

Committee Report
Planning Committee on 20 July, 2010

Item No. 3/02
Case No. 10/0413

RECEIVED: 11 March, 2010

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: Storage rear of 397 High Road & Rear Part of 397A, Rosemead Avenue, Wembley, HA9

PROPOSAL: Demolition of existing buildings and erection of a part 2-, 4-, 5- and 6-storey building to provide in total 29 self-contained residential units (comprising 7 one-bedroom flats, 10 two-bedroom flats, 2 two-bedroom maisonettes and 10 three-bedroom flats of which 13 units would be affordable) with balconies, undercroft courtyard, communal and private garden area; 2 new pedestrian accesses onto Rosemead Avenue, provision of cycle and refuse storage and associated landscaping (a car-free development) (as amended by revised plans received on 14/06/2010, e-mail received on 16/06/2010).

APPLICANT: Globeplan Properties

CONTACT: KR Planning

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 Director of Environment & Culture to agree the exact terms thereof on advice from the Borough Solicitor.

SECTION 106 DETAILS

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

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance.
- (b) 45% affordable Housing, measured by unit.
- (c) A contribution of £166,800 (£3,000 /£2,400 per Private/AH bedroom), due on material start and index-linked from the date of committee for Education, Sustainable Transportation and Open Space & Sports in the local area.
- (d) An additional £13,000 contribution, due on material start and index-linked from the date of committee towards the installation of a new MUGA in King Edward VII Park.
- (e) The removal of rights of residents to apply for parking permits.
- (f) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and Code for Sustainable Homes level 4, with compensation should it not be delivered. In addition to adhering to the Demolition Protocol.

- (g) Offset 20% of the site's carbon emissions through on site renewable generation. If proven to the Council's satisfaction that it's unfeasible, provide it off site through an in-lieu payment to the council who will provide that level of offset renewable generation.
- (h) Join and adhere to the Considerate Contractors scheme.

And, to authorise the Director of Environment and Culture, 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.

EXISTING

The application relates to a site of approximately 0.08 hectare comprising of land and buildings located on the north side of Rosemead Avenue, to the rear of the JJ Moon and The Bear public houses on the High Road in Wembley.

The eastern part of the site is currently occupied by Rosemead Hall a vacant and dilapidated two-storey last used as a warehouse. The western part of the site is occupied by the former Post Office sorting office a substantial vacant building that hasn't been used since the former Post Office was converted to a pub. It too is in a poor state of repair. The two buildings are separated by a service road which allows The Bear to be serviced from Rosemead Avenue and by a pedestrian footpath that provides an emergency escape route from JJ Moons.

The former sorting office a five storey building that forms the rear of the Wilkinson hardware store which has a loading bay opening onto Rosemead Avenue. Rosemead Hall is flanked by a two storey storage building attached to the rear of JJ Moons. The Mandhata Community & Youth Association Centre is located on the other side of this storage building. The rear of the site backs on to the The Bear and on to JJ Moon's beer garden.

The opposite side of Rosemead Avenue from the site is occupied by two storey terraced houses.

The site is located within Wembley Regeneration Area as designated in Brent's adopted Unitary Development Plan 2004 and its draft Core Strategy.

PROPOSAL

The revised scheme involves demolition of existing buildings and the erection of a part 2-, 4-, 5- and 6-storey building to provide in total 29 self-contained residential units (comprising 7 one-bedroom flats, 10 two-bedroom flats, 2 two-bedroom maisonettes and 10 three-bedroom flats), with balconies, undercroft courtyard, communal and private garden area; 2 new pedestrian accesses onto Rosemead Avenue, provision of cycle and refuse storage and associated landscaping. This a car free scheme and no residential car parking is provided within the development.

HISTORY

The following planning history is most relevant to this current application:

- | | |
|------------|--|
| 08/08/2008 | Planning permission granted for the demolition of existing buildings and the erection of a part 2-, part 4- and part 5-storey building comprising 28 flats (ref: 08/1109). |
| 28/04/2008 | Planning application for the demolition of existing buildings and the erection of a part 3 and part 5-storey building comprising 31 flats withdrawn by applicant (ref: 08/1109). |
| 28/11/2007 | Planning permission for the demolition of existing buildings and the erection of a |

4- and 5- storey residential development comprising 28 flats withdrawn by the applicant (ref: 07/0818).

- 18/01/2004 Planning permission granted for the demolition of one the existing buildings (former sorting office rear of the Bear Public House) and erection of a part 2-, part 3- and part 4-storey building to provide 5 live/work units with roof terraces (ref: 04/0498)
- 13/01/2004 Planning permission refused for the demolition of one the existing buildings (former sorting office rear of the Bear Public House) and erection of a 4-storey building to provide 4 offices, 4 live/work units and 2 town houses (ref: 04/0498). An appeal against this decision was dismissed.

POLICY CONSIDERATIONS

Adopted Unitary Development Plan 2004

The following policies, summarised below, are considered to be material in this case.

Strategy

STR1 – Development for business, industry and warehouses uses will be protected and promoted in Strategic & Borough Employment Areas. Outside these areas, housing will be the priority alternative land-use, unless indicated otherwise in the Plan. Affordable housing will be a particular priority where it would help to achieve a mix and diversity of residential development in the Borough.

STR3 – In the interest of achieving sustainable development (including protecting Greenfield sites), development of previously developed urban land will be maximised (including from conversions and change of use).

STR11 – The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a harmful impact on the environment or amenities of the borough refused.

STR14 - New development will be expected to make a positive contribution to improving the quality of the urban environment of Brent, by being designed with proper consideration of urban design principles relating to townscape, urban structure, the public realm, and architectural quality and sustainability.

STR 19 – New housing development should be located on sites which:

- (a) Reduce the need for car travel; and
- (b) Give preference to the development of previously used urban land;
- (c) Provide acceptable residential amenity for existing and proposed residents; use
- (d) Provide for necessary physical and community infrastructure (e.g. community facilities, school places) arising from the development. Housing density will be determined by the acceptability of the design of a scheme complimenting the character of an area in which it stands. More intense residential development will be encouraged, particularly within walkable neighbourhoods (areas within easy (600m) walking distance of a district centre or major town centre) and where the design is of an appropriately higher quality.

STR 20 – Where suitable and practical, housing development on sites capable of accommodating 15 or more units, or 0.5 hectares or over, should include the maximum reasonable proportion of affordable housing consistent with the Plan's affordable housing provision levels.

STR25 – Local Employment Sites will be protected for employment use unless the proposed development for alternative uses complies with detailed policies set down in the plan.

Built Environment

BE2 – Design should have regard to the local context, making a positive contribution to the character of the area. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, particular emphasis on prominent corner sites, entrance points and creating vistas, respect the form of the street by building to the established line of frontages, unless there is clear urban design justification.

BE5 – Development should be designed to be understandable to users, free of physical hazard and to reduce the opportunities for crime, incorporating the aims and objectives of both “Secured by Design” and “Designing-Out Crime” concepts.

BE6 – A high standard of landscape design is required as an integral element of development schemes.

BE7 – High quality of design and materials required for the street environment. In existing residential areas, the excessive infilling of space between buildings and between buildings and the road will be resisted.

BE9 - New buildings, extensions and alterations to existing buildings, should embody a creative and appropriate design solution, specific to their site’s shape, size, location and development opportunities.

BE12 – Proposals should embody sustainable design principles, commensurate with the scale and type of development, including taking accounts of: Sustainable Design, Sustainable Construction and Pollution Control.

Housing

H9 – On development capable of 15 or more dwellings, or residential sites of 0.5 ha or more, irrespective of the number of dwellings, a mix of family and non-family units will be required, having regards to local circumstances and site characteristics.

H10 – New residential accommodation should be self-contained unless it is designed to meet the known needs of a named institution and suitable management arrangements are secured as part of the planning application.

H11 – Housing will be promoted on previously developed urban land which the plan does not protect for other land uses.

H12 – The layout and urban design of residential development should comply with policies in the built Environment chapter.

H13 – Residential density shall be determined primarily by appropriate urban design, and shall also have regard to the context and nature of the proposal, the constraints and opportunities of the site and the type of housing proposed.

Employment

EMP9 - Resists the development of local employment sites except in specific circumstances.

Transport

TRN4 –Where transport impact is unacceptable, various measures will be sought at the applicants expense to try to mitigate the effects, including public transport improvements, on street parking controls or restrictions, improved pedestrian and cycle facilities, traffic calming, road safety and highway improvements, management measures to reduce car usage.

TRN23 –Parking for residential development should be in accordance with the maximum standards. Their application may be varied depending on the level of public transport accessibility and the contribution the development would make to reduce the use of the private car, but should not be below the minimum operational level, including required disabled parking.

Wembley Regeneration Area

WEM1 – The regeneration of the Wembley area a regional sport, entertainment and leisure, including hotel, destination will be supported. The regeneration of Wembley town centre is also supported, which may involve the eastward expansion of the existing centre towards the Stadium. Industrial and business development is promoted in the Strategic Employment area to the east of the Stadium. New residential development may also be appropriate where an acceptable residential environment can be ensured.

WEM4 – Higher density residential development is encouraged within the Wembley Regeneration Area, particularly Wembley Town Centre. Development on sites capable of 15 or more units should be a mixture of general market housing and affordable housing suitable for smaller households (including key workers) – unless 'provision-in-lieu' (Policy H4) is more appropriate.

WEM16 – Development within the Wembley Regeneration Area should contribute towards the creation of a world class environment.

Brent Supplementary Planning Guidance:

Supplementary Planning Guidance 17: *Design Guide for New Development* provides design guidance for new development, and seeks to improve the standard of architectural and urban design in Brent.

SUSTAINABILITY ASSESSMENT

The sustainability checklist currently achieves 39%, which is under the council 's 50% requirement; however, the sustainability officer notes that the applicant has signed up to achieving 50% in the S106 agreement and has also agreed to achieve a 20% reduction in CO2 through renewable energy . In principle, therefore, the application meets both Brent Council's sustainability policies and the London Plan's policies. Further details will need to be provided at pre-construction stage, demonstrating how these policies have been met, including a revised checklist and an energy options assessment.

CONSULTATION

The following have been consulted on the proposal:

- Nos. 397, 397A, 397B, 399 & 401-403 High Road, Wembley
- Nos. 2 Lonsdale Avenue
- Nos. 1A, 1B, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20a, 21, 22, 23, 24A, 24B, 25, 26, 27, 28, 29, 31, 33, 35, 37, 39 & 41 Rosemead Avenue.
- Ward Councillors

This is a major application so the proposal has also been advertised in the local press and a site notice put up in Rosemead Avenue.

In total 4 objection letters and a 22 signature petition have been received.

In summary the grounds of objection are:

- The scale of the proposed is too large and is out of keeping with the existing housing in Rosemead Avenue.
- No parking provision will exacerbate existing parking congestion in Rosemead Avenue.
- The proposal is likely to give rise to tensions and potential crime and will reduce the security of adjoining buildings.]
- The proposal will generate more noise pollution and rubbish.
- The proposal would result in loss of light and privacy to houses opposite the development.

Thames Water - No objection with regards to sewage infrastructure. With regards to Surface water drainage they point out that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Recommend that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer services will be required. They can be contacted on 0845 850 2777.

With regards to water supply, this comes within the area covered by the veolia Water Company. For information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel: 0845 782 3333.

Council's Transportation Unit – No objection to the proposal subject to a Section 106 Agreement to secure: (i) a car-free agreement; and (ii) the standard financial contribution of a proportion should go towards non-car access/highway safety improvements, parking controls and/or a car club.

Landscape Unit – Any consent should be subject to a standard landscape condition. The proposed shortfall of usable amenity space should be compensated for through a further Section 106 contribution to assisting in funding a new MUGA in King Edward VII Park.

Environmental Health – Has raised concerns regarding potential noise nuisance from the licensed premises on the High Road. As such further detail/information regarding the glazing and facade treatment used on the north facade of the building is requested to ensure that internal noise levels can be achieved in accordance with Part E of the building regulation and BS8233:1999 - 'Sound insulation and noise reduction in building - Code of Practice'. A condition to this affect would be attached along with other conditions suggested by Environmental Health. Any further details received would also be forwarded to Environmental Health for consideration.

REMARKS

This amended scheme is a revision of an earlier scheme approved under ref: 08/1109. It differs from the approved scheme in that an additional storey is proposed which would be well set-back from the Rosemead Avenue frontage. The scheme as a result would be a storey higher and increases the overall number of residential units from a total of 28 to 29. The mix and layout of units has also been altered with the current proposal including a greater number of larger three bed room units. more generously sized units comprising largely generous and better range of unit sizes suitable to various needs with their own private balconies. In the current proposal the amount of affordable housing units has been reduced to 45% to increase the viability of the scheme. The approved scheme proposed 100% affordable housing.

The revised description for the proposal is “*demolition of existing buildings and erection of a part 2-, 4-, 5- and 6-storey building to provide in total 29 self-contained residential units (comprising 7 one-bedroom flats, 10 two-bedroom flats, 2 two-bedroom maisonettes and 10 three-bedroom flats of which 13 units would be affordable) with balconies, terraces, undercroft courtyard, communal and private garden area; 2 new pedestrian accesses onto Rosemead Avenue, provision of cycle and refuse storage and associated landscaping (a car-free development)*”.

The revised scheme is now assessed as follows:

Planning Policy

The two existing buildings on the application site were last used for employment purposes with Rosemead Hall being used as a warehouse and the remaining building as a post office sorting office. According to the submitted marketing information both buildings have now been vacant for a number of years. Council policies generally seek to resist the loss of local employment sites unless there are unacceptable adverse environmental impacts resulting from its employment use or it can be demonstrated that there is no effective demand. The preferred alternative use for redundant local employment sites is as affordable housing.

The “Marketing Report” submitted with the application indicates that despite an active marketing effort over a number of years both nationally and locally, no genuine interest has been registered. In 2004 planning permission was granted for the demolition of Rosemead Hall and the erection of part 2-, 3- and 4-storey building to provide 5 live/work units and in 2003 planning permission was granted for the conversion and extension of the post office depot to provide 7 live/work units and 2 bedroom maisonettes. However neither planning permission has been implemented which further confirms the applicant's marketing report that there is also no demand for live/work accommodation. Given the length of time that the site has remained vacant and the apparent lack of interest in reusing the site for any kind of employment use, the redevelopment of the site for affordable housing is considered acceptable.

Density/Mix

The arrangement proposes 29 residential units in total. This includes seven single bedroom flats, ten 2-bedrooms flats, two 2-bedroom maisonettes and ten 3-bedroom flats providing a total of 90 habitable rooms on a site area of 0.121 hectare, with a density of 744 habitable rooms per hectare. The site is located within edge of Wembley Town Centre and has a PTAL of 5. The proposed density of 744 HRH therefore falls within the acceptable density range of 240-700+ as set out in the Supplementary Planning Guidance 17 and also complies with the recent Mayor's London Interim Housing Supplementary Planning Guidance density matrix range of 650 -1100 HR/HA for sites located within the Central/Major Town Centres.

The proposed mix (comprising 7 x 1-bedroom, 12 x 2-bedroom and 10 x 3-bedroom units) providing a range of unit sizes suitable to various needs with a few 1 bed units is considered acceptable in this town centre location. The scheme is proposed as a 45% affordable scheme with split into approximately 50% socially rented and 50% shared ownership.

Scale, Massing Design, Layout and Access

The character of the area along Rosemead Avenue is mixed. The opposite side of the street to the site is comprised of two storey Victorian terraced houses with small 3m deep front forecourts. On one side the application site abuts the rear two storey rear storage building attached to the rear of JJ Moons. On its other side the site abuts the flank wall of the rear part of Wilkinson's, a substantial brick faced post war storage/commercial building of similar height and substantial frontage (approximately 30m). On this side of the street the building line remains fairly well defined, by small front gardens to houses and by open concrete aprons to the commercial buildings including the application site.

The proposed building (as in the case of previous planning application ref: 08/1109) is of a same contemporary design and in terms of its scale and massing has been similarly designed with consideration to its immediate neighbours. The height of the building in this application has been raised from previously approved five to six stories on the Rosemead Avenue frontage. The scheme as before proposes the same set-back of fifth floor from Rosemead Avenue frontage. However, the proposed six floor would be set-back even further from Rosemead Avenue frontage to minimise its impact on the two-storey houses opposite the site. A smaller two storey wing (as previously proposed) would project to the rear on one side. The proposed building would be slightly higher (i.e. by 1.2m) in height than the adjoining Wilkinson building on one side and three storeys higher than the neighbouring storage building to the rear of JJ Moons. The proposed building (as before) presents a strong well articulated frontage to Rosemead Avenue. The use of a traditional brick and pale render cladding echoes the materials used on existing buildings within the area resulting in modern building that still manages to reflect the character of the area.

The building is split into two separate blocks each with of its own entrance located on Rosemead Avenue.

At ground and first floor the frontage is split by a service road running through the middle of the building that will continue to provide servicing to The Bear Public House. To the side of this service road is a pedestrian path providing access through the site to two areas of communal amenity space and to bin and cycle storage areas. JJ Moons Public House has a pedestrian right of way through to Rosemead Avenue for emergency egress only. Access to this right of way is through a secure gate to the pub's beer garden. A two storey undercroft courtyard is located within the building to allowing for the turning of the vehicles servicing The Bear. This undercroft area is overlooked at ground floor from the glazed access corridors on either side and from secondary bedroom windows in the first floor of eastern block.

Quality of Accommodation

The scheme proposes a total of 29 flats of which 13 would be affordable (3 x 1-bedroom, 6 x 2-bedroom and 4 x 3-bedroom flats) and 16 would be private (4 x 1-bedroom, 6 x 2-bedroom and 6 x 3-bedroom flats). The unit sizes for the proposed 1-bedroom flats ranges from 47m² to 54m², 2-bedroom flats ranges from 61m² to 79m² and 3-bedroom flats ranges from 78m² to 112m². All the residential units (except flat A13 being marginally sub-standard by 2m²) comply with the Council's minimum unit sizes standards set out in Supplementary Planning Guidance 17 relating to "Design Guide for New Development". 17 of the proposed 29 units would also comply with the Mayor's "Minimum Space Standards for New Development" set out in Consultation Draft Replacement London Plan. Overall, 55% of the proposed flats are considered to of generous sizes exceeding the Council's minimum unit sizes set out in SPG 17 by between 4m² and 10m² and in one instance by 32m².

Overall, the scheme is considered to provide a reasonably good quality and generous size accommodation internally. The application in this instance proposes a good mix of unit sizes ranging from 7 x 1-bedroom, 12 x 2-bedroom and 10 x 3-bedroom accommodation and therefore proposes a good range of unit sizes suitable for various needs.

Amenity Space

The revised application is proposing a total of 29 residential units (comprising 12 x 2-bedroom, 10 x 3-bedroom and 7 x 1-bedroom flats) and therefore in accordance with the Council's "Amenity Space" standards set out in Supplementary Planning Guidance 17 relating to "Design Guide for New Development" would need to provide 700 square metres of amenity space. In addition a minimum of 50 square metres of dedicated under 5s play space should be provided in order to meet the London Plan requirement for this form of amenity space. This results in an amenity space requirement of 750 square metres. Officers calculate that the private balconies and terraces together with the communal garden to the rear provide just over 630 square metres of useable amenity space. Some of the smaller balconies have been discounted as being too small to qualify as useable amenity space. This results in shortfall of 15%. However, in this particular instance it

should be noted that the site is a difficult and constraint site located within the edge of Wembley Town Centre and is in close proximity to King Edward VII Park. The site has been left vacant/undeveloped for number of years despite planning permissions has been granted for live work and residential flats schemes over the years. Your officer's are concerned that if the site is left undeveloped, it could become a blighted site. The current proposals appears to be a more viable scheme providing now a mix of private and affordable units, providing much better range of unit sizes suitable to various needs, and is considered to offer the best possible compromise in terms of layout, scale, massing, design, quality of environment and viability than any of the earlier schemes approved on the site. Given this situation and that it is now proposing more generous sizes accommodation and that there is no further opportunity to increase the amount of amenity space required, it is considered that the Council would accept a further contribution of £13,000 (subject to negotiation) towards off site provision that would go towards funding a new MUGA in King Edward VII Park

Outlook/Daylight/Privacy

The proposal provides a total of 29 residential units. 13 of these units will have dual aspect while of the remaining 14 single aspect units of 10 are south facing and 4 north facing. As there is a higher proportion of units with only a southern aspect, providing better outlook and light is considered acceptable. However, given the sites constraints and its difficult urban location, officers consider this current configuration offers the best overall solution. It should be noted that the number of dual aspect has been increased while single aspect units have been slightly reduced of which the southern only aspect has been increased from that proposed in earlier schemes. While those units with only a northerly aspect will not receive direct sunlight, the applicants assure officers that all units will meet BRE daylight standards.

The proposed Rosemead elevation facing the street includes substantial areas of glazing serving living rooms and bedrooms and would be sited approximately 18m away from the two storey houses opposite. There has been some concern previously that it would permit some overlooking of these houses from the upper floors of the development. However, in the planning appeal relating to the previous live-work development sited 18m away from the houses opposite the site the Inspector stated in paragraph 13 of the appeal decision that "*I am content that the relationship of the appeal proposal to the houses opposite is not markedly inconsistent with the Council's SPG17 guidance and would be acceptable for existing and prospective residents in terms of privacy and outlook.*" The proposal therefore is not considered to cause any significant overlooking or loss of privacy issues for the future occupants and residents across the road.

The relationship between habitable room windows within the site and with the windows in the two public houses to the rear all comply with the Council's SPG 17 "Privacy and Outlook" standards.

It is noted that the proposed residential development would be to the rear of the existing public houses including JJ Moons beer garden. The north facing elevation immediately behind the beer garden of JJ Moon is lowered to 2-storeys will be screened by the retained rear facade of Rosemead Hall. While the orientation and layout of those units located to the rear of the scheme minimises the likely impact of the beer garden on residential amenity it is likely that the occupants of these facing units may experience a little more noise, disturbance and nuisance associated with the patrons of the pub sitting outside on warmer evenings. However, it must be recognised that those living in town centre locations would expect to experience noise levels at the higher end of acceptability.

Transportation and servicing

The proposal is a "car free" development and therefore no car parking is proposed within the site. However, the service access to the rear of the "The Bear" is still maintained through a 4.3m high

archway beneath the building (which encloses a hardsurfaced courtyard area), using the existing crossover onto Rosemead Avenue which is shown widened to 4.2m with 6m radius kerbs and a collapsible bollard. Cycle storage for 41 bicycles is indicated on the ground floor of the eastern and western part of the building, with refuse storage indicated in two storage areas adjoining the courtyard area.

A secure gated service route is now proposed from the courtyard area into the rear of The Bear public house.

As before, the site is located within an area controlled by CPZ and has a very good access to public transport services. The absence of any on-site parking provision would therefore still accord with standards, but again needs to be supported by a car-free agreement removing the right of future residents to an on-street parking permit in the area, to ensure on-street parking problems are not caused in Rosemead Avenue.

As before, developments of more than 10 units should have at least one wide disabled car parking space and with 29 units proposed, two spaces would be considered appropriate. As before, these could be provided within the proposed courtyard area. Alternatively, blue badge holders are in any case exempt from any 'car-free' agreement, so could legitimately park within the residents parking bays along Rosemead Avenue.

Once again, at least one secure bicycle parking space is required per flat and the provision of a bicycle store at the rear of the building with 41 spaces is sufficient to satisfy this requirement.

The two refuse stores are now shown about 18m from Rosemead Avenue, which exceeds the maximum refuse carrying distance of 9m for communal Eurobin stores within flats. However, the kerb radii at the entrance to the courtyard have now been increased to 6m to allow refuse vehicles can reverse into the site to access the bins, subject to them having a key to use to lower the proposed bollard at the courtyard entrance.

Similarly, delivery vehicles to the public house at 397 High Road (The Bear), which has an existing condition requiring servicing to take place from the rear, would be able to reverse into the courtyard area to make deliveries via a new secure access route into the rear of the public house.

Conclusion

This is a difficult urban site with a number of significant constraints, bounded on all sides by existing buildings, with two adjoining public houses abutting the rear of the site including one with a beer garden, and with a third party right of way running through the site. The site has been vacant for a number of years and has been slowly deteriorating physically and its redevelopment to provide (45% affordable & 55% private) housing is considered to offer the best chance of bringing the site back into use. Given the site constraints the current scheme is considered to provide the best compromise in terms of layout, scale, massing, design, quality of environment and viability, and is considered to be a significant improvement on the two earlier withdrawn and 1 previously approved residential schemes.

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

Council's Supplementary Planning Guidance 17 relating to Design Guide for New Development

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
- Housing: in terms of protecting residential amenities and guiding new development
- Transport: in terms of sustainability, safety and servicing needs
- Wembley Regeneration Area: to promote the opportunities and benefits within Wembley
- Design and Regeneration: in terms of guiding new development and Extensions

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):

- EX.00 - Existing Ground Floor
- EX.01 - Existing Front Elevation
- EX.02 - Existing Side 01 Elevation
- EX.03 - Existing Side 02 Elevation
- GA.01 Revision B - Proposed Ground Floor
- GA.02 Revision B - Proposed First Floor
- GA.03 Revision B - Proposed Second Floor
- GA.04 Revision B - Proposed Third Floor
- GA.05 Revision B - Proposed Fourth Floor
- GA.06 Revision B - Proposed Fifth Floor
- GE.01 Revision B - Proposed Front Elevation
- GE.02 Revision B - Proposed Rear Elevation
- GE.03 Revision B - Proposed Rear Section Elevation
- GE.04 Revision B - Proposed Side Elevation
- GS.01 Revision B - Proposed Section AA
- GS.02 Revision B - Proposed Section B_B
- GLA Toolkit Assessment by KR Planning June 2010 received on 14/06/2010
- Letter Ref: L/RS/RA dated 14th June 2010

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

- (3) During demolition and construction on site:-

(a) The best practical means available in accordance with British Standard Code of Practice B.S.5228: 1984 shall be employed at all times to minimise the emission of noise from the site.

(b) The operation of site equipment generating noise and other nuisance-causing activities, audible at the site boundaries or in nearby residential properties, shall only be carried out between the hours of 0800 - 1700 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays.

(c) Vehicular access to adjoining and opposite premises shall not be impeded.

- (d) All vehicles, plant and machinery associated with such works shall at all times be stood and operated within the curtilage of the site only.
- (e) No waste or other material shall be burnt on the application site.
- (f) All excavated topsoil shall be stored on the site for reuse in connection with landscaping.
- (g) A barrier shall be constructed around the site, to be erected prior to demolition.
- (h) A suitable and sufficient means of suppressing dust must be provided and maintained.

Reason: To limit the detrimental effect of construction works on adjoining residential occupiers by reason of noise and disturbance.

- (4) The proposed communal amenity space at the rear of Block A and B shall be made available at all times to all tenure groups of the proposed development.

Reason: To ensure communal amenity space in the proposed development is accessible and available for use at all times by all its future occupants.

- (5) Details of materials for all external work, including samples, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- (6) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of plant species, size, densities, hardsurfacing, access gates and the front boundary wall.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with the Council's policies BE6 & BE7 in the Adopted Unitary Development Plan 2004.

- (7) All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any of the residential units or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with the Council's policies BE6 and BE7 in the Adopted Unitary Development Plan 2004.

- (8) Details of the enclosure of the perimeter of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development, and the approved enclosure shall be completed in accordance with the approved details prior to the first occupation of any of the flats.

Reason: To ensure a proper standard of separation from, and standard of amenity with respect to, neighbouring property.

- (9) The bicycle-storage facility shall be available for use prior to the first occupation of any of the flats and this shall not be obstructed or used for any other purpose, except with the prior written permission of the Local Planning Authority.

Reason: To ensure a bicycle-storage facility is available for use by the occupiers of this residential development.

- (10) Further details regarding the glazing and facade treatments used for the north facade of the building shall be submitted to and approved in writing by the Local Planning Authority before any works commence on site. The approved details then shall be fully implemented as part of this permission.

Reason: To ensure that internal noise levels can be achieved in accordance with Part E of the building regulations and BS8233:1999 - Sound insulation and noise reduction in buildings - Code of Practice.

- (11) The development falls within an Air Quality Management Area and is therefore likely to contribute to background air-pollution levels. The applicant must employ measures to mitigate against the impact of dust and fine particles generated by the operations. These shall include:

- damping-down during demolition and construction, particularly in dry weather conditions,
- minimising the drop height of materials by using chutes to discharge materials and damping down the skips/spoil tips as material is discharged,
- sheeting of lorry loads during haulage and employing particulate traps on HGVs wherever possible,
- ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
- utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
- the use of demolition equipment that minimises the creation of dust.

Reason: To minimise pollution from dust arising from the building works.

- (12) Details of a means of controlling vehicular access into the scheme from Rosemead Avenue shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of works on site, and the agreed method of control shall be fully implemented prior to the occupation of the development and shall continue to operate unless the Local Planning Authority agrees to any variation.

Reason: In the interests of the safety and amenity of future occupiers of the development.

- (13) All areas shown on the plan(s) and such other areas as may be shown on the approved plan(s) shall be suitably landscaped and a scheme is to be submitted to and approved in writing by the Local Planning Authority prior to commencement of

any demolition/construction work on the site. Such landscape works shall be completed (a) prior to occupation of building(s) and/or (b) within 18 months of commencement of the development hereby approved.

Such details shall include:-

- (i) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- (ii) Hard surfaces including details of materials and finishes. These should have a permeable construction.
- (iii) The location of, details of materials and finishes of, all proposed street furniture, storage facilities and lighting.
- (iv) The location of all proposed signage on site.
- (v) Proposed boundary treatments including walls and fencing, indicating materials and heights.
- (vi) Screen planting along the boundaries.
- (vii) All planting including location, species, size, density and number.
- (viii) Specification of any Nursery Stock trees and shrubs in accordance with BS 3936 (parts 1, 1992, and 4, 1984, Specification for forest trees); BS4043, 1989, Transplanting root-balled trees; and BS4428, 1989, Code of practice for general landscape operations (excluding hard surfaces).
- (ix) Any sustainable construction methods which are to be used.
- (x) A detailed (min 5 year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscape.

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.

- (14) A Landscape Management Plan for maintenance of all hard and soft landscape areas is to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. This should comprise a maintenance schedule and any specific management duties.

Such details may include:

(i) Regular watering of trees/shrubs, especially during dry periods in the first 2 years of establishment.

(ii) Spot weeding and application of appropriate herbicides or fungicides if necessary.

(iii) Inspection and checking of all plants and for health and/or damage to plants.

(iv) Mowing/grass-cutting regimes to amenity lawns, sports turf, rough grass or wildflower grass.

(v) Loosening of tree ties, mulching, necessary removal of tree stakes and pruning if necessary.

(vi) Necessary pruning, dead heading, trimming, mulching of shrubs.

(vii) Removal of litter, debris or any other detrimental material from all hard and soft landscape.

(viii) Digging over, aerating, composting, mulching application of fertilizer as appropriate to soils.

(ix) Care not to damage any trees or shrubs by strimming and adding protection as required.

(x) Necessary cleaning and repair of all hard materials and elements including permeable paving.

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 the survival and ongoing vitality of, all plants and soft landscape. To ensure the environment for the local community and residents continues to remain pleasant and attractive indefinitely.

- (15) Details of all (appropriately aged) play spaces (to be) shown on the approved plans are to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscape works shall be completed prior to occupation of the building(s).
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Such scheme shall also indicate:-

(i) Any proposed boundary treatments including walls and fencing, indicating materials and heights.

(ii) Equipment including details of types of equipment to be installed.

(iii) Surfaces including details of materials and finishes.

(iv) Existing contours and levels and any alteration of the ground levels, such as

earth mounding.

(v) All planting including location, species, size, number and density.

(vi) The location of all proposed signage on site.

(vii) The location and details of all proposed furniture and lighting including but not limited to bollards, litterbins, light columns and up lights.

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

Reason: To ensure a satisfactory appearance and setting of development so that the facilities provide a benefit to the local community and residents.

INFORMATIVES:

- (1) The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- (2) Attention is drawn to the provisions of S.151 of the Highways Act 1980, which requires that all construction vehicles leaving the site must be cleansed as necessary to avoid depositing mud and other materials on neighbouring roads.

REFERENCE DOCUMENTS:

1. Adopted Unitary Development Plan 2004
2. Supplementary Planning Guidance 17 relating to "Design Guide for New Development"
3. 4 letters of objections from local residents and Councillor Valerie Brown.

Any person wishing to inspect the above papers should contact Mumtaz Patel, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5244



Planning Committee Map

Site address: Storage rear of 397 High Road & Rear Part of 397A, Rosemead Avenue, Wembley, HA9

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