COMMITTEE REPORT

Planning Committee on 10 August, 2016

Item No04Case Number16/1947

SITE INFORMATION

RECEIVED: 9 May, 2016

WARD: Kilburn

PLANNING AREA: Brent Connects Kilburn

LOCATION: Car Park & Rathbone House Garages, Brondesbury Road, London

PROPOSAL: Demolition of existing car park (including 6 garages) and the construction of a four to six

storey residential building comprising 24 self-contained units (12 x 1bed, 8 x 2bed and 4

x 3bed) with associated bin stores and landscaping

APPLICANT: Brent Housing Partnership

CONTACT: PRP Architects LLP

PLAN NO'S: See condition 2

LINK TO DOCUMENTS ASSOCIATED TO THIS When viewing this on an Electronic Device

Please click on the link below to view ALL document associated to case

 $\underline{\text{https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents\&keyVal=DCAPR \ 127967}$

APPLICATION When viewing this as an Hard Copy

Please use the following steps

1. Please go to pa.brent.gov.uk

- Select Planning and conduct a search tying "16/1947" (i.e. Case Reference) into the search Box
- 3. Click on "View Documents" tab

SITE MAP



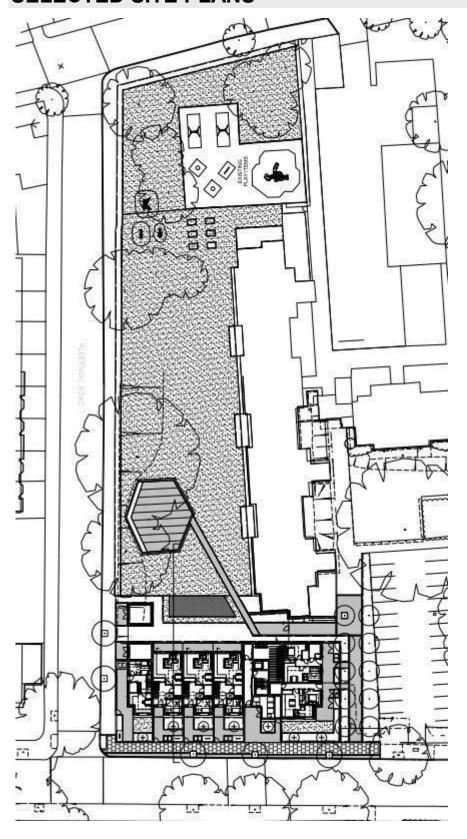
Planning Committee Map

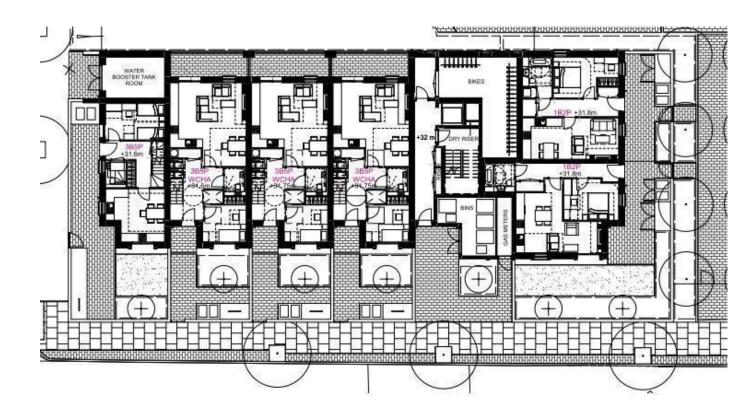
Site address: Car Park & Rathbone House Garages, Brondesbury Road, London

© Crown copyright and database rights 2011 Ordnance Survey 100025260

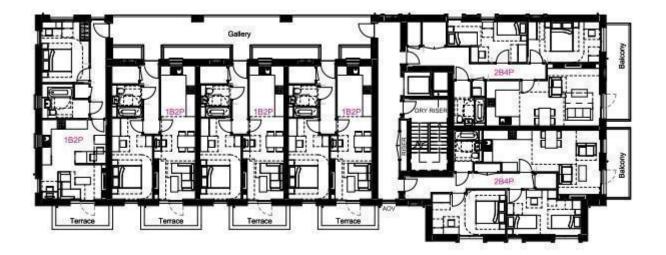
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

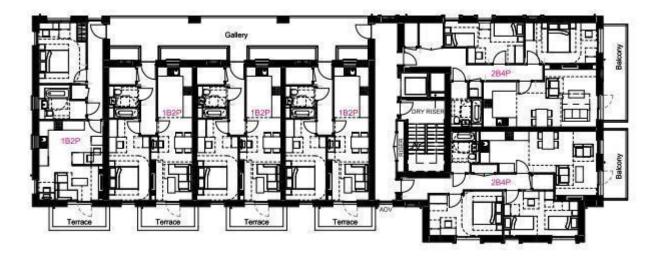


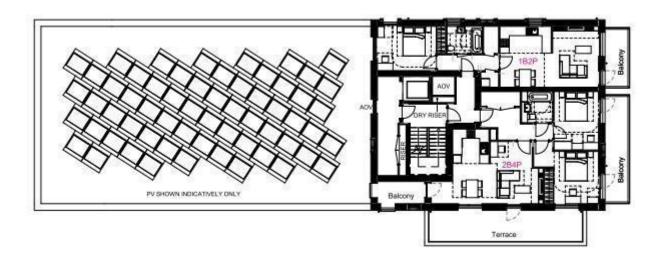


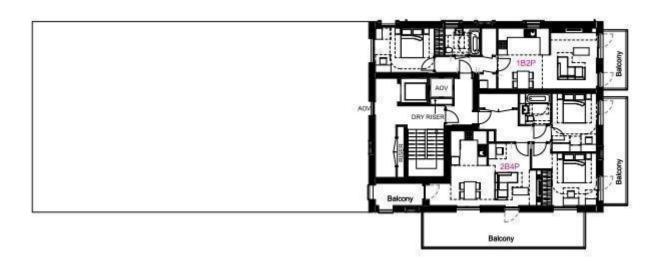


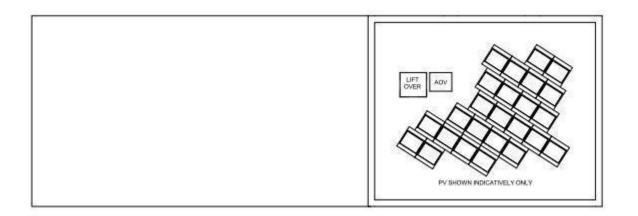






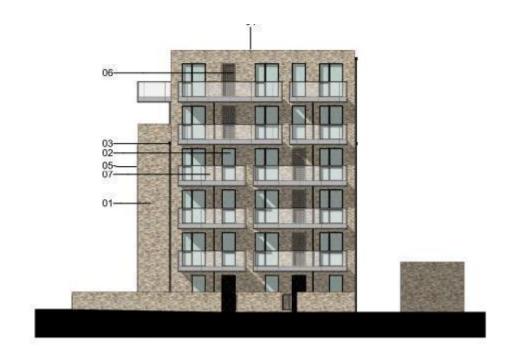


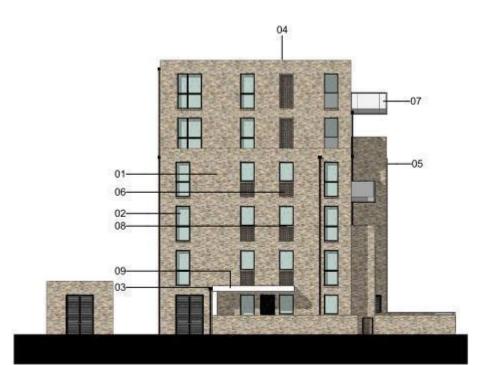














RECOMMENDATIONS

RECOMMENDATION

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

Conditions

- 1. Time Limit Condition
- 2. Approved Plans
- 3. Details for all external work
- 4. Further detailed consideration to finishes
- 5. Provision of secure cycle stores
- 6. Developer must sign up to Considerate Contractor scheme
- 7. Water consumption
- 8. 10% Wheelchair unit provision
- 9. Reinstate crossovers
- 10. Noise (installed plant)
- 11. Air Quality Assessment Report
- 12. Soil Contamination Measures
- 13. Remediation Works
- 14. Energy Assessment Review (35% Carbon Offset)
- 15. Further details of the PV on the roof
- 16. Sustainable Urban Drainage System to be implemented
- 17. Design of refuse stores
- 18. Landscaping details within the site
- 19. Tree protection plan

- 20. Proposed lighting scheme
- 21. Any other planning conditions considered necessary by the Head of Planning

Informatives

- 1. Party Wall
- Asbestos
- 3. Any other informatives considered necessary by the Head of Planning

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

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

A) PROPOSAL

Demolition of existing car park (including 6 garages) and the construction of a four to six storey residential building comprising 24 self-contained units (12 x 1bed, 8 x 2bed and 4 x 3bed) with associated bin stores and landscaping

B) EXISTING

The site is located within the Kilburn Square Estate situated between Kilburn High Road (east), Brondesbury Road (south), Algernon Road (west) and Victoria Road (north). The subject site is an existing two level car park (basement and ground floor) and is located on the corner of Brondesbury Road and Algernon Road.

C) AMENDMENTS SINCE SUBMISSION

The application has undergone minor amendments since submission.

- The slight re-alignment of windows on the rear elevation
- Minor alteration of internal units on the ground floor of the 6 storey block
- Revisions to the proposed landscaping plan

None of the above warrant further consultation and can be considered as formal amendments as part of this planning application.

D) SUMMARY OF KEY ISSUES

The key considerations when considering this planning application are:

- The sites opportunity to deliver affordable homes as part of Brent Housing Partnership's infill
 programme. Your officers give great weight to the viable delivery of affordable housing, in line with
 the adopted Development Plan.
- The transport impacts of the proposed development and the loss of existing parking. Your highway officers consider that the proposal addresses all highway concerns.
- The impact of the proposal on the adjacent Conservation Area- your officers consider this preserves the character and appearance of Kilburn Conservation Area
- The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing strong design credentials, which is in line with the adopted Development Plan
- Impact on living conditions of neighbours, which your officers believe are acceptable

Impact on trees

RELEVANT SITE HISTORY

Nothing of note.

CONSULTATIONS

Pre Application Consultation by Applicant

As outlined in the Design and Access Statement, the team did several presentations, public exhibitions and design workshops with residents in order to positively engage with the local community.

Application consulting by Planning

During the application process, the following groups/individuals were sent consultation letters.

Brent/Kilburn Councillors (via e-mail) Cllr Rita Conneely Cllr John Duffy

Statutory Consultees

Transportation Unit- Raised no objections subject to conditions covering highway works.

Environmental Health- Raised no objections subject to conditions covering remediation, noise, air quality and construction management.

Internal Consultees

Principal Heritage Conservation Officer- Advice received and conditions required for further details on materials

Policy and Regeneration Unit- No objection to the principle of development.

Landscape and Design Team- Advice received and conditions required for further details on landscaping and materials

A total of 239 addresses have been consulted surrounding the site. They were dispatched on 02/06/2016.

Site Notices were placed around the site on 08/06/2016.

The application was advertised on 16/06/2016.

There have been 6 comments on the application.

Objecting

Reason for objecting

24 new units will have significant impact on the

Paragraph response
See paragraph 10.1 - 10.

availability of parking

The proposal will reduce the level of privacy available to residential properties to the south east. The views

afforded to residents will be obscured.

The loss of trees will be detrimental to the leafy feel of See paragraph 8.5.

Brondesbury Road.

Proposal is too large for the area See paragraph 4.3. The proposal will cause a loss of light to neighbouring See paragraph 5.2.1

properties.

The above objections are responded to within the main body of the report.

Officer note: There were some comments received that cannot be considered as objections on planning grounds, such as noise during the construction period, service charges and other works to the estate which do not form part of this planning application.

See paragraph 5.1.1 - 5.1.3.

POLICY CONSIDERATIONS

The Development Plan for the purposes of s38 of the Planning and Compulsory Purchase Act 2004 comprises the London Plan 2015 (FALP), the London Borough of Brent LDF Core Strategy 2010 and the London Borough of Brent Unitary Development Plan (2004)

National Planning Policy Framework

Section 7- Requiring Good Design

Section 12- Preserving and Enhancing the Historic Environment

London Plan 2011 and Mayor's Community Infrastructure Levy (CIL)

The following policy documents need to be taken into account in the assessment of this application:

- London Borough of Brent Unitary Development Plan 2004 (UDP)
- London Borough of Brent Core Strategy 2010 (CS)
- Supplementary Planning Guidance Note (SPG) 17 "Design Guide for New Development"
- The London Plan 2015 (amended)

DETAILED CONSIDERATIONS

1. Key Considerations

- 1.1 The key issues for consideration are as follows:
 - The sites opportunity to deliver affordable homes as part of Brent Housing Partnership's infill programme. Your officers give great weight to the viable delivery of affordable housing, in line with the adopted Development Plan.
 - The transport impacts of the proposed development and the loss of existing parking. Your highway officers consider that the proposal addresses all highway concerns.
 - The impact of the proposal on the adjacent Conservation Area- your officers consider this preserves the character and appearance of Kilburn Conservation Area
 - The quality of the proposed residential accommodation. Your officers consider that proposal provides a good standard of accommodation, within a building showing strong design credentials, which is in line with the adopted Development Plan
 - Impact on living conditions of neighbours, which your officers believe are acceptable

2. Principle of Development

2.1. The principle of residential development in a sustainable location is supported, therefore the principle of the development rests on the acceptability of the loss of the car park. Once this principle has been established, then consideration can be given to the finer points of the development as outlined in the report below.

2.2. Loss of Parking

- 2.2.1. The proposal will reduce off-street parking provision for Rathbone House and the adjoining residential blocks (Barrett House, Varley House, Sandby House, Morland House & Kilburn Square), which together total 275 flats, by 27 spaces. These spaces have been deemed by the applicant to be surplus to requirements, with the lower deck of parking being disused for some dozen years or more therefore none of the calculations include the 30 garages on the disused lower level of this site.
- 2.2.2. To help to corroborate this, Census data for the local output area from 2011 has been examined, which shows a total of 66 cars owned by residents of 248 flats in this immediate area. The Census data area corresponds very closely to the Kilburn Square development, but it should be noted that it includes 'car-free' flats at Coral Mansions and excludes flats at Sandby House. Nevertheless, it is considered to give a suitably accurate representation of car ownership within the Kilburn Square development.
- 2.2.3. On the basis of the above, average car ownership within Kilburn Square totals about of 0.27 cars/household and car parking demand within this estate would total about 73 spaces.
- 2.2.4. There are currently 143 existing car parking spaces within the Kilburn Square estate for the use of these 275 flats (a ratio of 0.52 spaces per household), which are all managed by Brent Housing Partnership.

This would fall to 0.39 spaces per household as a result of this scheme, which remains above the 0.27 cars per household derived from the census data.

2.2.5. Overnight parking surveys were undertaken by the applicant on two consecutive nights in October 2015. These showed totals of 79 and 80 cars parked within the estate on the two nights respectively, with just two cars parked within this application site on both nights. These results correspond closely with the Census data and demonstrate that, with 143 spaces available, there is currently more than adequate parking space available for Kilburn Square residents.

2.3. Residential Use

- 2.3.1. The surrounding area is broadly residential in nature with other uses of a more commercial nature on Kilburn High Road approximately 200m to the north east of the subject site. The proposal will form part of the Kilburn Square Estate (Barrett House, Varley House, Sandby House, Morland House & Kilburn Square).
- 2.3.2. In addition, the PTAL rating of the site is 5 (very good), is close to local amenities and has a amenity space within a short walk from the site. Therefore this is an appropriate and sustainable location for residential use.

2.4. Summary

2.4.1. On the identified points above, there are no concerns regarding potential overspill parking from this development and the loss of this car park to facilitate development is acceptable. The replacement of the car park with a residential use (subject to finer considerations) is considered a merit of the scheme, given the surrounding uses, the residential nature of the area and the ability for the site to be appropriately serviced.

3. Quality of Accommodation

3.1. Unit Mix and Unit Sizes

- 3.1.1. A good standard of accommodation is a combination of several factors including basic space standards (as defined by the London Plan policy 3.5); outlook; privacy; daylight and sunlight; and amenity space. An acceptable living environment is subject to more subjective matters such as the quality of that amenity space, the design of the scheme and the relationship with car parking, cycle storage and external factors such as noise and pollution.
- 3.1.2. The proposal consists of 24 units, of which 14 are proposed to be affordable rent and 10 are proposed to be intermediate housing. Your officers recommend this is secured by condition.

3.2. Unit Mix

Unit	Number	Unit Sizes	Percentage
1b2p	12	51sqm – 54sqm	50%
2b4p	8	72sqm-80sqm	33%
3b5p	1	96sqm	4%
3b5p (wheelchair adaptable)	3	114sqm	13%

- 3.2.1. All properties reach the minimum requirements for London Plan (Supplementary Housing Guidance 2015) and Technical Housing Standards (March 2015). All units have ample storage and are laid out in a sensible arrangement with habitable rooms facing out towards the street or to the rear overlooking the shared amenity space. Your officers note that the proposal does not have any single aspect units.
- 3.2.2. The proposals include 3×4 wheelchair accessible units which exceeds the target for 10% adaptable units identified in the London Plan.

3.3. Density

3.3.1. National, regional and local policies seek to maximise the potential of the site, with the NPPF and the London Plan encouraging the efficient use of land. Policy 3.4 of the London Plan aims to maximise the potential of a site taking account of local context, London Plan design principles and public transport capacity. Brent's Core Strategy policy CP6 seeks to ensure developments have proper regard to policy 3.4 and states that "a notional density figure is not the only consideration, and the quality of design, location of the site and the need to provide family housing are all important".

- 3.3.2. The proposal has a total of 68 habitable rooms, which totals approximately 680 habitable rooms per hectare (hr/ha). The Sustainable Residential Quality (SRQ) density matrix within the London Plan (table 3.2) suggests that between 200-700 hr/ha is appropriate for this location and the proposed amount fits into these guidelines appropriately.
- 3.3.3. The proposal provides 17% 3 bed dwellings, which does not meet the requirements outlined in the UDP which requires 25% of units to be 'family sized dwellings' (3 bedrooms or more).
- 3.3.4. When considering this lack of provision, officers have given substantial weight to the 100% affordable housing that this site will deliver. In addition, the proposed development put forward is part of BHP's wider infill programme to provide new quality affordable homes across the Borough. As part of their overall programme, BHP are currently providing over 28% of 3+ bedroom homes, with the aim to increase this to 35% when sites suitable for family homes, particularly for 4 bedroom family homes become available. Given the slightly denser nature of the site and its location in a more urban area of the Borough, the slight reduction in 3 bed family units (when compared to the Development Plan) in this instance is considered to be acceptable.
- 3.3.5. Whilst your officers have to consider this particular development on its own merits, the above stated information does help in outlining the wider social housing gain for the Borough.

3.4. Amenity Space

3.4.1. The proposal identifies both external balcony and existing outdoor space on the estate as the amenity space for the proposal. As the building is being incorporated into the existing estate, your officers have found this approach to be reasonable.

Unit	Sqm of private external space required	Sqm of private external space proposed
1b 2p units	20sqm	6.5sqm - 7.5sqm
2b 4p units	20sqm	10sqm – 35sqm
3b 5p units	50sqm	27sqm
External provision	600	271

- 3.4.2. SPG17 states that there should be a minimum of 50sqm for a three bed ground floor flat although allowances can be given for developments in more urban areas.
- 3.4.3. Based on the calculations held within SPG17 is a requirement for 600sqm of external amenity space on site (four x 50sqm for ground floor three bed units and 20 x 20sqm for all others). A flexible approach can be taken with the 50sqm of provision for the 3 bed units, given the denser nature of the surrounding area and the existing form of the surrounding properties. The balcony, terrace and rear amenity provision totals 271sqm, approximately half the requirement described under SPG17.
- 3.4.4. Officers also give consideration to the amount of amenity space contained within the development site as a whole. Based on the existing number of units on the estate (and their size) when taking into account SPG17 a total of 6,630m2 of amenity should be provided. Your officers acknowledge that SPG17 was adopted after this estate was built however this is the closest basis to form a broad summary. Currently the estate offers 7,229m, which provides 29.5m2 per dwelling. With the addition of the proposed 24 new homes, the average provision per dwelling becomes 26.8m2, just 2.6m2 less per dwelling.
- 3.4.5. The estates ability to incorporate this proposal combined with the 271sqm of external, private amenity space is considered to be acceptable to officers in this instance.
- 3.4.6. Within the proposal, your officers consider that there is acceptable degree of privacy for and outlook from each unit. Many of the windows overlook the primary street (Brondesbury Road) or the secondary street (Algergon Road). Following officer concerns, the applicant has also provided further information with regards to ground floor windows facing Rathbone House and amended the relationship to the flank wall of Rathbone and the habitable windows on the ground floor of the proposal. Your officers consider that all habitable room windows have good outlooks and access to light.
- 3.4.7. Your officers have noted from the plans that there is a sub-station and tank room on the site as well as there being communal plant associated with the residential dwellings. Therefore it is recommended that a

condition is attached to any approval granted requiring any plant/machinery to be taken into account in order to ensure that the noise levels from the operation of this equipment do not cause disturbance to the prospective occupiers of the properties.

3.4.8. Your officers are confident the overall standard of accommodation provided for future occupants of this proposal will be satisfactory and in accordance with the Development Plan.

4. Impact on Character and Appearance of the Area

4.1. . Surrounding Character

- 4.1.1. The subject site is bordered by the Kilburn Conservation Area on two sides. The conservation area (BE25-28 of the UDP and the Kilburn Conservation Area Character Appraisal) is characterised by its different styles of late Victorian architecture, in particular handsome and well detailed Victorian villas from four housing developers covering different timeframes. The site is next to a development of Victorian housing which is described in the Kilburn Conservation Area Character Appraisal as 'all three storey above basement stock brick houses with stucco ground floors and dressings. The properties have deep bracketed eaves cornice and decorative layering of stock brick including rustication and pilasters.' The conservation area is therefore considered a significant heritage asset.
- 4.1.2. The existing estate, of which this proposal will form part of, is a mixture of heights from 4 storey to 7 storey. There is also a larger block of approximately 18 storeys however this is served off Victoria Road and some distance from the subject site and doesn't fall into the immediate setting of the site.
- 4.1.3. The quality of this housing is reasonable- brick built and solid in its urban form and layout. Any future development will need to respond appropriately to the layout and massing of the existing estate whilst being sympathetic to the Conservation Area opposite.

4.2. Scale and Massing

- 4.2.1. The proposal is part 4 storey (12.7m) and part 6 storey (18.35m) in height and comprises of a much greater height and massing that what is currently seen on the site.
- 4.2.2. In the wider context of the site, the general massing of four to six storeys is acceptable the 4 storeys mirroring the larger Victorian villas and the 6 storey element backing onto the 7 storey Rathbone House block.
- 4.2.3. The proposal gives height to the building where most appropriate- which is adjacent to Rathbone House and steps down away from this taller element where the site becomes more sensitive- being bordered by the CA at Brondesbury Road and Algergon Road.
- 4.2.4. The proposal would not dominate the existing urban fabric and is considered to have an appropriate massing response to this constrained site.
- 4.2.5. Your officers consider the height, massing and size of this block to be acceptable in this location's context.

4.3. Layout

- 4.3.1. The subject site is faced on three sides by residential properties and therefore the layout must respond to the existing relationships between blocks.
- 4.3.2. The distances between the residential properties across Algernon Road and Brondesbury Road are in excess of the 20m minimum stipulated by SPG17. A line of habitable windows are within approximately 11.5m of the proposal (Rathbone House) however these are not single aspect and there are no windows within this part of the rear wall of the proposed development. The aforementioned 11.5m is in excess of the requirements from habitable rooms towards flank walls held within section 3.3 of SPG17.
- 4.3.3. The proposed building fills the majority of the site. The ground floor units are served by their own doorways, which are set back from the street by a generous front garden depth of approximately 5.5m. This aspect of the proposal is in accordance with the Mayor's Housing SPG, promoting activity between the pavement and private amenity space.
- 4.3.4. Access to the upper floors is through an entrance door which leads to a lobby and lift within the 6 storey

block. The bins for the shared core (flats) are to be on the ground floor fronting the road.

- 4.3.5. The new continuous frontage facing Brondesbury Road will better reflect the prevailing building line of the street. It will provide an improved definition to the street edge and enclosure with the existing built form directly opposite. Careful consideration has also been given to the way new built form would be able to mark and turn the corner squarely from Brondesbury into Algernon Road, providing a further well defined and active frontage to this secondary street.
- 4.3.6. The perimeter wall will be built in the same brick as the main building which shows a consistent approach to materials.
- 4.3.7. Your officers consider that the proposal, in terms of its layout and relationship to other properties, is acceptable.

4.4. Elevation Design

- 4.4.1. Given the site and the differing architectural styles surrounding the proposal, the contemporary design approach is sensible. The use of brick reflects the materials of the conservation area and if innovatively designed, your officers believe this could enhance the setting. However, the use, style of brick, and design of the brickwork bonding is crucial and will require further details. The current elevations only show a limited use of patterned brickwork in a number of areas however the exact materials will considered further by condition. The proposal is considered to meet the NPPF's guidance (12) by seeking positive improvements in the quality of the built and historic environment, as well as in people's quality of life, including replacing poor design with better design.
- 4.4.2. The proposed building incorporates projecting balconies and covered galleries, which will have glass balustrades. Further details will need to be submitted with regards to privacy screens between differing unit's balconies.
- 4.4.3. The windows are proposed to be black framed metal composite; aluminium and timber. The required windows (such as bathrooms) will be obscured appropriately.
- 4.4.4. Overall the proposals would preserve the character and appearance of Kilburn Conservation Area. Furthermore, in general, the proposals are considered to meet the NPPF's core principle (para. 12); particularly that planning should be seeking to ensure high quality design and seeking to conserve heritage assets in a manner appropriate to their significance.

5. Neighbouring Residential Amenity

5.1. Privacy and Overlooking

- 5.1.1. The Council seeks to protect the amenity of neighbouring occupants to acceptable standards whilst recognising the right of land-owners to develop their property. On new developments such as this the main impact on amenity arises from (i) overbearing impact of the size and scale of the building(s); (ii) loss of outlook, which is related to overbearing impact; (iii) loss of privacy; and (iv) loss of sunlight. The Council has published supplementary planning guidance (SPG17) which establishes generally acceptable standards relating to these matters, although site specific characteristics will mean these standards could be tightened or relaxed accordingly. Overbearing impact arising from the height of blocks is controlled via 30 degree and 45 degree planes from neighbouring habitable rooms and relevant boundaries; privacy is quoted as distances between directly facing habitable windows and from boundaries. Neither outlook nor light have specific values, although light is generally controlled to BRE standards.
- 5.1.2. Your officers have assessed the proposal to ensure there would not be an undue loss of privacy or any unjustified overlooking from the proposed development.
- 5.1.3. The separation distance (some of which is described in the layout chapters) to neighbouring properties is generally good in all directions. The closest windows to the proposed development are on the projection from the front elevation of Rathbone House (inward facing) and are at a distance of 11.5m. These rooms are dual aspect however and would not have a significant detrimental impact on these windows or the rooms within them. The balconies, however, have the ability to compromise the privacy of neighbouring properties. Further details of obscure glass balustrades at a height of 1.8m will be required through condition to reduce this to acceptable levels.

- 5.1.4. The separation distances are more than 20m towards properties on Algernon Road and Brondesbury Road and are separated from the aforementioned properties by roads.
- 5.1.5. Your officers do not feel that the proposal will result in a material loss of privacy, subject to a condition requiring further details of privacy screens on the balconies.

5.2. Daylight and sunlight

- 5.2.1. The daylight report considered 114 windows in total across 69 rooms. There were three windows which do not reach the requirements of the BRE guidance with regards to daylight. In terms of sunlight, 31 windows were assessed and two do not meet the BRE guidance. The BRE guidance consider this to be a minor impact on these affected windows. It is considered that two of the windows that do not meet this criteria serve dual aspect rooms, which are identified in the previous section (projection from the front elevation).
- 5.2.2. Your officers are in agreement with the methodology and scope of the report.
- 5.2.3. The daylight report considered 114 windows in total across 69 rooms. There were three windows which do not reach the requirements of the BRE guidance with regards to daylight. In terms of sunlight, 31 windows were assessed and two do not meet the BRE guidance. It is considered that two of the windows that do not meet this criteria are the dual aspect windows which are identified in the previous section (projection from the front elevation).
- 5.2.4. In such situations, it is appropriate to have regard for the character of the area, which is a relatively dense urban environment where some degree of impact is expected. Officers have given consideration to the fact that this is a particularly underdeveloped site with little or no built structures which affect the views, daylight or sunlight presently.
- 5.2.5. Your officers consider that the minor transgressions for a few isolated windows are acceptable particularly when balanced against the merits of the scheme and the cumulative impact is negligible.

5.3. Summary

5.3.1. Your officers consider the proposal adequately response to the living conditions of neighbouring residents.

6. Sustainability

- 6.1. The Council seeks to ensure new development contributes to sustainable development including climate change adaptation and mitigation. Core Strategy policy CP19 stipulates that London Plan policy 5.2 be followed, which requires carbon dioxide emissions from new development to be minimised in accordance with an Energy Hierarchy to Be Lean (use less energy), Be Clean (supply energy efficiently), Be Green (use renewable energy). The development appears to meet the London Plan target of a 35% reduction in carbon dioxide emissions from the Building Regulations Part L 2013 baseline Target Emissions Rate.
- 6.2. The development appears to exceed the Part L 2013 baseline of 35% (38%).
- Be lean Proposed measures include a well-insulated building fabric, energy efficient glazing, targeting low air permeability and minimising thermal bridges through best practice detailing. The development has been designed to accommodate passive design measures. This represents 10% of the total reduction.
- Be clean The applicant has identified that there are no existing heat networks. The development is close to an identified district heating opportunity zone but that this is problematic due to being separated by a railway line. They use the London heat network to illustrate this.
- Be green The applicant has decided to use PV networks. They note that it can be mounted on any
 unshaded roof space and that approximately 190m2 un-shaded roof area will be required to fit in the
 19kwp PV panels. As this represents the majority of the reduction; a condition will be placed to request a
 more detailed PV Roof Plan.
- 6.3. The London Plan targets a 35% reduction in CO2 emissions and any shortfall will be subject to a condition requiring appropriate compensatory measures if not met.

7. Landscape

7.1. Within the scheme

- 7.1.1. Your officers have assessed the landscape strategy submitted with the proposals.
- 7.1.2. Brent policy stipulates that 50% of front gardens should be soft landscaping and whilst the proposals do fall very marginally short of this, the proposal also includes the introduction of small ornamental trees to front gardens. The front gardens of the ground floor units also have cycle and refuse provision.
- 7.1.3. The boundary treatment proposed along Brondesbury Road and Algernon Road is to be a simple brick wall. This will be of a height that is sufficient to disguise the necessary waste bins from the footpath (approximately 1.2m) and will be in style and height similar to existing conditions within the conservation area. These details are considered to be broadly acceptable and will be reserved by condition.
- 7.1.4. There will be new planting proposed surrounding the site (as seen within the Landscape Masterplan) along with trees lining the pathway towards Rathbone House/the subject site.
- 7.1.5. Subject to more detailed considerations such as species choice and coverage, to be secured by condition, the landscaping proposals are acceptable.

7.2. Wider improvements

- 7.2.1. Following consultation with the existing residents of the estate, improvements are proposed to the existing landscaping features of the site. These are:
 - Bulb and shrub planting surrounding the site;
 - New tree planting between the development site and the adjacent car park;
 - Introduction of new play equipment.
 - Introduction of new hedge surrounding the site (as requested through consultation)
 - Raised timber allotment beds (details to be conditioned)
- 7.2.2. Subject to approval of finer details, the proposed landscape requirements are deemed acceptable and appropriate for the nature of this scheme.

8. Trees

- 8.1. In accordance with s197 of the Town and Country Planning Act 1990, the Council has a duty to ensure, whenever appropriate, that adequate provision is made for the preservation or planting of trees by the imposition of conditions. The proposed development has been assessed in light of this duty and your officers are satisfied that the Council's duty in respect of trees can be met, subject to conditions.
- 8.2. An assessment of all existing trees on site has been undertaken to assess the extent of tree loss as a result of the proposals. The proposal will see the removal of six trees. The proposal seeks to replace these trees with three within the courtyard area and six adjacent to the public footpath to the north of the site.
- 8.3. Of the trees to be removed, all are categorised as either A, B, C or U. (A being the highest quality, C being the lowest and U to be removed). There are two category A trees that will be lost as a result of this proposal, three category C and a single category U tree.
- 8.4. The existing trees are considered to provide some amenity value presently, and their loss will need to be mitigated against in order to make adequate provision for the planting of trees. The proposal is for five new street trees in total to mitigate against the loss of street trees: three on Brondesbury Road and on Algergon Road. There are also ten trees proposed on the pathway between the proposed building and car park along with smaller, ornamental trees in front gardens.
- 8.5. Your officers consider that the important trees that require replacing are the two category A trees and the three category C trees. These are sufficiently mitigated against by the planting of the new proposed street trees. The other trees, as outlined above, can be considered as genuine amenity benefits to the immediate vicinity as they will be of an appropriate size to soften the appearance of the new development as well as providing visual amenity benefits.
- 8.6. Your officers, if members resolve to grant planning permission, recommend that a condition requiring the submission of a tree protection plan is required prior to the commencement of ground works.

9. Environmental Health

9.1. Construction

- 9.1.1. Officers acknowledge that that the proposed demolition and construction of the residential dwellings will be carried out within close proximity to existing residential and commercial premises and there is a risk of short term harm to amenity arising from construction in terms of noise, dust, pollution and other disturbances. These matters are, however, covered under separate legislation and therefore it is not appropriate to seek to limit development because of these likely impacts nor to control their impacts under planning legislation.
- 9.1.2. Due to the proposal including the demolition of a structure built before 1985, offices recommend that an informative is added to consider the risks of asbestos on site.

9.2. Air Quality

9.2.1. Policies 4A.14 - 4A.20 of the London Plan aim to prevent and mitigate any significant potential pollution impacts arising from development in terms of air quality, noise, vibration and on water quality and supply. Officers acknowledge that this site is within an Air Quality Management Area and an appropriate assessment will be required. This requirement has been partially satisfied however any additional provisions to meet Air Quality requirements can be achieved without material changes to the plans that will be granted. Due to the submitted information with this application and nature of the site officers consider it reasonable to secure any additional provisions on site through condition.

9.3. Contamination

- 9.3.1. The proposed site has previously had an industrial use and therefore contamination of the land is likely. Your officers have considered the JOMAS geo-environmental desk study and preliminary risk assessment (Report ReferenceP9474J843 dated 26th April 2016) and are in agreement with the methodology of this report and the conclusions for a site investigation to be undertaken.
- 9.3.2. Therefore due to there being a requirement for some further investigative works officers would recommend conditions stipulating further works, should the application be approved.

9.4. Summary

9.4.1. Your officers have no objections to the application on Environmental Health grounds, subject to appropriate conditions.

10.Transportation

- 10.1. Officers have given consideration to the below when assessing the application:
 - Brondesbury Road local traffic-calmed residential access road & bus route.
 - Algernon Road local residential access road and 20 mph zone
 - Controlled Parking Zone "KB" 8.30am-6.30pm weekdays
 - No parking at any time on AR frontage & at junction, but 6 p&d bays along BR frontage
 - Neither BR not AR noted as heavily parked at night
- 10.2. Car parking allowances for residential use are set out in standard PS14 of the adopted UDP 2004. As the site has very good access to public transport services and is located within a CPZ, reduced allowances of 0.7 spaces per 1-/2-bed flat and 1.2 spaces per 3-/4-bed property apply.
- 10.3. This proposal would therefore generate a total parking allowance of up to 18.8 spaces for the 24 proposed flats and by providing no off-street parking within the site for the new dwellings, standards would be complied with.
- 10.4. As explained in the opening section, the proposal will reduce off-street parking provision for Rathbone House and the adjoining residential blocks (Barrett House, Varley House, Sandby House, Morland House & Kilburn Square), which together total 275 flats, by 27 spaces. These spaces have been deemed by the applicant to be surplus to requirements, along with the lower deck of parking as it has been disused for some dozen years or more.
- 10.5. This development will reduce off-street parking within the estate to 116 spaces, leaving a surplus of about 40 spaces. The applicant therefore proposes that residents of the new flats will be allowed to purchase permits to use some of these surplus spaces and on this basis, there should be no additional demand for

on-street parking arising from this proposal.

- 10.6. In any case, the lengths of Brondesbury Road and Algernon Road fronting the site were also surveyed by the applicant and these areas were also lightly parked at night, with only 9-10 cars parked in 49 spaces along the northern side of Brondesbury Road and eastern side of Algernon Road adjoining the Kilburn Square estate. This also matches Brent's own overnight parking surveys, which show neither street to be heavily parked at night.
- 10.7. It is recommended that three spaces within the adjoining off-street car park are marked and reserved for disabled Blue Badge holders for the three proposed wheelchair units though, in order to satisfy standard PS15. Alternatively, consideration could be given to marking spaces on-street along the Brondesbury Road frontage of these units, upon application by future residents.
- 10.8. Standard PS16 requires the provision of at least one secure bicycle parking space per flat. A secure store is indicated at ground floor level for 28 bicycles for the flats, providing more than adequate provision in a protected location. Further stores are proposed in the front gardens of the four 3-bed units, which are also welcomed.
- 10.9. On this basis, when considering the site's good level of access to public transport there are appropriate alternative to car use. Therefore, your officers consider that there are no concerns regarding potential overspill parking from this development.
- 10.10. Bin storage (four Eurobins and two wheeled bins) is proposed in a communal storage area alongside the main entrance for the flats, allowing providing adequate storage in an easily accessibly location for collection for the 1- and 2-bedroom flats. Separate stores are proposed in the front gardens of the 3-bed units, also allowing easy collection from the highway.
- 10.11. Fire appliance access is also provided directly from the two highways fronting the site.
- 10.12. With no vehicular access required to the site in future, both existing crossovers will need to be reinstated to footway with full height kerbs, allowing the opportunity to also extend parking bays along the site frontage. The cost of these works, including TRO's, will need to be met by the applicant prior to occupation of the development.
- 10.13. Surface water drainage is to be fed to a 30m³ attenuation tank, before being fed into the existing sewer beneath the adjoining car park area via a hydrobrake limiting discharge to 2l/s, in line with greenfield rates. This sewer is then already connected to the public sewer in Brondesbury Road.
- 10.14. Subject to a condition requiring the reinstatement of the existing crossovers to the site to footway and associated amendments to parking bays to be paid for by the applicant prior to occupation of the development, there would be no objections on transportation grounds to this proposal.

11.0. Summary

- 11.1. Your officers see significant benefits to the scheme, which includes the continued and viable delivery of affordable housing within a sustainable location along with the improvements to the frontage of Brondesbury Road and improvements to the wider landscaping of the area.
- 11.2. Accordingly, for the reasons set out in detail within the report, your officers recommend this proposal for approval.

CIL DETAILS

The proposal may be eligible for social housing relief. The figures quoted here do not include any discount for relief because an application for relief must be made after planning permission has been issued and be received in the proper form and decided before any works commence.

This application is liable to pay £578,154.06* 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): 97 sq. m. Total amount of floorspace on completion (G): 2107 sq. m.

Use	Floorspace on completion (Gr)	retained	Net area chargeable at rate R (A)	Brent			Mayoral sub-total
Dwelling houses	2107	0	2010	£200.00	£35.15	£491,732.14	£86,421.92
			0	£0.00	£0.00	£0.00	£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)	274	
Total chargeable amount	£491,732.14	£86,421.92

^{*}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.

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.

^{**}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.

DRAFT DECISION NOTICE



DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE - APPROVAL

Application No: 16/1947

To: Mr martin PRP Architects LLP 10 LIndsey Street London EC1A 9HP

I refer to your application dated 09/05/2016 proposing the following:

Demolition of existing car park (including 6 garages) and the construction of a four to six storey residential building comprising 24 self-contained units (12 x 1bed, 8 x 2bed and 4 x 3bed) with associated bin stores and landscaping

and accompanied by plans or documents listed here:

See condition 2

at Car Park & Rathbone House Garages, Brondesbury Road, London

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

Date: Signature:

Mr Aktar Choudhury

Operational Director, 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

Application No: 16/1947

SUMMARY OF REASONS FOR APPROVAL

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

Brent Unitary Development Plan 2004 Central Government Guidance (London Plan) Council's Supplementary Planning Guidance SPG17

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.

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

AA5587-2000- Location Plan
AA5587-2007 A- Elevations Sheet 1
AA5587-2008-A Elevations Sheet 2
AA5587-2003 A- Proposed Site Plan
AA5587-2004 A Proposed Ground and First Floor Plan
AA5587-2005 A Proposed Second and Third Floor Plan
AA5587-2006 A Proposed Fourth, Fifth and Roof Plan
Soft Landscape Strategy (AL5587- 2102 Rev A)
Landscape Masterplan (AL5587-2101 Rev A)
Tree Retained and Removal Plan (AL5587-2100 Rev A)

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

The development hereby approved shall be implemented and maintained for the lifetime of the development as 100% affordable housing (meaning subsidised housing at below market rents, intended for households who cannot afford housing market rates), except in the case where any intermediate housing unit is delivered as shared ownership housing and a purchaser of any shared ownership unit subsequently purchases additional equity and staircases out to own 100% equity in that shared ownership unit. 14 units (6 x 1, 4 x 2 and 4 x 3 bedroom units) shall be delivered as affordable rented housing and 10 units (6 x 1 and 4 x 2 bedroom units) shall be delivered as intermediate housing, and LB Brent will have the right to nominate people to be housed in the affordable rented housing in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is implemented in accordance with the details submitted, and to contribute to meeting Brent's identified housing needs, including meeting LB Brent's statutory housing duties.

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 (not including demolition). 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.

- Prior to commencement of above ground works (not including demolition or site preparation), further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50) or manufacturer's literature which show:
 - (i) the window and door manufacturer, model, materials and colour;
 - (ii) window and door reveals, headers and sills, including the depth of the reveals;
 - (iii) opening arrangement of typical window;
 - (iv) balcony treatment (elevations and section plans including details of the floor level, with any ledges or flat surfaces to be provided on the inside of the balconies only); and
 - (v) The proposed obscure glazing between the proposed balconies at a height of 1.8m; and
 - (vi) junction details of differing materials and brickwork bonding;

The development shall be completed in accordance with the details so approved before the new development is occupied.

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

Full details of secure and covered cycle parking for a minimum 52 bicycles, including the layout of cycle parking areas and details of cycle storage facilities within those areas shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to occupation and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of sustainable transport and highway flow and safety.

Further details of a communal television system/satellite dish provision shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any satellite dish. The approved details shall be fully implemented and retained for the lifetime of the development.

Reason: In order to mitigate the possibility of numerous satellite dishes being installed on the buildings hereby approved, in the interests of the visual appearance of the development, in particular, and the locality in general.

Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval prior to the installation of any plant. The plant shall thereafter be installed and maintained for the lifetime of the development in accordance with the approved details.

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

Prior to the commencement of the development, an Air Quality Report shall be submitted to and approved in writing by the Local Planning Authority. The Air Quality Report shall include the impact of the building works and operation of the development on local air quality, as well as the impact of local air quality on the future residents of the development. Any mitigation measures recommended within the approved report shall be implemented and thereafter be retained for the lifetime of the development.

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

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

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

- No occupation of the development shall occur unless an Energy Assessment Review has been submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:
 - (i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions; and
 - (ii) Provides details of the future connection to Decentralised Heat / Energy Network

If the review specifies that the development has failed to meet the above levels, appropriate compensatory measures shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

The approved Energy Strategy (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

Details of the roof plan, showing the areas of the proposed photovoltaic panels in accordance with the sustainability measures secured as part of this development, shall be submitted to and approved in writing by the Local Planning Authority, prior to completion of construction work and shall be installed prior to occupation of the development hereby approved and shall be retained for the lifetime of the development.

Reason: To demonstrate these are adequate and suitable to provide the level of carbon offset sought.

14 Prior to commencement of works above ground level, further details of the sustainable urban drainage measures to achieve a 5l/s discharge rate for surface water in accordance with the London Plan SUDS drainage hierarchy shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in accordance with the approved details.

Reason: To comply with London Plan Policy 5:13 (Sustainable drainage).

Prior to the occupation of the development, details of the private and communal refuse stores shall be submitted and approved in writing by the Local Planning Authority. Such details will include the design of the bin stores and the quantum and types of bins (to include recyclable

waste provision). The approved details shall be retained for the lifetime of the development.

Reason: To provide adequate refuse facilities for residents and to ensure the effective pick up of waste from the development

No development shall be carried out until what time as 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.

Prior to occupation of the residential development hereby approved, confirmation from the Building Control body shall be submitted to the local planning authority to demonstrate that the development has been designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: To ensure the new dwellings are water efficient

Not less than 10% of residential units shall be wheel chair accessible (in the case of Affordable Rented units) or Easily Adaptable (in the case of Private and Intermediate units) unless otherwise agreed in writing by the Local Planning Authority.

Reason; To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

The existing vehicular crossovers on Brondesbury Road and Algernon Road shall be reinstated to footway with full height kerbs and the subsequent extension of the parking bays shall be undertaken by the Local Highway Authority at the applicant's expense prior to occupation of the development. The approved details shall be retained for the lifetime of the development.

Reason: In the interests of visual amenity and highway safety

Details of lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of relevant works associated with the improvements to the estate wide communal areas, for the footpaths leading to the proposal and any security lighting on the building.

The approved details shall be fully implemented and retained for the lifetime of the development.

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

Prior to the demolition of the car park and garages, a tree protection plan and arboricultural method statement set out in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The tree protection plan shall include all retained trees within the site (as outlined in the drawing AL5587_2100 A) and those trees in proximity to the site whose root systems may be impacted upon during construction. The TPP shall show locations of all protective fencing, ground protection, site facilities and storage areas.

The arboricultural method statement is to include specific details with regards to any operations that may encroach upon the root protection areas (RPA's) of all retained trees. The AMS should pay particular attention to the construction of parking over the retained trees. Cross sectional drawings shall be provided showing construction detail and any proposed build-up of soil above

normal ground level in order to allow the successful rooting of new turf. All operatives working on the site will be briefed on the importance of tree protection as part of their induction.

Any tree that falls into irreversible decline and/or dies as a result of non-adherence to the approved documents within a period not to exceed five years from completion of works shall be replaced with a tree of size and species to be agreed with the Local Authority.

Reason: To protect trees in the immediate environment and to retain a mature tree cover around the site

- 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 details shall include:
 - (i) All species of grasses, plants, shrubs, hedges and trees within the development;
 - (ii) Adequate physical separation, such as protective walls and fencing, between landscaped and paved areas;
 - (iii) Details of the proposed arrangements for maintenance of the landscaping; and
 - (iv) Boundary walls, fences and paving bordering and within the development.

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.

INFORMATIVES

- The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 Delete this and enter unique informative here
- The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

Any person wishing to inspect the above papers should contact Robert Reeds, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 6726