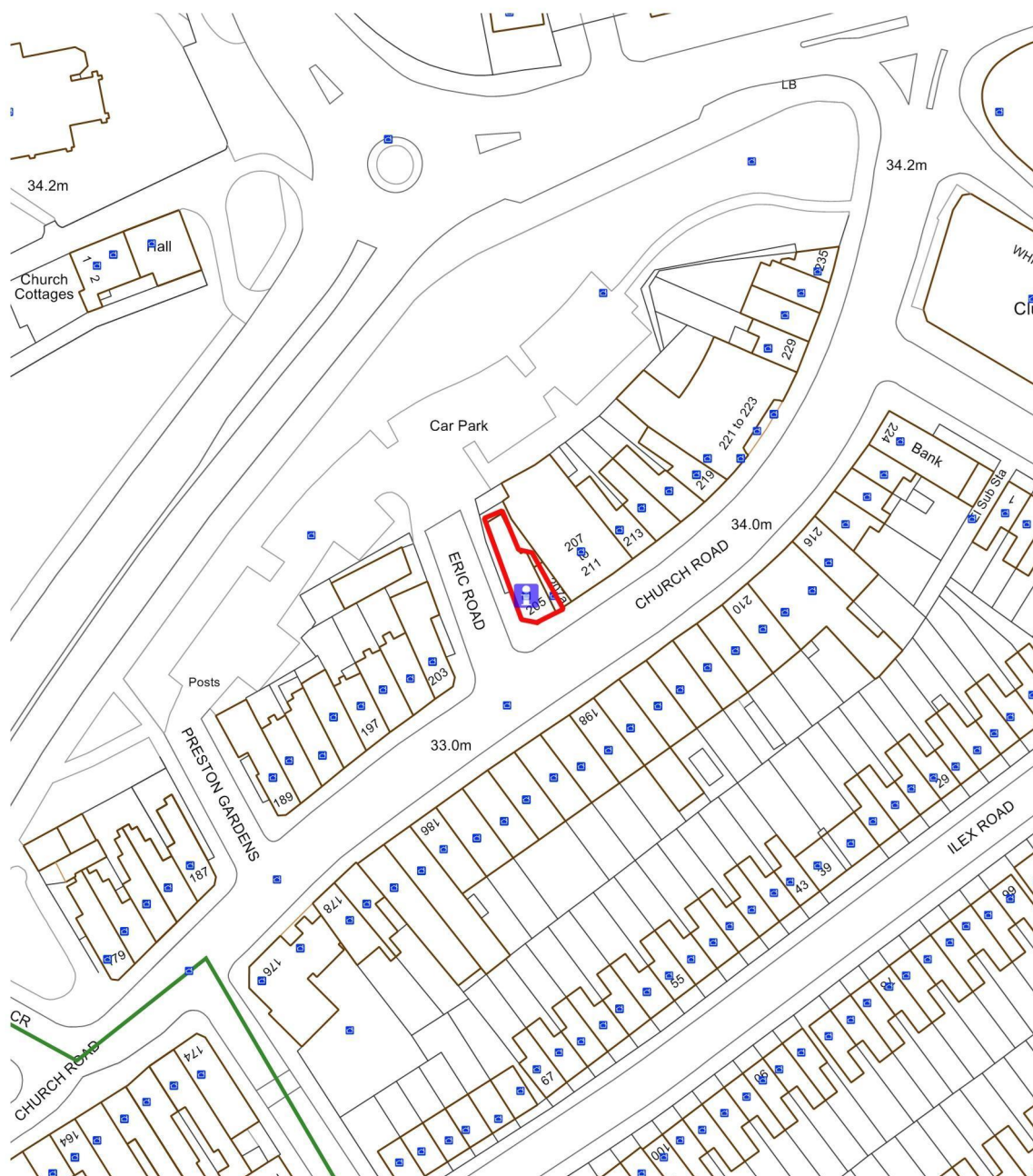




Planning Committee Map

Site address: 205 Church Road, London, NW10 9EP

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This map is indicative only.

RECEIVED: 29 April, 2013

WARD: Dudden Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 205 Church Road, London, NW10 9EP

PROPOSAL: Demolition of 205 Church Road and proposal of new market square to replace Eric Road. Demolition of 3 storey building to the rear of 203 Church Road and proposal of 34 residential dwellings and ground floor non-residential space (class A1/A3/B1/D1). Stopping up of Eric Road.

APPLICANT: London Borough of Brent

CONTACT: mae LLP architects

PLAN NO'S:
See condition 2.

RECOMMENDATION

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Layout of Market Square as per approved drawings
- A contract to build the market to be let before the 30th unit is occupied (unless market square is required for construction of Catalyst land)
- Use of Commercial unit as a social enterprise for at least 5 years
- Transfer Family affordable unit to Brent Housing Partnership as a social rented unit
- Plant trees in Church Road as per approved drawings or fund works to be carried out by the council.
- A 'car-free' agreement, withdrawing the right of future occupants to on-street parking permits;
- A Delivery, Servicing & Access Management Plan for the market square prior to occupation of the commercial units or operation of the market;
- Marketing and promotion for a Car Club at the site, including the provision of subsidised membership;
- An agreement under S278 of the Highways Act 1980 to cover works in the highway, including tree planting along High Road and works in Eric Road and Preston Gardens;
- Sustainability submission and compliance with the Sustainability checklist ensuring a minimum of 50% score is achieved and Code for Sustainable Homes Level 4
- Achieve a BREEAM rating of 'Excellent' for the commercial element of the development
- Join and adhere to the Considerate Contractors scheme
- Transportation improvements, to include £10,000 towards a CPZ review;

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

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be is £517,263.49is £87,171.66.

EXISTING

The subject site occupies approximately half of the Church End car park site located on southern side of Willesden High Road, north of Church Road, adjacent to the Neasden Lane/Willesden High Road roundabout, covering an area of approximately 0.31 hectares. Nos.179-203 Church Road to the immediate south of the site form part of the Church Road Local Centre. It includes land from the most western point of the car park up to and marginally beyond the eastern side of Eric Road. The site does not contain a listed building and is not located within a conservation area but is a designated Site of Archaeological Interest.

The northern boundary of the site adjacent to Willesden High Road is lined with mature trees, the south of the site is adjacent to the rear of 2-storey buildings on Church Road which are mainly commercial/retail at ground floor with residential above. No. 205 Church Road itself is a 3-storey building, located immediately adjacent to the north of Eric Road. There is an existing 2-storey building located to the rear of no. 203 Church Road, the ground floor of which is used as an extension to the shop floor area. North-east of Eric Road is the other section of the car park which is owned by Catalyst Housing Group and nos. 207-235 Church Road within the 3-storey buildings that form part of the Church Road Shopping Parade. This northern section of the car park is outside the site boundaries and has been subject to housing/retail-led pre-application interest but no formal planning application is yet to be submitted to redevelop the site.

Members will be aware that the whole car park site is currently used as an open-air market on Wednesdays and Saturdays for which there have been a number of temporary planning consents, the last of which was recently granted under application 11/1458 to renew temporary consent to continue the use until 22/05/2014.

DEVELOPMENT SCHEDULE

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

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	shops	
2	financial and professional services	
3	restaurants and cafes	
4	drinking establishments (2004)	
5	hot food take away (2004)	
6	businesses and offices	
7	businesses / research and development	
8	businesses and light industry	
9	general industrial	
10	storage and distribution	
11	hotels	
12	residential institutions	
13	non-residential institutions	
14	assembly and leisure	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	209	0	209	250	250
2	0		0	0	
3	0		0	0	
4	0		0	0	
5	0		0	0	
6	0		0	0	
7	0		0	0	
8	0		0	0	
9	0		0	0	
10	0		0	0	
11	0		0	0	
12	0		0	0	
13	0		0	0	

14	0		0	0	
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TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	209	0	209	250	250

PROPOSAL

The proposal would see the demolition of 205 Church Road and the creation of a new market square to replace Eric Road. The 3 storey building to the rear of 203 Church Road would also be removed and 34 residential dwellings and a ground floor non-residential space would be created.

The redevelopment of the site would be positioned on the boundary of the site addressing the High Road and would take the form of 3 linked blocks of stepped-storey heights, carrying 3 storeys at the western end of the High Road frontage, 4 storeys in the central element, rising to 5 storeys on the eastern section of the site adjacent to Eric Road. The building would wrap around the corner shared with the High Road and Eric Road, addressing a new pedestrianised market square. The section of the building adjacent to no. 203 Church Road would step down to 2-stories. Approximately 240m² of non-residential floor space would be provided at ground floor level addressing the public square, spread between 2 units.

It is proposed that the non-residential area will be used as a social enterprise space and the intention is that the applicant will enter into an agreement whereby the floor space is secured for this purpose for the first 5 years following its availability.

At this stage, as planning permission has not yet been approved for the development, the applicant is not able to confirm who the exact end user will be for this space and therefore the proposal seeks consent for a flexible range of uses, that may be required to deliver the intended regenerative benefits. These could include Use Class A1 (which covers retail use and therefore may provide start-up space for a local retail-related business), A3 (which covers cafe/restaurant type uses and therefore could facilitate creation of a community cafe), B1 (which covers office use and therefore could provide business start-up space) and D1 (non-residential institutions, e.g. community use) use classes, and it is considered that all of the above uses would be acceptable in this location.

Following the development, the intention is that ownership of the market square and non-residential floor space would be retained by the Council and the 50 market stalls within the square would be let out at an affordable rate to market traders. The initial intention would be to continue market days on Wednesdays and Saturdays.

HISTORY

Address: Church Road Car Park rear of 189-203, Church Road, London

11/1458: Renewal of temporary planning permission 05/3523 to allow the continued use of the car park for an open-air market on Wednesdays and Saturdays – Granted 24/05/2013

09/1095: Renewal of temporary planning permission 05/3523 to allow the continued use of the car park for an open-air market on Wednesdays and Saturdays – Granted 29/07/2009

08/2590: Details pursuant to condition 7 (market management plan) of full planning permission reference 08/0792, dated 26 June 2008, for renewal of temporary planning permission reference 07/0014 to allow the continued use of the car park for an open-air market on Wednesdays and Saturdays – Granted 03/12/2008

08/0792: Renewal of temporary planning permission 07/0014 to allow the continued use of the car park for an open-air market on Wednesdays and Saturdays – Granted 26/06/2008

07/0014: Renewal of temporary planning permission 05/3523 to allow the continued use of the car park for an open-air market on Wednesdays and Saturdays – Granted 25/04/2007

05/3523: Change of use of car park to open-air market on Wednesdays and Saturdays – Granted 02/03/2006

Address: 205 Church Road, London, NW10 9EP

07/3808: Change of use from launderette (Use Class Sui Generis) to restaurant (Use Class A3) – Granted 27/02/2008

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and replaced Planning Policy Guidance and Planning Policy Statements with immediate effect. It seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. It includes a presumption in favour of sustainable development in both plan making and decision making. The NPPF is intended to provide a framework within which local people and Councils can produce their own distinctive Local and Neighbourhood Plans. It aims to strengthen local decision making and reinforce the importance of keeping plans up to date.

Saved policies from the adopted UDP will have increasingly less weight unless they are in conformity with the NPPF and can be demonstrated to be still relevant. The Core Strategy will also need to be in conformity with both the London Plan and the NPPF. In doing so it has significant weight attached to it.

The recommendation here is considered to comply with the 12 Core Principles set down in the NPPF:

- Planning should be genuinely plan led empowering people to shape their surroundings. Plans should be kept up-to-date and provide a practical framework within which decisions on planning applications can be made.
- Creation of the opportunity to be creative in finding ways to enhance and improve places in which people live their lives.
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, and thriving local places that the country needs. Plans should set out a clear strategy for allocating sufficient land which is suitable for development in their area taking account of the needs of the residential and business communities.
- Secure a high standard of design and levels of amenity.
- Promote the vitality of the main urban areas whilst protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside.
- Aim for a low carbon future in a changing climate and encourage the use of renewable resources.
- Conserve and enhance the natural environment and reduce pollution. Allocations of land for development should prefer land of lesser environmental value.
- Encourage the use of brownfield land provided it is not of high environmental value.
- Promote mixed use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Manage patterns of growth to make the fullest use of public transport, walking and cycling focussing significant development on locations which are or can be made sustainable.
- Support strategies which encourage health, social and cultural well being for all and deliver community and cultural facilities and services to meet local needs.

Mayors London Plan 2011

The relevant issues set down in the London Plan, and identified by the GLA, are as follows:

- Social Infrastructure
- Mix of Uses
- Housing
- Affordable Housing
- Density
- Historic Environment
- Urban Design
- Inclusive Access
- Sustainable Development
- Transport
- Crossrail.

Emphasis in the NPPF is for local planning authorities to identify and update annually a supply of deliverable housing sites (paragraph 47). The publication of figures from the Census 2011 have emphasised the need to identify additional land for housing, particularly in London and in Brent where the actual population increase

has significantly exceeded all projections. Brent has a significant problem with people living in unsuitable accommodation therefore there is an imperative to maximise the supply of new homes. This need is recognised in London Plan policy 3.3, Increasing Housing Supply, which highlights the pressing need for more homes in London. The provision of 34 new homes will be a welcome addition to the housing supply in Brent. In terms of the density of housing, it is necessary to consider policy 3.4 of the London Plan, which states that development should optimise housing output for different types of location within the relevant density range shown in table 3.2.

In terms of density, the number of units proposed is appropriate for the site as it is within a range considered by the London Plan to be appropriate for this type of location (urban) and which benefits from good public transport accessibility.

Adopted in July 2010, the Core Strategy has 12 strategic objectives:

- Objective 1: to promote economic performance & regeneration
- Objective 2: to meet employment needs and aid the regeneration of industry and business
- Objective 3: to enhance the vitality and viability of town centres
- Objective 4: to promote the arts and creative industries
- Objective 5: to meet social infrastructure needs
- Objective 6: to promote sports and other recreational activities
- Objective 7: to achieve housing growth and meet housing needs
- Objective 8: to reduce the need to travel and improve transport choices
- Objective 9: to protect and enhance Brent's environment
- Objective 10: to achieve sustainable development, mitigate & adapt to climate change
- Objective 11: to treat waste as a resource
- Objective 12: to promote healthy living and create a safe and secure environment

The following spatial policies are considered relevant to this application:

- CP 5 Place making. Sets out requirements for place making when major development schemes are considered
- CP 6 Design & density in place shaping. Sets out the requirements for appropriate design and density levels for development
- CP 19 Brent strategic climate mitigation and adaptation measures. Highlights the need for new development to embody, or contribute to, climate mitigation objectives, especially in growth areas
- CP 23 Protection of existing and provision of new community and cultural facilities. Encourages new accessible community and cultural facilities and protects existing facilities. Sets a standard for the provision of new community facilities

Unitary Development Plan 2004

Strategic

- STR3 In the interests of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from conversions and changes of use).
- STR5 A pattern of development that reduces the need to travel, especially by car, will be achieved.
- STR11 Seeks to protect and enhance the quality and character of the Boroughs built and natural environment and resist proposals that have a harmful impact on the environment and amenities.
- STR12 Planning decisions should protect public health and safety and in particular, support the achievements of targets within the National Air Quality Strategy.
- STR13 Environmentally sensitive forms of development will be sought.
- STR14 New development to make a positive contribution to improving the quality of the urban environment in Brent
- STR15 Major development should enhance the public realm.
- STR19 New housing developments should provide adequate amenity, reduce need for car travel and improvement to public infrastructure.

Built Form

- BE2 On townscape: local context & character states that proposals should be designed with regard to their local context, making a positive contribution to the character of the area.
- BE3 Relates to urban structure, space and movement and indicates that proposals should have regard for the existing urban grain, development patterns and density in the layout of development sites.
- BE4 States that developments shall include suitable access for people with disabilities.

- BE5 On urban clarity and safety stipulates that developments should be designed to be understandable to users, free from physical hazards and to reduce opportunities for crime.
- BE6 Landscape design in the public realm and draws particular attention to the need to create designs which will reflect the way in which the area will actually be used and the character of the locality and surrounding buildings.
- BE7 Public Realm: Streetscene
- BE8 Lighting and Pollution
- BE9 Seeks to ensure new buildings, alterations and extensions should embody a creative, high quality and appropriate design solution and should be designed to ensure that buildings are of a scale and design that respects the sunlighting, daylighting, privacy and outlook for existing and proposed residents.
- BE12 States that proposals should embody sustainable design principles commensurate with the scale and type of development.

Environmental Protection

- EP3 Noise and vibration
- EP3 Requires developments within Air Quality Management Areas to support the achievement of National Air Quality Objectives.
- EP6 Contaminated land

Housing

- H11 Housing on brownfield sites
- H12 States that the layout and urban design of residential development should reinforce or create an attractive and distinctive identity appropriate to the locality, with housing facing streets, and with access and internal layout where cars are subsidiary to cyclists and pedestrians. Dedicated on-street parking should be maximised as opposed to in-curtilage parking, and an amount and quality of open landscaped area is provided appropriate to the character of the area, local availability of open space and needs of prospective residents.
- H13 Notes that the appropriate density for housing development will be determined by achieving an appropriate urban design which makes efficient use of land, particularly on previously used sites. The density should have regard to the context and nature of the proposal, the constraints and opportunities of the site and type of housing proposed.
- H14 The appropriate land density should be achieved through high quality urban design, efficient use of land, meet housing amenity needs in relation to the constraints and opportunities of the site.

Transport

- TRN1 Planning applications will be assessed, as appropriate for their transport impact on all transport modes including walking and cycling.
- TRN2 Development should benefit and not harm operation of public transport and should be located where access to public transport can service the scale and intensity of the proposed use
- TRN3 Directs a refusal where an application would cause or worsen an unacceptable environmental impact from traffic, noise, pollution it generates or if it was not easily and safely accessible to cyclists and pedestrians.
- TRN4 Measures to make transport impact acceptable
- TRN10 Walkable environments
- TRN11 The London cycle network, schemes should comply with PS16
- TRN12 Road safety and traffic management
- TRN14 New highway layouts, visibility splayed and accesses to and within development should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.
- TRN22 On parking standards for non-residential developments requires that developments should provide no more parking than the levels listed for that type of development.
- TRN23 Parking standards for residential developments
- TRN27 Loss of existing off-street parking
- TRN34 The provision of servicing facilities is required in all development covered by the plan's standards in Appendix TRN2.
- TRN35 On transport access for disabled people and people with mobility difficulties states that development should have sufficient access to parking areas and public transport for disabled people, and that designated parking spaces should be set aside for disabled people in compliance with levels listed in PS15.
- PS6 Car parking standards – Class B1
- PS7 Car parking standards – Class A1
- PS9 Car parking standards – Class A3

- PS12 Car parking standards – Class D1
- PS15 Parking standards for disabled people
- PS16 Cycle parking standards
- PS19 Servicing standards

Community Facilities

- CF2 Location of small scale community facilities

Town Centres & Shopping

- SH27 New Retail Markets

Brent Council Supplementary Planning Guidance and Documents

SPG 17 “Design Guide for New Development”

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

SPG19 “Sustainable Design, Construction & Pollution Control”

This supplementary planning guidance focuses on the principles and practice of designs that save energy, sustainable materials and recycling, saving water and controlling pollutants. It emphasises environmentally sensitive, forward-looking design, and is consistent with current government policy and industry best practice, aiming to be practicable and cost-effective.

Brent Site Specific Allocations Adopted 2011 (SSAD)

CE1 Church End Local Centre

The car park is part of site **CE1** Church End Local Centre in the SSAD which contains the whole of the car park site and buildings to the south. It includes Fortunegate Offices. The policy outlines that a new market square is proposed in the subject site alongside a new health centre. The site is outlined to have capacity for 120 units. CPO powers will be used to develop site.

SUSTAINABILITY ASSESSMENT

Policy CP19 of the Council’s Core Strategy sets out that where proposals are located in Growth Areas, such as Church End, they should achieve level 4 of the Code for Sustainable Homes in terms of new residential accommodation and achieve a BREEAM rating of ‘Excellent’ in terms of new commercial floorspace. The development has been designed to comply with these standards. Further details with regards to the sustainability credentials of the proposal shall be included within the Supplementary report.

CONSULTATION

Public consultation undertaken 28/05/2013 - 18/06/2013. 493 neighbouring properties were consulted. 1 letter of support and 1 letter of objection was received.

Issue raised by consultee

1. I support the scheme. It will create a vibrant and pleasant place to live
2. The proposal involves land not under the ownership of the Council

Response to comments

No further comment is needed
The objection is in relation to the 2-storey building which is required to implement the development. The owner/occupier has submitted a Statement submitted alongside the submission stating that the Council would acquire this site in order to develop it, then it would not be possible for the development to be submitted by an applicant whether or not they have the determination of the application.

Statutory consultees:

Transportation: No objection to the proposal, subject to a number of conditions as set down in the “remarks” section and the applicant entering into a legal agreement for the highway/streetscape works and travel plans.

Landscaping: No objection to the proposal, subject to a number of conditions as set down in the “remarks”

section and the applicant entering into a legal agreement for the highway/streetscape works

Environmental Health: The proposal can be supported subject to compliance with a number of conditions in relation to details of energy/air quality and noise impact mitigation.

Ward Councillors: No comments were received.

REMARKS

Principle of development

1. The site is part of the wider Church End Growth Area which is based on mixed use regeneration including a new market square, up to 800 new homes by 2026 and at least 200 new trees. Policy CP10 of the Site Specific Allocations Document (SSAD) also sets out a vision for the growth area in which affordable premises for local businesses and an educational outreach centre will be provided to support business start-ups and skills development. The car park is part of site CE1 Church End Local Centre in the SSAD, which contains the whole of the car park site and buildings to the south. The policy outlines that a new market square should be provided within the subject site alongside a new health centre. The site as a whole is outlined to have an indicative capacity for 120 units.

2. The principle of the proposed development is considered to be broadly in accordance the NPPF, regional and local policy and with the criteria of policy CE1 of the SSAD. The wider SSAD area is 1.4 hectares in size but this encompasses the whole of the car park, boundary embankment and existing shopping parade.

3. Originally, it had been envisaged that a comprehensive redevelopment of the site would be brought forward by Catalyst Housing Group in accordance with the SSAD, with the assistance of the Council using its Compulsory Purchase Order (CPO) powers where required to acquire the land necessary to assemble the site. However, the economic downturn severely impacted upon the viability of the proposals to develop the entire site. In order to kick start the regeneration of Church End local centre, the Council have decided to make a more rationalised development proposal covering only part of the comprehensive development site.

4. At 34 units within the 0.31 hectare site, the number of units is broadly in line with the 120 unit capacity identified as appropriate for the whole of the car park site and would leave sufficient capacity within the remainder of the site for an appropriate scale of development (given the rationalised approach that has needed to be taken) to be provided in the future as part of a separate application. The site lies on the boundary between an area with average to good levels of Public Transport Accessibility with a density of level of 297 habitable rooms per hectare (HRH) and therefore is considered to be in accordance with the Density Matrix in policy 3.4 of the Greater London Plan 2011 (GLP) which suggests an appropriate density range of between 200-450 hrh.

5. It would provide a 1400m² new public market square in line with the wider objective of the Church End Growth Area to introduce such a facility on the site. No health care facility is proposed however. The Planning Statement outlines that the reason for this centres on a lack of public funding available and reforms of governance arrangements around the delivery of local health services making inclusion of such a facility unfeasible at present as there is currently little prospect of finding an operator for the facility. In providing the market square, the proposal would deliver a key component of the wider Church End Growth Area aspiration to regenerate the area and would improve pedestrian access between the High Road and Church Road. The scale and principle of development is therefore considered to be acceptable.

Housing mix and tenure

Mix

Type	No. of bedrooms	Ho. Hab. Rooms	Sq.m	No. of units	% unit type	Total Hab. Rooms
1b/2 person	1	2	51	13	38%	26
2b/3 person	2	3	61	9	38%	27
2b/ 3 person	2	3	63	4		12
2b/4 person (WCA)	2	3	75	2	21%	6
2b/4 person	2	3	70	2		6
						9

2b/4 person	2	3	74	3		
3b/5 person	4	6	135	1	3%	6
Total Residential				34	100%	92

6. Core Strategy policy CP2 states at least 25% of all new homes should be family sized accommodation of three bedrooms or more. Whilst there is a particular need for larger family homes of three bedrooms or greater in the borough, the constrained nature of the site in terms of its size and close proximity to the busy main road makes it less suited to family housing provision. A mix of 1-bedroom (13 units) and 2-bedroom (20 units) flats have been proposed, alongside a single 3-bedroom family dwellinghouse with a private garden. The family unit would be the 1 affordable unit within the development, offered as a rented property. The layout of the site also makes provision of amenity space appropriate for any significant number of families unit hard to achieve.

7. The application only contains 1 affordable unit; London Plan policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes requires "the maximum reasonable amount of affordable housing should be sought when negotiating" on relevant schemes. The policy provides further detail on the factors Local Planning Authorities should consider when assessing applications, including the need to encourage rather than restrain residential development (LP policy 3.3) and the specific circumstances of individual sites. It goes on to say that negotiations on sites should consider, amongst other things, the development viability and the implications of phased development where this could allow a re-appraisal of the viability prior to implementation.

8. In accordance with adopted policy, an Affordable Housing Viability Assessment has been submitted to support the application and this seeks to demonstrate that the scheme financial viability is such that no more affordable housing than the 1 unit proposed can reasonably be delivered as part of the residential element of the scheme. Your officers have assessed this document, which sets out the anticipated development costs and scheme revenue. The scheme proposes to deliver a step change in build quality to lift the local centre, and to provide both new market square facilities and social enterprise space that can support enterprise or community uses. The viability assessment shows the scheme fails to deliver any significant positive residual value for the councils land and that viability for the scheme would be marginal. With respect to the affordable housing element of the scheme, a single family house is offered for affordable rent.

9. Given the low values in the area, the proposed high build quality of the scheme and provision of both the new market square facilities and social enterprise space, your officers consider that this position is reasonable, and that the benefits associated with the delivery of a high quality first phase of a regenerated new local centre outweigh affordable housing considerations here, particularly when the existing high concentrations of social rented housing in the Church End area are taken into consideration, and stated policy to promoted mixed use, mixed tenure development in the borough.

Standard of accommodation

10. The ground floor units within the development would be accessed from personal entrances off the High Road whilst the upper floor units would be accessed from 3 stair cores accessed off the High Road. Lift access would be provided for the units above the commercial space. All units meet or exceed the minimum standards for internal floor areas as outlined in SPG 17 and the London Housing Design Guide. All of the proposed units are dual aspect; there are no single aspect north facing units which accords with the standards set out in the Mayors Housing SPG 2012. The standard of amenity provided is in general compliance with the requirements of SPG17.

11. There are some 1st and 2nd floor rear windows of upper floor flats that would be within 9 metres of the first floor kitchen window of upper floor flat within 203 Church Road. Whilst SPG 17 outlines that a minimum distance of 20 metres between directly facing habitable rear windows should be maintained to provide sufficient levels of privacy between units, the windows within the affected units of the development are to be treated with opaque glazing to preclude views into the kitchen of no. 203 whilst providing a source of natural light.

12. The windows serve the kitchen/living room space of the units which would also benefit from north-east windows facing windows to provide sufficient levels of outlook. Therefore, an acceptable level of privacy for the affected units would be retained whilst providing a satisfactory outlook for the proposed units. There are other upper floor rear windows within the proposed flats that would be less than 20 metres from rear windows within existing flats on the upper floors of Church Road, but none of these are directly facing and set at oblique angles to each other and therefore would not be considered to give rise to an unacceptable

lack of privacy.

13. Living room windows within the proposed upper floor units have been recessed and carry timber screens which will reduce the scope for views into rear windows of Church Road properties. Whilst some of the rear windows of units at the north-east end of the High Road block will have a restricted outlook by virtue of the part 5-storey wrap-around element of the scheme, this section of the building does step-down to 2-stories. On balance, it is considered a sufficient level of outlook and access to natural light would be provided for these windows.

14. The frontage of ground floor units would be set-back 2 metres from the street and are to be set 0.5m raised from street level. A combination of 0.9 metre boundary hedge and secure front boundary railings shall ensure there is a secure sense of division between unit frontages and the street. The London Plan requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair adaptable. It also requires all new homes to be built to 'Lifetime Home' standards. Policy H26 of Brent's Unitary Development Plan advocates a similar approach. 4 of the 34 units are wheelchair adaptable and are positioned on the ground floor adjacent to the 3 on-street parking spaces within Preston Gardens.

15. All of the residents units would benefit from private amenity space. The family unit would have access to a private garden of approximately 130m² which is well in excess of the 50m² required for a family unit to meet SPG 17 standards. All of the flats within the scheme would benefit from private amenity space in the form of balconies or terraces, and would also have access to a well-landscaped secure courtyard area of approximately 375m². The total private and communal amenity space would provide approximately 20m² amenity space per unit which complies with SPG 17 guidelines for amenity space provision for 1 or 2 bedroom units.

Design

16. The general layout of the development is well considered. Street frontages are clearly defined and activated by commercial units to the market and residential entrances to the High Road. Your officers consider the proposed scale, bulk and massing of the development to be sympathetic to its surrounding urban landscape. The elevations of the building would provide a simplistic, yet relatively legible style of architecture, the mass of which would be broken by virtue of recessed balconies and recessed upper floor windows. Whilst it could be argued that the proposal would benefit from greater variation in the brick type, given the length of its frontage, the materials palette is supported, particularly the use of timber windows and the concrete lintels and canopies. The proposal shall be conditioned so that the development is carried out in accordance with the materials as set out in the submitted details, to ensure that as built it meets the same standard of design as set out in the planning submission.

Impact on neighbouring amenity

17. As outlined in the standard of accommodation section above, there are some upper floor rear facing windows and balconies within the development that would be within 20 metres of rear habitable windows within existing adjacent upper floor residential properties on Church Road. As these windows are set at oblique angles to each other, and timber screening panels are to be placed on the recessed balconies, it is considered that a satisfactory level of privacy would be provided for both existing and proposed units.

18. SPG 17 requires the envelope of the building to be set below a line drawn at 30 degrees from the nearest rear habitable room window at 2 metres height. The proposal is in general compliance with the 30 degree rule aside from one section where the envelope of the 2-storey and recessed 5-storey element of the building would be marginally set above a line drawn at 30 degrees from the rear kitchen window of first floor flat within no. 203 Church Road. At present, the rear kitchen window of this property faces a dilapidated 2-storey building used in conjunction with the ground floor retail unit which is 9.6 metres away. Taking this existing view into account and the overall improvements both to the public realm and improved standard of built form that the development would introduce to the area, whilst the proposal would be visually prominent when viewed from this rear window, on balance your officers consider that it would not be to such an extent that would warrant refusal of the application.

Function of the Market Square

19. The proposed new market square will provide a pedestrianised link between the High Road and Church Road. This will be a permanent home for the existing Church End market which currently runs on Wednesdays and Saturdays, but also gives the scope for the market to grow and function on other days. The orientation of the square would encourage the line of pedestrian flow to and from the local centre allowing

access along the frontages of the proposed building. The horizontal arrangement also gives permeability between ground floor building frontages either side of the square.

20. The existing mature tree at the top of the site will be retained to act as a destination marker and focal point for the square. The central part of the square will house a maximum of 50 no. 3.05m width x 3.05m length market stalls at one time, although an alternative arrangement could see 48 stalls laid out vertically as opposed to horizontally which would reduce permeability of access to ground floor frontage of the buildings. As is set out within the transportation section of this report, a loading and servicing area for the market square is to be provided via a retractable bollard controlled area of the square adjacent accessed off Church Road. The aim is to provide alternative options for parking without having a detrimental impact on the market function which would close or cause the market to relocate. Lighting posts are located at the periphery to give unified background lighting to the square and market. Support space for the market is found within the proposed building at ground floor level. This includes storage space for market stalls, WC provision, water services and bin stores which will be secured access and controlled by the market's managing company.

21. It is envisaged that the market square shall remain under the ownership of Brent Council and shall be let out to a market management company who would set the chargeable rates for individual market stall traders. On non-market days, there is scope for the space to be used for community events. The surface of the market square shall be of a high quality durable material. At present, the proposed plans do not indicate that access will be retained to the Catalyst site but it may be necessary to allow access from the market square onto the north section of the car park to maintain existing access available and also to allow any future development of this site to proceed. Further details of means of access to this area shall therefore be conditioned to be provided.

Transport

Loss of Car Park

22. The proposed development would result in the loss of the existing car-park which provides approximately 46 car-parking spaces when not in use by the market. However, it does not appear that proper parking within the site is enforced resulting in frequent occurrences of haphazard and, sometimes dangerous, parking on the site. At the time of previous visits to the site the car park has sometimes been over occupied, with vehicles double-parked or parked on kerb build-outs. The closure of the car park to enable regeneration is implicit in the SSA for the site and therefore is considered to be acceptable in principle.

23. Despite being under the ownership of the Council, at present there are no charges for the use of the car park. As such, the car-park use does not generate any revenue for the Council and offers an opportunity for individuals to avoid the on-street parking charges (both pay and display and resident permit bays) that currently exist in the surrounding area. As such, the turnover of these spaces is low with many remaining parked by the same users for long periods of time. This pattern of parking was observed by the Council's Transportation Officer at the time of a site visit. A low turnover of spaces was also noted in the Transport Assessment submitted with the application. The assessment summarises that people currently take advantage of the absence of parking charges in the car-park to avoid using pay and display bays in the local CPZ or to park for long periods of time, perhaps because they work, attend college or places of worship in the area. There is therefore little evidence that the car park is much used by shoppers visiting Church End, for whom the retention of off-street parking would be a priority under Policy TRN27 of the UDP. If, as suspected, the car park is predominantly used by local businesses, college students or worshippers, then its removal would help to encourage use of non-car modes of transport, in line with Brent Council's strategic transport policies.

24. With regard to the impact of the loss of the car-park on on-street parking, the surrounding area is noted as being heavily parked, so in theory offers little scope to safely accommodate displaced parking. However, the fact that the car park is not available on market days means that a measure of the likely impact can be gauged more accurately by observation of parking conditions on market days. To this end, the submitted Transport Assessment included parking surveys on for the immediate area, on both a Wednesday and Saturday when the market was in operation. The main difference between these days is that the CPZ is in operation on Wednesdays and not on Saturdays. The data obtained from the surveys concluded that although parking levels in the area remain high, particularly on Saturdays when the CPZ is not in force, that there would continue to be sufficient parking capacity, and parking alternatives, for existing residents and shoppers who currently use the car-park. Other users may be encouraged to use more sustainable forms of transport through the removal of free car-park.

25. In order to provide some additional mitigation for the loss of the car-park nine new off-street parking

spaces at the eastern end of the square for use on non-market days is proposed. It is intended that these be managed by Brent Council Parking Services as an off-street car park, with the same pricing structure as the on-street pay and display spaces along Church Road. Adequate dimensions are shown for the spaces and the central aisle, whilst the crossover width is also fine. Further details of signage and pay and display machines will need to be approved as a condition of any approval.

Parking Residential Development

26. The application does not propose to provide any parking for the development with the exception of a dedicated space for the single dwellinghouse and the capacity to provide two further disabled parking bays in Preston Road should need arise. Instead the application proposes that the residential element of the development would be 'permit-free' whereby occupiers of the residential units would not be entitled to on-street parking permits. The criteria for accepting this form of agreement are that the development should be within a controlled parking zone and in a location with excellent public transport accessibility.

27. The site lies within Controlled Parking Zone "HY", operational between 8.30am-6.30pm on weekdays. However, despite being within 960 metres (12 minutes walk) of Neasden Underground station (Jubilee line) and within a short walking distance of three bus services the public transport accessibility of the site is calculated to be moderate (PTAL 3). Whilst this would not normally be sufficient to support a permit free agreement there are a number of mitigating factors that need to be taken into account in this instance.

- The subject site is located within a designated Growth Area, where sustainable development is encouraged.
- The site is extremely close to areas achieving a PTAL of 4, with the nearby developments on the site of the former White Hart and the Church of Miracles Signs and Wonders both benefiting from permit-free agreements
- The subject site is located adjacent to a local centre.
- A bus stand and bus drivers toilet have already been provided on High Road to facilitate future extension of bus services into this area as it is redeveloped which would improve the PTAL.
- If car-parking were required it is difficult to envisage how the site, which is identified in a SSA, could feasibly be delivered.
- The scheme comprises predominantly of a mix of smaller (1 and 2-bedroom) units, rather than family accommodation.

28. Given the very exceptional circumstances of this particular site and the proposals it is considered that in this instance it would be justified to accept a 'permit-free' arrangement for the residential element of the scheme.

28. With a moderate PTAL rating though, it is important that a Car Club is established in the area to complement the development – the nearest existing cars being located almost one mile away. Whilst the scale of this proposal would not by itself support a Car Club, when combined with other nearby recent and proposed developments on the northern half of this car park site, at the former White Hart PH and at the Church of Miracle Wonders & Signs, there should be more than sufficient development coming forward to support a Car Club.

29. To assist with this, any consent on this site should include a commitment to future marketing of a Car Club for the area, including the provision of free or subsidised membership for residents for two years from first occupation. With regard to the siting of the Car Club vehicles, the applicant has suggested this be on Preston Gardens, which is considered acceptable in principle.

Servicing

30. In terms of servicing and emergency access, the proposed flats front High Road, allowing straightforward access for refuse and fire vehicles. The refuse storage area at the northern end of the building fronts the zig-zag markings associated with the adjacent pelican crossing, but is within 10m of a location just beyond the zig-zag markings in which refuse vehicles can safely stop. The store for the southernmost units within the rear amenity area is within 10m of Preston Gardens, to allow easy access.

31. In terms of the commercial units, servicing by transit sized vans would generally suffice for the proposed uses, although if the larger unit were to be used as an office, this would in theory require servicing by 8m rigid lorries. The proximity of the pelican crossing on High Road means that it is essential that these units are able to be serviced from Eric Road and to enable this, collapsible bollards are proposed to allow vehicular access onto the new market square on non-market days. This is acceptable in principle, but time

restrictions on servicing times may be required as part of a servicing plan, to limit access to quieter times of the day.

32. In the event that this development is built out before any development takes place on the northern part of the car park, vehicular access will also need to be retained to the remaining parking spaces and to the private car park at the rear of 225 Church Road. This is not ideal, but as a temporary arrangement pending future redevelopment, could be accepted in the short term and should be allowed for in the design.

33. Servicing standard PS17 for retail uses also applies to street markets. On market days, vehicular access to the market square will be severely restricted, meaning loading will inevitably need to take place from Church Road alongside and across the access to the market square. However, there is only kerbside space in this area for about two vans, before vehicles would interfere with the bus stop to the north of Eric Road. Use of the loading area will therefore need to be very carefully co-ordinated and managed to ensure bus movements are not obstructed, although it does help that the market will generally set up in the early hours of the day.

34. There is also inadequate space within the site for the parking of market traders' vehicles during the day and an off-site location will need to be secured for their use once the market is set up. Various locations are currently under consideration in this respect, with the use of the privately managed Dalmeyer Road being the preferred option at present. This is supported by the Transportation Unit, as it is located close by, is not adopted highway and offers almost 200m of kerbside parking space that is currently largely unused.

35. Nevertheless, given the uncertainties over the manner in which the market and shop units will be serviced, any planning consent for this scheme must be contingent upon a suitable Delivery and Servicing Plan being agreed in advance of occupation of the units or operation of the market, to be complied with thereafter and to include regular reviews of operations, including access requirements across the square. This will be secured through a S106 Agreement, rather than planning condition.

Stopping up of Eric Road

36. The formation of the market square is proposed to involve the stopping-up of Eric Road as adopted highway. This is acceptable in principle, as it gives more flexibility to how the area is managed (particularly on market days), although retention and extension of the adopted highway would also be acceptable. Future maintenance will be funded using income from the rental of the space for the market.

37. The new pedestrian route will still be retained as a public right of way, connecting Church Road with the High Road pelican crossing and on to Neasden Lane and the Church End development beyond. However, the improvements to the route arising from the increased width, better surfacing and lighting are particularly welcomed.

Landscaping

38. The frontage of the site addressing High Road currently has 13 mature trees along the embankment, 11 of which would have to be removed as part of the development. There are also 4 trees within the car park itself that would have to be removed. Whilst it is obviously regrettable that the boundary trees would be lost, given the contribution the trees make to the visual amenities of the street scene, retention of them would hinder the development of the site, as doing so would require the building to be set-back much further from the boundary of the site bringing it into closer proximity to the existing buildings on Church Road which would create issues with regards to its relationship with these adjacent properties. It would also reduce the size of the courtyard that could be provided as amenity space for occupants of the proposal.

39. The proposed landscaping scheme seeks to mitigate the loss of the existing trees and would see 2 mature trees at the south-west and north-west ends of the site retained, with the north-west London Plane tree retained within the Market Square. At the same time a total of 8 replacement street trees of an appropriate species would be planted at the centre point of the public footway between the cycle and pedestrian footway. The proposed trees will act as an attractive landscape treatment which would not impede pedestrian/cycling movement whilst ensuring the outlook of windows within the frontage of the development is not unduly impacted upon. 9 trees would be planted within the courtyard of the development alongside a high quality scheme of boundary landscaping and hard landscaping materials. The courtyard would act as a secure amenity space for occupants of the proposal providing lawned areas with seating and bike storage. Given the constrained nature of the site and the good standard of proposed landscaping that would act as replacement, on balance the loss of the existing trees is considered to be acceptable. Details of landscaping shall be conditioned to be carried out in accordance with the submitted details.

Archaeology

40. The site lies within a site of Archaeological Importance as designated within the UDP. The policy requires that applicants have the archaeological implications of their proposals assessed by means of a recognised archaeological group (if necessary by a preliminary site investigation), provision is made so that sites are properly investigated and excavated before development begins; and that landowners and developers work in accordance with the British archaeologists and developers' code of practice. This is in line with The National Planning Policy Framework and the Greater London Plan 2011 which requires Local Planning Authorities to require a desk-based assessment where a proposal may affect a designated heritage asset and where necessary a field evaluation report.

41. An Historical Environment Assessment has been submitted which has been carried out by the Museum of London. This sets out the archaeological and historical background of the site, the likely significance of any buried heritage assets on site, the potential impact of the proposal on these assets and suggestions for further investigations that are likely to be required.

42. The report outlines that there is a high potential for post-medieval remains including evidence of buildings, cess pits, refuse pits and wells and evidence of park/garden features. There is also a high potential for later medieval and Saxon remains which may include evidence of buildings and farming, forming part of the known settlement at Church End. There is a low to moderate potential for prehistoric remains. The potential for Roman remains is low, there is a lack of evidence for use of the area during this period and it is likely that evidence of small-scale activity which may have occurred has been removed by subsequent use of the site.

43. Given the above, the report advised that further site-specific investigation in the form of a programme of archaeological work should be required to ensure that the impacts on the potential archaeological assets within the site resulting from the proposal are thoroughly investigated prior to the commencement of any excavation or construction works on site. This shall be conditioned.

Ecological interests

44. In support of the application, a bat and habitat survey have been submitted. The bat survey indicated that there were no signs of bats or bat activity were found within the surveyed trees within the site whilst the Habitat survey recommended that any trees that are to be retained within the proposal should be protected in accordance with the correct legislation, British Standard 5837: 2012. Further details in relation to the protection of existing trees are set out within the landscaping section of this report.

Secured by Design

45. The backs of gardens for the ground floor units will carry approximate 1 metre boundary railings and boundary landscaping to provide security in the form of a landscaped boundary treatment. Railings will also be provided along the frontage and entrances of ground floor units alongside planting which shall create active frontages where habitable rooms look out onto streets and allow for on-street surveillance around the block. Front boundary fences/planting will be a minimum of 900mm.

46. The rear garden for the family unit adjacent to Preston Gardens will carry a minimum of 2m high solid brick wall or secure metal fencing with robust low level planting. The boundary walls to properties off Preston Gardens will be constructed from perforated metal fencing which allow improved surveillance from dwellings onto the street. Relocated street lighting will also improve security lighting on to the street and new lighting will be proposed for the market place and courtyard garden.

46. The market square shall be an open, legible and well-lit public environment which will allow for on-street surveillance from both Church and High Road ends. There will be minimal street furniture clutter, no hidden corners or changes in levels, which aids the visual permeability of the space. The non-residential ground floor use fronting onto the market square and the High Road will help to create an active frontage for as long as possible during the day and evenings. The upper floors above the ground floor space comprise of apartments and have habitable rooms and balconies directly overlooking the square to maximise surveillance.

47. It is hoped that the market square will be used by the local community on non-market days which will need further exploration by local groups and organisations.

Conclusion

49. The proposed development would offer the following strategic benefits:

- A new public market square
- A new non-residential space which would be envisaged to be used for local social enterprise
- 34 new homes including 1 affordable family-sized unit,
- An environmentally sustainable development, reaching Code For Sustainable Homes Level 4 and BREEAM 'Excellent'
- A high quality level of architecture that would improve the local built environment.

50. The low provision of affordable housing is considered to be outweighed by the benefits resulting from the delivery of a high quality first phase of regeneration of the Church Road Local Centre, the provision of a public market square and the social enterprise space. The proposal is therefore considered to be in general with national, regional and local policy which seeks to promote sustainable development. It is therefore recommended for approval.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

- Brent Unitary Development Plan 2004
- NPPF
- Council's Supplementary Planning Guidance
- Mayors London Plan

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

- Built Environment: in terms of the protection and enhancement of the environment
 - Environmental Protection: in terms of protecting specific features of the environment and protecting the public
 - Housing: in terms of protecting residential amenities and guiding new development
 - Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
 - Transport: in terms of sustainability, safety and servicing needs
 - Community Facilities: in terms of meeting the demand for community services
 - Design and Regeneration: in terms of guiding new development
- Site-Specific Policies

CONDITIONS/REASONS:

(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):

- 417.001a Existing site plan
- 417.002a Tree survey
- 417.003a Tree protection
- 417.010c Landscape general arrangement
- 417.011c Soft landscaping

417.012c Boundary landscaping detail key plan
 417.013c Lighting
 417.014c Drainage
 417.015b Adoption
 417.100c Eric Road landscaping detail
 417.101b Courtyard landscape
 417.102b High Road landscape
 417.201 Cyclestore
 417.202 Gates Preston Gardens
 1233 PG100b Ground floor plan
 1233 PG101b First floor plan
 1233 PG102b Second floor plan
 1233 PG103b Third floor plan
 1233 PG104b Fourth floor plan
 1233 PG300b Proposed elevations
 1233 PG400 Proposed market elevations
 1233 PG401 Proposed High Road elevations
 1233 PG402 Proposed High Road elevations 2
 1233 PG403 Proposed facade details
 1233 PG404 Affordable unit - plans and elevations
 1233 PG405 Communal entrance and Core A details
 1233 PG406 Communal entrance and Core B details
 1233 PG407 Communal entrance and Core C details
 1233 PG408 Proposed rear elevation details
 1233 PG409 Commercial shop front and corner elevations
 1233 PG410 Commercial rear and gable elevations
 417.204 Circular Planter Detail
 417.205 Terrace Walls

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

- (3) The dwellings shall achieve a Code Level 4 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide. No dwelling shall be occupied until a Certified Assessor has confirmed that the dwelling has achieved Code Level 4 and a final application has been made to obtain a Final Code Certificate.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of ensuring a sustainable form of development.

- (4) No goods, equipment, waste products, pallets or materials shall be stored or deposited in any open area within the site and the loading areas indicated on the approved plans shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority. All loading and unloading of goods and materials shall, where practicable, be carried out entirely within the curtilage of the site.

Reason: To ensure that materials or vehicles awaiting or being loaded or unloaded are parked in designated areas and do not interfere with the free passage of vehicles or pedestrians within the site and along the public highway and in the interests of the visual amenities of the area

- (5) All residential units within the development hereby approved shall be built out in compliance with Lifetime Homes Standards.

Reason: In order to ensure an adequate quality of residential environment

- (6) 10% of all residential units within the development, hereby approved, shall be easily adaptable for wheelchair users, as defined by the Mayor's SPG (November 2012) ie: do not require

structural alterations (such as removing walls to enlarge rooms) to make it suitable for wheelchair users.

Reason: To ensure a development that would meet the needs of all potential users and in order to comply with the provisions of the London Plan.

- (7) 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 1995 (or any order revoking and re-enacting that Order with or without modification) the use of the area denoted as "Non-residential/Commercial A1/A3/B1/D1" on the ground floor plan hereby approved shall only be for purposes within Use Classes A1, A3, B1 or D1, unless otherwise agreed in writing by the Local Planning Authority, providing that any extraction equipment required by the uses are approved by the Local Planning Authority in advance of the unit being served by the required extract equipment being occupied.

Reason: To allow an appropriate level of flexibility in the use of this floorspace and in the interests of amenity.

- (8) The ground floor commercial premises (A1, A3, B1 or D1) shall not be used except between the hours of:

- 0700 hours and 0000 hours Mondays to Saturdays

- 0900 hours and 2300 hours Sundays and Bank Holidays

Reason: To ensure that the development does not prejudice the enjoyment by residents of their properties.

- (9) The development shall be constructed using all the external materials shown in the plans and documents hereby approved.

List of details...

Reason: To ensure a satisfactory standard of development.

- (10) The development shall be carried in accordance with the layout and design of the residential cycle storage areas including the configuration and layout and details of the cycle storage fixtures as shown in the plans and details hereby approved. The development shall not be occupied until the cycle parking spaces have been laid out in full accordance with these details and these facilities shall be permanently retained for the lifespan of the development.

Reason: To ensure satisfactory facilities for cyclists.

- (11) The roof of the second floor of the development adjacent to the rear of No. 203 Church Road shall not be used as a roof balcony/terrace amenity space by the occupants of the scheme for the lifespan of the development.

Reason: In the interests of safeguarding the amenities of neighbouring residential occupants.

- (12) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:

- i. Specification of construction works at each phase of the development
- ii. Construction Logistics Management
- iii. Consideration of environmental impacts and required remedial measures
- iv. Erection and maintenance of security hoarding including decorative displays, where appropriate
- v. Wheel-washing facilities
- vi. Parking of vehicles of site operatives and visitors
- vii. Arrangements for the loading and unloading of plant and materials
- viii. Storage of plant and materials used in constructing the development
- ix. Scheme for recycling/disposing of waste resulting from demolition and construction works
- x. Commitment to adopt and implement the Considerate Contractor Scheme

Reason: To allow the Local Planning Authority to exercise proper control over the development in the interests of amenity.

- (13) All residential units shall be designed to achieve daytime and night time internal noise levels of 30 dB LAeq. A test shall be carried out post-completion and submitted to the Local Planning Authority for approval in writing, to show that the criteria has been met.

Reason: In order to ensure an adequate quality of residential environment

- (14) Prior to the commencement (save for demolition) of the development hereby approved the applicant shall provide an Air Quality Impact Assessment demonstrating the effect of the proposed heat and power systems for the development will be within acceptable limits.

Reason: To protect local air quality in accordance with Brent UDP policies EP3 and EP4.

- (15) No works shall commence on the development before an Arboricultural Method Statement for the development has been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

(i) A schedule of all works to trees on-site to facilitate the development or ensure the health of the tree(s)

(ii) For those areas to be treated by means of any hard landscape works including access Roads and pathways, provide:

" detailed drawing(s) of those areas to be so treated including identification of root-protection zones;

" details of a no-dig solution for areas within root-protection zones using a cellular confinement system to include a method statement for such works;

" attendance of a qualified and experienced arboricultural consultant during sensitive operations;

" works to trees should be carried out by an Arboricultural Association Approved Contractor in accordance with the latest industry guidance (British Standard 3998:2010);

The works shall be completed in accordance with the approved details. The applicant shall give written notice to the local planning authority of seven days prior to carrying out the approved tree works and any operations that present a particular risk to trees

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of amenity.

- (16) No works shall commence for each phase of the development before a Tree Protection Plan for the development has been submitted to and approved in writing by the local planning authority. Such details shall include method statements and plans which:

(i) adhere to the principles embodied in BS5837:2012

(ii) indicate exactly how and when the retained trees on-site or off-site near the site boundaries will be protected during the construction; and

(iii) show root-protection zones

Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- (17) No above ground development (save for demolition) shall commence until details of any external lighting shall, including the external lighting fixtures and a light contour plan for the land surrounding the building shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any works on site and the approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area

- (18) Further details of layout and details of the cycle storage fixtures for the area denoted as Non-residential/Commercial A1/A3/B1/D1" on the ground floor plan hereby approved shall be submitted to and approved in writing prior to the commencement of above ground development (save for demolition) works on site. Thereafter, the works shall be carried out in accordance with the approved details prior to occupation of the development and maintained as such for the lifespan of the development.

Reason: To ensure satisfactory facilities for cyclists.

- (19) No plant machinery or equipment shall be installed externally on the building unless details of the equipment, the expected noise levels to be generated and any measures to mitigate against the external transmission of that noise, have been submitted to and agreed in writing by the Local Planning Authority unless agreed otherwise in writing by the Local Planning Authority. Thereafter the plant/equipment shall be installed in accordance with the approved details and maintained in accordance with the relevant manufacturer's guidance

The noise level from this plant together with any associated ducting, shall be maintained at a level 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 BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas".

Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers.

- (20) The area denoted as 'Non-residential/Commercial A1/A3/B1/D1" on the ground floor plan hereby approved shall achieve a BREEAM Excellent Rating. Prior to occupation, a BREEAM post-construction review shall be submitted to the Local Planning Authority to verify delivery of this specification.

Reason: In order to allow the Local Planning Authority to exercise proper control over the development in the interests of ensuring a sustainable form of development.

- (21) The development hereby approved shall not be occupied unless details of external CCTV cameras to be used on site are submitted to and approved in writing by the Local Planning Authority. Once approved the approved details shall be implemented in full and permanently maintained.

Reason: In the interests of safety, amenity and convenience.

- (22) The hard and soft landscaping works within the development shall be completed in accordance with the details hereby approved and shall be completed prior to occupation of the buildings.

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.

- (23) A landscaping management plan which sets out the proposed arrangements for the ongoing maintenance of the landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the buildings within the development. The landscaping shall be maintained in accordance with the approved details thereafter for the lifespan of the development.

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

- (24) In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, details of a communal television system/satellite dish provision shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented.

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

- (25) The development hereby approved shall not commence (save for demolition works) unless a number of additional details have been submitted to, and approved in writing by, the Local Planning Authority. Once approved, these details must be fully implemented and permanently maintained:

(a) Further details including the design, materials and source (which should preferably be locally manufactured)

(b) refuse storage facilities and collection arrangements.

Reason: In order to ensure a satisfactory form of development and in order to allow the Local Planning Authority to exercise proper control over the development.

- (26) The development hereby approved shall not commence (save for demolition) unless a drainage strategy, detailing on and/or off site drainage works has been submitted to and

approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented in full.

Reason: To ensure a satisfactory form of development.

- (27) Prior to the commencement of the development (save for demolition works) the applicants shall submit details for approval of a ventilation scheme for the development designed to protect future residents from the effects of poor air quality. The ventilation system shall be installed, and maintained, in accordance with the approved details.

Reason: To protect the amenity of residents of the development.

- (28) Prior to the commencement of the development (save for demolition works), Further details of the signage and pay and display machines for the parking spaces near market square as shown on the plans hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety within the locality.

- (29) No excavation and/or construction works relating to the development hereby approved may be undertaken on the site until a programme of archaeological work, in accordance with a written scheme of investigation has been submitted to, and agreed in writing by, the Local Planning Authority, and implemented to the satisfaction of the Local Planning Authority".

Reason: To ensure that this site, in an Archaeological Priority Area, is properly investigated and if necessary excavated before development begins, in accordance with policy BE31 of the adopted London Borough of Brent Unitary Development Plan 2004.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) Whoever carries out the works is reminded of their obligation to comply in full with s60 of the Control of Pollution Act 1974 and the British Standard Codes of practice 5228:1997 Parts 1 to 4 which states that Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of: Monday to Friday 08:00 to 18:00, Saturday 08:00 to 13:00 and at no time on Sundays or Bank Holidays.
- (3) The applicant is informed that, for the avoidance of doubt, this permission does not give consent for any shopfront or advertisements on the building which would require formal approval in their own right.
- (4) The applicant is advised that this case is liable to pay the Community Infrastructure Levy (CIL) and the liable party/parties should contact the S106/CIL officer Angus Saunders (angus.saunders@brent.gov.uk, 020 8937 5237) for further information on how to pay CIL and their duties under the CIL Regulations. A separate Liability Notice has been issued to liable party/parties or those with a material interest in the land which contains greater detail.

The applicant is advised that this case is subject to a legal agreement and the developer should contact the S106/CIL officer Angus Saunders (angus.saunders@brent.gov.uk, 020 8937 5237) for further information on how to pay any financial contributions and how to address any non-financial obligations.

- (5) The applicant is informed that they should contact Thames Water Developer Services, Maple Lodge, Denham Way, Rickmansworth, WD3 9SQ in order to discuss the development.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact Roland Sheldon, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5232