indicated on the plans, granting planning permission for the development shown within the application site (denoted by the red line) would not grant permission for these planters which are outside of it. Any changes to the adopted highway would need to be approved by the Council's Highways team. An informative is recommended in relation to the planters indicated within the adopted highway to the south of the site.

Architecture and Materiality

28. The upper floors of the building would be mainly punctuated by a grid of large window openings and part projecting balconies which align with the pilasters on the commercial ground floor and together provide a

strong vertical emphasis and harmonious rhythm to the building. The building frame would be formed of dark red brick cladding at the mid-level, similarly coloured concrete cladding which denotes the ground level of the building, and the fifth floor in a lighter palette of metal-framed glass. Some stacked elements of recessed concrete panels would be included to help to provide some additional interest and to establish a stronger vertical emphasis for the building's features. Lighter coloured metal balustrades and window frames are proposed which would beneficially contrast with the darker features of the main building. Officers consider that the predominant use of brick with a traditional red colour palette, which has been used successfully in other recent developments in Wembley, would help to foster a residential feeling for the building.

29. Policy SFS1 of the Sudbury Town Neighbourhood Plan encourages well designed shop fronts that accord with Brent's Shopfronts SPD3. The site does not contain an existing shopfront of any historic or architectural merit and the proposal would include a modern commercial frontage that would continue the overall proportions and design language of the adjacent more traditional shopfronts, and would therefore integrate well with the retail terrace at ground floor level. Details of any signage would be subject to the controls set out in the Advertisement Regulations 2007.
30. The architecture and materiality of the building is considered to be positive and of a high quality that responds well to the character of the surrounding area. The overall design and materiality of the building is considered to be positive and to provide a simple but pleasing uniform appearance to the building. Specific material samples would be reviewed by officers to ensure they provide for a high quality finish and this will be required by condition.

Heritage

31. Heritage assets nearby include parts of Barham Park (the grade II listed "garden walls, gates, pergola of 2 portland stone ionic columns, sundial on Portland stone ionic columns at Barham Old Court) and the grade II* listed Sudbury Town Underground Station. The proposal is not considered to materially affect these heritage assets.

Impact on neighbouring properties

Privacy and Outlook

32. The potential impact on neighbours is an important material consideration, and Policy DMP1 seeks to ensure that this is acceptable. When creating new accommodation, the key requirements are to ensure that habitable room windows do not directly face each other at distances of less than 18m and that new habitable room windows are not able to overlook sensitive residential spaces (such as gardens or balconies) from any angle at a distance of less than 9m.
33. Due to the orientation and layout of the site, none of the proposed windows or balconies would directly face the main front or rear facing windows of nearby residential buildings, and they would all be separated from neighbouring properties by public highways. The only directly adjoining neighbour is the retail parade, with two stories of flats above, along Harrow Road, directly to the north of the proposed building.
34. To provide guidance on acceptable levels of outlook, consideration needs to be given to 1:2 rule. This is when the depth of a proposed building is restricted to no more than half the distance when measured from the middle of the nearest rear habitable room window of a neighbouring residential property to the flank wall of the proposed building. The distance from the middle of the nearest habitable room window at No. 709a to the flank wall of the proposed building would be 2.6m. In this case, outlook from the first floor windows at the adjoining property (No 709a Harrow Road) is already constrained by the existing building, which sits along the boundary at 4.75m high and 11.5m deep from the rear habitable room windows. The proposed building would be significantly reduced in depth (1.96m from the rear habitable room windows) but at four storeys high. Whilst the depth would still fail 1:2 rule by 0.66m, overall it is considered that sufficient outlook and sense of openness would be provided to the rear habitable room windows, and as such, the failure of 1:2 rule would not result in a significant negative impact on the amenities of No. 709a Harrow Road. The building would immediately adjoin public highways to the north, south and south-east. There are no other sensitive relationships with other sites, as the surrounding highways act as sufficiently wide buffers to ensure that no compromising relationships would be established alongside other sites.

Daylight and Sunlight

35. The applicant has submitted a Daylight and Sunlight Report to quantify the impacts that the proposed building would have on the affected nearby properties. A revised version of the report was submitted with the revised plans reducing the bulk of the fifth floor, and this amendment to the design is considered to have had an overall positive impact relative to the original proposal. It is concluded that the development would have an acceptable impact in all regards, with all impact testing meeting BRE guidelines for acceptable impact, as summarised below.

1a and 1b Central Road

36. All windows tested would retain a Vertical Sky Component (VSC) in excess of 27% and/or 0.8 times their former value. Daylight Distribution has not been carried out for this property. However, as this property is located to the north of the application site and directly overlooks the properties on Harrow Road rather than the application site, the flank wall windows are considered to be unaffected. All affected areas would also retain materially in excess of the BRE target recommendations of at least 25% annual probable sunlight hours (APSH), of which 5% are in winter months.
37. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at this property post development.

2 Central Road

38. The majority of affected side windows in 2 Central Road would either experience no change or would retain in excess of the BRE minimum recommended target of at least 27% VSC. For the windows that would be affected beyond the 27% VSC criteria, most would experience changes slightly in excess of 20% difference compared to the existing VSC and six windows would experience changes in excess of 30% difference compared to the existing VSC. For clarity, 20% is the point at which the BRE considers that changes in VSC may mean noticeable differences in daylight amenity within rooms served by these windows. All of the affected windows serve rooms which have another means of daylight/sunlight and it is therefore considered that, whilst the impact on some windows would not meet BRE guidelines, the presence of additional windows in each room affected means that the impact on any existing living conditions would be minor. The windows pass all relevant tests for sunlight, by application of the BRE APSH methodology.
39. Overall, testing shows that impact to living conditions at 2 Central Road would be minor. Some windows would fail BRE testing, but in all cases they serve rooms with other sources of light which would retain their existing daylight/sunlight exposure.

709A and 709B Harrow Road

40. All affected windows pass relevant BRE tests, including passing the VSC target of 27% and there being no material losses in internal daylight when applying the Daylight Distribution criteria. All windows also pass the BRE APSH criteria for at least 25% annual hours of which 5% is during the winter months. Two windows would experience significant gains in sunlight availability compared to the existing situation due to reduced massing in certain areas under the terms of the proposal.
41. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at this property post development.

711 Harrow Road

42. All affected windows pass relevant BRE tests, including passing the VSC target of 27% and there being no material losses in internal daylight when applying the Daylight Distribution criteria. All windows also pass the BRE APSH criteria for at least 25% annual hours of which 5% is during the winter months.
43. Overall, testing shows that there would be no material impact to existing daylight and sunlight enjoyed at

this property post development.

Conclusion

44. The measured impact of the development on surrounding existing living conditions has been measured as limited, especially given that it is for a multi-storey building in a town centre location.

Quality of Residential Accommodation

45. 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 family housing including ground floor and 3bed or 4bed flats. London Plan Policy 3.6 requires play and recreation facilities to be provided based on the expected child yield. 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, in order to ensure adequate light and ventilation to internal spaces.
46. 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.

Daylight, Sunlight and Overshadowing

47. The applicant's Daylight and Sunlight Report includes an assessment of the internal amenity that would be experienced in the proposed dwellings. The assessment confirms that all habitable rooms would achieve the British Standard target recommendations for daylight, notwithstanding the fact that four of the bedroom windows would face north and would therefore not receive direct sunlight. The BRE's guidance advises that sunlight provision is more important to living spaces than to bedrooms. In terms of sunlight provision, as set out in the BRE guidance, the majority of the proposed living areas would have southerly facing windows, and in these cases, sunlight provision would exceed the default BRE recommendation.
48. In overall terms, the proposed development would provide a high level of access to available daylight and sunlight, by virtue of the degree of compliance with the BRE recommendations.

Layout and Outlook

49. The proposed units are considered to be of a high quality with well considered layouts. The units would be arranged around one central core across the first to fifth floors, with five flats on each of the first to fourth floors and two flats on the fifth floor. The plot is surrounded by highways on three sides and the windows which would look across these highways would benefit from good and unobstructed viewing distances.
50. Although a number of the 1bed and 2bed units would be single aspect, these would be either east or west facing and so would avoid the problems associated with north and south facing single aspect units, and would have extensive glazed frontages to ensure good internal light levels. Each of the three bedroom units at first to fourth floor levels would include one of the bedrooms with a side-facing bedroom windows facing onto the adjacent terrace at a distance of 5.3m. Overall, it would still provide an acceptable standard of outlook from these bedroom windows whilst views onto the adjoining site would be prevented by privacy screens to the balconies nearer to the boundary and would not in any case include views onto private rear residential windows or gardens. All of the units would comply with minimum space standards, and four would be designed to wheelchair accessible standards. A condition is recommended to secure further details of compliance with M4(2) and M4(3) standards.

Amenity space

51. Each unit on the first to fourth floors would have direct, private access to between one and three private balconies with a minimum projection depth of 1.5m, ensuring good usability of the balconies. The minimum private external amenity space is 5.1sqm for the one bedroom units with the two bedroom units having between 9sqm and 11.1sqm of private external amenity space and the three bedroom units

having 8sqm of external amenity space. The two units on the fifth floor (both three bedroom units) would have access to larger areas of private terrace (of 40sqm and 63 sqm respectively).

52. Although this falls below the 20sqm and 50sqm standard set out in Policy DMP19 for the majority of the units (with the exception of the top floor flats), the scheme is across the road from Barham Park and it is considered that the amount of amenity space has been maximised given the constraints of the site. The scheme as originally presented included a communal rooftop terrace, however the additional height of the lift and stair housing to provide access to the roof was considered to appear incongruous and resulted in concerns relating to the overall height, mass and bulk of the building, whilst the additional set in of the fifth floor required to make the proposal acceptable in design terms has also reduced the area of roofspace so that it would no longer be viable as a communal amenity area. It is considered that precedence should be given to the use of the roof for photovoltaic panels to contribute to reducing carbon emissions, given the proximity to Barham Park.
53. Based on the GLA Population Yield Calculator, this development is expected to yield up to four children under the age of 10 (4.6 children in total), and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG sets a benchmark standard of 10sqm playspace per child. Whilst officers accept that the constrained nature of the site makes the provision of on-site play space impractical, Barham Park sits opposite the site, can be safely accessed via a pedestrian crossing approximately 20m to the north of the site, and includes a popular and well supplied childrens play area a short distance into the park.
54. Taking into account the town centre location where greater density would be expected, together with the proximity of the site to the extensive areas of open space at Barham Park, it is considered that the shortfall in amenity space provided can be adequately mitigated in this instance by means of a financial contribution to improving play facilities in Barham Park. Based on recent levels of contribution agreed on other comparable schemes and the associated improvements that can be made, it is considered that a sum of £10,000 would be appropriate in this case. This would be secured through the s106 agreement.

Sustainability and Energy

55. Applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, 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.
56. Major residential developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy 5.2, and for non-domestic floorspace, the policy target is a 35% on-site reduction, to be evidenced separately in the Energy Assessment.
57. The applicant's Energy and Sustainability Statement summarises the measures intended to achieve carbon reduction targets, including an improved building envelope, energy efficient lighting and controls, a highly efficient mechanical ventilation system with heat recovery, CHP and centralised gas boilers, a reversible heat pump to provide heating and cooling in retail areas and a photovoltaic panel array on the roof. As a result, the proposal is assessed as achieving 42.8% reduction in domestic carbon emissions and 34% reduction in non-domestic emissions. These are considered acceptable in the context of the London Plan policy targets. The Council's Sustainability and Energy officer has been consulted and has no objection to the proposals.
58. The remaining carbon emissions have been costed on the basis of the notional price of £60 per tonne of carbon, paid over a period of 30 years, which results in a carbon-offsetting payment to the Council of £28,443. A revised Energy and Sustainability Statement based on detailed construction drawings would be required prior to commencement through the s106 agreement, at which point 50% of the carbon-offsetting payment identified at that stage would be payable. A final version would then be required following completion, based on the development as built and adjusting the carbon-offsetting payment if necessary, at which point the balance of the payment would be required. This process is intended to incentivise further improvements in carbon reduction at the detailed design and construction stages, as these improvements would reduce the financial contribution payable.

Flooding and Drainage

59. London Plan Policy 5.13 requires development to utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and to aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible, based on a hierarchy of options. Policy 5.11 encourages the use of green roofs where feasible. Brent's Policy DMP9B also requires sustainable drainage measures on major developments.
60. A Drainage Strategy and SUDS Statement has been submitted. This summarises the measures proposed, which include a green roof, rainwater harvesting and attenuation tanks. The Local Lead Flood Authority (LLFA) have been consulted and note that the risk of flooding to the site from surface water flooding is high, although the site is in a Flood Zone 1 as designated by the Environment Agency. There is a long history of flooding in the area and Harrow Road near the roundabout floods regularly, with flooding reported at this location most recently on 13th July 2018. This occurs mainly due to inadequate capacity in Thames Water's surface water sewer network.
61. The LLFA initially expressed concern that the development includes a basement plant room and that if the basement is not adequately protected, the plant room would be at high risk of flooding which may put occupants at risk. The applicant has confirmed that the basement would be pumped to the gravity drainage network by a private packaged foul pumping station, to include non-return valves as standard thus protecting the basement in the event of sewer surcharge. Whilst a non-return valve could be installed on the outfall manhole if necessary, the cover level at the rear of the site (where the outfall connection from the site is located) is approximately half a metre higher than the roundabout and consequently in the event of sewer surcharge, flooding would occur away from the site before causing an issue with the on-site drainage network. The LLFA has confirmed that this approach is acceptable.

Environmental Health Considerations

Noise and air quality

62. The site is located within an Air Quality Management Area and the application has been supported by an Air Quality Assessment demonstrating that the development would be air quality neutral, in accordance with the requirements of London Plan Policy 7.14. Environmental Health officers have reviewed the assessment, and have raised no objections subject to appropriate conditions being secured.
63. Environmental Health officers have reviewed the Noise Impact Assessment submitted, and have raised no objections subject to pre-occupation conditions to demonstrate that the residential units have been constructed in accordance with British Standards and that noise from plant and ancillary equipment will be within recommended limits. Further details of the ventilation and extraction system are required, including noise attenuation measures and the location and height of the discharge stack.

Land contamination

64. A Desk Study & Preliminary Site Investigation has been submitted, and Environmental Health officers have raised no objections on this matter, subject to further investigation and remediation measures being secured by condition.

Construction Management

65. Environmental Health officers have requested a construction method statement to address potential impacts of the construction process including dust and noise (this would have to be a pre-commencement condition, and the applicant has been notified of this and has not raised any objections to it), and a condition restricting emissions from non-road mobile machinery.

Impact on highways, parking and servicing

Car parking

66. As the site has very good access to public transport services (PTAL 5), the lower residential car parking

allowances set out in Appendix 1 of the Development Management Policies apply, whilst the location of the site means the higher employment parking standard also applies.

67. The existing car repair garage is therefore allowed up to two car parking spaces and whilst there is some external parking around the building, this is generally for operational parking for vehicles awaiting repair and/or collection. The 22 residential units would be allowed up to 19.2 spaces, whilst the office floorspace would be allowed a further space, taking the total allowance to 20 spaces. Just one disabled parking space is proposed to the rear of the site, so maximum standards would be complied with.
68. However, Policy DMP12 also requires that any overspill parking generated by a development should be able to be safely accommodated on-street. In this case, there is no available parking along the site frontages, due to the double yellow lines in place to maintain highway safety at the adjoining road junctions and the presence of a very long crossover along Central Road. Away from the site frontage, both Central Road and District Road are already heavily parked at night.
69. As parking cannot be safely accommodated within the site or on-street for the proposed units, the applicant has proposed that the flats are designated as 'permit-free', removing the right of future residents to on-street parking permits. This is welcomed in principle and is in accordance with Policy DMP12, which encourages 'permit-free' development in areas of high public transport accessibility. This would be secured as part of the S106 Agreement.
70. However, whilst the site is within a Controlled Parking Zone, the adjoining streets to the west are not within a year-round Controlled Parking Zone at present (although they are in the Wembley Stadium event day zone). As such, there is currently no means of preventing residents from units from parking in those streets and causing problems of obstructive and hazardous parking. To help to address this, a contribution of £15,000 towards the implementation of a Controlled Parking Zone for those two streets is recommended. This would be secured through a S106 Agreement. Some objectors have said that they would not support the introduction of further controlled parking zones should this be proposed. Overspill parking cannot be properly controlled where there are no CPZs in the local area. All Councils are required to meet their housing targets and are subject to the new Housing Delivery Test to ensure that they are achieved. The new housing would have a significant impact on the streets within Brent if the potential impacts of overspill parking cannot be controlled. The absence of a CPZ would therefore necessitate the provision of a significant amount of on-site parking which would result in very significant issues associated with traffic congestion and junction loadings, and would have significant air quality implications. As such, the introduction of CPZs to mitigate the potential of impact of over-spill parking is considered to be the best way to ensure the delivery of homes while mitigating the potential impacts.
71. A Car Club is currently in operation in nearby Williams Way, which would be of use to future residents of this development. Promotion of this Car Club to residents, including the offer of two years' initial membership, is recommended and would be secured through the S106 Agreement.

Cycle parking

72. The London Plan requires each 1bed flat to be provided with a secure cycle parking space and larger flats to be provided with two spaces, giving a total requirement for 39 spaces. The commercial use requires two long-stay spaces. Two internal storage rooms with capacity for 48 bicycles are shown on the ground floor, thus exceeding requirements.
73. For short-term cycle parking, the commercial floorspace requires five spaces and the indicative works to the site frontage show ten cycle stands, which again exceeds requirements.

Servicing and public realm improvements

74. Refuse storage is shown to the rear of the building within storage rooms for nine Eurobins, within 10m of Central Road. This provides more than adequate storage capacity in an easily accessible location, in line with the Council's standards.
75. Appendix 2 of the Development Management Policies 2016 requires office units of up to 500sqm to be serviced by 8m rigid vehicles. A loading bay is proposed at the rear of the site, however this would only cater for transit sized vans. To address this shortcoming and to also improve manoeuvrability into and out of the loading bay and disabled parking space, Transport officers have requested a revised site layout with a 8m loading bay and parking space reorientated by 90 degrees to sit perpendicular to Central Road.

There would be no objection to vehicles reversing out onto Central Road, which is a local residential access road and does not carry through traffic. This would also allow the amount of soft landscaping to be increased, to improve the drainage and appearance of the site. However, following further discussions with the applicant, officers accept that there is insufficient space within the site to accommodate an 8m loading bay in addition to a disabled parking space.

76. Fire appliance access requirements are met from the adjoining streets and pedestrian access is provided directly from Central Road.
77. The service road to the front of the site and the very wide crossover to the rear would no longer be required to serve the car repair garage. These would therefore need to be removed and the footways around the site resurfaced to improve safe pedestrian access to the site and improve its natural setting. An indicative arrangement showing new footway paving with street furniture, tree planting, soft landscaping and cycle stands, is shown on the proposed site layout plan, and Transport officers have welcomed this in principle.
78. The S106 Agreement would secure these highway works to be undertaken at the applicant's expense through a joint S38 (as the footway along District Road is indicatively shown as being widened) and S278 Agreement under the Highways Act 1980. The detailed layout of the public realm works would be agreed as part of negotiations on the s106 agreement, in consultation with landscape and highways officers. It is noted that concerns have been raised by objectors regarding the indicative layout shown on the plans that insufficient space will remain for pedestrians. The block plan and site plan do indicate planters in locations which would excessively block the footway and this concern is shared by officers. These spaces are within the adopted highway and are controlled by the Council. A balance of improvements to the frontage whilst maintaining good levels of access can be ensured through the Section 106 agreement and associated obligations.

Transport Statement

79. A Transport Statement has been submitted to examine future trip rates for the development. Based on comparisons with five other residential developments and two office developments in London, the development is considered likely to generate 11 arrivals and 8 departures in the am peak hour (8-9am), and 7 arrivals and 10 departures in the pm peak hour (5-6pm).
80. As very limited parking would be provided, no more than two vehicular trips per peak hour are anticipated, which is not significant enough to warrant any further consideration of impact on the local road network. This conclusion is reliant on a CPZ being introduced in Central Road and District Road, although even so, vehicular trips would still be likely to be reduced compared with the existing use as a car repair garage.
81. Similarly, trips by other modes are not shown as being significant enough to require any further improvements, beyond the footway improvements identified above.
82. The accident rate for the three year period spanning August 2014-July 2017 has also been considered. This revealed a total of 22 accidents within 200m of the site during that period – two of which resulted in serious injury. Seven accidents were noted at or close to the existing site accesses on Harrow Road and this development would have the benefit of removing those accesses and thus improving road safety along the site frontage.

Transportation Conclusion

83. Whilst the on-site servicing bay does not meet Brent's standards for a commercial unit of this size, servicing by smaller vehicles could take place on site which is considered to be acceptable given the size of the commercial unit. The proposal is considered to be acceptable on transportation grounds, subject to a S106 Agreement and conditions to secure the matters identified above.

Equalities

84. 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).

Summary

85. Officers consider that the scheme meets planning policy objectives and is in general conformity with local, regional and national policy, having regard to material planning considerations including the benefits of the scheme including the provision of new homes within the borough. The proposal would make a positive contribution to the area, whilst having an acceptable impact on and relationship with the existing surrounding development. Officers recommend the application for approval subject to the conditions and obligations set out in this report.

CIL DETAILS

This application is liable to pay **£663,833.15** * 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): 530.84 sq. m.

Total amount of floorspace on completion (G): 2524.94 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 |
|--------------------------------|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| (Brent) Dwelling houses | 2278.09 | | 1799.15 | £200.00 | £0.00 | £530,105.93 | £0.00 |
| (Brent) General business use | 246.85 | | 194.95 | £40.00 | £0.00 | £11,488.28 | £0.00 |
| (Mayoral) Dwelling houses | 2278.09 | | 1799.15 | £0.00 | £60.00 | £0.00 | £110,288.29 |
| (Mayoral) General business use | 246.85 | | 194.95 | £0.00 | £60.00 | £0.00 | £11,950.65 |

| | | |
|--|--------------------|--------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 323 |
| BCIS figure for year in which the planning permission was granted (Ip) | 330 | |
| TOTAL CHARGEABLE AMOUNT | £541,594.21 | £122,238.94 |

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

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

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



Application No: 18/3069

To: Mr Knight
Milligan Knight Architects
7 French Row
Hatfield
AL3 5DU

I refer to your application dated **02/08/2018** proposing the following:

Demolition of existing M.O.T testing centre and erection of a part 5 and part 6 storey mixed use building comprising office (Use class B1) at ground floor and 22 residential units on the 1st to 5th floors (6 x 3 bed; 8 x 2 bed and 8 x 1 bed); plant room in basement; PV panels at roof level, cycle parking and waste storage (revised description)

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

at **Keelers Service Centre, Harrow Road, Wembley, HA0 2LL**

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

Date: 01/11/2019

Signature:

Gerry Ansell
Head of Planning and Development Services

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
Sudbury Town Neighbourhood Plan 2015

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

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

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

107-KCH_07_001_P4
107-KCH_07_002_P4
107-KCH_07_003_P7
107-KCH_07_010_P9
107-KCH_07_109_P4
107-KCH_07_110_P12
107-KCH_07_111_P6
107-KCH_07_112_P10
107-KCH_07_113_P10
107-KCH_07_114_P7
107-KCH_07_115_P5
107-KCH_07_200_P3
107-KCH_07_201_P3
107-KCH_07_202_P3
107-KCH_07_203_P8
107-KCH_07_204_P6
107-KCH_07_205_P10
107-KCH_07_300_P6
107-KCH_07_500_P4
107-KCH_PDAS Addendum 190124

Supporting documents

Air Quality Assessment (Hamley Property Group, July 2018, Ref 70023557-EF4)
Desk Study, Preliminary Site Investigation and Risk Assessment Report (Southern Testing, 19 June 2017, Ref J13046)
Drainage Strategy and SuDS Statement (Elliott Wood, May 2018, Ref 2160157 Rev P2)
Noise Impact Assessment (WSP, July 2018, Ref 70025112-001)
Planning, Design and Access Statement (Milligan Knight Architects, July 2018)
Ventilation Strategy (Medland Metropolis, Ref L161015)
Wind Assessment Report (WSP, July 2018, Ref 70023557-100)

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

- 3 Notwithstanding any information provided in the approved plans and documents, and notwithstanding the provisions of Schedule 2 Part 3 Classes I, O and T of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the commercial floorspace hereby approved shall only be used for B1(a) office uses,

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the retention of an adequate type and amount of employment-generating floorspace on the site, in accordance with Policy DMP14. In the interest of the viability and vitality of the extended Sudbury Town Centre, in accordance with the Sudbury Town Neighbourhood Plan 2015.

- 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 within the site to accommodate additional bin or cycle storage.

- 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 building, the refuse storage and cycle storage shall be provided in full accordance with the details shown on the approved plans (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 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 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, outlining how construction vehicle activity will be managed throughout the construction process.

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.

- 8 Prior to the commencement of the development, a Construction Method Statement and Construction Management Plan 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 at each stage of the works including demolition, earthworks, construction and track out. This document shall include

- an Air Quality (Dust) Risk Assessment for each stage, based on the approved Air Quality Assessment and identifying suitable mitigation measures which should be justified by the classification of each risk as outlined in Chapter 4 of The Control of Dust and Emissions During Construction and Demolition Supplementary Planning Guidance, 2014;
- a method statement for the reduction of emissions from construction vehicles. All mobile vehicles associated with the demolition / construction should comply with the standard of the London Low Emission Zone and all HDVs/HGVs should aim to be Euro VI compliant for Particulate Matter).

The development shall be carried out strictly in accordance with the agreed details.

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

Reason for pre-commencement condition: Environmental nuisance caused by the construction process can occur at any time from commencement, and adequate controls need to be in place at this time.

- 9 (a) The development hereby approved shall not commence (other than site clearance and the demolition of the existing building) unless a site investigation is carried out and remediation strategy is prepared by an appropriate person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land 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 (other than site clearance and the demolition of the existing building), 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 the development, or the commencement of the approved use within the development hereby approved, a verification report written by a suitably qualified person in accordance with BS 10175:2011 + A2:2017 and 'Model Procedures for the Management of Land Contamination – Contaminated Land 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).

- 10 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) Details of materials for all external surfaces of the building, including samples which shall be made available for viewing on site or in another location as agreed;
- (b) Details of 1.8m high privacy screens to be installed on any balcony elevations in close proximity to the adjoining site;
- (c) Details of any externally installed plant, including locations, external appearance and any proposed screening;

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

Reason: In the interests of the visual amenities of the locality.

- 11 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), 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.

- 12 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), a Marketing Strategy pertaining to the commercial floorspace shall be submitted to and approved in writing by the Local Planning Authority. This document shall include evidence of liaison with commercial estate agents in the locality and shall demonstrate that the facilities and level of fit out to be provided will be suitable for the needs of the local office market, and shall include measures to reduce the risk of long periods of vacancy.

Reason: To ensure the commercial floorspace is fit for purpose and contributes to the aims of the Sudbury Town Neighbourhood Plan.

- 13 Within six months of commencement of development, a revised forecourt plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include provision for the loading bay and disabled parking space to be rotated to sit perpendicular to Central Road. The loading bay and disabled parking spaces shall thereafter be provided in accordance with the approved details prior to first occupation of the development, and thereafter retained throughout the lifetime of the development.

Reason: In the interests of providing satisfactory parking and servicing facilities.

- 14 Within six months of the commencement of works to the superstructure of the development as hereby approved, further details of landscaping works within the application site (reflecting the alterations secured as part of condition x) shall be submitted to and approved in writing by the local planning authority.

Such details shall include:

- (i) Proposed boundary treatments both within and around the site, indicating materials and heights and exact locations within the site;
- (ii) Details of materials and finishes proposed for hard landscaped areas. These shall have a permeable construction;
- (iii) Proposed species, locations and densities of soft landscaping including the use of native species where appropriate;
- (iv) Details of the proposed arrangements for maintenance of the landscaping;
- (v) Details of any external lighting proposed;
- (vi) Details of any CCTV scheme to be provided within the development.

The hard and soft landscape works shall be carried out in full accordance with the as approved details prior to the first occupation of the residential units hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

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

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

- 15 Prior to topping out being reached on the 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, and thereafter implemented in accordance with the approved details.

Reason: To ensure the maximum reasonable carbon emissions reductions are achieved

on-site.

- 16 Prior to first occupation or use of the building, measures should be taken in order to mitigate against the possibility of numerous satellite dishes being installed on the building. 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.

- 17 Prior to first occupation of the residential units hereby approved, sufficient information (including the results of tests carried out within one room of each built facade type for a living and bedroom area over a four-day period) shall be submitted to and approved in writing by the local planning authority to demonstrate that the units have been designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

| Time | Area | Maximum noise level |
|--------------------------|---------------------------|--------------------------------|
| Daytime 23:00 | Living rooms and bedrooms | 35 dB LAeq (16hr) 07:00 – |
| Night time 45 dB Lmax | Bedrooms | 30 dB LAeq (8hr) 23:00 – 07:00 |

Reason: To obtain required sound insulation and prevent noise nuisance, in accordance with Brent Policy DMP1.

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

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 In order to ensure adequate fireproofing of the building, the applicant is advised to contact the Fire Prevention Officer of the London Fire Brigade, Fire Prevention Branch, Fire Station, 500

Pinner Road, Pinner, Middlesex, HA5 5EW.

- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of the development.
- 5 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
- 6 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 the highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 7 The submitted drawings indicate planters within the adopted footway to the south of the site. Those planters are outside of the application site and therefore do not form a part of the development proposed within this application. The Council's highways team have also specified that planters would not be supported as they would excessively narrow the footway in this location.

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

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 November, 2019
04
19/1761

SITE INFORMATION

| | |
|---|---|
| RECEIVED | 15 May, 2019 |
| WARD | Wembley Central |
| PLANNING AREA | |
| LOCATION | 290B Ealing Road, Wembley, HA0 4LL |
| PROPOSAL | Demolition of the existing warehouse building (Use class B8) and erection of part-one, part-three storey residential development providing nine self-contained dwellings (8 x 2-bed and 1 x 1-bed) with associated cycle storage, bin stores, landscaping and amenity space. |
| PLAN NO'S | Refer to condition 2 |
| LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION | <p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_145277</p> <p><u>When viewing this as an Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "19/1761" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab |

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

A. 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. Financial contribution of £5,000 for the implementation of a CPZ
4. Removal of parking permits for proposed residents

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

B. 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. Removal C3 to C4 rights
4. Removal pd rights for dwellinghouses
5. Water Consumption
6. Refuse Areas
7. Construction Logistics Plan
8. Construction Management Plan
9. Site investigation and any remediation
10. External materials
11. Screening to terraces
12. Sound insulation
13. Hard and Soft Landscaping
14. Waste Collection Strategy

Informatives

1. CIL liability
2. Party Wall
3. Building near boundary
4. Environmental Health general comments
5. Asbestos
6. Highway works
7. Notify highways
9. Living Wage
10. 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



Planning Committee Map

Site address: 290B Ealing Road, Wembley, HA0 4LL

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the demolition of the existing warehouse building (Use class B8) and erection of part-one, part-three storey residential development providing nine self-contained dwellings (8 x 2-bed and 1 x 1-bed) with associated cycle storage, bin stores, landscaping and amenity space.

EXISTING

The site is located on the western side of Ealing Road, to the rear of a parade of commercial units with residential uses above. The junction with Mount Pleasant is opposite. The site contains a vacant commercial unit, which was used for milk storage and distribution (B8). It is accessed from a passageway to the south. The existing building is two storeys in height, with an ancillary office element to the south, and the main storage element to the north of the site.

The rear of the parade to the east has been extensively altered, although it appears that many of these alterations have been made without planning permission having been sought. To the north are residential properties (and their gardens) which front on to Ealing Road and St James' Gardens. To the west and south is Alperton Community School. On the eastern side of Ealing Road are commercial properties and a relatively recent residential development.

There are no designations on the site itself.

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: 15 objections have been received from individual properties. These relate mainly to the impact of the buildings on the character of the area, the impact on light, outlook and privacy to neighbouring properties and the nearby school, concerns of impact on nearby service yard and narrow access, and are covered in the relevant sections of the report.

Principle of development: The loss of the existing employment use was accepted in principle within the previous application and appeal due to the site constraints which result in the site not being ideally suited for continued use for employment purposes. The proposal would provide additional homes for which there is an identified need within the borough. The general principle of development is considered to be acceptable.

Design, scale and appearance: The proposed buildings would be taller than the existing buildings but would be subservient to the frontage block and the height is considered to pay an appropriate regard to its context. The proposal is considered to be high quality design, making efficient use of the site which provides some additional natural surveillance of the rear of the shopping parade, improving the level of safety and security for residents of the existing dwellings above the shops.

Residential living standards: The proposed homes are of a good size and are considered to benefit from sufficient outlook. External amenity space is below standards, but the overall quality of accommodation is considered to be good.

Impact on neighbouring properties: The proposal would not result in an undue level of impact to the residential amenities of neighbouring occupiers in terms of daylight, sunlight or overlooking and would be

acceptable.

Transportation and highways considerations :Transport officers have assessed the scheme and consider that it would not result in any undue impact on traffic or parking within the area subject to conditions. No parking is provided, but the scheme is proposed to be parking permit restricted.

RELEVANT SITE HISTORY

| Reference | Proposal | Decision | Date |
|-----------|---|---------------------|------------|
| 16/1506 | Demolition of existing warehouse (Use Class B8) and ancillary buildings and erection of part-one, part-three storey residential development providing 9 self-contained units (1 x 1 bed and 8 x 2 bed) with associated cycle parking, bin stores, landscaping and amenity space (car free development) (Revised drawings) | Dismissed at Appeal | 10/09/2018 |

The previous application was refused due to the following main concerns:

- Living conditions of future residents in terms of odour and outlook
- Living conditions in terms of noise and disturbance
- Highways impact implications.

At appeal the inspector upheld the reasons for refusal for odour and outlook, however considered that the noise and disturbance, and highways impacts were acceptable.

CONSULTATIONS

Public Consultation

29 neighbouring properties notified of this proposal for a minimum of 21 days on 29th of May 2019.

15 objections have been received from or on behalf individual properties. The objections are summarised below:

| Objection | Response |
|--|--|
| <p><i>Design</i></p> <ul style="list-style-type: none"> • Overdevelopment, no significant changes from previous application • Overwhelming size and structure of the building | <p>The design of the proposal has been considered, and discussed within paragraphs 7-11.</p> |
| <p><i>Quality of Accommodation</i></p> <ul style="list-style-type: none"> • Poor Outlook • Impact of odour to future occupiers • Proposed gardens would be overlooked by amenity space for adjacent flats and this space would be overlooked itself | <p>The Quality of the proposed accommodation has been considered and discussed within paragraphs 12 - 18</p> |

| | |
|--|---|
| <p><i>Neighbouring Amenity</i></p> <ul style="list-style-type: none"> • Overbearing impact on caretaker's house at school • Direct overlooking and loss of privacy for the nearby school and residential properties • Loss of light to neighbouring properties • Height of the building would result in loss of light to neighbouring properties • Concerns over height of new fence and relationship with school. Potential for crime Security risk of gardens | <p>The impact of the proposal on neighbouring amenity has been discussed in paragraphs 19 - 23</p> |
| <p><i>Transport and highways</i></p> <ul style="list-style-type: none"> • The rear road used for servicing is very narrow and dangerous. Adding more units will exacerbate this problem. Concerns over highway safety for future occupiers. • It would hinder access for deliveries and parking for nearby properties. • Concerns over limited access, in particular for emergency vehicles | <p>Highways and parking impacts have been assessed by the local highways authority and are discussed in paragraphs 24 - 37</p> |
| <p><i>Other matters</i></p> <ul style="list-style-type: none"> • Several flats are being built in Wembley, these are unnecessary • Fire safety concerns | <p>The principle of new residential development has been discussed in paragraphs 3-6</p> <p>The London Fire Brigade have been consulted on the proposal and have confirmed that the access arrangements are acceptable, and the detailed fire safety strategy will be developed as part of building regulations (see paragraphs 33 to 34)</p> |

As part of the previous application significant objections were raised by Alperton Community School. During the course of the application, the applicant has liaised directly with the school and has received the following comments for consideration (Officer's response in **Bold**):

Our expectation is that none of the apartments will be able to overlook the school or the children's centre from any windows or terraces in 290B. From what we understand of the updated plans presented to us during a meeting with Governors and subsequent electronic communication (email trail below), this concern will be addressed by the amended plans. We also understand that the partition wall will be a solid brick construction

of at least 2.25m height.

While the updated plans meet our initial concerns, we feel it is also important that a representative from the school is able to visit the site during construction to ensure the modifications have been effectively implemented. We would also need confirmation that any modifications presented to the school e.g. frosted windows/balcony screens become permanent and that future residents are legally bound to ensure they are unable to amend or modify these aspects of the property following purchase or leasing. “

There is no reasonable planning basis for the developer to be legally bound into retaining the frosted windows and balcony screens. These aspects are not required in planning terms and conditions/s106 obligations can only be imposed where they are needed to make the development necessary in planning terms. As such, no such conditions or other form of obligation, will be imposed in this respect.

Internal Consultation

Environmental Health – Contents of Odour report accepted in principle. Suggested conditions regarding contaminated land and construction method statement.

Recycling and Waste – No objections received.

POLICY CONSIDERATIONS

National Planning Policy Framework (2019)

London Plan (2016)

Key policies include:

3.5 – Quality and Design of Housing Development
6.9 - Cycling
6.10 - Walking

Core Strategy (2010)

CP 2 Population and Housing Growth
CP21 A Balanced Housing Stock

Development Management Policy (2016)

DMP 1: Development Management General Policy
DMP 11: Forming an Access on to a Road
DMP12: Parking
DMP 13: Movement of Goods and Materials
DMP14: Employment sites
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

Supplementary Planning Guide

SPD1 - Brent Design Guide (2018)
Technical housing standards: nationally described space standard (2015)
Housing SPG (2016)

DETAILED CONSIDERATIONS

Background

1. The proposal follows a previous submission which was refused by the Council due to the following concerns:
 - Living conditions of future residents in terms of odour and outlook
 - Living conditions in terms of noise and disturbance
 - Highways impact implications.
2. At appeal the inspector upheld the reasons for refusal for odour and outlook, however considered that the noise and disturbance, and highways impacts were acceptable. This scheme has sought to issues upheld on appeal by the Planning Inspector and are discussed in further detail below.

Principle of Development

3. The general principle of development of the site for residential purposes has already been established by the previous application. As with that application, this proposal would result in the loss of existing (B8) commercial floorspace and is therefore subject to policy DMP14. Due to the site constraints it was accepted in the previous application that the feasibility of the site being used for another B8 use was considered to be very low.
4. DMP14 considers employment sites more generally and notes that where non-employment uses are proposed the site should incorporate the maximum amount of existing floorspace type or managed affordable workspace. However, it is considered that the same problems with access would remain, and there is little prospect of them being rectified. There would be no frontage for a commercial unit, and whilst this is not required for all uses, it would restrict its appeal and thus its viability. Therefore, there is not considered to be an in-principle objection to the loss of commercial floorspace.
5. As with the previous application, in the context of the above, a residential use is considered to be acceptable and in accordance with policy CP2.
6. It is noted that an objection has been received indicating that other flats have been built in Wembley and as such these flats are unnecessary. Current planning policy sets a target for the delivery of 1,525 new homes each year within Brent. It is proposed within the draft London Plan that this target will increase to 2,940 homes per year. The panel report for London Plan examination raises concern with the small sites element of the new housing target. However, the housing target is still likely to increase significantly from the current level, even if the overall target may reduce as a result of this, and a target for new housing within small sites is still likely to form a component of the housing target for Brent. It is not considered likely that the reliance on housing provided elsewhere without relying on small sites such as this would result in the targets for housing being met. Furthermore, each application is assessed on its own merits and the proposal is considered to be in accordance with planning policy, having regard to material planning considerations, and therefore acceptable for the reasons set out within this report.

Design

7. The site is not within a conservation area. There are no listed buildings on the site or in the vicinity. The existing buildings and structures on site are not considered to be high quality, and there is no objection to their loss.
8. The proposed building follows a similar architectural approach to the previously refused scheme which was found to be acceptable in terms of appearance. However, two separate buildings are now proposed, sited more to the east and north sides of the site and the entrance doors relocated to the western elevation along with the access for the proposed units, effectively swapping the design on its axis. The layout has effectively been swapped over to respond to the concerns raised by the Inspector in relation to the living conditions of future residents in terms of odour and outlook, and the buildings are closer to the front of the site (towards Ealing Road) to allow the provision of an access. The homes would benefit from an aspect facing away from the rear of the frontage block at all levels (ground, first and second where relevant), allowing windows to be opened on that side of the building to achieve adequate levels of ventilation and therefore avoiding the necessity the use of windows that face the refuse areas. As such, windows facing the refuse areas and rear of the Ealing Road properties become secondary (when

compared to the previous scheme where many were primary).

9. The larger building (located at the southern end of the site) is three storeys with the top floor set in on the western elevation. The smaller building (located at the northern end of the site) is predominantly three storeys with the top floor set in from the western elevation but the most northerly part is single storey only. The bottom two storeys would be predominately brick, but the set back upper floor would be clad in copper and partly angled at 45 degrees on the rear elevation. The top floor has a shallow pitched roof design. The overall scale and massing is similar to the previous scheme.
10. The scale of the development is considered acceptable in its context. Whilst the buildings are higher than the two storey residential properties to the north, the replacement buildings are lower than its immediate context of commercial buildings fronting 272-290 Ealing Road and recently constructed school building at Alperton Community School. It should also be noted that the existing warehouse building is around two storeys high and built up to the existing northern and western boundaries (including the residential garden of 270 Ealing Road). Whilst the proposed buildings are taller in part, they are now set in from the western boundary (with Alperton Community School) by 3.5m, set in from the eastern boundary by up to 4.05m. It should be noted that the height of the proposal remains the same as the previous application for which height was not incorporated as a reason for refusal. The relationship with the northern boundary to the rear garden of No. 270 Ealing Road contains a single storey element at 3.15m high to eaves and 4.3m at its highest point. The parapet wall alongside this element would increase these measurements to 3.3 and 4.45 respectively

The specific detailing of the proposal is considered appropriate. The windows and doors would be logically spaced. The materials chosen are considered appropriate, and details could be required via a condition to ensure that they are high quality. The elevations facing onto the service yard would feature obscure windows at first floor level and tiling details at ground floor which would help avoid inactive, blank facades along this part of the building. Overall, although the building would be taller than what is there now, it would not be as deep, and would be more attractive than the current building.

11. The overall design is considered to be of good quality and the layout, height and massing appropriate for its context. The proposal is considered to accord with Policy DMP1 in this respect.

Quality of Accommodation

Unit mix

12. As with the previous application the proposed mix of units is 8 x 2 bedroom units and 1 x studio unit. As the proposal is for less than ten residential units and does not result in the loss of existing family sized accommodation, there is no policy requirement in provide three bedroom units. The mix is therefore considered appropriate.
13. The Technical Housing Standards do not provide space standards for 2 bedroom units across 3 storeys. However, the floorspace provided would be sufficiently in excess of the minimum sizes needed for a 2 bedroom unit across 2 storeys and as such is considered to be generous and acceptable in that regard. The single storey unit exceeds the minimum space standards for a studio flat.

Outlook, daylight and sunlight

14. Each unit would be provided with defensible space at the front in the form of a front garden. It is acknowledged that the outlook at ground floor would be constrained by the design which has primary windows looking westward onto the access area. However, the rooms in question serve a bedroom and good levels of outlook are provided at upper floor levels to habitable rooms. The main orientation of outlook for the majority of the units is to the west. This is in response to the concerns raised at the previous appeal with proximity to residential entrances and outlook facing onto the service road. All habitable rooms would have primary windows and would receive sufficient daylight and outlook. This in conjunction with the overall size and quality of the units is considered to be acceptable.

15. Screening is proposed at second floor level along the western side of the building. This would be of a 'hit-and-miss' design (elements of solid wall with a number of gaps/voids in it to allow some ventilation and outlook but reduce overlooking) featuring a solid panel wall with differing slats above this to prevent overlooking or loss of privacy to neighbouring properties. The solid section of the screening is shown to have a height of 2.25m. Whilst the hit and miss screening up to this height is considered acceptable, the solid part of the screening should not exceed 1.2m in height, to ensure that a good quality environment is achieved for these homes. The taller hit and miss screening would still visually obscure the line of sight between the balconies and the school fields and would reduce perceived overlooking. On that basis a condition has been attached requiring revised details of this element of the proposal to reduce the solid section of the screening to avoid an undue impact on future occupiers.
16. It is noted that the single storey unit would have a further limited outlook as it would not benefit from the upper floors. However, this unit has been amended to a studio unit and as such would have on combined living area served by an external window. Additionally, it would have a limited level of occupancy and would have a reasonably sized garden and would exceed the minimum space standards as noted above. On balance this would be considered to be acceptable.

External amenity space

17. Five of the eight dwellinghouses (located in the southern building) will be provided with private external amenity space that falls short of 20sqm as set out in DMP19. These are in the form of terraces at second floor level. The terraces are around 8sqm each. However, the shortfall in external amenity space was recognised as part of the previous application, and given that the amount of external amenity space for each unit exceeds London Plan standards and the units themselves are of a good size, it is considered that a good standard of accommodation would be provided in this instance. The three dwellinghouses in the southern block have access to a private rear garden area and a large roof terrace and are provided with over 20sqm of private external amenity space. The studio flat has 18.8sqm of private external amenity space. Whilst this falls marginally under 20sqm, the shortfall is not considered to be significant and the quality of accommodation is considered to be good.

Relationship to rear service road

18. The existing access road between the subject site and the shops on Ealing Road is of a low quality environment and is used for access/servicing of these commercial units. The current proposal has swapped the front and rear elevations on their axis allowing for the main access to the residential units to be located on the western side of the plot, away from this service yard. There are no habitable room windows within the redesigned buildings that face the rear service road. However, to provide some level of surveillance over the service yard, windows to landing areas are proposed. Within the early appeal, the Inspector considered the intensification in use of the access road by pedestrians and potential conflict with vehicles servicing the commercial units from the service road. The Inspector concluded that the access arrangements would be acceptable, and that pedestrians and vehicles could pass one another in a safe manner due to the constrained nature of the access road. The access to the proposed development within the current scheme is from the south western corner of the site, rather than with individual accesses along the rear service road. Overall this is considered to be an improvement over the previous design and creates a safer and more pedestrian-friendly environment, and is considered to have addressed the previous concerns raised by the Inspector.

Impact on existing properties

Privacy and outlook

19. SPD1 requires a minimum distance of 18m between directly facing habitable room windows and 9m from habitable room windows to the boundary with private residential rear gardens. In this case, there are residential properties on the upper floors of 272 to 290 Ealing Road. At ground floor the uses are commercial. The scheme has been designed to not have habitable room windows facing across to the properties on Ealing Road, but nevertheless a distance of over 18m is maintained from the landing

windows with the new buildings to the residential windows at 272 to 290 Ealing Road.

20. The new units do not directly face onto the rear garden of No. 270 Ealing Road. However, there is potential for overlooking from the raised terrace of the dwellinghouse closest to No. 270 Ealing Road, and details of a screen can be conditioned to any forthcoming consent.
21. To ensure that a new building does not appear overbearing from neighbouring occupiers, SPD1 sets out that they should normally sit within 30 and 45 degree lines. The 30 degree line is taken from nearest residential windows of neighbouring occupiers (measured at 2m high above internal floor level) and 45 degree line taken from the nearest private rear garden amenity space (measured at 2m high from garden level). In this case, the new development sits within 30 degree line from the residential units at 272 to 290 Ealing Road together with the caretakers house when taken from the habitable windows of those properties. Whilst the new building does breach 45 degree line when viewed from the rear garden of No. 270 Ealing Road, the existing warehouse building already breaches this line, and overall as the building is reduced to single storey on the boundary, the impact is no worse than existing.

Daylight and Sunlight

22. As part of the previous application the applicant submitted a full daylight/sunlight assessment which concluded that there would be no undue impact on existing neighbouring properties. This application has not been accompanied by a Daylight and Sunlight Report. However, the new building would sit within 25 degree line from the rear windows within No. 272 to 290 Ealing Road and the scheme would therefore accord with BRE guidance in terms of daylight. In relation to the rear garden of No. 270 Ealing Road, as with the previous scheme the proposed building is to reduce in height adjacent to this boundary when compared to the existing building, and the proposal is considered to result in a lower level of impact on that garden than the existing building. Overall, the proposed development is not considered to result in an unduly detrimental impact on the surrounding existing properties.

Relationship to Alperton Community school

23. The proposal will overlook Alperton Community School with a distance of 3.5m being maintained to the boundary. The vehicular access road into the school, substation and caretakers house will be overlooked. There is no specific guidance on appropriate levels of privacy for school sites. The care takers house is ancillary to the school itself (with access from within the school site) and is therefore considered ancillary to the school use rather a completely separate self contained residential unit. A distance of at least 23m will be maintained to the school building. It is therefore considered that the school will not detrimentally impacted upon by the proposal.

Highways and Transportation

Car parking

24. 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, whilst the location of the site means the higher maximum parking standard applies for the employment use.
25. The existing warehouse unit measures at least 580m², so is permitted up to 2 car parking spaces, whilst also requiring deliveries by 10m rigid vehicles. With no off-street parking available within the site, car parking standards are currently complied with. However, servicing standards cannot be met, with the narrow access to the site precluding access by large vehicles. The removal of the warehouse from this site would therefore be welcomed in principle in transport terms.
26. This proposal will increase the maximum parking allowance of the site to 6.75 spaces, which is a significant increase. With no off-street parking proposed, standards would still be complied with. However, Policy DMP12 requires that any overspill parking that is generated can be safely

accommodated on-street. Ealing Road is a busy distributor road, with extensive parking and loading restrictions, reinforced with guard railings to protect traffic flow at the signalised junction with Mount Pleasant. As such, it is not able to safely accommodate overspill parking from this site.

27. To address this, the applicant proposes to designate the development as permit-free. Policy DMP12 encourages this in areas with good public transport access and as a Controlled Parking Zone is in place in the immediate area, this approach is supported. A legal agreement or condition should therefore be applied to any permission, withdrawing the right of future occupiers of these units to on-street parking permits.
28. There are streets within a short walk of the site that are not subject to a CPZ at present (namely Sunleigh Road) and which would therefore be vulnerable to overspill parking from the development. A financial contribution of about £5,000 towards the cost of extending the CPZ into that area is therefore also sought to help mitigate overspill parking problems.

Cycle parking

29. The London Plan requires each new 1-bed unit to be provided with a bicycle parking space and each 2-bed unit to be provided with two spaces. A total of 17 spaces are shown in stand-alone bicycle lockers close to the entrances to each unit, in accordance with standards. However, the internal width of the lockers measures just 700mm and this needs to be increased to 900mm in the case of the double lockers in order to accommodate two bicycles. It is recommended that revised cycle parking details are secured as a condition to any forthcoming consent.

Refuse

30. Three shared bin stores are shown around the edge of the existing service road to accommodate twelve wheeled bins and nine kerbside containers, which provides sufficient storage capacity for the proposed development. The distance of the bin stores from Ealing Road varies between 35m-55m though, which exceeds Brent's maximum refuse carrying distance of 20m for wheeled bins for residential properties and is also significantly further from the highway than proposed on the earlier scheme (16/1506). Due to the narrow access of the site, it would not be possible for refuse vehicles to enter the site.
31. However, the site does lie within a timed collection zone and although this is generally for flats above shops, the applicant has agreed future collection arrangements with Brent's refuse contractor, so that refuse will be brought out to Ealing Road at certain times each day for collection. This solution has been confirmed as acceptable by Brent's waste management team and would be secured via a condition requiring a servicing and delivery plan to be submitted and approved by the LPA.

Servicing and fire access

32. The very restricted width of the site access road makes access by large delivery vehicles to the site very difficult, if not impossible, whilst smaller delivery vans would be unable to turn around within the site, so would need to reverse along the site access road. However, delivery vehicle access was considered by the Planning Inspectorate as part of the previous appeal. Their view was that use could be made of loading bays on Ealing Road for the relatively infrequent occasions when large goods would be brought to the site. The physical constraints of the access were noted, but it was considered that, on balance, the limited number of units and level of activity generated would not be sufficient to have a detrimental impact on highway safety.
33. In terms of fire appliance access, the entrance to the furthest unit from the site entrance would be about 75m. This is well beyond the maximum fire hose distance of 45m, but is within the maximum distance of 75m for a 3-storey building and 90m for a 2-storey building when a sprinkler system is installed as set out in Building Regulations. This matter can therefore be suitably addressed. The applicant has also submitted a Fire Strategy indicating the location for vehicles to attend the site and confirms that it would be possible to access all points within plots 06-09 within 45m and an additional hydrant provided for the

remaining homes with a maximum distance of 26m.

34. The Fire Strategy has been reviewed by the London Fire Brigade. They have confirmed that subject to additional emergency access route being provided via the existing right of way at the north end of the site and the addition to the development of a residential sprinkler system, they are satisfied in principle to the arrangements, although the detailed design would need to be considered through building regulations. With regards to the emergency access, the applicant has advised that the site also has the legal right to a secondary northern access, which is provided as a fire exit for residents and fire fighters. This access is an existing access between the commercial premises at 272-274 Ealing Road, and the residential property at 270 Ealing Road. The design of the scheme will include a fire exit within the rear boundary to plot 8 for use in the case of fire which can be secured by planning condition. The access will be able to be used by firefighters in the case of emergency to gain access to the northern part of the site if necessary.
35. Concerns were also raised on the previous application regarding safe pedestrian access along the narrow access road, given the need to share this with delivery vehicles to the shopping parade. Again though, this matter was considered by the Planning Inspector and whilst the physical constraints of the access drive were noted, it was considered that pedestrians and vehicles could wait at either end of the relatively short length of narrow driveway within clear sight of one another, to allow passing in safety.
36. Nevertheless, improvements should be made to the access road to support the proposed shared-surface mews character of the site. These improvements should include improved surfacing (block paving is strongly recommended) and lighting, in accordance with a design to be approved by Brent. As the access road lies wholly within the application site boundary, this can be secured by condition.

Transport Assessment

37. Finally, the application is supported by a Transport Assessment, which has considered the likely number of trips made to and from this development based upon comparisons with four other small residential developments in London. This concludes that about 7-8 trips would be made in the weekday morning and evening peak hours and given the car-free nature of the development, these could be expected to be almost exclusively by non-car modes of transport. The level of activity generated is not therefore considered to be significant enough to have a noticeable impact on any transport networks in the wider area.

Environmental impact, sustainability and energy

38. As the proposal is not a Major Application, there is no specific planning policy requirements to require the development to be carbon zero. Nevertheless, it is recommended that a condition is secured to reduce water consumption in line with policy objectives. Likewise, there is no specific requirements to incorporate a SuDS system and the site does not lie within a flood risk zone or is liable to surface water flooding. Nevertheless, where resurfacing is done it could incorporate basic sustainable urban drainage (SUDs). In addition, as part of the landscape scheme a condition could be secured for native planting and bird boxes.

Contaminated land

39. Given the historic use of the site there is a requirement for the applicant to submit details of investigation and remediation of any potential contamination. This is to be secured by condition.

Air Quality

40. The site is located within an Air Quality Management Area. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. It is therefore recommended that a construction method statement is conditioned to minimise the impact on local air quality and protect the amenity of neighbours during construction.

Equalities

41. 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).

Conclusion

42. The principle of the loss of the existing floorspace is accepted and the provision of new residential development in this area is considered to be acceptable. The new proposal would provide a good standard of accommodation for future occupiers despite a shortfall in external amenity space below levels set out in policy. The impacts on neighbouring amenity and the character of the area is considered to be acceptable. The proposal has addressed the issues raised by the Planning Inspectorate, allowing an aspect to the homes at all levels which faces away from the rear refuse areas associated with the commercial units fronting Ealing Road. The quality of design and architecture has been maintained and is considered to be good. The applicants have demonstrated that the proposal is not likely to result in material impact in relation to highways and transportation matters including the treatment of refuse storage and collection. The proposal is within a “back-land” location and the fire brigade has confirmed that the fire strategy is sound.

43. Overall, therefore the proposal is considered to materially accord with the development plan when balanced against material planning considerations including the benefits associated with the provision of new homes within the borough. The proposal is therefore considered to be acceptable and is recommended for approval.

CIL DETAILS

This application is liable to pay **£276,731.58** * 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): 777.46 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 |
|---------------------------|-------------------------------|------------------------------------|-----------------------------------|-------------------------------|---------------------------------|-----------------|-------------------|
| (Brent) Dwelling houses | 777.46 | | 777.46 | £200.00 | £0.00 | £229,073.04 | £0.00 |
| (Mayoral) Dwelling houses | 777.46 | | 777.46 | £0.00 | £60.00 | £0.00 | £47,658.54 |

| | | |
|--|--------------------|-------------------|
| BCIS figure for year in which the charging schedule took effect (Ic) | 224 | 323 |
| BCIS figure for year in which the planning permission was granted (Ip) | 330 | |
| TOTAL CHARGEABLE AMOUNT | £229,073.04 | £47,658.54 |

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

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

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As

such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.



Application No: 19/1761

To: Mr Owen
HTA
78 Chamber Street
London
E1 8BL

I refer to your application dated **15/05/2019** proposing the following:

Demolition of the existing warehouse building (Use class B8) and erection of part-one, part-three storey residential development providing nine self-contained dwellings (8 x 2-bed and 1 x 1-bed) with associated cycle storage, bin stores, landscaping and amenity space.

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

at **290B Ealing Road, Wembley, HA0 4LL**

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

Date: 01/11/2019

Signature:

Gerry Ansell
Head of Planning and Development Services

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
 - The London Plan 2016
 - Brent's Core Strategy 2010
 - Brent's Development Management Policies 2016
 - Brent's Supplementary planning Document 1: Design Guide for New Development 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):

0001 Rev B, 0002 Rev B, 0100 Rev B, 0202 Rev B, 0200 Rev C, 0201 Rev C, 0250 Rev C, 0251 Rev A, 0252 Rev B, 0253 Rev B, 0254

Supporting Documents:

Fire Access Note, Fire Escape Plan, Odour Report, Transport Statement (Dated May 2019), Planning Statement, Geo Environmental Desk Study Report (Dated April 2016), Acoustic Report (Dated 30 April 2019), Air Quality Assessment (Dated May 2019)

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 Notwithstanding the provisions of Classes A, B, C, D & E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification) no further alterations or extensions shall be constructed within the curtilage of the dwelling houses subject of this application, unless a formal planning application is first submitted and approved by the Local Planning Authority.

Reason: To prevent an over development of the site and undue loss of amenity to adjoining occupiers.

- 5 The building shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water

consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010

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

- 6 The refuse areas shown on the drawings hereby approved shall be provided and made available prior to the occupation of the residential units. They shall be maintained as such thereafter.

Reason: To ensure that the residential units are high quality and that the development does not prejudice the enjoyment of neighbouring occupiers of their properties

- 7 Prior to the commencement of the development (including the demolition of the existing structure) a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. The approved CMS shall thereafter be carried out in full accordance with the approved details.

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

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.

- 8 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, outlining how construction vehicle activity will be managed throughout the construction process.

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.

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

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

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

10 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), details of all exterior materials including samples (which shall be made available for viewing on site or in another location as agreed) and/or manufacturer's literature shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- (a) Building envelope materials e.g. bricks, render, cladding;
- (b) Windows, doors and glazing systems including colour samples; and
- (c) Balconies and screens

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

Reason: To ensure that the appearance of the development is high quality.

11 Prior to the commencement of the development (excluding any demolition, site clearance and the laying of foundations), further details of screening to the second floor terraces shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) the solid panels of the screening to be no higher than 1.2m above floor level
- (b) the side elevation of the screening facing No. 270 Ealing Road to be 1.7m high

The screens shall thereafter be installed in accordance with these approved plans.

Reason: To ensure adequate levels of amenity for future occupiers of these units and in the interests of the amenities of adjoining occupiers.

A scheme of sound insulation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works (excluding any demolition, site clearance and the laying of foundations). The scheme shall demonstrate that the residential dwellings are designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal and external noise levels:

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

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

Reason: To obtain required sound insulation and prevent noise nuisance

12

13 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 within 3 months of commencement of development. Such a scheme shall include:-

- (a) all planting and trees including location, species, size, density and number incorporating native species;

- (b) details of the provision of artificial bird and bat boxes;
- (c) areas of all hard landscape works including details of materials and finishes. These shall have a permeable construction and include features to ensure safe use by visually impaired and other users;
- (d) proposed boundary treatments including walls, fencing and retaining walls, indicating materials and height;
- (e) a detailed (minimum 5-year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscaping;
- (f) details of bicycle stores at a minimum of 0.9m wide

The hard and soft landscape works shall be carried out in full accordance with the as approved details prior to the first occupation of the residential units hereby approved, unless alternative timescales have been submitted to and approved to be agreed in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved timescales.

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 appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 14 Prior to first occupation of the residential units hereby approved, a waste management plan setting out arrangements to notify residents of the bag collection arrangements on timeband scales shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall thereafter be carried out in accordance with the approved waste management plan.

Reason: To ensure that there is adequate arrangements in place for the collection of residential waste.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 During demolition and construction on site:
 - The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;
 - The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 - 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time

on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;

- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- A barrier shall be constructed around the site, to be erected prior to demolition;
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- A wheel washing facility shall be installed and operated to ensure that dust/debris is not carried onto the road by vehicles exiting the site.

- 5 The applicant is 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.
- 6 The applicant is advised by the applicant to contact the Head of Highways & Infrastructure to arrange for the crossover, on street parking bay and kerb radii works to be undertaken. Such works are undertaken by the Council at the applicant's expense.
- 7 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall contact Mark O'Brien (Public Realm Monitoring Manager) at Mark.O'Brien@brent.gov.uk, and include photographs showing the condition of highway along the site boundaries.
- 8 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.
- 9 The Council recommends that the maximum standards for fire safety are achieved within the development.

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