



Planning Committee

Wednesday 9 September 2020 at 6.00 pm

This will be held as an online virtual meeting

Details on how to access the link in order to view proceedings will be made available online via the following link: [Democracy in Brent](#)

Membership:

Members

Councillors:

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

Substitute Members

Councillors:

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

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

Members' virtual briefing will take place at 5.00pm.

The press and public are welcome to attend this as an on online virtual meeting. The link to attend and view proceedings will be made available online via the following link: [Democracy in Brent](#)

Notes for Members - Declarations of Interest:

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

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

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

***Disclosable Pecuniary Interests:**

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

****Personal Interests:**

The business relates to or affects:

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

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

(b) The interests 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		1 - 6
APPLICATIONS FOR DECISION		
3. 20/0587 1, 2, 3 & 9 Watkin Road, Wembley, HA9 0NL	Tokington	11 - 68
4. 20/1151 All Units at Dowlings Parade, HNS Autos and Delta Hand Car Wash, Bridgewater Road, Wembley, HA0 1AJ	Alperton	69 - 104
5. 19/1388 Claremont High School, Claremont Avenue, Harrow, HA3 0UH	Kenton	105 - 124
6. 19/4130 Land rear of 65, Teignmouth Road, London	Mapesbury	125 - 144
7. 20/0614 16A & 16B Mapesbury Road, London, NW2 4JB	Mapesbury	145 - 162
8. 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 14 October 2020



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

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE Wednesday 12 August 2020 at 6.00 pm

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

ALSO PRESENT: Councillor Abdi Aden.

1. **Declarations of interests**

None.

Approaches.

1 Morland Gardens

All members declared that they had received an email from Mr Grant, an objector. Councillor Hylton declared that she knew Mr Macklen, an objector.

2. **Minutes of the previous meeting - 22 July 2020**

RESOLVED:-

that the minutes of the previous meeting held on 22nd July 2020 be approved as an accurate record of the meeting.

3. **20/0345 1 Morland Gardens, London, NW10 8DY**

PROPOSAL:

Demolition of existing buildings and erection of a new mixed use building ranging in height from two to nine storeys, to provide new homes (Use Class C3), affordable workspace (Use Class B1), new further education college (Use Class D1), with associated amenity areas, public realm improvements, car and cycle parking and refuse/recycling stores.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to:

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

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

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

That the Head of Planning is granted delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle

of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the Committee.

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

Mr Neil Quinn (Development Management Deputy Team Leader) introduced the report, setting out the key issues and answered Members' questions. He referenced the supplementary report and drew Members' attention to additional representations received and officers' responses to them. He advised Members that at the request of the Heritage Officer, officers had amended condition 42. Mr Quinn also drew attention to an additional condition requested by Thames Water in order to protect underground strategic water main and utility infrastructure as set out within the supplementary report.

Mr Roger Macklen (in remote attendance) raised objections to the scheme for several reasons including the following and answered Members' questions;

- 1 Morland Gardens, or Altamira was a beautiful landmark building since 1876 and an impressive part of the streetscene by the main junction that continued to make a substantial contribution to the borough's local character and distinctiveness including Stonebridge's townscape.
- The building was a unique and irreplaceable resource that justified protection, conservation and enhancement but once demolished it cannot be replaced and its historic value would be lost forever to the community and future generations.
- The demolition of 1 Morland Gardens would be a terrible loss, not only to the local environment, but also to the architectural heritage of Victorian Britain.

Mr Phillip Grant (in remote attendance) raised objections to the scheme for several reasons including the following and answered Members' questions;

- The proposal would cause harm and fail to show an understanding of the architectural or historic significance of the heritage building contrary to Brent's policy DMP7.
- The Heritage Impact Assessment failed to use the criteria for locally listed buildings approved by this Committee in July 2015 which he believed scored 10 out of 12 and thus was of high significance.
- Brent's Heritage Officer had acknowledged the demolition of the building, by its very nature, must be seen as substantial harm to the significance of the heritage asset.
- Approval of the application, contrary to Brent's planning policies, would not only condemn this valuable building, but set a precedent that would undermine Brent's entire historic environment strategy, and put every heritage asset in the borough "at risk".

Ms Stella Rodriguez (in remote attendance) spoke in a similar vein highlighting the following:

- The Council had not properly considered the heritage importance of this building which needed to be preserved as a historical building.
- The demolition of this heritage asset would constitute a permanent loss to the community and future generations.
- The proposals would set a precedent that would put every other heritage asset in Brent at risk of demolition.

Mr Erroll Donald (in remote attendance) spoke in support the scheme for several reasons including the following and answered Members' questions:

- The proposals for the Morland Gardens scheme, would be an essential step towards invigorating the local community by providing meaningful opportunities to live, learn and work sustainably.
- The scheme would also create the space for continued, and much needed community engagement.
- The scheme would provide real hope and genuine opportunities for people to access affordable housing, specialist skills training, and custom-built work space.

Mr Ala Uddin (in remote attendance) the applicant emphasised the educational merits of scheme for several reasons including the following and answered Members' questions:

- Although the building had character, it was not purposeful as it was old, dilapidated and structurally unsafe with certain parts restricted or without access to those with mobility issues.
- The proposed re-development with modern, state of the art classrooms would provide a purpose built educational centre that would inspire people to live, learn, work and create as well as assist in meeting the growing demand for educational places within Brent.
- The space can operate as a hub for activity in the area, with additional capacity that can enable other employment and enterprise services and partners to work there to enable a wrap-around service for residents to improve their skills, find work, and access other services such as mental health and financial inclusion.

Councillor Abdi Aden (in remote attendance) addressed the Committee.

Although he welcomed the proposals in terms of the provision of 100% affordable housing at 100% London Affordable Rent, affordable workspace, community facilities and a permit free development, he expressed the following concerns:

- The re-development would result in the loss of an important heritage asset in the Borough, therefore detracting from local townscape and the character of this part of Stonebridge, contrary to Policy DMP7 and NPPF.
- From two storeys to nine storeys, the proposals represent an overdevelopment of the site, to the detriment of the amenities of the existing and future residents and out of character with the streetscene

- Inadequate parking and servicing provisions for a development of that magnitude would be a recipe for traffic congestion, particularly at the busy junction of Brentfield Road and Hillside.
- Loss of daylight and sunlight to adjoining properties from proposed development in particular to the lower ground floor flat of No. 2 Morland Gardens.
- The proposals would result in the loss of open space around the site.

In conclusion, Councillor Aden requested that an informative be added advising the applicant to engage with the ward members, so that subsequent matters of concern can be mutually resolved as quickly as possible.

In the ensuing discussion, officers submitted the following responses to issues raised:

- Recommendations on heritage assets outside of Conservation Areas were made on individual case merits.
- Although the proposal conflicted with policy DMP7, the substantial benefits of the scheme outweighed any potential harm.
- The proposal would provide seven wheelchair accessible units.
- The car park management plan recommended would address any potential parking and traffic issues.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked all speakers for their contributions and asked members to vote on the recommendation. Members voted by a majority decision to approve the application subject to the amendment and the additional condition set out within the supplementary report.

DECISION:

Granted planning permission as recommended subject to an additional condition and amended condition 42 as set out within the supplementary report.
(Voting on the recommendation was as follows: For 5; Against 1; Abstention 2)

4. 16/5244 St Nicholas Preparatory School, 22 Salmon Street, London, NW9 8PN

PROPOSAL:

Proposed part single storey and part double storey side and rear extensions to the existing preparatory school.

RECOMMENDATION:

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the planning obligations set out within the Committee report.

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

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

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

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

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

Mr Toby Huntingford (Principal Planning Officer) introduced the report setting out the key issues and answered Members' questions.

Mr M Donaldson (applicant in remote attendance) addressed the Committee highlighting the following points and answered Members' questions:

- The proposed development would allow the school to meet the growing demand for school places and offer excellent academic provision.
- The development would not have a detrimental effect on the aesthetic to the neighbouring properties along Salmon Street and the adjacent Queens Walk.
- The school had implemented adequate measures to address traffic and parking issues and remained committed to continuing to work with the Highways Team for on-going improvements to reduce traffic flow to the school site.
- The application complied with the National Planning Policy Framework.

In response to Members' questions, officers clarified that the impact of the development on adjoining neighbouring properties would be minimal and that the character and design were in acceptable relationship. Officers explained the differences between the current and previous scheme for an outbuilding and added that they were not related. Members heard that with suitable transport mitigation measures including Travel Plan and robust monitoring, there would be no significant traffic impact.

With no further issues raised and having established that all members had followed the discussions, the Chair thanked the speaker for his contribution and asked members to vote on the recommendation. Members voted by a majority

decision to approve the application subject to the amendments set out within the supplementary report.

DECISION:

Granted planning permission as recommended.

(Voting on the recommendation was as follows: For 7; Against 1)

5. Any Other Urgent Business

None.

The meeting closed at 8.12 pm

COUNCILLOR J. DENSELOW
Chair

APPLICATIONS FOR DECISION

Introduction

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

Material planning considerations

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

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

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

Provision of infrastructure

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

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

Further information

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

Public speaking

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

Recommendation

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

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
03
20/0587

SITE INFORMATION

RECEIVED	17 February, 2020
WARD	Tokyngton
PLANNING AREA	
LOCATION	1,2,3 & 9 Watkin Road, Wembley, HA9 0NL
PROPOSAL	Demolition of existing buildings and erection of 1x part-20, part-17 storey building and 1x 14 storey building together containing 174 residential units; commercial floor space (B1a and B1c use class) on ground, first and second floors; car and cycle parking, refuse storage, amenity space and associated landscaping.
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_149025</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 "20/0587" (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:

Referral to the Mayor of London (stage 2 referral)

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

- Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
- Notification of commencement 28 days prior to material start
- Provision of 50 affordable housing units on a nil grant basis, comprised of:
 - i. 15 units for affordable rent (at London Affordable Rent levels, in accordance with the Mayor of London's Affordable Housing Programme 2016-2021 Funding Guidance (dated November 2016) and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council)
 - ii. 35 units for Shared Ownership, (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).
- In the event that the development does not commence within 24 months, an appropriate early stage review mechanism to secure additional on-site affordable housing, or an on-site provision of affordable housing that complies more closely with Brent's policy target affordable housing tenure split, as demonstrated achievable through financial viability assessments.
- An appropriate late stage review mechanism against the agreed base appraisal, assessing actual residential sales values, and securing any additional deferred affordable housing obligations as per an agreed formula to capture uplift in value (as demonstrated through financial viability assessments) within a commuted sum to be paid to the Council towards the provision and enablement of off-site affordable housing.
- The delivery of 940sqm of affordable workspace, including the provision of a goods lift, to be disposed of for no more than 50% of OMR/OMV for a minimum term of 15 years, remain affordable for the lifetime of the development and be leased to an affordable workspace provider approved by the Council, with the following restrictions:
 - a) To not occupy more than 75% of the private residential units until the affordable workspace has been leased to an affordable workspace provider, unless agreed in writing by the Council.
 - b) In the event that an affordable workspace provider cannot be secured following 2 years of marketing, pay a commuted sum commensurate with the value of the affordable workspace (as demonstrated through FVA) and for the units to revert to a non-affordable workspace use. Alternatively, the Council to be able to acquire the affordable workspace from the developer on a leasehold basis.
 - c) Not later than 3 months prior to the anticipated date of practical completion of the entire development, procure that the affordable workspace provider submits an

affordable workspace management plan for the Council's approval. Following this, to not occupy more than 75% of the private residential units until the affordable workspace management plan has been approved in writing by the Local Planning Authority and thereafter implemented. This requirement to fall away in that event that the above obligation is triggered.

d) Rent reviews to be undertaken every 10 years and submitted to the Council.

e) The workspace to be delivered by the developer to the following specification:

- to be finished to a standard that will allow for immediate occupation including secure entrance(s), heating, lighting, kitchenette(s) and wc facilities
- to be fully enclosed with perimeter walls and consented windows and doors installed and secure
- the floors to be power loaded with a minimum 3.5 Kn loading capacity (2.5 + 1 Kn) but must be able to accommodate Use Class B1(a) and B1(c)
- to be ventilated as per Planning Permission requirements and reasonable requirements by the Affordable Workspace Operator
- all statutory services are to be supplied, capped, tested and separately metered. All drainage to be installed and connected
- to comply with all relevant accessibility regulations and requirements
- electrical to be supplied
- For the affordable workspaces to be accessible on a 24/7 basis
 - Submission and approval and implementation of Training and Employment plan targeting Brent residents.
 - S38/S278 highway works under the Highways act 1980 to provide (i) a step free pedestrian crossing across Watkin Road with dropped kerbs and tactile paving, (ii) construction of loading and disabled bays in the footways of Watkin Road and the reinstatement of all redundant vehicle crossovers to footway and (iii) the Council's adoption of land along the site frontage in order to maintain an unobstructed footway width of 2m along the site frontages.
 - Parking permit restriction to be applied to all new residential units
 - Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents.
 - Financial contribution towards the development and the implementation of a zebra crossing with raised table set back about 10 metres from the give way line at the junction of Fulton Road and Albion Way (£10,000).
 - Financial contribution towards the expansion of the local Controlled Parking Zone (£87,000)

- Financial contribution towards improving local bus capacity, paid to TfL (£175,667)
- Carbon offset contribution to be paid – or an opportunity to resubmit an improved energy statement and reduce the offset payment.
- Financial contribution towards the supply, installation and maintenance of knockabout goal posts for informal play within Chalk Hill Open Space / St David's Open Space (£5,000)
- Detailed submission of Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference
- Indexation of contributions in line with inflation
- Any other planning obligation(s) considered necessary by the Head of Planning.

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

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

Compliance

1. 3 years consent
2. Approved plans
3. Number of residential units
4. Quantum and use of commercial space
5. East facing windows close to boundaries with no's 4 and 8 Watkin Road to be obscure glazed
6. Provision of disabled adaptable units
7. Provision of refuse storage
8. Provision of blue badge car parking
9. Water consumption limitation
10. Provision of communal aerial and satellite dish system for each building
11. Revoke C4 permitted development rights
12. Non-road mobile machinery power restriction
13. All substation doors to open inwards unless details are submitted and approved robustly explaining why they need to open outwards
14. Flood/drainage/SuDS details to be secured or further submissions made if necessary
15. Air Quality report recommendations to be secured or further submissions made if necessary
16. Biodiversity/Ecology mitigation and enhancement measures to be secured
17. Tree protection plan to be secured

Pre-commencement

18. Submit Construction Logistics Plan
19. Submit Construction Environmental Management Plan
20. Submit Construction Ecology Management Plan
21. Submit Invasive Species Method Statement
22. Submit details of fire resistant materials in satisfying draft LP policy D12, if not addressed at GLA Stage II referral, and secure fire safety strategy.

Post-commencement

23. Submit Land Contamination study
24. Submit External material samples
25. Submit details of Electric Vehicle Charging points
26. Submit details of a connection point to district heat network in case future connection can be made

Pre-occupation

27. Submit details of privacy screening to easternmost balconies close to boundary
28. Submit landscaping plans incorporating play spaces, plant species, tree species, coordination with neighbouring site, microclimate measures, biodiversity enhancement measures, external lighting with luminance levels specified
29. Revise cycle parking in southern block, C3, B1c and B1a and provide cycle parking
30. Submit delivery and servicing plan
31. Evidence of noise report recommendations to be submitted
32. Submit plant noise testing if necessary

Informatives

1. CIL liability
2. Party wall information
3. Building near boundary information
4. London Living Wage note
5. Fire safety advisory note
6. Any other informative(s) considered necessary by the Head of Planning

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

That, if 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 is delegated authority to refuse planning permission.

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

SITE MAP

	Planning Committee Map Site address: 1,2,3 & 9 Watkin Road, Wembley, HA9 0NL © Crown copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.



PROPOSAL IN DETAIL

Each of the land plots forming the development site is to accommodate a new residential block.

The southern site would contain a building that, in part, extends to 20 storeys in height and in part extends to 17 storeys in height, whilst the northern site would contain a building that extends to 14 storeys in height.

The southern site is proposed to deliver 994sqm of affordable workspace within the ground to 2nd floors and 124 open market residential dwellings across the 3rd to 19th floors.

The northern site is proposed to deliver 50 affordable residential dwellings.

EXISTING

The development site for this proposal is split into two. The southern site forms units 1, 2 and 3 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west and unit 4 of Watkin Road to the south east. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area.

The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the under construction development of 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east.

The application site is located within the Wembley Growth Area and forms part of site allocation W26: Watkin Road (Site allocation BC6A6: Watkin Road in the emerging Local Plan). The northern part of the site closest to the Wealdstone Brook lies within Flood Zone 3a as identified by the Environment Agency, and parts of the site are also within land that is liable to surface water flooding.

AMENDMENTS SINCE SUBMISSION

- Application Boundary – Adjusted to reduced extent of Fulton Road within site area.
- Additional Windows – South Block, 18th and 19th floors on east elevation (1b2p units) to create 4 additional dual-aspect units.
- Additional Windows – South Block, 3rd to 16th floors to north-facing 1b1p units to create 14 additional dual-aspect units.
- Long-term Cycle Spaces – Spacing increased to 450mm for all spaces in North Block and c. 35% in South Block, with the remaining at 400mm.
- Pedestrian Crossing – Re-included on Watkin Road.
- Entrance Ramp – South Block ramp re-orientated to primarily address Watkin Road.
- Wheelchair Accessible Parking Spaces – Relocated to be closer to the residential entrances, swapped with the Service Bay.
- Platform Lift – Included for South Block to satisfy travel distance concerns.
- Short Term Cycle Spaces – Relocated to reduce impact on public realm.
- Lift Sizes – North and South Blocks, internal lift dimensions shown for bicycle lifts to and from cycle stores on 1st Floor.
- Urban Greening – Adjustments to landscape proposal (roof terraces and ground floor public realm) to ensure compliance with 0.4 Urban Greening Factor (UGF) requirement.
- Public Realm – Outward opening external doors at ground floor amended to be inward opening (except substations where UKPN requirements are for externally opening doors only).

- B1c Layout – Ground floor adjustments to facilitate a loading area, platform lift, bin storage area, etc.

B1c Lift – Lift opening rotated to facilitate a wider opening width and increased manoeuvrability for loading.

SUMMARY OF KEY ISSUES

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

1. **Representations received:** 1,078 neighbouring properties were notified of the development, in addition to site notices and press notices being published. 1 neutral comment and 5 objections were received. Objections raised concerns over disruption from construction works, increase in footfall and road use, the piecemeal approach to the development, excessive height and overdevelopment. Your officers have addressed the objections raised and consider that the development proposal is acceptable.
2. **Provision of new homes and affordable workspace:** Your officers give great weight to the viable delivery of private and affordable housing and new affordable commercial floor space, in line with the adopted Development Plan.
3. **The impact of a building of this height and design in this location:** The proposal replaces a poor quality commercial plot with a large modern high density development in keeping with the surrounding and approved built form. The development utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst respecting surrounding development. Whilst the development would slightly reduce the extent of the Wembley Stadium arch that would be visible from Chalkhill Park and incur some level of harm to the daylight and sunlight enjoyed at neighbouring properties, a balance has to be struck between different planning objectives, and the benefits of the proposal are considered to significantly outweigh its harm. The height, layout, design and massing has been carefully considered and has been evaluated by the GLA and by Brent Officers who all have concluded that the proposed building is appropriate for this context.
4. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The mix of units is in accordance with the standards within the London Plan and reasonably well aligned with the Wembley Area Action Plan mix, and the flats would generally have good outlook and light. The amenity space is below our standard, but is still substantial and is high for a tall building. The applicant is to offset shortfalls in child play space provision through a financial contribution to deliver older child play space at a nearby park.
5. **Affordable housing and mix of units:** The maximum reasonable amount has been provided on a near policy compliant tenure split. This includes 35% affordable housing provision, measured by habitable room, with a tenure split of 30:70 between London Affordable Rented and Shared Ownership flats. Half of the affordable homes are 3 bedroom flats. The viability has been tested and it has been demonstrated that this is the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met and an early and late stage viability review will be secured by S106.
6. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is a function of a development on this scale. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits.
7. **Highways and transportation:** The alterations to the public highway as required in the S106 would be acceptable, considering the needs of pedestrians, cyclists and motorists. The highway works will include (i) construction of a step free pedestrian crossing across Watkin Road with dropped kerbs and tactile paving, (ii) construction of loading and disabled bays in the footways of Watkin Road and the reinstatement of all redundant vehicle crossovers to footway and (iii) the Council's adoption of land along

the site frontage in order to maintain an unobstructed footway width of 2m along the site frontages. A financial contribution of £10,000 will be secured to enable the Council to implement a zebra crossing with a raised table at the junction of Fulton Road and Albion Way to improve pedestrian access to the site. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces. A financial contribution of £87,000 towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. A financial contribution (£175,667) for bus service enhancements in the area, as required by TfL, will also be secured.

8. **Trees, landscaping and public realm:** The development will not include the loss of any trees but will include an uplift in trees on site as part of public realm improvements. The proposal will provide a good level of urban greening compared to the existing situation through a high-quality landscaping plan. Suitable ecological safeguards have been proposed, particularly in relation to the adjacent site in nature conservation, and are considered acceptable. These measures will be secured through conditions.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. A carbon offsetting contribution will be secured to further mitigate environmental impact.
10. **Flooding and Drainage:** Part of the site sits within a flood zone and flood resilient design has been accordingly incorporated within the development. A flood mitigation strategy and drainage strategy will be secured by condition to mitigate the risks associated with this. The development will also substantially improve the drainage capacity of the site through attenuation measures.

RELEVANT SITE HISTORY

No relevant planning history.

CONSULTATIONS

Public consultation

This application was advertised in the local press in early 2020 and again on 06/08/2020, following the publication of the submitted daylight and sunlight on the Council's website. A further advertisement of the application in the local press was made on 13/08/2020 following a minor reduction in the red line application area being made.

A site notice advertising this application was erected outside the application site on 19/03/2020 and then again on 04/08/2020. A further site notice was erected on 11/08/2020.

1,078 nearby properties were notified of this proposal by letter on 24/02/2020 and then again on 04/08/2020.

5 neighbouring properties objected to the application and 1 neighbouring properties submitted a neutral comment on the application.

The objections raised are addressed below:

Ground of objection	Officer response
Existing construction at units 10 and 11 Watkin Road can cause highway disruption that results in aborted deliveries to businesses in operation along Watkin Road. This proposal could worsen ongoing construction management and logistics issues.	This is addressed in paragraph 145-147 .
There is no space for supply vehicles to park nor a tower crane to be erected were the construction of this proposal to proceed.	This is addressed in paragraph 141 and 145-147 .
Watkin Road should be comprehensively developed	All development proposals must

rather than developed on a piecemeal basis to both enable combined landscaping, car parking and bicycle parking and to minimise road disruption during construction.	be considered on the basis of their own merits.
New buildings in this area are associated with parking problems and a number of lorries are having to deliver to multiple construction sites. This often results in closed / blocked streets to the inconvenience of residents at Empire Court and businesses along Watkin Road.	This is addressed in paragraph 145-147 .
The proposed development exceeds the capacity of the site.	The development is considered to be of suitable density and would provide a good quality of accommodation and impact on neighbouring properties that would not be unreasonably compromised by the constraints of the site.
The footfall generated by this development will not be safe in the context of the continuing operation of businesses along Watkin Road, which is a cul-de-sac.	The estimated trip rates / footfall of the development have been considered by Brent highways and Transport for London and neither have raised concerns from this perspective. It is likely that footfall to/from the building would be almost solely to/from the Fulton Road junction rather than farther east along Watkin Road.
The demand for large vehicles to enter and exit the Watkin Road cul-de-sac would be high.	This is addressed in paragraph 145-147 .
The footpath to Watkin Road must be maintained as it is vital to the businesses along the road.	This is addressed in paragraph 145-147 . Following the construction phase, the footpath along Watkin Road would continue to be maintained as an adopted highway as is the case at present. Footpath access during the construction phase would be subject to construction logistics arrangements that seek to minimise impact on surrounding occupiers, as agreed with Brent's highways officers. The construction logistics arrangements would need to be submitted to the Local Planning Authority for approval and would be a matter of public record.
The servicing bay on the plans is partly over the footpath which is unacceptable.	This is addressed in paragraph 140 .
The height of the buildings is out of scale with the surroundings as it stands.	This is addressed in paragraphs 43-49 .

The neutral comments made are addressed below:

Comment	Officer response
<p>Development that contributes to the regeneration of Watkin Road, which makes efficient use of the land available to deliver a mix of uses in line with the development policies set out in the adopted and emerging Development Plans is supported.</p>	<p>Noted.</p>
<p>It is considered that the applicant’s proposal fulfils the objectives of delivering a mix of uses as set out in policy, including employment opportunities and residential uses.</p>	<p>Noted.</p>
<p>We encourage new development that celebrates and enables views to the stadium however we query whether the proposed development achieves this, as part of the development appears to sit in an area which is affected by the protected view designation from Chalkhill Park.</p> <p>We are interested to understand the Council’s position on this.</p>	<p>This is addressed in paragraph 49.</p>
<p>We support development that maximises the efficiency of developable land and delivers uses in line with adopted and emerging policy. It is important, however, that the approval of development proposals does not prejudice the comprehensive development of the adopted allocated under Policy W26, which states that “proposed development must ensure it does not adversely affect the ability of other plots within the allocation to maximise their own development potential”.</p> <p>The proposal includes obscure glass panel windows on its eastern elevation which overlooks 7-8 Watkin Road. Given the potential for limited separation distances between the applicant’s proposal and proposals to the east, this arrangement is welcomed.</p> <p>The proposals include balconies on the northern and southern elevation which have both north/south and east aspect towards 7-8 Watkin Road. The balconies should be configured or have measures in place so as to ensure that adequate privacy can be maintained against any future neighbouring development. It is vital that potential future development sites are not prejudiced.</p>	<p>This is addressed in paragraph 68.</p>

External statutory and professional body consultation

The Greater London Authority (GLA) – The GLA supported the proposal in principle but raised the following strategic concerns:

GLA Comment	Officer response

<p>Residential-led mixed-use development in the Wembley Opportunity Area is supported.</p> <p>Details should be provided regarding the quantum of affordable workspace, its layout and servicing ability, its affordability and management arrangements.</p>	<p>This has been confirmed and is discussed below in paragraphs 4-6.</p> <p>A management plan for the affordable workspace is to be secured as part of the Section 106 Schedule for the affordable workspace.</p>
<p>The application proposes 35% affordable housing by habitable room, including at least 30% at London Affordable Rents and at least 30% as Intermediate products, thereby meeting relevant emerging London Plan policy. The proposal also now re-provides the industrial capacity in line with policy although appropriate conditions should be secured for the specification, use and fit out.</p>	<p>The specification and fit out is to be secured within the S106 whilst the use is to be secured through condition.</p> <p>The affordable workspace provision is discussed more generally at paragraphs 4-6.</p>
<p>The site layout could be improved with greater activation along Watkin Road. Single aspect north facing units need to be reduced to improve residential quality, especially within the southern block. The Council should consider a financial contribution toward enhancements for local play facilities.</p>	<p>The applicant has reduced the number of single aspect units since submission and has incorporated additional windows as follows:</p> <ul style="list-style-type: none"> • South Block, 18th and 19th floors on east elevation (1b2p units) to create 4 additional dual-aspect units. • South Block, 3rd to 16th floors to north-facing 1b1p units to create 14 additional dual-aspect units. <p>Single aspect is discussed within paragraphs 92-95.</p> <p>The play space contribution is discussed at paragraph 112.</p>
<p>Further information regarding energy and drainage is required.</p>	<p>This is discussed within paragraphs 160 and 181.</p>

A number of other more specific matters were raised by the GLA, relating to transport, fire safety, energy and sustainability and flooding and drainage. These specific comments will be identified and addressed at the corresponding sections within the body of the report below.

Transport for London (TfL) – Clarifications and amendments requested prior to supporting the proposal. These matters have now been fully address and are discussed in the transport section within the main body of the report.

The Environment Agency – No objections subject to conditions and informatives.

Thames Water – No objections

Quintain Estates and Development PLC – Objected to the proposal on the following grounds:

Grounds of objection	Officer response
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The applicant's location plan includes an area of third party ownership for which they have not served notice of the application being made.	The applicant has now served the requisite notice on Quintain.
Paragraph 7.62 of the applicant's daylight and sunlight report states that the lower windows in NE05 in the 'existing' context achieve VSC levels of circa 15%-30%. At paragraph 7.63 the report states that with the proposed development in place the levels of VSC on the lower levels directly opposite the site would reduce to 12%-20%. However, the 3d model images within the report appear to show the impact of the development on the façade of NE05 to be greater than this with much of the lower levels appearing to receive only between 5-10% VSC. We would therefore request that the applicant provides additional information, such as spot analysis of the worst impacted areas of the façade, to confirm that the VSC is no lower than 12% as suggested in the report. We would also ask for the applicant to confirm what assumptions have been made in the report with regard to window sizes and balconies in Plot NE05.	Since submission a supplementary daylight and sunlight analysis has been carried out to address this specific concern. The discussion of this is at paragraph 86 below.

Community Involvement

The applicants have submitted a statement of community involvement which sets out the key activities undertaken prior to submission to engage with stakeholders. The main stakeholder engagement activities can be summarised as follows:

A public exhibition was held over two days at Wembley International Hotel on Tuesday 26th November 2019 from 10am to 3pm and on Wednesday 27th November 2019 from 3pm to 8pm.

Over the two days 11 individuals attended the exhibition, including the Leader of the Danes & Empire Courts Residents' Association.

Three feedback forms have been returned with largely positive feedback.

The proposed height was noted to have been deemed appropriate in the local context and there was strong support for the delivery of 35% affordable housing. However, some attendees voiced concern about another tall building in an area which already has a large number.

Some stakeholders noted that they wanted as many 3 bedroom units as possible and one stakeholder questioned whether the levels of demand for 1 and 2 bedroom units as opposed to 3 bedroom units will continue into the future.

The public realm and landscaping was strongly supported by stakeholders and an aspiration for the developers to work with Barratt London to coordinate the public realm across the adjoining development site at 10-11 Watkin Road was voiced. It was largely agreed that the existing site is underutilised at present. The potential to link the site with the brook side in the future was welcomed.

Stakeholders supported the re-provision of commercial space and expressed interest in the types of occupier the space is targeted at.

The Leader of Danes and Empire Courts RA emphasised the need for affordable housing in the area and suggested that parking spaces are provided to diffuse pressure on parking spaces nearby. The Leader of Danes and Empire Courts RA also welcomed the new landscaping and improved public realm proposals.

A concern was raised that the redevelopment of the industrial space was unnecessary and that the nature of the commercial space would change the industrial character of Watkin Road. One attendee also felt that an

uplift in commercial workspace would be unlikely to be beneficial to the local economy and would be unlikely to create more jobs.

One attendee was concerned that the development would lead to increased traffic congestion locally despite the car free nature of the development.

A newsletter informing residents of the proposals and inviting them to the exhibition was sent to 5,229 local residents and businesses.

A preview of the public exhibition was held with the Leader of the Council and the Lead Member for Regeneration, Property & Planning to brief them on the proposals between 9am and 10am on Tuesday 26th November 2019.

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 DPD, the 2011 Site Specific Allocations Document and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

The London Plan (2016)

- 2.13 – Opportunity areas and intensification areas
- 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
- 7.2 - An inclusive environment
- 7.7 – Location and Design of Tall and Large Buildings

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP2: Population and Housing Growth
- CP5: Placemaking
- CP6: Design & Density in Place Shaping
- CP7: Wembley Growth Area
- CP18: Protection and Enhancement of Open Space, Sports and Biodiversity
- 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: Waterside Development
- DMP 9 A: Managing Flood Risk
- DMP 9 B: On Site Water Management and Surface Water Attenuation
- DMP 11: Forming an Access on to a Road
- DMP 13: Movement of Goods and Materials
- DMP 14: Employment
- DMP 15: Affordable Housing
- DMP 18: Dwelling Size and Residential Outbuildings
- DMP 19: Residential Amenity Space

Wembley Area Action Plan (2015)

- WEM 1 – Urban Form
- WEM 2 – Gateways to Wembley

WEM 3 – Public Realm
WEM 5 – Tall Buildings
WEM 6 – Protection of Stadium Views
WEM 8 – Securing Design Quality
WEM 10 – Low cost Business start-up Space
WEM 14 – Car Parking Strategy
WEM 15 – Car Parking Standards
WEM 16 – Walking and Cycling
WEM 18 – Housing Mix
WEM 19 – Family Housing
WEM 24 – New Retail Development
WEM 25 – Strategy Cultural Area
WEM 30 – Decentralised Energy
WEM 32 – Urban Greening
WEM 33 – Flood Risk
WEM 34 – Open Space Provision
WEM 35 – Open Space Improvements
WEM 38 – Play Provision
WEM 40 – River Brent and Wealdstone Brook
Site W 26 – Watkin Road

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Relevant policies in the 'intend to publish' London Plan include:

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D9 Tall buildings
D10 Basement development
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring of affordable housing
H10 Housing size mix
S4 Play and informal recreation
E3 Affordable workspace
E11 Skills and opportunities for all
HC3 Strategic and Local Views
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk

SI 5 Water infrastructure
SI 6 Digital connectivity infrastructure
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport
T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

General:

DMP1 – Development Management General Policy

Place:

BP1 – Central
BCGA1 – Wembley Growth Area
BCSA6 – Watkin Road

Design:

BD1 – Leading the way in good design
BD2 – Tall buildings in Brent
BD3 – Basement Development

Housing:

BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All
BE3 – Local Employment Sites and Work-Live

Heritage and Culture:

BHC1 – Brent's Heritage Assets
BHC2 – National Stadium Wembley

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent
BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk

Transport:

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

Mayor of London's Affordable Housing and Viability SPG 2017

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

Basements SPD 2017

DETAILED CONSIDERATIONS

Principle of development

Land Use

1. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,915 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. However, the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 has suggested this target be reduced to 2,325 dwellings per annum, on account of contributions from small sites being recommended for a decrease within the report. Emerging local plan policy BH1 reflects this target.
2. Within local policy, Brent Policy CP8 sets out a target of at least 11,500 new homes being delivered in the Wembley Growth Area between 2010 and 2026, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 15,000 homes across the same growth area within the emerging Local Plan (policy BP1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
3. The site is part of a specifically allocated site by the Council for mixed used development in both the adopted 2015 Wembley Area Action Plan (Site W26, with an indicative capacity of 400 residential units) and site allocation BC5A6 in the emerging Local Plan (with an increased indicative capacity of 838 residential units). Brent's emerging site specific allocation suggests an appropriate focus for the site being on the delivery of homes and employment floor space. The site allocation brief states: *"Brent's London Plan 'provide capacity' status for industrial means that industrial floor space at least on the ground floor of 0.65 plot ratio or existing floor space whichever is the greater will now be sought as part of the redevelopment of the site. Development in proximity to the eastern part must adopt the 'agent of change principle', potentially through incorporation of more commercial uses to ensure the potential activities within the Wembley Business Centre is not compromised."*
4. The applicants are proposing a 998sqm (GIA) / 1,155sqm (GEA) provision of employment floor space within the B1a and B1c use class and will offer the entirety of the B1c space (comprising 940sqm or 94% of the employment floor space) as managed affordable workspace, where commercial rents would not exceed 50% of the market rent. The quantum of space meets the requirements of the emerging London Plan policy E4 as it includes a larger Gross External Area provision of industrial (B1c) floor space (1,086sqm) than 65% of the application site area (1,049sqm) and is in excess of the existing industrial GIA (gross internal area). Similarly, in line with the aspirations of Brent's adopted DMP14 and emerging

BE2 policies as well as the aspirations of the adopted and emerging site allocation protecting and promoting the intensification of employment floor space, the proposal would provide an uplift in industrial employment floor space (GIA) from 882sqm to 940sqm. If including the non-industrial employment floor space (B1a), the uplift would increase from 882sqm to 998sqm.

5. In line with comments raised by the GLA and Brent's affordable workspace officer, the layout of the affordable workspaces has been adjusted since submission to optimise loading areas, accessibility and bin storage areas as well as to provide a larger lift opening to enable increased manoeuvrability for loading. Brent's affordable workspace officer now confirms that the commercial units have been suitably optimised and has set out a series of obligations on the developer to secure the delivery of the workspace and to provide a good level of fit out that would minimise overheads for a prospective affordable workspace provider. The full series of obligations are set out in the heads of terms within the 'Recommendation' section of this report.
6. The delivery of the affordable workspace will be secured in the S106 agreement, which will also require the submission of an affordable workspace management plan at the appropriate point in the process.
7. The development proposed is in line with that anticipated in the emerging site allocation, proposing a net gain in employment floor space and 174 residential units across two separate buildings on either side of Watkin Road. The wider site allocation has seen two schemes which have consent and which are being implemented, these being Parkwood House (283 student accommodation bed spaces + affordable workspace, ref: 17/2782) and 10-11 Watkin Road (229 residential units + affordable workspace, ref: 18/3381 & 19/2750). Together these schemes are delivering 512 residential units and this scheme would increase the delivery of homes within the allocation to 686, about 80% of the emerging site allocation's indicative capacity. When these three sites are taken together in spatial terms, they occupy about 43% of the extent of the land area within the site allocation; if the remainder of the site allocation were to be developed at the same average level of density as that which has been approved / come forward, some 1,600 units could be expected to be delivered within the site allocation, in excess of the 838 unit indicative capacity. Nonetheless, it is noted that the sites which have come forward at this stage are those in the western half of the allocation and that the allocation brief expects a reduction in density to the east and a stronger focus on employment uses, helping to ensure that development across the site allocation appropriately transitions between the taller built form to the west and the lower-scale built form to the east. As such, development within the remaining parts of the site allocation would likely be less dense, meaning that the 1,000 unit indicative capacity would appear to be quite apposite in the context of what has already come forward.
8. In summary, the uses proposed on the site are as follows:
 - 174 residential units (C3 use class)
 - 940sqm of managed affordable workspace (B1c use class)
 - 58sqm of office space (B1a use class)
9. Overall, the development is supported in principle and is considered to be appropriately compliant with key strategic policies relating to housing and employment floor space provision, both adopted and emerging.

The appropriateness of developing on land within a high risk flood zone

10. The site is part of a wider residential allocation which acknowledges that the site sits within a high risk flood zone (3a) for surface, fluvial and tide, owing largely to its proximity to the Wealdstone Brook to the north. Flood zone 3a indicates that flooding risk is high on the site but it does not necessarily indicate that development on the land is inappropriate, as is the case with land in flood zone 3b which generally indicates that a site should be retained undeveloped as functional flood plain.
11. The draft site allocation for Watkin Road does not indicate that the flooding designations on site should preclude development opportunities but does acknowledge that flood mitigation measures will be necessary and that flood mitigation should not compromise a high quality deliverance of public realm and interface between street and ground floor use. The development proposals achieve this allocation requirement and this will be detailed in depth in later sections of this report. Furthermore, the applicant's drainage strategy (as detailed below) presents an opportunity to provide flood risk betterment on site.
12. On this basis, it is considered that as long as there is no real increase in flood risk, and ideally betterment as established through improvements to site drainage, that an approach of moving forward with a mixed

use scheme at this site is an appropriate position to support. The Environment Agency have been consulted on the proposal and have raised no objections to the site's development in principle from a perspective of flood risk.

Affordable Housing and Unit Mix

Adopted affordable housing policy

13. 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.
14. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.

Emerging affordable housing policy

15. The emerging London Plan (Intend to Publish Version) affordable housing policy (H4, H5 and H6) sets out the Mayor's commitment to delivering "genuinely affordable" housing and that the following split of affordable housing provision is applied to development proposals:
- A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent)
 - A minimum of 30% intermediate products
 - 40% to be determined by the borough based on identified need
16. Brent's emerging local plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (policy H5), with schemes delivering at least 35% (or 50% on public sector land / industrial land and that propose a policy compliant tenure split) not viability tested at application stage. Brent Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan H6 policy by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.
17. Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted DMP15 policy would carry considerably more weight than the emerging policy at present. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage.

Affordable housing offer

18. The applicant's initial affordable housing offer saw 35% of the development offered as affordable housing when measured by habitable room, with 60% of this housing comprised of Affordable Rented housing (capped at 80% of the local market rent) and the other 40% comprised of shared ownership housing. The applicant's supporting financial viability assessment indicated that this offer would return a deficit of £1.18m and therefore represented more than the reasonable amount of affordable housing. Nonetheless, the above offer fails to meet some key requirements of emerging affordable housing policy, namely; the offer does not include low cost rented homes (either Social Rent or London Affordable Rent) as required by emerging London Plan policy H6 and draft Brent policy BH5 and the offer does not target a policy compliant tenure split for 70% of the affordable housing to be low cost or affordable rented housing and for 30% of the affordable housing to be intermediate affordable housing, instead targeting a 60%/40%

split.

19. Given the lack of acceptability of this initial offer, officers appointed BNP Paribas to make its own assessment of the scheme's financial viability and to identify an alternative affordable housing offer which included low cost rented housing (London Affordable Rent), which targeted a policy compliant tenure split and which did not exceed the financial deficit reached within the applicant's original offer (£1.18m) which the applicants had confirmed they were willing to proceed with. BNP Paribas identified that an affordable housing offer as follows would likely return a deficit of circa. £1.17m and would therefore represent more than the maximum reasonable amount of affordable housing when targeting the emerging London Plan policy conditions:

*Unit s	Private	Affordable		Intermediate S h a r e d Ownership	Total
		London Rent	Affordable		
1 & 2 bed	139	6		3	1 4 8 (85%)
3 bed	16	7		3	26 (15%)
Total	1 5 5 (89.1%)	13 (7.5%)		6 (3.4%)	1 7 4 (100%)

20. This offer represents 11% affordable housing by unit, and a 68:32 tenure split ratio between London Affordable Rent : Shared Ownership. In reaching this conclusion, BNP Paribas assumed that the developer would receive open market rents for the commercial floor space, and as such there has been no trade off made between affordable workspace provision and affordable housing provision. Were the actual discount market rents for the affordable workspace to be assumed as part of this model, the viability position reached would have been less favourable than the one reached above.
21. Whilst this offer would satisfy the requirements of Brent's emerging affordable housing policy BH5 since it offers a suitably low cost rented product at a policy compliant tenure split, the offer falls short of the GLA's threshold approach identified within emerging London Plan policy H6, whereby applications can be 'fast-tracked' without further FVA scrutiny if proposing 35% affordable housing (as measured by habitable room) when targeting an H6 compliant tenure split (set out above). Furthermore, the incorporation of the above tenure arrangement within the applicant's proposed building massing would prove difficult given that only a small part of one of the buildings would contain affordable housing, necessitating a convoluted sub-division of one of the buildings for management purposes. Given these factors, the applicants have opted to increase the affordable housing offer from the base offer identified above to the following:

Unit type	L o n d o n Affordable Rent units	S h a r e d Ownership units	Total
Studio	0	1	1 (2%)
1 bedroom	8	8	16 (32%)
2 bedroom	0	8	8 (16%)
3 bedroom	7	18	25 (50%)
Total	15 (30%)	35 (70%)	50 (100%)

22. This offer represents 29% affordable housing by unit or 35% affordable housing by habitable room, and a 30:70 tenure split ratio between London Affordable Rent : Shared Ownership.
23. Officers welcome the applicant's proposed uplift beyond the demonstrated maximum reasonable amount of affordable housing, incorporating 19 additional shared ownership units and 2 additional London Affordable Rented units beyond that which was identified as the maximum reasonable amount of affordable housing when achieving a policy compliant tenure split. The additional units which have been offered result in the overall tenure split of the affordable housing becoming heavily weighted towards shared ownership, however, the offer incorporates all of the components of the identified maximum reasonable tenure split policy compliant offer modelled by BNP Paribas and can therefore be assuredly confirmed as an offer that is significantly in excess of the maximum reasonable amount of affordable

housing when targeting a policy compliant tenure split. The affordable housing offer is also compliant with the tenure split requirements set out in policy H6 of the emerging London Plan as it provides at least 30% of its affordable housing as Low Cost Rented housing (London Affordable Rent) and at least 30% of its affordable housing as intermediate (shared ownership housing).

24. Despite the offer being acceptable (and thus exceeding the maximum reasonable amount of affordable housing that the site can deliver), the offer falls short of the 50% policy compliant target set out in policy DMP15 and an early and late stage review mechanism will therefore be secured in a s106 agreement to capture any uplift in affordable housing.

Location and quantum of housing

25. The affordable housing is proposed to be contained entirely within the northern block of the two proposed blocks, leaving the southern block as that which contains the private accommodation. The two blocks are to be provided with very similar visual treatment and entrance areas, resulting in there being minimal visual differences between the private and affordable blocks.

26. Combining the two blocks, the residential provisions across the whole scheme are set out in the table below:

Unit type	P r i v a t e units	L o n d o n Affordable Rent Units	S h a r e d Ownership Units	Total
Studio	16	0	1	17 (9.8%)
1 bedroom	48	8	8	64 (36.8%)
2 bedroom	59	0	8	67 (38.5%)
3 bedroom	1	7	18	26 (14.9%)
Total	124 (71.3%)	15 (8.6%)	35 (20.1%)	174 (100%)

27. The residential provisions within each of the blocks is set out in the table below:

Northern block (affordable tenures)

Unit type	L o n d o n Affordable Rent units	S h a r e d Ownership units	Total
Studio	0	1	1 (2%)
1 bedroom	8	8	16 (32%)
2 bedroom	0	8	8 (16%)
3 bedroom	7	18	25 (50%)
Total	15 (30%)	35 (70%)	50 (100%)

Southern block (private tenure)

Unit type	Private units
Studio	16 (12.9%)
1 bedroom	48 (38.7%)
2 bedroom	59 (47.6%)
3 bedroom	1 (0.8%)
Total	124 (100%)

Wider acceptability of tenure mix

28. Brent's core strategy policy CP2 seeks for at least 25% of units to be family sized (three bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target. The proposal achieves a reasonable proportion of family sized accommodation (15%) although this is acknowledged as falling short of the 25% target.

29. Whilst acknowledging the shortfall, it is strongly welcomed that the applicant's affordable housing offer assigns the family sized units strongly towards the affordable tenures where need is greatest. In

demonstrating this, 96% (25 out of 26 units) of the scheme's family accommodation sits within the affordable tenures block, whilst 50% of the scheme's affordable housing is comprised of family sized homes (47% in the London Affordable Rented tenure and 51% in the Shared Ownership tenure).

30. In the context of market driven residential development, officers acknowledge the reality of there being a fine balance to strike between scheme viability and family home provision, with a greater percentage of three bedroom homes generally resulting in less viability for affordable housing provision. On balance, the 15% provision of family homes is considered acceptable given the significant over-representation of the family accommodation within the affordable tenures and in acknowledgement of the scheme viability position, for which it has been confirmed that the agreed affordable housing level is significantly in excess of the maximum viable amount.

Design

31. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and public realm

32. The development site is split into two. The southern site forms units 1, 2 and 3 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west and unit 4 of Watkin Road to the south east. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area. The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the under construction development of 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east. Each of the sites is to accommodate a new residential block, as follows.
33. The southern site would contain a building that, in part, extends to 20 storeys in height and in part extends to 17 storeys in height, whilst the northern site would contain a building that extends to 14 storeys in height.

Southern site

34. The southern site comprises all of the development's commercial floor space (floors ground to two) and all of the development's private residential accommodation (floors three and upwards). The residential accommodation is accessed from a wide, colonnade covered frontage on the north eastern elevation, at the corner with Fulton Road. The residential lobby area and the base of the residential core is contained on the south western side of the building and fronts both Watkin Road and Fulton Road. The B1c affordable workspace is also located along this elevation from an adjacent entrance. The B1a commercial unit is also directly accessible at ground level, from the north eastern elevation along the main spine of Watkin Road. The ground floor is largely comprised of residential bin stores, commercial bin stores, commercial bike stores and back of house / plant spaces for both the residential and commercial uses. A basement level is also provided for this building, containing plant rooms only.
35. The first floor level is largely comprised of the B1c affordable workspaces, fronting the two Watkin Road frontages and the Fulton Road frontage. A large residential bike store is also provided on this level, occupying the eastern part of the block. The second floor level is entirely commercial in nature and will be comprised of the largest units forming the scheme's commercial affordable workspace offer.
36. From third floor and upward, the building is entirely residential and would see 8 residential units being provided on each floor, up until the 16th floor. The 17th floor has a reduced massing, providing 4 units per core across the 17th, 18th and 19th floors, with a communal rooftop garden being provided atop the eastern half of the block at 17th floor level, in place of the massing that would no longer be present at the higher levels. Above the 19th floor, at the building's apex, an additional roof garden is provided for residents.

Northern site

37. The northern site comprises all of the development's affordable rented and shared ownership housing.

The residential accommodation is accessed from a legible, covered access at the south western corner of the building, at its most prominent corner, across from the emerging development at 10-11 Watkin Road. The ground floor is formed of the entrance lobby and a resident's lounge on the east side of the block, the residential core and bin storage centrally in the block and plant rooms to the east side of the block.

38. The first floor is largely comprised of bike storage space for the flats but also includes two residential units on the building's south western and north western corners. From second floor upwards, four residential units occupy each corner of each floor plate. The tallest residential storey is the 13th floor, and above this is a residents' rooftop amenity space.

Public Realm

39. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. The main residential entrance to the southern block is focussed on the small section of Watkin Road which is perpendicular to Fulton Road and is provided underneath a colonnade. The entrance is accessed through a short stair and ramp access and sits slightly higher than the road in order to adhere to ensure a safe flood level for the building, owing to the proximity of the Wealdstone Brook. The colonnade feature would correspond with the colonnade feature used at the 10-11 Watkin Road site across the road and would act as a clearly legible and inviting means of defining the main entrance. A new landscaped area will be provided in front of the colonnade incorporating two new trees. The public realm along Fulton Road would largely be formed of active frontages serving the residential reception area and back of house office space. A small stretch of inactive frontage will be present at the end of the Fulton Road frontage, where substation and generator access doors will be located. The public realm along Watkin Road would be comprised of active frontages to the commercial space, including the main entrance to the commercial spaces as well as a small stretch of inactive frontage at the eastern edge of the frontage, accommodating commercial and residential bin stores. The Watkin Road frontage would also contain a refuse presentation area for use on collection days, as well as the main servicing layby and two disabled parking bays.
40. The smaller northern block would be located across from the southern block, on the northern side of Watkin Road. The blocks entrance would be at the south western corner of the block, closest to the Fulton Road/Watkin Road junction, and, as with the southern block, would be a covered colonnade entrance accessed through steps or a ramp that ensure the building sits at an appropriate level to mitigate the risk of flooding given the proximity of the Wealdstone Brook. The area to the east of the block would be landscaped with new tree planting and would contain the alternative ramped access to reach the main entrance area. The landscaped area would immediately adjoin with the landscaped area forming part of 10-11 Watkin Roads emerging development and the two areas together would form a 13m x 20m public landscaped area between the buildings. This area also sits adjacent to the boundary with the Wealdstone Brook banks and the open space across both sites in this area has ensured potential for increased brook access and restoration works to take place from here in the future. If this were delivered down the line, it would have a local public amenity benefit as well as positive implications for local ecology and climate change adaptation. The western frontage of the northern block (to the landscaped area) would be a fully active frontage, with four windows being provided to the residents indoor amenity lounge. The southern frontage of the northern block (to Watkin Road) would be a mixture of active (windows to the residential lobby) and inactive (doors to the bin store and substation/generator). The pavement on this side would also be amended to provide two additional on-street disabled parking spaces and a small refuse presentation area at the eastern end of the frontage.
41. The public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level, interest and strong legibility having been provided by the colonnade features and new landscaping having been introduced in the public realm, especially at the base of the northern block. Despite the need for the ground floor level across both buildings to be raised up by a small amount to account for flood risk, the active frontages remain well-grounded and do not appear severed from the street scene.
42. In establishing a good connection between the two sites, the applicants would deliver a step free pedestrian crossing across Watkin Road, which would incorporate dropped kerbs and tactile paving.

Scale, height, massing and design of the development

Height and Massing

43. Policy WEM5 of the adopted Wembley Area Action Plan (2015) supports the development of tall buildings (defined as being 30 metres (about 10 storeys) or greater) on the basis of its site specific tall buildings strategy. This site in the Wembley Area Action Plan is shown as a site which is inappropriate for tall buildings under WEM5 criteria, although is close to existing and emerging tall buildings including Scape Wembley (28 storeys), 10-11 Watkin Road (24 storeys), Quintain plot NE06 (34 storeys) and Parkwood House (17 storeys).
44. Draft policy BD2 of the emerging Local Plan (which is intended to be adopted later this year) directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. Whilst the entire development site sits within a tall buildings zone it is noted that the southern site sits within the 'core' section of the zone whilst the northern site is split between the 'core' section of the tall buildings zone and the general section of the zone. Furthermore, the emerging site allocation within Brent's emerging Local Plan notes that "tall buildings will be acceptable taking into account the need to mediate between heights of the adjacent Wembley masterplan sites, plus Parkwood House, Apex House and Amex House and Empire Court".
45. Whilst the Wembley Area Action Plan (WAAP) is still the adopted local policy document for consideration, the emerging changes to policy as observed within BD2 of the emerging Local Plan are to be acknowledged and stand testament to the substantial increase in housing targets that have come into relevance since the publishing of the WAAP. Furthermore, emerging London Plan policy can now be afforded substantial weight and the sustainability of this location within an area of good public transport accessibility is acknowledged.
46. The Watkin Road site allocation sits close to the edge of the masterplan zone, although covers a significant area with locations to the south and west of the allocation site being less sensitive and close to dense development (either built or consented) and locations to the north and east of the allocation site being more sensitive given their proximity to lower scale development (low scale industrial and the residential buildings forming Empire Court) where no change is anticipated in current or emerging policy. This development site sits centrally within the site allocation and is adjacent to development of significant density, particularly in the southern section. It is acknowledged that the northern part of the development site would act as a buffer space between the tall emerging development of 10-11 Watkin Road to the west and the Wealdstone Brook and low-scale Empire Court to the east and should be designed accordingly.
47. The proposal seeks a development of up to 20 storeys within the southern site, stepping down to 17 storeys on its eastern side. It is noted that this building would sit on a prominent junction (Watkin Road/Fulton Road) within the eastern side of the masterplan area. The plot is visually prominent, particularly from the junction of Olympic Way and Fulton Road, where it would centrally frame the view eastwards along Fulton Road. However, it is also noted that the plot is located fairly centrally in a site allocation and that its location is slightly more peripheral to the masterplan area than the immediately neighbouring sites to the west and south, such as 10 – 11 Watkin Road (24 storeys), Quintain NE05 (23 storeys) and Quintain NE06 (34 storeys). When taking this emerging context into account, the proposal for a building between 17 and 20 storeys on this plot is considered to result in a proposal which would clearly and appropriately mediate between the taller heights and denser development to the east and south and the requirement for development to transition to a smaller scale at the western edges of the site allocation. This massing will also provide a prominent landmark framing for the view along Fulton Road from the west, as shown in the applicant's Townscape and Visual Impact Assessment.
48. The proposal seeks a development of 14 storeys within the northern site. Unlike the southern site, this building would not sit on a prominent junction and would sit more peripherally within the site allocation adjacent to the Wealdstone Brook, across from which the Empire Court development (4 storey apartment blocks) sits. The block would, however, sit immediately adjacent to 10 – 11 Watkin Road (24 storeys) to the east. The 14 storey massing is considered to result in an effective transition between the two developments, being 10 storeys lower than the 10 – 11 Watkin Road development to the west and 10 storeys higher than the existing Empire Court development across the brook to the east. It also provides a meaningful reduction in height from the emerging developments to the east in terms of setting a precedent for continued reductions in height as developments further east within the allocation site come forward. The 14 storey massing would also respond effectively to the transitional tall building zone within which the northern site sits (between the 'core' and general tall buildings zone), proposing a massing which is not significantly in excess of the base definition of tall buildings as set out in the emerging Local Plan and WAAP (i.e. 30 metres or about 10 storeys).
49. The proposal would sit within the viewing corridor of the Wembley Stadium Arch as seen from Chalkhill

Park, which is a strategically protected view within the WAAP Policy WEM6 and Brent's emerging Local Plan Policy BHC2. The applicant's Townscape and Visual Impact Assessment illustrates the impact the development would have on this view. Whilst the northern site's block would not impede the view of the Wembley Stadium Arch from the park, the southern site's block would impede the view of the arch to an extent on the building's eastern side. The part of the building which has been reduced in height to 17 storeys is the part of the building which would obscure the arch and the reduction in height from 20 to 17 storeys has helped to ensure that this impact has been reduced. It is noted that consented massing forming part of the Quintain masterplan already visually impedes the eastern extent of the arch from this view and that this development would buffer the view of the western arm of the arch to a similar extent, resulting in a more symmetrical framing for the part of the arch which would remain clearly visible. The GLA has also considered the visual impact on the arch from a strategic perspective and notes the following: *"Although the buildings will result in the partial reduction in the extent of sky visible, these buildings will be seen alongside other existing and emerging high-rise development that populates the skyline in this locality. Views of the lowermost portion of the Wembley Stadium arch will be interrupted, however due to the way in which the massing steps down from the west, the profile and silhouette of the arch will remain. The height and massing of the proposed development is acceptable from a strategic perspective"*.

Architecture and Materiality

50. The visual design and architecture of the buildings is pleasing, relying on a simple rectilinear massing with a brick heavy external appearance, helping to establish a residential character. The architecture is mainly based on the use of yellow multicolour brick in the case of the taller southern block and the use of red and dark red multicolour brick in the case of the northern block. The taller block incorporates the use of a darker shade of brick at ground level to clearly define the colonnade portion of the frontage and to provide a distinctive ground layer for the building. The architectural features across the facades are neatly arranged in vertical stacks to emphasise the slenderness of the buildings. A dark brown metal appearance for the balcony balustrades would be a significant secondary feature of the building's appearance.
51. Samples of the materials to be used in the development will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

52. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The Grade II Listed Wembley Arena is located approximately 460 metres to the south west whilst the Grade II listed Brent Town Hall (now used as the Lycée International de Londres Winston Churchill) is located approximately 570 metres to the north. About 500 metres to the north is the southern boundary of the Barn Hill Conservation Area.
53. The applicants have submitted a detailed Townscape and Visual Impact (TVIA) assessment. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.
54. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
55. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Opportunity Area and that there would be no harm to

the setting of designated heritage assets.

Archaeology

56. Beyond the visual impact considerations that relate to heritage, the site has been assessed for its below ground archaeological potential and the applicants have submitted a report to communicate the findings. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's Archaeological Priority Areas (APA) or locally designated Sites of Archaeological Importance (SAI).
57. The history of the site has largely been as agricultural land until the area became managed parkland forming part of the wider Wembley Park during the late 19th/early 20th Century. Later, aerial imagery indicates that Watkin Road's existing industrial buildings were built out in the late 1940s/ early 1950s. The development plots are to the north of the main site of the British Empire Exhibition (1924-1925) and there are no buildings shown on the development plots of land on the diagrammatic 1924 plan of the Exhibition. Because of this, it is concluded that the site has a low archaeological potential for all past phases of human activity.
58. Borehole logs from nearby sites (Amex House and Fernlea House) have been negative in their results with the area of the national stadium and its immediate vicinity having been subject to intense truncation, thus having removed potential archaeological deposits.
59. For the above reasons, further archaeological mitigation is not recommended.
60. The Council's heritage officer agrees with the findings of the report and that no further archaeological mitigation measures should be required.
61. As a result, the proposal accords with London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan and the NPPF.

Impact on amenities of neighbouring properties

62. Brent's DMP1 policy within the emerging and adopted Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Privacy

63. In order to retain acceptable privacy levels to properties, the amenity impact considerations consider that all primary habitable room windows within the property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, the proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

Sense of enclosure

64. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property (including side and rear garden boundaries) towards the proposed buildings. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest rear habitable room windows within neighbouring properties that face towards the proposed buildings.
65. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding

properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.

Application of guidance relating to privacy and sense of enclosure to the proposal

66. In the context of the guidance, the impact to each of the neighbouring sites is discussed below.
67. The northern site borders the emerging 10-11 Watkin Road development to the west. The proposed block will be separated from the façade of 10-11 Watkin Road across a 14 metre gap. The north western flats in this block will have a western aspect towards this development, therefore having windows facing towards the windows of the north-eastern flats of 10-11 Watkin Road at a distance of 14 metres. Given that the windows would face one another across a publicly accessible landscape area, including a new public pedestrian path between Watkin Road and North End Road, and given that the windows of the affected flats within the 10-11 Watkin Road scheme and the 9 Watkin Road scheme would both be secondary windows in dual aspect flats, this relationship is considered to be comfortable and will not unduly compromise privacy or outlook for residents in either scheme.
68. The northern site borders the low-rise unit 8 Watkin Road to the east, currently in use for car-repair services. The proposed building would be located about 1 metre from the boundary with this unit although would not rely on this eastern aspect for outlook within 9 metres of the boundary. Instead, obscure glazed windows which would open only at high level are proposed along this flank facade. Balconies serving the flats on this side of the property would have a secondary eastern aspect towards no. 8 Watkin Road. Suitable screening to prevent eastward facing outlook from these balconies would need to be secured by condition so as not to prejudice the ability of the neighbouring site to be developed. Subject to this condition, the proposal would not rely on outlook towards 8 Watkin Road and would therefore not prejudice the ability of this site to be developed.
69. The northern site borders the Wealdstone Brook to the north and the established residential Empire Court estate beyond this. The Wealdstone Brook banks are heavily vegetated on both sides with thick tree canopy cover. This tree cover would largely buffer much of the visual relationship between the Empire Court environment and this development. Nonetheless, were the trees not in situ, the proposed block is about 30 metres from the edge of the nearest block in Empire Court (The Lodge) at the closest point, in excess of distance required to maintain a good level of privacy in a private setting. The part of the Empire Court estate between the Wealdstone Brook and The Lodge forms part of the car park of the estate and does not constitute part of the formal amenity space offer of the development. Furthermore, the L-shaped block forming The Lodge has a mixture of south facing and west facing windows with none of these windows facing the proposed northern block and a few of the southernmost west facing windows facing the northern block, but indirectly and only following a separation gap of at least 48 metres. Moreover, when the thick tree cover separating the sites is taken into account, officers would not deem tests of the 30 and 45 degree rule to be relevant in the context of this site and it is considered that the mitigating factors discussed above would suitably address any potential unacceptable amenity impact that could be incurred on Empire Court.
70. The northern site borders the public highway to the south and would retain an 18 metre gap between its southern façade and the northern façade of the southern block across the public highway, resulting in a good level of separation in line with SPD1 guidance, especially in the context of a public setting such as this.
71. The southern site borders the public highway on three sides, to the north, west and south. The southern site borders unit 4 Watkin Road to the east. As with the northern site's relationship with unit 8, the proposed building would be located about 1 metre from the boundary with this unit although would not rely on this eastern aspect for outlook within 9 metres of the boundary. Instead, obscure glazed windows which would open only at high level are proposed along this flank facade. Balconies serving the flats on this side of the property would have a secondary eastern aspect towards no. 4 Watkin Road. Suitable screening to prevent eastward facing outlook from these balconies would need to be secured by condition so as not to prejudice the ability of the neighbouring site to be developed. Subject to this condition, the proposal would not rely on outlook towards 4 Watkin Road and would therefore not prejudice the ability of this site to be developed.
72. Given that the sites do not border with any private residential dwellings across a private setting (aside from Empire Court which is discussed above separately), the tests of 30 and 45 degrees are not relevant in this setting.

Summary on privacy and sense of enclosure

73. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Most of the neighbouring relationships are across public space and establish suitable separations by virtue of suitably wide landscaped areas or across public highways. The scheme adjoins three sites across a private setting, 4 Watkin Road, 8 Watkin Road and Empire Court. In the case of 4 and 8 Watkin Road, there will be no reliance on outlook towards these sites and in the case of Empire Court, the nature of the relationship between the proposal and this site has a number of mitigating factors which would address the amenity impact relationship between the sites without the application of 30/45 degree guidance.

Daylight and Sunlight Impact

74. The applicants have submitted a numerical daylight and sunlight analysis prepared by industry experts. The submission has tested the following properties in terms of how the proposed development would affect daylight and sunlight to the windows of these buildings in line with BRE criteria:

- Amex House
- Empire Court – Block 1 (western block on the north side of North End Road)
- Empire Court – Block 2 (eastern block on the north side of North End Road)
- Empire Court – Block 3 (eastern block on the south side of North End Road)
- Empire Court – The Lodge (western block on the south side of North End Road)
- 10-11 Watkin Road
- Quintain Masterplan outline consent to the south

75. The results of the daylight and sunlight testing of these properties is set out below:

Amex House

76. This development to the north east of the site is substantially complete and forms a development of 195 flats across North End Road from the development site.

77. 371 windows are relevant for testing and 346 (93%) will meet the BRE guidelines for the Vertical Sky Component, retaining a Vertical Sky Component (VSC) factor of at least 27% or seeing a reduction from the existing scenario Vertical Sky Component of no more than 20%. This leaves 25 windows which will fall short of the BRE guidance for VSC, with the worst case failure seeing a circa 50% reduction in resulting VSC compared to existing VSC. In nearly all cases, these windows which fall short of BRE guidance are located within dual aspect flats where the light received from other directions would be unaffected. As such, it is considered that a suitable mitigating factor is present in most instances. The No Sky Line (NSL) test relates to rooms rather than windows, and assesses the proportion of a room from which sky would be visible. Where the reduction in the parts of the room from which sky would be visible is less than 20%, the BRE guidance is passed. Of the 240 rooms tested in Amex House, 228 (95%) meet the NSL test. Of the 12 rooms which fail, just one of these rooms will see the sky visible from less than half of the room, meaning the 11 rooms which see more than a 20% reduction will still see daylight distribution to a majority of the room. For living rooms, the worst reduction will be about 28% compared to the existing scenario and for bedrooms, the worst reduction will be about 36% compared to the existing scenario. In terms of the sunlight impact, 349 (94%) of the 371 windows tested meet the criteria for winter probable sunlight hours and 359 (97%) meet the criteria year round probable sunlight hours. The worst case scenario for sunlight losses is to a living room on the first floor which would see a 40% loss of summer sunlight, a 57% loss of winter sunlight and a 50% loss of annual sunlight. As a result, there are some isolated breaches but the vast majority of the windows will meet the BRE guidance.

Empire Court – Block 1

78. This building is located to the north of the site and comprises four storey flatted development. 103 windows are relevant for testing at this building and 93 (90%) will meet the BRE guidelines for the VSC. The 10 windows which don't meet the guidance have failures of between 20% reduction compared to the existing (the 'pass' mark) to a 27% reduction compared to the existing. Of the 10 windows that don't meet VSC guidelines, it is noted that for nine of these, the existing windows have VSC values of between 6% and 13%, making them very sensitive to large percentage changes, even in the context of small perceptible changes. The other window which has a higher starting VSC only marginally fails with a resulting VSC that is 20.43% less than the starting VSC. The NSL test sees all rooms tested meeting the criteria. In terms of sunlight testing, 93 windows (90%) will meet BRE guidelines for winter sunlight and

81 windows (79%) will meet BRE guidelines for annual sunlight. The 22 windows which will not meet BRE guidelines are restricted to locations at the lower levels of the building. The worst case scenario for sunlight losses is to a ground floor window which would see a 14% reduction in summer sunlight, an 85% reduction in winter sunlight and a 38% reduction in year round sunlight. Such instances are the exception rather than the rule in the context of the wider results and the majority of windows at this block will meet BRE guidelines.

Empire Court – Block 2

79. This building is located to the east of Empire Court – Block 1 and comprises four storey flatted development. All of the windows and rooms tested at this property meet the BRE guidelines for daylight (VSC and NSL testing), resulting in negligible daylight impact to this property. In terms of sunlight, none of the windows would see more than a 20% reduction in the annual sunlight hours, although 15 out of 96 (15%) would see more than 20% reduction in the winter sunlight hours. Only 4 of these would be losses of greater than 36%, with the highest loss to a window being 57%.

Empire Court – Block 3

80. This building is located to the south of Empire Court – Block 2 and comprises four storey flatted development. All of the windows and rooms tested at this property meet the BRE guidelines for daylight (VSC and NSL testing), resulting in negligible daylight impact to this property. In terms of sunlight, just 2 windows out of 144 would see more than a 20% reduction in the annual sunlight hours, with a 21% and 25% reduction in annual sunlight respectively, both only marginally falling short of the criteria. When it comes to winter sunlight hours, 6 out of 144 (4%) windows would see more than 20% reduction from the existing scenario, with the most significant loss being a 50% reduction.

Empire Court – The Lodge

81. This building is located to the west of Empire Court – Block 2 and comprises a two storey building with first floor residential accommodation. All of the windows and rooms tested at this property meet the BRE guidelines for daylight (VSC and NSL testing), resulting in negligible daylight impact to this property. In terms of sunlight, 7 windows are relevant for testing and 4 of these would lose more than 20% of the existing annual probable sunlight hours, with the reductions being 20.45%, 27.59%, 28.13% and 30.30% respectively. These same 4 windows would also see a >20% reduction in winter sunlight hours, with the greatest loss being 33%.

Ten and Eleven Watkin Road

82. This 24 storey building will be located to the north west of the development site and is currently under construction. The property is currently surrounded by low rise industrial properties to the east, experiencing very good baseline levels of daylight. 326 windows are relevant for daylight testing and 134 (41%) will meet the BRE's VSC criteria. Of the 192 remaining windows, 107 of these are bedrooms which are acknowledged as having a less important requirement for light within the BRE guidelines. There will be perceptible alterations to VSC to the remaining 85 windows, ranging from an average of circa 50-60% reduction across the 2nd to 9th floors, with retained VSC levels averaging around 10-13%. From the 10th floor, the retained VSC levels increase and average around 17%, a common VSC value seen in denser city environments, which is acknowledged in the BRE guidelines. NSL testing saw 263 rooms tested for daylight distribution with 156 (59%) meeting the BRE guidelines for this criterion. 230 of the rooms (87%) retain at least 50% daylight distribution, meaning the sky would continue to be seen from the majority of the room in most cases. Of the 33 rooms which would not have daylight to the majority of the room, 32 are bedrooms which are acknowledged as being less sensitive rooms within the BRE guidelines. There would certainly be perceptible changes to the standard of daylight at this property, however the dense, growth area setting is acknowledged, especially in the context of the BRE guidelines principally applying to good standard for daylight and sunlight in low density, suburban settings. The applicants have carried out a 'mirror analysis', mirroring the massing of 10-11 Watkin Road as closely as possible across both north and south sites to consider what a scheme of equivalent massing to 10-11 Watkin Road would result in were the scheme to have this more significant massing. The results returned from the mirror analysis (VSC and APSH) are closely commensurate with those for the proposed massing, indicating that the proposed development will result in retained levels of daylight and sunlight which are appropriate for this location.

83. In terms of sunlight impact, 295 (90%) of the 326 tested rooms will meet the criteria for winter sunlight and 220 (67%) of the rooms will meet the criteria for annual sunlight. Of the 106 windows which do not

meet the criteria for annual sunlight, 43 will retain an APSH of 20% or more, reasonably close to the minimum guidance amount of 25%. 263 (81%) windows therefore meet, or are close to the BRE guidelines for annual sunlight. Given that the proposed development site is located to the south east of 10-11 Watkin Road and that the 10-11 Watkin Road site currently benefits from a highly unobstructed outlook in this direction, sunlight impacts to 10-11 Watkin Road from a meaningful development of the site may be unavoidable.

84. The applicants have noted that the retained daylight (VSC) levels to 10-11 Watkin Road would be greater than those that have been retained to Amex House, suggesting that the retained values to 10-11 Watkin Road are better than the neighbouring amenity in other high density residential properties in the immediate locality.

Quintain Masterplan – Outline Consent

85. An outline consent is in place to the south of the site, across Fulton Road. Given that no detailed submissions have been made for this outline consent the applicant did not initially test specific windows and rooms as these have not yet been placed within the approved parameters of the building. Nonetheless, a full façade VSC range has been identified for the approved parameter plans based on the proposed massing. The identified VSC range shows that the lower levels of the approved building envelope directly across from the site would currently achieve VSC levels of between approx. 15% and 30% and that the proposed development would reduce this range to between approx. 12% and 20%. Quintain has submitted comments in relation to this, noting that the applicant's 3D visual model showing the VSC ranges across the facade would indicate that the VSC levels on some of the lowest residential levels would actually reduce to between 5% and 10%.

86. It is noted that the 3D visual model of the results does not indicate daylight results to a high level of precision and the applicants have therefore carried out a more detailed analysis of the daylight levels that would be received by this facade in the event that both this development and the Quintain Masterplan developments are delivered. This more detailed analysis has been carried out by pinpointing a series of hypothetical rooms (flats) located within the development facing elevation as approved within the Quintain Masterplan parameter plans. These hypothetical rooms have then been tested using the Average Daylight Factor (ADF) methodology (which is the relevant assessment criteria when considering proposed accommodation as opposed to existing accommodation) under the same conditions and formulae as were applied to the considerations of the Quintain Masterplan application (i.e. excluding galley type kitchens where they are located to the rear of Living/Kitchen/Dining (LKD) rooms, and where there is no expectation of natural light); using a 1.5% target criteria for these rooms (2% where kitchens have been assessed; and 1% for bedrooms). Of the 55 hypothetical room assessed, 51 (93%) rooms will meet the target criteria used in support of the Wembley Masterplan. This analysis confirms that the vast majority of rooms in this elevation will meet an acceptable daylight target for a dense urban masterplan such as this. The retained levels are consistent with many of the proposed units within the Wembley masterplan itself, despite a small number of rooms falling below 1.5% ADF. This analysis demonstrates that the proposed residential massing can achieve similar levels of ADF as achieved within the Quintain Masterplan and other considered developments in the immediate context. It would appear that the retained levels of daylight would be commensurate with those generally experienced in a high density location such as this. The daylight and sunlight impact at this Masterplan site could be considered at the full details stage of this development, and it may be that window sizes and room layouts could be planned accordingly to maximise daylight to these lower rooms in the knowledge of the impact from the proposed development.

Overshadowing to outdoor amenity spaces

87. The applicants have considered the impact to nearby outdoor amenity spaces. The relevant amenity spaces which are closest and which would warrant overshadowing testing are the communal gardens to the south of Empire Court – Block 1 and to the north of Empire Court – The Lodge. The BRE overshadowing assessment is passed where at least 50% of the garden area would retain exposure to at least 2 hours of direct sunlight during the 21st March. Both of the garden areas tested fully comply with this test and would be negligibly affected by the proposed development.

Summary

88. Overall, it is considered that the impact to the neighbouring sites is acceptable in the context of the benefits of the scheme. Officers would note that the BRE guidelines on which the daylight and sunlight analysis is based are designed to identify good levels of daylight and sunlight in low density locations and

that the guidelines acknowledge a need to interpret compliance flexibly in denser town centre locations. Furthermore, at paragraph 123 of the National Planning Policy Framework (NPPF), it is stated that “*when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)*”.

89. The growth area location and site allocation envisioning significant housing growth within this site and surrounding sites factor significantly into officers’ consideration that the overall impact is acceptable. The expectation for significant housing growth within this site, as set out in policy, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance. It is also noted that the existing buildings on site are only 1 storey high and establish a very generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver a reasonable number of homes.

Quality of residential accommodation

90. Policy DMP1 within Brent’s Development Management Policies (2016) and within Brent’s emerging Local Plan (2019) in addition to policy 3.5 of the adopted London Plan (2016) and D6 of the emerging London Plan (2019) require developments to achieve high quality standards of internal amenity and quality of accommodation. Policy DMP18 within Brent’s Development Management Policies (2016), 3.5 within the adopted London Plan (2016) and D6 of the emerging London Plan require adherence with the minimum internal space standards for new homes as set out in the London Plan. Further guidance on the quality of accommodation is set out in Brent’s SPD1 document (2018) and the Mayor’s Housing SPG.
91. Overall, the quality of the proposed residential units is high when assessed against these policies with all of the units proposed meeting the space standards set out within the London Plan. The built form is composed of relatively thin residential blocks with modest footprints and single cores that enable a reasonable number of the units to achieve dual aspect outlook and cross ventilation. The northern block has a smaller footprint and proposes 4 units per floor around its single core while the southern block’s larger size affords 8 units per floor around its single core. This is in compliance with the Mayor’s Housing SPG, which seeks no more than 8 units per core per floor in ensuring a good level of social cohesion for developments.

Aspect

92. In the northern block, the first floor would have just two units on the western side of the building, with the other half reserved for cycle parking. One of these units would be dual aspect whilst the other would be single aspect but with a secondary side window for light and cross ventilation. On all floors above this 50% of the units (two per floor) would have true dual aspect outlook and 50% of the units (two per floor) would have a single aspect outlook to the south west but with obscure glazed side windows to the south east and north west respectively to enable cross-ventilation and a secondary source of light.
93. In the southern block, 37.5% of the units (three per floor) would have true dual aspect outlook, 25% of the units (two per floor) would have single aspect outlook with obscure glazed side windows providing cross-ventilation and a secondary source of light, 25% of the units (two per floor) would have single aspect outlook to the south west and the remaining 12.5% of the units (one per floor) would have single aspect outlook to the north east. At the higher levels of the southern block, the number of units per floor reduces from 8 to 4; with all units in the slimmer part of the building on the 18th and 19th floors having true dual aspect. On the 17th floor, alongside the rooftop garden space, 50% of the units (two) would have true dual aspect whilst the other 50% (two) would have single aspect, with one flat’s aspect to the north east and one flat’s aspect to the south west.
94. The Mayor’s Housing SPG generally advises against the use of north facing single aspect units, and in this instance it is noted that whilst 12.5% of the units in the southern block have a single aspect to the north, the outlook is angled 32 degrees to the east of the true north direction, providing a good element of easterly aspect which would enable some direct sunlight in the morning hours, especially in the summer months.
95. Overall, the true dual aspect percentage in the northern block is 50% and in the southern block is 42%. When including those flats which have secondary sources of light and ventilation but with limited outlook, the dual aspect percentage in the northern block increases to 100% and in the southern block to 77%.

Accessibility

96. 10% of the homes (5 in the northern block and 12 in the southern block) are designed to be adaptable for wheelchair users and are accordingly sized so as to ensure suitable circulation space within each room for this purpose (M4(3) standard within the Building Regulations). Policy 3.8 within the adopted London Plan and Policy D7 within the emerging London Plan require 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out which would be achieved in this instance.

Privacy and outlook

97. In terms of privacy between blocks, the proposal meets all standards set out in Brent's SPD1 (2018). The separation between the two blocks is significant, with the public highway of Watkin Road separating the two. Given the proximity to neighbouring land parcels, three of the units per floor in the northern block and two of the units per floor in the southern block would have their secondary sources of light to the side obscure glazed and non-openable at low levels. This is to ensure a suitable 9 metre outlook within the demise of the site to units 10 and 11 Watkin Road to the west and unit 8 Watkin Road to the east. All units would retain a good outlook in at least one direction and the discussion of dual aspect in paragraph x above already takes the obscure glazed windows into account, with reference to secondary sources of light being those windows which would be obscure glazed and therefore not offering a secondary source of outlook even if those openings would still enable the affected flats to benefit from secondary sources of light and cross-ventilation.

Internal daylight and sunlight

98. The applicants have tested the internal quality of accommodation in terms of how the flats perform against the BRE criteria for good levels of internal daylighting and sunlighting. The report submitted to address this aspect confirms that 90% of the rooms within the south block will meet the target Average Daylight Factor criteria. 85% of the rooms would achieve daylight distribution (NSL) to over 50% of their rooms areas, with this figure increasing to 99% when considering all the flat's living rooms and the studio flats.

99. In terms of the northern block, the report submitted confirms that 61% of the rooms will meet the target Average Daylight Factor criteria, although 100% of the living rooms in the block will meet the target. 48% of the rooms would achieve daylight distribution (NSL) to over 50% of their room areas, with this figure increasing to 100% when considering the living rooms alone.

100. In terms of sunlighting, 38% of the windows will meet the recommended criteria for winter sunlight and 20% for year round sunlight. This is largely because the south facing windows will directly overlook the taller southern block within the scheme, limiting these windows' access to the sun. This does have benefits in terms of limiting overheating.

101. Overall, the proposed development is considered to perform well against the recommended guidance and represents an acceptable level of compliance in consideration of the dense urban location of the scheme.

Amenity Space

102. Policy DMP19 states the following:

"All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."

103. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20qm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy which provides that:

"10.39 New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".

104. These requirements are carried forward in Brent's emerging Local Plan under policy heading BH13.
105. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments in a town centre setting there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.
106. All flats will be provided with a private amenity space, in the form of a good sized balcony that exceed London Plan standards for private amenity space provision.
107. The proposal includes rooftop terraces as communal amenity spaces for residents. The rooftop terrace amounts to a 235.8sqm outdoor space atop the northern block and two outdoor spaces atop each shoulder of the southern block measure 178sqm and 243.1sqm respectively. An 87.8sqm indoor communal lounge is provided at the ground floor of the northern block, overlooking the landscaped area to the east, as an additional amenity offer to residents; contributing towards the DMP19/BH13 standard for amenity spaces. The benefit of this indoor space is acknowledged and would factor into officers' views on the acceptability of the amenity space provisions.
108. Overall, the amenity space provision, and associated shortfalls below DMP19/BH13 (where relevant) is as follows (all in sqm)

Northern Block	P o l i c y Requirement	P r i v a t e Balcony	Shortfall of policy	Communal Spaces	Cumulative Shortfall	% of req
NW unit (x13)	20	7.4	12.6			
NE unit (x12)	20	7.4	12.6			
SW unit (x13)	20	7.9	12.1			
SE unit (x12)	20	7.9	12.1			
Total units (x50)	1000	382.5	617.5	323.6	293.9	70.6%

Southern Block	P o l i c y Requirement	P r i v a t e Balcony	Shortfall of policy	Communal Spaces	Cumulative Shortfall	% of req
NW edge unit (x17)	20	7.9	12.1			
NW central unit (x17)	20	7.9	12.1			
NE central unit (x14)	20	7.4	12.6			
NE edge unit (x14)	20	7.4	12.6			
SW edge unit (x17)	20	7.9	12.1			
SW central unit (x17)	20	7.9	12.1			
SE central unit (x14)	20	7.9	12.1			
SE edge unit (x14)	20	7.9	12.1			
Total units (x124)	2480	965.6	1514.4	421.1	1,093.3	55.9%

W h o l e scheme	P o l i c y Requirement	P r i v a t e Balcony	Shortfall of policy	Communal Spaces	Cumulative Shortfall	% of req
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Total units (x174)	3480	1348.1	2131.9	744.7	1,387.2	60.1%
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109. Whilst the tables above break down the shortfall in amenity space provision against policy requirements across the different amenity space components by block, the summary position is that:

110. 39% of the required amenity space provision is achieved through the provision of private balconies – this figure is also the same for the north and south blocks individually

- 60% of the required amenity space provision is achieved through the provision of private spaces and communal spaces – this figure is 71% for the north block and 56% for the south block
- The development falls short of DMP19/BH13 standards by 40% for amenity space provision. It is considered that amenity space provision has been reasonably maximised across the development, utilising all rooftops where possible, and it is therefore considered that such a shortfall should be accepted given that the wider benefits of the scheme and that the development proposal is within a site allocated for residential development and sits within a town centre setting. The very near proximity of this development to the emerging Northern Lawns and Southern Terraces parks being delivered as part of the Wembley Park Masterplan is acknowledged in accepting this amenity space provision as the maximum.

Play Space

111. Policy 3.6 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development. These requirements are carried through within the emerging London Plan under policy heading S4. The applicants have set out a play space strategy which provides on-site play spaces aimed at children aged 0-4 in line with GLA's child yield matrix. The child yield matrix would require 101sqm of play space for 0-4 year old children in the north site and 103sqm of play space for 0-4 year old children in the south site. The applicants have incorporated these play spaces within the rooftop terraces and have provided 230sqm on the north site and 107.5sqm on the north site roof terrace. These figures are calculated based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. An additional 87.8sqm of internal play space is to be provided within the ground floor indoor communal area for the northern block, which potentially will provide a different, year round, all weather play offer alongside the external offer. The proposal would not incorporate play space for the 5-11 year group or the 11+ year group but identifies the proximity of the development to a number of parks (particularly the Northern Lawns and Southern Terraces being delivered as part of the Masterplan) in providing an off-site offer for residents. Given the constraints of the site, this approach is accepted by both officers at Brent and the GLA.

112. Nonetheless, the shortfall against policy is acknowledged and officers have secured a contribution from the developer (amounting to £5,000) to fund the supply, installation and maintenance of knockabout goal posts for informal play within Chalk Hill Open Space / St David's Open Space. This would be secured through the Section 106 agreement. This would provide an alternative play offer for older children.

113. Whilst shortfalls are present in the older age groups' provision, it is noted that the northern site is providing 0-4 play space significantly in excess of the child yield requirements and a replacement of some of the excess 0-4 play space within play space for older children would be required.

114. Detailed plans of the play spaces and their individual features will be secured through a landscaping condition. The landscaping condition will require that details of the reallocation of a suitable amount of play space for those within older age groups is undertaken and shown on the plans.

Landscaping provision and Urban Greening

115. The applicant proposes a comprehensive landscaping strategy, seeking to implement landscaping and tree planting to the east of both blocks, on a site which has minimal landscaping value at present. The offer to the east of the northern block will be more extensive given the more spacious location adjacent to the landscaped areas forming part of the 10-11 Watkin Road development.

116. This northern landscaped area, alongside that of the adjoining landscaped area within the demise of 10-11 Watkin Road could potentially help establish a future public access connection to the Wealdstone Brook which it immediately adjoins, which would be in keeping with the aspirations of WAAP policy

WEM40 which requires that development of sites adjacent to the Wealdstone Brook should undertake the opportunities to provide amenity space, improve biodiversity, public access, and semi naturalisation. Further proposals that contribute to this policy aspiration will be provided in the form of biodiversity measures which are discussed later in this report.

117. As a result of the landscaping proposals, the applicant's urban greening factor (UGF) compared to the existing is 0.42, which is compliant with London Plan policy G5, which seeks a UGF of at least 0.4 for predominantly residential developments. The Urban Greening factor has been achieved through the greening of the site through both roof terraces and ground floor public realm.
118. Detailed plans of the landscaping's individual features will be secured through a landscaping condition. The condition will require the applicant to ensure that the public realm is closely coordinated with the public realm being delivered as part of the 10-11 Watkin Road development.

Transport and Highways

119. The proposed site is located at the junction of Watkin Road with Fulton Road, the existing car parking is accessed from Watkin Road, a cul-de-sac with a turning head at the eastern end, although currently illegal parking is a regular occurrence which prohibits service vehicles from turning around. The southern side of Watkin Road has a single yellow line preventing parking on Wembley Event Days whilst the northern side has double yellow lines, although, again, these are currently regularly ignored. Parking for the industrial uses along Watkin Road often results in vehicles obstructing the footway. Fulton Road has Double yellow lines on the southern side whilst the northern side has double yellow lines associated with the junction of Watkin Road and single yellow lines restricting parking on Wembley Stadium Event Days.

120. The site is not currently in a controlled parking zone. It is in the Wembley Stadium Event Day parking restriction zone in which parking is restricted to permit holders from 10am to midnight on event days. The site has a Public Transport Accessibility Level (PTAL) of 4, which is moderate.

Car Parking

121. The site is located within the Wembley Growth area and Wembley Area Action Plan sets out the parking standards for this area. Based on the PTAL being 4, the maximum car parking allowable is 0.4 spaces for 1 & 2 bedroom units and 0.6 spaces for 3 bedroom units, which would give a total maximum provision of 74.8 spaces.

122. No parking except for disabled parking is proposed to be provided. As the site is in an area with a PTAL of 4, this would accord with DMP policy 12 which states car free development should be considered in areas with a PTAL of 4 or above. Furthermore it is proposed to implement a CPZ within the area (for which S106 funding would be requested) which, in addition to an obligation which prevents residents (and businesses) from obtaining parking permits, would provide further mitigation. However, it is also considered that the proposal would require the provision and promotion of alternative modes in order to make this level acceptable.

123. In satisfying this, the applicants have agreed to contribute £87,000 towards the consultation and implementation of a Controlled Parking Zone. A S106 obligation will also prevent residents from obtaining parking permits, for existing and future controlled parking zones.

Disabled Parking

124. Four disabled spaces are proposed and these are to be located through in-set bays on either side of Watkin Road. This will be at a level slightly below the 3% required in the emerging revisions to the London Plan, with 5 spaces needed in order to be compliant with this.

125. Prior to submission, the applicants attempted to resolve this by suggesting alternative arrangements, but these resulted in other concerns including their impacts on the streetscape and highway safety. On balance, a deficiency of 1 disabled car parking space is thus considered acceptable. TfL also accept the deficiency of 1 disabled car parking in this instance, noting the constraints of the site, in particular the lack of a viability for basement construction given the flood risk level of the site.

126. The disabled car parking spaces are also some distance from the ramped access to the southern block and 65m to the main entrance doors. Fifty metres from the parking space to the main entrance doors is

the maximum recommended distance for disabled car parking. However, the applicants have incorporated resting space in between the car parking and entrance for the northern block and have incorporated an internal platform lift adjacent to the parking bays for the southern block to significantly reduce this distance. This results in an acceptable arrangement as the Lifetime Homes Guidance for Professionals Criterion 2 states “On large developments communal parking should be within 50 metres of the relevant communal entrance or (in the case of underground parking) the lift core. If a distance in excess of 50 metres cannot be avoided, level resting areas should be provided along the route.” Whilst Criterion 3 states 1:20 for a distance of 10 metres is an acceptable gradient” and the slope to and from the entrance is split into 10m long sections each with a gradient of 1:21. Therefore with the provision of resting spaces as shown on the plans for the northern block and the platform lift solution for the southern block, the proposed disabled car parking spaces would comply with the distance requirements.

127. In line with comments raised by TfL, a condition will be applied to secure one of the parking spaces with active Electric Vehicle Charging Point (EVCP) provision and the other three with passive EVCP provision. The provision of EVCP in this way would achieve the requirements of the draft London Plan which seeks for 20% of car parking spaces to be provide with active EVCP and for 80% of car parking spaces to be provided with passive EVCP. The EVCP infrastructure should not unreasonably impede pedestrian flows and the condition will secure the submission of details to confirm this arrangement.

128. TfL also sought clarification in relation to whether the proposal will provide safe and direct step-free access between Watkin Road with North End Road and the Wealdstone Brook. The applicant has demonstrated that there will be a step free access across Watkin Road to both parts of the site as they will be delivering a pedestrian crossing across Watkin Road with dropped kerbs and tactile paving. This will be secured within the S278 works. The applicants clarify that there is an aspiration to create a step free route between Watkin Road and North End Road but this is outside of the scope of this application and will need to be safeguarded as part of the adjoining site when it comes forward for redevelopment.

Cycle Parking

129. The proposal requires a minimum of 299 residential cycle parking spaces, based upon the draft London Plan standards. These should be split between the two blocks, with the northern block providing 91 spaces and the southern block providing 208 spaces. Both blocks meet the minimum number of spaces and this is welcomed.

130. The northern building proposes 88 spaces comprised of two tier stands with 450mm spacings and 4 accessible cycle parking spaces resulting in a total provision of 92, 1 more than the minimum requirement set out above. The southern building proposes 202 standard cycle parking spaces with 142 of the stands having 450mm spacings and 60 of the stands having 400mm spacings. In addition, 6 accessible cycle parking spaces are proposed. This arrangement is accepted. A condition is to be applied to secure the provision of the long stay residential cycle parking.

131. Both cycle stores are proposed to be located within the first floor, accessed via lifts. The lifts that provide access to the cycle stores have internal dimensions of 1.2m x 2.3m and therefore comply with the London Cycle Design Standards (LCDS) requirements.

132. Out of the proposed 300 cycle stands, 10 are proposed to be capable of accommodating adaptable cycles such as tricycles and this is welcomed and the doors leading up to the cycle stores are confirmed to be large enough to accommodate these cycles.

133. With regards to long-stay cycle parking for the commercial B1c uses, the plans indicate that 5 spaces would be provided plans indicate that these will be located within the ground floor. However, detail is lacking and revisions to the arrangement would be required through condition.

134. Details of the cycle store for the 58sqm B1a use are proposed to be detailed at a later stage and would only require the provision of 1 space. A condition will require that such details are provided and implemented prior to occupation.

135. Two Sheffield stands have been provided in a suitable location outside of the South block for short stay / visitor needs. This will provide capacity for four cycles and is in line with the draft London Plan standards.

Refuse Management

136. For the northern block a minimum capacity of 12,960l is required, split evenly between recyclable waste

and residual waste. The proposal includes 12 x 1,100l Euro bins and 5 x 240l bins which is sufficient to meet minimum requirements, along with the provision to provide storage for organic waste which is welcomed. The doors to the refuse store would open inwards and would therefore not obstruct the highway.

137. For the southern block a minimum capacity of 22,230l is required and 20 x 1,100l Eurobins are to be provided to meet this requirement, along with 11 x 140l bins to cater for organic waste which is welcomed. The proposed access to the store from the street is via the access to the commercial refuse and it is welcomed that two separate entrances for the commercial and residential refuse stores respectively is proposed, as the commercial uses may not utilise the Council's refuse operatives. The doors to these refuse stores would also open inwards and would therefore not obstruct the highway.

138. A condition would secure the provision of the refuse storage prior to occupation.

139. The substation doors on the Fulton Road side of the southern block open out onto the highway and these cannot obstruct the highway and will need to open inwards. A condition will require that this is adhered to, or that a suitably robust justification is submitted and approved for the doors to acceptably open outwards.

Delivery and Servicing

140. The proposal involves the creation of a 10m long, 2.5m wide in-set loading bay in the location of the existing adopted footway. This would involve the creation of an extra 2m of footway to the rear, which would need to be adopted through a S38 Agreement. A consistent width of at least 2m for the footway around the entire site frontages is required, which will also require the adoption of a sliver of land on the inside of the bend in Watkin Road fronting the southern building. TfL have also confirmed that they are satisfied with this arrangement.

141. Appendix 1 of the Transport Note indicates that the bay is 3m wide whilst appendix 4 includes tracking diagrams which indicate that a 9.2m refuse vehicle and an 8.1m box van are able to turn around in the turning head at the eastern end of Watkin Road, which is acceptable. Whilst the turning head area is often blocked with parked cars at present, the turning head is adopted highway and is double yellow-lined for its full extent. As a result, were any issues to be reported to the highways team, suitable enforcement could be undertaken.

142. TRICS data for servicing indicates that the servicing bay will be used by 25 delivery and servicing vehicles per day. If, for example, this was carried out over a 12 hour period from 8am to 8pm this would equate to a vehicle arriving on average approximately every 30 minutes. This would be a reasonably acceptable level of usage, but to ensure service vehicles don't arrive at the same time, a Delivery & Servicing Management Plan would need to be produced. Furthermore, with regards to residential deliveries, it is welcomed that the submission indicates that there will be a storage facility for residential deliveries which is welcomed.

143. The submission and approval of a delivery and servicing management plan will be required by condition. TfL would like the applicant to demonstrate how the adopted footways will be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrians, including access between the layby and the more distant building (north block). The condition will include wording to secure these details.

144. Furthermore, a S106 obligation will require that a S38/278 Agreement is entered into to enable the construction of loading and disabled bays in the footways of Watkin Road and the reinstatement of all redundant vehicle crossovers to footway. The S38/278 agreement will also need to secure the Council's adoption of land along the site frontage in order to maintain an unobstructed footway width of 2m along the site frontages.

Construction Logistics

145. The proposals would require the submission of a Construction Logistics Plan. As most of the land would be taken up by buildings, the construction would be constrained and the impacts of this on the highway would need to be carefully managed. A dialogue would need to be opened up in order to agree the most suitable arrangements.

146. The submission includes information that construction vehicles for the southern block would be

positioned on the northern side of Fulton Road, whilst construction vehicles for the northern block would be positioned on the northern side of Watkin Road, the latter may require the controlled reversing out of construction vehicles if the turning head continues to be obstructed. These arrangements are in principle acceptable subject to further information to be submitted in a Construction Logistics Plan which would be conditioned.

147. Given the concerns raised by objectors, it will be important that the Construction Logistics Plan includes details of co-ordination arrangements with other developments in the area to minimise the cumulative impacts on local residents and business operations. This requirement has also been raised by TfL. The condition will be worded so as to include this.

Travel Plan

148. A Travel Plan has been submitted which is positive but has some shortcomings, notably it would need to be confirmed that the applicants will fund membership of a car club for residents for a three year period and a budget will need to be indicated for some of the suggestions in the travel plan, including the provision of Dr Bike sessions and establishment of a cycle user group and pedestrian group.

149. Once the travel plan incorporates these aspects it would not just provide information to residents but would also provide incentives to residents to take up sustainable travel modes. A revised Travel Plan would need to be secured via a Section 106 and it would be acceptable for any outstanding issues to be addressed through this.

Healthy Streets Assessment

150. The applicants have included an assessment of an active travel zone to local trip generators such as bus stops, rail stations and schools. It concluded that the focus of attention should be around the following locations:-

151. North End Road pedestrian access to Bridge Road via steps and ramp;
i) Fulton Road (between junctions with Albion Road and Rutherford Way);
ii) A4089 / Wembley Hill Road / Clarendon Gardens signal controlled junction; and
iii) Entrance to Wembley Town Centre, from Wembley Stadium station (effectively Wembley Triangle).

iv) In response:-

152. There is a plan for North End Road to create a new road link to Bridge Road which would have associated footways and so this would resolve this concern.

i) Fulton Road junction with Albion Way is likely to be more problematic in the future as this would be where traffic from the new link road will begin to disperse. As this is in close proximity to the site, it would be appropriate for mitigation measures to be introduced here.
ii) The Wembley Hill Road junction with Clarendon Gardens, Wembley Park Road and Park Lane would be too far from this site and closer areas should be prioritised.
iii) The Wembley Triangle is a known concern with Council in promoting Active Travel. In particular, the Council is seeking to provide a safe cycle crossing from Harrow Road onto the White Horse Bridge and plans are in development. It is a likely point for residents to access the facilities of Wembley Town Centre and improvements could be justified.

iv) Based on the above, it is considered that improvements to the Fulton Road junction with Albion Way would be the most pertinent to the development and the implementation of a zebra crossing with raised table set back about 10 metres from the give way line would be officers' preferred way of improving this. A Section 106 sum of £10,000 has been offered by the applicant to carry out works to improve pedestrian facility across Albion Way. The amount offered would be in line with the expected cost of providing a zebra crossing with a raised table in this location and is therefore accepted. TfL have also confirmed that they are satisfied with this improvement project and the contribution amount in mitigating this aspect. The Section 106 agreement will incorporate this contribution.

Transport Impact

153. The applicants have submitted a transport assessment, which has used comparable schemes in the TRICS database to generate a model of the numbers of likely journeys that would be created by this development across different transport modes.

154. The transport assessment shows that the proposed 174 residential units could generate 84 and 73 two-way person trips in the morning and evening peak hour respectively. In terms of train/tube trips specifically the equivalent figures would be 36 and 31, in terms of bus/coach trips the equivalent figures would be 17 and 17 whilst in terms of car/van use the equivalent figures would be 4 and 4.

155. TfL have requested that the comparable sites used to establish the trip rates are amended to reflect more appropriate sites. Three new sites were used to generate revised trip rates which were acceptable to officers at TfL. Based on the revised trip rate analysis, TfL have requested £175,667 to ensure the impact on Wembley's bus network can be effectively mitigated by this development. A Section 106 obligation will secure this payment.

Energy and Sustainability

Carbon Savings

156. The applicant has included an Energy and Sustainability Statement. Policy 5.2 of the adopted London Plan and draft policy SI 2 of the Intend to publish London Plan require major developments to achieve carbon savings beyond the requirements of Building Regulations. These are referred to as 'be lean' (fabric efficiency), 'be clean' (clean source of energy supply) and 'be green' measures (use of renewable energy technologies). A zero carbon development is ideal, however the policies acknowledge the practical difficulties of this and allow for a minimum of 35% improvement beyond minimum Building Regulations requirements with the remaining regulated carbon emissions being financially offset instead. Policy SI 2 stipulates that at least 10 points of the 35 point minimum saving must be from 'be lean' for the domestic part of the development whilst at least 15 points of the 35 point minimum must be from 'be lean' for the non-domestic workspace part of the development.

157. Within the residential component of the scheme, the proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is projected to emit 98.4 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 163.89 tonnes per annum. This equates to a 39.96% (with 10.46% attributable to 'be lean') reduction on the minimum building regulations (2013), in excess of the requirement within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through a legal agreement to any forthcoming consent. With the modelling provided, a payment of £177,120 would be secured for this purpose.

158. Within the commercial component of the scheme, the proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 26.03 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 41.96 tonnes per annum. This equates to a 37.97% reduction (with 18.69% attributable to 'be lean') on the minimum building regulations (2013), in excess of the requirement within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through a legal agreement to any forthcoming consent. With the modelling provided, a payment of £46,854 would be secured for this purpose.

159. The details of the carbon savings measures are as follows:

Be Lean

(total savings from 'be lean' in residential element: 17.15 tonnes / 10.46%)

(total savings from 'be lean' in commercial element: 7.84 tonnes / 18.69%)

160. Insulation improvement to external walls, exposed floors, exposed roofs, glazing and air permeability

- Shading to double glazing to limit solar gains
- Mechanical ventilation with heat recovery
- Energy efficient lighting
- The provision of time and temperature control
- Improved specific fan powers

Be Clean

(total savings from 'be clean' in residential element: 0 tonnes / 0%)

(total savings from 'be clean' in commercial element: 0 tonnes / 0%)

- No measures

Be Green

(total savings from 'be green' in residential element: 48.33 tonnes / 29.49%)

(total savings from 'be green' in commercial element: 8.09 tonnes / 19.28%)

- Use of air source heat pumps to provide heating and hot water to the residential element and heating and cooling to the commercial element.
- The GLA has reviewed the carbon savings energy strategy. The approach to energy is generally supported, however the GLA consider that further information should be provided to justify the applicant's proposal to not incorporate roof solar panels as part of the 'be green' savings. Brent officers would note that the roofs are fully utilised at present, mostly for amenity space but with smaller sections of ancillary plant. The GLA also request that further detail is provided on how the site will be future proofed to connect to a district heating network, should one come forward in the future. In relation to this, Brent would note that WAAP policy WEM 30 requires all Wembley development to incorporate a future connection point into the build and such details will be required by condition in addressing this. These aspects will need to be picked up by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.

BREEAM

161. Brent's adopted CP19 policy and draft BSUI1 policy require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'. The proposal contains 998sqm of non-residential floor space and therefore is not subject to this policy requirement.

Environmental Health

Air Quality

162. An air quality assessment considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The development sits within one of London's air quality management areas and the requirements of adopted London Plan policy 7.14 are relevant, requiring major developments to be at least 'air quality neutral' in such areas.

163. The submitted report has considered the impacts that would be incurred during the construction phase and during the operational phase.

164. Under best practice guidance, the proposed development's risk for construction dust and dust generation is considered to be 'not significant'. A series of mitigation measures are proposed which would form part of the construction management plan for the development.

165. The air quality report includes an air quality neutral assessment which concludes that the building emissions from the proposed development are within the benchmarked emissions, fully meeting air quality neutral requirements.

166. The methodology set out in the air quality report will be secured by condition.

Noise and Vibration Impact

167. The applicants to undertaken a noise survey and submitted this along with an acoustic design statement. A detailed environmental noise survey has been undertaken in order to establish the currently prevailing environmental noise climate around the site. The environmental noise impact upon the proposed dwellings has been assessed in the context of national and local planning policies. Appropriate target noise levels have been proposed and are achievable through conventional mitigation measures (i.e. double glazed windows). The assessment shows the site, subject to appropriate mitigation measures as detailed in the report, is suitable for residential development in terms of noise.

A condition will be applied requiring the development to be implemented in accordance with the details of the

noise survey and acoustic design statement and for evidence of the mitigation measures implementation to be submitted.

Construction Management

The development is within an Air Quality Management Area and located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. The applicant will need to submit a construction management plan to set out how external environmental impacts from construction processes will be minimised. This will be secured by condition. Furthermore, a condition governing the need for non-road mobile machinery to meet reasonable emission limits is also recommended to be applied to the decision.

Contaminated Land

168. The site has a history of non-residential and industrial uses, as such it is possible that the soil below the site is contaminated. A geo-technical assessment of land contamination at the site has been submitted with the application. Conditions are recommended requiring an investigation of land contamination to be carried out following demolition of the buildings on site. The findings will need to be submitted to the Council through a condition. Based on the findings, a remediation strategy may be necessary and a condition will require that the means of remediation are demonstrated.

Lighting

169. Any new lighting at the proposed site should be installed considering existing homes and buildings. The new development must not give rise to light or other nuisance to nearby residents. A condition will require that, should external lighting be installed, details of the lighting, including a measure of lux levels, is submitted and approved by the Council – this will be incorporated as part of the landscaping condition.

Microclimate

170. A microclimate assessment has been submitted by the applicant.

171. Initial wind tunnel testing was undertaken with the known large landscaping surrounding the site in place. A second wind tunnel testing was undertaken with the consented surrounds in place. Places tested included all thoroughfares, crossing points and the Wealdstone Brook access paths, on street parking bays, building entrances and rooftop garden spaces.

172. The initial wind tunnel testing shows that the safety criteria is met in all parts of the study area and the comfort criteria is largely met too. The places where conditions may exceed suitable comfort levels for very minor periods in winter only are the on-street blue-badge bays and the building entrances. To address the comfort at the parking bays, trees immediately adjacent to the location would need to be an evergreen variety with full leaf in winter. To address the comfort at the building entrances, side-screens could be placed either side of the entrances to act as a wind buffer for those entering and exiting the building. However, the applicant's microclimate consultant has since confirmed that changes undertaken during the application process have addressed the comfort level concerns at the building entrances and that mitigation is only required in relation to on-street blue badge bays. Specifically, the applicant's consultant has confirmed the following: *"the NW facing façade of S1 is now continuous (where before there was a step change just upwind of the entrance of concern) I'd expect conditions with just that recess to be acceptable, removing the need for any further treatment."*

173. The wind tunnel testing with the consented developments in situ showed a marginally improved wind environment at ground floor to meet the comfort criteria in all locations.

174. Other tested locations are acceptable and do not materially change between the existing surrounds and consented surrounds scenarios.

175. The condition requiring the submission of a landscaping plan will include a requirement for the evergreen species of trees adjacent to the parking bays to be shown, as well as side-screens to be shown, in meeting the mitigation measures set out in the submitted report.

Flooding and Drainage

176. Parts of both the north and south sites sit within flood zone 3a (high risk) (surface, fluvial and tidal) a

according to the Environment Agency's flood designations. A report addressing flood risks of the development has been submitted.

177. The flood mitigation measures proposed include the ground floor of the new buildings being raised above the maximum flood level + 35% through the stepped and ramped accesses, the basement to the southern block being fully watertight to this same height, the bin store being designed to flood in extreme events and additional measures such as flood resilient design, careful design of the structure to withstand flooding during extreme events and preparation of a flood response strategy to be adopted by residents and site management.
178. The GLA have reviewed this information and consider that further information in relation to the protection of surface water utilities and surface water flooding is needed to satisfy the relevant policies of 5.12 (adopted LP) and SI 12 (emerging LP). The GLA also identify a need for clarity on some of the flow paths which have been identified as well as an assessment of the standard of protection from surface water flooding afforded to the proposed commercial units is needed. Finally, additional information on proposed flood gates should also be provided. These matters will be addressed by the applicant in preparation of a Stage 2 referral to the Mayor.
179. In terms of measures to reduce surface water drainage rates at the site, green roofs and geo-cellular attenuation tanks (one below each block) with flow control devices are proposed. This would reduce the flow of surface water from the site down to 2 litres per second for the northern block and 5 litres per second for the southern block, similar to greenfield rates. The GLA have reviewed this information and consider that further information is needed on how higher priority SuDS measures will be included in the development and how the greenfield runoff rates will be achieved to satisfy the relevant policies of 5.13 (adopted LP) and SI 13 (emerging LP). These matters will be addressed by the applicant in preparation of a Stage 2 referral to the Mayor.
180. The sustainability statement submitted indicates that the proposed dwellings would be designed for a maximum indoor water consumption of 105 l/person/day in line which is an optional standard in Part G of the Building Regulations. The GLA have reviewed this information and consider that the submission generally meets the requirements of the relevant policies of 5.15 (adopted LP) and SI 5 (emerging LP). A condition will require that the water consumption target rate is achieved.
181. The Environment Agency (EA) have reviewed the proposal and support the content of the submitted flood risk assessment and drainage strategy. The EA have requested that a condition securing the implementation of this document is included within any consent. Furthermore, the EA have requested that an informative is applied to the decision notice relating to Environmental Permitting.
182. Thames Water have reviewed the proposal and do not raise any concerns from a construction perspective or an operational perspective in relation to surface water and foul water capacity.

Trees and Landscaping

- 183.** The applicant has submitted an arboricultural assessment which identifies that there are no trees on the site at present but that there are 9 existing trees close to the site boundary, forming part of the landscaped buffer with the Wealdstone Brook to the north of the site. The quality of these trees vary with three being category A trees, two category B, three category C and one category U. The applicant's tree constraints plan indicates that no major works would need to be carried out within the root protection areas of these trees and that the trees will therefore be retained as part of the proposal. The trees will be protected during the construction phase through the erection of protective fencing and the establishment of construction exclusion zones to prevent building works and materials compacting the soil to the detriment of the roots in these areas. A condition will require that this is adhered to.
184. Whilst there would be no tree losses as part of the proposal, the applicant is proposing street tree planting as part of the development. The applicant's submitted materials indicate that 16 additional trees would be planted within the application site. Twelve of these trees would be along Watkin Road itself whilst another four will be provided away from the street frontage within the landscaped ramp access area to the west of the northern block. As such, the proposal would see no loss of trees and a net gain of 16 trees.
185. Brent's tree and landscaping officers have reviewed the plans and welcomes the tree planting proposals. A condition will require that final detailed landscaping drawings are submitted, approved and

implemented prior to the occupation of the development.

Ecology and Biodiversity

186. The site is close to a Grade II Site in Nature Conservation (SINC) located alongside the Wealdstone Brook to the north of the site.

187. The applicants have submitted an ecology report and supplementary bat roosting survey which indicate the protected and priority species identified on or likely to be on or near the site.

188. The report addresses the likelihood of roosting or foraging animals including bats, terrestrial mammals, amphibians, reptiles, birds, invertebrates, white-clawed crayfish, dormice and polecats. Generally, the development is deemed unlikely to adversely affect these species, nonetheless a number of measures have been recommended to ensure any harm is minimised.

189. The report also considers the presence of invasive plant species, noting that butterfly-bush has been identified on site whilst cotoneaster sp. and Japanese Knotweed have been located alongside the brook corridor within 7 metres of the site.

190. In terms of ecologist recommendations, a construction ecological management plan (CEMP) should be compiled for the site. The aim of the CEMP would be to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. This should be agreed with the local planning authority prior to works commencing.

191. To protect habitat, it is recommended that any trees overhanging the site are protected. The retention of these trees and their protection from damage has been confirmed through the applicant's arboricultural impact assessment. The now withdrawn Environment Agency Pollution Prevention Guidelines are recommended to be adhered to throughout the works to ensure suitable habitat protection.

192. In terms of enhancements to biodiversity, recommendations are made to plant habitats which will be of value to wildlife, such as native seed/fruit bearing species to provide foraging habitat for mammals and birds and nectar rich species like honeysuckle to attract bees, butterflies and moths. Furthermore, nesting/roosting habitat should be provided, such as bird boxes for species such as house sparrow, dense scrub areas for species such as song thrush and bat boxes for species such as pipistrelle.

193. In order to comply with wildlife legislation and relevant planning policy, the following recommendations are made:

194. All recommendations with the applicant's submitted preliminary bat roost assessment to be followed.
- Vegetation and building clearance to be undertaken outside the nesting bird season (March-September). If this is not possible then any vegetation/buildings to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found then works to be delayed through an appropriate buffer zone until the young have fledged and the nest has been abandoned naturally.
 - Excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure any animals can enter and escape safely. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each work day to prevent animals from becoming trapped
 - In order to address the invasive plant species on and near the site, a method statement should be developed with reference to established best management practices for the treatment of the species.

195. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological designations, and it is therefore considered that the scheme, subject to the above measures, would not result in any unduly harmful impact on the biodiversity in the area and may be of benefit to local ecology. A condition will require that the abovementioned recommendations and enhancements are submitted in plan form (in the case of the CEMP and invasive species method statement) for approval. The landscaping condition will also require that the biodiversity enhancement measures are shown within the submitted landscaping plans. An additional condition will require the remainder of the ecology protection and enhancement measures to be adhered to during implementation.

Fire Safety

196. Fire Safety is formally considered at Building Regulations stage, however the applicants have clarified a fire safety strategy within their planning submission as follows.

197. A sprinkler system will be provided throughout the development and within all apartments

- A single evacuation strategy to be in place for the commercial units at the base of the southern block
 - Unless advised by the Fire and Rescue Service, a stay-put evacuation strategy to be put in place for residential parts of both buildings, as these floors will be protected by fire resisting construction
 - Each building served by a firefighting staircase and natural smoke ventilation systems within the corridors
 - Commercial ground floor unit to be provided with direct access to outside whilst upper floor commercial unit to have firefighting staircase accessible
 - Initial occupancy calculations show that there is sufficient staircase capacity for the expected number of occupants
 - Disabled refuge point to be provided at all commercial floor levels – none for the residential floor levels due to the stay put strategy
 - If fire occurs in an apartment where occupant is disabled, they will be required to leave the apartment and await evacuation within the escape stair which is protected by fire resistant construction (minimum 60 minutes)
 - Wall and ceiling linings suitable for limiting spread
 - External walls, balconies, solar shading to achieve appropriate regulations and classifications
 - Firefighting shafts, staircase, lifts and lobby with rising fire main to be provided throughout
 - Basement to southern building to be ventilated
- The GLA has advised that the applicant's fire safety strategy should be adjusted ahead of an approval to confirm the materials to be used in meeting the requirements of Policy D12 'Fire Safety' within the intended to publish London Plan (2019). This will be confirmed either ahead of an approval or by means of a pre-commencement condition.

Basement Impact

198. A localised basement is proposed at the site below the eastern part of the southern block, which would be 4.5m deep below ground level. There are several surface and foul water sewers running through and around the site and these will need to be diverted around the building footprint. A 1.3m diameter Thames Water branch sewer runs east to west in close proximity to the proposed basement. Discussions between Thames Water and the applicant started pre-application regarding the construction of the basement next to the sewer and will need to continue beyond a grant of planning permission as the construction phase begins.

199. The basement is modest in size given the scale of the development and the proposal is not considered to contravene any requirements of Brent's Basement Supplementary Planning Document (2017).

Overheating

200. The applicants have submitted an overheating assessment which indicates that the proposed development would meet all relevant requirements in achieving a good thermal comfort performance for prospective residents.

201. The overheating performance has been achieved through passive design measures such as energy efficient lighting and appliances, improved building fabric, glazing with improved solar factors, external overhangs through balconies to shade lower flats as well as a combination of natural and mechanical ventilation aspects.

202. The GLA has reviewed this overheating report and notes that the glazing modelling assumes the presence of high performance opaque blinds. The GLA has requested that information is submitted to demonstrate that the blinds would not interfere with the effective opening area of windows. This will be addressed ahead of a Stage 2 referral.

Television and Radio Reception Impact

203. The National Planning Policy Framework (NPPF) (2019) states, at para 114, part b that "[Local Planning Authorities] should ensure that they have considered the possibility of the construction of new

buildings or other structures interfering with broadcast and electronic communications services”.

204. The applicants have submitted a Television and Radio Reception Impact assessment to consider the potential impacts that the development could have on local TV and radio signals. Three different signals have been assessed as follows:
205. Digital Terrestrial Television (DTT) – Due to the existing good coverage and the lack of low mounted antennas in any theoretical signal shadow zone, the Proposed Development is not expected to impact the reception of Freeview television services.
206. Digital Satellite Television – Freesat and Sky – The proposed development has the potential to cause interference to satellite television reception adjacent to the site, within 145 metres to the immediate north-northwest of the proposed southern block. However, as there are no low-level mounted satellite dishes located in this theoretical signal shadow area, no interference can occur.
207. VHF (FM) Radio – Radio signals are unlikely to be adversely impacted due to the existing good coverage in the survey area and the technology used to encode and decode radio signals.
208. Overall, no interference to existing TV and Radio signals is likely as a result of this development. Nonetheless, a Section 106 obligation will require the applicant to carry out a survey following completion of the development to clearly identify any interference that has been caused. The Section 106 obligation will also require that the applicant underwrites all mitigation required in addressing any interference identified.

Utilities

209. The applicants have submitted a report setting out the existing and required utilities / statutory services for the scheme, including clean water supply, sewer connection, gas, electric and internet. The details of the report are not considered to contravene any relevant planning policies.
210. The statutory services report indicates that fibre internet is proposed to be made available to all apartments, which would accord with the aims of emerging London Plan policy SI 6.

Equalities

211. 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

212. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.
213. The development would provide a suitable and attractive built addition to the Wembley Park growth area in line with local policy allocation objectives. Whilst the development would slightly reduce the extent of the Wembley Stadium arch that would be visible from Chalkhill Park and incur some limited level of harm to the daylight and sunlight enjoyed at neighbouring properties, a balance has to be struck between different planning objectives, and the provision of a significant quantum of affordable workspace and a high number of new homes, with significantly more of those homes being secured as affordable units than the Council would deem viable is a significant planning benefit that carries significant weight. Whilst the scheme does fall short on external amenity space standards set out in Policy DMP19 and draft Policy BH13, the quality of accommodation is considered to be good and this would be mitigated through a financial contribution, and the wider benefits of the scheme including affordable housing, affordable workspace and significantly improved public realm. As such, the conflict with adopted and emerging policy is limited and would be outweighed by the wider benefits of redeveloping the site for affordable housing.
214. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions and a Section 106 obligation.

CIL DETAILS

This application is liable to pay **£4,884,531.74** * 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): 882 sq. m.

Total amount of floorspace on completion (G): 15285.29 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	14266.95		13443.71	£200.00	£0.00	£4,009,106.61	£0.00
(Brent) Businesses and offices	60.41		56.92	£40.00	£0.00	£3,395.12	£0.00
(Brent) Businesses and light industry	957.93		902.66	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	14266.95		13443.71	£0.00	£60.00	£0.00	£813,933.43
(Mayoral) Businesses and offices	60.41		56.92	£0.00	£60.00	£0.00	£3,446.41
(Mayoral) Businesses and light industry	957.93		902.66	£0.00	£60.00	£0.00	£54,650.17

BCIS figure for year in which the charging schedule took effect (Ic)	224	331
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£4,012,501.73	£872,030.01

*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.



Brent

DECISION NOTICE – APPROVAL

Application No: 20/0587

To: Mr Dominic Tombs
Jones Lang LaSalle Ltd
30 Warwick Street
London
W1B 5NH

I refer to your application dated **17/02/2020** proposing the following:

Demolition of existing buildings and erection of 1x part-20, part-17 storey building and 1x 14 storey building together containing 174 residential units; commercial floor space (B1a and B1c use class) on ground, first and second floors; car and cycle parking, refuse storage, amenity space and associated landscaping.

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

at **1,2,3 & 9 Watkin Road, Wembley, HA9 0NL**

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: 01/09/2020

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 proposal is in general accordance with the following documents:

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

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

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

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

Plans

29096-WKR_A-E10-000 Existing Site Plan & Elevations A1 - A
29096-WKR_A-D10-000 Demolition Site Plan & Elevations A1 - A
29096-WKR_A-P01-000 Site Location Plan A1 - A
29096-WKR_A-P10-000 Site Plan A1 - A
29096-WKR_A-P10-001 Proposed Basement Plan A1 - B
29096-WKR_A-P10-002 Proposed Ground Floor Plan A1 - A B C D E F G H I
29096-WKR_A-P10-003 Proposed 1st Floor Plan A1 - B C E F G
29096-WKR_A-P10-004 Proposed 2nd Floor Plan A1 - B C
29096-WKR_A-P10-005 Proposed Typical Layout - TF1 A1 - B
29096-WKR_A-P10-006 Proposed Typical Layout - TF2 A1 - B
29096-WKR_A-P10-007 Proposed Typical Layout - TF3 A1 - A B
29096-WKR_A-P10-008 Proposed Typical Layout - TF4 A1 - B
29096-WKR_A-P10-009 Proposed Typical Layout - TF5 A1 - B
29096-WKR_A-P10-010 Proposed Typical Layout - TF6 A1 - B
29096-WKR_A-P10-011 Proposed 20th Floor Plan A1 - B
29096-WKR_A-P10-012 Proposed Roof Plan A1 - A B
29096-WKR_A-P10-020 Commercial Area Plans - South Block A3 - A
29096-WKR_A-P11-000 Proposed Sections A1 - A
29096-WKR_A-P12-000 Proposed Elevations S1.1 & N1.1 A1 - A
29096-WKR_A-P12-001 Proposed Elevations S1.2 & N1.2 A1 - A
29096-WKR_A-P12-002 Proposed Elevations S1.3 & N1.3 A1 - A

29096-WKR_A-P12-003 Proposed Elevations S1.4 & N1.4 A1 - B
29096-WKR_AS-S1 Accommodation Schedule Block S1 A3 - A
29096-WKR_AS-N1 Accommodation Schedule Block N1 A3 - A
29096-WKR_AS-TOTAL Accommodation Schedule - TOTAL A4 - A

Supporting documents

- Environmental Noise Survey and Acoustic Design Statement (prepared by Hann Tucker Associates, dated February 2020)
- Wind Microclimate Report (prepared by Arcaero, dated January 2020)
- Arboricultural Impact Assessment (prepared by Middlemarch Environmental, dated February 2020)
- Preliminary Ecological Appraisal (prepared by Middlemarch Environmental, dated February 2020)
- Air Quality Assessment (prepared by Air Quality Consultants, dated January 2020)
- Flood Risk Assessment and Drainage Strategy (prepared by Whitby Wood, dated February 2020)

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

- 3 The scheme hereby approved shall contain 174 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The development hereby approved shall contain 58sqm of commercial floor space which shall not be used other than for purposes within Use Class B1(a) (Class E(g)(i) from September 2020) and 940sqm of commercial floor space which shall not be used other than for purposes within Use Class B1(c) (Class E(g)(iii) from September 2020), as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the adequate provision of workspace, employment floorspace and industrial capacity within the borough.

- 5 The following windows are to be constructed with obscure glazing and shall not include openings below a height of 1.7m as measured from the floor level of the room which the respective windows serve:

- All windows within the south-eastern flank elevation of the northernmost approved building between the 2nd floor and 13th floor (inclusive).
- The southernmost window within the north-western flank elevation of the northernmost building between the 1st and 13th floor (inclusive).
- All windows within the south-eastern flank elevation of the southernmost approved building between the 3rd and 16th floors (inclusive).

All abovementioned windows shall be maintained to this specification for the lifetime of the development, unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To protect the privacy of residents at the emerging development at 10-11 Watkin Road and so as not to impose unreasonable constraints on development potential at units 4 and 8 Watkin Road.

- 6 The development hereby approved should be built so that 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ and the remaining to be built in accordance to M4(2) – ‘accessible and adaptable dwellings’, unless the units are laid out as 1 bed 1 person units which will achieve M4(1) visitable dwellings.

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

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

Reason: To ensure that the development is fit for purpose.

- 8 The blue badge car parking bays delivered along Watkin Road as part of the Section 106 obligations for the development shall be made available for use prior to the first use of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose.

- 9 The development hereby approved 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.

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

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

- 11 The residential units hereby approved shall at no time be converted from use class C3 residential to a use class 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 equivalent provision in 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.

- 12 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA’s supplementary planning guidance “Control of Dust and Emissions During Construction and Demolition” dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the

demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 13 All doors serving substations/plant rooms from the public realm or public highways shall not open outwards unless details are submitted to and approved in writing by the Local Planning Authority that robustly justify, to the satisfaction of Brent's highways officers, that outward opening doors in these locations are necessary.

Reason: To protect the public highways and public realm from obstructions, in the interests of highway safety.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, in consultation with the Environment Agency, the development shall be carried out in accordance with the submitted Flood Risk Assessment (produced by JM Enviro Limited, on behalf of Whitby Wood, dated February 2020, reference JME212.WatkinRoad.FRA_FINAL_REV A) and the following mitigation measures it details:

- Finished flood levels shall be set no lower than 31.7m above Ordnance Datum (mAOD) as stated in Table 5.3 page 35.
- Compensatory storage shall be provided through the construction of voids under the building, providing an overall increase of flood storage compensation of 7.6m³, as stated in Table 1 in Appendix H.
- Provision of compensatory flood storage through the incorporation of voids around the entire perimeter of the building with the underside of the void set no lower than 30.35m above Ordnance Datum (mAOD), as stated in Table 1 in Appendix H. Voids to be at least 1m wide every 5m on all sides of the building. There shall be no hard landscaping immediately in front of the void openings.
- Excavation of the flood storage compensation area is complete before development/infilling commences to ensure that floodplain capacity is maintained during construction of the development.
- Undercroft void spaces and openings shall remain open, free and maintained from all blockages, debris and storage in perpetuity for the life time of the development. The undercroft area will not be used for any storage facilities. Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
- The existing flood defences show in Figure 3.4 page 18 shall be maintained as outlined in Table 5.3 page 35.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: This condition is required to:

- Reduce the risk of flooding to the proposed development and future occupants.
- Prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
- Ensure the structural integrity of the existing flood defences thereby reducing the risk of flooding.

- 15 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Air Quality Assessment (prepared by Air Quality Consultants, dated January 2020) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably addresses air quality impact.

- 16 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in the submitted Preliminary Ecological Appraisal (prepared by Middlemarch Environmental, dated February 2020) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 17 Unless alternative details are first agreed in writing by the Local Planning Authority, the tree protection recommendations set out in the submitted Arboricultural Impact Assessment (prepared by Middlemarch Environmental, dated February 2020) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably protects trees that could be damaged by the development.

- 18 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Logistics Plans shall include details of how construction would be co-ordinated with the construction operations of other developments in the area, so as to minimise the cumulative impacts on local residents and businesses. The development shall thereafter operate in accordance with the approved construction logistics plan.

Reason: To ensure the development is constructed in an acceptable manner.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

- 19 Prior to the commencement of the development a Construction Environmental Method Statement shall be submitted to and agreed 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 development shall thereafter operate in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 20 Prior to the commencement of the development a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. The development shall thereafter operate in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 21 Prior to the commencement of the development an Invasive Species Method Statement shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to address invasive species on site with reference to established best management

practices for the treatment of the species. The development shall thereafter operate in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 22 Prior to the commencement of the development, a revised Fire Safety Strategy shall be submitted to and approved in writing by the Local Planning Authority. The revised Fire Safety Strategy shall confirm details of the specific materials to be used in the construction of the development that will ensure a fire resistant development. The revised Fire Safety Strategy shall be implemented in full following commencement of the development.

Reason: To ensure that the development has thoroughly considered fire safety at the planning stage, in line with the requirements of policy D12 in the Intend to Publish London Plan.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 23 a) Prior to the commencement of the development (excluding demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works 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. Vapour monitoring shall be undertaken as part of the assessment.

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 Planning Authority has previously confirmed that no remediation measures are required). The remediation works shall be carried out in full prior to first occupation of the development hereby approved.

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

- 24 Details of materials of the development, for all external work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

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

- 25 Prior to commencement of the development, excluding demolition and site clearance, a plan indicating the provision of electric vehicle charging points for the approved car parking spaces within the site shall be submitted to and approved in writing by the Local Planning Authority. The charging points shall be designed so as not to unreasonably impede pedestrian movement on Watkin Road. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing at least both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London

Plan policy 6.13.

- 26 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 27 Within six months of the commencement of the development above ground level, details of suitable obscure glazed panel screening to the eastern sides of the balconies serving the easternmost residential units between the 2nd and 13th floors (inclusive) of the northernmost building hereby approved and between the 3rd and 16th floors (inclusive) of the southernmost building hereby approved. The approved screening shall be implemented in full prior to first occupation of the development and thereafter retained for the life of the development unless alternative details are first approved in writing by the Local Planning Authority.

Reason: In the interest of the privacy of adjoining occupiers and occupiers of the propose development.

- 28 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out detailed proposals for the following aspects:

- Planting species and densities for all grass, shrubs and 16 proposed trees
- Child Play spaces, including the re-configuration of the north block play spaces to provide a suitable quantum of the north block play space for children older than 4 years
- Measures to achieve wind comfort levels at the on-street blue badge bays, as recommended in submitted Wind Microclimate Report (prepared by Arcaero, dated January 2020)
- Biodiversity mitigation and enhancement measures
- External lighting (including details of lux levels and light spillage diagrams)
- Co-ordination between the landscaping scheme of the development hereby approved and the landscaping scheme of the 10-11 Watkin Road site

The approved landscaping scheme shall be completed prior to the first occupation of the development hereby approved, or in the case of planted elements, within the first planting season after the occupation of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality, provides functional spaces and to maximise biodiversity benefits.

- 29 Within six months of commencement of works above ground level, a plan showing a revised arrangement of cycle storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out the following revisions compared to the approved plans:

- A suitable configuration of long stay cycle parking serving the B1a and B1c floor space.

The cycle parking submissions shall be compliant with draft London Plan standards.

The approved details shall be implemented prior to the first occupation of the development hereby approved.

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users.

- 30 Prior to occupation of the development hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, in particular for the access between the servicing layby and the northernmost building hereby approved.

The development shall thereafter operate in accordance with the approved Delivery and Servicing Plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

- 31 Unless alternative details are first agreed in writing by the Local Planning Authority, prior to occupation of the development hereby approved, evidence that the noise mitigation measures set out in the submitted Environmental Noise Survey and Acoustic Design Statement (prepared by Hann Tucker Associates, dated February 2020) have been implemented shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate a suitable noise environment for prospective residents.

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

Reason: To safeguard the amenity of the neighbours.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

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

- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

- 4 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

- For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 5 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.

- 6 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

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
04
20/1151

SITE INFORMATION

RECEIVED	13 April, 2020
WARD	Alperton
PLANNING AREA	
LOCATION	All Units at Dowlings Parade, HNS Autos and Delta Hand Car Wash, Bridgewater Road, Wembley, HA0 1AJ
PROPOSAL	Partial demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 2 to 7 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_149640</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 "20/1151" (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 completion of a legal agreement to secure the following planning obligations:

Heads of Terms

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. 50% affordable housing comprising of 10 affordable rent units at London Affordable rent levels and 4 shared ownership units.
4. Carbon Off-setting– Pre-construction: submission of revised Energy Assessment to achieve London Plan Policy 5.2 standards, initial financial contribution to Brent's carbon offsetting scheme. Post-completion: submission of revised Assessment, final financial contribution.
5. Controlled Parking Zone – Financial contribution of £14,000 towards implementation of Controlled Parking Zone in the vicinity.
6. A parking permit restriction to remove the right of residents to on-street parking permits in any future Controlled Parking Zone that is implemented in the area;
7. Highway Works under a S38/S278 Agreement to:
 - (i) widen the footway along the eastern side of Bridgehill Close fronting the site to 2m
 - (ii) remove the existing crossovers to Bridgewater Road and reinstate them to footway and verge.
 - (iii) repave the footway fronting Bridgewater Road, together with associated amendments to lining, signing, lighting and drainage and any other accommodation works.
8. Car Club - Provision of three years free membership of a local Car Club for all incoming residents.
9. On Street Trees – Two on street mature trees

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

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

Conditions

Compliance

1. Three year rule
2. Approved drawings and documents
3. Withdraw permitted development rights for conversion from C3 to C4
4. Non-residential floorspace to be B1(b) or B1(c) only
5. Number of residential units
6. Air Quality Report
7. Ecological Assessment
8. Non Road Mobile Machinery
9. Building Regulations M4(2) 'accessible and adaptable

Pre-commencement

11. Construction Method Statement

12. Construction Logistics Plan
13. Liaison with London Underground

Post-commencement

14. Site Investigation
15. Travel Plan
16. Materials
17. Landscaping Details

Pre-occupation or use

18. Noise Plant Details
19. Soil Contamination
20. Water Consumption
21. Delivery and Servicing Plan
22. BRE Certificate

Informatives

1. CIL Liability
2. Liaison with London Underground
3. Party Wall Act
4. Asbestos removal
5. Quality of imported soil
6. London Living Wage
7. Fire Safety standards
8. Notify Highways of work starting

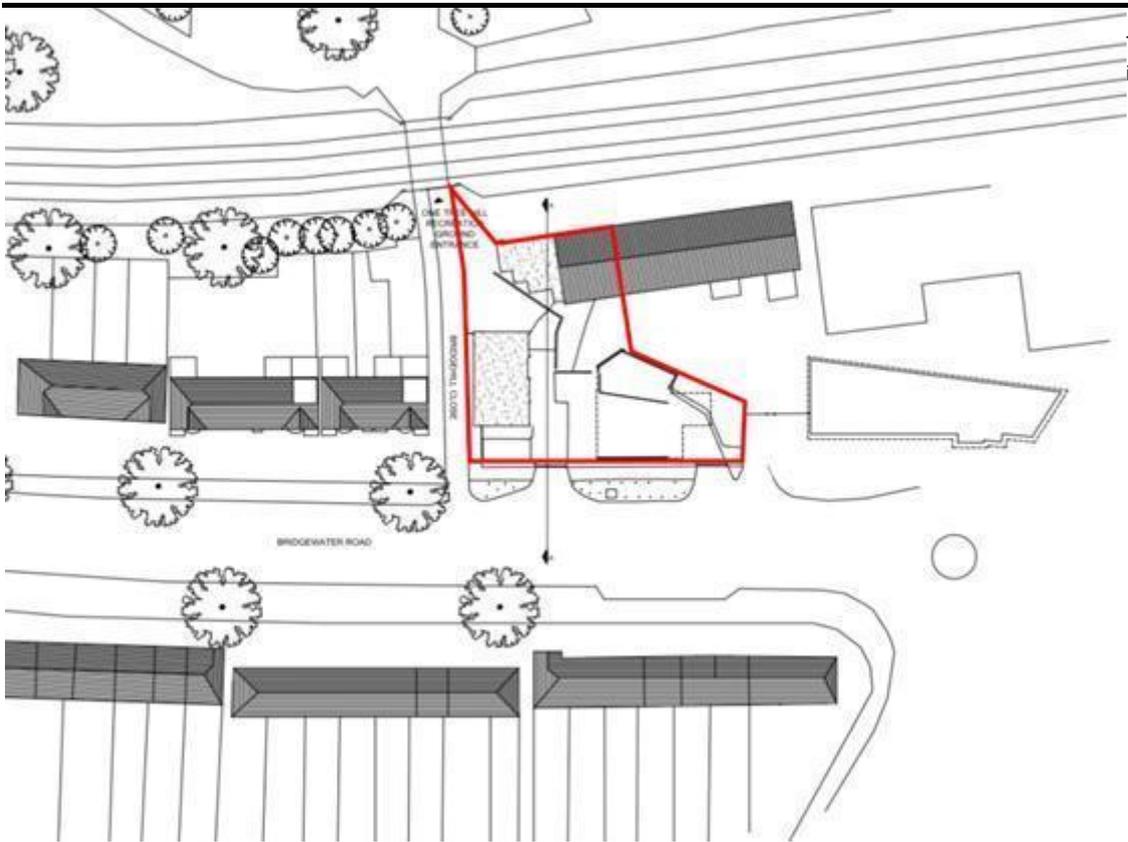
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

That, if 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 is delegated authority to refuse planning permission.

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

SITE MAP

	Planning Committee Map
Brent	Site address: All Units at Dowlings Parade, HNS Autos and Delta Hand Car Wash, Bridgewater Road, Wembley, HA0 1AJ
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Partial demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 2 to 7 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.

EXISTING

The application site is located on the north eastern side of Bridgewater Road, and to the south east of the junction with Bridgehill Close. It contains three building – the rear proportion of the site contains a warehouse building used to facilitate car repairs (known as HNS Autos), the southern section of the site fronting Bridgewater Road contains a car wash and the northern eastern end along Bridgehill Close contains commercial use at ground floor and a residential flat on the upper floor.

The Piccadilly Underground line tracks run directly north of the site. To the south east are industrial buildings, but these buildings are subject to an industrial co-location redevelopment scheme (LPA Ref: 19/4541) whereby Planning Committee made a resolution at the committee meeting on 24th June 2020 to grant planning permission for the redevelopment subject to completion of a legal agreement and stage 2 referral to the GLA.

The wider surrounding area is mixed in character, comprising traditional residential areas to the west, the Recreation Ground and Alperton School to the north, Alperton Bus Garage to the southeast and commercial and industrial buildings to the south, with large-scale redevelopment occurring in Alperton Growth Area further to the southeast. The site is not within a Conservations Area nor are any of the buildings occupying the site listed buildings.

The site lies within a designated Locally Significant Industrial Site (LSIS). Within the emerging Local Plan it will continue to be designated as LSIS, but is designated for "intensification and some co-location" potentially allowing both industrial capacity and new homes. Whilst it is not within the boundaries of Alperton Growth Area within the adopted Local Plan, the Alperton Growth Area is proposed within the emerging Local Plan to be extended to cover the area along the northern side of Bridgewater Road between the footpath over the railway line to One Tree Hill Recreation Ground and the Bus Depot on the junction with Ealing Road. Within the emerging Local Plan, the application site also forms part of a wider site allocation.

AMENDMENTS SINCE SUBMISSION

Amended plans were provided on the 28/05/2020 to separate the residential and commercial bin storage areas. An additional boundary gate has been provided between the residential and commercial rear access area. The amendments were minor alterations and considered non-material, therefore this did not warrant the need re-consult.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

No objections were received during the course of the application.

Principle of Development:

The proposal is for a residential-led mixed use development that responds well to the emerging policy context encouraging co-location of residential and industrial uses on appropriate sites. The proposed workspace floorspace provided would meet London Plan and local policies requirements. The proposal would also contribute towards the borough's housing targets within this Growth Area.

Affordable Housing and Housing Mix:

The proposed residential units would all be for affordable housing, including 50% of units at a policy-compliant split (70% at London Affordable Rent and 30% shared ownership). The proposal complies with Brent Policy DMP15 and a viability review mechanism is not required. The proportion of family-sized units meets the 25% target set out in Policies CP2 and CP21 and emerging policy and emerging. Overall the development would be policy compliant.

Design and Appearance:

The proposal would incorporate a new build that would contain a maximum height of 7 storeys with upper floor amenity space areas. The ground floor would include large panel glazing for the proposed commercial space on the ground floor. Overall the design is considered to be of a high quality and the overall height and massing are considered appropriate when factoring the high density developments to the south east and the traditional residential properties north west of the application site.

Relationship with Neighbouring Properties:

The proposal would allow for adequate separation distance with regards to the existing residential property north west of the application site. Furthermore the proposal would allow for an appropriate separation distance from the recently approved development at the adjoining site south east of the site. Impacts on daylight and sunlight to neighbouring properties, and overshadowing to neighbouring external amenity spaces, have been assessed and are considered to be acceptable given the site's location within the Alperton Growth Area and provides a transition between the emerging taller buildings on Ealing Road junction and the lower scale suburban housing on Bridgewater Road.

Sustainability and Energy:

The Energy Strategy demonstrates that carbon emissions for the residential use would be reduced by 58.72% and for the commercial use by 60.69%, compared to the Building Regulations 2013 baseline. This exceeds the London Plan policy targets for on-site reductions, and a financial contribution to Brent's carbon offsetting fund would be secured through the s106 agreement, to achieve a zero-carbon residential development. The Energy Statement also takes into consideration SAP2012 calculation methodology. DT: Energy Statement refers to London Plan Policy waiting for agent to confirm. The industrial floorspace would be designed to achieve BREEAM Excellent, to comply with Brent's Policy CP19.

Environmental Health Considerations:

The proposal has been assessed in terms of air quality, noise and vibration, and contaminated land, and Environmental Health officers have requested conditions to ensure these issues are dealt with satisfactorily. A construction method statement would also be required by condition.

Flood Risk and Drainage

The site is located in a Flood Zone 1 area and therefore has a low risk level of any potential flooding. The proposal development would greatly reduce the surface water run off leaving the site and as such would reduce flood risk on site and elsewhere.

Trees, Landscaping and Biodiversity:

All trees on or adjoining the site are of low arboricultural value and the ecological value of the site and its surroundings is low. Tree protection measures have been proposed, together with ecological enhancements provided as part of the landscaping scheme.

Transport Considerations

Transport Officers and Transport for London raised no objection to the proposal. The level of car parking is considered sufficient given the level of public transport accessibility. A financial contribution of £14,000 would be provided towards the implementation of a Controlled Parking Zone. Servicing and refuse arrangements are acceptable. A final Delivery and Service Plan has been requested via condition . Satisfactory levels of cycle parking are proposed to London Plan standards. An additional Travel Plan Statement has also been requested via a planning condition.

RELEVANT SITE HISTORY

19/3819 - Partial demolition of the HNS Autos building and other associated buildings on site and erection of new building of part 2, part 4 and part 8 storeys comprising 32 residential units at 1st to 7th floors and commercial space to accommodate a range of Class B-uses (B1(a), B1(b), B1(c) and B8 at ground floor level, cycle parking spaces, blue badge parking, amenity space and landscaping – Refused, 03/02/2019. An appeal has been submitted to the Planning Inspectorate.

Reasons:

1. The proposal would fail to provide an adequate level of industrial floorspace within a designated Locally Significant Industrial Site to meet identified need within Brent, designated as a "provide capacity" borough within the draft London Plan. Furthermore, the provision of B1(a) floorspace does not form part of the mix of traditional industrial space. Overall, the proposal would result in the loss of B use employment floorspace within a Locally Significant Industrial Site to the detriment of the supply and availability of employment sites and the associated employment opportunities within the Borough. The proposal would be contrary to both adopted policy DMP14 of the Brent Local Plan Development Management Policies 2016 and Policy CP20 of the adopted Brent Core Strategy 2010, together with policies E4 and E7 of the draft London Plan and policies BE2 and BSWSA1 site allocation of Brent's emerging draft Local Plan.

2. The proposed development, by virtue of its overall height and proximity to the suburban housing on Bridgewater Road, would appear as an excessively tall building which would result in poor transition between the scale of development within the Alperton Growth Area and the suburban housing immediately to the west of the development site. As a result, the development would be detrimental to the character of the area and the streetscene, contrary to Policy DMP1 within Brent's Development Management Policy 2016, and to guidance within Brent's Design Guide SPD 2018.

3. The proposal by virtue of the proximity of sole habitable room windows and balconies/terraces to flats 2 and 7 in relation to the boundary with No. 2 Bridgewater Road would result in unacceptable levels of overlooking and loss of privacy to the detriment of the amenities of the occupiers of No. 2 Bridgewater Road. Furthermore, the proximity of the bedroom of flat 2 to the screen of the terrace for flat 3, would result in unacceptable levels of outlook from the bedroom window, to the detriment of the amenities of future occupiers of flat 2. This would be contrary to

policy DMP1 of Brent's Development Management Policies 2016 and the guidance set out in SPD1 "Brent's Design Guide" 2018.

4. The proposal, by reason of the proximity of habitable room windows and external amenity spaces of the proposed development to the boundary with the adjoining industrial site, would fail to have an appropriate regard to the nature of the adjoining as either an existing industrial location or a development site, either for industrial or mix-use purposes. As such, the submission fails to appropriately demonstrate that the proposal is will result in a good standard of accommodation for future residents and an acceptable relationship with adjoining development site thus resulting in an impact on the capacity of the adjoining site for industrial and residential purposes. This is contrary to policy DMP1 and DMP14 of Brent's Development Management Policies and emerging policies E4 and E7 of the draft London Plan and policies BE2 and BSWA1 site allocation of Brent's emerging draft Local Plan.

5. The applicant has failed to agree an appropriate legal agreement which would ensure that the proposal can achieve a satisfactory amount and tenure mix of affordable housing, an appropriate level of carbon reduction across the scheme and BREEAM excellent rating for the commercial floorspace, job & training opportunities for local residents, necessary highway improvement works, and necessary contributions towards the implementation of any future controlled parking zones. The proposal would be contrary to London Plan Policy 3.11, 3.12, 3.13, 5.2, 5.3 and 7.4, Core Strategy Policies CP1, CP2 and CP19 and Development Management Policies DMP1, DMP11, DMP12, DMP13 and DMP15. The proposal would also fail to comply with the emerging policies E3, H7, SI.2 of draft London Plan and policies BH5, BE1 and BT1 of the emerging Local Plan, and Brent's S106 Planning Obligations SPD.

CONSULTATIONS

Public Consultation

58 properties were consulted on the application on 16/04/2020.

A site notice was posted on the 27/04/2020.

The application was advertised in the press on 23/04/2020.

No comments have been received. application.

Internal Consultation

- Environmental Health Officer - No objections to the development. Requested additional information via conditions discussed within the report.

- Sustainability Officer – No objections to the development. Requested relevant conditions discussed within the report.

External Consultation

- London Underground: No objections to the development. Requested a condition regarding detailed design and method statements.

- Thames Water – No objections to the previous development.

- Secure by Design Officer – Raised concerns regarding the residential entrance. The commercial bicycle store is not ideally located. The bin store for both the residential and commercial tenants need to be separate. The location of the residential blue badge parking space would have the

potential increasing a risk of crime. The boundary line between the residential and commercial merges in an uncontrolled area. It is important to ensure that the façade panel detailing does not provide climbing opportunities up the building in particular onto the private or shared terraces. These matters are discussed within detailed considerations element part of the report.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016.

Key policies include:

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

5.2 - Minimising Carbon Dioxide emissions

5.13 - Sustainable Drainage

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

CP8: Alperton Growth Area

CP18: Protection and Enhancement of Open Space and Biodiversity

CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

CP20: Strategic Industrial Locations and Locally Significant

CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP8: Open Space

DMP 9 B: On Site Water Management and Surface Water Attenuation

DMP 11: Forming an Access on to a Road

DMP12: Parking

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

#Emerging Policy Context

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The draft London Plan has recently been subject to an Examination in Public, and is at the intend to publish stage.

These documents collectively carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

The Draft London Plan – Intend to Publish Version

Key policies include:

D3 – Optimising site capacity through the design-led approach

D4 - Delivering good design

D5 - Inclusive design

D6 - Housing quality and standards

D7 - Accessible housing

D12 – Fire Safety

D13 – Agent of Change

D14 - Noise

E4 - Land for industry, logistics and services to support London's economic function

E6 – Locally Significant Industrial Sites

E7 Industrial intensification, co-location and substitution H1 - Increasing Housing Supply

H5 - Threshold approach to applications

H6 – Affordable housing tenure

G5 – Urban Greening
SI1 – Improving air quality
SI.2 – Minimising Greenhouse gas emissions
SI.5 - Water Infrastructure
SI.13 - Sustainable drainage
S4 - Play and Informal Recreation
T2 - Healthy Streets
T4 - Assessing and mitigating transport impacts
T5 – Cycling
T6 - Car parking

Brent's draft Local Plan

Key policies include:

- Policy DMP1 Development Management General Policy
- Policy BP7 South West
- Policy BSWGA1 Alperton Growth Area
- BSWSA1 Alperton Industrial Sites
- Policy BD1 Leading the Way in Good Urban Design
- Policy BD2 Tall Buildings in Brent
- Policy BH1 Increasing Housing Supply in Brent
- Policy BH2 Priority Areas for Additional Housing Provision within Brent
- Policy BH5 Affordable Housing
- Policy BH6 Housing Size Mix
- Policy BH13 Residential Amenity Space
- Policy BE1 Economic Growth and Employment Opportunities for All
- Policy BE2 Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)
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- Policy BGI2 Trees and Woodlands
- Policy BSUI1 Creating a Resilient and Efficient Brent
- Policy BSUI2 Air Quality
- Policy BSUI4 On-Site Water Management and surface water Attenuation
- Policy BT1 Sustainable Travel Choice
- Policy BT2 Parking and Car Free Development

Policy BT3 Freight and Servicing, Provision and Protection of Freight Facilities

- Policy BT4 Forming an Access on to a Road

The following are also relevant material considerations: _

National Planning Policy Framework 2019

Brent Waste Planning Guide 2013

Brent's Supplementary Planning Guidance 1, Mayor's,

Brent's S106 Planning Obligations SPD

Mayor of London's Play and Informal Recreation SPG 2012

Mayor of London's Sustainable Design and Construction SPG 2014

Mayor of London's Housing SPG 2016

Mayor of London's Affordable Housing and Viability SPG 2017

DETAILED CONSIDERATIONS

Background

Application 19/3819 was refused for a numerous of reasons as outlined above. The application failed provide a satisfactory level of industrial floorspace within a designated Locally Significant Industrial Site. The proposed height and proximity of the development to the suburban housing on Bridgewater Road was not considered an appropriate transition due to the overall scale of the building. The application was also refused on the basis that the north western flank elevation would result in unacceptable levels of overlooking to the occupants of No. 2 Bridgewater Road. The proximity of the habitable room windows along the south eastern elevation of the site failed to have an appropriate relationship with regards to the nature of the adjoining industrial location or development site, either for industrial or mix-use purposes.

The current application has therefore included modifications to this scheme to overcome the previous reasons for refusal which are considered within the report.

Proposal in Detail

The application is seeking planning permission to demolish the existing buildings occupying the site. The proposal would incorporate a new mixed development comprising of commercial floorspace on the ground floor followed by 28 residential units on the upper floors which would include 10 x 1-bedroom, 11 x 2-bedroom, and 7 x 3-bedroom units.

The new build would contain a maximum of 7 storeys. The main entrance to the upper floor residential units would be situated along Bridgehill Close. A new access will be included to the rear of the site which would be used for servicing and parking. One disabled parking space would be provided to the rear of the proposed development. A communal garden area would be provided on the first floor along the south eastern portion of the site. Additional communal amenity space would be provided on the proposed fourth floor plan and proposed roof. A cycle store will be provided for 64 residential cycle spaces and a separate area would be provided for commercial cycle stores.

Principal

Industrial Floorspace

1. The application site is covered by a Locally Significant Industrial Site (LSIS) designation. Core Strategy

2010 Policy CP20 outlines that the council will protect LSIS for the same range of uses as Strategic Industrial Locations. The regeneration of these sites is supported where the proposals would not undermine the employment land hierarchy, although the supporting text makes clear that this policy aims to secure the status of the location as an industrial employment area through redevelopment for industrial use. Policy DMP14 provides further protection for LSIS sites, setting out specific criteria for their release, and seeks to limit the loss of industrial land to approximately 11.5ha within the plan period.

2. However, this excess capacity was subsequently met and if all consents / proposals were implemented, the resultant loss of industrial land would exceed the policy target before the end of the plan period and any further loss of industrial floorspace would reduce Brent's industrial land supply and would be inconsistent with Policy DMP14. The draft new London Plan also identifies that across London loss of employment sites has been far greater than expected, and proposes that across London as a whole there should be no further losses.
3. Draft Policy E7 sets out an approach to combining increased industrial capacity with the delivery of other planning objectives, by encouraging industrial intensification and co-location with other uses including residential, on suitable sites in locations well-connected by public transport. The policy seeks a plan-led approach to identifying areas within LSIS designations that are suitable for intensification and co-location. This is reinforced within draft Policy BE2 of Brent's draft Local Plan which looks to establish the framework to meet both housing need and industrial capacity, and land is identified where both can be provided (known as co-location). The draft Local Plan has designated this LSIS site (Alperton North) for intensification and co-location and while the GLA have objected to the proposed policy designation of some Strategic Industrial Locations for co-location, they have not objected to the LSIS designation and the principle of co-location is in line with the emerging London Plan. It is considered that policy BE2 can be given weight in relation to this site.
4. The Secretary of State has recently directed modifications to the Mayor's intend to publish London Plan Policies E4, E5 and E7. The modifications to Policy E4 would have the effect that Brent would no longer be identified as a provide capacity borough, and there would be no requirement to secure no net loss of industrial floorspace on individual sites. However, the directions also emphasise the need for boroughs to continue to meet identified industrial needs. In the case of Brent, according to the GLA's London Plan evidence base, there would still be a need to plan for an additional 43 hectares equivalent over the Local Plan period to 2041. Therefore it is still important to recognise and maximise opportunities for the re-provision of industrial capacity on site through co-location and intensification. In line with that aim, Brent's emerging Policy BE2 supports proposals on LSIS sites where they intensify employment uses and accord with the principle of a net increase in employment floorspace.
5. Brent's draft Local Plan identifies this site as part of a site allocation (BSWSA1: Alperton Industrial Sites), which seeks mixed use redevelopment involving co-location of housing and industrial uses. As a minimum, the existing industrial floorspace or the industrial capacity (a 0.65 plot ratio) should be provided across the wider site allocation. The site currently contains approx.. 584sqm of commercial floorspace, including warehouse use, car repairs and a car wash. However, the industrial capacity is the higher of the existing industrial floorspace or 0.65 times the area of the site, which would be 720sqm (accounting for 0.65% plot ratio). Both draft Policy E7 and the proposed site allocation require the greater of existing floorspace or industrial capacity to be reprovided.
6. The proposal would provide approximately 720sqm workspace at ground floor level. This amount of floorspace complies with the LSIS 0.65 plot ratio method in accordance with the emerging London Policy E7 and emerging policy BE2. The industrial floorspace is proposed within use class B1c which meets the policy requirements. It will be targeted at 'starter' and 'move on' units for small and medium enterprises, and studios for artists and cultural and creative industries. The space can be subdivided into a range of studio/unit spaces to cater for artists or creative industries. The subdivided units would have large glazed frontages, ensuring the units appear active and providing passive surveillance, making the design secure and safe. The quantum of industrial floorspace falling within use class B1c would overcome the previous reason for refusal.

Residential Development

7. The NPPF 2019 also emphasises the provision of new homes as one of the key roles of the planning system, and this is reflected in the housing targets set out in Core Strategy Policy CP2, which aims to deliver 22,000 new homes over the 2007-2026 period. The draft new London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Brent's draft Local Plan responds to these targets by proposing plan-led growth and

site-specific allocations concentrated in a number of Growth Areas. Emerging policy BH1 reflects the draft London Plan target.

8. The NPPF 2019 also emphasises the provision of new homes as one of the key roles of the planning system, and this is reflected in the housing targets set out in Core Strategy Policy CP2, which aims to deliver 22,000 new homes over the 2007-2026 period. The draft new London Plan proposes a substantial increase in housing targets across London, including a target for Brent of up to 2,325 new homes per year. Brent's draft Local Plan responds to these targets by proposing plan-led growth and site-specific allocations concentrated in a number of Growth Areas. Emerging policy BH1 reflects the draft London Plan target.
9. The proposal would provide 28 new homes in an accessible location within the Alperton Housing Zone. The introduction of housing in this location is supported by the emerging policy context, which directs new homes within the Growth Area and Site Allocations identified within the emerging Local Plan in line with emerging Policies BH2, BSWA1 and BE2. The proposal would make a significant contribution to the Borough's housing targets, and is considered to be acceptable in principle subject to other material planning considerations.

Affordable Housing and Housing Mix

Policy Background

10. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). It does not require all schemes to deliver 50% Affordable Housing.
11. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
12. The emerging London Plan (Intend to Publish Version) affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
13. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.
14. Brent's draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present.
15. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the Inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage. The policy requirements can be summarised as follows:

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80% Market)	30% Intermediate	
Emerging London Plan	Greater weight	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

Assessment

16. The proposal would provide the following mix of units:

	1bed	2bed	3bed	Total
London Affordable Rented units	3	3	4	10
Shared ownership units	1	2	1	4
Market Units	6	6	2	14
Total units	10	11	7	28
% of total	35%	40%	25%	100%

17. The scheme proposes 50% affordable housing by unit (54% by habitable room), and the tenure split would be 70:30 London Affordable Rent to Shared Ownership. This would fully comply with the requirements of Policy DMP15 and emerging policy BH5. Furthermore, it would comply with the threshold criteria set out in draft London Plan Policy H6.
18. The proposal does not require a Financial Viability Assessment to comply with either Brent or London Plan policy requirements, and the provision of this level of affordable housing is considered to be a significant planning benefit.
19. The affordable rented units would be provided at London Affordable Rent and the Shared Ownership units in line with the household income cap and eligibility criteria for intermediate products set out in the London Plan and draft London Plan. Intermediate/shared ownership income thresholds are set out in the latest London Plan AMR 15 (published October 2019). These matters would be secured through the s106 agreement.
20. The scheme proposed 7 family sized units, accounting for 25%. The number of family sized units complies with CP2 and CP21 and emerging policy BH6 within the Draft Local Plan.

Design, Character and Impact on the Street Scene

21. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Policy DMP1 requires the scale, type and design of development to complement the locality.
22. SPD1 outlines that development should respond to the local context and respect the existing character of the landscape, streetscape, architectural and historic environment. New development height, massing and façade design should positively respond to the existing context and scale; facilitating good urban design. Building heights should positively respond to existing character. Development massing should

limit its visual impact by effectively breaking up facades, creating a varied roofscape and relating positively to existing surroundings. It further outlines that buildings should generally fit in with the existing character of roof types within the streetscene and minimise the visual impact from street level.

23. The areas directly south east of the application site currently occupy industrial type buildings which are part of the wider site allocation and designated for higher density type of developments, however the application site is on the periphery of this wider allocation. Traditional two storey residential properties are situated directly south and north west of the application site, but the properties to the west on Bridgewater Road are designated within the draft Local Plan as an intensification corridor.

Height

24. New development should respect the height of the adjoining buildings and local area. The draft Local Plan directs taller buildings within the growth areas and site allocations. The site allocation within draft Local Plan further emphasises the site allocation requests that tall buildings should be centred on the junction of Ealing Road and Bridgewater Road, stepping down towards the peripheries of the sites where in some cases it is likely that adjacent two storey residential properties will remain.
25. The western portion of the proposed new build would contain a stepped approach which would start at two stories, rise to four stories and then increase to an seven storey tower element which will cover the central and south eastern part of the site. It is considered that the maximum height would be appropriate relationship when taken into consideration the traditional suburban nature of the properties located directly west of the application. The proposed stepped approach with a maximum height of seven stories would appear as a suitable transition in relation to the low rise properties to the west and the taller developments established towards the core of the Alperton Growth Area.
26. The proposed modified height when compared to the previous application would overcome the reason refusal regarding the inappropriate height. Overall the proposed height of the new building would complement the surrounding context and act as an appropriate relationship with the established built form to the west of the application site and the high rise developments further south east.

Layout

27. The proposed front building line would be set back from the highway by a substantial distance and would include a public pathway and areas of soft landscaping. It is noted that the proposed front building line would extend beyond the front building line of No. 2 Bridgewater Road by 2.9m. This is considered an acceptable projection forward given the separation distance with this neighbouring property. Furthermore the proposed front building line would also resemble that of the proposed commercial building located to the front segment of the adjoining property.
28. It is noted that the ground floor element of the proposed development would be positioned next to the south eastern splayed boundary. The proposed first floor, second floor and third floor portions of the development would be sited within close proximity of the stepped flank boundary red line however sufficient separation distances would be achieved with the development at the adjoining site. The proposed blue badge space would contain a gate for personal safety reasons for any potential user.
29. The proposal would incorporate a new pathway along Bridgehill Close which would direct future residents towards the entrance along this elevation. This would result in a suitable environment for residents with elements of active frontage provided via window on this side elevation serving the ground floor commercial space. This arrangement further enhances Bridgehill Close for potential footfall for One Tree Hill Recreation Ground users. Additional lighting details have been conditioned which would further improve this area for future users when compared to the existing situation.
30. It is noted that the Secure by Design Officer raised numerous concerns. The proposed development would allow for good active commercial frontage facing Bridgewater Road. The residential entrance along Bridgehill Close is considered satisfactory given that the development would incorporate a new pedestrian pathway for any future occupiers. The proposed bin stores would remain in separate areas which is considered an appropriate relationship for the proposed mixed use nature of the development.
31. Amended drawings were provided during the course of the application by relocating the commercial cycle store adjacent to the commercial bin store. The residential blue badge is located in the best position

available and the parking area is now gated to prevent any potential of crime. The facade detailing is in brick and pre-cast concrete which will not provide climbing opportunities onto the private or shared terraces. Creating flush secure boundary lines will reduce potential Anti-Social Behaviour and enable the residents and occupants of the workspace to take ownership of their respective environments and feel safe and secure when entering and moving around and in the proposal.

32. The development would provide areas surrounding the site that would be utilised both by the residents and users of the commercial workspace. As such, the level of pedestrian footfall that would be generated would suggest that the areas of public realm would be utilised for most of the day and evening. The proposed residential entrance would provide good levels of activity along Bridgehill Close which would benefit the area.

Architecture and Materiality

33. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character. Within Brent, the predominant building material used is brick, with smaller amounts of roughcast, pebbledash and render. Brick has over time proved to be a successful material, with strong aesthetic credentials to assist in creating high quality neighbourhoods. Brick and other natural materials and elements of small dimensions create visual interest through patterns and depth.
34. The Design and Access Statement submitted with the application reveals that the primary material will be brick and compatible mortar, articulated with a horizontal banding of precast concrete. A light warm grey coloured brick for the main body of the building is proposed with dark grey brick recessed panels. Pre cast concrete ribbons would wrap around the building every two storeys and form the ground floor colonnade.
35. Concrete would also form the proposed ground and first floor colonnade, acting as a trellis for climbing plants, to add a vertical dimension to the landscaping and encourage biodiversity along the busy Bridgewater Road. The proposed windows would be framed in powder-coated thermally broken aluminium frame. The balconies slabs would be finished in precast concrete with structural glazed clear panels capped with a matching powder-coated aluminium handrail. The principle of the proposed materials are considered satisfactory and would complement the area. A condition has been recommended requesting precise details of the materials.
36. The ground floor would incorporate large panel glazing to the front and side elevation facing Bridgehill Close promoting good active frontages from a street level. The main entrance to the residential units would be situated along Bridgehill Close bring this roadway in to use by pedestrians. A 2m pathway would be created adjacent to the building for pedestrian footfall which in turn would provide access to the rear portion of the site. This concept is generally acceptable however appropriate lighting would be required to ensure this access would result in a safe environment for any potential users. Such details would be secured as a condition on any forthcoming consent.
37. Refuse storage, plant room and cycle parking would be located to the rear portion of the building which is sensible and this provides the opportunity for commercial active frontage facing Bridgewater Road. The location of the commercial cycle store has been revised next to the commercial bin store to improve natural surveillance of the entrance. The bin stores to the residential and commercial uses would contain separate accesses. As outlined above, the proposed blue badge space would be gated for security purposes.

Impact on Neighbouring Occupiers

38. Any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. Separation distances of 18m between directly facing windows and 9m to boundaries should be maintained.
39. In terms of the relationship with No. 2 Bridgewater Road, the proposed flank elevation of the proposed development would achieve a separation distance of approximately 8m from the side elevation of this neighbouring property. It is noted that the flank elevation of No.2 contains two upper floor side windows that do not serve habitable rooms. Therefore the 8m separation distance achieved along this portion of the development is considered an acceptable relationship on this occasion. The elements extending beyond the rear building line of No.2 would be set in from the boundary treatment of this property by

approximately 9m. A distance of over 30m is maintained to the properties on the southern side of Bridgewater Road. The proposal is therefore considered to not result in unacceptable levels of overlooking to existing residential properties and complies with policy DMP1.

Overbearing Appearance

40. SPD1 sets out that new developments should normally sit within a line drawn at 30 degree from the nearest rear habitable room window of adjoining development (measured at 2m high from internal floor level) and sit within a line drawn at 45 degree from the neighbouring private rear garden area (measured at 2m above garden level), The 1:2 rule should be applied in respect of extending to the rear of adjacent dwellings (the rear building line should not project further to the rear than half the distance between the proposed flank wall and the centre point of the nearest existing rear habitable room window. This is to ensure that a development does not appear overbearing or adversely impact on outlook.
41. In this case, there is no properties to the rear. The rear garden of No. 2 Bridgewater Road is separated from the application site by Bridgehill Close, so it is not considered appropriate to apply the 45 degree line or 1:2 rule as they do not directly adjoin one another and a separation of over 8m being maintained. Nevertheless, the impact of the proposal upon daylight and sunlight to neighbouring sites does need to be considered and this is discussed below.

Daylight and Sunlight

42. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. The BRE guidance sets a target of 0.8 times its former value.
43. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.
44. However, the BRE also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and the NPPF 2019 also supports a flexible approach to applying standards in order to make efficient use of sites. Furthermore, recent appeal decisions suggest that 15% VSC can be acceptable within some dense urban contexts.
45. The Sunlight and Daylight consultant has identified that the changes shown on the revised drawings submitted via this application will not materially affect the results of the original Sunlight and Daylight Report submitted with the previous application. The proposed development is one storey lower in comparison to the previous application. As such the amended layout would result in a relationship that is satisfactory as discussed below.
46. All main habitable room windows tested amongst the neighbouring properties pass the Vertical Sky Component (VSC) test and the Daylight Distribution. All windows pass both the total annual sunlight hours test and the winter sunlight hours test. The proposed development therefore satisfies the BRE direct sunlight to windows requirements. It is noted that some windows fail however none of these windows serve habitable room windows, including windows W19 and W23 at 2 Bridgewater Road, and the remaining windows serving porches and hallways. Furthermore certain windows fail to meet the Daylight Distribution test however these windows do not serve habitable room windows. All windows that face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test and the winter sunlight hours test. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.
47. The results confirm that all gardens or amenity areas pass the BRE overshadowing to gardens and open spaces with the exception of garden 1 at No. 2 Bridgewater Road. The sunlight availability to garden 1 will be reduced to less than 0.8 times its former value after the proposed development. This slight infringement is considered acceptable given that the site is part of a wider growth area. As a result the minor failings in the results of the sunlight and daylight report are considered satisfactory and the development would retain a satisfactory relationship with the neighbouring properties surrounding the

application site.

Impact on Wider Site Allocation

48. The site allocation recognises the benefits of a wider masterplan for the site allocations, although it does not explicitly state that a comprehensive masterplan must be prepared. Therefore, whilst each site can come forward for redevelopment, there is the need to ensure that they do not compromise the wider delivery of the site allocation or the continued function of the neighbouring site in its current form as LSIS. To address such matters, the LPA seeks for 9m to be maintained between habitable room windows/balconies/terraces and the boundary with adjoining development sites.
49. The previous application contained sole habitable room windows depending on outlook towards the adjoining site south west of the application. It was concluded that this relationship would fail to an appropriate regard to the nature of the adjoining site as either an existing industrial location or a development site, as an industrial use or mix-use purposes.
50. It is noted that an application has been submitted regarding the adjoining site directly south east of the site (Application 19/4541). The application attended the June Committee and was approved by members subject to stage 2 referral with the Greater London Authority and a legal agreement agreed. As such substantial weight can be given to the layout of this development.
51. Block A would be situated along the north western portion of the site would be sited approximately 13m from the shared boundary. Furthermore the flank elevation of Block C which would occupy the southern portion of the site would be approximately 8m from the splayed boundary. It is noted that Block C would facilitate workspace provision to the site and therefore no residential uses would occupy this building.
52. The side window that would serve Flat 4 (and similar flats on the upper floors) now proposes splayed windows to the bedrooms that would direct outlook at an angle over the application site rather than directly into 2a Bridgewater Road. The balconies of these flats would also have a flank wall screen to prevent direct overlooking into 2a Bridgewater Road, and this would be secured as a planning condition.
53. The residential windows linked to the flats situated at the front portions of the site would also be set in appropriately from the shared boundary treatment and as highlighted above Block C would not facilitate any residential units. As such given the re-orientation of the windows to south eastern flank elevation and the overall distance achieved with flank elevation of Block B the proposal would overcome the previous reason for refusal on this matter.

Daylight and Sunlight

54. The Sunlight and Daylight Report submitted with the application also takes into consideration the proposed development at the adjoining site. It is noted that the results relate to a slightly different configuration to what has recently been approved. Notwithstanding this, the consultant outlined that differences would not materially affect the overall conclusion within the results provided during the course of the application. The results identify that the majority of the windows and rooms at 2a Bridgewater Road will meet BRE daylight tests via Vertical Sky Component (VSC) and Daylight Distribution. It is noted that some windows fall short slightly of the recommended target of the BRE target of 0.8. Furthermore a number of windows that fail the VSC test however numerous windows are situated beneath overhanging balconies. Additional windows that fail also contain secondary windows that would contain a main window which passes the VSC test.
55. The result also demonstrates that the windows at 2a Bridgewater Road tested for direct sunlight pass the annual probable sunlight hours tests. As such the proposed development there would have an acceptable impact regarding sunlight obtained by the proposed development at 2a Bridgewater Road.
56. A Noise Impact Assessment has also been submitted that has considered the impact of noise and the road and railway line upon the new development. It has recommended mitigation measures through specified glazing to secure internal noise levels to meet the requirements for BS8233:2014. It is considered that with such mitigation measures being secured, that the proposed development would not unreasonably prevent the remaining of the LSIS site to continue to operate for industrial purposes with intensification, should a co-location scheme not be built out in the future.
57. Overall, the proposed relationship with the adjoining site is considered satisfactory and overcomes the concerns related to the previous refused application.

Quality of Accommodation

Daylight, Sunlight and Overshadowing

58. A Sunlight and Daylight report was submitted with the application assessing the internal arrangement of the proposed residential units. The report is linked to the previous refused scheme however sunlight and daylight consultant confirmed that the changes linked to the drawings submitted with the application would not materially affect the findings of the original report given that the current application would be one storey lower when compared to the previous application.
59. The information submitted demonstrates that all rooms meet or surpass the BRE Average Daylight Factor targets and all rooms pass the room depth test. All of the proposed rooms tested meet or surpass the BRE numerical daylight recommendations. Whilst not all living rooms will receive ideal levels of sunlight, the BRE guide does not give mandatory requirements for sunlight availability.
60. The orientation of each of the proposed units allows for satisfactory access to sunlight. Furthermore the proposal would not result in any single aspect north facing units. The proposal would allow for sufficient sunlight to the amenity spaces throughout the development. The proposal would not include any single aspect units and would include all satisfactory layout that would provide dual aspect units on each floor.
61. Overall internal layout of each flat provides sufficient levels of outlook and access to daylight.

Floorspace Requirements

62. DMP18 outlines that the size of dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings. This is also set out in draft policy D6 of the emerging London Plan. The updated Design and Access Statement submitted with the application identifies that each of the proposed units would meet the required the floorspace standards.
63. There are no more than 6 units per core and 27 out of 28 units are dual aspect, with good levels of outlook overall. A number of flats facing No. 2a Bridgewater Road have splayed windows to the bedrooms to prevent direct overlooking onto the neighbouring site, but sufficient levels of outlook and daylight are provided to these bedrooms.
64. It is noted that Flat 2 has a kitchen area is situated a significant distance from the living room window, however the flat meets the London Plan floorspace requirements and the bedroom would be served by two windows which would result in a dual aspect room. It is noted the proposed balcony would just fall short of the London Plan space requirements. This shortfall is considered acceptable on this occasion given the level of communal amenity provided with the scheme and the close proximity of One Tree Hill Recreation grounds.

Accessibility

65. The development has been designed so as to be step-free with level access from the external environment for residents and visitors through clearly visible and identifiable entrances from the public realm.
66. The scheme has been designed to inclusive design and access standards for the approaches, communal circulation and interiors of the dwellings (subject to detail design) have been designed in accordance with Building Regulations Part M4(2) 'accessible and adaptable homes' with 3 units designed to Building regulations M4(3) 'wheel chair accessible homes standards' and the Building Regulations Part K (accounting for over 10%). This is in line with policy 3.8 of the London Plan which seeks 10% of homes in major developments being adaptable for use by disabled residents.

Amenity Space

67. DMP19 outlines that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats). New developments should provide private amenity space to all dwellings. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be

supplied in the form of communal amenity space.

68. In line with policy DMP19 and emerging policy BH13, the scheme would be required to provide a total of 560sqm of on-site amenity space provision (i.e. 20sqm x 28units). The policy states that this should be private external amenity space per unit but recognises that in denser schemes this can be difficult to solely achieve through private amenity space, and allows the shortfall to be offset through communal amenity space. In this case, each of the homes is provided with a private balcony or terrace that is a minimum of 5sqm and 1.5m deep. The shortfall in private amenity space is 220sqm. To offset this shortfall three communal gardens are proposed (1st, 4th and roof levels), adding to a total of 432sqm of communal amenity space. The communal amenity spaces overcome the deficiency in private amenity space, and the scheme fully complies with policy DMP19 and emerging policy BH13.
69. The main children's play areas are on the first floor and fourth floors. It is anticipated that the first floor would contain stepping stone, balancing logs and sand pit. These area would measure 45sqm. The fourth floor would also include an astro turf area which is more flexible space for young people to use which measures 89sqm. Furthermore the proposed flexible communal space on the roof would measure approximately 260sqm. The GLA population yield calculator indicates the development should provide 180sqm play space. The level of amenity space and play space outlined above is satisfactory. Furthermore the site is within close proximity to the play space situated at One Tree Hill Recreation Ground.
70. Overall, the residential accommodation proposed is considered to be of high quality and to comply with the relevant policies. Furthermore, the provision of amenity space is considered to be very good in terms of the amount and type of space proposed, and fully compliant with the relevant policies. Further details of hard and soft landscaping proposals for the communal amenity space would be required by condition.

Transport and Highway Considerations

Parking

71. As public transport access to the site is good, the lower residential car parking allowances set out in Table 6 at Appendix 1 of the adopted DMP 2016 apply. The location of the site to the north of the Dudding Hill railway line also means that the higher allowance of one space per 200m² for employment use set out in Table 3 applies.
72. Up to 31 residential and three commercial car parking spaces would therefore be allowed and the proposed provision of just one off-street disabled parking space would accord with maximum standards.
73. Policy DMP12 also requires that any overspill parking that is generated can be safely accommodated on-street in the area. In this respect, it is generally assumed that private housing would generate parking at 75% of the maximum allowance and affordable housing at 50% of the maximum allowance. With 10 units proposed for London Affordable Rent this would translate to an estimated demand for about 19 spaces, which corresponds very closely with data for flats in the area taken from the 2011 Census.
74. With only one off-street space proposed, an overspill of about 18 cars can be expected. This level of on-street parking demand exceeds the on-street parking capacity along the site frontage or in the wider area (which is already heavily parked), so would be a concern unless suitable mitigation is applied.
75. The site is located within a housing growth area and within the extension to the boundaries of the Alperton Growth Area, and with other nearby developments having recently been approved with limited levels of off-street car parking, there is likely to be increasing demand for a Controlled Parking Zone in the area to address parking problems (as proposed in the Alperton Housing Zone Transport Assessment).
76. If implemented, a CPZ would help to mitigate parking concerns with the proposal, as it would allow a parking permit restriction to be enforced by Brent Council. A condition or Legal Agreement is therefore sought to withdraw the right of any residents of the development to park in any future CPZ that is introduced in the area.
77. A Car Club operates from nearby Atlip Road already. To help to promote this, the applicant has confirmed that they would be willing to fund membership of the Car Club to incoming residents for two years, which is welcomed. The proposed space is shown with an electric vehicle charging point, which is welcomed.

Cycle Parking

78. An internal residential cycle store room is indicated on the ground floor of the building with capacity for 64 bicycles, plus a commercial store for at least 8 bicycles, thus satisfying the long-stay requirements in a secure and sheltered location. Four further bicycle spaces are also proposed along the site frontage to satisfy the short-term visitor parking requirement in an easily accessible location.

Servicing

Refuse:

79. Separate bin stores for the commercial and residential units are proposed towards the rear of the building fronting Bridgehill Close and the capacity shown for the residential store (six Eurobins and five wheeled bins) is more than sufficient to meet residential storage standards. Sliding doors are proposed to ensure Bridgehill Close does not become obstructed when the bin store is in use. The applicant has then suggested that bins will be relocated to the site frontage by a building caretaker on collection days, so that refuse vehicles can collect the bins from Bridgewater Road rather than reversing along the narrow Bridgehill Close, which is supported by your highways officer.

Servicing:

80. Under the standards set out in Appendix 2 of the adopted DMP 2016, the proposed ground floor workspace generally needs servicing by 8m rigid vehicles (only if the entire space were used as a single storage unit might the requirement increase to a 10m rigid vehicle). An off-street servicing area with 5.3m headroom to balconies above is proposed to the rear of the site to meet this requirement, with access from Bridgehill Close. Suitable kerb splays have been indicated to allow 8m vehicles to reverse into the loading area and drive out again in a forward gear (as demonstrated with tracking), thus ensuring they do not need to reverse into or out of Bridgewater Road.

81. To help to manage deliveries, a Delivery & Servicing Plan has been submitted with the application. This estimates that the building will generate eleven van deliveries per day (ten for the workspace and one for the flats). Once the workspace is occupied, information will then be gathered on delivery movements (type of delivery, type of vehicle, delivery times, delivery company etc.) and included into a proposed action plan to manage delivery movements and ensure all deliveries are in FORS accredited vehicles (such as through delivery booking and tracking, lorry routing etc.). The plan will then be monitored annually to gauge its success in meeting set targets.

82. As the submitted DSP is essentially a draft document at present, a condition is recommended requiring the submission and approval of a more detailed document prior to occupation of any of the ground floor workspace.

Pedestrian Access

83. The proposed building is to be set back from the Bridgehill Close kerbline to allow a 2m wide footway to be provided along the eastern side of Bridgehill Close. This will serve the main residential entrance to the building and should be offered for adoption through a joint S38/278 Agreement under the Highways Act 1980. This agreement should also cover removal of the existing crossovers to the site and reinstatement to footway/verge, including repaving of the existing lengths of footway along the site frontage.

Other Matters

Impact on Traffic

84. A Transport Statement has been submitted with the application to consider likely future trips to and from the site. Only vehicular trips have been calculated though and these are estimated to total eight movements in each peak hour (8-9am and 5-6pm). This level of vehicular traffic is not considered significant enough to cause any concern with regard to the operation of the local highway network, particularly as the existing car repair and car wash facilities on the site would be likely to generate considerably greater volumes of traffic. Although other modes of transport have not been considered, the scale of the development is not considered sufficient to result in a significant impact on public transport, walking or cycling capacity in the area.

85. The development proposal would likely to reduce vehicular movements into and out of the site, whilst also removing two accesses from the site directly onto Bridgewater Road, the proposal is generally likely to offer minor improvements to road safety in the area.
86. Framework Travel Plan has been submitted for the building to help to manage trips and minimise vehicular trips in particular. The Travel Plan proposes the appointment of a Travel Plan Co-ordinator to develop and implement the plan, with proposed measures including the provision of maps and travel information in Welcome Packs, participation in promotional events and promotion of car sharing databases.
87. Initial surveys of travel patterns will be undertaken within six months of occupation of the building and these will be used to derive future targets, with the general aim being to reduce single-occupancy car trips by 5 percentage points by the fifth year of operation of the plan. Monitoring surveys will then be carried out one, three and five years after occupation to assess progress towards the targets.
88. The submitted Travel Plan submitted falls below the TFL threshold for requiring a full Travel Plan. Therefore it has been recommended to secure a Travel Plan Statement via a planning condition.

Sustainability

89. The applicant has provided an Energy and Sustainability Statement to address major development sustainability requirements.
90. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated within the residential part of the development is confirmed a 59.05% reduction on the minimum Building Regulations (2013) as required within the London Plan. A carbon offset payment is required to achieve the zero carbon goal. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will need to be secured through the Section 106 agreement for both carbon off set for the residential and commercial uses, in line with the emerging London Plan Policy S12 . Any future section 106 should include a sustainability strategy to cover overheating analysis. The results of the assessment of suitable technologies relative to the nature, locations and type of development suggest that the most suitable solution to meeting reduction in CO₂ emissions would be via the use of a communal heat pump system to provide the heating and hot water for the building. The Sustainability Officer requested conditions for additional information regarding the installed water using strategies.
91. Policy BSUI1 of the emerging local plan states that non residential developments should achieve a BREEAM rating of "Excellent". A condition is recommended relating to this.

Environmental Health

Noise

92. The site is subject to medium to high levels of noise (traffic, trains, some commercial activity) that can be mitigated by careful design of sound insulation, glazing and acoustic trickle vents. The Environmental Officer requested that the condition for any potential plant to be in accordance with BS4142:2014 requirements.

Air Quality

93. The proposed site is within an air quality management area and therefore due to the size of the development the applicant is required to carry out an air quality impact assessment that should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The applicant has provided an air quality assessment and air quality neutral assessment undertaken by EB7Ltd. This assessment methodology is accepted along with the conclusions and therefore no mitigation measures are required and the development meets the air quality neutral criteria. Therefore, no conditions are recommended in relation to air quality.

Construction Noise and Dust

94. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to

background air pollution levels and cause nuisance to neighbours. The following information is therefore recommended to minimise the impact on local air quality and protect the amenity of neighbours during construction.

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

Contamination Land

96. The site to be redeveloped will include residential accommodation. Due to the previous uses of the area a soil contamination reports have been requested.

97. The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality. Details of contamination, remediation and verification have been conditioned.

Lighting

98. The proposed site will contain a mixture of commercial use and residential use therefore there needs to be a lighting strategy to ensure that there is no light intrusion affecting residential properties. Further details regarding lighting have been requested via a condition also considering potential overspill lighting on to the wildlife corridor.

Tree Consideration

99. A tree report was submitted with the application. The Tree Officer raised no objection to the scheme or the loss of T1 Ash. The trees within the vicinity of the application site are of low quality and will not be affected by the proposals.

100. One tree, located on the western site boundary, was identified as having an impact on the proposed development. A proposed tree plan, complete with removal recommendations has been proposed for the development. The draft tree protection plan can be seen in Appendix 2 of this report. Overall the proposed development would not result in and any harm to the trees on or surrounding the application site. The proposal would result in tree planting to the front of the proposed new build with additional soft landscaping. Details of the proposed landscape strategy have been recommended as a condition.

Ecology and Biodiversity

101. The northern portion of the site has been designated as a wildlife corridor. DMP8 wildlife corridors will be protected from development which would compromise its biodiversity or recreational function.

102. An Ecological Appraisal was submitted with the application. The site was subjected to a search for designated sites within a 2km radius of the site. Direct impacts on nearby designated sites as a result of the proposed development are considered highly unlikely given the application site lies 1.53km from the nearest designated site, which is designated for its ancient woodland habitat. Furthermore the habitats within the red line boundary have been evaluated as having limited site value.

103. The report concluded that a mitigation/enhancement measures should be secured as part of any forthcoming planning consent, including:

- conduct works outside of breeding bird season which runs March-September inclusive, unless a pre works check of the northern boundary vegetation should be conducted by an ecologist prior to works
- Incorporating bat and bird boxes
- Direct lighting away from the northern boundary.
- Enhanced landscaping including native species
- Mitigation measures for hedgehogs, reptiles and badgers

104. The above mitigation and site enhancements has been secured via a planning condition.

Flood Risk and Drainage Considerations

105. Thames Water were consulted during the course of the application and raised no objections to the development. A Piling Method Statement was requested via a planning condition. A flood risk report was submitted with the application and clarifies that the site is located within Flood Zone 1. The findings of this report demonstrates that the proposed development will not increase surface water flows or increase flood risk at the site or elsewhere. This proposed development will greatly reduce the surface water run off leaving the site, and therefore reduce flood risk at the site and elsewhere.

106. All hard standing areas will be formed of porous surfacing. The surface water run off from the sloped hard standing areas will be caught by slot drains. The over flows from the roof areas and sloped hard standing areas will then be conveyed in to an attenuation tank which will restrict the flow leaving the site. Following the development at this site, the peak flow rate of surface water will be reduced from 26.5 l/s for a 1 in 1 year storm event to 1.951 l/s, and from 84.0 l/s for a 1 in 100 year storm event, also to 1.951 l/s.

Equalities

107. 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

Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of Section 106 Agreement.

CIL DETAILS

This application is liable to pay **£615,842.10** * 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): 712 sq. m.

Total amount of floorspace on completion (G): 2831 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	2170		1624.24	£200.00	£0.00	£484,372.26	£0.00
(Brent) Businesses and light industry	661		494.76	£0.00	£0.00	£0.00	£0.00
(Mayoral) Businesses and light industry	661		494.76	£0.00	£60.00	£0.00	£30,696.42
(Mayoral) Dwelling houses	2170		1624.24	£0.00	£60.00	£0.00	£100,773.42

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)	334	
TOTAL CHARGEABLE AMOUNT	£484,372.26	£131,469.84

*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: 20/1151

To: Mr Gunne-Jones
Planning & Development Associates
118 Pall Mall
London
SW1Y 5ED

I refer to your application dated **11/04/2020** proposing the following:

Partial demolition of the existing buildings and structures, the erection of a 'co-location' scheme ranging in height from 2 to 7 storeys, incorporating industrial floorspace with residential units, together with associated landscaping, vehicular access arrangements, car and cycle parking, servicing and refuse and recycling facilities.

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

at **All Units at Dowlings Parade, HNS Autos and Delta Hand Car Wash, Bridgewater Road, Wembley, HA0 1AJ**

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: 01/09/2020

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 2019
London Plan 2016
Brent Core Strategy 2010
Brent Development Management Policies 2016
Draft London Plan
Draft Local Plan

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

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

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

252 S 001 Rev. C, 252 S 002 Rev. A, 252 S 003 Rev. A, 252 PA. 003, 252 P 001 Rev. B, 252 P 002 Rev. D, 252 P 003 Rev. D, 252 P 004 Rev. D, 252 P 005 Rev. D, 252 P 006 Rev. D, 252 P 007 Rev. C, 252 P 008 Rev. C, 252 P 009 Rev. C, 252 P 010 Rev. D, 252 P 011 Rev. B, 252 P 012 Rev. B, 252 P 013 Rev. C

Information Submitted: _

Design and Access Statement prepared by MTP

Planning Statement prepared by PDA

Framework Travel Plan prepared by ADL Traffic and Highways Engineering Ltd

Flood Risk Assessment and SUDS Report prepared by Nimbus

Air Quality Assessment conducted by EB7 Ltd

Acoustic Assessment prepared by Ned Johnson Acoustic Consultants Limited

Transport Statement prepared by ADL Traffic and Highways Engineering Ltd

Arboricultural Impact Assessment prepared by Brindle and Green

Ecological Assessment prepared by Brindle and Green

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

- 3 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3

Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

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

- 4 The non-residential floorspace hereby approved shall not be used other than for purposes within Use Class Class B1(b) or B1(c) (Use Class E(g)(i) or E(g)(ii) from September 2020) and shall not be used for any other purpose, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) unless planning permission has been granted for the alternative use by the Local Planning Authority.

Reason: To ensure the retention of industrial floorspace on the site.

- 5 The scheme hereby approved shall contain 28 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 6 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy DMP1 and London Plan policies 5.3 and 7.14.

- 7 Units 6, 7 and 12 shall be constructed so that 90% of the residential units will comply with Building Regulations M4(2) 'accessible and adaptable homes' standards and 10% will comply with M4(3) 'wheelchair accessible homes' standards.

Reason: To ensure the provision of accessible homes, in accordance with the Mayor's Housing SPG 2015.

- 8 Prior to the commencement of the development 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.

All agreed actions shall be carried out in full.

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: These impacts can arise at any time from the start of construction works, and adequate controls need to be in place at this time.

- 9 Prior to commencement of development, a Construction Logistics Plan, identifying anticipated construction traffic movements and setting out measures to manage and minimise the construction traffic impacts arising from the development, taking into account other construction projects in the vicinity, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved Construction Logistics Plan.

Reason: To ensure construction traffic impacts are effectively managed throughout the construction process.

Reason for pre-commencement condition: Construction traffic impacts can arise at any time from the commencement of works, and adequate controls need to be in place from this time.

- 10 Prior to commencement of development, details of the following shall be submitted to and approved in writing by the Local Planning Authority (in consultation with London Underground):

A detailed design and method statements for each state of the development for all of the demolition, foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- written approval from London Underground will be required prior to commencement of any works
- provide drainage strategy
- provide details on the use of tall plant/scaffolding
- accommodate the location of the existing London Underground structures

- there should be no opening windows or balconies facing the LU elevation
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels

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

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

- 11 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 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance.
- 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 approved in writing by the Local Planning Authority.

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

- 12 Following the demolition of the buildings and prior to the commencement of building works:

A Travel Plan Statement for the site based upon the Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall thereafter be implemented from first occupation of the development.

Reason: In the interest of the free and safe flow of traffic on the highway network.

- 13 Prior to commencement of development (excluding any demolition, site clearance and the laying of foundations), 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
- (b) Details of the proposed security gates on the ground floor
- (c) Details of screening to be installed on all proposed balconies
- (d) Details of screening linked to the proposed roof terrace areas

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

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

- 14 Within 6 months of commencement of works further details of soft and hard landscaping shall be submitted to and approved in writing by the local planning authority:

- (a) hard surfacing, any external furniture and play equipment, and boundary treatments throughout the site, including samples which shall be made available for viewing on site or in another location as agreed.
- (b) details of soft landscaping (including species, location and densities) together with design of tree pits for trees planted within the site.
- (c) details of any external CCTV.
- (d) details of proposed external lighting design to ensure that all external areas are adequately lit in hours of darkness, including a light spillage plan taken into consideration the wildlife corridor.
- (e) arrangements for maintenance of trees and other planted species.

The hard and soft landscape works shall be carried out in full accordance with the as approved details prior to the use of the building 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.

- 15 Prior to occupation details of any plant, which shall be in accordance with BS4142:2014, shall be submitted to and approved in writing by the Local Planning Authority and the plant shall not be installed other than in accordance with the approved details.

Reason: To ensure appropriate noise levels are achieved.

- 16 Prior to first occupation or use of the development.

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

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

- 17 Prior to first occupation details shall be provided and approved in writing of the installed water using facilities meeting the target consumption of 105litres/person/day and this shall maintained for the lifetime of the development.

Reason: To ensure that the development meets water target consumption rates.

- 18 Prior to first occupation of the proposed workspace, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority and the approved plan shall thereafter be implemented from first occupation of the development. The Delivery and Servicing Plan shall have regard to TfL guidance regarding Delivery and Servicing Plans.

Reason: To ensure the on-going sustainability of the development, in accordance with emerging London Plan Policy D4. In the interest of the free and safe flow of traffic on the highway network.

- 19 Within 6 months of the first occupation of the development, a Post Construction Stage Review BRE Certificate shall be submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the commercial floor space within the development has achieved BREEAM "Excellent" unless otherwise agreed in writing by the Local Planning Authority. The Development shall be maintained so that it continues to comply for the lifetime of the Development.

Reason: To ensure the development is designed and constructed to improve environmental performance and adapt to the effects of climate change over time.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability

Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

- 2 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant and scaffolding.
- 3 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
- 4 Given the age of the building to be demolished it is possible that asbestos may be present. The applicant should be reminded of their duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.
- 5 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 6 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.
- 7 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 Denis Toomey, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1620

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
05
19/1388

SITE INFORMATION

RECEIVED	12 April, 2019
WARD	Kenton
PLANNING AREA	
LOCATION	Claremont High School, Claremont Avenue, Harrow, HA3 0UH
PROPOSAL	Construction of an additional floodlit artificial grass sports pitch and cricket practice facility with incorporated batting cages, installation of 12 floodlights, erection of high boundary fences with associated gates, formation of pedestrian access stairs and ramp.
PLAN NO'S	See condition No. 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_144853</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 "19/1388" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

INTRODUCTION

This application was deferred from the 22nd July Planning committee as it was found that, due to a technical issue, the Flood Risk Assessment, Note for Environment Agency, Aboricultural Impact Assessment, Ecology and Bat Survey were not available on the Council's website. This was discovered after the committee report was published but prior to the July committee meeting. As such, the application was not considered at that meeting and further consultation was undertaken.

Additional letters of objection received after the publication of the July committee report

Sixty-four additional letters of objection were received and an objecting petition with 513 signatories.

An objection was raised from Roe Green Village Residents' Association who acknowledged that whilst they would not be directly affected by the proposals they had some comments of concern to raise to the Council.

Of the comments received, the concerns raised had mostly been addressed within the report. However, the new concerns raised are set out within the consultation section of this report.

Re-consultation

As discussed in the above, once officers became aware that the Flood Risk Assessment, Note for Environment Agency, Aboricultural Impact Assessment, and the Ecology and Bat Survey, which form material planning considerations, had not been visible on the Council's website owing to a technical error the reports were made public on the Council's website the following day.

On the 21st July 2020, consultation letters were sent to all originally consulted properties and those who commented on the proposal. The letter also confirmed that all supporting documents were now available on the Council's website.

Sixty-four further comments were received following the July 2020 consultation, the concerns raised are set out within the tables in the consultation section of this report.

RECOMMENDATIONS

That the committee resolve to grant planning permission subject to the conditions set out below.

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

Conditions

1. 3 year time limit
2. Approved plans
3. Restriction on illumination levels of the floodlights
4. Hours of restriction for use of the Artificial Grass Pitch and Cricket Facility and associated floodlighting
5. Mitigation measures as agreed by the Environment Agency to be complied with
6. No music, public address system or any other amplified sound
7. Submission of Aboricultural Method Statement and Tree Protection Plan
8. Submission of landscape details
9. Submission of Community Access Plan

Informative

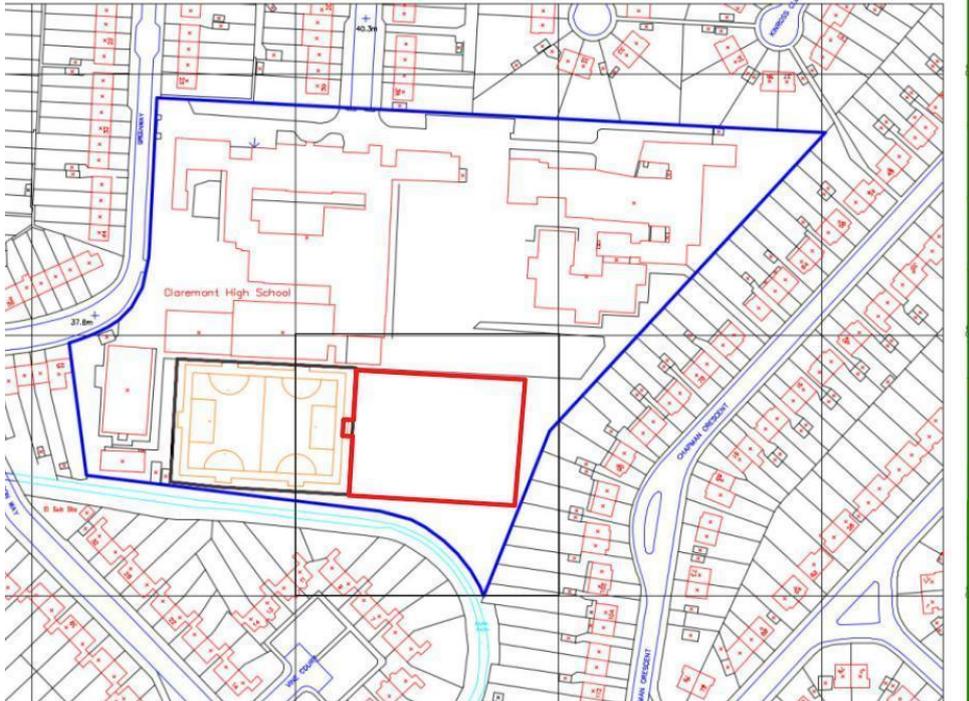
1. Environment Agency Permit

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

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990. That the Committee resolve to GRANT planning permission subject to any direction by the Secretary of State pursuant to the Consultation Direction

SITE MAP

	Planning Committee Map
	Site address: Claremont High School, Claremont Avenue, Harrow, HA3 0UH
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The development seeks the addition of an artificial sports pitch, cricket practice facility, ancillary fencing and floodlights within the school site, on part of the site previously used as a playing field. The pitch and cricket facility combined will occupy a 58m x 39.7m section of the schools playing field on the southern side of the school site. Ancillary fencing and floodlights are proposed.

EXISTING

The application site contains a secondary high school with pedestrian access from The Greenway and vehicular access from Claremont Avenue. The majority of the school buildings on the site were constructed in the 1940's/50's. Subsequent extensions and additional buildings have been built on the campus in the 1990's. The buildings on the site vary from one to two storeys and have been constructed largely of brick, glass and render.

To the south of the site there is a playing field and existing artificial sports pitch with ancillary floodlighting and fencing.

There are residential properties located to the east on Chapman Crescent, and on the opposite side of the Wealdstone Brook to the south are residential properties on Falcon Way and Vince Court.

The Wealdstone Brook abuts the southern end of the site. The Wealdstone Brook is defined within Brent's Development Management Policies DMP8 as a Wildlife Corridor and Grade II SNIC. Parts of the site (including where the proposed MUGA is proposed) is located within Flood zone 3a, and closer to the Wealdstone Brook parts of the site lie within Floodzone 3b.

SUMMARY OF KEY ISSUES

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

Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Representations received:** 28 objections from individual properties and a petition with 29 signatures has been received from nearby residential occupiers, objecting to the application for a variety of reasons. A letter of support was received from the Chair of the Local Governing Body and one petition supporting the proposal was received with over 300 signatories on separate letters from students of Claremont School was also received. Further details of the comments received are discussed within the "consultation section" below.
2. **Provision of additional sports facilities for the benefit of on-site school children and members of the wider community:** The proposal would provide enhanced local sports facilities, which would serve the school, and would also be available for bookings for the use of the local community.
3. **"Development" on a protected playing field:** The proposal is considered to represent appropriate development, which would enhance the space for sporting uses and would retain the open character of the space. Sport England have confirmed that the proposal meets its exceptions test.
4. **The impact of the sports pitch and associated fencing on local residential amenities:** The sports pitch and ancillary fencing proposed is set within the site and due to its lightweight material, would allow for substantial light flow. The local vegetation is substantial and would act as a suitable screen in restricting visibility of the structure from local gardens.
5. **Flooding and Local Drainage:** The sports pitch has been designed with comprehensive infrastructure which has been shown to effectively prevent the pitch from providing any increase in the severity of contributing to local flood events.
6. **Highways and Transportation:** The school already has community access arrangement approved (relating to internal sports facilities and an outdoor Artificial Sports Pitch) and this proposal would

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

7. **Trees and Ecology:** The current playing field has been shown to already be of negligible ecological value. The replacement of this low value ecological space with an artificial pitch will present a negligible worsening of the environment in ecological terms. Ecological improvements are to be secured by condition.
8. **Environmental Health:** Environmental Health have reviewed the proposal and advised that there are no concerns in relation to noise or light pollution. A condition is recommended on restriction on the hours of use.

RELEVANT SITE HISTORY

08/1968. Full Planning Permission. Granted. 10/09/2008

Formation of a fenced and floodlit, synthetic-turf-surfaced soccer pitch on the existing school playing-fields (as accompanied by Technical Report 109-0205/D&A and Flood Risk Assessment prepared by Material Science Consultants Ltd)

09/0894. Condition Discharge Application relating to Sports Pitch Consent (08/1968). 18/05/2009.

Details pursuant to conditions 5 (tree-root protection), 7 (floodlighting) and 14 (design & layout of the synthetic turf pitch) of full planning permission reference 08/1968, dated 11 September 2008, for formation of a fenced and floodlit, synthetic-turf-surfaced soccer pitch on the existing school playing-fields (as accompanied by Technical Report 108-0205/D& A and Flood Risk Assessment prepared by Material Science Consultants Ltd) (supported by letters from Materials Science Consultants Ltd, dated 8th April 2009 and 1st May 2009; and Philips floodlighting extract MVP507)

CONSULTATIONS

Neighbour Consultations

241 nearby properties were notified by letter of this proposal for a minimum of 21 days on 26/04/2019.

28 Comments of objection were received from residents' of the surrounding area and one objection petition with 29 signatures.

The comments of objection received are set out in the table below:

Comments of Objection	Response
Increased Traffic and traffic noise	It is not considered that parking and other associated highways issues will be put under additional pressure by this proposal.
The impacts of ongoing construction and the proposed development are a health and safety risk to residents.	Given that the application is a 'minor' application, the construction vehicles and works associated with the proposal will be limited. Concerns regarding health and safety are covered through separate legislation.
Increased light pollution to properties on Chapman Crescent	Please refer to paragraph 13.
Use of entrance located on Chapman Crescent	No access to vehicles or pedestrians is proposed from this access point.

<p>The development would result in a commercially used sports facility that would be regularly rented out</p>	<p>This is proposed by the applicant and is required by Sport England as it will represent a benefit to users of the pitch at the school and within the local community.</p> <p>It is not considered that the pitch will unreasonably disrupt residents' amenities and this is clarified within the report below.</p> <p>It should be noted that the area in which the sports pitch is proposed can be used outside of school hours already.</p>
<p>Chapman Crescent in a narrow road and is heavily parked as existing.</p>	<p>Brent's survey does not identify the road as heavily parked. Nevertheless, it is not considered that this proposal would materially worsen the impact on the local highway network.</p>
<p>Loss of playground is unacceptable</p>	<p>The replacement sports pitch will enhance the ability of this land to enable sporting and recreational uses which is currently waterlogged for a substantial period of the year. This includes the levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.</p> <p>There will be no practical loss of play space within the school site since there will be no fixed buildings/structures built as part of the proposal.</p>
<p>Loss of parking</p>	<p>Please refer to paragraph 36.</p>
<p>Reduced property value as a result of the development</p>	<p>Whether a proposal will affect surrounding property values (either positively or negatively) is not a material planning consideration.</p>
<p>Disabled access for the students and users would be reduced.</p>	<p>The proposal does not change any access arrangements for the existing school and it improves access to the sports pitch through the inclusion of a DDA compliant ramp.</p>
<p>Increased risk of Wealdstone Brook flooding.</p>	<p>Please refer to paragraph 41.</p>
<p>Increased pedestrian footfall around the site</p>	<p>The proposal is for use predominantly by the existing school, during school hours. As such, it is not considered there would be a substantial rise in footfall during school hours. The sports pitches for private use would be out of school hours (after school and weekends), with users accessing the school through the main entrance and would not generate any significant rise than is present on a given school day.</p>
<p>Increased air pollution</p>	<p>The proposal is not likely to result in a significant rise in traffic to the site. Please refer to</p>

A letter of support was received from the Chair of the Local Governing Body and one petition supporting the proposal was received with over 300 signatories on separate letters from students of Claremont School.

Comments of Support received from the students of the School
Increased capacity for sports pitches and available play
Increase land usability as the existing pitch is waterlogged
Increased outdoor learning (Physical Education classes)
Increased opportunities to use the sports pitches
Improved fitness
Improved health and wellbeing of students and users
Improved opportunities for use by the local community

Re-consultation

On the 20th July 2020, officers became aware that some reports which formed supporting documents were not available to view on the Council's public access system. As these documents formed part of the material planning considerations used to assess the application the documents were made visible on the Council's website and a re-consultation was carried out on 21st July 2020. As part of the re-consultation 64 additional comments were received and an objecting petition was received with 513 signatories. The concerns that were raised are listed within the table above, however, some new concerns were also raised and these are included within the table below along with officers responses.

Comments of Objection	Response
Application has exceeded statutory determination period	This is not a material planning consideration. The Council and applicant have entered into an agreed period of time for determination.
The supporting documents and reports are not publically available.	The application was re-consulted upon, with all supporting documents and reports available publically.
Lack of impartiality	The Council has requested reports required to ensure that the application submitted can be accurately assessed.
The application has been pre-determined	The application has been considered on the basis of its merits. It has not been determined and officers have put forward a recommendation to grant consent which is to be considered by Brent's Planning Committee.
Increased noise from use of the pitches	It is not considered that the pitch will unreasonably disrupt residents' amenities and this is clarified within the report.
There are pitches nearby to Claremont School with similar facilities that provide the local community with adequate access to community sports facilities.	The artificial pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play. The pitch being on-site would make the pitch more practical for use by the school compared to an off-site location where travel arrangements

	and management would need to be made in using such facilities for school purposes.
Work may have already commenced on the pitch.	Works to build the artificial pitch have not yet commenced and this has been confirmed by the applicant.
Artificial pitches are linked to health conditions as a result of toxic chemicals on the surface of the pitch.	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant. The Government consider artificial turf pitches to be safe.
Increased litter and more anti-social behaviour	It is not considered that there will be a material increase in such activities
The chemicals on the pitch will filter into the surrounding soil and damage wildlife and ecology.	There are no environmental health concerns raised by officers on these grounds which would outweigh the other benefits of the proposal.
The artificial pitch has the potential to worsen sports injuries as a result of the surface being harder than a natural grass field.	This is not a material planning consideration as it does not affect the impact of the development on its surrounding environment. Such considerations would need to be made by the applicant. Sport England were consulted regarding the proposal and no objections were raised.
The proposal will remove more open space within the site.	The replacement artificial pitch will enhance the ability of this land to enable sporting and recreational uses. This includes levelling of the land for greater sports benefit and the creation of a ground surface which would support all-weather play.
The opinions of residents have not been addressed and all previous proposals at the school have gone ahead despite large scale objection.	Residents' views are always considered. Nonetheless, acceptability in planning terms is determined by the proposal's adherence to local and national planning policies. It is not considered that concerns raised by residents demonstrate that the proposal is unacceptable in planning policy terms.

Internal Consultations

Brent's Local Lead Flood Officer – No objection raised subject to condition.
Brent's Environmental Health Officer – No objection raised.
Brent's Environmental Health and Noise Officer - No objection raised.
Brent's Ecology and Bat Officer – No objection raised subject to conditions.

External Consultation

Environment Agency – No objection raised subject to an informative.
Sport England – No objection raised subject to condition.

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 DPD, and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies and material considerations include:

National Planning Policy Framework (2018)

1. Introduction
11. Making effective use of land

The London Plan (2016)

Policy 3.16 Protection and Enhancement of Social Infrastructure
Policy 3.18 Education Facilities
Policy 3.19 Sports facilities
Policy 4.6 Support for and Enhancement of Arts, Culture, Sports and Entertainment
Policy 6.3 Assessing Effects of Development on Transport Capacity
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.15 Reducing and managing noise
Policy 7.19 Biodiversity and Access to Nature

Brent Local Development Framework - Core Strategy (2010)

CP18 – Protection and Enhancement of Open Space, Sports and Biodiversity
CP23 – Protection of existing and provision of new community and cultural facilities

Development Management Policy (2016)

1: General Policy
8: Open Space
9: Waterside Development
9a: Managing Flood Risk
9b: On-site Water Management and Surface Water Attenuation
12: Parking

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

The draft London Plan has recently been subject to an Examination in Public, and is at the intend to publish stage.

These documents collectively carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

Key Emerging Policies include:

The draft London Plan Intend to Publish Version (December 2019)

GG3 Creating a healthy city
Policy S1 Developing London's Social Infrastructure
Policy S3 Education and childcare facilities
Policy S5 Sports and recreation facilities
Policy G1 Green Infrastructure
Policy G4 Open Space
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands
Policy SI 12 Flood Risk management
Policy SI 13 Sustainable drainage

Brent's emerging Local Plan

DMP1: Development Management General Policy
BP4 North West
BS1 Social infrastructure and community facilities
BGI1: Green and Blue Infrastructure in Brent
BGI2: Trees and Woodland
BSUI: Managing Flood risk
BSUI4: On-site Water Management and Surface Water Attenuation

DETAILED CONSIDERATIONS

Principle of Development

1. The development seeks the addition of an artificial sports pitch within the school site, located to the east of the existing synthetic-turf-surfaced soccer pitch. The playing fields are protected as open space under Brent's Core Strategy CP18. CP18 requires that "open spaces of local value are protected from inappropriate development and are preserved for the benefit, enjoyment, health and well-being of Brent's residents, visitors and wildlife." It also states that "support will be given to the enhancement and management of open space for recreational, sporting and amenity use". It is considered that the proposal will meet the requirement of Policy CP18 as it would see the continued use of the space for sporting/recreational use in an open environment, as consistent with the policy. The natural environment of a small element of the school playing field would be lost, but the value of the space for recreational sporting and amenity uses would be enhanced as it would enable year round use of the space for sporting activities and the quality of the space for enabling sports activities would be improved through levelling of the land, providing a flat ground surface.
2. All playing fields in England are protected by Sport England, and Sport England's support of this proposal would be key to ensuring that the development is acceptable in principle. Sport England have reviewed the application and consider that the continued reduction in natural outdoor play space is concerning. However, Sport England do note that the artificial pitch would be fit for purpose and would have at least the same capacity for play as the approved playing field would have had. Subject to the pitch being made available for the benefit of the community, Sport England have advised that they would not object to this proposal as they consider that it would meet Sport England's Exception E5 which states that the provision of the sports facility would outweigh the detriment caused by the loss of the playing field.
3. The development will result in the loss of a naturally grassed playing field, however, the value of the field for sporting use is reduced as a result of the land becoming waterlogged in the winter months. In terms of the proposed cricket facility, the England and Wales Cricket Club (ECB) have confirmed that there is significant demand for training facilities within the borough.
4. The replacement artificial pitch will be largely open in its character and will enhance the ability of this land to enable sporting and recreational uses.
5. As required by Sport England, the pitch will be used for both school activities and external community uses. The existing artificial sports pitch was approved with community uses, and as such, there is an additional benefit to the local community in the increased expansion of sporting facilities within this application. A condition will be attached to the consent limiting the use of the floodlighting and artificial pitch hours to ensure that activities are reasonably limited given the outdoor location in a residential area, whilst providing sufficient opportunities for community use.
6. The principle of development therefore complies with policy CP18 of Brent's Core Strategy 2010.

Siting and Appearance

7. The artificial sports pitch will occupy 58m x 39.7m section of the school's playing fields to the east of the existing artificial sports pitch. Within the perimeter of the proposed sports pitch, located at the eastern end is a cricket practice facility. Comprising a 7.32m x 39.7m fenced area, with 2 tubular steel batting cages and additional netting secured to the cages. The surfacing would be on an artificial grass type onto a porous base.
8. The pitch will be lined by a green weldmesh fence which is broadly consistent with the design of other enclosed sports pitches in similar environments. The enclosure has a maximum height of 5m on the eastern and southern boundaries and on the northern and western boundaries the height is reduced to have a maximum height of 4m.
9. The increased height fence of 5m is proposed to southern boundary to reduce the likelihood of footballs being accidentally kicked into the Wealdstone Brook and to the eastern perimeter, the increased height fence is proposed to prevent footballs from being kicked into the rear gardens of the house on Chapman Crescent. On the western perimeter, the fence mesh panels will be attached to the side of the fence of the existing artificial grass pitches, so the common fence line is shared. The fences will allow for substantial flow of light and visibility from and to the inside of the pitch, retaining a suitably open character within and around the pitch.

10. Moreover, the fences are proposed to be powder coated green to match the existing fences in situ which are considered to blend into the surrounding school environment and green landscaped area (trees and shrubs situated on the Wealdstone Brook boundary).
11. The artificial pitch is proposed to be accessed via a powder coated green double gate, which would be situated between the existing and proposed artificial grass pitch, allowing for maintenance vehicles. An additional single gate is proposed within the northern fence line. A level access ramp is proposed to access the entrance gate from the school playground, the ramp is DDA compliant and would therefore be considered acceptable.
12. The size, scale and appearance of the sports pitch, as most prominently defined by the 5m high perimeter fencing is considered to be acceptable in terms of its general siting and appearance. The pitch, fencing and floodlights would appear as a typical feature of many school sites and the use of a see-through weld mesh fence would preserve visibility in and around the pitch. The siting and appearance of the pitch is therefore supported in planning terms, and comply with DMP1.

Floodlights

Sports Pitch

13. For the artificial grass pitch, the proposal seeks 6 No. Floodlight masts with a maximum height of 12m are proposed. These would be in addition to the already existing 6 floodlights which have a maximum height of 12m as approved as part of the existing artificial grass pitch. The proposed floodlights have been located around the sports pitch to minimize the potential for overspill and are mounted in concrete foundations and would be painted green to reflect the surrounding area and blend in with the existing and proposed perimeter fencing.
14. The illuminance levels of the HiLux Ace LED floodlights are proposed to maintain a minimum average illuminance level of 200 lux over the playing surface. The Design and Access Statement confirms that should both sides of the sports pitch not be in use, then the level of lighting in use can be reduced.

Cricket Nets

15. For the cricket nets, the proposal seeks 6 additional floodlit masts, each with a height of 6.7m. As above, the arrangement is proposed to minimize the potential for overspill directly around the facility. The masts will be powdercoated green to match the 12m floodlights and perimeter fencing established as existing and proposed subject of this application.
16. The illuminance levels of the HiLux Ace LED floodlights serving the cricket facility are 750 lux, which is higher than the sports pitches. The Design and Access Statement confirms that the luminance level is required by the ECB for practice facilities in order to see the cricket ball in travel.

Existing Artificial Grass Pitch (AGP)

17. The existing grass pitch included 6 No. 12m high floodlights. The existing metal halide fittings are proposed to be replaced with HiLux Ace LED fittings which would match the LED floodlights proposed subject of this application, however, the new installation would not require planning permission. The new LED lights would have a maximum luminance level of 200 lux over the playing surface, which is confirmed on the Design and Access Statement to be the same as the existing situation). The replacement light fittings for the existing floodlights is considered to be acceptable and would be suitable for reduction if one side of the pitch was not in use. Moreover, the LED lights ensure a reduction of intrusive light both around the facility and the sky glow and the replacement LED floodlights would therefore be considered to be an improvement on the existing managed lighting scheme.
18. Brent's Environmental Health Team have reviewed the outdoor LED Design Report submitted as part of the application and confirmed that the luminosity levels recorded from the assessment are within the industry standards and there would be no objection in principle to the use of the floodlights and planning permission would not be required.

Impact upon Residential Amenity

19. The nearest residential properties are located to the east on Chapman Crescent. Nos. 92 and 94

Chapman Crescent are located closest to the new pitch, with a separation distance at its closest point of 2m from the south east corner of the fencing to the rear garden of No 94 Chapman Crescent.

20. Brent's Supplementary Planning Document 1 guidance sets out the parameters for acceptable amenity impact in respect to the height of the development and ensuring that the proposal does not appear overbearing. As a guide, the fencing should sit within a line drawn at 45 degrees from the edge of the rear garden measured at 2m high above garden level. The fencing closest to Chapman Crescent is 5m high. Therefore, at its closest position with No. 94 Chapman Crescent, it would breach 45 degree line for a height of 1m. However, the fencing splays away along the northern section of this rear garden and does not extend further southwards. The fencing will be largely transparent in nature to ensure that an open appearance is maintained, and that it does not appear overly bearing. It should also be noted that there is existing screening with 3m high hedgerow along the boundary and trees within neighbouring gardens (Nos. 92, 96 and 98 Chapman Crescent) that are 10 to 14m high to assist in screening the fencing associated the new pitch facility.
21. The fencing would sit below 45 degree line from other properties on Chapman Crescent. Properties located to the south on Vine Close and Falcon Way are separated from the proposal by the Wealdstone brook that is heavily vegetated on its northern boundary to screen the proposal from these houses and gardens. All of these properties comply with 45 degree line as set out in SPD1.
22. The mesh fencing would sit below 30 degree line from all rear habitable rooms of the properties on Chapman Crescent, Falcon Way and Vine Court.
23. Overall, it is considered that there would not be a significant harm to neighbouring amenity as a result of the structure.

Flood lighting

24. The height of the columns for the artificial sport pitch are 12m high (to match the height of the existing flood lit pitch) and the floodlights proposed to the batting practice area have a reduced height of 6.7m. The majority of the sports pitch will have a minimum average maintained illuminance of 200 lux. Whilst the lux levels are proposed over the playing surface with the cricket practice facility are proposed to have a 750 lux.
25. The submission includes an Outdoor LED Lighting Design and 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011', which identifies acceptable positioning of lighting vertical structures in order to minimise visual intrusion and to control the lighting output within the open landscape. The lighting has been indicated on the plans and confirmed by the applicant to be downward pointing. The lux level plan indicates that the end of the rear gardens of residential properties to Chapman Crescent will experience a lux level of 25 which is very low. This is between twilight and deep twilight.
26. It should be noted that the lighting contours do not take account of the screening effects of existing trees of boundary fences. There is dense tree growth along the eastern and southern boundaries of the site which further assist in acting as a light screen for these properties and reduce any overspill, further additional planting is also proposed and will be secured through a condition. A condition will also be recommended to control the hours of use that the floodlighting can be operational for.
27. Your officers consider that the floodlighting columns will not have an unduly adverse impact upon the amenities of the properties in Chapman Crescent or Vine Court.

Noise Impact

28. There is the potential for noise associated with play to disturb residents; however this land has functioned as a playing field previously so it is unlikely that noise would be significantly greater than when the pitch was used for play purposes during the school day. It is acknowledged that there would be some additional noise impact during out-of-school hours for some of the properties along Chapman Crescent and Vine Court, however this would not be to an extent that would warrant resistance to the proposal and would be balanced with a limitation of community use up until 9 pm in the evening.

Impact on Trees

29. There will be no trees lost as a result of the sports pitch construction, however, a shelter belt is proposed along the boundary to the rear gardens of Chapman Crescent. Brent's Tree Officer has advised on

species of planting that would be appropriate in this area and the School has confirmed that the species suggested will be used within the additional planting on site. The proposed planting will be conditioned to ensure that it is considered acceptable and will remain for a period following construction. Brent's Tree Officer has requested that a Tree Protection Plan and Arboricultural Method Statement are secured through condition for this application to ensure that the proposal would not present any damage to local trees during construction.

Impact on Ecology

30. A professional ecology and bat report was undertaken to consider the impact of the sports pitch and ancillary fencing on local ecology.
31. The ecology study identified the importance of the Wealdstone Brook as an important corridor for wildlife and ecology to navigate through the district. The report identified that whilst there are bats present on site, they do not roost within the trees on site or within areas surrounding the site. It is noted, that the vegetation along the brook is considered to be useful for foraging purposes, however, the existing grass playing field is not considered to be an area of high ecological value and as such, its replacement is likely to represent a minor negative impact. The scale and likely significance of this impact is likely to be negligible.
32. Whilst impacts on ecology are likely to be negligible, opportunities exist for the further reduction of these minor impacts and even to deliver overall biodiversity enhancements through the proposals.
33. The report set out a number of recommendations, which will be secured by condition to enhance the habitat, including provision of a landscaping plan with details of new planting/buffering and details of the frequency of maintenance. The scheme will also secure a restriction on the hours of operation of the floodlighting to reflect the recommendations set out in the ecology report. The Roe Green Village Residents Association (RGVRA) have commented that the submitted ecology report specifies that the pitch should be used by students from the school only, and RGVRA consider that this restrict use to 4 pm only. A 4 pm restriction is not set out in the ecology report and schools often use their pitches after 4 pm (e.g. after school sports / practice use). The ecologist provides advice on the hours of use of the floodlights (see below). Who is using the pitch is not considered likely to affect bats providing the nature of the use is comparable (e.g. it is not considered that a school pupil or school staff member using a pitch would be likely to have a materially different impact from a non-school person using a pitch for the same purpose). The Ecology report recommends that floodlighting is off after 9 pm, and also from 50 minutes after sunset and these mitigation measures are proposed to be captured within a condition.

Highway Considerations

34. The sports pitch would likely to increase the number of after school events which may lead to an increase in trips to the site, however, the school has a car park with a 60 space capacity and it is considered that any demand for parking during out of school hours is unlikely to be greater than this and so could be accommodated on site. The Council's school travel team has been in contact with the school and the current Gold Standard travel plan in use confirms that the latest surveys indicate that 15% of students travel to the site by car. While this shows that the school has been effectively influencing the means by which students and staff travel to the school, school travel plans do not normally cover after hours community / external use. Objections have been received on the basis of parking and congestion associated with people who travel to the school out-of-hours. The level of use is considerably lower than typical school use (i.e. school students and teachers), but nevertheless, it is considered that the school travel plan should be updated to include measures to promote non-car access and reduce the use of private vehicles for after hours activities (e.g. cycling / walking / lift sharing). Given the likely level of out-of-hours use (see Community Access section below), this is considered to be sufficient to satisfactorily mitigate potential impacts. The use of the pitches during school hours is not considered likely to result in significant highways / transportation impacts.

Community Access Considerations

35. The existing community access arrangements are that the existing pitch is used by the school until 6pm on weekdays, and then offered to the local community for rent until 9pm on weekdays. On weekends, the facilities are offered to the local community for rent from 9am to 9pm. It has been confirmed that this arrangement will continue for the new proposed sports pitch and cricket facility.
36. The school have provided additional information on their booking summary that the existing artificial

sports pitch is hired by approximately 30 players each hour, with no additional spectators. This reflects the use recorded between the hours of 5-8pm on weekdays. On the weekends, the pitch is hired by approximately 25 players until midday Saturday, with Sunday's use being all day at approximately 30 players, which reduces to 15 players from 7pm.

Flooding and Drainage Considerations

37. The proposed artificial sports pitch is bordered to the south by the Wealdstone Brook and it is affected by high probability flood risk (Flood Zone 3a).
38. The area of land to be developed consists of a natural grass area, primarily used for track and field sports. With the site currently comprising a naturally draining grass sports field. Therefore, the site is assumed to drain primarily through infiltration, with any excess runoff flowing south overland into Wealdstone Brook.
39. The National Planning Policy Framework (NPPF) Planning Practice Guidance (PPG) Tables 2 and 3 confirm that the 'Water Compatible' development is appropriate within Flood Zone 3a, subject to passing the Sequential Test. The proposed development does not change the existing land use and forms a part of the wider sporting facilities within the site, and so it should not be located elsewhere and the Sequential Test is considered passed.
40. A Flood Risk Assessment was prepared and submitted to the Council for the proposal and the conclusions of the report conclude that the sequential test is met and the proposed development would be safe from flooding and there would be no detrimental impact to the school or the surrounding properties. Moreover, following the relocation of a 6.7m high floodlight, 3.8m from the culvert the Environment Agency confirmed that there would be no adverse impact on the culvert and surrounding drainage.

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 proposed sports pitch, ancillary fencing and floodlights along with the replacement of the existing floodlights to the existing artificial pitch are considered to materially accord with planning policies. The proposal would enable the school to support outdoor sporting activities through the year. The use of a community access agreement would also enable the facilities to be used by the local community. Approval is accordingly recommended.



DECISION NOTICE – APPROVAL

Application No: 19/1388

To: Mr Benn
Eddisons
150
150 High Street
Huntingdon
PE29 3HY

I refer to your application dated **12/04/2019** proposing the following:

Construction of an additional floodlit artificial grass sports pitch and cricket practice facility with incorporated batting cages, installation of 12 floodlights, erection of high boundary fences with associated gates, formation of pedestrian access stairs and ramp.

and accompanied by plans or documents listed here:
See condition No. 2

at **Claremont High School, Claremont Avenue, Harrow, HA3 0UH**

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: 01/09/2020

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:-
The London Plan 2016
The National Planning Framework Policy 2019
Brent's Core Strategy 2010
Brent's Development Management Policies 2016

- 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):

116792-4200 Rev B, 116792-4001 Rev A, 'Supplementary Information and Design and Access Statement to accompany Planning Application', Reference C-119-0101/D&A (Dated: 12 April 2019), Sections A-A & B-B Dwg: 009, Section C-C Dwg: 008, South and East Elevations Dwg: 007, Difference between existing and proposed levels Dwg:006, Proposed levels Dwg:005, OS Red/Blue Line Drawing Dwg: 001, Section at Boundary Dwg: 116792-4003 Rev A, Existing Levels Dwg 004. .

Supporting Information
'Note for Environment Agency', Reference NE/2019/130445/01-L01 (date March 2020), 'Claremont High School Outdoor LED Lighting Design', Reference 5340 (date 22/03/2019), 'Arboricultural Impact Assessment', Reference WAS 148 /2020 - AIA (28th March 2020), Letter received from Claremont High School (Dated 19th May 2020), Clear View CCTV Drainage Survey, Clearview Surveys Claremont High School (09/10/2019), Flood Risk Assessment, Reference 46190/4001 (Dated June 2019), Ecology and Bat Survey Report (Dated June 2019).

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

- 3 The maximum level of illumination for the floodlights shall be carried out in accordance with approved 'Claremont High School Outdoor LED Lighting Design', (date 22/03/2019), unless it is first agreed in writing by the Local Planning Authority.

Reason: To ensure that the floodlights are not detrimental to the local ecology or surrounding residents.

- 4 The Artificial Grass Pitch and Cricket Facility hereby approved shall not be used other than between 08.00-21.00 Mondays to Fridays, 09.00-21.00 Saturdays and 09.00-17.00 Sundays and Bank Holidays and the pitch shall be vacated within 15 minutes of these times. The floodlights shall not be used (and shall be switched off) other than between the hours of sun-rise and the earlier of 9 pm and 50 minutes after sunset unless details have been submitted to and approved in writing by the Local Planning Authority which demonstrate that alternative hours will not result in an unduly detrimental impact on bats (which may include mitigation measures) and the floodlights shall thereafter not be used other than between the revised hours (as approved). Within these time parameters, the floodlights shall only be switched on when the court is in active use. The development shall operate within these parameters unless otherwise agreed in

writing with the local planning authority beforehand.

Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties in respect of noise and light disturbance.

- 5 The development permitted by this planning permission shall be carried out in accordance with the approved 'Note for Environment Agency', Reference NE/2019/130445/01-L01 (date March 2020) and approved '116792-4200B' (date 25/03/2020). The mitigation measures shall be fully implemented prior to occupation and any changes proposed should be first agreed in writing, by the local planning authority.

Reason: To ensure the development does not adversely affect the stability and function of a culverted watercourse designated as a main river.

- 6 No music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority. Any proposed system(s) shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed and operated in accordance with the details so approved.

Reason: To safeguard the amenities of the adjoining occupiers.

- 7 Prior to commencement of development, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The details of site supervision specifically regarding the correct siting and securing of tree protective fencing should be clearly shown within a tree protection plan to ensure the health and longevity of the trees proposed.

Reason: To ensure the safe and healthy retention of all off-site and boundary trees within the vicinity of the approved application.

Reason for pre-commencement condition: Construction impacts on trees can arise at any time from the commencement of works, and adequate controls need to be in place from this time

- 8 Within six months of commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of all landscaped areas of the development. Such approved landscaping works shall be completed prior to first use of the development hereby or other timescales as agreed in writing by the Local Planning Authority.

The submitted scheme shall include details of:

a) the planting scheme for the site, which shall include species, size and density of plants and trees, details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries;

b) bat roosting environments and their locations

c) a landscaping maintenance strategy, including details of management responsibilities and the frequency of maintenance.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the locality.

- 9 Prior to first use of the sports pitch hereby approved, a Community Access Plan detailing community access arrangements across the school as a whole, prepared in consultation with

Sport England, shall be submitted to and approved in writing by the Local Planning Authority.

The Community Access Plan shall allow for a minimum of 15 hours of community use at the school each week and shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access by non-school users/non-members and management responsibilities.

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

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

- 10 Prior to the first use of the artificial pitch hereby approved, an update to the School Travel Plan (to include specific reference to the community use of the artificial pitch), shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 11 Prior to the commencement of works on the relevant part of the development, a Construction Logistics Plan (CLP) based on the Framework CLP shall be submitted to and approved in writing by the Local Planning Authority and the approved CLP shall be implemented for the duration of demolition and construction. The CLP shall demonstrate that there will be no construction access through the Chapman Crescent access gate.

Reason: In the interest of highway and pedestrian flow and safety.

INFORMATIVES

- 1 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- On or within 8 metres of a main river (16 metres if tidal)
 - On or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - On or within 16 metres of a sea defence
 - Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
06
19/4130

SITE INFORMATION

RECEIVED	20 November, 2019
WARD	Mapesbury
PLANNING AREA	
LOCATION	Land rear of 65, Teignmouth Road, London
PROPOSAL	Conversion of garage into a residential unit (Use Class C3) and works to include a single storey extension, 2 rooflights, provision of cycle and refuse storage, associated landscaping and alterations to boundary
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_147898</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 "19/4130" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions

1. Timescales for the commencement of the development
2. Built as per the approved drawings
3. Materials- submission of details
4. Cycle parking and refuse provided prior to occupation
5. Removal of permitted development rights - extensions, alterations and outbuildings
6. Removal of permitted development rights – to Use Class C4 HMO
7. Landscape scheme- submission of details
8. Air source heat pump
9. Footway reinstatement
10. Tree protection measures

Informatives:

1. Building near boundary
2. Party Wall Act 1996.
3. Removal of crossover to be funded by applicant
4. Code of Construction Good Practice
5. CIL liable; notice will be sent.

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

SITE MAP

	Planning Committee Map
Brent	Site address: Land rear of 65, Teignmouth Road, London
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Conversion of the existing garage to provide a one-bedroom, one-storey dwellinghouse, incorporating a new side extension adjacent to the boundary of 94 Dartmouth Road. There would be no change to existing external access arrangements, with the site fronting onto Lyndford Road.

The front (east) elevation would have the existing, non-original white sliding garage door removed, and in its place would be glazing, behind timber louvred shutter doors.

The north, side elevation, would have one replacement window, one timber door with side window, and a set of patio doors.

To the west, a ground door would lead to a small area of permeable paving. There would be no additional windows placed in this elevation.

The south elevation would form part of the boundary with no. 94, and would be 2.6m high.

Following amendments, the frontage would consist of a pedestrian gate and fencing repaired and replaced to match the existing.

The landscaping would consist of quarry paving path to front with soft landscaping to front of glazing and to corner segueing into the soft landscaping of the side garden, with patio to side.

Covered cycle storage would be provided for one cycle. Frontage would contain housing for refuse and recycling bins and air source heat pump.

EXISTING

The application site comprises a detached double garage, located on the west side of Teignmouth Road, between Lydford Road and Dartmouth Road. It is at the rear of 65 Teignmouth Road, which occupies a corner plot at its junction with Lyndford Road in Mapesbury Conservation Area. The existing garage itself covers a footprint of 44.3sqm and the plot has a curtilage of 194sqm. There are a number of mature trees within the garage plot and the site is bounded by timber fencing at its frontage and access onto Lyndford Road. The area is characterised by large detached and semi-detached Edwardian properties (some of which have been sub-divided into flats) two storeys in height, with generous front and rear gardens.

SUMMARY OF KEY ISSUES

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

1. **Representations received:** 8 objections have been received. Officers have considered the comments and the planning merits of the proposal and consider that the proposal is acceptable.
2. **Principle:** The garage has not been used as such for some years, and its loss as parking is acceptable. The proposal involves alteration, extension and a change of use to the existing building to become a dwelling. All of these changes are acceptable in principle subject to the matters assess below.
3. **Design and impact on the Conservation Area:** The scale of the development would be appropriate in this context. Due to the proposal's design and siting its impact on the appearance of the area would be similar to the existing building and it would preserve the character and appearance of the conservation areas.

3. **Neighbouring amenity:** The development has been assessed against the guidance in SPD 1 and would be compliant. There would not be a significant impact on the overall living conditions of the neighbouring occupiers.
4. **Trees and landscaping:** A condition is recommended to ensure that the works are carried out appropriately to prevent any adverse impact on the health and longevity of the surrounding trees.

RELEVANT SITE HISTORY

95/0499: Demolition of existing garage and erection of a two bedroom house, alteration to existing vehicular access with access off Lydford Road and provision of 2 parking spaces. Refused, appealed, dismissed 2/4/96.

(It is to be noted that this was for demolition of the garage and construction of a 2-storey house.)

CONSULTATIONS

14 letters of consultation were sent to nearby and adjacent occupiers, and Mapesbury Residents' Association. A site notice was erected and an advert placed in the local newspaper. Eight submissions were received, and all objection issues are recorded below:

Nature of objection	Commentary/ covered in which section
The windows and rooflights of the proposal would cause a loss of privacy to adjoining properties	Neighbour Amenity
The proposal should have at least 50% soft landscaping to the frontage	Design / Parking- addressed via amendments
The splitting of the site would change the open quality of the back garden landscape	Design
The proposal will be on the boundary of 94a Dartmouth Road, and an outbuilding should be 1m away from the boundary	Neighbour Amenity
The parking space at the front is too small	Highways- addressed via amendments
All buildings in back gardens should be ancillary to the main building as per Mapesbury Design Guidance	Land use and Principle of Development
The Article 4 Direction is in place and requires planning permission to build in back gardens	Land use and Principle of Development
The development would not create a high quality environment as per Brent development Management Policies	See Design / Neighbour Amenity/ Standard of Accommodation
The Air Source Heat Pump and electric gates would produce excessive noise which would be detrimental to wildlife	Neighbour Amenity
The outbuilding is too large for the existing garden	Design/ neighbour amenity/ Land use and principle of development
37 Lydford Road is not completed and the original applicant is no longer involved.	Occurrences at another unrelated project are not relevant to this assessment.

The Tree report is missing	The Arboricultural report was in the first instance not uploaded to the councils systems; it was sent to the Authority on 17/12/19 and has been discussed within this report.
The structural report should be carefully reviewed	The structural implications of the proposal would be dealt with through the Building Regulations should permission be granted and the proposal implemented.
This is the second application and the previous one was refused and appeal dismissed in 1996.	There have been considerable changes to the proposal and to policy and guidance since 1996, and every application is assessed on its merits. The previous proposal was entirely different- for construction of a new 2-storey building in addition to the garage. The two proposals are not comparable. see 'History' section
Concern regarding neighbour amenity issues with building works	Construction impacts from development projects are not considered to be a significant issues on a development of this scale and nature. Any excessive impacts would be sufficiently managed through Environmental Health Legislation.
Concern regarding permitted development rights to extend	This would be prevented via condition (and is in any case, many permitted development rights are also restricted by the Article 4 direction)
There should be a front wall with piers and caps, not a fence	Design
The garage should not be removed as there is a high demand for parking in the area.	Highways
The proposal would block out sunlight to 65 Teignmouth Road	Neighbour Amenity .
The ownership of the land is not as stated on the application form.	The Authority has received a Certificate A which states the site is owned by the applicant.
The Design Access & heritage Statement is inadequate	Addressed via amendment and an independent assessment of the development is made through the application process.

POLICY CONSIDERATIONS

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

Key policies include

The London Plan consolidated with alterations since 2011 (March 2016)

3.1 Life Chances for All

- 5.3 Sustainable design and construction
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

- 7.21 Trees and Woodlands

Brent Core Strategy (2010)

- CP1: Spatial Development Strategy
- CP5: Placemaking
- CP6: Design & Density in Place Shaping

Brent Development Management Policies (2016)

- DMP 1: Development Management General Policy
- DMP 9A: Managing Flood Risk
- DMP 9B: On Site Water Management and Surface Water Attenuation
- DMP7 Brent's Heritage Assets
- DMP 12: Parking

In addition the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies.

Draft London Plan

- GG1 Building Strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG6 Increasing Efficiency and Resilience
- D1 London's Form and Characteristics
- D2 Delivering Good Design
- D3 Inclusive Design
- D7 Public Realm
- D11 Fire Safety
- HC1 Heritage Conservation and Growth
- G1 Green Infrastructure
- G7 Trees and Woodlands
- SI12 Flood Risk Management
- SI13 Sustainable Drainage
- T5 Cycling
- T6 Car Parking

The council is currently reviewing its local plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore having regard to the tests set out in the paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Brent Draft Local Plan

- BD1: Leading the Way in Good Urban Design
- BHC1: Brent's Heritage Assets
- BH13: Residential amenity space
- BG12: Trees and Woodlands
- BSUI2: Air Quality
- BSUI4: On Site Water Management and Surface Water Attenuation
- BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development
BSU13 Managing Flood Risk
BSU14: On site water management and surface water attenuation

Other material planning considerations include:

National Planning Policy Framework (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)

Technical housing standards: Nationally described space standard

Mapesbury Conservation Area Design Guide

Mayor's Sustainable Design and Construction SPG

National Planning Policy Guidance

National Design Guide

DETAILED CONSIDERATIONS

Land Use and Principle of Development

1. Residential development in a residential area is acceptable in land use planning terms. However, the key principle of the proposal is whether it would preserve or enhance the character or appearance of the Conservation area. It is noted that the land on which the garage sits is a separate entity on the property register and the site visit indicated that it has been physically sectioned off for some considerable time.
2. The Mapesbury Design Guide states that the Council will not grant permission for a 'new and separate dwellinghouse', within a back garden. However firstly, the building would not be newly created; it is an existing building, and its use as a garage is no longer required (see Highways feedback). The modest extension would be discreet (if one were to look over the gate/ fence) from the street. This is a key element and protects against any undesirable precedent of new buildings being created within back gardens. Reference is made by several objectors to the Article 4 direction, which requires that the construction of outbuildings in rear gardens requires planning permission. As this proposal consists largely on an existing building to be refurbished, not a new outbuilding, and planning permission is being applied for, this objection is addressed. The Article 4 does not prevent people applying for planning permission, and every case is considered individually, on its merits.
3. It is considered overall that the sensitive refurbishment of the building to be re-purposed to a modest 1-storey dwelling would provide a beneficial use of the current garage. Apart from the very modest extension to the side between the garage and the adjoining garage of no. 94, no garden space is being lost. The proposal also includes a new gate, repaired fence, and the refurbishment of the building, which would be apparent from the street, and the open character of the existing garden to the rear of no. 65 and the garden of the site itself, would not be compromised. Landscaping to include boundaries is reserved by condition, the intention being that an appropriately soft appearance would be required.
4. In summary it is considered that the principle of use in this particular case, is justified by the benefit of the refurbishment of the building, and its proposed use to provide a good quality residential unit, and is acceptable.

Design and Heritage

5. The proposed materials would be of a natural and traditional appearance, that the new windows proposed, although contemporary in design, have good proportion and will not be especially visible, and that the elevation of the garage will look basically as it does at the moment. It was suggested via a received public comment that a wall with piers and caps should be introduced. This would not be desirable as it would create a new false frontage which would not be characteristic in this location. The fence would preserve the appearance of the site as if it were an entrance to a garage still, which is the aim of the proposal's design vernacular.
6. Amendment was obtained to increase the amount of soft landscape along with the removal of the car parking space (see Highways feedback). The proposal has been carefully considered and designed to preserve the character of the area, reflecting guidance in the Mapesbury Conservation Area Design Guide which suggests that bulk, height, proportion and materials are design criteria that should be considered. The proposal has taken into account and is acceptable in design terms, and the refurbishment would enhance the conservation area.

Statutory Background and the NPPF

7. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") confirm that special attention shall be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72). As confirmed by the Court of Appeal (Civil Division), the decision in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 confirmed that where an authority finds that a development proposal would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm "*considerable importance and weight*". Further case law has reconfirmed the Barnwell decision and the considerations to be undertaken by a planning authority: *The Forge Field Society & Ors, R v Sevenoaks District Council* [2014] EWHC 1895 (Admin), *Pugh v Secretary of State for Communities and Local Government* [2015] EWHC 3 (Admin).
8. Section 16 of the NPPF ("Conserving and enhancing the historic environment") (paras. 184 to 202) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). In determining applications, LPA's are advised at para.192 take into account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
9. When considering the impact of a proposed development on the significance of a designated heritage asset, it is advised at para.193 that "*great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)*. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". Consent should be refused where there is substantial harm or total loss of significance, unless there are substantial public benefits that outweigh that harm or loss (NPPF, para.195). Where there is less than substantial harm, the harm is to be weighed against the public benefits of the proposal (NPPF, para.196) and with regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (NPPF, para.197). It is also

advised at para.201 that not all elements of a Conservation Area will necessarily contribute to significance.

10. Policy 7.8 of the London Plan (“Heritage Assets and Archaeology”) and draft Policy HC1 (“Heritage, conservation and growth”) advises what boroughs should do at a strategic level to identify, preserve, and enhance London’s heritage assets. Policies DMP1 (“Development Management General Policy”) and DMP7 (“Brent’s Heritage Assets”) confirms the statutory duty of the Council and provides some guidance on how to present and assess applications affecting heritage assets.
11. The heritage asset that this application involves is the Mapesbury Conservation Area.
12. What must therefore be determined is whether the proposed development will harm the significance of the aforementioned heritage asset, having regard to the statutory requirement to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72).
Assessment Against Significance of Heritage Assets
13. In terms of the assets significance, an assessment of the site, main property and has been made. This site is to the rear garden of a well-proportioned and detailed detached house dating from the inter-war period in the vaguely Arts and Craft style which is situated within the Mapesbury Conservation Area - a heritage asset. Mapesbury is one of the largest of the Conservation Areas in Brent and is characterised by largely unaltered town-houses from between 1895-1920. It retains many original features including windows, pargeting and brackets. The main dwelling is a handsome property and it contributes positively to the conservation area as well as the streetscene.
14. The proposal is to a garage at the end of the rear garden which faces Lydford Road. The garage is of traditional construction, matching the house and probably dates from the 1920s. It is very visible from the road given the corner plot.
15. The proposed development involves the retention, extension and refurbishment of an existing garage to provide a residential accommodation. The existing garage will be overhauled and repaired in natural and traditional materials to match existing. The new windows proposed, although contemporary in design, have good proportion and will not be especially visible. The new side extension will be tucked behind and between the garage and the boundary. The elevation of the garage will look as it does at the moment. A new gate will be placed on the boundary. The new hard landscaping is in keeping with what is expected.
16. The refurbishment of the building will enhance the conservation area. The new use has been carefully considered and designed to preserve the character of the area.
17. The proposal reflects guidance in the Mapesbury Conservation Area Design Guide which suggests that bulk, height, proportion and materials are design criteria that should be considered. The proposal has taken into account these factors which are acceptable in design

terms.

18. Therefore the development would comply with the requirements of policy DMP7 and is considered to be acceptable in terms of heritage.

Standard of Accommodation

19. The acceptability or otherwise of any new dwelling is assessed against the requirements of the National Housing Technical Standards, as now devolved into the London Plan.

20. The area required for a 1-bedroom, two person unit is 50m². The unit would satisfy this requirement, giving a GIA of 50.6m². Accommodation would be double aspect with an open and spacious layout without unnecessary internal walls.

21. The amenity space would be around 100m², with a relatively large area to the north of the building. This would provide more than meeting the requirement of 20m² for a one-bedroom unit. Amenity space of 220m² remains to the rear of 65 Teignmouth Road.

Residential Amenity

22. As the development would remain largely within the existing envelope of the building.

23. The new wall to the border of 94 Dartmouth Road would be at the far end of that property's amenity space, and also would be bordered along most of its length by that property's garage. It is not considered that the 2m of wall at 2.5m high on one side, and 1m of wall on the other side, that would be visible if you were to stand either side of the garage, would not cause a significant overbearing impact, or feeling of enclosure.

Concerning no. 67, the rear of the extension would face the side of that property's existing garden shed, and apart from this small extension which would be set back from the boundary by 1.6m, there would be no change in the relationship. The kitchen door would look out to the rear boundary along the back of no. 67's shed. It is not considered there would be a significant impact on this neighbour.

24. Regarding the north elevation, the side of the property (where the entrance would be) would be 20m away from the rear wall of 65 Teignmouth Road. This would be at ground floor level and is not considered therefore to introduce any significant negative impact in terms of privacy.

Details of the boundary between no. 65 and the site will be requested as part of the landscape plan by condition. Generally the occupancy of the building for residential use is not considered to cause a significant impact in terms of activity, noise, foot traffic, or disturbance in normal reasonable usage.

25. With regards to objections on ground of privacy, there would be rooflights to the building which would not afford views over anyone else's garden or windows, and ground floor windows and doors only.
26. The proposed Air Source Heat pump is a permitted development addition to existing properties under Schedule 2, Part 14- Renewable Energy, Class G - of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As the proposed dwelling is not yet constructed the heat pump has been assessed on its merits. It would be sited in a discreet position and not have any adverse impact on the appearance of the site and surrounding area. Subject to appropriate maintenance and a condition it would not have any adverse impact on the neighbouring occupiers in terms of noise. When considering this additions siting it would not have any adverse impact on the overall living conditions of the neighbouring occupiers.
27. The building would not be expanding towards 65 Teignmouth Road, or upwards, so it is not considered that objection regarding loss of light / overshadowing carries weight, as the building is already in existence and would not change in mass at all from the point of view of 65 Teignmouth Road.

Transport: - Parking, Servicing and Access

28. Feedback was obtained from Borough Highways Officers, who had no objection to the loss of the garage as it is not used for off-street parking and has not been for some time. Amendment was obtained on Highways' advices to remove the parking space from the frontage as there is insufficient depth for this. This allows the extension of the on-street parking bay, and also more of the front space in the site to be made into soft landscaping, which acknowledges and addresses objection received on this subject. A covered cycle storage unit has been added to the garden as required. A condition is recommended to ensure the removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay, is to be funded by the applicant prior to occupation of the development.

Landscape and Trees

29. Due to the presence of trees on site, and this being a conservation area, an arboricultural implications assessment, tree protection plan and arboricultural method statement have been provided. These have been consulted on with the Borough Tree Officer, who is satisfied with the methodology. Therefore a condition is recommended to ensure that the development is carried out in accordance with the details that have been provided.
30. In addition, to ensure that the site has an acceptable appearance overall further details of landscaping will be required by condition.

Equality Impact

31. 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

32. The proposal would provide a good quality residential unit without harming its surrounding context. The proposal would involve alterations to the frontage which would enhance the appearance of the plot and building, these changes would ensure that the development would preserve the character and appearance of the Conservation Area. It is recommended consent is granted.

CIL DETAILS

The proposal is liable to pay CIL as set out below despite providing less than 100sqm of new floorspace because the proposal comprises at least one new residential unit, in accordance with Reg 42(2) of the CIL Regulations 2010 (as amended), the provisions of which supersede the provisions of Reg 42(1) 'exemption for minor development'.

This application is liable to pay **£4,334.39** * 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): 50.6 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	50.6	38.5	12.1	£200.00	£0.00	£3,608.39	£0.00
(Mayoral) Dwelling houses	50.6	38.5	12.1	£0.00	£60.00	£0.00	£726.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	334
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£3,608.39	£726.00

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

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

permits the chargeable development.

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



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 19/4130

To: Ms Burd
Burd Haward Architects
24 Wolsey Mews
Kentish Town
London
NW5 2DX

I refer to your application dated **20/11/2019** proposing the following:

Conversion of garage into a residential unit (Use Class C3) and works to include a single storey extension, 2 rooflights, provision of cycle and refuse storage, associated landscaping and alterations to boundary

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

at **Land rear of 65, Teignmouth Road, London**

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: 01/09/2020

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 and guidance as follows:

Brent Development Management Policy 1- General Planning Policy, 7- Brent's Heritage Assets, 12- Parking and 19- Residential Amenity Space
London Plan Policies 3.5 : Quality and Design of Housing Developments, 7.6: Architecture and 7.8: Heritage Assets and Archaeology
NPPF 2019: Chapter 12-Conserving and Enhancing the Historic Environment
Core Strategy 2010: CP17- Protecting and Enhancing the Suburban Character of Brent.

Supplementary Planning Guidance:
SPD 1: Brent Design Guide
Technical housing standards: Nationally described space standard
Mapesbury Conservation Area Design Guide

Also relevant is the Listed Buildings and Conservation Areas Act 1990.

The proposed development would preserve the character of the conservation area in compliance with the Listed Buildings and Conservation Areas Act 1990 and the relevant guidance paragraphs of the NPPF.

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

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

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

Received 21/11/19:
19100E01C
19100E02C
19100E03C
19100E04C
19100P03C
19100P05A
Structural Engineers Report (Alan Baxter Partnership, July 2019)

Received 16/1/20:
19100P00
19100P01F
19100P02D
19100P04D
19100P05B
19100P06B

Received 14/1/20:
Arboricultural report and method statement (Greenwood, November 2019).

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

- 3 Final specific details of materials for all external work, to include but not limited to: wall and roof material and shading, boundary materials, hard and soft landscaping materials, window and

door frames, doors, and exterior gates and fencing, to consist of high quality colour PDF including make, RAL colours and /or product code or details, keyed to elevational drawing, shall be submitted to and approved in writing by the Local Planning Authority before any above-ground work is commenced. The work shall be carried out in accordance with the approved details.

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

- 4 The cycle parking and refuse storage facilities as approved shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for refuse storage and cycle parking and in the interests of safeguarding the amenities of occupiers and the area in general.

- 5 No extensions, alterations or outbuildings shall be constructed or undertaken within the curtilage of the dwelling subject of this application, notwithstanding the provisions of Classes A - H of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, unless a formal planning application is first submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation, an acceptable level of impact to the amenities of surrounding occupiers and in the interest of the character and appearance of the building and conservation area.

- 6 The residential dwelling 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 the residential unit, and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 7 The areas so designated within the site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before any above ground works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved. The submission must include all hard and soft landscaping, the frontage to include a minimum of 50% soft landscaping, boundaries between the proposal and adjoining properties, and positioning of cycle storage and air source heat pump.

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality, and preserves the character and context of the Conservation area, in the interests of the amenity of the occupants of the development and to provide urban greening and preserve the character of the garden within the Mapesbury Conservation area.

- 8 The rating level of the noise emitted from fixed mechanical plant together with any associated ancillary equipment on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with London Plan (2016), Brent's Core Strategy (2016) and Brent's Development Management Policies (2016).

- 9 The development hereby permitted shall not be occupied/brought into use until a continuous footway in front of the site has been completed in materials matching those of the adjacent footway.

Reason: To provide an appropriate provision of pedestrian access to the site and to protect the Borough's streetscape.

- 10 The proposed development shall only be carried out in accordance with the tree protection and method details set out with the Arboricultural report and method statement (Greenwood, November 2019) Received 14/1/20.

Reason: To ensure the safe and healthy retention of all retained trees both within and in close proximity to the application site.

INFORMATIVES

- 1 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.
- 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 Removal of the existing crossover to the site and its reinstatement to footway, with full height kerbs together with an extension to the adjoining on-street parking bay, is to be funded by the applicant prior to occupation of the development. The applicants must contact transportation@brent.gov.uk or call on 020 8937 5600 to arrange the highways works, to a specification to be agreed by the Highways Authority, with all works to be at the applicants' expense in accordance with Section 184 of the Highways Act 1980.
- 4 The applicants are reminded of the requirements of the Code of Construction Good Practice, which requires that no activities shall be carried out and no commercial vehicles may arrive, depart, be loaded or unloaded within the general site, except between the hours of 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and at no time on Sundays or Bank Holidays, in order to comply with the Environmental Protection Act 1990 with regards to noise and nuisance. Please see <https://www.ccscheme.org.uk/ccs-ltd/code-of-considerate-practice-2/>
- 5 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.

Any person wishing to inspect the above papers should contact Michele Katzler, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231

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COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 September, 2020
07
20/0614

SITE INFORMATION

RECEIVED	24 February, 2020
WARD	Brondesbury Park
PLANNING AREA	
LOCATION	16A & 16B Mapesbury Road, London, NW2 4JB
PROPOSAL	Change of use from residential (Use Class C3) to operational diplomatic and consular services (Use Class Sui Generis) for a temporary period of 3 years and associated alterations to car parking, installation of pedestrian gates and new fencing
PLAN NO'S	see condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_149055</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 "20/0614" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

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

Conditions

- 1. Three year time limit**
- 2. Approved Plans**
- 3. Temporary consent on a basis of 3 years**
- 4. Landscaping**
- 5. Cycle parking**
- 6. Tree protection measures**
- 7. Hours of use**
- 8. Parking permit restriction**
- 9. Any other planning conditions considered necessary by the Head of Planning**

Informatives

- 1. London Living Wage**
- 2. Fire Safety**

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

SITE MAP

	Planning Committee Map
Brent	Site address: 16A & 16B Mapesbury Road, London, NW2 4JB
	© Crown copyright and database rights 2011 Ordnance Survey 100025260

Scale (m)



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BLOCK PLAN 1:500

PROPOSAL IN DETAIL

This application proposes a change of use from residential (Use Class C3) to operational diplomatic and consular services (Use Class Sui Generis) for a temporary period of 3 years and associated alterations to car parking, installation of pedestrian gates and new fencing

EXISTING

The subject property is a two to three storey detached building, with half-basement, on corner plot within Brondesbury Conservation Area, on corner of Chatsworth Rd and Mapesbury Rd. The property is currently divided into three flats, and the land is bordered by a wooden fence to the Chatsworth Rd side, and a low wall with hedge behind to the Mapesbury Rd side. The land includes an original garage. No part of the site is listed. There are several large trees and some smaller trees within the site.

SUMMARY OF KEY ISSUES

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

- 1. Representations received:** Local consultation was carried out with 11 local households having submitted individual representations. Objections were generally made on a number of grounds including impact on local character, number of parking spaces proposed, increase of traffic and assurance the change of use will be on a temporary basis:
- 2. Principle:** The principle of the change of use from residential (Use Class C3) to operational diplomatic and consular services (Use Class Sui Generis) for a temporary period of 3 years and associated alterations is accepted and would provide a key service consistent with relevant planning policies
- 3. Heritage, character and appearance:** The site is within the Brondesbury Conservation Area. This application constitutes a change of use and there would be no change to the external appearance of the existing property. The design of the associated alterations are considered to have regard to the conservation area. At the initial stage of this application, the Conservation Officer was concerned about the subdivision of the garden and the loss of part of the garden due to the proposed hardstanding and amended plans were provided reducing the spaces to 3. Officers now support the application on Heritage grounds, subject to submission of a detailed landscaping plan.
- 4. Impact on neighbouring amenity:** The proposal is not considered to result in a significant additional impact on the surrounding properties in terms of privacy, loss of light or outlook. The development complies with the design principles in respect of protecting neighbouring amenity. Although it is accepted that an Embassy could result in more trips to and from the site than a residential dwelling, it is not anticipated to be to unduly detrimental levels. Objections have been received in terms of the noise associated with an embassy use. However, the hours of use are to be limited through condition and excessive noise and disturbance is dealt with through the Environmental Protection Act.
- 5. Parking and Highways impact:** At the initial stage of this application, highways officers were concerned with the excessive number (8) of parking spaces proposed. This was reduced to 3 spaces which is considered to be acceptable. Subject to a condition requiring bicycle parking, officers can now support the application on Highway grounds.

RELEVANT SITE HISTORY

18/1528- Conversion of property into 5 self contained flats and external works to include two-storey glazed extension to the rear, rear and side dormer windows and 3 rooflights to convert

loft into a flat, staircase extension to side elevation, installation of vehicular access, provision of car parking to rear, alteration and conversion of garage for bicycle storage and associated landscaping- Granted.

CONSULTATIONS

A site notice was displayed on 05/03/2020. A press advert was also published on 05/03/2020

46 Neighbouring and nearby properties were consulted on 27/02/2020 for a minimum period of 21 days.

Overall, objections were received from 11 individual households.

The objections received are summarised as follows:

Grounds of Objection	Officer Response
<p>Highways issues</p> <p>Road opposite is impassable in both directions when fully parked and the new entrance with additional traffic will create problems.</p> <p>Cycle quietway onto which the additional cars will enter and exit which is the steepest part of the road and the most challenging to less experienced cyclists.</p> <p>The car park is excessive in size and ought to be unnecessary given the distance from the property, on street offers more than enough space.</p> <p>Concerns regarding traffic, congestion and safety in relation to other uses on the road, including the Montessori school and other schools and uses in the area, with levels of congestion already high.</p> <p>Next door bowling club gets busy in warmer months and would also be affected.</p> <p>Great deal of foot traffic to Kilburn station. Road traffic/bikes/mothers walking babies will create a dangerous hazard if plans go ahead</p> <p>Application is misleading about existing parking spaces</p>	<p>Please see highways section of report. There will only be three parking spaces provided and the proposal is not considered likely to result in an excessive amount of traffic, obstruct the highway or result in unsafe conditions on the highway.</p> <p>There level of parking and likely number of trips is such that the proposal is not considered likely to impact the cycle quietway.</p>
<p>Local tube nearby and has excellent service, all visitors could come on public transport.</p>	<p>Sustainable transport in compliance with Policy DMP12 has been taken into consideration and addressed within the Highways section of the report.</p>
<p>If change of use is allowed, could it have cycle racks as opposed to cycle spaces. Most people could walk from tube and as such no need to dig up garden space.</p>	<p>Cycle storage is required through condition in line with London Plan requirements, which will need to be suitably secure and weatherproof.</p>

An embassy would demand double yellow lines (paid for by Brent council) and would severely hinder parking for the kindergarten and residents.	Double yellow lines have not been required by the Highways department and are not considered necessary to make the development acceptable.
<p>Use of the site</p> <p>Change of use in a residential area when housing pressure is crazy; could be up to 5 homes.</p> <p>Doubtful the premises will be converted back after all the money spent converting it.</p>	<p>The proposal would result in a loss of three flats and consent was also granted to extend the building and provide two additional flats. However, the proposal would also meet a need and the loss of the flats is considered to be justified. The change of use would only be granted on a temporary basis and the building would need to be converted back to a residential dwelling after three years should planning permission not be sought and approved for an further period of time.</p> <p>The reversion back to the use as a residential dwellings would be required through condition. Nevertheless, as discussed above, the applicant could submit an application to continue using the building as an embassy in the future.</p>
<p>Do not consider temporary period relevant to this application; it is either having a change of use or not.</p> <p>When would the temporary period start and how would it be enforced.</p>	<p>There is a need for the proposed use at this point in time. However, the applicant has applied for temporary consent (3 years, which would be from the date of this consent) and should the proposed use no longer be needed after the requested period of time, officers consider it appropriate for the building to revert to residential use given the need for housing. Enforcement of planning conditions is undertaken by the Planning Enforcement Team..</p>
<p>Having an embassy in this location will materially detract from the local residents' enjoyment of the neighbourhood.</p> <p>Embassies hold parties/events to entertain. This would entail noise/disruption to neighbours.</p>	<p>The proposed use is not considered likely to result in an unduly detrimental impact on surrounding or nearby occupiers. Should noise and disturbance occur, this could be dealt with through the Control of Pollution Act..</p>
Unclear what benefits the scheme will bring due to such a destructive change of use.	The Embassy will provide democratic and consular services.
The current owners have permission to convert the premises to five flats which has not taken place; this cannot be tucked onto this permission.	The applicant will only be able to implement one permission. This proposal is to use the whole building as an embassy.
If instead of the embassy the extant permission for five flats was implemented, this would be preferred by the local community.	The application needs to be assessed and determined on its own merits.

Wrong plan at the wrong time due to Coronavirus. Building may be left partially incomplete with implications of construction.	Coronavirus is not a material planning consideration in terms of determining this application.
Impact on the garden and appearance	
Want Brent to stop paving over gardens and green space to protect the environment. Oppose the conversion of a garden to parking spaces as this erodes the natural characteristics of the neighbourhood.	The subdivision of the garden was removed and most of the garden will be retained to preserve the soft landscaping. A condition will be included on any decision notice to return the garden to its former state.
The property would be surrounded by a 2.3m fence which is not acceptable in this neighbourhood.	A 2.3 m high fence is proposed adjacent to the rear garden and to the site of the house, but not within the front garden. Please see paragraph 9 for a discussion of the proposed fence.
Plans call for the destruction of the garden; in a climate emergency this should be preserved.	The garden is mostly preserved and the parking has been reduced.
Other comments	
Would the UK government have to pay council tax for two buildings whilst the other embassy is renovated?	This is not a material planning consideration.
An Embassy and its Embassy-employees have all the right vis-a-vis the local population who have absolutely no rights vis-a-vis an Embassy.	This is not a material planning consideration.
If it is temporary it will cause disruption whilst converting and disruption whilst converting it back to its original state.	Any construction works of any type of scheme would cause some disruption. There are no external changes to the building fabric. Any excessive disturbance is managed by Environmental Health Legislation
Some if not all of the staff will have diplomatic immunity; this is important if there should be an accident or if diplomats ignore parking restrictions. Also security concerns, will there be firearms?	This is not a material planning consideration. Parking is discussed in the "Highways" section of the report.
No timeframe nationally or internationally how long Covid pandemic will last. No idea that this project will be viable or how long it would take/the result.	This is not a material planning consideration. As this is temporary consent a condition will be placed on any decision notice.
Site has been chosen because of cost, not because it is suitable.	Not a material planning consideration.

POLICY CONSIDERATIONS

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

Key policies include

The London Plan consolidated with alterations since 2011 (March 2016)

6.3 Assessing Effects of Development on Transport Capacity

6.9 Cycling

7.2 An Inclusive Environment

7.3 Designing Out Crime

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and Archaeology

7.21 Trees and Woodlands

Brent Core Strategy (2010)

CP1: Spatial Development Strategy

CP5: Placemaking

CP6: Design & Density in Place Shaping

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP7 Brent's Heritage Assets

DMP 12: Parking

In addition the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted. As such considerable weight should be given to these policies.

Draft London Plan

GG1 Building Strong and inclusive communities

GG2 Making the best use of land

D2 Delivering Good Design

D3 Inclusive Design

D11 Fire Safety

HC1 Heritage Conservation and Growth

G1 Green Infrastructure

G7 Trees and Woodlands

T4 Assessing and Mitigating Transport Impacts

T5 Cycling

T6 Car Parking

T7 Deliveries, servicing and construction

The council is currently reviewing its local plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore having regard to the tests set out in the paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Brent Draft Local Plan

BD1: Leading the Way in Good Urban Design

BSI1: Social Infrastructure and Community Facilities

BHC1: Brent's Heritage Assets

BG12: Trees and Woodlands

BSUI2: Air Quality

BSUI4: On Site Water Management and Surface Water Attenuation

BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development

BSU13 Managing Flood Risk

BSU14: On site water management and surface water attenuation

Other material planning considerations include:

National Planning Policy Framework (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)

National Planning Policy Guidance

National Design Guide

DETAILED CONSIDERATIONS

Principle of Development

1. Brent's local plan states that additional housing or its loss is likely to occur in the borough through a variety of sources: redevelopment/new build of existing residential or non-residential sites, conversion of existing residential or non-residential buildings or change of use.

2. Section 3.14 of the London Plan states that loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. It further explains that to address London's housing needs and sustain its neighbourhoods, existing housing should be retained where possible and appropriate, except where there are acceptable plans for its replacement.
3. In addition to circumstances identified in London Plan Policy 3.14, DMP16 states that development resulting in the net loss of residential units will be supported where: a. sub-standard units would be brought in line with space standards; b. de-conversion of flats would create a family size home (3 bed or more) resulting in the net loss of no more than one dwelling of 2 bedrooms or less; c. social or physical infrastructure to meet an identified local need; d. the proposed loss of housing would radically improve the neighbourhood.
4. The Embassy is identified as providing diplomatic and consular services that will aid foreign nationals as well as local people. Therefore, the change of use will provide infrastructure related to meeting community needs. Further, the change of use to the Embassy of Slovakia is proposed on a temporary three-year basis so that the services can continued in an uninterrupted manner whilst the current Embassy is renovated. As such, the Sui Generis use will be ceased after these three years and the property will be converted back to a residential use.
5. On balance, whilst the proposal would result in the loss of one dwelling on a temporary basis, in terms of numbers this is not significant. The change of use would provide infrastructure that would serve the wider community and the residential use would be brought back into use after a three-year period. As such, there is no in principle policy objection to the proposal.

Heritage, Design and Impact on the subject property and the streetscene

6. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, scale, materials, detailing and design, and complements the local area. This is supported by SPD1 that offers detailed design guidance.
7. The subject property is a well-proportioned and generally intact detached property dating from the late Victorian era which is situated within the Brondesbury Conservation Area a heritage asset. Policy DMP7 is therefore relevant.
8. The Character Appraisal describes Mapesbury Road thus the houses in this street are larger and this in turn makes this street appear slightly more grand and imposing and rather spectacular. The property conforms to this description and is part of a run of substantial villas with attractive detailing.
9. The proposed change of use seeks convert the existing dwelling to an Embassy. There are no external alterations required to the existing building fabric and the proposed change of use will also limit the internal alterations to the existing dwelling, including the Lower Ground, Ground and First floor.
10. It is not a requirement to convert the second floor roof volume as per the extant planning consent. As such, the existing building will remain largely unaltered from its existing form, with a minimal amount of associated works.
11. The application proposes the erection of new fencing to the Chatsworth road proposed to be 2.3m high. While this is within a street frontage, it is adjacent to the rear garden and to the side of the building, and not within the principle frontage. It is not unusual to have a higher fence in such locations and while the proposed fence is slightly higher than a typical fence in

this type of location, it is not considered to be harmful to the streetscene or the conservation area. Further details of the fence are proposed to be required through condition.

12. The original submission saw the subdivision of the garden which would not have been acceptable in design terms; an amended site plan was received showing no subdivision which is now acceptable as it retains the majority of the character of the existing site. The subdivision of the rear garden was removed and the amount of car parking reduced to 3 spaces, which was also a requirement (through condition) of extant planning permission 18/1528. Following these changes, it was considered that the proposal would not result in harm to the character and appearance of the conservation area. A landscaping plan detailing planting, paving, fences and hardstanding will be a condition of any decision notice. It is considered that the amendments to the scheme and the proposed conditions will ensure that the development will make a positive contribution to the local character and distinctiveness of the Brondesbury Conservation Area.

Impact on neighbouring properties

13. Impact on neighbouring occupiers is considered in terms of overbearing or overshadowing impact, loss of privacy and noise.
14. As there are no external changes proposed to the building, it is considered there would be no adverse impact on neighbours in regard to an overbearing or overshadowing impact or loss of privacy in relation to this proposal.
15. Concerning noise, an Embassy has the potential to produce more noise than a dwelling. However, it is not unusual for small embassies to be situated in residential areas..
16. The agents have proposed the operational use within the building will be limited to the following hours of use:
- 8.30 am - 4.30 pm Monday, Tuesday and Thursday.
 - 8.30 am to 6 pm on Wednesday
 - 8.30 am to 12 pm on Friday.
 - Closed - Weekends
- Given the nature of the use, these hours are considered to be acceptable and are not considered likely to result in unduly detrimental levels of noise and disruption.
17. Brent's Regulatory Services noise team had no objections to the application. Furthermore, should excessive noise nuisances occur, these can be dealt with by Regulatory Services through the Environmental Protection Act.

Highways

18. Maximum parking standards are set out in Table 6 at Appendix 1 of the adopted DMP 2016. As the site has good access to public transport, the lower parking allowances are applicable.
19. According to Brent's property database, the site currently comprises two flats and these would be allowed, at most, two off-street parking spaces. The existing long driveway and garage exceed this standard, although only one flat can effectively use it anyway as the spaces are not independently accessible.
20. As the site is located to the south of the Dudding Hill railway line, only one space per 800m² is permitted for the proposed consular office. This gives an allowance of one space (rounded up), which is available on the existing driveway.
21. The original site plan proposed a further eight parking spaces in the rear garden of the site which would have significantly exceeded the maximum parking allowance as well as unnecessarily reducing soft landscaping in the rear garden. It was considered that as the site lies in an area with good public transport access, alternative modes of travel to the site are readily available and if visitors do need to drive to the site, there is plenty of lightly used pay and display parking along Chatsworth Road fronting the site.
22. There was no operational justification provided for the new parking spaces and as such the spaces were reduced to 4 to address highway concerns (in line with the extant consent, ref: 18/1528). The number of spaces was then further reduced to three to address heritage concerns (as recommended by the Principal Heritage Officer- this is discussed further within the Heritage section of the report). The resultant level of parking is considered to be acceptable, having regard to the high level of public transport accessibility of the site.
23. London Plan policy requires at least six long stay and two short stay bicycle parking spaces for the offices. No details of bicycle parking have been provided. However, there is plentiful external space around the building that could be used to locate cycle shelters and stands, so a condition is recommended to address this issue.
24. It is considered that the proposed change of use is acceptable in terms of its impact on the highway and parking subject to the submission and approval of further details of bicycle parking. As such it would be in accordance with Policy DMP12 and promotes sustainable transport.

Trees

25. Two of the trees within the survey area are protected by Tree Preservation Order (TPO), reference 07/49 as such a Tree survey report and tree protection plan have been submitted for consideration.
26. Trees T8 and T11 will be removed to enable the construction of the car park. Trees T7, T10 and T21 will be affected by the construction of the car park in the rear garden; the new hard

surface will be porous and will be installed in accordance with the methodology outlined in Section 5.3 of the Tree Protection Plan.

27. A significant amount of excavation is proposed around T21 London Plane street tree, with a lesser amount around TPO T10. If this is not carried out correctly and properly supervised works intended could put those trees at risk.
28. The proposed Arboricultural Method Statement is adequate to cover protection of existing trees during proposed works.
29. In order to mitigate the loss of the two existing trees, one Apple and one Pear, Two replacement small fruit trees (Apple, fruiting Cherry, or Plum) are recommended to be secured through condition, to be planted in a suitable location within the garden. Furthermore, a condition is recommended regarding Arboricultural supervision, including notification of our own Tree Officer prior to any works around T21 street tree. Site supervision should be included at the initial set up of protection measures and then at two weekly intervals throughout the duration of works. A specific supervision visit should be carried out whilst excavating within the RPA's of T10 and T21 and this should extend to the installation of the cellweb systems.

Equalities

30. 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

31. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to material planning considerations, should be approved subject to conditions.



Application No: 20/0614

To: Mrs Halliday
PADD LIMITED
PADD LIMITED
20-22 Wenlock Road
London
N1 7GU

I refer to your application dated **23/02/2020** proposing the following:

Change of use from residential (Use Class C3) to operational diplomatic and consular services (Use Class Sui Generis) for a temporary period of 3 years and associated alterations to car parking, installation of pedestrian gates and new fencing

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

at **16A & 16B Mapesbury Road, London, NW2 4JB**

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: 01/09/2020

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 development hereby approved is in general accordance with the following:
 - National Planning Policy Framework 2019
 - The London Plan 2016
 - Development Management policies 2016

- 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):
PL01 LOCATION PLAN AND BLOCK PLAN

PL02 EXISTING SITE PLAN

PL03 PROPOSED SITE PLAN Rev 5 dated 29.06.2020
PL04 EXISTING LOWER GROUND FLOOR PLAN

PL 05 EXISTING GROUND FLOOR PLAN

PL 06 EXISTING FIRST FLOOR PLAN

PL 08 EXISTING AND PROPOSED ELEVATIONS
PL09 PROPOSED LOWER GROUND FLOOR PLAN
PL10 PROPOSED GROUND FLOOR PLAN

PL 11 PROPOSED FIRST FLOOR PLAN

PL 12 STREET SCENE ELEVATION TO CHATSWORTH ROAD
Design and Access with Heritage Statement- dated 06.08.2020
Tree Survey Report
Tree Protection Plan

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

- 3 Following the expiration of three years beginning on the date of this permission, the use of the premises as an embassy shall cease and the property shall not be used other than for purposes within Use Class C3, and the fence, gates and hardstanding shall be removed and the garden returned to its previous state (prior to the implementation of the works hereby approved).

Reason: In the interest of the character and amenity of the local area and to ensure the adequate supply of homes within Brent.

- 4 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing prior to first occupation of the development hereby approved and the approved scheme shall be completed in accordance with the approved scheme prior to first occupation of the approved development. The scheme shall include details of:

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

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 standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 5 Prior to the commencement of the use, details of on-site cycle parking including at least six secure, weatherproof long stay and two secure short stay bicycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to the commencement of the use unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the development makes appropriate provision for sustainable transport.

- 6 The tree protection measures set out within the Tree Survey Report hereby approved shall be carried out in full prior throughout the period of works associated with development. The Council's Tree Officer shall be notified at least two weeks prior to any works taking place near to T21, the initial set-up of the protective measures and prior to excavations within the RPAs of trees T10 and T21, including the installation of the cellweb systems, to allow the tree officer to observe the works.

Reason: To ensure that the proposed works do not unduly impact the trees within the site that are subject to TPOs.

- 7 The operational use of the embassy shall not take place other than between the hours of:
 - 8.30 and 4.30 pm Monday, Tuesday and Thursday;
 - 8.30 am and 6 pm on Wednesday;
 - 8.30 am and 12 pm on Friday;
 and shall not take place on Saturday or Sunday unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenities of surrounding occupiers.

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

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

INFORMATIVES

- 1 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.

- 2 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 Leah Wright, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2026