

## COMMITTEE REPORT

<b>Planning Committee on</b>	3 June, 2015
<b>Item No</b>	03
<b>Case Number</b>	<b>14/4469</b>

### SITE INFORMATION

**RECEIVED:** 14 November, 2014

**WARD:** Stonebridge

**PLANNING AREA:** Harlesden Consultative Forum

**LOCATION:** Land at the Junction of Yeats Close & Great Central Way, London, NW10

**PROPOSAL:** Erection of a warehouse / industrial building for flexible use within Use Class B1(b) (research and development), B1(c) (light industry), B2 (general industry) and/or B8 (storage or distribution) purposes with ancillary B1(a) (office) floorspace on the first and second floors; vehicle, cycle and bike parking, landscaping and fencing

**APPLICANT:** Aviva Investors Pensions Ltd.

**CONTACT:** Michael Sparks Associates

**PLAN NO'S:** See condition 2

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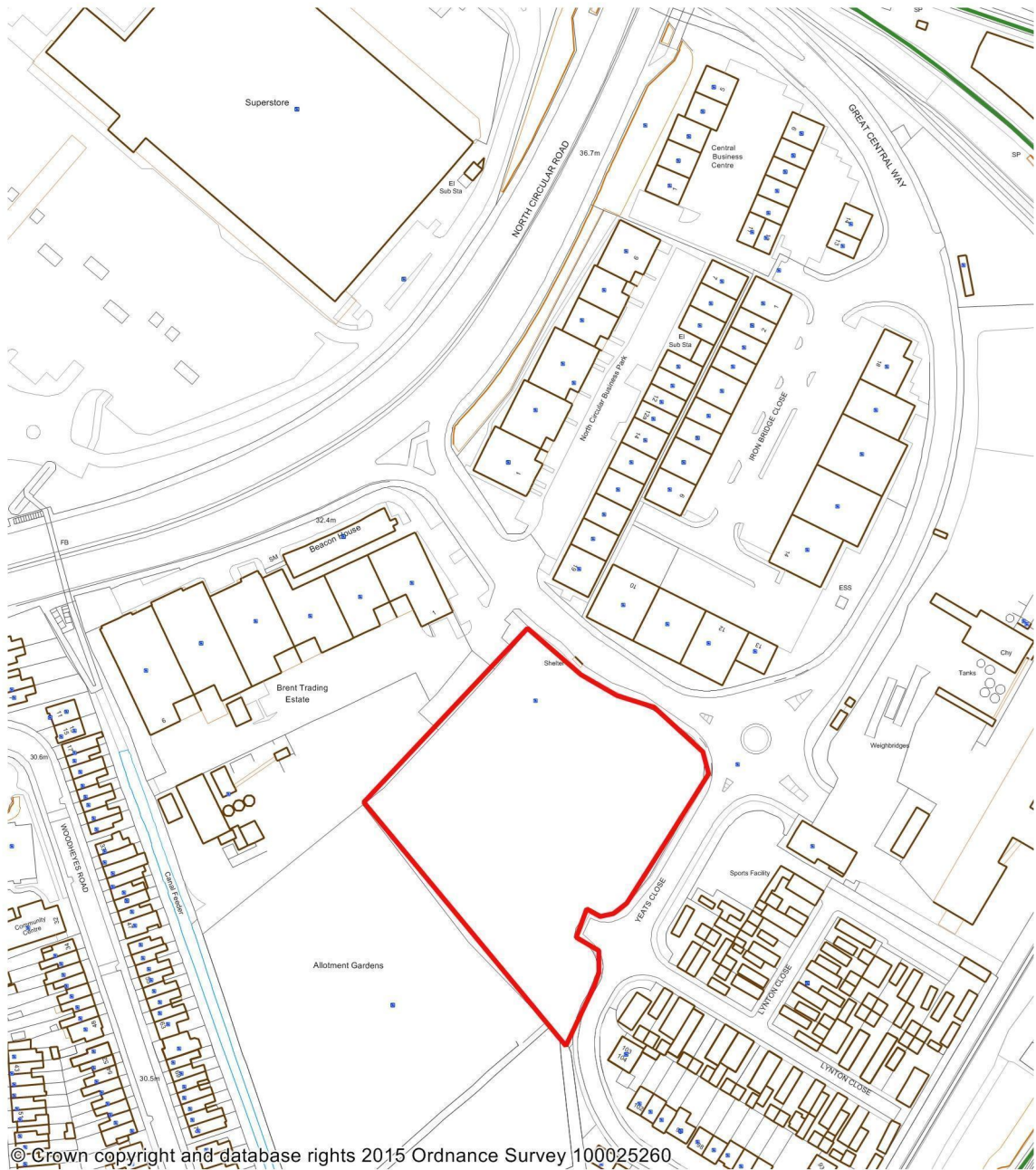
# SITE MAP



## Planning Committee Map

Site address: Land at the Junction of Yeats Close & Great Central Way, London, NW10

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This map is indicative only.

## SELECTED SITE PLANS

The following are extracts of some of the submitted plans. All submitted details can be viewed on the Council's website [www.brent.gov.uk](http://www.brent.gov.uk) by searching with the application reference.

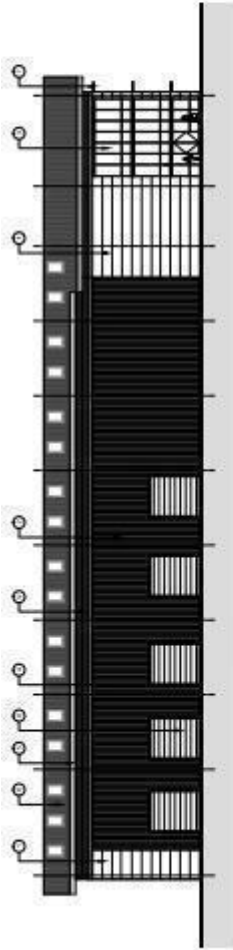
### Proposed site layout



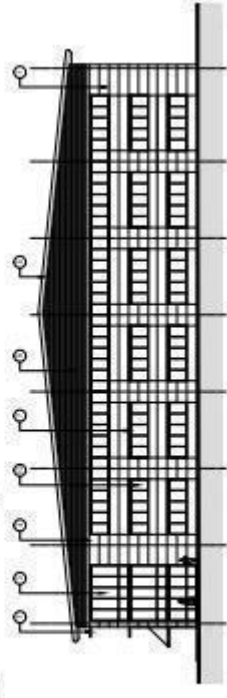
# Elevations

**NOTES:**  
 1. Refer to the relevant drawings for details.  
 2. All materials to be supplied and installed by the contractor.  
 3. All materials to be of a standard finish.  
 4. All materials to be of a standard color.  
 5. All materials to be of a standard texture.  
 6. All materials to be of a standard grain.  
 7. All materials to be of a standard weight.  
 8. All materials to be of a standard thickness.  
 9. All materials to be of a standard length.  
 10. All materials to be of a standard width.

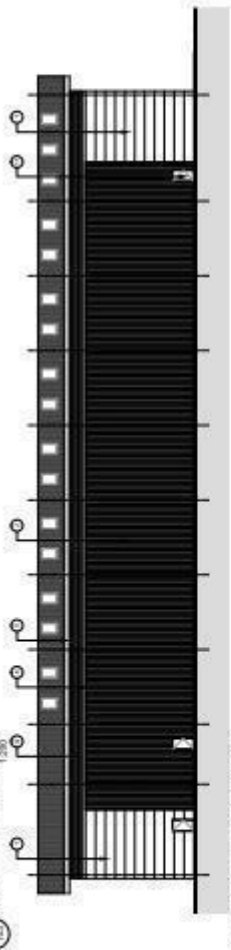
SCHEDULE OF EXTERNAL FACED MATERIALS	
①	Other Aluminium Anodized Color: Silver (RAL 9006)
②	Cladding Color: Silver (RAL 9006)
③	Low Carbon Steel Color: Silver (RAL 9006)
④	Other Color: Silver (RAL 9006)
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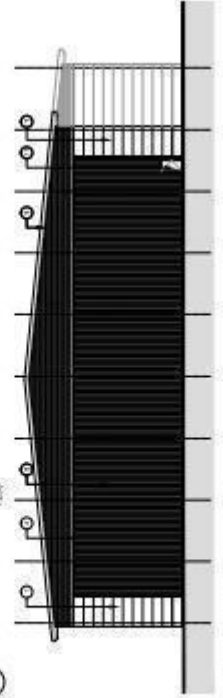
101 SOUTH-EAST ELEVATION  
1:200



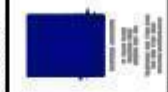
102 NORTH-EAST ELEVATION  
1:200



103 NORTH-WEST ELEVATION  
1:200

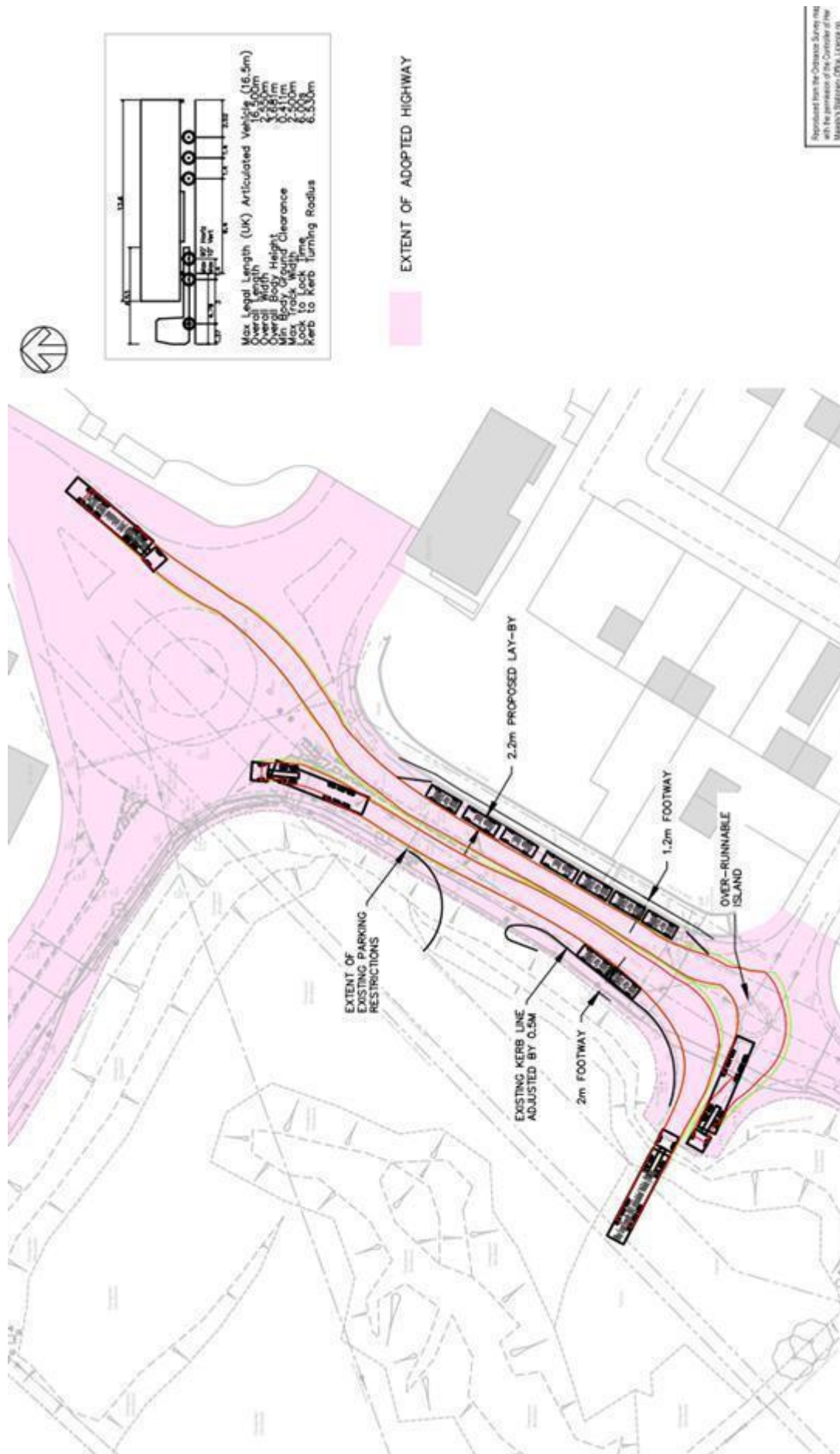


104 SOUTH-WEST ELEVATION  
1:200



GREAT CENTRAL WAY, WEMBLEY  
 INDICATIVE ELEVATIONS  
 AVIVA INVESTORS PENSIONS LTD.  
 30/05/2014

**Indicative Lay-By Plan -**



## INTRODUCTION

This application was considered at the Planning Committee on 11th February 2015, following a Committee site visit on 7th February 2015. The application was deferred by the Committee in order for a number of issues to be explored in greater detail and these points are addressed below. The original report to the February meeting, and the supplementary report to that meeting, have been combined and can be seen in the detailed considerations section within this report. The issues discussed in that report remain relevant to the main considerations about the proposal.

The issues raised for further consideration include car parking facilities on Yeats Close and highways management, vehicle tracking on entering the application site, whether the location of the gate can be set further into the site and also exploration of how signage could be used to improve highway safety. These are discussed in further detail below.

### Parking & Road Layout

1. Members were concerned that the removal of on-street parking from Yeats Close could result in vehicles being displaced. Transportation were originally exploring the option of a Traffic Management Order (TMO) along at least the northern side of the road adjoining the application site to restrict on street parking to allow larger vehicle movements. The submitted vehicle tracking plans show that there is sufficient road width for parking on one side while allowing one larger and one smaller vehicle to pass on the remainder of the road. However, if two larger vehicles were present at the same time then one would need to wait, unless parking was removed from both sides of the road.

2. A Council working group exists which is seeking to improve the management of the area and address strategic Council priorities, particularly from a street cleaning and waste enforcement perspective. The planning application therefore needs to be considered in the context of these wider ongoing issues. The working group have considered introducing a temporary TMO which would facilitate the required level of street cleaning in this area. The Waste Enforcement Manager has confirmed that this is a key priority as current vehicle parking prevents normal street cleaning and is contributing to the build up of significant waste on the street. Linked to the wider review of how the travellers site operates, a large amount of waste has recently been removed from an area designated for parking within the site. While this does not therefore add to the total parking capacity originally envisaged, it should assist in providing access to additional parking spaces within the travellers site that were not available when the area of waste was accumulating. This action has occurred independently of the planning application and is in response to local issues, but it is a material consideration in considering the potential impact on local parking of the proposed development.

3. The Waste Enforcement Manager has confirmed that a temporary TMO will not be pursued until they have been able to consider Planning Committee's response to the current application. He has stressed that it is being considered to facilitate required street cleaning which cannot be carried out when vehicles are parked. As elsewhere in the borough, when street cleaning is required, advanced warning is given so that vehicles can be moved to allow cleaning to take place. The existence of a TMO can assist in authorising the removal of vehicles which may not have been moved. It is understood that the TMO would not be intended to prevent on street parking during other times.

4. To assist in resolving the wider issue of larger vehicle access and future parking, the applicant has now agreed to cover the cost of creating a parking lay by to adoptable standard on the southern side of the road. This would use the existing grass verge and allow for the re-provision of a pavement. The intention is that the developers would undertake the works in conjunction with the development. This requirement could be set out in a legal agreement and an appropriate trigger for it becoming necessary will be agreed and set out in a supplementary report for Members. This proposal has been agreed in principle by Property and Projects in land ownership terms but the process for any transfer will need to be confirmed.

5. A suggestion was made that a speed hump should be considered at the entrance to Lynton Close the reason being that in the past when large vehicles have accidentally turned down Yeats Close Lynton Close has been used for turning. On consulting Highways officers this approach is not considered to be necessary. It was also identified that when the site is developed the entrance from the roundabout will be available for manoeuvring, whilst in the past it has been blocked by vans resulting in Lynton Close being used.

6. It was requested that tracking information for vehicles be expanded to show vehicles accessing and leaving the site, this has been supplied and demonstrates that the road arrangement works.

7. The applicant has also produced a Highways Access Arrangement report which anticipates that this site would be likely to result in no more than 3 HGV journeys per hour during peak time i.e. between 9am and 3pm with fewer or none either side of this.

### Gate

7. It was queried whether the vehicular access gate could be set further into the site. On further examination it is concluded that this would impede vehicular movement within the site. There remains a recommended condition that the gates remain open during the working hours of the site to prevent vehicles waiting on the roundabout.

### Signage

8. Members discussed how signage in the locality could be used so that drivers coming towards the site would be mindful that there are residential neighbours and to ensure that drivers do not take a wrong turn missing the site entrance. Regarding the latter the site will have signage of its own, which would require approval in its own right, but would ensure that drivers do not miss the site. To further assist drivers additional road signs could be considered, however these would be the responsibility of the Transportation Unit, the process for this would involve a request being made to the Transportation Unit who would then review if they meet strict Department for Transport criteria. A blue advisory sign stating "unsuitable for heavy goods vehicles" could be considered at the mini roundabout to help ensure drivers do not take the wrong turn, whilst Children playing signs can normally be considered appropriate in the vicinity of schools or playgrounds.

### Air quality

9. Members queried whether there would be additional airborne pollution in connection with the proposed use of the site. The site is within an Air Quality Management Area and a full assessment has been supplied by the applicant, which shows that, compared to the existing vacant site the use of the site would have a slight adverse impact on air quality. However, the proposal is accompanied by measures designed in to the scheme to mitigate this. The proposal includes the installation of electric car charging points which will encourage the use of electric vehicles. Within the site a green roof is proposed, green roofs have the capacity to capture airborne pollutants assisting in the improvement of air quality. At the boundary of the site with Yeats Close a high boundary fence and a row of trees are proposed, these will provide a substantial buffer and contribution to air quality improvement. The council's Environmental Health Officer has confirmed that this set of measures is sufficient to address the slight impact on air quality that the assessment anticipated.

### Comments

Planning Aid have reviewed the proposal on behalf of the residents of Lynton Close, the issues put forward are set out below.

#### Neighbour comments

Operation of the site will fail to meet policy CP20 in seeking to minimise and mitigate impact from development upon surrounding uses.

Loss of workspace - the number of travellers in Lynton Close has led to overspill onto Yeats Close for business activities and as such on street parking should not be restricted.

Impact on the amenity of vulnerable people as there are higher than average numbers of young children, pregnant mothers and older people on the site specifically in relation to

#### Responses

As discussed in the main report the principle of the use of the site is appropriate due to its location within the Wembley Strategic Industrial Location, it is further supported with a Site Specific Allocation within the Wembley Area Action Plan. The issues raised regarding neighbouring amenity do all require consideration and officers are satisfied that each has been satisfactorily addressed as discussed throughout the report.

Above para's 1-3

Report para's 11, 15-17.

noise.

Hours of operation - hours should be restricted to exclude between 23:00 and 06:00 to protect the amenity of residents

Above para. 7 regarding the very limited vehicular movements anticipated.

Report para's 15-17

The need for the gates to be open leaves a hole in the acoustic fencing. The operation of gates during the night would be likely to result in noise. Headlights would sweep across the traveller site when using the mini-roundabout.

The acoustic fencing follows the boundary and curves in around the entrance to conceal any activity within the service yard as far as possible.

The level of vehicular activity beyond normal peak hours is anticipated to be very low (above para. 7).

When working hours of vehicles accessing the site are over the gates will be shut rather than opening and closing.

Will the council be able to enforce compliance with signs and will they be understandable

Above para. 8

Vehicle access to the site should be moved from Yeats Close and if not possible the access closest to Great Central Way should be the only access.

Report para's 18-25

Above para's 1-7

## RECOMMENDATIONS

Grant planning permission subject to the conditions listed after paragraph 27, the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement., subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

See description above.

### B) EXISTING

The subject site is a vacant plot on the corner of Great Central Way and Yeats Close. It is located within the boundary of the Strategic Industrial Location in Wembley. The site is identified as W 31 in the recently adopted Wembley Area Action Plan and is also designated as a Site of Importance for Nature Conservation.

There are Thames Water sewers crossing site which are a significant constraint in terms of which parts of the site can be developed, these are identified on the constraints plan and have led to the proposed layout of the building.

### E) MONITORING

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

#### Floorspace Breakdown

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



Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	5250	5250

### **Monitoring Residential Breakdown**

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

04/2522 Granted

Erection of two buildings for B1, B2 and B8 use, with ancillary first-floor office accommodation, associated car-parking, servicing and landscaping, with access using existing and proposed access off Yeats Close (subject to a Deed of Agreement dated 24th March 2005 under Section 106 of the Town and Country Planning Act 1990, as amended).

## **CONSULTATIONS**

Neighbouring occupiers were consulted on 24th November 2014, a petition has been received signed by 28 occupiers of the traveller site on Lynton Close, the following concerns were raised:

- Lynton Close would be most affected by HGV and commercial traffic
- The road leading to the site is only residential in size and large vehicles would obstruct the view when coming out of Lynton and Yeats Close
- There is no space for vehicles to turn around in Yeats Close so when they miss their turn they have to reverse which has led to parked vehicles being struck
- The proximity of the site to the children's play park raises concerns about safety
- Concern about the extra noise and pollution in addition to the aggregates company to one side and the railway to the rear
- Impact of dust and pollution on health

These issues are addressed through the remarks section of the report and summarised at the end.

One letter of support has been received from a nearby business - the site has become an eyesore as it is in disrepair and its development is welcomed within a popular location for industrial use.

Thames Water - No objections but informatives relating to surface water run off and the existence of sewers across the site etc.

### **Internal**

Allotments officer:

To ensure that the proposed new area of habitat has native plants, ideally attracting pollinating insects and not invasive or cause root spread or tall shade into the allotment site.

A 16m high building would cause significant shade to some of the allotment site

There are recurring flooding issues on the allotment site, which could be exacerbated depending on the materials used on the ground and how surface water run off is directed.

Highways - No objections subject to legal agreement

Environmental Health - No objections subject to conditions

## **POLICY CONSIDERATIONS**

### **National Policy Context**

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 development plan for the purpose of S38 (6) The Planning & Compulsory Purchase Act 2004 is the Brent Unitary Development Plan 2004, Core Strategy 2010 and the London Plan 2011.

### **Regional Policy Context**

The London Plan Spatial Development Strategy for Greater London (July 2011)

### **Local Policy Context**

#### ***Brent UDP 2004***

- BE2** *Townscape: Local Context & Character*
- BE4** *Access for Disabled People*
- BE5** *Urban Clarity & Safety*
- BE6** *Public Realm: Landscape Design*
- BE7** *Public Realm: Streetscape*
- BE8** *Lighting & Light Pollution*
- BE9** *Architectural Quality*
- BE12** *Sustainable Design Principles*
- EP2** *Noise & Vibration*
- EP3** *Local Air Quality Management*
- EP6** *Contaminated Land*
- EP12** *Flood Prevention*
- OS13** *Development on Sites of Borough (Grade II) and Local Nature Conservation Importance*
- TRN1** *Transport Assessment*
- TRN10** *Walkable Environments*
- TRN11** *The London Cycle Network*
- TRN22** *Parking Standards Non-Residential Development*
- TRN34** *Servicing in New Development*
- TRN35** *Transport Access for Disabled People*
- PS6** *Parking Standard*
- PS16** *Cycle Parking Standards*
- PS19** *Servicing Standards*
- EMP5** *Designation of Strategic Employment Areas*
- EMP8** *Protection of Strategic Employment Areas*
- EMP10** *The Environmental Impact of Employment Development*
- EMP11** *Regeneration of Employment Areas*
- EMP12** *Public Realm Enhancements in Employment Areas*
- EMP18** *General Industrial Developments*
- EMP19** *Warehouse Developments*

#### ***LDF Brent Core Strategy 2010***

- CP3** *Commercial Regeneration*
- CP19** *Brent Strategic Climate Change Mitigation & Adaptation Measures*
- CP20** *Strategic Industrial Locations*

### **Wembley Area Action Plan (adopted 19 January 2015)**

W 31 Great Central Way - The site is suitable for industrial, warehousing or other business uses, subject to a full ecological appraisal and appropriate mitigating measures.

### **Supplementary Planning Guidance (SPG) 17 - "Design Guide for New Developments".**

*SPG 17 sets out the Councils minimum design standards to ensure that development does not prejudice the amenities of the occupiers of neighbouring properties or the occupiers of the application site.*

## **DETAILED CONSIDERATIONS**

### **Principle**

1. As set out above the site is identified, in the recently adopted Wembley Area Action Plan, as appropriate for a range of B uses but this is subject to appropriate assessment and mitigation of the impact on the nature conservation value of the site. The site also has residential neighbours and therefore consideration needs to be given to this relationship. As stated in the 'history' a similar form of development has previously been approved on the site.

### **Lynton Close**

2. Lynton Close Traveller's site has benefited from a series of temporary permission for its use since 1987. The last temporary permission expired in 17th February 1994. At the time the Council was planning to relocate the traveller's to a site in Alperton hence the temporary permission. However the relocation plans did not progress and the Lynton Close site has remained in use ever since. A Certificate of Lawfulness was granted for the continued use in 2011 confirming that the site had been used continuously for a period of 10 years without interruption.

3. The site is owned by the Council and, via BHP, Oxfordshire County Council provide day to day management on the site. There are 31 pitches which are all occupied. Residents park on the site with overspill on Yeats Close, the management officers ensure that the road way into the site is not blocked to allow for refuse and emergency services.

### **Site of Importance for Nature Conservation**

4. Brent's adopted policies map identifies the western part of the site as a Grade II site of borough and local nature conservation importance, this designation connects across the top of the allotments to the west and includes part of the canal feeder. The allotment gardens are designated as a wildlife corridor.

5. A review of Brent's Sites of Importance for Nature Conservation (SINC) was commissioned in 2014 to support Brent's emerging draft development management policies. This involved an aerial and on site appraisal of Brent's identified SINC's and other non designated areas displaying nature conservation characteristics. The report identifies that the subject site, the allotments and the canal feeder should be identified as a whole as a Grade II SINC. The site provides a large area of tall ruderal which is vegetation associated with ungrazed disturbed/neglected land.

6. The applicant's are aware that there were slow worm on the site, a species protected under the Wildlife and Countryside Act 1981. While it is an offence to harm them it is acceptable to collect and relocate them and this had been undertaken, along with measures to prevent the site being reoccupied by slow worm which may be present on the allotments.

7. Policy OS13 of Brent's UDP 2014 states that development will not be permitted on sites of this designation unless demonstrated that there will be no adverse effect on nature conservation or that appropriate compensatory provision for wildlife is made. The London Plan sets out the following hierarchy:

- 1 Avoid adverse impact to the biodiversity interest
- 2 Minimize impact and seek mitigation
- 3 Only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

8. The proposal includes the re-provision of slow worm habitat along the south west edge of the site, it is anticipated that this would be recolonised by slow worm from the allotments. While the principle is acceptable the area is of a much lesser scale and the value of the site as a large area of tall ruderal would be lost. The retention of more of the slow worm habitat couldn't be achieved without a significant reduction in the scale of the proposed building which would be likely to impact on the viability of the development. Instead further mitigation was sought through the creation of other habitats which would be complimentary to the site and wider nature conservation designation. Following discussions the roof area over the front part of the office is proposed to accommodate a green roof, this area is approximately 120sqm and is considered to be of significant value for biodiversity.

9. On balance, the recreation of slow worm habitat, the incorporation of a significant area of green roof and a good quality landscaping scheme around all edges of the site (discussed below) are as a whole considered to result in an acceptable level of mitigation for the development of the site, given that its use for industrial uses will have wider economic benefits.

## Landscaping

10. The proposal includes soft landscaping around the whole perimeter of the site. The Great Central Way boundary is proposed to be landscaped with an arrangement of grass, ornamental shrubs, 4 trees and other ground cover planting. The north west boundary abuts another industrial site, a buffer averaging a depth of over 5m will be planted with a mix of grass and wild flowers. The area to the south west of the building is designated for the re-provision of slow worm habitat and appropriate planting for this will be required.

11. Along the front of the site, in front of an acoustic fence, a buffer of trees is proposed. They will have a significant benefit for the visual amenity of neighbouring residents and, subject to agreeing appropriate species, can help to improve air quality.

12. Further details of landscaping will be required by condition, particularly to agree tree species, the reptile habitat and the green roofs.

## Design

13. The proposal is a single large warehouse style building with ancillary offices along one of its sides. The building is 80m by 50m, it is positioned to the rear of the site, though maintaining a landscaped perimeter, and the yard for deliveries and employee car parking is to the front of the site which is the south east.

12. The building is 16m in height at its ridge. The offices are located at the buildings north east elevation which fronts on to Great Central Way and will be the most publicly visible side of the building. The offices are 3-storeys and consist of a regular pattern of windows and cladding. The other elevations generally consist of cladding but have panels of different colours to add interest and break up the large expanses of a single material.

14. The building is considered to have an appropriate appearance for its use and location, the landscaped perimeter will soften the site around the building. The proposed height of the building was noted but, in terms of the local context, this is not considered a reason to refuse and the elevational treatment, particularly on Great Central Way, serves to break up the massing.

15. The building is set back by from Yeats Close by around 34m. To protect neighbouring residents from potential noise pollution from the site, and specifically in the event that the future use of the site involves vehicles with refrigeration units, a 4m high fence is proposed across part of the frontage of the site. While this consideration is of importance the visual appearance of a fence of this height and its relationship with the street scene is also of concern. A row of trees has been added to the proposal in front of the fence in order to enhance the appearance of the site. It is considered that the trees will be of particular value in their appearance.

16. The 4m height particularly relates to vehicles with refrigeration units, potential noise from this machinery would be at the top of the vehicle and the height of the fence relates directly to this providing a screen for potential noise overspill. The height of the fence is unusual but is designed for this specific unusual relationship between an industrial site within a designated Strategic Industrial Location and residential neighbours, where the principle of an industrial use is acceptable but residential amenity needs to be protected.

17. A fence of timber appearance is proposed but it will also be screened by trees within a 2m deep bed, a condition is already recommended for detail of the mix of species.

## Highways

18. Members will note that there has been a good deal of concern from the nearby travellers site. Neighbours from Lynton Close, which is opposite the main entrance to the site, have submitted a petition objecting to the proposal. Concerns are most obviously based around the use of this entrance by large vehicles during construction and as part of the use of the developed site. The road was built with a spur off the roundabout specifically to allow the site to be developed in due course and the road and junction layout were designed to meet industrial needs.

19. Highways officers have reviewed the application and find the proposal and the junction layout to be

acceptable. The use of the existing access directly from Yeats Close is acceptable though the gates will need to be kept open during working hours otherwise vehicles would not be able to clear the roundabout. A secondary entrance has been proposed which isn't necessary in highways terms in order to provide access to the site, however it could be used as the 'exit' from the site or as a separate entrance for staff car parking and would therefore reduce the vehicles using the junction at the top of Lynton Close. This opening would not be appropriate as an entrance as it would require large vehicles turning right across oncoming traffic, while the purpose built roundabout is designed to ensure this can be done safely. A condition is recommended to seek details of the final proposed arrangement prior to occupation of the site.

20. As set out above the existing vehicular access was specifically designed for an industrial/distribution use and the roundabout junction can accommodate the type of vehicles which would service such uses.

21. Officers reviewed the site to see if there were access alternatives but it is clear that there are not. Great Central Way is a distributor road and acts as a main entrance gateway from North Circular Road to Wembley Stadium on event days and Wembley Industrial Estate on other days, development in Wembley will also mean this route will become busier over time. Creating an access, aside from the loss of a bus stop, would introduce more turning movements on this road, to the detriment of the safety and flow of traffic travelling to and from Wembley.

22. If a new main entrance was created on Yeats Close it would need to be at least 40m from the roundabout junction at Great Central Way, to minimise the risk of queuing back from the roundabout blocking access into the site and to give sufficient space for articulated lorries to straighten up and get into position to turn into the site. Without the roundabout, to function as an entrance for large vehicles double yellow lines would be required on both sides of Yeats Close, removing parking which would otherwise be available on the southern side of the road. The arrangement as currently proposed has a secondary opening onto Yeats Close, this would not be used as an entrance for large vehicles and as such would not trigger the need for yellow lines on both sides of the road.

23. The applicant has made a request for additional waiting restrictions to be made on Yeats Close, as vehicles currently park on both sides of the road meaning that future access along Yeats Close could be problematic, and this request therefore is considered to be reasonable. An additional contribution of £5000 towards a review of waiting restrictions is required.

24. Highways have accepted a Traffic Regulation Order request to add parking controls to the northern side of the road along the development site. The process to agree this would involve consultation which would include a site notice setting out the proposal, the final decision will usually be delegated to officers but objections could trigger the proposal going to Highway Committee.

25. The proposal would allow for parking to be maintained on the southern side to accommodate overspill parking from Lynton Close. The provision of a parking bay has been considered. While, it is not known if the existence of utilities would affect the scope for this, the Transportation view is that this would not result in additional parking as this will be maintained on street under the current proposal.

26. PS19 requires at least two full-size loading bays so the provision of 5 bays within a 34m-46m deep concrete service yard satisfies this standard.

27. Within the site 25 car parking spaces are proposed, for the size of the unit PS6 would allow up to 36, and the lower amount is acceptable. In accordance with PS15 5% of spaces are proposed to be widened and marked for disabled persons, this is 3 spaces. Also 20% of spaces have electric vehicle charging points with passive provision for a further 2 spaces.

28. A cycle shelter is proposed which can accommodate 18 bikes which exceeds the required 11 spaces.

29. The draft Travel Plan has been assessed by the Council's transportation engineer using TfL's ATTrBuTE programme, but has failed the assessment. The key shortcoming is the lack of any intermediate targets for 3 years after first occupation. However, there are a number of other issues of concern, including: (i) the use of outdated 2001 Census data for the baseline information, which should now be updated with 2011 data; (ii) the lack of any mention of interest-free season ticket loans for staff; (iii) the lack of any mention of how car parking will be managed on site; (iv) the absence of any Action Plan; and (v) the absence of any information on funding of the Travel Plan. A Travel Plan will be required to score a pass as part of the legal agreement, the above criteria will be secured when an occupier for the development has been identified.

## Drainage

30. An attenuation tank is proposed beneath the southern part of the service yard to collect surface water, green roofs are proposed within the site and there is also scope for rainwater harvesting which would collect water from the roof of the building.

31. Comments have been received from the Council's allotments officer drawing attention to the issue of the allotments next to the site suffering from flooding, the above proposals would prevent the development from resulting in run off into the allotments.

32. Thames Water have no objections but have made comments to be added as informatives.

## Air Quality

33. The site is located within an Air Quality Management Area. The submitted Air Quality Assessment has shown that the operation of the site will lead to a slight adverse impact in air quality for neighbouring residents and mitigation measures have been proposed required to mitigate this. The measures to be incorporated include the high front boundary fence, the row of trees to the front, the incorporation of green roof and the installation of electric car charging points which will make the use of electric vehicles possible. As the impact was shown to be slight this set of measures is considered to be acceptable having consulted the council's Environmental Health Officer.

## Neighbouring objection

34. Regarding the relationship with the allotments while the proposed building is high it is fortunately positioned to the northeast of the allotment site and therefore it would be for a limited amount of the day that it would impact on light.

### Neighbour comments

Lynton Close would be most affected by HGV and commercial traffic

The road leading to the site is only residential in size and large vehicles would obstruct the view when coming out of Lynton and Yeats Close

There is no space for vehicles to turn around in Yeats Close so when they miss their turn they have to reverse which has led to parked vehicles being struck  
The proximity of the site to the children's play park raises concerns about safety

Concern about the extra noise and pollution in addition to the aggregates company to one side and the railway to the rear and impact of dust and pollution on health

### Responses

Lynton Close is opposite the site and will share the roundabout junction with the entrance but vehicles visiting the site would not ever enter Lynton Close itself

The road layout was design to be able to accommodate large vehicles in an industrial area. The parking on Yeats Close limits the road width but parking controls are proposed. The roundabout will help ensure that there is a safe relationship between all vehicles.

The applicant has suggested they can ensure signage is very clear to prevent this.

To reach the children's play park from Lynton Close no roads need to be crossed and the pavement width is sufficient to provide a convenient safe route. The concern about the proximity of large vehicles to Lynton Close is understood but the road layout will enable both uses to function without conflict.

Mitigation measures are proposed to prevent noise pollution and any worsening of air quality as set out above, including a high front boundary fence, a tree screen and a green roof.

## SUSTAINABILITY ASSESSMENT

Details have been submitted to demonstrate that the development can meet the sustainability criteria which are required by Brent and by the Mayor, these include the following:

- Upon completion provide confirmation that the development has achieved BREEAM 'Excellent' - Officers recommend this specifically include rain water harvesting.
- Achieve a 35% reduction in CO2 emissions beyond Part L 2013 Building Regulations - this will be achieved through ensuring the building is designed to have low energy consumption but also through the use of renewable energy produced for example by solar panels.

- A score of at least 50% on Brent's sustainability checklist

## S106 DETAILS

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
  - Upon completion provide confirmation that the development has achieved BREEAM 'Excellent' (to include rain water harvesting)
  - Achieve a 35% reduction in CO2 emissions beyond Part L 2013 Building Regulations.
  - A score of at least 50% on Brent's sustainability checklist
  - Considerate Constructors Scheme
  - Travel Plan - Prior to occupation in accordance with the submitted Framework Travel Plan. To include consideration of a separate entrance and exit arrangement.
  - £5,000 towards a review of on-street waiting restrictions
  - S278 Agreement to undertake highways work for the construction of a lay-by on the southern side of Yeats Close.

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

## CIL DETAILS

This application is liable to pay the Community Infrastructure Levy (CIL). The total amount is **£0.00** of which £0.00 is Brent CIL and £0.00 is Mayoral CIL.



**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 14/4469

To: Mr Ashley Chambers  
Michael Sparks Associates  
11 Plato Place  
St Dionis Road  
London  
SW6 4TU

I refer to your application dated 14/11/2014 proposing the following:  
Erection of a warehouse / industrial building for flexible use within Use Class B1(b) (research and development), B1(c) (light industry), B2 (general industry) and/or B8 (storage or distribution) purposes with ancillary B1(a) (office) floorspace on the first and second floors; vehicle, cycle and bike parking, landscaping and fencing  
and accompanied by plans or documents listed here:  
See condition 2  
at Land at the Junction of Yeats Close & Great Central Way, London, NW10

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

Date:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG



SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004

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

Employment: in terms of maintaining and sustaining a range of employment opportunities

Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation

Transport: in terms of sustainability, safety and servicing needs

- 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):

30452-PL-100

30452-PL-101B

30452-PL-102

30452-PL-103A

30452-PL-104

30452-PL-105

30452-PL-106

30452-PL-107

30452-PL-108

30452-PL-109B

BREEAM Pre-Assessment

Air Quality Assessment

Reptile Report

Energy Strategy

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

- 3 The Construction Mitigation Measures detailed within the submitted Air Quality Assessment (Ref: AQ051277) shall be implemented in full.

Reason: To minimise dust arising from construction works that could lead to nuisance and adversely impact local air quality

- 4 The vehicular entrance to the site shall be kept open during working hours unless otherwise agreed in writing with the LPA.

Reason: To prevent the obstruction of the public highway.

- 5 The office floor space hereby approved shall be used only in conjunction with and ancillary to the main approved uses of the individual units.

Reason: To ensure that no separate use commences without the prior approval of the Local Planning Authority and to ensure that any subsequent use complies with the Council's adopted employment and transportation policies and the policies for the Park Royal Inset Area.

- 6 There shall be no increase in floorspace through the formation of additional mezzanine accommodation within any of the units to which this permission relates, and no subdivision of the units into additional units other than as approved is permitted without the prior written approval of the Local Planning Authority

Reason: To safeguard against a level of development that will result in conditions harmful to the free flow and safe movement of traffic on the adjoining highway without appropriate servicing/ mitigation measures.

- 7 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.

- 8 All areas shown on the plan and such other areas as may be shown on the approved plan shall be suitably landscaped with trees/shrubs/grass in accordance with a scheme 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 landscaping work shall be completed prior to occupation of the building.

Such scheme shall also indicate:-

- i) Appropriate planting for the slow worm habitat
- ii) A range of appropriate tree species along the Yeats Close elevation to act as a visual screen and to improve air quality
- iii) Details of the make up of the proposed green (sedum) roofs including maintenance arrangements.

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.

- 9 Details of all fencing, walls, gateways and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is completed and the work shall be carried out prior to occupation, in accordance with the details so approved, and the fencing, walls, gateways and means of enclosure shall thereafter be retained at the height and position as approved.

Reason: in the interests of the visual amenity and character of the locality.

- 10 The rated noise level from all mechanical/electrical plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels associated with the plant and any mitigation measures necessary to achieve the required noise levels shall be submitted to The Local Planning Authority, in writing, for approval. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- 11 A soil remediation strategy shall be submitted to the Local Planning Authority for approval, outlining measures to mitigate the risks to future site users identified in the submitted Phase II Ground Investigation Report (ref. 93007).

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

- 12 The approved soil remediation strategy shall be implemented in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation strategy and the site is suitable for end use.

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

## INFORMATIVES

- 1 It is important that the workers are vigilant for signs of potential contamination in the soil during excavation works. This may include obvious residues, odours, fuel or oil stains, asbestos, buried drums, buried waste, drains, interceptors, tanks or any other unexpected hazards that may be discovered during site works. If any unforeseen contamination is found during works Regulatory Services must be notified immediately. Tel: 020 8937 5252. Email: [ens.monitoring@brent.gov.uk](mailto:ens.monitoring@brent.gov.uk)
- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure 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 groundwater. 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 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 3 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 4 No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- 5 Running throughout the proposed development are easements and way leaves. These are Thames Water Assets. The company will seek assurances that these will not be affected by the proposed development and the applicant should contact Thames Water to discuss the development before works commence.

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

DocWRepsList

# Committee notification checklist

14/4469

List of those persons who have commented on the application. Please ensure ALL and ONLY comments have been placed in the plastic comments pocket, include neighbours, internal and external consultees

Date Printed: 22/05/2015

Committee Date: 3 June, 2015

Please **ADD** any omitted names & addresses (if typed on **indicate clearly** those that did not automatically appear on list, so Admin will know what addresses need to be updated on Acolaid)

DC Officer - Please **CHECK & COMPLETE** the list below, then SIGN & DATE the declaration.

I certify that the list of objectors/representees below, with additions (if any) is complete and correct.

Case officer to indicate data source against any rep where '????' appears.  
Data source codes are **EMS** - Email, **HCS** - Hard copy or **OLS** - On-line

SIGNED: \_\_\_\_\_ DATED \_\_\_\_\_

If list is for committee also notify prime contact:

**Agent/Applicant notified:**

Mr Ashley, Chambers, Michael Sparks Associates, 11 Plato Place, St Dionis Road, London, SW6 4TU

If list is for committee or delegated notify these representees:

- EMS , Craig, Skelton
- EMS , Andrew, Rymmer
- HCS , Nora, corcoran, C/o Lynton Close Residents, 3 Lynton Close, London, NW10 0JE
- OLS , Mr, Power, Procon House Great Central Way, London, NW10 0BF
- EMS , Gary, Bartlett
- EMS , Thames Water Utilities Ltd (Development Planning), Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ