

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

29 July, 2015  
06  
15/1820

## SITE INFORMATION

**RECEIVED:** 14 May, 2015

**WARD:** Queen's Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

**PROPOSAL:** Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping

**APPLICANT:** Brent Housing Partnership

**CONTACT:** PRP Architects

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

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# SITE MAP



## Planning Committee Map

Site address: Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

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This map is indicative only.

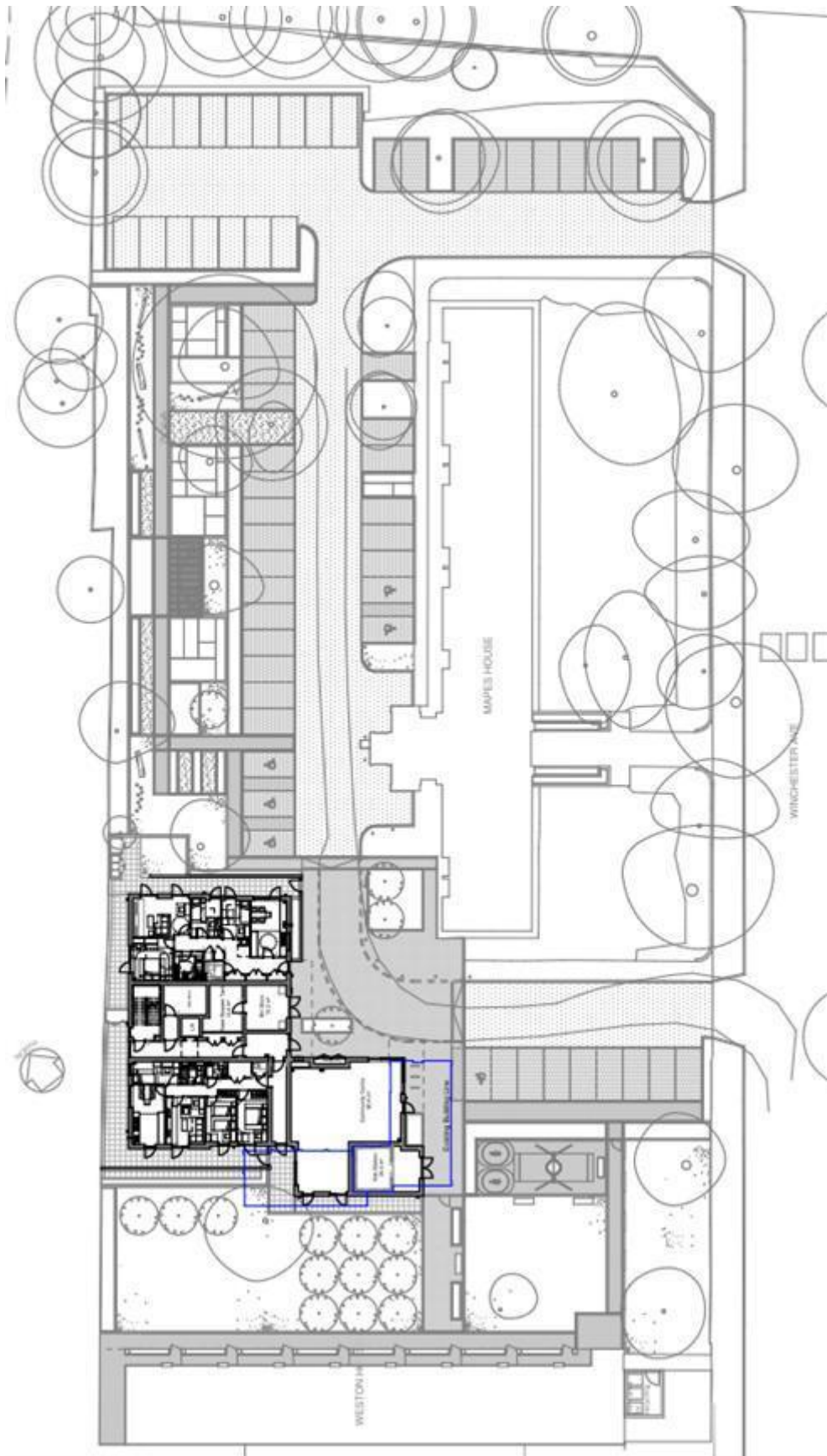
# SELECTED SITE PLANS

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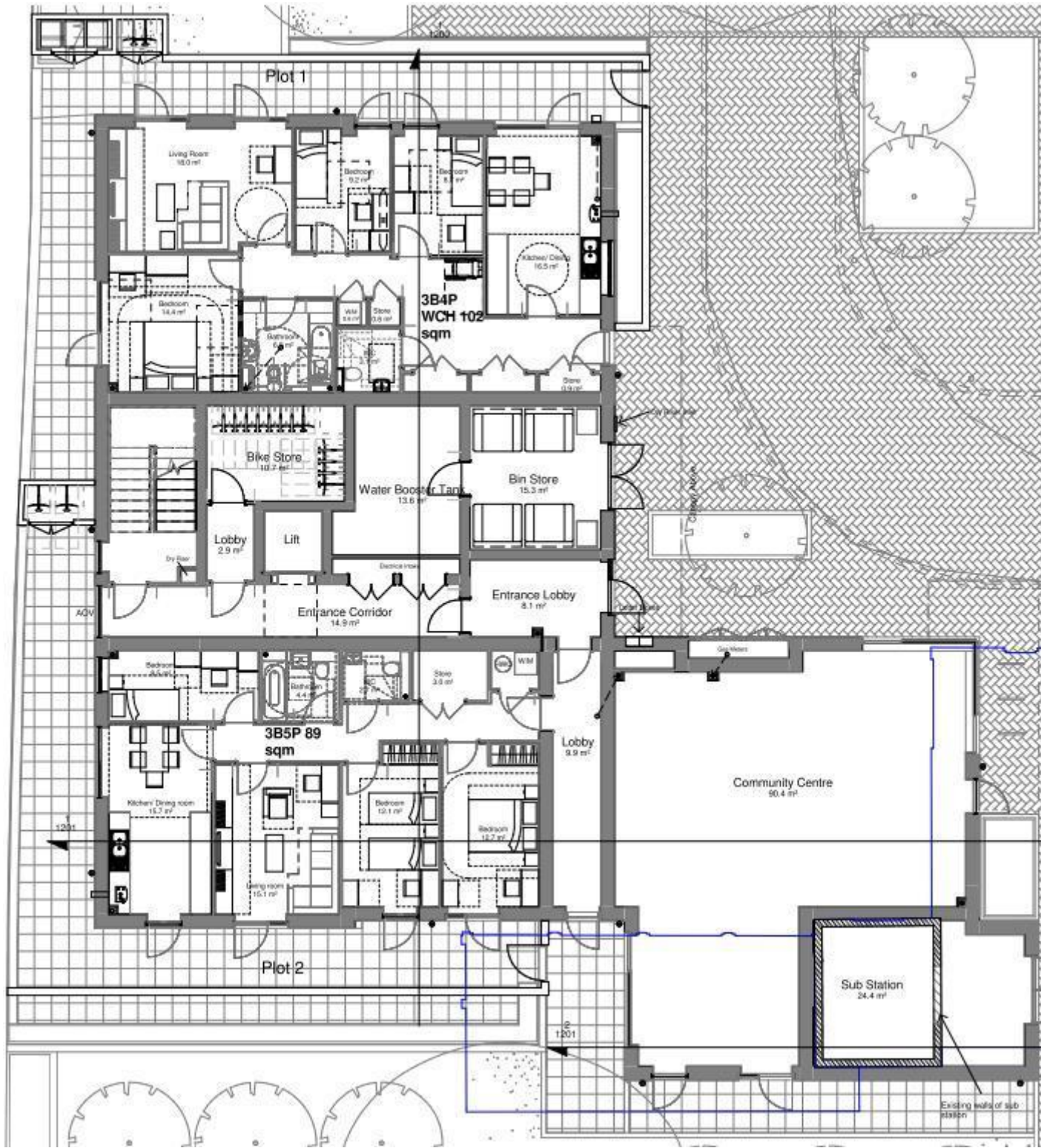




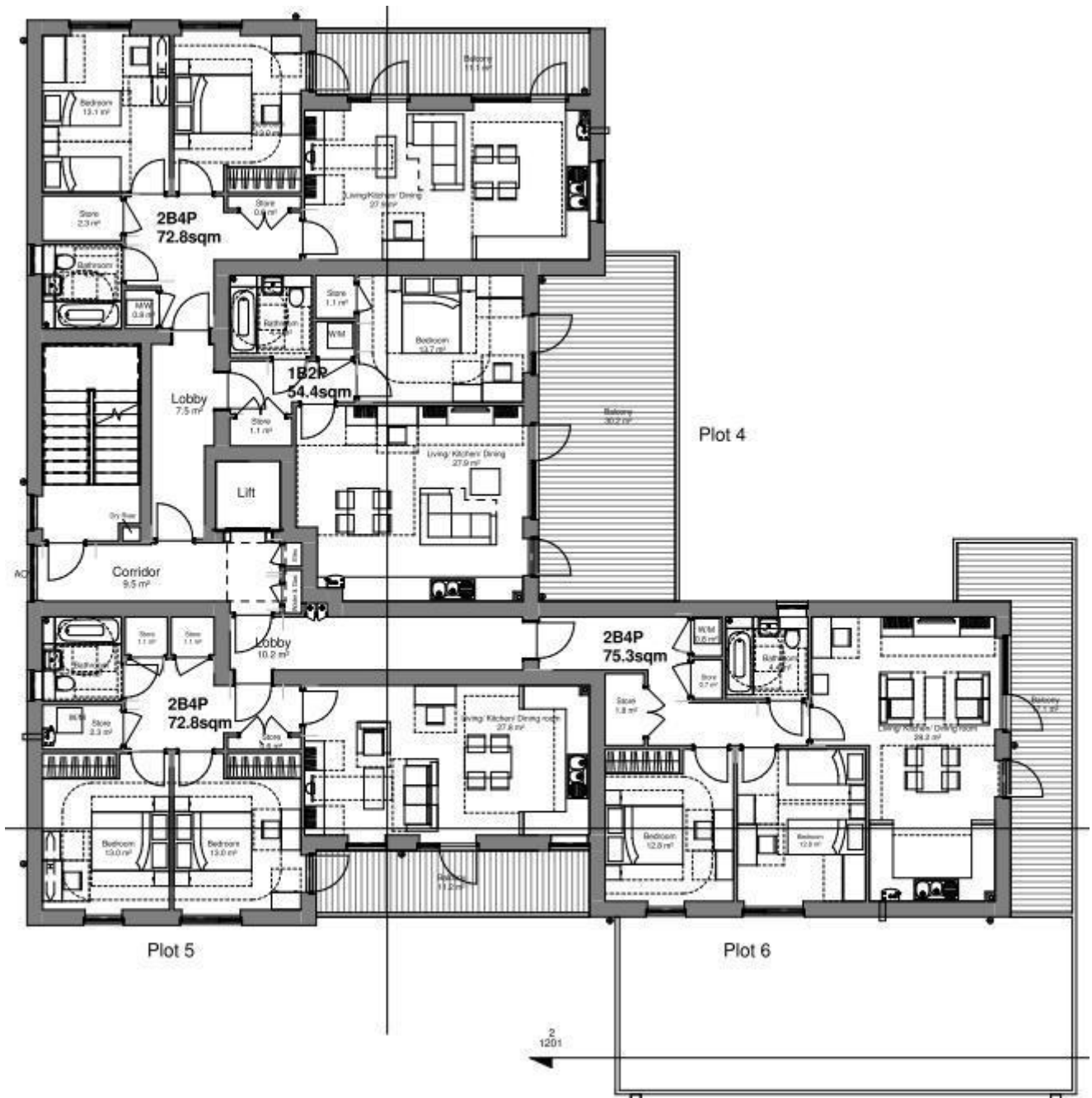
**Proposed Site Plan**



**Proposed Ground Floor**



**Proposed First Floor**



## RECOMMENDATIONS

Grant planning permission subject to 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., subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

See description above

### B) EXISTING

The subject site is on the northern side of Winchester Avenue on the estate containing Weston House and Mapes House, it is bordered by the train line to the north which is identified as part of a Grade I Site of Importance for Nature Conservation.

The area where the development is proposed consists of garages and outdoor parking spaces, as well as a sub station, a small community centre used by the residents association and part of a grassed area.

The site is not within a conservation area nor does it contain a listed building.

## D) SUMMARY OF KEY ISSUES

## 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	52		52	37.7	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
PROPOSED ( Flats û Market )	3	9	2							14

## RELEVANT SITE HISTORY

No relevant planning history.

## CONSULTATIONS

### **Neighbour consultation**

157 letters were sent to neighbouring occupiers on the estate and surrounding the site. A press notice was published and site notices were put up at the site.

8 objections have been received including 3 from Weston House, 3 from Mapes House and 1 from Winchester Avenue. The following concerns were raised:

- The site will be too congested
- Designs haven't been revised to take neighbours concerns into account following the drop-in sessions
- The development is in the communal area
- The development was not mentioned in neighbours' leases
- The proposal reduces the open space which was planned for reasonable segregation and will affect quality of life. The area will be decreased while additional units are added.
- The proposal takes away parking area
- If the building is approved existing tenants should have the option to live there.
- The proposal will block views, light and fresh air
- The proposal will harm neighbouring privacy
- Additional noise and disturbance
- Inadequate parking for current residents which in the evenings sometimes overflows onto the street



- Parking spaces will be further away than existing which will be inconvenient, particularly for people with restricted mobility
- Weston House will be more disconnected from parking spaces.
- Increased density will increase pressure on the wider community in terms of schools, doctors, garage collection, parking etc.
- Increased congestion with additional cars entering the site which will impact on pedestrian access.
- The development should be at the other end of the site which would not impact on residential amenity, feasibility of this wasn't considered.

Prior to the application being submitted to the council a letter was received from 'Residents of Mapes House' and referring to a petition. Brent Housing Partnership have shared a letter with the planning service which does have a petition attached with 48 names. It needs to be noted that, being submitted prior to the application and prior to statutory consultation, it cannot be assumed that the individuals on the petition were objecting to the scheme that was subsequently submitted. The lead names on the petition have not commented independently on the planning application following formal consultation being undertaken however their names have been added to the list to ensure they are notified of the planning committee. In any event the comments made in the letter include:

- Residents have not been properly consulted
- The residents association does not represent the majority and the community hall is used selectively
- Agree that more housing is needed but the council has a lot of other land
- Overcrowding and creating more problems on the estate cannot be the way forward
- The project is not helpful to the quality of life of residents
- Impact on light and privacy to Mapes House
- The building would be within 7m of our property

### **Statutory consultees**

Tree officer - further information required

Landscaping - no objections to scheme

Highways - recommendations including disabled parking, street lighting, improvements to site access from Winchester Avenue.

### **BHP Consultation**

BHP held consultation on the estate prior to finalising proposals for the development. As set out in the Design & Access Statement an initial meeting was held with the Five Ways Tenants Association Committee on 22nd January 2015 at the existing community centre on the site. Following this meeting a leaflet was sent out to all residents on the estate informing them of the proposals and providing contact details in order to give feedback. This led to a second meeting being held on 25th February with the Tenants Association and other residents of the estate who had concerns or questions. Key concerns were regarding parking and the balance between usable amenity space and sufficient parking. Positive comments were received regarding upgrading the community centre and suggestions were made regarding the uses of the open space.

A final consultation/drop-in session was held on 25th March on the site. Boards were displayed showing the proposals.

## **POLICY CONSIDERATIONS**

### ***National Planning Policy Framework (NPPF)***

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

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

The 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. Within those documents the following list of policies are considered to be the most pertinent to the application:

**London Plan 2011**

Policy 3.5

Quality and Design of Housing Developments

**Brent Core Strategy 2010**

- CP 2 Population and housing growth  
Sets out the appropriate level of growth across the borough, including the number of new homes and proportion of affordable housing sought
- CP 17 Protecting and enhancing the suburban character of Brent  
Balances the regeneration and growth agenda promoted in the Core Strategy, to ensure existing assets (e.g. heritage buildings and conservation areas) are protected and enhanced. Protects the character of suburban housing and garden spaces from out-of-scale buildings.
- CP 21 A balanced housing stock  
Seeks to maintain and provide a balanced dwelling stock to accommodate the wide range of Brent households by: ensuring appropriate range of dwellings and mix; defining family accommodation as units capable of providing three or more bedrooms; requiring new dwellings be 100% Lifetime Homes and 10% wheelchair accessible; contributes to non-self contained accommodation and care & support housing where needed.

**Brent UDP 2004**

- BE2 Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features. Proposals should improve the quality of the existing urban spaces, materials and townscape features that contribute favourably to the area's character and not cause harm to the character and/or appearance of an area.
- BE3 Proposal should the regard for the existing urban grain, development pattern and density in the layout of development site.
- BE4 Access for disabled people
- BE6 A high standard of landscape design is required as an integral element of development schemes.
- BE7 A high quality of design and materials will be required for the street environment.
- BE9 Creative and high-quality design solutions specific to site's shape, size, location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.
- H11 Housing will be promoted on previously developed urban land which the plan does not protect for other uses.
- H12 Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and public landscaped areas appropriate to the character of area and needs of prospective residents.
- H13 The appropriate density should be determined by achieving an appropriate urban design, make efficient use of land and meet the amenity needs of potential residential, with regards to context and nature of the proposal, constraints and opportunities of the site and type of housing proposed.
- TRN23 Parking standards for residential developments. The level of residential parking permitted will be restricted to no greater than the standards in PS14.
- PS14 Parking standards for residential uses

**Brent Supplementary Planning Guidance**

*SPG17 Design Guide for New Developments*

Sets out the general design standards for development and has regard to the character, design and appearance of developments, the design layout with respect to the preservation of existing building lines, size and scale of buildings and structures, and privacy and light of adjoining occupants. This policy guidance document addresses residential densities, minimum sizes for residential dwellings, external finishing materials, amenity spaces and parking related issues.

# DETAILED CONSIDERATIONS

## Background

1 Brent Housing Partnership (BHP) has been looking at ways in which it can increase its stock of affordable housing across the Borough. A survey of BHP properties and estates has led to the identification of a number of infill opportunities to contribute to increasing the BHP housing stock.

## Principle

2 The site on which the development is proposed is situated between Mapes House and Weston House. Winchester Avenue and its surrounding area is residential in character and there are no other conflicting land uses, as such the introduction of the proposed residential units is appropriate in terms of the character and use.

## Design, Layout & Impact on Street Scene

### *Layout*

3 The proposal envisages a 4-storey block containing 14 flats. The site is on the northwest side of Winchester Avenue, Mapes House, which is a 9-storey block, fronts Winchester Avenue with a soft landscaped set back of about 16m from the pavement. Weston House which is at the southern end of the site is a 4-storey block perpendicular to the road, its front elevation faces northeast and is approximately 40m from the closest elevation of Mapes House.

4 The space in front of Weston House consists largely of hard standing for car parking and garages and soft landscaping. The footprint of the ground floor of the proposed building which includes a replacement community space and the substation is 480sqm.

5 The proposed development is located 20m from the front elevation of Weston House and over 27m back from the site boundary of Winchester Avenue. From the front elevation of the community centre to the rear elevation of the residential units the development would be 25m in depth and at the rear it is 23m in width.

6 The development is to the southwest of the southern elevation of Mapes House. It will not be located to the immediate rear of the frontage building and only 4m of the new building will be behind this building. The proposed and existing elevations are proposed to be 13m apart.

7 The area between the proposed development and Mapes House is proposed to be treated as a shared surface. The area will be surfaced in silver-grey concrete block paving laid in a herringbone pattern raised above the level of the adjoining lengths of tarmac road. This is welcomed as a traffic calming device that will also improve the setting of the new block. At officer request soft landscaping has also been added around the building including a tree within the corner of the building to create a green vista, the landscaping scheme is discussed in more detail below.

### *Design*

8 The design of the elevations is simple and in keeping with the estate. The elevations are proposed to be brick other than the recessed parts which provide for balconies which will be white render. Simple fenestration is proposed which is mostly full height and obscure glazing and aluminium balconies are proposed centrally on each elevation.

9 The proposed building has a flat roof as the existing blocks do and the lift overrun and solar panels would be largely accommodated behind the parapet wall.

10 The proposed community use is at ground floor in the part of the building closest to the site entrance. It is proposed to have a projecting fascia which will allow for signage. Its side elevation will also be clad in the same material as the fascia and this part of the building will also accommodate the substation.

### *Streetscene*

11 The estate does not have a strong street frontage as the front elevation of Weston House does not face

the street and the frontage of Mapes House is to a large extent screened by trees. The vehicular route into the site and to Weston House is considered to be poor in terms of its general design and legibility. The view at this entrance leads towards the rear parking spaces and the train line.

12 The proposed development would be located directly opposite the entrance to the site. It is designed to have clearly defined entrances and to enhance the overall legibility of the site. Its set back from the public highways means that its direct impact on the streetscene would be limited but the layout of the block along with the landscaping and parking proposals would result in a improved arrangement and relationship with the streetscene.

### Unit mix

13 The proposed mix of units is 2 x 3 bed, 9 x 2 beds and 3 x 1 beds.

14 Brent's adopted Core Strategy seeks for 25% of new units to be family sized which means 3 beds or more. In this instance the proposal is for 14% which does not comply with the policy. Officers however are minded to not consider this proposal in isolation but within the context of the development planned by BHP across the borough.

15 BHP's programme of infill developments could result in 100 units delivered under the Affordable Housing Programme 2015-18 and 46 of the proposed units are for family size accommodation, meaning that in total 46% of the proposed units would be family accommodation significantly exceeding the 25% target. in this situation Officers feel that it would be possible to accept the proposed mix.

### Quality of Accommodation

16 The units have a clearly identifiable entrance in the front elevation which is visible from the street. All units meet and exceed the Mayor's Housing SPG in terms of internal floor area.

Unit	Beds	Size (sqm)	SPG standard (sqm)
1	3b4p (wheelchair unit)	102	74
2	3b5p	89	86
3	2b4p	72.8	70
4	1b2p	54.4	50
5	2b4p	72.8	70
6	2b4p	75.3	70
7	2b4p	72.8	70
8	1b2p	54.4	50
9	2b4p	72.8	70
10	2b4p	75.3	70
11	2b4p	72.8	70
12	1b2p	54.4	50
13	2b4p	72.8	70
14	2b4p	75.3	70

17 All units have private amenity space of varying sizes. The ground floor units have a patio area which wraps around the side and rear. The units have approximately 50sqm of available space which to either side will border communal amenity space, however to the rear of the building the amenity space will be between the block and a close boarded fence abutting the embankment of the railway. The quality of the latter area is considered to be limited but remains usable.

18 The units at upper floors all have private balconies the smallest of which are 11.2sqm (6 units) which is just over half of the 20sqm requirement of SPG17, two units each have balconies of 12.5sqm and 13.4sqm, and individual units have 17.1sqm and 30.2sqm. In total the amenity space provided to the upper floor units is 74sqm short of SPG17 requirements however this guidance document advises that an under provision of amenity can be mitigated through the provision of increased internal space. The upper floor units exceed the Mayor's internal space standards by 45.9sqm resulting in a total shortfall of only 28.1sqm.

19 Officers are of the opinion that the proposal provides a good quality of accommodation and while falling slightly short quantitatively in terms of amenity space each unit has a good quality private space and will have

access to the improved communal amenity space across the estate. The communal amenity space is discussed in more detail below.

20 All but 3 units are dual aspect and these units face southeast so will not suffer from limited light. The ground floor units are the only units which have habitable room windows facing towards the train line. In both cases one of the three bedrooms has its only window into the strip of private amenity space which borders the train line embankment screened by a fence. The units otherwise have a good quality of outlook towards private and communal amenity space.

21 A noise and vibration study has been submitted and acoustic specifications of the various elevations have been recommended to ensure that ambient noise levels within habitable rooms comply with the requirements of BS8233:2014. The vibration measurements indicated that vibration levels from the railway line were minimal and no additional treatment would be required.

### **Impact on neighbouring amenity**

#### *Weston House*

22 The siting of the development has been proposed ensuring a 20m separation distance between the front elevation of Weston House and the new units. This is the distance recommended in SPG17 to protect privacy between rear elevations across private rear gardens. There can be more flexibility between front elevations which are not generally as private and the separation distance is often established by an existing road width. However it is considered appropriate and good practise to achieve this separation in this instance. The units in Weston house benefit from outlook to the rear and the lower floors of this block have private gardens of approximately 14m in depth.

23 Weston House is orientated northeast and southwest with the windows facing southwest unaffected by the development. Only windows within 90 degrees of due south are assessed for sunlight. The assessment has considered the vertical sky component (VSC) and daylight distribution (DD) and found that all rooms will meet the BRE guidelines.

#### *Mapes House*

24 One vertical row of fenestration on the rear (northwest facing) elevation of Mapes House faces towards the edge of the proposed building, as it overlaps with the footprint of the proposed building by 4m. This fenestration consists of an entrance door and a bathroom on alternate floors and as such these are not windows which would be sensitive to the development however the relationship has been considered further.

25 The layout of the proposed development has been detailed to prevent any directly facing windows and the windows which are in the part of the proposed building facing Mapes House are all to kitchens. The proposal will not be detrimental to privacy of existing residents.

26 The narrow southwest elevation of Mapes House does not overlap with the footprint of the building. Closest to the application site there is a vertical row of small windows which are assumed to be habitable and balconies further along from this. These all currently face on to the entrance road and parking spaces. The main front elevation of the proposal begins about 3m further into the site than the rear elevation of Mapes House and the buildings are separated from one another by the vehicular and pedestrian route through the site. The proposal will maintain the privacy and outlook of existing residents.

27 The daylight and sunlight report has established that vertical sky component (VSC) and daylight distribution (DD) are acceptably within BRE guidelines. For Mapes house the impact on sunlight has also been assessed and found to be acceptable.

#### *Other*

28 The closest properties to the northwest on The Avenue, across the railway, and on Winchester Avenue have also been assessed and all results fall within the BRE guidelines. The rear garden boundaries of The Avenue are 34m away across the railway line and the properties are themselves are over 60m away. The properties on the opposite side of Winchester Avenue are over 40m away to the south.

### **Landscaping & communal amenity**

29 The existing estate provides a good balance of hard and soft landscaping which is communally accessible

across the site. There are numerous mature trees which are of significant value if not individually then collectively. It is however the case that much of the soft landscaped areas have been neglected and are certainly under utilised. In order to ensure that there is adequate parking provision within the site as set out below a quantitative reduction in softlandscaping across the site has been unavoidable however it has been limited to a reduction from 3444sqm to 3138sqm.

30 The areas affected include the area to the north of Mapes House, the depth of this area will reduce to allow for the addition of a row of perpendicular bays, the existing trees will be retained between bays. The most significant area of softlandscaping is to the west of Mapes House and there are currently parallel bays alongside this, to accommodate additional parking the bays will become perpendicular, this area will also reduce from the southern end where the footprint of the development will encroach. A gain in softlandscaping is however proposed in front of Weston House adjacent to the proposed development and between Weston House and Mapes House, the existing parking area close to the site frontage will be replaced with softlandscaping including play space.

31 In order to mitigate the loss of area some significant improvements to the value of the communal amenity spaces are proposed, the soft landscaping at present is predominantly turf with some trees of varying quality presenting limited opportunities for play. In the area in front of Weston House which will increase in size the proposal envisages turfed areas, a fruit tree orchard and a play space with a soft surface. The area to the rear of the site with the existing poplar trees is proposed to accommodate planters for food growing, informal play items for young children and new formal planting beds. The area to the north and east of Mapes House will be retained as informal soft landscaping.

32 Officers consider the site wide landscaping proposals to be of good quality, it will introduce variety to enable residents with different interests to make more use of the available space including play, food growing and other informal recreation.

## **Trees**

33 A detailed tree survey was undertaken regarding the area where the building is proposed and officers accept the recommendations regarding the removal of 3 trees, across the site particularly with the addition of the orchard there will be an increase in the number of trees. Officers have recommended that T12 which is to the rear of Mapes House at its southern corner be removed as this appears to have been quite significantly damaged by a car or lawn mower and its replacement can be mirrored across the shared surface in the inner corner of the new development.

34 Officers are unsure regarding the likelihood of the survival of T4 with the removal of the wall that it is adjacent to and condition that it be replaced if it is damaged or unlikely to survive within 5 years of the development.

35 Further detail is required regarding the poplar trees which run up the west of the site. The parking bays and softlandscaping work are proposed around their roots and it is essential that their root system is protected. The landscaping plan which around the bases of the trees will be required to take the results into account.

36 At the northern end of the site where a new row of perpendicular parking is proposed further details will be required to protect the adjacent trees here as well.

37 All information regarding tree protection will be required prior to the commencement of any works on site.

## **Highways**

### *Parking Capacity*

38 There are 46 parking spaces which operate on a first come first served basis within the site and 4 garages serving 79 residential units. BHP however found that the garages were not actually in use for parking purposes. Therefore the existing parking space to unit ratio is 0.58.

39 The proposed development would provide 61 spaces for 93 units which is a ratio of 0.65, slightly increasing the parking provision per unit and adding 15 available and usable spaces to the site.

40 The PTAL for the site is 3 to 4, the score of 4 is achieved at the site frontage. The parking standards are set out in PS14 of the UDP, however being proposed as affordable units and also on the edge of PTAL 4 the

standards would not be considered to fully apply, PS14 would set a maximum standard of 17 spaces for the 14 units but officers would consider this scale of provision excessive and in general affordable units are expected to result in only 50% of the full parking standard.

41 Census data for the local output area from 2011 has been examined, which shows a total of 69 cars owned by residents of the 150 flats in this immediate area; the vast majority of which are under Brent's freehold ownership. This gives an average car ownership rate of 0.46 cars/household. Results of a detailed overnight car parking survey have also been submitted within a Parking Report for the application, which show 40 and 44 cars parked overnight within the site on two separate nights that were surveyed. Brent's own overnight parking survey which was updated borough wide in 2013 showed only 2 cars parked on-street along the length of the road between the 2 site accessed indicating the existing development generates very little over spill at present.

42 The proposed parking layout results in 15 new spaces for 14 new units which significantly exceeds the general ratio of car ownership in the area and officers are satisfied from the results of the council's own on-street parking survey, the census data on car ownership and information submitted with the application that the proposal satisfactorily accommodates the additional demand that the proposal will produce without impacting upon the ability of existing residents to park.

#### *Layout & Accessibility*

43 Additional and relocated spaces are to be aligned along the existing access road perpendicular to the carriageway, 6m is indicated to enable manoeuvring into and out of spaces which is appropriate.

44 6 disabled parking spaces have been proposed meeting the 10% standard and improving the accessibility compared to the current situation.

45 The layout does result in a dispersion of parking spaces towards the northern end of the site which may result in some occupiers having further to walk than they sometime do at present. However if residents have mobility problems they will be able to park in their closest designated wheelchair accessible space which is not an existing facility.

#### *Other*

46 Standard PS16 requires the provision of at least one secure bicycle parking space per flat. Two external lockers with capacity for two bicycles each are proposed for the larger 3-bedroom flats at ground floor level, whilst an internal storeroom with capacity for 12 bicycles is proposed for the upper floor flats. This proposed level of provision meets standards.

47 Bin storage for four Eurobins and two wheeled bins is proposed at the front of the building, allowing straightforward collection of refuse from the existing loop road. A separate bin store is proposed for one of the ground floor flats for convenience, within 15m of the loop road to satisfy collection requirements. Fire access will also be available around the existing loop road, so service and emergency vehicle access will be adequately catered for.

#### **Community Use**

48 The site currently contains a self contained building accommodating a room utilised by the residents association for meetings and community events. The existing space measures approximately 60sqm on the site plan and is proposed to be replaced with a 90sqm space within the ground floor of the new building.

49 The applicant has confirmed that decisions regarding its use, including whether it can be hired out, will be taken by the residents association as is the case at present. A condition could be attached regarding hours of use however officers understand that the space is largely used by the residents association and it is therefore assumed that it would be used sensitively.

#### **SINC**

50 The adjacent railway and its embankments are of value for their nature conservation importance in the borough. The proposal does not encroach upon this but is adjacent to the area and as such any impacts as well as potential for improvement needs to be considered. The wider SINC is known as 'Silverlink Metro between Brondesbury and Willesden Junction' which describes the distance it covers as it also acts as a wildlife corridor.

51 The most recent survey undertaken described the area immediately adjacent to the site as scattered scrub suggesting that previous growth may have cleared by network rail in the recent past. Beyond the site to the northeast the train line sidings consist of semi-natural woodland. Access was not gained for a full inspection but there are records attached to this SINC of numerous species of birds and the habitat potentially supports reptiles, invertebrates and foraging bats though there are no records of bats.

52 As the proposal does not physically disrupt the SINC an ecological assessment has not been undertaken however officers are of the opinion that further consideration needs to be given to the potential impact of light spillage from the site onto the railway embankment as this would affect bats' behaviour. A condition is recommended to address this. In addition the applicant is required to install bird and bat boxes in appropriate locations.

## Conclusions

53 Overall the proposal is considered to result in a good quality of accommodation which will have an attractive appearance in the street and within the site will not be detrimental to neighbouring amenity. The proposal increases the parking capacity of the site, providing a greater ratio of parking spaces per unit than required based on the surrounding levels of car ownership and parking and proposes significant landscaping improvements to mitigate the reduction in the area of communal amenity. The development would provide the borough with 14 affordable housing units.

## Neighbour comments

Neighbour comments	Response
The development is in the communal area and takes away open space	The new development is predominantly on existing hard surfacing, though the development does result in the quantitative loss of communal amenity space. This is mitigated through the rearrangement and improvement of the space - para's 29-32
The proposal will impact on views, light, air and privacy	Para's 22-27 demonstrate that neighbouring amenity will not be unacceptably affected in terms of light and privacy. Views from existing windows will alter but non designated views cannot be protected, outlook however has been considered and good levels of outlook will be maintain in all cases.  A condition is recommended to ensure construction is carried out in a way to minimise impact on air quality.
There will be additional noise and disturbance	A condition is recommended requiring constructors to sign up to the considerate constructors scheme
Loss of parking and increase pressure on parking	Para's 38-42
Accessibility of parking spaces	Para's 45-46
Increase in cars entering the site and impact on pedestrian access	Highways officers have recommended a condition to require improvements to the footway paving at the site entrances and the proposed layout seeks to improve the legibility and pedestrian routes in the site. Para 11-12
Increase pressure on schools, doctors etc.	Each borough is required to achieve high housing targets set by the Mayor and to plan for additional infrastructure to accommodate the additional population.
The development should be at the other end of the site which would not impact on existing residents	As set out in the report above the relationship between the proposal and existing occupiers is acceptable, another part of the site could offer scope for a different development but the applicant has identified the subject site as offering the best potential for the development and to enable wider improvements to the estate.
The design hasn't been amended to	The D&A summarises neighbours concerns related



take neighbours concerns from the drop in sessions into account	primarily to amenity and parking, para's 29-32 and 38-45 cover this issues in detail.
The development was not in resident's leases and existing tenants should be given the option to live in the new flats	Lease and tenancy issues are not material considerations for the planning application. BHP will be responsible for allocating the flats as appropriate to the waiting list.
Residents have not been properly consulted	This comment was made prior to the planning application being submitted and full planning consultation has now been undertaken as described above.
The residents association does not represent the majority	All neighbours have been consulted
More housing is needed but the council has other land	BHP has a programme of 100 new units which will only address a small part of the council's need for housing
The building will be within 7m of our property (Mapes House)	Para's 6-7 and 24-27 describe the relationship between the proposed building and Mapes House, at its very closest point there is a separation of 13m.

## SUSTAINABILITY ASSESSMENT

While officers are no longer able to require the implementation of Code for Sustainable Homes, the proposal is designed to achieve Code Level 4 which is the level that Brent has applied to its growth areas.

The development involves measures to reduce carbon emissions in line with the Mayor's hierarchy. The applicant has cited site constraints as the reason that a communal heating system cannot be accommodated, other essential requirements at ground floor including cycle and refuse storage do not leave available floor area for communal plant. Instead boilers with the highest efficiencies are proposed. The proposal includes sufficient 'be lean' and 'be green' measures to achieve the required carbon reduction of 35% above 2013 Building regulations levels.

The sustainability checklist has been submitted and gives a result of 50% which is the target for major developments. It is the case that the checklist is often easier for very large scale developments to achieve a good score on than smaller scale schemes such as this site. While officers are of the opinion that there are some inaccuracies in the completed checklist the achievement of Code Level 4 and the sustainability measures included are considered to result in a sustainable development.

## 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
- Achievement of 35% reduction in carbon emissions beyond the 2013 Building regulations target
- S278 agreement to undertake work to the Winchester Avenue accesses including improved surfacing, dropped kerbs, tactile paving.

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

## CIL DETAILS

The proposal as a residential development would be CIL liable however the application will be able to apply for Social Housing Relief.

This application is liable to pay **£274,831.48\*** under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\*\* floorspace which on completion is to be demolished (E): sq. m.  
Total amount of floorspace on completion (G): 1107 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
Dwelling houses	1017	0	1017	£200.00	£35.15	£232,457.14	£40,854.34
Non-residential institutions	90	52	38	£35.00	£0.00	£1,520.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	256	
<b>Total chargeable amount</b>	<b>£233,977.14</b>	<b>£40,854.34</b>

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

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

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

# DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

### DECISION NOTICE – APPROVAL

=====  
Application No: 15/1820

To: Mr Stephen Martin  
PRP Architects  
10 Lindsey Street  
Smithfield  
London  
EC1A 9HP

I refer to your application dated 28/04/2015 proposing the following:  
Demolition of existing garages and community centre and the erection of a four storey building comprising 14 self-contained flats (3x1bed, 9x2bed and 2x3bed), new community centre (Use class D1) and a sub-station with associated car and cycle parking spaces, bin stores and landscaping and accompanied by plans or documents listed here:  
See condition 2  
at Garages rear of Weston House, Weston House, Winchester Avenue, Kilburn, London

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

Date:

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  
Council's Supplementary Planning Guidance 17 - 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
  
- 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):  
  
AA5211/2001  
AA5211/2003 B  
AA5211/2004 A  
AA5211/2006  
AA5211/2007  
AL5270-2000 B  
AL5270-2001 A  
AL5270-2002 A  
57033-01  
57033-02  
Design & Access Statement  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 No development shall be carried out until the person carrying out the works is a member of the Considerate Constructors Scheme and its code of practice, and the details of the membership and contact details are clearly displayed on the site so that they can be easily read by members of the public.  
  
Reason: To limit the impact of construction upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy.
  
- 4 Activities within the community building and its attached garden shall only be permitted between 0800 - 2230 hours Sundays to Thursdays and 0800 - 2330 hours Fridays and Saturdays, with the premises cleared within 30 minutes after these times.  
  
Reason: To ensure that the proposed use does not prejudice the enjoyment by neighbouring occupiers of their properties.
  
- 5 Details of materials for all external work 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 Further details of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the development shall be carried out and completed in all respects in accordance with the details so approved before the building is occupied. Such details shall include:-

(a) details of appropriate locations for bird and bat boxes

(b) a review of potential light spillage from the development towards the train line with consideration of its impact on the wildlife corridor and appropriate mitigation measures;

NOTE - Other conditions may provide further information concerning details required.

Reason: These details are required to ensure that a satisfactory development is achieved.

All residential premises shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Time	Area	Maximum Noise Level
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

A test shall be carried out prior to the discharge of this condition to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To obtain required sound insulation and prevent noise nuisance

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

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

- 9 An arboricultural method statement and tree protection plan in accordance with BS5837:2012 shall be submitted to and approved in writing by the LPA prior to commencement of any work on site and the development shall be implemented in accordance with the approved details. The AMS should deal with the removal of hard surfacing within the RPA of all affected trees when drawn as a symmetrical circle as well as new landscaping proposed around the base of trees. tree protection plan will be required across the site. Any trees that are damaged or die within 5 years of the completion of the development shall be replaced.

Reason: To ensure that trees are not damaged during building works.

- 10 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 during the first available planting season following completion of the development hereby approved.

Such scheme shall also indicate:-

- (i) Proposed walls and fencing, indicating materials and heights.
- (ii) Hardsurfacing materials and detail to demonstrate SUDS
- (iii) Details of any proposed play facilities
- (iv) Details of any proposed seating
- (v) Screen planting between the development and the western boundary.

(vi) How the arboricultural method statement and tree protection plan (required by condition) has been taken into account in the proposed landscaping scheme

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.

- 11 Details of lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development, for communal areas within the site.

The approved details shall be fully implemented.

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

- 12 Details of the proposed recycling store for Weston House, including the exact location and external height and appearance, shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to commencement of the use hereby approved.

Reason: To ensure that the proposed development acceptably relates to the streetscene with good quality materials and landscaping and is accessible for collection.

- 13 Details of a communal satellite system shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the agreed details prior to the occupation of the building. No individual satellite dishes shall be attached to the building.

Reason: To ensure that such additions do not harm the visual amenity of the area.

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